

Hazardous Materials Commission

Draft Minutes Operations Committee

November 11, 2022

Members and Alternates

Present: Tim Bancroft, Marielle Boortz, Maureen Brennan, Fred Glueck, Steve Linsley, Gabe Quinto, Aaron Winer (alternate),

Absent: Treston Shull,

Staff: Michael Kent

Members of the Public: Latifah Abdullah, Dante Miguel

1) Call to order, announcements:

Commissioner Glueck called the meeting to order at 10:00 am.

Michael Kent announced:

- The next full Commission meeting will be on the special day of December 8, 2022 at 4:00 replacing the regular November and December meetings.
- The next Commission annual Supervisor meeting will be with Supervisor Burgis on December 1 at 2:00 pm.
- The next Board of Supervisors Sustainability meeting will be on November 28th at 1:00.
- The Board of Supervisors Legislation committee will consider the Commission's recommend changes to the County's State Legislative Platform on November 21st at 3:00.

Commissioner Quinto announced this would be his last Commission meeting and the Mayors Conference has begun to look for replacements for his and Dave Hudson's seat.

Commissioner Brennan alerted the committee to the fact that the California Attorney General, Rob Bonta, had joined a lawsuit against the manufactures of PFAS.

2) Approval of Minutes:

Approval of the minutes from the October 14 and 20, 2022 meetings were moved by Commissioner Brennan, seconded by Commissioner Boortz and approved with corrections by a vote of 6-0.

3) Public Comments:

Latfah Abdullah said she hopes to see something in the update to the County's General Plan about brownfield redevelopment and community engagement.

4) Old Business: None

5) New Business:

a) Presentation by Healthy Contra Costa about contaminated site clean-up Community Engagement

Dante Miguel, a staff member of Healthy Contra Costa gave a brief presentation. He said that Healthy Contra Costa used to be called Healthy Richmond when it was a project of the California Endowment, but since that project ended, it has expanded to be county-wide. Their focus is on promoting health equity, first with the City of Richmond, and now with Contra Costa Health Services. In the past, they had worked with a leadership team of residents in North Richmond to develop a Quality of Life Plan for North Richmond.

He went on to say that their focus for this presentation is on the clean-up of the Center Point site on Brookside Drive in North Richmond. He gave a power point presentation (attached) about the tour they did with the Board of Environmental Safety, an advisory board to the California Department of Toxic Substances Control (DTSC), of the site and surrounding community on September 28, 2022. He added that in 2019, the leadership team opposed the reuse of the Center Point site as a distribution center, but were not successful in keeping that from happening, as it was granted a land use permit for that function earlier this year by the County. He stressed this is a cross-sectoral issue involving Environmental Justice, community health, economic considerations, and power dynamics.

Mr. Miguel then described the stakeholder involvement process they went through around this site that included Center Point, DTSC, the Board of Environmental Safety, Verde Elementary school staff, Richmond Our Power Coalition, Urban Tilth, the Watershed Project, Contra Costa Health Services, North Richmond Community Housing, the Office of County Supervisor Gioia, Dr. Hill from UC Berkeley and community residents. They engaged DTSC throughout the process of developing the Draft Remedial Action Workplan (RAW), including participation at a North Richmond Municipal Advisory Council (MAC) presentation by DTSC. They were able to get DTSC to extend the comment period on the draft RAW twice and have a commitment by DTSC to participate in a community listening session on December 1, 2022.

Next, Latifah Abdullah, a resident of North Richmond, spoke. She explained that she has been a resident of North Richmond since 2017. In 2018 or 2019 she said she got a survey about the site from DTSC that didn't have much substance to it. The next thing she heard about the site was an announcement this June of the availability to review the draft RAW on the DTSC EnviroStor database. She said it was difficult to try to review the lengthy document during the 30-day public comment period, so she reached out to DTSC to ask that they do more community engagement. She said they were dismissive because she was only one person. They said only 16 out of 600 residents responded to the survey they sent out and only one of them was interested in the site, so DTSC wasn't going to do any more community engagement. But she said she continued her advocacy, so the DTSC extended the public comment period and made the presentation to the North Richmond MAC. Overall, she said the process to be involved was daunting. It was hard to review the technical documents. She also felt that rather than the passive, "check-the-box"

approach that that DTSC took, there should have been more active community engagement. So far, she said there has been no response to the public comment. She added that she recently became a member of Urban Tilth, and she is concerned about the potential impacts on Urban Tilth and near-by Verde Elementary School from the site.

Mr. Miguel continued by describing how at the North Richmond MAC meeting only DTSC spoke and that there was little time for community questions. He thought the community has lots of good questions about air monitoring and notification but the responses by DTSC felt dismissive. He said that at the community meeting on December 1st, they want DTSC to be part of the audience. He said that North Richmond is already overburdened, so having the community speak and DTSC listen is important. They want to center the community voice and reenforce the community recommendations. Also, the community wants a clear understanding of the dust containment and monitoring plan, and the type of communications that DTSC will have with the Community during the soil removal. He felt the community wants to educate themselves about what is the best plan for the site, wants funding for technical assistance to help figure this out, and wants to be part of the decision-making process for choosing the remedy at the site rather than just be informed at one meeting. They want to see a culture change at DTSC. He said there hasn't been any response to any public comment yet, but DTSC did agree to attend the Community meeting on December 1st.

Ms. Abdullah added that they also want the whole site clean-up, rather than just a partial clean-up, so that site can remain a community asset. She thought there might be grants that could help make this happen.

