

In The Matter Of:
CITY OF RICHMOND PLANNING COMMISSION
SPECIAL MEETING

RE: CHEVRON
April 17, 2014

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CITY OF RICHMOND PLANNING COMMISSION

SPECIAL MEETING

COUNCIL CHAMBERS, CITY HALL

440 CIVIC CENTER PLAZA

RICHMOND, CA 94804

THURSDAY, APRIL 17, 2014

.

PUBLIC COMMENT HEARING TO RECEIVE COMMENTS ON

ITEM 1, PLN11-089, THE CHEVRON REFINERY

MODERNIZATION PROJECT

DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)

AT 100 CHEVRON WAY/841 CHEVRON WAY

REPORTED BY: FREDDIE REPPOND, STENOGRAPHIC REPORTER

1 A P P E A R A N C E S

2 CITY OF RICHMOND PLANNING COMMISSION:

3 Sheryl Lane, Chair

4 Ben Choi, Vice Chair

5 Marilyn Langlois, Secretary

6 Andrew Butt

7 Eduardo Martinez

8 Roberto Reyes

9 Melvin Willis

10 FOR THE CITY ATTORNEY'S OFFICE:

11 Carlos Privat, Assistant City Attorney

12 FOR THE PLANNING DEPARTMENT:

13 Lina Velasco

14 Hector Rojas

15 FOR THE CITY'S CONSULTANT TEAM:

16 Jennifer Hernandez

17 FROM THE PUBLIC:

18 Antwon Cloird

19 Raymond Landry

20 Greg Goebel

21 Lucero Garcia

22 Michael Beer

23 Miya Yoshitani

24 Dr. Henry Clark

25 Liz Watts

- 1 Tennyson Hope
- 2 Mary Roth
- 3 Vivian Huang
- 4 Elsa Stevens
- 5 Thongsoun Phutama
- 6 Alison Whittaker
- 7 Lipo Chanthanasak
- 8 Inn Vilayngeun
- 9 Lai Chantavy
- 10 Torm Normpraseurt
- 11 Keo Viengrilay
- 12 Kae Lin Saechao
- 13 Sylvia Gray White
- 14 Rev. Earl Koteen
- 15 Sandy Saeteurn
- 16 Heather Lewis
- 17 Tarnell Abbott
- 18 Greg Karras
- 19 Nick Despota
- 20 Nancy Rieser
- 21 Roger Lin
- 22 Marinell Daniel
- 23 Patricia Byars
- 24 Mey Chiem
- 25 Andrés Soto

- 1 DeAnn McEwen
- 2 Dinorah Barton-Antonio
- 3 Laiwa Wu
- 4 Jeff Kilbreth
- 5 Katy Roemer
- 6 Kathleen Wimer
- 7 Joseph Puleo
- 8 Irene Thompson
- 9 Mike Parker
- 10 Christiana Guevara
- 11 Alexandra Early
- 12 Ellen Faden
- 13 Oscar Garcia
- 14 Per Lorentzen
- 15 Jeff Hartwig
- 16 Joey Porter
- 17 Jesse Arnold
- 18 Susanna Henley
- 19 Eric Henley
- 20 Bob Lilley
- 21 Mario Giovannetti
- 22 Bea Roberson
- 23 Naomi Williams
- 24 Stephanie Harvey
- 25 Carol Teltschick

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Katrinka Ruk

Marcus Mitchell

Walter Pope

--oOo--

1 APRIL 17, 2014

6:30 P.M.

2 PROCEEDINGS

3 --oOo--

4 CHAIR LANE: Good evening and welcome. The
5 April 17th, 2014, Planning Commission is now in session.

6 So before we get started, if you have a
7 cellphone, if you could please take it out, make sure
8 it's on silent or vibrate. And if you do need to make
9 or take a call, please do so outside of the chambers.

10 Okay. I will next lead us in the Pledge of
11 Allegiance.

12 [Pledge of Allegiance]

13 CHAIR LANE: The next agenda item is roll
14 call.

15 Staff, can we have roll call, please.

16 MS. VELASCO: Chair Lane.

17 CHAIR LANE: Here.

18 MS. VELASCO: Vice Chair Choi.

19 VICE CHAIR CHOI: Here.

20 MS. VELASCO: Commissioner Langlois.

21 COMMISSIONER LANGLOIS: Here.

22 MS. VELASCO: Commissioner Reyes.

23 COMMISSIONER REYES: Here.

24 MS. VELASCO: Commissioner Butt.

25 COMMISSIONER BUTT: Here.

1 MS. VELASCO: Commissioner Willis.

2 COMMISSIONER WILLIS: Here.

3 MS. VELASCO: Commissioner Martinez.

4 COMMISSIONER MARTINEZ: Here.

5 CHAIR LANE: So the staff members this
6 evening, to the audience's left is Lina Velasco, senior
7 planner, as well as Hector Rojas, senior planner. And
8 to the audience's right is Freddie Reppond. He's the
9 court reporter. As well as Carlos Privat from the City
10 Attorney's Office.

11 And just to note that at some point during the
12 meeting, just to give the court reporter a little bit of
13 a break, because he's going to be typing a lot, we'll
14 take a break. And we'll let you know when that will
15 happen in the meeting.

16 I'll also let you know there's a lot of folks
17 in here, which is obvious, so I will ask you that you
18 limit speaking amongst yourself just so, hey, everyone
19 can be heard.

20 So the next agenda item is approval of
21 minutes. We didn't have any minutes in our packets, nor
22 do we have anything on the consent calendar. So that
23 leads us to hearing procedure.

24 The way the Commission functions is outlined
25 in the Planning Commission agenda. Agendas are located

1 in the back of the Council chambers.

2 Persons wishing to speak on a particular item
3 on the agenda shall file a speaker form with the
4 Planning staff before the Planning Commission's
5 consideration of the item.

6 So I'll reiterate. If you do want to speak on
7 this item, come up now. Sign a speaker form before we
8 call the items. Once the discussion of the agenda item
9 begins, no one shall be permitted to speak on the item
10 other than those persons who have submitted their names
11 to Planning staff. Your name will be called when the
12 item is announced for discussion. And what staff will
13 do, they'll probably call you in groups. So when you
14 hear your name called, just please prepare to come near
15 the front of the chambers.

16 So with that said, I also know we have
17 translation occurring tonight, so we'll also exercise
18 some patience and extra time, if needed, just to make
19 sure that folks have adequate translation.

20 And then before we get to the presentation for
21 tonight, just wanted to do few housekeeping things.
22 Again, I know we have a lot of public speakers. This
23 issue and item, I know, evokes a lot of passions on
24 either side. So I just ask that everyone respects each
25 other's opinions, viewpoints, ideas. That's what we're

1 here for, to provide public comment. So no booing, no
2 hissing, none of that stuff. And if you do it, I'll
3 call you out on it.

4 Other than that, applause is fine. Just be
5 sure that you don't prolong it. So, you know, if you
6 want to applaud, that's fine, but don't prolong it so we
7 can just move the hearing along at a prompt pace.

8 Let me see if I had any more things to say. I
9 think I've said everything that I wanted.

10 So I will hand it over to staff, who will
11 present on the item. And then what we'll do -- we have
12 a lot of speakers tonight. Each speaker will be
13 provided with two minutes. And so after staff provides
14 a brief presentation, we'll hand it over to you, the
15 public, to provide oral comment. And then at the end of
16 the meeting and prior to we close, Planning
17 Commissioners also can provide their oral comment.

18 So, Lina.

19 MS. VELASCO: Okay. thank you, Chair Lane,
20 members of the public, the Commission. We are here this
21 evening to accept comments on the draft EIR for the
22 Chevron Modernization Project. And before we open the
23 comment hearing, Jennifer Hernandez, representing the
24 consultant team, will just be doing a brief
25 presentation.

