Community Environmental Advisory Commission

CEAC REGULAR MEETING AGENDA – THURSDAY, FEBRUARY 2, 2012
7:00 TO 9:00 PM
First Floor Conference Room, 2118 Milvia Street, Berkeley

I. Call to Order and Roll Call

II. Action Minutes Review/Adoption: Review and adopt minutes from the meeting of 12/1/11.

III. CEAC Action Tracker

IV. Report from the Chair

V. Comments from the Public (3 minute limit)

VI. Agenda Prioritization: Commissioners may re-arrange agenda

VII. Reports from Subcommittees and Taskforces
   a. Community Risk Reduction Plan (CRRP)
   b. Watershed Plan

VIII. Toxics Management Division Report
   a. Summary of New Remediation Sites Posted to TMD Web page

IX. Discussion/Action
   a. Adoption of December 1, 2011 Minutes
   b. Election of Chair and Vice Chair
   c. 2012 CEAC Workplan
   d. Approval of Metals in Soils for Urban Gardening Pamphlet
   e. New Remediation Sites Posted to TMD Web page

X. Announcements from Commissioners (3 minute limit)

XI. Communications to Commission

XII. Information Items: May be moved to action by majority vote

XIII. To be distributed

XIV. Next Agenda: Discussion/Action items proposed for future agenda

XV. Adjourn

PLEASE NOTE: PLEASE BE PREPARED TO EXTEND THE MEETING UNTIL 10:00PM, IF NEEDED
Communications Are Public Records: Communications to Berkeley boards, commissions or committees are public records and will become part of the City's electronic records, which are accessible through the City's website. Please note: email addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your email address or any other contact information to be made public, you may deliver communications via U.S. Portal Service or in person to Commission Secretary Nabil Al-Hadithy. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the Commission Secretary Nabil Al-Hadithy for further information.

SB 343 Disclaimer
Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Toxic Management Division, Planning Department located at 2118 Milvia St, 3rd Floor, 94704.

Please request information from Nabil Al-Hadithy, Secretary, at (510) 981-7460 or by email at toxics@cityofberkeley.info.

This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6346 (V) or 981-7075 (TDD) at least three business days before the meeting date.

Please refrain from wearing scented products to this meeting.
DRAFT ACTION MINUTES - COMMUNITY ENVIRONMENTAL ADVISORY COMMISSION
Regular Meeting of December 1, 2011
2118 Milvia St, 1st Floor, Berkeley 94704

Call to Order and Roll Call: Meeting called to order at 7:05 PM. Adjourned at 9:00 PM. Present: Brian McDonald (Chair), Juan Banales (Vice Chair), Beck Cowles, Fred Schlachter, Jesse Yeh, Laura Meehan August, and Max Gomberg. Absent: None. Excused Absence: None. Secretary: Nabil Al-Hadithy.

Public Comment (members of the public): None.

Secretary’s Report: None.

Chair’s Report: None.

Commission Actions:
1. Minutes for Approval
   Recommendation: Adopt Minutes of October 6, 2011 and add Dr. Norman Ozaki identification.
   Action: Motioned/Seconded/Carried (Banales/Schlachter).
   Votes: Ayes: August, Banales, Cowles, Gomberg, McDonald, Schlachter, and Yeh. Noes: None. Absent: None. Abstain: None.

2. Minutes for Approval
   Action: Motioned/Seconded/Carried (Cowles/Gomberg).
   Votes: Ayes: August, Banales, Cowles, Gomberg, McDonald, Schlachter, and Yeh. Noes: None. Absent: None. Abstain: None.

3. Straw Vote to Approve CAP Closure
   Votes: Unanimous

Other Actions:
- CEAC will act as a forum for Toxics Management Division to advertise Corrective Action Plan (CAP) and site closure for contaminated sites.
- Workplan Lead:
  - Cowles: Climate Action Plan – enable implementation of CAP and public education
  - McDonald: Evaluate options to meet new CEQA air toxics guidelines CRRP (Cal Risk Reduction Plan)
  - August: Metals in soils pamphlet for urban gardening to be distributed to the public
  - Gomberg: Review City’s Watershed Plan for possible changes. Consider ballot initiative to fund amended plan and priorities.
Announcements:
- Schedule of 2012 Meetings
- City Holidays
- Excused Absence form
- Resolution No. 65, 127-N.S.
To: Honorable Mayor and Members of the City Council  
From: Community Environmental Advisory Commission (CEAC)  
Submitted by: Nabil Al-Hadithy, Secretary, CEAC  
Subject: CEAC Work Program for 2012  

