

**ACTION MINUTES - COMMUNITY ENVIRONMENTAL ADVISORY COMMISSION
Regular Meeting of April 5, 2007**

Roll Call: Burchard, Clear, Kibbey, Kim, MacKusick and Wilson. Absent: Harris
Chair: Kibbey. Secretary: Al-Hadithy. Clerical Aide: Murphy.

Public Comment:

No. of public attendees: 6 (includes Billi Romain)

Kriss Kroll: Critical of decision to declare operational start date of PacSteel Plant #3 filter before the final permits were issued. Complained of harassment of Dr. Wilson by Pacific Steel attorneys.

Cian Dawson: Establish dates for action. Do not wait for HRA as this will not divulge complete information.

Janice Schroeder: Thanks CEAC.

Carol Sutton: Use Permit including the one for the sand incinerator suggests that number of employees are approximately 300. PacSteel announced recently they have up to 700 employees. Why is this not a significant change to require staff to modify UP? Wants the City to create timelines for action and rush the HRA from BAAQMD.

Kathy Larza: The conditions of PacSteels Bay Bridge contract should be evaluated and brought to the public's attention. Wants to thank CEAC for taking action.

Announcements from Commissioners:

- Burchard announced Earth Day at UC
- Clear announced invitation to Wyoming-Montana Safety Council Conference.
- Chair informs commission of meeting with Alameda County Lead Poison Prevention Program.
- Wilson: Informs CEAC of unwelcome demands for PRA and subpoenas that are distractions and result in excessive interference.
- Wilson: Represented CEAC at the recent Mayor's meeting where it was announced that The Sustainable Berkeley Program did not receive \$100,000 grant. Commissions to have a greater role.

ACTIONS:

• **SUBJECT: March Minutes Review/Adoption**

Action: Motioned, Seconded, Passed (Clear/Burchard. For: Burchard, Clear, Kibbey, Kim, Wilson. Against: None. Abstain: None. Absent: MacKusick, Harris) to adopt meeting minutes of March 1, 2007 without amendment.

? **SUBJECT: Thank Council for taking action on Pacific Steel Casting.**

Action: Motioned, Seconded, Passed (Wilson/Kim. For: Burchard, Clear, Kibbey, Kim, MacKusick, Wilson. Against: None. Abstain: None. Absent: Harris) A high priority public concern. Off-agenda.

? **SUBJECT: City of Berkeley Sustainability Program**

Action: Motioned, Not Seconded, Failed (Wilson/none. Not discussed) Request financial analyses for sustainable programs submitted by Billi Romain.

CEAC needs additional details, including budget and more complete list of programs.

? **SUBJECT: Approve Wood Smoke Ordinance as written.**

Action: Motioned, Seconded, Passed (MacKusick/Wilson. For: Burchard, Clear, Kibbey, Kim, MacKusick, Wilson. Against: None. Abstain: None. Absent: Harris)

? **SUBJECT: Approve Clear as representative of CEAC to Wyoming-Montana Safety Conference. Amended to add Kim.**

Action: Motioned, Seconded, Passed (Kim/Burchard. For: Burchard, Clear, Kibbey, Kim, MacKusick, Wilson. Against: None. Abstain: None. Absent: Harris)

Kim requested adding her to speaker's list after meeting.

? **SUBJECT: Other Actions and Requests to Secretary. Unanimous vote.**

Action:

- a. Request staff not delay PacSteel report to Council.
- b. Request staff give an advance draft copy of legal costs to CEAC to review for purposes of getting alternative costs, if found to be unacceptable.
- c. Commission suggests 3rd party review Toxic Use Reduction Report (TUR) before the next meeting, if possible.
- d. PacSteel Staff to specify what is their measure of "sufficient change" in operational conditions to cause change of Use Permit?
- e. What is the official date of operation for carbon filter on plant #3?
- f. Secretary to make available the current year budget and inform CEAC on upcoming budget process. Subcommittee to be created by Clear, Kibbey and Kim.
- g. Continue working with Chair on gathering more information on Alameda County Lead Program services and funding.