1 So thank you.

2 MS. HERNANDEZ: Thank you very much, Ms.
3 Velasco.

4 Chair Lane and Commission members, thank you
5 again for your patience, both last time and this time.
6 This time will be much shorter, just a few minutes on
7 the topics for tonight -- a quick run-through of the
8 CEQA process, where this particular hearing falls within
9 that process; just one slide on the project background
10 and overview; one slide on the scope of the analysis;
11 and a quick recap of the hearing format. And then I
12 will retire and the public comment process will begin.

13 Just, first, the CEQA process. Where we are
14 at the moment is in the midst of the public review
15 process for the draft EIR, which was published on
16 March 18th. This is actually the fourth meeting that we
17 will have had since March 18th. We had an all-day
18 workshop on the 2nd. We had an evening workshop on the
19 2nd. Those were interactive workshops with the experts
20 who prepared the Draft EIR and the technical studies
21 that were included and referenced in the Draft EIR.
22 Then we had a follow-up meeting on the 3rd, a study
23 session in front of this Commission, where we presented
24 a longer description of the project and the Draft EIR
25 contents. And that was streamed. And it is also now on

1 the project Website. So the long presentation that I
2 won't give today is available, for anyone who missed it,
3 on the project Website and was streamed live.

4 Today's hearing is the hearing to receive
5 comments on the Draft EIR. And then, finally, the Draft
6 EIR process is scheduled to close on May 2nd, at the end
7 of the 45-day comment period.

8 After that period, the team working for the
9 City will respond to all comments. We will review all
10 comments. We'll conduct whatever additional analysis is
11 needed and prepare a Final EIR.

12 The Final EIR includes comments made,
13 responses to comments, changes that are made to the EIR
14 in response to comments. That Final EIR is prepared and
15 circulated for an additional ten-day review period.
16 After that, the Planning Commission -- you -- will
17 consider certification of the Final EIR and the pending
18 project applications. Finally, your decision, as you
19 know, can be appealed to the City Council and from there
20 to the courts.

21 Quickly, the project background and overview.
22 I'm a lawyer. I work for the City. And one of the
23 reasons a lawyer is up here is we're here because the
24 last time around the appellate court as well as the
25 trial court found that the EIR prepared for an earlier

1 version of the project was deficient in a few respects.
2 That 2008 project is different from the project in front
3 of you today. The 2008 project had not just a
4 replacement hydrogen plant and sulfur removal
5 improvements, but it also had a new power plant and a
6 catalytic reformer replacement that was designed to
7 increase production of gasoline. The power plant
8 replacement and the catalytic reformer have been
9 dropped.

10 The court looked at the environmental impact
11 report approved by the City in 2008 and decided it was
12 inadequate in at least a couple of respects. The
13 analysis was incomplete regarding the potential that the
14 refinery would process different kinds of crude. Would
15 it be heavier? Could it be heavier? It is certainly
16 going to be more sour. It has more sulfur. That's
17 actually a fundamental purpose of the project is to
18 allow the refinery to accept more sour crude and remove
19 the sulfur that comes with it.

20 The court was also critical of the fact that
21 the greenhouse-gas mitigation measures that were in the
22 project EIR were improperly deferred. There was not
23 enough specificity or demonstration of feasibility that
24 they would be attained.

25 This project is different. It's smaller. It

1 now includes the replacement hydrogen plant and a
2 variety of sulfur-removal improvements. It's a
3 downsized version of the 2008 project. The EIR has been
4 substantially upsized. We've enhanced the analytical
5 scope beyond what the court asked for by evaluating
6 emissions from shipping and transportation, not just
7 refinery operations. The team developed a unit-rate
8 model which actually decides and predicts. And then we
9 validated how the refinery would operate with different
10 kinds of crude, different kinds of sulfur content,
11 different kinds of gravity. And then we have a very
12 extensive new public safety evaluation. The last round
13 really just described applicable laws and said the
14 refinery would comply. After the fire in August of
15 2012, we decided a much, much more elaborate evaluation
16 and pages and pages of additional mitigation would be
17 appropriate. And those are included.

18 The project also includes a variety of design
19 features and mitigation measures to respond to these new
20 changes, including the fire, including now five specific
21 emission-reduction measures for greenhouse gas as well
22 as other emissions and measures to improve reliability,
23 including additional replacement of piping circuits and
24 what-not in the crude unit.

25 The areas where the project actually touches

1 the refinery are shown here. This is the project site.
2 And we have sulfur plant replacements and other
3 features. I won't go into this unless you'd like to
4 look at it. It's important to recognize though that
5 even though only a portion of the refinery process units
6 are being physically modified, the environmental impact
7 analysis reviewed the whole of the refinery process,
8 including units that weren't being physically modified.
9 The main physical modifications are happening to the
10 units are highlighted in yellow, but all of these units
11 were looked at both from an emissions perspective and
12 from a safety perspective and then running through the
13 list of other impact analyses that are required in an
14 EIR.

15 The Draft EIR concluded with quite a lot of
16 work and analysis that all project impacts were able to
17 be reduced to less than significant, with a variety of
18 mitigation requirements at both the project level and
19 what's called the cumulative level. That is the project
20 relative to existing refinery conditions and other
21 nearby stuff happening in Richmond and in the Bay Area.

22 Two topics really consume the vast majority of
23 the hard work, the analytical heart of the EIR. One
24 relates to air. The other relates to public safety.

25 Air is itself broken up into three

1 categories -- criteria: Air pollutants, the kind of
2 stuff that causes smog; toxic air contaminants, the kind
3 of stuff that causes localized health impacts. So does
4 the first category, by the way, cause localized health
5 impacts. And then greenhouse gas.

6 Each of these three criteria or categories of
7 pollutants was examined separately. Each was reviewed
8 intensively with assistance from the Air Quality
9 Management District's staff and leadership. And we
10 looked at both different kinds of crudes and, frankly,
11 different kinds of operational activity at the refinery.
12 Emissions track use of the refinery. The more full it
13 is, the more full it runs, the higher the emissions.

14 Public safety is another very extensively
15 evaluated topic. An independent safety analysis was
16 done by a corrosion expert in refineries to look
17 throughout the refinery at scores of potential ways the
18 refinery could experience safety problems as a result of
19 these changes and its existing condition. Forty-four
20 requirements were recommended by the City's expert. All
21 have been accepted by Chevron. The EIR adds on an
22 additional thirty requirements plus.

23 That's a really brief look at the EIR. As you
24 guys know, I can talk endlessly about it, but I'm not
25 going to.

1 The hearing format today's is really designed
2 to elicit oral comments, which will be added into the
3 record for consideration as part of the final EIR. This
4 is not the only opportunity to comment on the Final EIR.
5 Written comments can be submitted either today, put in
6 the comment box, or at any time up through May 2nd.
7 Comments will be recorded and a transcript of the
8 hearing will be included in the EIR.

9 On behalf of the court reporter, we beg that
10 you speak clearly. And if you get asked to repeat a
11 comment, to please be patient so that we get your
12 comments correct in the record and we can respond
13 appropriately.

14 As Ms. Velasco said, the process begins by
15 filling out and submitting s speaker card. That needs
16 to happen before the hearing actually begins. So if you
17 haven't done so already, I would urge that you come up
18 and fill in a speaker card. Because of the number of
19 speakers, there's a two-minute limit, as the Chair has
20 suggested here.

21 And, finally, I'll conclude by asking everyone
22 to please be respectful. This was an incredibly
23 complicated exercise. We think that it's an incredibly
24 complicated topic, so lots of people will have different
25 views and questions. And we believe that they all

1 deserve to be heard and responded to in the record.

2 Thank you.

3 CHAIR LANE: Thank you.

4 Before we go to the public speakers, I'll just
5 say one thing. Two minutes is going to go by very
6 quickly. So when you speak, be very direct and to the
7 point, because when that two minutes is up, it's up.