Commissioner Glueck asked if the local community group was against the project to redevelop the site. Ms. Abdullah said that she is a homeowner and not speaking on behalf of a group. She would prefer not to have the distribution center, but it has already been approved by the County. But she said that she didn't feel it was a good fit for the community and it went against the recommendations in the Quality of Life Plan. Mr. Miguel said they wanted the land for light industry and a lot of people don't think fulfillment centers are good for the community. Ms. Abdullah added that the County has put a moratorium on additional distribution centers in North Richmond.

Commissioner Glueck asked as a follow-up question if the community would prefer that the site not be clean up? Mr. Miguel said that they had met with Supervisor Gioia and he had asked about the cost/benefit of cleaning up the site vs leaving it as is and vacant. He thinks Supervisor Gioia also asked DTSC about this, but he doesn't think DTSC has responded about this yet.

Ms. Abdullah added that she thought Urban Tilth had community engagement for the clean-up and reuse process at their site and there is a reuse plan based on community input.

Commissioner Boortz asked if the only community outreach done was the survey that was sent out. Ms. Abdullah confirmed that it was and said the survey was in English and Spanish. She understood that Spanish speakers still thought it was too heavy a lift to provide input. Commissioner Boortz asked as a follow-up how DTSC accounted for the different forms of Spanish spoken by people of different regions. Mr. Miguel said he felt that a lot of the words get

lost in translation. Mr. Miguel added that a written version of the documents is at the San Pablo Library.

Commissioner Boortz then asked if it was difficult to get residents to attend the MAC meeting to hear about the clean-up plan, and how they did it. Ms. Abdullah said the MAC meetings are usually well-attended anyway, but outside of that it would have been more difficult. Mr. Miguel said that for the tour with the Environmental Safety Board they used an existing network to get people to attend. Also, there is a history of activism in North Richmond.

Commissioner Glueck asked how far away from the site are flyers sent, and were they sent to the property owner of the resident? Mr. Miguel said he wasn't sure, as DTSC sent out the flyers.

Commissioner Brennan commented that at the Shelby Slag DTSC clean-up in Rodeo she was appalled that all they wanted to do was hose down the equipment at the site and not cover it. She thought DTSC's dust control plans were minimal. Mr. Miguel said that they have asked DTSC about the dust control that will happen at the site during soil removal, but have not gotten a response so far and they are concerned about this. They want to understand the mitigation measures that are being proposed, but the burden is on them to understand. Commissioner Glueck said that the DTSC guidelines tell the owner what their contractors need to do, but did DTSC say if the contractors work plan would be shared with the community? Did they bring this to the community's attention? If they did, it could help the process go smoother. He thought that perhaps the Commission could look at this.

Commissioner Glueck thanked Mr. Miguel and Ms. Abdullah for their presentation and sharing the community's concerns with the Commission.

b) Debrief on the interview process for the student intern seat

The committee considered the process they just went through to screen and interview the 26 candidates for the 2 student intern seats.

Commissioner Brennan thought a lot of the students only experience with environmental issues trash and creek clean up, but the ones that rose to the top were interested in policy issues. She thought the interview process worked well to do that and was a good process.

Commissioner Quinto like the interview process and thought it did take equity into account.

Commissioner Linsley observed that it seemed like that the kids that had the best ability were not necessarily the ones that would benefit the most from the internships, and this was a tough thing to balance.

Michael Kent suggested that if the applicants were asked to fill out an application rather than just submit a resume that it might allow students with interest in policy issues and passion for the topic express this even if their resumes didn't show that so much. Commissioner Boortz agreed, and thought we should require applicants to fill out a application as well as submit their resumes.

Commissioner Boortz observed that there are different perspectives on the Commission, so it would make sense to try to get interns with different perspectives.

Commissioner Glueck noted that the original intent for the internships were to get a youth perspective, but we need to balance that with the need of some of the interns to have a paying job. He thought the committee needs to take another look at the flyer to make sure it expresses what the commission wants well enough.

The committee next turned to the issue of taking high school students vs college students. Commission Glueck asked if the Supervisors would care if the Commission selected high school students vs college students. Michael Kent said he couldn't think of a reason why it would matter to them. Commissioner Quinto said he would like to continue to consider community college students.

The committee agreed that at their next meeting they would discuss the issue of whether to continue to offer the internship to both high school and college students and to discuss what would be asked in an application.

c) Consider and develop recommendations to change the expiration dates of selected Commission seats.

The committee considered how to correct the imbalance between the number of Commission seats expiring in 2024 (5) and 2025 (2) caused by recent changes in the composition of the Commission.

The committee discussed each of the seats expiring in 2024 and determined that moving the expiration date of the Environmental Justice seat to 2025 made the most sense because the current seat holder had only been in the seat one year, and it would then be staggered with the two environmental seats which expire in 2023 and 2024. Moving the expiration date of Business Seat #3 or City Seat #3 would mean two of the seats in those categories would expire in the same year.

Commissioner Glueck made a motion, seconded by Commissioner Quinto, to recommend to the full Commission that it ask the Board of Supervisors to extend the term of the Environmental Justice seat to 2025. The motion carried 6-0.

- 6) Plan Next Agenda:** The committee will try to have a speaker on brownfield clean up community engagement from either DTSC, the County Department of Conservation and Development or the Richmond South Shoreline Area Community Advisory Group. Also they would continue the discussion of the selection process for the student intern seats.
- 7) Adjournment:** The meeting was adjourned at 12:00 pm.