

Regular Community Environmental Advisory Commission Meeting of 9/4/2003  
FINAL ACTION MINUTES

**I. Roll Call: Present** – MacKusick, Clear, Hale, Toffel, Sihvola, Chatterjee. **Absent:** Harris, Wood, Krumme.

**Chair**, MacKusick. **Vice Chair**, Toffel. **Secretary**, Al-Hadithy. **Aide**, J. Tulloch

**II. Report From Chair:** Address issues of creeks and Eucalyptus Grove.

**III. Announcements from Commissioners:**

- **Clear** – Update on Harrison field data analysis. Comment on quality of data.
- **Sihvola** – Request Department of Energy (DOE) items on October agenda.
- **Chatterjee** – Newsweek article on Brownfields.

**IV. Comments from the Public:**

- **Gene Bernardi, CMTW** - Supports Precautionary Principle (PP); “radioactive” be added to #5 & #6 on Precautionary Principle. Requested Environmental Impact Study (EIS) for Lawrence Berkeley National Laboratory (LBNL) Molecular Foundry/Creeks.
- **Joan Levinson** – In support of PP. Distinction between resolution and ordinance.
- **Martin Bourque, Ecology Center** – In support of PP as written.
- **Beck Cowles, Ecology Center** – In support of PP as written.

**V. Toxics Management Division Staff Report**

Certified Unified Program Agency (CUPA) & Non-CUPA activities presented.

Jami Casebar (e-mail).– Advise that CEAC consider ban on adding hazardous waste to concrete.

**VI. Discussion/Action**

**PRESENTATIONS**

Jerry Koch – Parks, Recreation, & Waterfront Department. Presenting establishment of Sudden Oak Death Epidemic Committee.

Catherine Porter. Presenting on Precautionary Principle (PP).

**CEAC ACTIONS:**

- Action: Motioned, seconded, carried (Clear/Toffel. For: Unanimous Abstain: None. Absent: Krumme, Wood, Harris.) Adopt July minutes.
- Action: Motioned, seconded, carried (Toffel/Chatterjee. For: Unanimous. Abstain: None. Absent: Krumme, Wood, Harris.) Endorse Sudden Oak Death proposal of no Sudden Oak Death Committee. Recommendation that staff to continually monitor the disease and if necessary to review the need for a committee. Recommendation that if helpful, homeowners should be educated about disease and a communication plan for such should be established.
- Action: Motioned, seconded, carried (Clear/Hale. For: Unanimous. Abstain: None. Absent: Krumme, Wood, Harris.) Support an energy plan based on cost effectiveness as well as energy conservation where the methodology be reviewed and the analysis be annually updated.
- Action: Motioned, seconded, carried (Toffel/Hale. For: Unanimous. Abstain: None. Absent: Harris, Wood, Krumme.) support Precautionary Principle resolution as written.
- Action: Motioned, seconded, carried (Toffel/Chatterjee. For: Unanimous. Abstain: None. Absent: Harris, Wood, Krumme.) Endorse TMD Berkeley Municipal Code changes to Title 15.
- Informal Action: Inform Ec Dev of need to review fly ash MSDS for non-radioactive hazards. Evaluate inhalation problem if used in west Berkeley. Evaluate if material meet hazardous waste criteria.
- Informal Action: All Commissioners (and Secretary and Sihvola) to come back October with recommendations on CEAC Focal Points (Workplan) and consider projects that each individual can focus on.

- Informal Action: Chair to provide analysis of CEAC Rules and compare to Commissioner Handbook as well as to Roberts Rules.
- Request LBL, DOE, DTSC make presentations promised on radioactive and non radioactive material risks at the Berkeley facility.