8 MS. VELASCO: If I could just remind the
9 speakers to, when you do come up, please state your name
10 and city of residence. And we will go ahead and call
11 the first six speakers, if you can just listen out for
12 your name. And we apologize for any mispronunciations
13 ahead of time.

14 MR. ROJAS: I'm going to be calling five
15 speakers at a time. You can go ahead and line up here
16 in the order that I call you when you come to speak.

17 Antwon Cloird, Raymond Landry, Greg Goebel,
18 Lucero Garcia, and Michael Beer.

19 Starting off with Antwon Cloird.

20 ANTWON CLOIRD: Hello. Antwon Cloird,
21 Richmond resident.

22 This EIR this time is very well put together.
23 And for our community to engage in this modernization
24 project is very significant. Behind me is our Richmond
25 community of labor workers and carpenters and

1 pipe-fitters and electricians. Could y'all please stand
2 so they can get a good look, please? If y'all could
3 stand, please? Could y'all stand?

4 These are Richmond workers that work in these
5 refineries. If you've ever been in a refinery before,
6 they are some of the cleanest spaces you could ever go
7 in. Some of the people's houses is not as clean as the
8 refinery is. And that's just real talk.

9 And so looking at this modernization project,
10 what it's going to bring to our community, not just
11 inside the refinery, the work that's going to go in, but
12 how it's going to affect our community for the future.
13 And that's where our interest is, as labor, workers, and
14 people who live in this community.

15 I've been in Richmond all my life. And, yeah,
16 we had some bad times. But now the good times is fixing
17 to start, because we're fixing to fix the problem.
18 We're fixing to fix it, because we're going to work on
19 it. So we're going to make sure, as stakeholders of our
20 community, we're going to make sure that refinery do
21 what it says it's going to do through that EIR.

22 So thank you for your time.

23 MR. ROJAS: Raymond Landry.

24 RAYMOND LANDRY: Raymond Landry. I'm a
25 lifetime City of Richmond resident.

1 I want to thank the City of Richmond for
2 putting such a great document together for the purpose
3 of allowing the public to have comment and allowing this
4 body some guidance and a future decision that they would
5 have to make.

6 I want to call your attention to an important
7 section of the EIR, the no-project alternative. It's a
8 very important area of the document in that it
9 highlights the impacts that would come from there not
10 being a modernization project. And I realize, while
11 that is popular, the only thing that comes out of no
12 project is Chevron will continue to be able to produce
13 275,000 barrels a day with some old existing equipment
14 that they have there now.

15 This project is not going to allow them to
16 produce more than that, but they are going to be able to
17 produce it with better equipment, with new equipment.
18 And I think it's about time that we would allow Chevron
19 to do something.

20 Also, another impact of no project is all
21 those men that you just saw -- and women -- you just saw
22 stand up, they would not have a job if there was no
23 project.

24 So I want to encourage this body, as you look
25 at the document prepared by the City, to consider

1 supporting it. Look and try to get all you can out of
2 it so that the City can move forward with this project
3 moving forward.

4 Thank you.

5 MR. ROJAS: Greg Goebel.

6 GREG GOEBEL: Good evening. I'm Greg Goebel,
7 a business owner that resides -- business resides in the
8 City of Richmond. Been here for the past 38 years.
9 We're a general engineering contractor providing
10 services to the refinery. Ranges from daily maintenance
11 to large capital projects.

12 Through our partnership with the refinery over
13 the past 38 years, we've been able to do quite a few
14 things. We provide good-paying jobs. A number of those
15 jobs -- 20 to 30 of them -- our employees reside in
16 Richmond. We've recently become a union contractor with
17 the help and support of Chevron. Our employees work in
18 the refinery, like I said, on a daily basis. And they
19 see firsthand that Chevron is not only dedicated but
20 committed to operate a safe and environmentally friendly
21 responsible facility. Every task at the refinery,
22 safety doesn't take a backseat to any of it. It's done
23 safely or not at all. It's one of the first items on
24 the tenets of operation.

25 The modernization project is an important

1 investment to the refinery. As was stated, it will
2 ensure Chevron remains an important part of the local
3 economy and businesses as well. Each year Chevron
4 spends on average upwards of \$50 million to small
5 business such as ours. And this project will ensure the
6 continued support of those businesses as well as create
7 a number of good-paying jobs.

8 I'm confident the public review process will
9 give the community the confidence that this project will
10 enhance the safety at the refinery, protect the
11 environment, create the jobs in the community.

12 Thank you.

13 COMMISSIONER MARTINEZ: I have a question.

14 What union was that that you formed at your
15 shop, sir?

16 GREG GOEBEL: 324, 342, and Local 3.

17 LUCERO GARCIA: My name is Lucero Garcia; and
18 I'm a resident of Richmond.

19 So I just want to say I'm all about change,
20 but making a better change. I think that's what's
21 important.

22 I just want to share a story. I have a
23 three-year-old; and he has asthma. And so I have had to
24 take him to the emergency room three times. And I had
25 to sit there and cry watching him have trouble

1 breathing. So all I want is for everywhere just to take
2 a look at really what's being proposed and making sure
3 that you really think about what's best for us.

4 I tried to look at the document. And, really,
5 it's just a foreign language to me. I don't understand
6 it. So I think it's your job to just make sure that
7 you're thinking about us and making sure that my son is
8 going to be able to have a better environment. And,
9 like I say, just really -- so just please think about
10 health not profit. Just think about us.

11 MR. ROJAS: Michael Beer. And I'm also going
12 to call up the next five speakers. Miya Yoshatani, Dr.
13 Henry Clark, Liz Watts, Tennyson Hope, and Mary Roth.

14 MICHAEL BEER: My name is Michael Beer. I'm a
15 resident of Richmond, California. And the last time I
16 was speaking in front of the Planning Commission was the
17 last time that Chevron proposed the modernization plan.
18 Good to be back.

19 I'm a little confused, because I believe that
20 everybody wants the modernization project to go ahead.
21 The City Council vote was unanimous. And I want it too
22 and I'm sure most of the people here want it too.
23 Safety improvement is good for Richmond residents. Jobs
24 are good for Richmond workers. In fact, I go farther.
25 I would support jobs for all workers, whether or not

1 they live in Richmond.

2 But I wondered, if everybody really wants
3 this, why is the Chevron Corporation -- its headquarters
4 are in San Ramon -- pitching Richmond so hard unless
5 there's something else going on here, unless they're
6 doing what they did last time, the Chevron way or the
7 highway?

8 At the hearings before, I learned about
9 playing with numbers. If you average the years with no
10 fires with one fire, it looks like on the average
11 there's little health risk. The problem, of course, is
12 on that one day that dose is catastrophic. And, in
13 fact, the inquiry afterwards proved that Chevron has
14 been lying to us for years and years about its
15 commitment to safety. They were caught. They were
16 fined. And now I'm expecting a 180-degree turn. And
17 all along -- they were all along great. It's
18 incredible. So be careful of the no-net-increase line.

19 And, also, another point is you don't have to
20 say yes or no. You can ask for more mitigation under
21 the law. Or in closed session you can negotiate. I
22 don't want comparatives. I want superlatives. Not
23 newer, safer cleaner, but cleanest, safest, best. I
24 don't want a 20-percent modernization project. I want
25 the reverse. I want an 80-percent modernization

1 project, which would lead to four times the amount of
2 work. Don't tell me Chevron can't afford it.

3 MR. ROJAS: Miya Yoshitani.

4 MIYA YOSHITANI: Hi, Commissioners. My name
5 is Miya Yoshitani. I'm with the Asian Pacific
6 Environmental Network.

7 There's nothing modern about digging shale oil
8 and tar sands out of the ground and burning it,
9 poisoning the air, threatening worker safety and the
10 local community, and destroying the planet for future
11 generations. There's nothing modern about that.

