

Ideas generated at the March 8, 2023 Operations committee concerning contaminated site clean-up

Amended April 12, 2024 in Committee

Amended June 14, 2024 in Committee

- No reuse of contaminated sites for residential use.

Consider recommending no change of contaminated site of industrial zoning to residential use unless:

- There is strong community engagement, increased notification
- Some sort of bond to cover future clean-up needs or health risks
- Special consideration for sensitive receptors/vulnerable pop.

Concerns are:

Standards change over, new contamination is discovered, maintenance/engineering controls gets lost, people living on the site eventually have no way to advocate

Would require either clean-up to background levels, or redesignation of Zoning for land already zoned for residential, or prevention of rezoning of land to residential designation. DTSC only requires land to be cleaned up to the level required for its current land use designation. Option - recommend no rezoning of industrial land for residential use if there are land use restrictions placed on the site after the initial cleanup due to contamination left at the site.

- **County needs to do more** Early community engagement, communication and education – identify potential tools and increase distance from site for notification. Creative means to reach hard to reach people. Culturally appropriate messaging **and outreach** and in the appropriate languages.

See presentations of DTSC on 1/13/23, Heathy Contra Costa on 8/11/23, DCD on 11/3/23, EPA framework on 12/8/23 and Tracy Criag on 2/9/24. Could also be part of a grant to do site identification and investigation. See discussion with Alyson Greenly about getting grants for the NWEDI on 6/9/23. See draft letter Ops developed to support such efforts.

- Define “early engagement” - prior to development proposal – ask people what they want for various sites. **Before the land use permit is issued and being able to sign up for automatic notices**

See especially presentation by DCD on 11/3/23 where Mr. Avila discussed potential for better community engagement at the beginning of the CEQA process

- Continuously let public know about contaminated sites in their community.

Currently, residents have to review Envirostor and Geotracker or sign up to get public notices when there is activity at particular sites. Additional outreach would require additional staff at DTSC or the County to conduct. Could be a function of the Ombudsman program. **List 5 year reviews. Have links at County web site to relevant web sites. June 14, 2024: Develop a protocol to provide a list of Brownfield inventory sites to the public and their development status.**

- Have better signage and notification. **And fencing**

Having a better way to find out what is going on via e-mail notification.

AB 1045 addressed this, but died in Assembly last year. Author may be interested in re-introducing it in the future. Jenilee.fermin@asm.ca.gov, Assemblyman Hart, (916) 319-2037

- Identify clear timelines for development and don't lose historical information.

Again, for the County to provide a repository of information other than Envirostor, or to educate the public about envirostor, it would have to add staff. Look at fed EPA guidelines and West Oakland Indicator Project guidelines. **Rec to dtsc and/or county to link deed info directly to envirostor. Make it easier to do due diligence for home owners.**

See notes from 12/8/23

- Wanting the County to be more of an advocate for community and not just an arbitrator.

Rather than advocate, think that County is representing concerns of public when community is not there and not assume tacit approval of the decision being made, especially for public health concerns. Pitch MACs? See General Plan recs around EJ. Can Co keep list of resources.

This could be a project of the Ombudsman position – to help residents educate themselves and be good advocates for themselves, or the County would have to add staff.

June 14, 2024: The Department of Conservation and Development should explain what Brownfields are to building permit applicants at the time of application for development/building.

June 14, 2024: Once the County learns of a project, the County should proactively communicate to the surrounding the community about the project.

June 14, 2024: Ensure that planning departments and building departments are adequately advising the community of projects. The County should proactively assign community advocates to Brownfield projects to work with the surrounding community. Determine process to facilitate the information from a single point to then distribute the information to specific agencies within Health to determine any action that may need to take place.

Process would take information from Clean up agencies or Planning departments related to projects at Clean up sites (Brownfield etc.). Public health would have a subject matter expert to be able to explain or provide information or push out information to public (health Ad..)

- Do more work to identify cumulative impacts.

See work being done by DTSC and EPA to identify cumulative impacts in North Richmond. See flyer sent to HMC by MK on 2/12/24.

For more information, please contact Duane James, (415) 972-3988 or james.duane@epa.gov

- County to comment during DTSC process – close gap between development and cleanup process.

See especially presentation by DCD on 11/3/23 where Mr. Avila discussed potential for better community engagement at the beginning of the CEQA process

- Community compensation and make it easier to participate (childcare, alternative times, food, [incentivizing participation](#)).

See discussion with Alyson Greenlee (Department of Conservation and Development) about getting grants for NWEDI on 6/9/23. See draft letter Ops developed to support such efforts.

[Activity Room, Vouchers for food etc.](#)