

Recommendations (Cont):

9. RECOGNIZE ongoing work on illegal dumping as a pilot program; ESTABLISH a task force consisting of representatives from those departments most involved in the resolution of illegal dumping, including but not limited to Health Services (Hazardous Materials Program, Environmental Health), Public Works, General Services, Sheriff, District Attorney, Community Development, Building Inspection, County Counsel, District I, District V, the County Administrator's Office and community representatives, and DIRECT the task force to report back to the Ad Hoc Committee in 90 days on the progress of developing and implementing a strategy to address the problem of illegal dumping.

10. ACKNOWLEDGE duplication of effort by General Services Department and Public Works Department in the pick-up of trash, and DIRECT the task force to address the issue of consolidation of effort between the departments, especially with regard to cost savings and effectiveness and efficiency of effort.

11. ACKNOWLEDGE that the County is experiencing severe budget constraints in the current fiscal year and beyond. Departments remain committed to addressing the problem of illegal dumping within the present fiscal climate.

Background:

On October 24, 2000, the Board of Supervisors endorsed the application of environmental justice in Contra Costa County, as defined in California Government Code Sec. 65040.12, "...the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies."

The Board also directed the County Administrator to assemble the appropriate County departments to work with the Hazardous Materials Commission to develop and implement a policy related to environmental justice.

An Environmental Justice Ad Hoc Committee consisting of Supervisors Gioia and Glover was formed to oversee the development and implementation of a County policy.

In April 2002, an Environmental Justice consultant was hired to work with Health Services, Public Works, Agriculture, Community Development and Building Inspection. The consultant organized training sessions, met with departmental representatives, industry representatives and community members, and compiled materials from various community based organizations and neighborhood groups, and formulated the framework as outlined in the attached final report. This report details the process employed and the outcomes, and was instrumental in developing the recommendations contained herein.

The Environmental Justice Ad Hoc Committee, at the meeting on May 5, 2003, reviewed the report and requested additional information and recommendations.

Staff met following the Ad Hoc Committee meeting to discuss the report and the request for additional information, and to formulate recommendations, which are included above.

The Environmental Justice Ad Hoc Committee met again on August 4, 2003 to review and discuss recommendations. Representatives of the business community expressed concerns over the County's environmental justice policy as it may affect their business operations. At that meeting, the Supervisors identified the following issues:

1. Further explore the roundtable process and how it applies to illegal dumping.

The roundtable process was identified in the report as a more involved method of public participation, to be used when an issue has been identified which cannot be addressed informally within an already established process, or when a decision that affects change will occur in the community which involves the public health or environment of the community. The roundtable process will be used in every instance in which an issue is identified as an environmental justice issue, and response to the issue involves more than one County department.

The roundtable process applies to the issue of illegal dumping in that the crafting of a solution to the problem of illegal dumping will require community and stakeholder involvement, as well as several County departments. The public should be engaged through community meetings which will provide a forum for public participation and input. The task force will be scheduling an open town forum meeting to discuss the issue, with participation requested of the MACs, church groups, schools, hauliers, local businesses, community groups, etc.

2. Develop criteria that can be used to identify when an issue is an environmental justice issue.

The environmental justice policy applies to new programs or when there are to be significant changes in existing processes. Specific criteria for identification of environmental justice issues have been discussed:

a. An Issue is identified which involves cumulative risk posed by different pollutants or facilities concentrated in the same area.

b. An issue is identified which has an adverse health or environmental impact on an entire community. Issues which fall into this category may involve, but are not limited to the following:

- Lead
- Toxic/hazardous waste
- Air pollution
- Pesticides
- Wastewater
- Pollution from regulated or unregulated sources

SUBJECT: ENVIRONMENTAL JUSTICE REPORT

3. *Establish linkage between illegal dumping and environmental justice.*

Illegal dumping can be, but is not always, an environmental justice issue. Illegal dumping "hot spots" are often found in lower income communities or communities of color located near the landfills or transfer stations. This highlights the issue that the problem is historical, because the original siting of landfills was accomplished long before the concept of environmental justice was considered. However, now that the location of landfills is positively associated with the problem of illegal dumping, we can identify it as a current environmental justice issue.

Attached is a status report on illegal dumping, which identifies the problem, how much is currently being spent, funding sources, and interested parties.