12 No amount of money spent on billboards or fake
13 newspapers or PR can make this project modern or clean.
14 Richmond needs a transition to a clean and healthy
15 economy for all Richmond's residents. This expansion
16 project will increase greenhouse gases the equivalent of
17 190,000 cars on the roads at a time when we have an
18 obligation to be reducing, not adding to the state's
19 total carbon and all the associated co-pollutants. The
20 supposed greenhouse-gas reductions are achieved through
21 an extremely dubious offsets program, which means that
22 the community of Richmond will not benefit from the
23 supposed reductions and they will not be verifiable.

24 We can do better. Chevron can and must do a
25 full and real modernization with the best available

1 technology and contribute to this community's transition
2 to a clean-energy economy with clean jobs for all
3 Richmond's residents. Cleanest, safest, best.

4 MR. ROJAS: Dr. Henry Clark.

5 DR. HENRY CLARK: Good evening. I'm Dr. Henry
6 Clark, director of the West County Toxics Coalition. I
7 have been addressing issues related to Chevron for the
8 past 30 years or more.

9 First of all, I want to say that this project
10 comes within a certain context. The City of Richmond
11 has adopted an environmental justice ordinance and have
12 said that they would operate by the precautionary
13 principle. So that's what you need to keep in mind when
14 you're doing this project.

15 Now, I've been talking with people at Chevron.
16 And I must say this time around they have been quite
17 open in terms of their willingness to discuss this
18 project and to come to community meetings, particularly
19 the fence-line communities of North Richmond and other
20 areas.

21 But I'm not for pollution trading, period.
22 The greenhouse gases should be reduced as much they
23 possibly can within legal limits and what the City can
24 require. I know that there are some features in there,
25 such as putting a roof on one of the tanks in Oakland,

1 maybe more; and retiring one of the older ships and
2 using two more ships that what I understand would be new
3 technology that would reduce diesel emissions. Those
4 are all good things.

5 And certainly I support jobs for local
6 residents. So that's all good. So there's a lot of
7 good things to the project by identifying. And we need
8 to make sure that we reduce those emissions and negative
9 impacts on the surrounding communities so that this
10 project will be safe as it possibly can. And that's
11 what I am expecting from Chevron.

12 And those are -- that's the position of the
13 West County Toxics Coalition. That's the concerns and
14 the position of the North Richmond Municipal Advisory
15 Council by the communities that are on the front-lines.
16 So hopefully we'll get a decent project here that will
17 be safe and have good community benefits.

18 Thank you.

19 MR. ROJAS: Liz Watts.

20 LIZ WATTS: Hello. My name is Liz Watts. I'm
21 a Richmond resident.

22 And I'm concerned about the May 2nd comment
23 period. A few months back, the Chemical Safety Board
24 met to discuss safety measures that would have prevented
25 the August 2012 incident. At that meeting, the Chemical

1 Safety Board stated they will give a final report which
2 is to be presented a couple of months from now. Will
3 their recommendations be added to the final plan that's
4 adopted?

5 I understand that the modernization project is
6 focused on -- also, I understand the modernization plan
7 is focused on upgrading just 20 percent of the refinery,
8 the first part of the process that deals with processing
9 the cruder product. I believe the other 80 percent of
10 the refinery which is not being upgraded or there's no
11 plans, as I understand it so far, has some portions that
12 were constructed in the 1930s and 1940s. Maybe that
13 would explain the August 2012 incident.

14 One last thing. When the Chemical Safety
15 Board was here, they recommended using the safest
16 inherent material for upgrading the pipes, which they
17 said was stainless steel. So why is Chevron planning on
18 using No. 9 chromium?

19 Thank you.

20 MR. ROJAS: Tennyson Hope.

21 TENNYSON HOPE: My name is Tennyson Hope. I'm
22 a registered nurse at Doctors Medical Center. I've been
23 a registered nurse for 20 years and I work in the IC
24 department.

25 I have a few things to say. The first thing I

1 will say is that I was here at Doctors Medical Center
2 when they had the 2008 explosion. And it was an undue
3 burden on the hospital. We had over 15,000 people come
4 in, 24 hours a day. Hallways were filled. And this was
5 under Chevron's safety policy which was already supposed
6 to be in effect. Obviously, they don't follow their
7 policy. So what is to say they're going to follow the
8 policies this time around?

9 We are not against jobs for this community.
10 We also believe that. But we understand that health and
11 safety comes first. Money cannot buy you health.

12 MR. ROJAS: Mary Roth. And the following
13 speakers are Vivian Huang, Elsa Stevens, Alison
14 Whittaker-- sorry if I mispronounced that -- Thongsoun
15 Phuthama and Seng Sivanthong.

16 MARY ROTH: Hi. My name is Mary Roth. And
17 I'm a nurse. I've been a nurse for over 30 years. I've
18 also lived in Richmond for over 28 years. I work in the
19 medicine department at Kaiser. I'm an advice nurse, so
20 a lot of you might talk to me or someone like me on the
21 phone.

22 When we had the Richmond fire in 2012, August,
23 we were bombarded. We didn't have the capacity to
24 handle those calls from all those suffering people.
25 People couldn't breathe, people who were dizzy, people's

1 eyes were burning, people who were very sick already
2 because they've lived in a toxic environment for years.

3 So I'm here today with the California Nurses
4 Association, because we are opposed to anything that is
5 going to increase emissions in our city. Richmond
6 citizens are our patients. We really care about them.
7 And like previous speakers have said, you can't buy your
8 health. Money does not count. We need to get something
9 here alternatively.

10 So one thing that I am concerned about is the
11 increased capacity to run higher-sulfur oil as a stated
12 purpose of the project. That will increase 60 toxic
13 chemicals and metals. Okay. That is going to be a
14 significant health threat for our citizens in Richmond.
15 We are already suffering with asthma, heart disease,
16 higher rates of cancer. We're completely overburdened.

17 So I ask everyone to please consider that
18 health is wealth. Okay. So please don't pander to
19 making billions of dollars in profit for the very few
20 and support all of our Richmond citizens. And there's
21 many nurses here who feel the same way.

22 MR. ROJAS: Vivian Huang.

23 VIVIAN HUANG: Good evening. Vivian Huang,
24 also with Asian Pacific Environmental Network.

25 So you're going to be hearing from several of

1 our members tonight. But I think that the one -- sort
2 of our one vision for Richmond is that we believe that
3 we can actually repower our community with clean energy.
4 We can actually have jobs and health and safety, that we
5 can actually put forward a vision that's actually
6 much -- that takes us in the right direction for not
7 only Richmond but also the larger Bay Area.

8 Unfortunately, this project doesn't take us on
9 that path. Richmond is already facing high rates of
10 cancer, asthma, pollution. There are people in our
11 membership who have family members who themselves have
12 gotten sick and are suffering from the impacts. This
13 project is going to increase 61 toxic chemicals and have
14 significant increases among some of those that lead to
15 chronic health impacts.

16 And where's the assessment of the cumulative
17 health impacts from the co-pollutants that are in the
18 air as well as all the other projects that are being
19 proposed? We've heard a lot about crude by rail in this
20 Planning Commission, as well as information about coal
21 that's also being transported.

22 Also, in the report it highlighted that
23 Chevron was actually over 100 violations. What do these
24 violations really say about how accurate the baseline
25 understanding we have of how much pollution there

1 currently is? And what were the consequences of those
2 violations?

3 We're really tired of being the dumping ground
4 of pollution and seeing our community members get sick,
5 develop, like, a lot of serious chronic illnesses. And
6 we really need to reduce the emissions locally.

7 So we really urge you to really support that
8 we must stop the pollution and that we do have the means
9 to really generate clean energy. We really can have
10 power without pollution. and I urge you to support that.

11 Thank you.

12 MR. ROJAS: Elsa Stevens.

13 ELSA STEVENS: Good evening. My name is Elsa
14 Stevens. I live in Richmond. I understand that in this
15 process, the community has a right to ask questions.
16 And, more importantly, the community has a right -- is
17 entitled -- to having those questions answered.

