

Regular Community Environmental Advisory Commission Meeting of 2/5/2004.

FINAL ACTION MINUTES

I. Roll Call: Present – Toffel, MacKusick, Hale, Wood, Moret, Clear, Issel, Harris. **Absent** – None.

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

II. Report From Chair: None.

III. Announcements from Commissioners:

- **Wood** – Visited Lawrence Berkeley National Laboratory (LBNL) Molecular Foundry with Urban Creeks Council. Raised regulatory questions on construction effects on creek. Commend Commission on past recommendations.
- **Issel** – Question on Bayer tour request by CEAC secretary.
- **Moret** – Attended World Social Forum in January in India. Commented on social conditions. Invited to conference in Oregon that starts on March 4th.

IV. Comments from the Public:

- **Brandy Toner** – Graduate student in Environmental Science. Observers as class project.
- **Solette Kummer** – Environmental Studies interests.
- **Dana Wellhausen** – Urban ecology Studies.
- **Pamela Sihvole, CMTW** – address 2 agenda issues: 1) Communication Item from RWQCB, did CEAC address and review LBNL documents? Distributed Nano-technology, LBNL protest and bio-laboratory accident articles.
- **Toffel** – Send CEAC adopted Harrison disclosure language to City Council.

V. Toxics Management Division Staff Report

1. Budget
2. TMD Enforcement

VI. Discussion/Action

Nominations for Chair.

Toffel, nominated by Clear. **For:** MacKusick, Harris, Toffel, Issel, Clear. **Abstain:** Wood .

Hale, nominated by Moret. **For:** Moret, Hale. **Toffel voted Chair.**

Nominations for Vice-Chair.

Hale, nominated by Clear. **For:** Clear, Moret. **Abstain:** Wood.

MacKusick, nominated by Toffel. **For:** Toffel, Issel, MacKusick, Harris. **Abstain:** Wood.

The vote for Vice-Chair failed. The vote is to be retaken in March.

On Thursday, February 5, 2004, the CEAC took the following action:

- **SUBJECT: Minutes review/adoption**

Action: Motioned, seconded, carried (Toffel/Clear. For: Unanimous. Abstain: None. Absent: None.) to adopt minutes with edits.

- **SUBJECT: Modify wording of Harrison Park Disclosure Form and Signs**

Readopted CEAC motion of 1/8/04 that was sent to City Manager, this time refer the item to City Council.

Action: Motioned, seconded, carried (Clear/Toffel. For: Wood, Harris, Clear, Toffel, MacKusick, Moret. Abstain: Hale, Issel. Absent: None.) "Air quality at the site often does not meet state standards. All children and elderly people with preexisting respiratory and cardiac illness should

exercise caution when using Harrison Park and the shelter. **Pregnant women may also be at risk".**

- **SUBJECT: General Fund Impacts to Toxics Management. Readopted CEAC Motion of 1/8/04 that was sent to City Manager, this time refer the item to City Council.**

Action: Motioned, seconded, carried (Clear/Toffel. Unanimous) recommend **to City Council** that TMD's budget cut be consistent with other departments and reflect a 20% cut of its General Fund budget.

VII. Requests:

- **Wood** – Update the January minutes to show Wood's request that CEAC advise Parks Dept. of the desire to have the language changed on the Harrison Street Disclosure Notice.
- **Issel** – Change the minutes template to reflect titles of issues.
- **Issel** – Reconsider the January minutes' recommendation to change waiver language from "waiver" to "disclosure."
- **Wood** – Place Bayer review on March Agenda.
- **Sihvola** – Follow up on 1/13/04 RWQCB notice to LBNL for clean up.
- **Sihvola** – Copy commissioners with Washington Post article and Bio-lab Accident article to CEAC, both for March.
- **Toffel** – Review policy on changing vote.
- **Harris** – Deliver completed Form 700 to City Clerk.
- **Toffel** – Re-invite Public Work's Patrick Keilch to present before the Commission on 9 aspects of the City's Storm Water program.
- **Toffel** – MacKusick is to be the CEAC Precautionary Principle (PP) representative. Mike Issel will be the second CEAC representative to the PP group.
- **Toffel** – Draft a background report on budget proposals. To be completed by MacKusick.
- **Toffel** – Draft Harrison Park Air Quality notice language. To be completed by Clear, Wood, and Moret.