

CONTRA COSTA COUNTY HAZARDOUS MATERIALS COMMISSION



February 1, 2021

Diane Burgis, District 3
Chairperson, Contra Costa County Board of Supervisors
3361 Walnut Boulevard, Suite 140
Brentwood, CA 94513

Dear Chairperson Burgis:

Below please find the Contra Costa Hazardous Materials Commission's recommended changes and additions to the Environmental Justice goals, policies and actions proposed for the update to the County's General Plan, and contained in an October 2, 2020 memo from Placeworks, the County's consultant on the General Plan update, to County staff. These proposed goals, policies and actions were developed in response to the requirements of SB 1000. The Commission voted unanimously to support these recommendations at their January 28, 2021 meeting.

- Proposed Amendment to Goal K, Policy 1 – Discourage construction of new large-scale facilities that treat, store or dispose of hazardous waste from other sources that negatively impact Disadvantaged Communities.
- Proposed Amendment to Goal K, Policy 2 – Advocate for and coordinate with local and regional agencies in efforts to and remediate or treat contaminated surface water, groundwater, or soils, at brownfields or active remedial sites in or affecting disadvantaged communities, and in efforts to communicate with and educate the public about these sites, and to support the public's ability to advocate their concerns about these sites.
- Proposed new Action Item for Goal K - Improve and expand the ease of access to information about, and the status of, contaminated sites in Contra Costa County.
- Proposed new Policy for Goal F - The County should encourage that the safest transportation method be employed for hazardous materials and hazardous wastes transported in Contra Costa County, taking into consideration the potential impacts of Sea Level Rise, and should particularly encourage reducing the transportation of hazardous materials and hazardous wastes in Disadvantaged Communities.
- Proposed new Action Item for Goal F - The County should consider the findings from the Adapting to Rising Tides studies for Contra Costa County prepared by the Bay

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Conservation and Development Commission, the 2019 Hazardous Materials Commodity Flow study prepared for the Hazardous Materials Programs, the Adaptation Atlas from SFEI and SPUR, and any new information as it becomes available, in future planning and transportation improvements, and in Sea Level Rise and flooding mitigation measures, specifically in areas already having risks, or found to have potential future risks, from Sea Level Rise and flooding.

- Proposed new Policy for Goal K - The County should have established setbacks for projects handling hazardous materials from healthcare facilities, schools, residences, senior and childcare facilities and other sensitive receptors, and should have established setbacks for proposed new sensitive receptors from industrial facilities and other projects using hazardous materials.
- Proposed new Action Item for Goal K - The County should establish criteria for developing setbacks, or mitigation measures in lieu of setbacks, for projects involving hazardous materials being proposed near sensitive receptors, or for sensitive receptors projects being proposed near facilities using hazardous materials.
- Proposed new Policy for Goal K - The County should only allow the development of former contaminated sites intended for use by a sensitive receptor if the deed restrictions for the site are compatible with sensitive receptor use.
- Proposed new Policy for Goal K - The County should not allow new development of a former contaminated site certified as cleaned-up unless any deficiencies found after the most recent 5-year review of that site have been corrected or if any other deficiencies of their compliance plan have been identified.
- Proposed new Policy for Goal K - The County should not allow development of any former contaminated site, previously certified as cleaned-up, in violation of any existing land use covenants or deed restrictions or imposed on that site by either the California Department of Toxic Substances Control or a Regional Water Quality Control Board.
- Proposed New Policy for Goal K - Staff of the Hazardous Materials Program should be trained on environmental justice topics to increase their ability to recognize potential environmental justice or implicit bias issues.
- Proposed New Action item for Goal K - Develop department-wide procedures and training for reporting observed environmental justice issues, and address issues pertinent to the Hazardous Materials Programs.
- Proposed New Policy for Goal K - The Hazardous Materials Program should engage with the Contra Costa County Department of Conservation and Development (DCD) regarding hazardous materials and waste considerations during the planning of new business operations in the County. The Hazardous Materials Program should engage

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with DCD in their efforts to solicit input at an early stage from disadvantaged communities on proposed projects involving hazardous materials and waste that may create a disproportionate impact on the community.

- Proposed New Action Item for Goal K - Establish a comprehensive outreach strategy to provide hazardous material program policy information to disadvantaged communities, including considerations related to hazardous materials and hazardous waste storage, permitting, and inspections, environmental monitoring, hazardous materials incident response, industrial safety ordinance and pollution prevention. Identify and leverage established community and industry groups and other synergistic agency programs to disperse outreach and education materials.
- Proposed New Action Item for Goal K - Identify and designate a communications liaison to ensure that hazardous materials and waste topics are presented to disadvantaged communities in a manner that is easily and clearly comprehensible.
- Proposed New Action Item for Goal K - To the extent possible, invite community representatives to observe 'hands-on' emergency drills to increase public awareness of emergency response capabilities and understand protective actions the public may be required to take should a hazardous materials incident occur in their community (shelter-in-place and evacuation procedures). Ensure representatives from all populations, including disadvantaged communities, have the opportunity to observe drills, including the availability of language translation services.

Sincerely,



Fred Glueck, Chairperson
Contra Costa County Hazardous Materials Commission

cc Supervisor John Gioia, District 1
Supervisor Candace Andersen, District 2
Supervisor Karen Mitchoff, District 4
Supervisor Federal Glover, District 5
Will Nelson, Department of Conservation and Development

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