18 Of the modernizations that are planned, how
19 many were planned to solely improve safety?

20 And was a safety-risk assessment performed for
21 the entire refinery to identify those areas that are
22 most vulnerable or that pose the most danger to
23 employees and to the community?

24 MR. ROJAS: Alison Whittaker.

25 THONGSOUN PHUTHAMA: (through interpreter) My

1 name is Thongsoun Phuthama. I'm a senior and also a
2 member of the Senior Association of the Bay Area.

3 I am here for over 30 years. My family lives
4 here in Richmond. I also came here not to complain on
5 anyone but really to come to let you hear about our
6 health issue and not only my health issue, my family
7 health issue, but also the community health issue. And
8 we want to live in a healthy and a clean community.

9 First of all, I'm thanking you on behalf of
10 the authority who make decision who are considering our
11 community and also have the process that we can voice
12 our concern. Also, this is not only talking about in
13 the past we have been suffering, but also we don't want
14 to see suffering in the future. We want it better in
15 the future.

16 Thank you, all of you.

17 MS. VELASCO: I'm sorry. We might have
18 skipped you, Alison.

19 ALISON WHITTAKER: Yes. Alison Whittaker.
20 And I've been a nurse for 25 years. I live in San
21 Rafael.

22 And I'm here today because I am really, really
23 concerned about the toxins that are being emitted into
24 the environment. Of course, we've already mentioned
25 that particulates in the air in a community such as

1 Richmond is increasing -- asthma, rashes, cancer.
2 Cancers are on the increase within children. I mean
3 this is terrible. And also new studies show
4 cardiovascular disease.

5 I mean it's already been mentioned. Over 60
6 toxic chemicals and metals are set to increase with this
7 project, significant increases for 16 toxic air
8 contaminants are associated with chronic health impacts.

9 Some statistics about this: San Pablo and
10 Richmond mothers have higher proportions of low birth
11 [sic] babies than the overall country. Richmond
12 residents suffer from female reproductive cancers that
13 double the County rate. Richmond residents are more
14 likely to die from cancer and heart disease compared to
15 the County overall.

16 I ask for an in-depth study as to what toxins
17 are being released into this environment. And a
18 third-party study that is fair, that these residents --
19 and we all need to know, because we're all being
20 affected in the Bay Area. We need to know what's being
21 released into the environment.

22 And I'd like to speak about jobs. I know
23 people want jobs in this community. And I understand
24 this country is having a really hard time. But there's
25 only projected 29 jobs for the refinery. And there's no

1 guarantee that Chevron is going to be hiring people.
2 There are no contracts. And, also, why are only seven
3 percent of the residents -- I mean the people that --
4 people that are employed by the Chevron refinery
5 currently, only seven percent live in Richmond. Why is
6 this?

7 MR. ROJAS: The next speaker is Seng
8 Sivanthong. And followed by the next five speakers,
9 Keut Douangdara, Lipo Chanthanasak, Lai Chanthavy, Torm
10 Normpraseurt, and Inn Vilayngeun. So the next one is
11 Seng.

12 Okay. The next speaker was Keut Douangdara.

13 Okay. Lipo.

14 LIPO CHANTHANASAK: (through interpreter) My
15 name is Lipo Chanthanasak. I am Khmu and I'm also a
16 resident in Richmond. I'm a member of APEN. I am going
17 to talk about the problem I see from Chevron.

18 The problem every day that I see is the
19 pollution that came out from Chevron every day that
20 impact all the community who live here and impact our
21 health and impact our environment. Why is it important
22 to all of us?

23 Because the chemical release to our community
24 that impacts our health, our community, also my family,
25 myself, and also many of our members in the community

1 have been impacted on the health issue. I want to go
2 forward for changing solution. I want to ask Chevron to
3 look into renewable energy. First step is Chevron
4 install solar energy in their facility.

5 And, also, the second issue on the solar
6 program and any renewable program that should be owned
7 by the people in Richmond -- city wants to own it. And
8 then we will talk about local jobs. If we own here, we
9 hire the people here.

10 What we're about to see here is our people,
11 everybody will have a job. But not only just a job, a
12 clean job, healthy job, and also healthy environment and
13 also industry in our community here. Also, we want
14 everyone in our community to be healthy and also clean
15 and prosper in our community here.

16 Thank you.

17 MR. ROJAS: Lai Chanthavy.

18 Torm?

19 Okay. Inn Vilayngeun.

20 INN VILAYNGEUN: (through interpreter) My
21 name is Inn Vilayngeun. I've lived here in Richmond
22 over 30 years.

23 I want to talk about the problem. I live in
24 North Richmond area. What I want to ask and what I want
25 to see that you to look into is not only the expansion

1 but also really put everything a new -- new equipment,
2 all of them new, because the old one cause a problem,
3 cause health issues, cause a problem.

4 And that's all. Thank you.

5 MR. ROJAS: Lai Chantavy.

6 LAI CHANTAVY: My name is Lai Chantavy. I
7 live in Richmond/San Pablo almost 22 years.

8 (through interpreter) Thank you. And I want
9 to ask the authority who can make decision to really
10 look at the position to impress our children and
11 grandchildren to be healthy and safety in the future,
12 not only now.

13 We are talking about Richmond, but also
14 Richmond/San Pablo. We are just next door and the both
15 of us who live in Richmond and San Pablo will have the
16 same impact from chemicals from Chevron released to our
17 community. So it's not only just city of Richmond. But
18 I live next door. San Pablo has the same impact.

19 We also want to ask you to make decision to
20 make sure it is going to bring healthy to our community,
21 to our neighbors.

22 And thank you.

23 MR. ROJAS: Torm.

24 TORM NORMPRASEURT: Hello. My name is Torm
25 Normpraseurt. I live here in Richmond since 1975.

1 I thank you for Chevron to give us opportunity
2 to speak again. But don't think that we're so
3 unintelligent. Don't think that we do not feel the
4 pain. Don't think we don't feel the sickness. You just
5 apply before through the City of Richmond. Richmond
6 approved vote, expansion and fix the old one. We, the
7 community, support it to fix all the old equipment. And
8 Chevron didn't want to fix it. They want a new
9 expansion. We sued them in the state and we win.
10 Because Chevron didn't tell us what they wanted to do.

11 And now it come back again. And two years
12 ago -- not even two years ago -- Chevron explosion. And
13 it cost 15,000 people to the hospital and we all fell
14 sick. And here they come back again and ask for
15 expansion.

16 The jobs? We all want jobs. Let's talk about
17 the job. It's clean, healthy job. It's all we want. I
18 want to share with you, brothers and sisters, from the
19 labor pool. You're talking about Christmas and
20 Thanksgiving gift for your family. We are talking about
21 funeral service to our family members. You're not there
22 to talk about how much it costs, the funeral service.
23 I'm pretty sure in your family members, someone pass
24 away. We have to deal with that every week, because I
25 don't know -- I'm not a scientist, I'm not a doctor.

1 Almost everybody in our Laotian community die here.
2 They say it's caused by cancer. I don't know what kind
3 of cancer. But most of our folks who have died here,
4 they said cancer.

5 Listen, folks, we want jobs, of course. Let's
6 do clean energy so everyone can have a job and healthy
7 job. Thank you.

8 MR. ROJAS: Can I have the next five speakers?
9 Kae Lin Saechao, Keo Viengrilay, Sylvia Gray White,
10 Reverend Earl W. Koteen, and Sandy Saeteurn.

11 So the next speaker is Kae Lin.

12 Keo.

13 KEO VIENGRILAY: (through interpreter) Hello.
14 My name is Keo. I live here in Richmond many years.
15 I'm also a APEN member and recertified here for many
16 years. We want a good community, good job, health and
17 safety. And not only just for us in the community but
18 also for those who work in the refinery so they can be
19 safe and healthy.

20 I'm glad to see many different communities,
21 different ethnicity come here, and be talking about how
22 everyone want good job and clean job. And we want good
23 for our community.

