

FINAL ACTION MINUTES

I. Roll Call: Present – Clear, Chatterjee, Hale, Toffel, Wood, Moret. **Absent:** Harris, MacKusick
Acting Chair, M. Toffel. Secretary, N. Al-Hadithy. Aide, J. Tulloch

II. Report From Chair: Presentations will take additional time for this meeting.

III. Announcements from Commissioners:

- **WOOD** – Regional Water Quality Control Board Basin Plan Amendments to December agenda

IV. Comments from the Public:

- **Terry Powell, Lawrence Lab** – Available to respond to Molecular Foundry questions. Mitigated Negative Declaration was approved in May 2003 with CEAC input and Council consideration. Advise commission to ask that other agencies participate in watershed issue.
- **Carol Schemmerling, Urban Creeks Council** – Are lead pipes of interest to ACLPPP? (Distributed recommendation to CEAC on Molecular Foundry and Long Range Development Plan).
- **Pamela Sihvola, Committee to Minimize Toxic Waste** – Advise CEAC to address Molecular Foundry review issue with LRDP. (Distributed letter addressed to Iraj Javandel on Site Restoration Program).
- **Gene Bernardi** – Advise CEAC to revisit issue of nano-technology health effects and Precautionary Principle (PP) ask lab to delay MF construction. Discuss potential health effects of nanotech. (Distributed COINTELLIGENCE INSTITUTE document on fine particles).
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V. Requests

- **Wood** – Regional Water Quality Control Board (RWQCB) Basin Plan amendments to December agenda, presentation by staff in December.
- **Toffel** – Report to CEAC on Green business on Tracker. Find out deadline for reporting back to staff. *Completed by N. Al-Hadithy.*
- **Minutes Adoption** - Move Clear's focal issue, Household Hazardous Waste Grant proposal, to beginning. *Completed by J. Tulloch 11/7/03.*

VI. Toxics Management Division Staff Report

Written report. Lead paint presented. Commissioner Krumme is no longer on the commission.

VII. Discussion/Action

PRESENTATIONS

ALAMEDA COUNTY LEAD POISONING PREVENTION PROGRAM.

Mark Allen provided program background and illustrated relation to City of Berkeley and Senate Bill 460.

July Twichell presented on ACLPPP community outreach services.

Dale Hagen presented on Housing & Urban Development lead hazard control grants.

Dennis Jordan present on focus on jurisdictions with most severe cases of lead poisoning and drew model from experience.

URBAN CREEKS COUNCIL

Carole Schemmerling submitted proposal on Molecular Foundry EIR

On Thursday, November 06, 2003, the CEAC took the following action:

- Action: Motioned, seconded, carried (Toffel/Clear. For: Clear, Chatterjee, Hale, Toffel, Wood, Moret. Absent: Moret, Harris, MacKusick.) to adopt October minutes.
 - Action: Motioned, seconded, carried (Wood/Toffel. For: Clear, Chatterjee, Hale, Toffel, Wood, Moret. Absent: Harris, MacKusick.)

CEAC to recommend that the Berkeley City Council direct the City Manager to send a letter to Secretary Spencer Abraham of the Department of Energy, UC President Robert Dynes, Director Charles Shank of LBNL, Representative Barbara Lee, Senators Barbara Boxer and Dianne Feinstein requesting that:

1. LBNL include a review of the potential environmental impacts of nano-technology as part of the 2004 Long Range Development Plan (LRDP) Environmental Impact Report (EIR) currently under preparation, as the University of California Berkeley has done with the Chang-Lin Tien Center under the UCB 2020 LRDP.
2. The LRDP should provide an annual, independent, scientific review of the safety of the nano-technology research in an urban environment, the results of the study shall be made immediately available to the public.
3. All nano-technology research projects undergo an independent process to assess health and safety issues before being allowed to proceed.

- Action: Motioned, seconded, carried (Clear/Toffel. For: Clear, Chatterjee, Hale, Toffel, Wood, Moret. Absent: Harris, MacKusick.)

CEAC to contribute to the public record, to recommend to LBNL, and to recommend to City Council to direct City Manager to send a letter to LBNL, requesting that LBNL include a comprehensive analysis of the following as part of the LBNL LRDP EIR current under preparation:

1. A comprehensive Watershed Management Plan
2. The need to protect and preserve open space such as by using infill developments.
3. Do not increase square footage of developed land per employee unless explicitly and publicly justified.
4. Plan fewer parking places per employee than is current practice with the encouragement of alternative transportation.
5. Cleanup of soils and groundwater should be to the highest possible standards, which allows for the most sensitive future land uses.