INTRODUCTION  
The mission of the CEAC is to develop a plan, prioritize strategies and make recommendations for environmental protection, hazardous materials and reduction, with outreach to and education of the public, small businesses and industry. Consistent with its mission, on February 2, 2012, the CEAC adopted the 2012 Work Program, per the Commissioner’s Manual as follows:

I. Promote urban gardening through developing educational material on best practices.  
II. Evaluate and guide implementation of the Watershed Management Plan.  
III. Address new Air District guidelines for Toxic Air Contaminants and Fine Particulate Matter.  
IV. Implement and encourage water conservation per the Climate Action Plan.  
V. Other

In accordance, with budgetary concerns, the CEAC has sought to reduce costs by increasing coordination with other commissions, prioritizing agenda items, and reducing clerical work on staff by assuming more responsibility on agenda packet preparation, information gathering, and prioritizing items to be sent to Council. With these considerations in mind, the CEAC believes the aforementioned items are pressing environmental matters that warrant attention in the upcoming year.

CURRENT SITUATION AND ITS EFFECTS  
In 2010 and 2011, the CEAC did not create a Work Program. The CEAC has developed a Work Program in 2012 as a cost saving measure and to improve accountability.

BACKGROUND  
Context for each of the work program items listed are provided below:  
I. Urban and community gardening is listed as a greenhouse gas reduction strategy in the City of Berkeley’s Climate Action Plan. The CEAC seeks to promote this activity while also identifying simple ways to reduce health risks arising from lead and
arsenic contamination in Berkeley soils. The CEAC has and will continue to work with experts and stakeholder groups to develop educational material for the public.

II. The Department of Public Works (PW) recently released the first version of the Watershed Management Plan (WMP). On November 3, 2011, the CEAC received a presentation by PW and a request to provide public comment and suggestions on the public process. A subcommittee was appointed by the Chair to identify potential recommendations and ways to engage community stakeholders in order to successfully implement critical stormwater improvements.

III. The Bay Area Air Quality Management District (BAAQMD) approved new guidelines for Toxic Air Contaminants and Fine Particulate Matter that came into effect June 2011. The CEAC will continue to gather information on compliance with the new guidelines and make recommendations related to mitigating health impacts from air contaminants.

IV. In accordance with the Climate Action Plan’s goal of reducing greenhouse gas emissions 80% below 2000 levels by 2050, the CEAC has begun and will continue to work to implement aspects of this plan. The CEAC plans to educate the public on available resources for water conservation and reuse provided by EBMUD. In addition, the CEAC is working with the office of sustainability to form a campaign to engage big users of water. Finally, the CEAC will be reviewing current water conservation policies in the city of Berkeley.

V. The CEAC will continue to explore issues upon request by Council, the Public, and City Staff. At the request of Staff, the CEAC has begun to post in its agenda packet new remediation sites for public review and comment starting in December 2011.

POSSIBLE FUTURE ACTION
As described above.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION
Unknown at this time.

CONTACT PERSON
2: [Title or Description of Attachment]

Supplemental Materials [Delete if there are NO Supplemental Materials]
1: [Title or Description of Attachment], [Indicate: URL (http://www.) or EDMS Repository]
Lead and arsenic are two potentially harmful heavy metals commonly found in Berkeley soil. Although lead and arsenic occur naturally in the environment, human activities have contributed to increased contamination of soil. Gardening in an urban environment can be beneficial for your health and the environment, but it's important to learn how to minimize your risk of exposure. Lead and arsenic can accumulate in the body and children are at greatest risk. Lead can harm your child’s developing brain and impact normal development. Lead is a probable human carcinogen and arsenic is a known carcinogen.

The most serious source of exposure to lead and arsenic is from ingesting or inhaling contaminated soil or dust. Although it is known that plant uptake of lead and arsenic does occur, the magnitude of exposure from the ingestion of home grown produce under normal dietary practices is less than the ingestion of contaminated soil and inhalation of dust. This pamphlet aims to encourage residents to grow their own produce, while identifying simple ways to reduce the health risks associated with heavy metal exposure.

What are the risk factors for garden exposure to lead and arsenic?

