

**PLANNING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL**
450 Civic Center Drive, Richmond, CA
June 21, 2018
6:30 p.m.

COMMISSION MEMBERS

Marilyn Langlois, Chair	Andrew Butt, Vice Chair
Nancy Baer	Jen Loy
Claudia Garcia	Michael Huang
David Tucker	

The regular meeting was called to order by Chair Langlois at 6:30 p.m.

ROLL CALL

Present: Chair Marilyn Langlois; Vice Chair Andrew Butt; Commissioner Nancy Baer, Claudia Garcia, David Tucker, Jen Loy, and Yu-Hsiang (Michael) Huang

Absent:

INTRODUCTIONS

Staff Present: Planning Staff: Lina Velasco, Director of Planning Services Richard Mitchell, and Attorney Rachel Sommovilla

MINUTES

April 19, 2018:

Commissioner Baer announced that two of the speaker's names were spelled wrong for the item on Point Molate. It should be Pam Stello instead of Stellar and Tony Sustak instead of Sustar.

Chair Langlois announced that Paul's last name is spelled, Carman, for the item on Point Molate.

ACTION: It was M/S/C (Butt/Loy) to approve the Minutes of April 19, 2018, with the suggested corrections; which carried by the following vote: 6-0-1 (Ayes: Baer, Butt, Garcia, Langlois, Loy, Tucker; Noes: None; Absent: Huang).

AGENDA

CONSENT CALENDAR – None.

BROWN ACT – Public Forum

ANNABEL PETERSON announced that while reading through the Environmental Impact Report for the General Plan there was false information about the liquefaction within the City of Richmond. The report says that there is an unknown amount of liquefaction within the City which is not true. In the shake study for an earthquake called HayWired, it did not factor in liquefaction in Change Area 12.

MARGARET JUDKINS, resident of San Pablo, voiced her concern about the large amounts of marijuana facility that the City of Richmond was placing near and around San Pablo. She also voiced her concerns about the rail connector that has been located near San Pablo. She stated that there was no notification to San Pablo residents about the rail connector or the marijuana facility proposed to be located on Palmer Avenue.

OLIVIA LIOU, resident of Richmond, announced that her business is located across the street from the new railroad connector. She stated that the project needs to be located away from residents and their families and that it causes a safety hazard.

CORDELL HINDLER, resident of Richmond, announced that he did not like how the Commission made the residents wait to speak their opinions on the karaoke bar item that was heard at the last meeting. He added that there needs to be a spa located in Richmond.

Chair Langlois asked Director Mitchell if the rail connector was under construction or if it was complete. Mr. Mitchell stated that the rail connector had already been constructed and that there was a wetland grading project that ran concurrently with the rail project. The connector was a Caltrans, UP and BNSF project and it did not involve Richmond planning or the City of Richmond.

PRESENTATION

- 1. PLN11-089: Chevron Modernization Project Annual Compliance Report**
PRESENTATION on the annual compliance report for the Chevron Refinery Modernization Project annual compliance report pursuant to Condition Of Approval H5 of the Conditional Use Permit (PLN11-089) at 841 Chevron Way (APNs 561-030-001; 561-030-002; 561-030-003; 561-030-005; 561-040-013; 561-040-014; 561-040-015; 561-040-016; 561-040-017; 561-080-001; 561-080-002; 561-080-003; 561-080-005; 561-080-006; 561-080-007; 561-090-003; 561-090-004; 561-100-003; 561-100-009; 561-100-010; 561-100-017; 561-110-020; 561-100-025; 561-100-037; 561-100-038; 561-100-042; 561-100-043; 561-100-044; 561-100-047; 561-100-048; 561-100-049; 561-110-022; 561-100-029; 561-110-034; 561-110-035; 561-110-036; 561-110-041; 561-110-044; 561-390-001; 561-390-003; 561-390-004; 561-390-016; 561-400-008; 561-410-002; 561-410-003). M-4, Marine Industrial/M-3, Heavy Industrial/M-2 Light Industrial/CRR, Community And Regional Recreation Chevron USA Inc., owner; Chevron Products Company, Applicant Planner: Lina Velasco Tentative Recommendation: Receive and Provide Comments

Ms. Velasco announced to the Commission that the recommended action was to receive the presentation from the consultant on the Modernization Project's Annual Compliance Report from Chevron, then provide comments on the report and receive public comments. The reason for the presentation was because there was a condition that was added under the approved CUP that a presentation needed to be made to the Planning Commission 1-year after construction.

The modernization project consisted of a new hydrogen plant, improvements to equipment to help remove sulfur from the crude feedstock and infrastructure improves like new piping and electrical systems. The project was to achieve a no net increase in emissions.

In 2014 the City approved a certified EIR and CUP for the project. Per the CUP requirements, Chevron was to submit a report each year showing compliance with the conditions of the CUP and mitigation measures in the EIR.

A Compliance Team built of many agencies, groups and departments are responsible in making sure that Chevron is in compliance with the conditions and mitigation measures. These groups included the City of Richmond Fire Department, Contra Costa Health Services, City of Richmond Building and Planning Services Department, City of Richmond Fire Prevention Bureau, Environmental Consultants, Bay Area Air Quality Management District, City of Richmond Engineering, and the Public Works Department.

