

FINAL ACTION MINUTES

I. Roll Call: Present – Toffel, MacKusick, Bianco, Moret, Wood, Clear, Chatterjee, Krumme
Absent: Luten.

Chair, S. MacKusick. **Vice Chair,** J. Bianco. **Secretary,** N. Al-Hadithy. **Aide,** J. Tulloch

II. Report From Chair: New CEAC Tracker available.

III. Announcements from Commissioners:

- **Wood** – Asked why police attended tonight's meeting.
- **Toffel** – Include CEAC Tracker in every agenda.
- **Moret** – Expressed appreciation for police attendance due to disturbances in the past.
- **Bianco** – Invited speakers on green building, and wood smoke issues.
- **Krumme** - Commissioner Krumme recommended reading Aaron Wildavsky's, "A Citizen's Guide to Environmental Health and Safety Issues," (Harvard University Press, 1995) as a primer to risks associated with dioxin.

IV. Comments from the Public:

- **Pamela Sihvola** – Spoke on letter presented to Environmental Protection Agency (EPA) from Larry Wiener claiming that catalytic chemical oxidation system technology was developed by Johnson & Johnson, and LBNL borrowed technology
- **Alden Bryant** – Distributed depleted uranium information and introduced Harold Jeter.
- **Hannah Howard** – Distributed report on Urban Roof Top Gardens
- **Greg Jalbert, burningissues.org (greg@imaja.com)** – Distributed wood smoke brochure. Negative health effects of wood burning.
- **Jesse Rosenthal** – Asked questions about air monitoring discussion.

V. Toxics Management Division Staff Report

VI. Discussion/Action

PRESENTATIONS

A.J Napolis, Communities for a Better Environment (CBE)

Described proposed CBE lawsuits against the Water Boards. CBE alleges that the water boards approved permits for Chevron Richmond Refinery that allow excessive pollution into the SF Bay from their storm water runoff. CBE urged CEAC to recommend that the City Council contribute funds to CBE to support the lawsuit, and join the lawsuit, and file an amicus curiae brief supporting the lawsuit. Recommend funding from \$10-20,000 funding.

MOTIONS

- Changing CEAC meeting dates of January and July of 2003 to January 9th and July 10th (M/S Clear/Wood. For: Unanimous Abstain: None. Absent: Luten. PASS.)
- Approve the October Minutes as amended (M/S Clear/Chatterjee For: MacKusick, Toffel, Wood, Clear. Abstain: Moret, Chatterjee, Bianco, Krumme. Absent: Luten. FAIL.)
- Approve the November Minutes as amended (M/S Toffel, Chatterjee. For: Toffel, MacKusick, Clear, Chatterjee. Abstain: Wood, Krumme, Bianco, Moret. Absent: Luten. FAIL.)

- Request that Council support CBE's work for Bay protection, health protection, and environmental justice and 1).contribute funds or in-kind services to support CBE's technical and organizing work toward California State Water Resources Control Board and California Regional Water Quality Control Board and 2). file a Friend of the Court brief on behalf of CBE.

(M/S Wood, Moret. For: Moret, Wood, Chatterjee, Toffel, Clear. Against: Krumme. Abstain: MacKusick. Absent: Bianco, Luten. PASS.)

- Send Miriam Hawley request to commemorate services and accomplishments of Dan Luten The Community Environmental Advisory Commission (CEAC) wishes to express its affection and admiration for Dan Luten, CEAC Commissioner for eight years from 1994 through 2002. To honor Dan's work on CEAC, as well as his significant contributions throughout his career to the sustainability of the environment, CEAC request that Chair refer the "Proclamation to Honor Daniel B. Luten, Jr." to his appointing Council member, Miriam Hawley. (M/S Wood/Toffel. For: Toffel, MacKusick, Wood, Moret, Clear, Chatterjee. Abstain: None. Absent: Bianco, Luten, Krumme. PASS.)

- The City shall adopt a resolution to take out petroleum diesel and to take a leading role in promoting clean fuel, which is as follows:

WHEREAS, diesel exhaust is a major contributor of a carcinogenic pollutant, particulate matter;

WHEREAS, switching from petroleum diesel to alternative fuels would reduce pollution, thereby improving health and the environment;

WHEREAS, the City can provide a stable increase in demand of biodiesel to stimulate economies of scale to increase its availability and reduce its price, and to encourage private sector investment in cleaner fuel technologies;

WHEREAS, the City has already begun experimenting with a 20% biodiesel blend fuel for its mobile fleet;

WHEREAS, both the City Council's Energy Commission and Community Environmental Advisory Commission have recommended that the City of Berkeley switch to 100% biodiesel for various City vehicles;

WHEREAS, the City wishes to reduce emissions of toxic emissions from diesel exhaust;

WHEREAS, the City wishes to provide leadership in developing cleaner alternative fuels;

WHEREAS, the City wishes to reduce its Greenhouse Gas emissions, which contribute to Global Warming;

WHEREAS, the City wishes to promote renewable energy technologies;

NOW THEREFORE, BE IT RESOLVED that the City shall use environmentally preferable fuels in its mobile and stationary diesel engines wherever feasible and practical.

BE IT FURTHER RESOLVED that the City shall to totally phase out its use of petroleum based diesel fuel by January 1, 2004.

BE IT FURTHER RESOLVED that the City shall leverage its leadership role in promoting alternative fuels for diesel engines by producing technical reports of its actions and the ensuring financial and environmental impacts. These reports shall be distributed to the US Government Services Agency, the California Air Resources Board, Lawrence Berkeley National Laboratory, and other major diesel engine users in the City of Berkeley-such as the

Berkeley school district, the Alameda-Contra Costa bus system, and Amtrak-that have not switched from petroleum diesel fuel. The City shall also make these reports freely available online and inform other municipalities of its efforts and results.

BE IT FURTHER RESOLVED that the City shall petition the California Air Resources Board to consider biodiesel fuel as meeting the requirements of ultra-low sulfur fuel.

(M/S Chatterjee, Wood. For: Toffel, MacKusick, Bianco, Wood, Moret, Clear, Chatterjee Abstain: None. Absent: Bianco, Luten, Krumme. PASS.)