24 Thank you.

25 MR. ROJAS: Kae Lin.

1 KAE LIN SAECHAO: (through interpreter) Hi.
2 My name is Kae Lin Saechao, long-time Richmond resident.
3 I'm old and I can't say much. But I'm here
4 tonight to ask the Planning Commission to not approve
5 this expansion. I'm an elder in the community. And
6 when the fire happened two years ago, I slept at the
7 Brookside Hospital for five nights. I couldn't breathe.
8 I was very dizzy and just feeling nauseous all the time.
9 I don't want to die here in Richmond having to breathe
10 this dirty air. I really need you all to protect us and
11 give us some really good solutions. Don't let Chevron
12 expand.

13 MR. ROJAS: Sylvia White.

14 SYLVIA GRAY WHITE: Good evening. My name is
15 Sylvia Gray White. I'm a Richmond resident. I am a
16 member of CBE. I'm literally physically sick and tired
17 of what Chevron has done and continues to do to our
18 community. This has to stop now. Chevron daily
19 pollutes our air, water, land with about a hundred toxic
20 chemicals, causing smog, air pollution, acid rain that
21 kills trees. We are hearing -- okay. We're hearing
22 more stories about big trees falling on people, cars,
23 houses, telephone poles.

24 And even though Chevron is by law required to,
25 they won't even tell the medical community all of the

1 chemicals they are using and emitting daily so we can
2 attempt to get proper care. We continue to negotiate
3 our health and accept pollution standards that are not
4 justified. I will not negotiate my health nor my
5 family's health. I say no, no, no.

6 This EIR shows an enormous increase in
7 hydrogen, which is needed to counteract an increase in
8 sulfur emissions.

9 There are safer alternatives. Hemp oil is
10 one. Did you know that Henry Ford built his first car
11 out of hemp and used hemp oil to run it? Did you know
12 that George Washington was a hemp farmer? Hemp oil is
13 safe, nontoxic, no cancerous compounds, no sulfur
14 emissions which can cause acid rain. It stores safer,
15 has a flash point of 300 compared to fossil fuels, which
16 is 125. Hemp has over 20,000 uses. Our creator,
17 Yahweh, has created everything we need. But this
18 natural product of the earth was banned because of
19 corporate greed. If we want our world and the people on
20 the planet to survive, then we need to promote hemp
21 oil --

22 CHAIR LANE: Ms. Gray White, thanks for your
23 time.

24 SYLVIA GRAY WHITE: The thing stopped on me,
25 though. I just have one more sentence to finish.

1 Chevron can convert to hemp oil if they are
2 really concerned about our health and global warming,
3 which they are responsible for. We should all thrive,
4 not just survive.

5 MR. ROJAS: Reverend Earl Koteen.

6 REVEREND EARL KOTEEN: I'm Reverend Earl
7 Koteen. I'm a Unitarian Universalist minister and am
8 the co-chair of the Chevron Watch Campaign for 350 Bay
9 Area. I told Sylvia she'd be a tough act to follow.

10 What I thought of today as I preparing was the
11 movie A Man for All Seasons about Sir Thomas More. And
12 for those of you who have not seen it, it's the story of
13 a man who is struggling between his loyalty to the king
14 and his loyalty to his faith. And he decides that he is
15 going to resolve this struggle by remaining silent.
16 He's an attorney and he knows that silence implies
17 consent.

18 But we have reached a point where silence is
19 no longer satisfactory. I was a federal employee for 30
20 years. I've been in your chair. This is the greatest
21 moral and physical crisis we have faced in our entire
22 lives. I'm no scientist. I'm no engineer. But this is
23 not a modernization project. This is not going to
24 decrease the fossil fuel particulates and other poisons
25 that are coming into your community. And we are all

1 downwind. We are downwind. We are down-rail. And more
2 than anything else, we are downing our own children. It
3 is time and time to speak up again. I know some of you.
4 I know you have been. I encourage you, the rest, to
5 join us.

6 Thank you.

7 MR. ROJAS: Sandy Saeteurn. And the next five
8 speakers, Heather Lewis, Frederick Warren, Tarnel
9 Abbott, Greg Karras, and Nick Despota.

10 SANDY SAETEURN: Hi. Sandy Saeteurn,
11 long-time Richmond resident and mother of soon-to-be
12 two.

13 This project is not a modernization project.
14 It's an expansion project. And I say no to any
15 expansion that wants to bring in dirtier, heavier crude
16 to process here in Richmond. If Chevron really wants to
17 modernize their refinery, they should really upgrade the
18 whole refinery, not just 20 percent of it.

19 Also, why should we as Richmond residents,
20 Planning Commission, City Council allow them to start a
21 new project when they can't even fix their old problems,
22 like the clamps on top of clamps on top of clamps and
23 their 80-year-old boiler? They need to fix those
24 problems before they start anything new.

25 And I would say no project unless it's a

1 project to fix the old and the broken. That will create
2 benefits that will be good for the workers, good for the
3 environment and the community.

4 I look to you, Planning Commissioners, tonight
5 to really make sure that this project or any project
6 that Chevron wants to do is really about creating a safe
7 place for Richmond and our workers.

8 Thank you.

9 MR. ROJAS: Heather Lewis.

10 HEATHER LEWIS: Hello. My name is Heather
11 Lewis and I'm an attorney with Communities for a Better
12 Environment. So I want to make a few comments on the
13 legal adequacy of this Draft EIR.

14 First of all, this EIR should have considered
15 a community solar alternative. A legally sufficient EIR
16 has to analyze and compare a range of reasonable
17 alternatives that will avoid or substantially lessen any
18 of the significant effects of the project. This project
19 as proposed will increase greenhouse-gas emissions by
20 over 725,000 tons per year; and it will also increase
21 criteria and toxic air pollutants. These emissions
22 should be reduced and offset by a community-solar
23 project that is community governed, community
24 controlled, and that creates jobs in this community.

25 A community solar project is entirely feasible

1 in Richmond. These projects are supported by state law,
2 specifically Senate Bill 43, which was passed last fall.
3 Pursuant to SB 43, there is an ongoing proceeding at the
4 California Public Utilities Commission to develop a
5 utility-run community renewables program. In July of
6 this year the Commission will authorize PG&E to
7 implement a community renewables program in its service
8 territory. Chevron should engage in PG&E's program and
9 take the lead in developing clean energy and clean jobs
10 in Richmond.

11 Apart from the failure of the EIR to consider
12 a community solar alternative, there are a number of
13 other deficiencies in the EIR that impede the
14 effectiveness of this informational document.

15 It artificially inflates baseline emissions
16 levels in order to mask the severity of air quality
17 impacts. The EIR misleads the public by labeling the
18 product as modernization rather than expansion when the
19 core purpose of the project is to expand the refinery's
20 capacity to process dirtier, heavier, higher-sulfur
21 crudes. The EIR proposes to trade away significant air
22 quality impacts by purchasing offsets and credits
23 elsewhere in the state while creating a toxic hot spot
24 in Richmond.

25 In short, the EIR fails as an informational

1 document and the City of Richmond should revise the EIR
2 to make sure the public and decision-makers have full
3 information about the proposed expansion.

4 Thank you.

5 MR. ROJAS: Tarnel Abbott and Frederick
6 Warren.

7 Tarnel Abbott.

8 TARNEL ABBOTT: Tarnel Abbott, Richmond
9 resident.

10 I've lost count of my colleagues -- my former
11 colleagues -- who I worked for 22 years at the Richmond
12 Public Library who have died of cancer and other
13 illnesses, such as asthma-related and cardiovascular.

14 But I want to comment on the mitigations which
15 will not bring back our dead or our ill. But here are a
16 few ideas of mitigations to help our community.

17 Chevron, have you considered upgrading the
18 dock or port facility so that the oil tankers can use
19 landlines for their utilities such as to lessen the
20 impact of their pollution in the port?