There are four phases of the project and in those phases, there are different conditions and mitigations that where to be applied. These phases were pre-construction, construction, pre-operations, and operations. The pre-construction phase has been completed and all conditions and mitigations have been reviewed and verified by the Compliance Team.

The construction phase is an ongoing phase. Chevron has and will continue to submit quarterly reports to the Compliance Team for review and verification.

Pre-operations is in the early stages of starting. In this stage, the Compliance Team is required to verify that Chevron is in compliance with all conditions and mitigations in order to start up the machines. A few examples of conditions that need to be met include landscaping along Richmond Parkway/Castro Street and safety upgrades such as monitoring the pipes and equipment.

The operational phase has not yet started.

Ms. Susman, consultant with the City, announced that City Council worked with a group called Antea to create an online tool that helped the Compliance Team track, sort, and archive all documentation submitted by Chevron that showed compliance to all conditions and mitigation measures.

The tool is called iEHS and the tool puts all the conditions and mitigations into a questionnaire that is separated into the different phases. Chevron then is required to upload the questionnaire, documentation, and answers into the portal which then the Compliance Team reviews it.

For future actions, Chevron would continue to prepare an annual compliance report and that report is required to be submitted around March 31st of each year. The report then would be presented to the Planning Commission after the Compliance Team reviewed it.

Commissioner Baer wanted to know if Chevron monitored all contractors and included the results from those contractors into the report. Ms. Velasco announces that yes, Chevron was monitoring all contract work and all work had been reported in the compliance report.

Vice Chair Butt asked how long the Planning Commission will receive a presentation on the compliance report or would that end in a certain number of years. He also wanted to know if the iEHS tool could be applied to other City projects and if the mitigation about the lighting had been

addressed. Ms. Sommovilla answered that a presentation will be presented to the Planning Commission for as long as the Planning Commission required it. Ms. Velasco stated that the tool could be used if another large project were to come along and as to date Chevron has been in compliance with all conditions and mitigation measures. She also stated that the City and Chevron have been working together to try and fix the lighting complaints that have been raised by concerned residents.

Commissioner Tucker wanted to know why there hasn't been a lot of Richmond residents being hired for the project and what the outreach program is for hiring Richmond residents. Mr. Jeff Hartwig, Project Director with Chevron, announced that there is a lot of construction happening and most local contractors are working on other projects in the Bay Area but there had been a large effort to hire locally.

Commissioner Loy asked if hired contractors are required to hire local workers first and Mr. Hartwig announced that they are required to hire Richmond residents first.

Public Comment:

CORDELL HINDLER commented that he had an interest in knowing about local hire and thanked Commissioner Tucker for asking that question. He also wanted to know what quarterly reports meant and Ms. Velasco answered that it was every 3-months.

Chair Langlois articulated that some of the key issues that surrounded this project when it was reviewed and approved back in 2014 were safety and health concerns in terms of reducing emissions. She asked how many new tugboats would be added to the fleet, if any of the ships were using shore power when they are docked at the long wharf and more information about the replacement of the pipes in terms of crude. Ms. Velasco stated that it was one new tugboat and that the boats are not using shore power when docked. She also explained that the condition was to replace pipes that were in the high-temperature sulfidation service. Mr. Hartwig noted that the number of temporary fix clamps had been reduced and they are still in the process of repairing and removing clamps.

Chair Langlois asked if the older hydrogen plant is still in operation and if any of the new hydrogen plant was ready to start up. Mr. Hartwig announced that there is a plan in place to start the new plant later in the year. The new plant will not be running at full capacity because it is much larger than the old plant but there is no more demand for the plant functions than what is existing. In terms of the domes that were to be placed on top of the storage tanks, one has been completed and then there were two additional domes that are required to be installed within 3-years.

Discussion ensued between Chair Langlois and Staff regarding specific questions on the questionnaire and reports that Chevron had provided.

Chair Langlois suggested to the Staff that the item be an open item at the next meeting as well so that if there were any members of the public that would like to speak on the item then they have a chance too. Mr. Mitchell explained that since this item will be brought back quarterly, he didn't see it necessary to have it brought back again at the next meeting. If the public or Commission had a question they could forward them to Staff for an answer.

Commissioner Baer stated that it would be helpful if there was an index for all the documents and questionnaires that have been submitted. Also, to add page numbers on all pages, have a

cover sheet for all the questionnaires and then staple them together in their own groups by quarters for easier readability.

COMMISSION BUSINESS

7. Reports of Officers, Commissioners, and Staff – Ms. Velasco invited the Commission and the public to the first community workshop out at Point Molate. A shuttle was provided from City Hall and the event was from 10 a.m. to 2 p.m. A website had been created, richmondpointmolate.org, so the public can access all information about the area or look for upcoming event information. July 25th would be the next community workshop for Point Molate at the Richmond Auditorium from 5:30 p.m. to 8:30 p.m.

8. Adjournment - The meeting was adjourned at 7:50 p.m. to the next regular meeting on August 2, 2018.