Berkeley soil is low in naturally occurring lead (1-15 ppm*), but the past use of lead-based paints and leaded gasoline have contributed to high concentrations in some soil. High levels of arsenic (8-18 ppm) are naturally occurring in Berkeley soil.

Gardening in soil near buildings constructed before 1978 or near busy roads or freeways may put you in contact with lead. Homes built before 1978, which are common in Berkeley, are likely to have been painted with lead paint. The chipping and exfoliation of paint over time causes lead to deposit and accumulate in the top layer of soil near the home. A house repainted without leaded paint does not necessarily mean the soil has not been contaminated. Lead persists and moves slowly in soils, unless soil is moved in landscaping activities.

Arsenic may leach from decks and fences built with wood that has been treated with arsenic pesticides, such as chromated copper arsenate (CCA). Soil near railways can also be subject to leaching from arsenic-treated wood ties or from pesticide application to the tracks.

* Soil and arsenic are measured in parts per million (ppm) or milligrams per kilogram (mg/kg). Both measurements are equivalent.
The most significant risk comes from ingestion or inhalation of soil as dust. Children are most vulnerable because they like to play in dirt and often put their hands into their mouths. They also have a greater rate of absorption of metals than adults. Pregnant women are also at risk.

The eating of fruits and vegetables grown in contaminated soil is much less of a concern than the direct ingestion or inhalation of contaminated soil or dust. In soils testing high in lead, it is possible for some lead to be taken up by the edible plants, but studies have shown that lead does not readily accumulate in the fruiting parts of vegetable and fruit crops. Higher concentrations are more likely to be found in leafy vegetables and on the surface of root crops. Plants grown in soil high in arsenic tend to hold what arsenic they accumulate in their roots. Uptake into plant tops and fruits is very small.

**Best practices for urban gardening**
- **Garden in raised beds** or other containers filled with clean soil if you believe your soil is contaminated. Place raised beds away from the source of lead paint. There is a chance for new contamination if the source of lead paint has not been covered or removed. The Ecology Center’s Directory lists places where you can purchase soil.

  When building raised beds, the best choices are untreated and rot-resistant wood like redwood, red cedar, or lumber made from recycled plastic. If you build raised beds from older or reclaimed lumber, be aware that the lumber may be treated with arsenic if it was first sold before 2004. In this case, be sure to line the inside of the bed with heavy plastic to avoid leaching. Plants will not take up arsenic unless the soils are deficient in phosphorus. Gardeners who use compost generously keep their soil rich in phosphorus. Newer lumber is treated with arsenic free ACQ or CA-B)

- **Place a barrier** between the contaminated soil and the clean soil at the base of your raised beds. Use natural fabrics such as jute or landscape cloth. Limit exposure by covering other bare soil in the yard with barriers and plantings.
- If you must plant directly into soil, **test your soil** to determine if there’s a problem. See right for more information. The Alameda County Lead Poisoning Prevention Program provides advice, site evaluations, and recommendations on abatement.
- **Wash or peel fruits and vegetables** thoroughly to remove any remaining soil. Carefully wash leafy vegetables like lettuces and spinach and peel root vegetables such as carrots and potatoes. Supervise children when playing in the garden and make sure they do not eat unwashed edibles or dirt.

- **Take caution not to track** contaminated soil into your house. Do not eat or drink while gardening to minimize hand and mouth contact, and wear separate clothing and shoes.
- **Remediating soils.** The US EPA cites evidence that adding fish bone meal to contaminated soil converts some heavy metals to stable crystalline form that cannot easily be absorbed in digestion (link). Currently, insufficient information is available on proper use of bone meal.
Links and Resources

Additional information on lead:
Lead poisoning and children:

Treated wood:
Alternatives to pressure treated chromated copper arsenate (CCA) wood:
http://www.ecologycenter.org/factsheets/pressure-treated_wood.html
http://www.epa.gov/oppad001/reregistration/cca/alternativestocca.htm

Information on alkaline copper quartenary (ACQ):
http://www.epa.gov/oppad001/reregistration/cca/acq.htm

Where to purchase soil, mulch or compost:
http://www.ecologycenter.org/directory/ [Click on ‘compost/mulch sources’]

Information on soil additives:
http://ehp03.niehs.nih.gov/article/info%3Adoi%2F10.1289%2Fehp.120-a20a