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DATE: June 20, 2008

**TO THE RICHMOND CITY COUNCIL:**

The undersigned hereby appeals:

From the Planning Commission  X  Board of Zoning Adjustment \_\_\_\_\_  
Denial \_\_\_\_\_ Approval  X  of:  
\_\_\_\_\_ Variance Application (V) \_\_\_\_\_ Tent Subd. Or Parcel Maps (TM)  
 X  Conditional Use Permit (CUP) \_\_\_\_\_ Rezoning (RZ)  
\_\_\_\_\_ Controlled Development Plan (CD) \_\_\_\_\_ EIR Decision (EIR)  
\_\_\_\_\_ Other \_\_\_\_\_

**DESCRIBE ITEM AS PRINTED ON PLANNING COMMISSION AGENDA:**

DR/CU/EID/EIR 1101974 –  
Chevron Energy and Hydrogen Renewal Project at 841 Chevron Way

The Planning Commission will continue the Public Hearing to deliberate and make a decision on the proposed project's Design Review Permit, Conditional Use Permit, and adequacy and certification of the Environmental Impact Report (including a Draft and Final EIR, with associated Technical Appendices) for the Chevron Energy and Hydrogen Renewal Project, located at 841 Chevron Way in Richmond, California (APN: 561- 040-016; 561-100-003, -001, -003, -008, -009, -010, -011, -012, -013, -017, -020, -025, -026, -029, -034, -035, -036, -036, -037, -038, -040; 561-400-008; 561-410-002; 561-410-003). The applicant proposes to replace the existing Hydrogen Plant, Power Plant, and Reformer, tanks and install new equipment in order to increase the Refinery's ability to produce gasoline that meets California specifications, and use a wider range of crude oil sources than are currently processed. The new equipment would improve Refinery reliability, energy efficiency, meet State and Federal Standards and add environmental controls.

**STATE REASONS FOR APPEAL:**

On June 19, 2008, the Planning Commission approved combined Conditional Use Permit 1101974 and Design Review Permit 1104423 relating to the Chevron Energy and Hydrogen Renewal Project (Renewal Project). Chevron appeals the action of the Planning Commission related to imposition of Conditions of Approval C1, C3, C4, C6, C7, C10, C11, C12, C13, C14, D1, D3, D4, D5, D6, D7, D8, E1, E2, G2, G9, G10, H2, H3, H4, H6, H8, J1, J2, J3, J7, J8, J9,

and K1<sup>1</sup> on the basis that they lack a lawful nexus to the Renewal Project; are not supported by substantial evidence in the record; are arbitrary and capricious; interfere with operation of the refinery without corresponding environmental benefit; and are directed to the Refinery as a whole rather than any specific impacts of the Renewal Project. Chevron refers to and incorporates its arguments as set forth in those letters to the Planning Commission from Pillsbury Winthrop Shaw Pittman LLP dated March 10, 2008, March 20, 2008, April 3, 2008, April 9, 2008, June 4, 2008, June 17, 2008 and June 19, 2008 as well as the Final EIR for the Renewal Project and other evidence in the record.

**DELIVER OR MAIL TO:**

**City Clerk  
1401 Marina Way South  
Richmond, CA 94804**

**NAME:** Chevron Products Company

by: Tery A. Lizarraga


Manager, Health, Environment and Safety

**ADDRESS** 841 Chevron Way

**TELEPHONE (WORK)** (510) 242-1400

(ALT.) \_\_\_\_\_

Signature:

Handwritten signature of Tery A. Lizarraga in cursive, written over a horizontal line.

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<sup>1</sup> Conditions of Approval numbering references refer to those contained in Exhibit B to Resolution 08-03 attached to the June 19, 2008 Planning Commission Agenda Report.