21 Chevron, have you considered giving the
22 Richmond neighborhoods fleets of electric cars for local
23 use?

24 Chevron, have you considered relocating the
25 refinery away from population centers and out of the

1 prevailing wind? And you might note that our sister
2 city Regla, Cuba, is doing just that.

3 Chevron, have you considered quitting fossil
4 fuels?

5 Another question I have is how many full-time
6 permanent jobs will this project create? Twenty-nine.
7 Not good enough.

8 Have you projected how increased greenhouse
9 gases will impact sea-level rise and the subsequent
10 damage to our local shoreline?

11 So, basically, Chevron have you considered
12 going fully renewable? That's what we need. We need it
13 to save our children, our oceans, our planet, and our
14 health.

15 MR. ROJAS: Greg Karras.

16 GREG KARRAS: Greg Karras, senior scientist,
17 Communities for a Better Environment.

18 Before I walked in here, on the phone I got a
19 tip that Chevron is already writing its appeal. They
20 expect you to do something they don't like. I don't
21 know if that's true. I hope it's not. I really hope
22 it's not. But I do think that we got to get it right
23 the second time; and that is going to happen here.

24 So I want to ask you do what you can to use
25 your voices with us to get enough time to get it right

1 this time. Please make the time to figure out together
2 what everybody just said, what Tarnell just said. We
3 need to figure out together how to make this plant that
4 we still need the safest, least polluting, and at the
5 same time build the sustainable energy future we need.
6 We need to do both now.

7 Some points about why this issue is not going
8 to go away. The proposal for higher sulfur oil without
9 upgrading pipe in at least five process areas is an
10 unmitigated spill-fire explosion hazard for the workers
11 and the community.

12 The proposal to export so much greenhouse-gas
13 reduction burden and so many associated jobs without
14 even considering a community-based, community-controlled
15 solar jobs alternative, same problem.

16 Ignoring the Air District's monitoring failure
17 that still today allows Chevron's refinery to exceed a
18 particulate matter limit by an amount more than the rest
19 of Richmond combined emits.

20 And then a proposal to use that same reliance
21 on the Air District monitoring instead of mitigation.
22 That isn't going to work either.

23 And playing with the definition of crude while
24 hiding information about the separate dirty gas-oil
25 feedstock, we've seen that movie before. We know how it

1 ends. We don't want to go there. I don't think Chevron
2 does either if they wake up. We need to take the time
3 to figure it out together; and we need you to make sure
4 that happens. That's your job in this process, before
5 it goes to City Council.

6 Thank you.

7 MR. ROJAS: Nick Despota, followed by the next
8 five speakers, Nancy Rieser, Roger Lin, Marinell Daniel,
9 Saeng Chanthanasak -- sorry for that -- Patricia Byars.

10 NICK DESPOTA: My name is Nick Despota. I am
11 a Richmond resident. I am not necessarily opposed to
12 this project, but I do think that the pursuit of profits
13 should not be allowed to degrade our air quality in
14 absolute terms. And by that I mean without the
15 consideration of the fiction of cap and trade or a
16 comparison to questionable baselines.

17 So here are my questions. What is the sulfur
18 content cap? Under this proposal, increasing from 1.58
19 percent to 2.5 percent. We're limited, instead, to two
20 percent. So how would that affect Chevron's business
21 case?

22 How would it affect the emissions of toxic air
23 contaminants and greenhouse gases?

24 And, finally, is there a market or can a
25 market be developed by Chevron for a cleaner brand of

1 fuel, just as we've seen MCE, a community energy
2 aggregator, sell a cleaner brand of electricity?

3 Thank you.

4 MR. ROJAS: Nancy Rieser. Nancy.

5 NANCY RIESER: Thank you. My name is Nancy
6 Rieser. I'm actually from Crockett, not Richmond.

7 Certain parts of the year Crockett is not only
8 downwind from the P-66 refinery in Rodeo, but it's also
9 downwind from the Richmond refinery.

10 Now, the EIR before you not only does it not
11 adequately address the direct health impacts upon
12 Richmond citizens, it is grossly inadequate analyzing
13 the cumulative impact of all the crude oil projects up
14 and down the Carquinez Strait that we fondly call
15 Gasoline Alley.

16 You know, at the P-66 hearings we've become
17 used to the building trades and the refinery workers
18 standing up and saying, Jobs, jobs, jobs. That's their
19 battle cry. Well, what we have learned is that they
20 fail to admit that many of the jobs will go to
21 out-of-state construction specialists. So those jobs,
22 jobs, jobs will be going to Texans, Texans, Texans.

23 When the community members stand in front of
24 you fighting for a safe refinery and a clean
25 environment, they're also fighting for their brothers

1 and sisters who work at the refineries after those
2 out-of-state construction workers go home. No job, job,
3 job is going to help you if you're dead, dead, dead.

4 MR. ROJAS: Roger Lin.

5 ROGER LIN: Good evening, Commissioners. My
6 name is Roger Lin. I'm an attorney with Communities for
7 a Better Environment.

8 In the incredibly short amount of time you
9 have left to read this Draft EIR, please consider two
10 questions. First, this is an energy project. Is there
11 another way to do this project that is still profitable
12 for the company, still guarantees safe jobs, but one
13 that also benefits the community?

14 Is the eight megawatts of solar enough to
15 mitigate the enormous increase in greenhouse-gas
16 emissions?

17 And that leads to the second question:
18 Climate change, air emissions. Richmond is already
19 disproportionately impacted by particulate matter and
20 greenhouse-gas emissions. This project will skyrocket
21 particulate matter and greenhouse-gas emissions even
22 further in Richmond. Ask yourselves whether the
23 mitigation proposed in this draft is enough to deal with
24 this problem in Richmond.

25 There have been so many dirty oil products

1 proposed all over the Bay Area recently. But now this
2 Commission has an opportunity to instead propose a
3 project that is an energy solution and one that is also
4 truly transformative.

5 Thanks for your time.

6 MR. ROJAS: Marinell Daniel.

7 MARINELL DANIEL: Good evening. My name
8 Marinell Daniel; and I'm a resident, currently, of El
9 Sobrante. But I was raised in Atchison Village next to
10 Chevron and the railroad.

11 And I have COPD. My lungs are impacted by the
12 air we breathe. And I know our children's lungs have
13 been impacted, our families' lungs have been impacted,
14 the workers' lungs have been impacted. We need to clean
15 our air.

16 And Chevron is not doing that with this
17 project. The baseline for this project was taken from
18 Chevron's operational data from 2008 to 2010. And
19 during that time the Bay Area Air Quality Management
20 District issued more than a hundred violations and the
21 Chemical Safety Board discovered a pipeline that
22 bypassed the air quality monitor. Is this baseline an
23 accurate baseline for the environmental impact report?
24 And can we trust the accuracy of Chevron's baseline
25 emission reporting? I don't think so. Their history

1 has not shown we can.

2 Also, the baseline sets -- it's my
3 understanding the baseline sets the ceiling for the
4 number of pollutants that Chevron can produce. We don't
5 need a baseline like that. We need to lower the
6 baseline. During that period of time our children got
7 sick with asthma. The families in the Laotian community
8 got sick with asthma. Everybody in Richmond and the
9 surrounding communities got sick with asthma and worse.
10 I'm asking you that what we need is a healthy baseline.
11 Thank you.

12 MR. ROJAS: Saeng Chanthanasak.

13 Okay. Patricia Byars.

14 PATRICIA BYARS: My name is Patricia Byars and
15 I am a resident of Richmond.

16 There are many technicalities in this project
17 that I don't understand well, but I too wanted to voice
18 concern about the baseline and the idea -- the
19 fundamental idea -- that seems to drive it, that there's
20 no net increase. That's not good enough. Clearly,
21 there's a net increase for Richmond. There's a local
22 net increase in pollution and greenhouse gases and seems
23 to me to be a premise that's not towards modernizing.
24 It's not a forward-thinking idea. It's an antiquated
25 one. It's an idea from a time when we thought that

1 fossil fuels were plentiful, that they weren't very
2 harmful.

3 Last year the City Council voted to -- passed
4 a resolution to urge divestment from fossil fuel
5 industries for pension investments. They decided it was
6 no longer economically or morally prudent to profit from
7 fossil fuel stocks and market pricing. Why allow
8 profits from the health of this community for the same
9 dirty and I would say out-moded industry?

10 I think that mitigation measures are dubious,
11 but I also have one fairly specific question for the
12 writers of the EIR. Why have only ten years of
13 community greenhouse-gas-reduction funding and it only
14 projected \$3 million a year? I mean \$3 million is a
15 huge amount to me, but it's a drop -- literally a drop
16 in the bucket -- to Chevron. I think it's really an
17 inadequate measure if you do go forward with this kind
18 of project. Make the cost much, much higher so that it
19 reflects the cost that the community bears.

20 I have a lot of other ideas, but I see I'm out
21 of time. So I trust others to cover them. Thank you.

22 MR. ROJAS: The next five speakers are Mey
23 Chiem, Andrés Soto, DeAnn McEwen, and Dinorah
24 Barton-Antonio, followed by Laiwa Wu.

25 Is Mey here?

1 INTERPRETER: Her husband just passed away
2 from cancer.

3 MEY CHIEM: (through interpreter) So my name
4 is Mey. Thank you for allowing me to speak tonight.

5 I know that all this is just an act. Chevron
6 is really lying to us. It is not a modernization
7 project. It's an expansion.

8 After the fire that happened in 2012, I've
9 been sick since then. My husband recently passed away
10 from cancer. I've been throwing up blood and just been
11 dizzy quite a bit, especially after the fire; and lately
12 just had an incident last week.

13 INTERPRETER: And she said she has twin
14 daughters and they live with her, but they were at work
15 when she started feeling ill a couple of weeks ago. And
16 she didn't actually tell anyone about it; and it wasn't
17 until this week when it got worse that she shared with
18 her daughters what has been happening with her. And her
19 daughters are saying -- they were asking her why she
20 didn't tell them ahead of time, why she didn't call them
21 when they were at work. They would have come home. And
22 she's saying, Well, I know you guys are working and your
23 job is important. Making money is important. And her
24 daughters responded, Nothing is more important than our
25 mother's health.

1 And so, you know, she just wants to make sure
2 that any project that you're going to pass is going to
3 be a good, safe project. She said that she wants to
4 make sure that we continue -- if Chevron continues -- if
5 they can continue making money, they can continue to
6 change. And we need them to change.

7 MR. ROJAS: Andrés Soto.

8 ANDRÉS SOTO: Good evening, members of the
9 Commission. My name is Andrés Soto. And it was a
10 pleasure sitting up there with many of you.

11 I'd like to start out first by thanking the
12 people of California for adopting the California
13 Environmental Quality Act that actually allows to us to
14 have this process where the public can actually study
15 what industry is doing in a transparent fashion so we
16 can actually make informed decisions. That is an
17 important part of our democracy.

18 I'd also like to thank CBE and APEN for
19 standing up on the principle of protecting the community
20 first when they sued Chevron and the City of Richmond
21 over this project the last time around and were
22 vindicated in the courts.

23 So having said that, here we are again. And
24 one thing we all want is we want a cleaner and safer
25 refinery. We want to phase out fossil fuels for the

1 survival of the planet. But until such time, we have to
2 phase it out in a just transition for this community,
3 for the workers; and we want to be able to impact the
4 broader Bay Area and the state of California. The
5 people who live in the Central Valley actually have the
6 worst air quality in the entire state in part because of
7 the winds, the way they blow into the Valley and take
8 our pollution over there. So we are contributing to the
9 global problem.

10 Having said that, what we're going to expect
11 you guys to do is to study this. Maybe you need more
12 time to study this and you need to ask the Council that.
13 But what's going to happen is we're going to expect you
14 guys to put the proper conditions on this project that
15 is going to put the people of Richmond first and
16 Chevron, with their \$400 million of profit they're
17 pulling out of the Richmond refinery every year, will be
18 able to still make their profits, but putting the health
19 and safety of the people of Richmond first. And that's
20 your job. That's what we expect you to do and we're
21 thankful for the Mayor for putting such enlightened
22 people on the Planning Commission.

23 Thank you.

24 MR. ROJAS: DeAnn McEwen.

25 DEANN MCEWEN: Madam Chair, Commissioners, my

1 name is DeAnn McEwen. I've been a registered nurse for
2 nearly 40 years. My father was a proud member of the
3 Oil, Atomic, and Chemical Workers. He followed the
4 pipeline from Kern County up here to Richmond, where he
5 spent the last 30 years of his life. Unfortunately, he
6 did not live long enough to see his grandchildren grow
7 to adulthood and attend their graduation. Instead, he
8 followed the job that led him to the funerals of all of
9 his coworkers here in the refinery.

10 And you may not be nurses, but you can help
11 nurses protect the health, safety, and well-being to
12 prevent the harm and suffering that we see. I'd like to
13 ask all the nurses that are here with me to stand with
14 me. If you want to know what it looks like to see
15 somebody struggling for breath when their new-borne baby
16 is gasping for air, that children are gasping for air as
17 they turn blue, you're practically helpless. But we
18 know, the scientists there, what it takes to prevent
19 harm. We ask you that you not permit the expansion of
20 this project.

21 My father died just a couple of miles here at
22 Doctors Hospital San Pablo. And it was the morphine he
23 was given at the end of his young life that relieved his
24 struggle to breathe finally. He could not enjoy his
25 campsite at Clear Lake. He could not hold his

1 granddaughter. And I just urge all of you, if you want
2 to know what that looks like, what that sounds like,
3 talk to any of the nurses here. You can prevent harm.
4 And we urge you to prevent harm in the name of justice
5 for all. Human beings need certain things to live --
6 clean air, clean water, and the soil upon which we build
7 our homes and grow our food.

8 Thank you very much.

9 MR. ROJAS: Dinorah Barton-Antonio.

10 DINORAH BARTON-ANTONIO: Good evening,
11 Planning Commission members. My name is Dinorah
12 Barton-Antonio and I am a Richmond resident.

13 I honestly felt a little overwhelmed to review
14 all the pages, the thousands of pages, for the document.
15 And I was only able to really focus more carefully on
16 the issue of protecting workers and community health and
17 safety. That's the part that I want to focus tonight.

18 The U.S. Chemical Safety Board found that the
19 root cause of the Richmond refinery disastrous fire was
20 Chevron management's repeated failures to maintain the
21 plant and use inherently safe technology, in this case
22 not replacing corroding pipe. Safer technology is
23 easiest to implement while you are building a refinery
24 and now is the time. Someone said earlier this is our
25 second chance to do it right. This is the time to do it

1 right.

2 I am also wondering if you are going to take
3 into consideration all the recommendations given by the
4 Chemical Safety Board. There are many of their
5 recommendations. And these are the experts that have
6 been throughout the country observing many, many other
7 accidents. There is an imminent risk of catastrophic
8 failure from widespread corrosion at the refinery today.
9 This is what caused the incident last August. And
10 that's what the experts say could cause another
11 incident.

12 The DEIR proposes to commit Richmond to
13 replace some of the existing refinery pipes and
14 equipment that is not adequately resistant to more
15 corrosive oil. I urge you to commit to replace all the
16 equipment that may fail with the safest technology in
17 order to protect the health and safety of workers in the
18 community.

19 Thank you.

20 MR. ROJAS: Laiwa Wu.

21 LAIWA WU: Good evening, Commissioners. My
22 name is Laiwa Wu. I'm a community organizer with the
23 Asian Pacific Environmental Network.

24 I'm here today to reiterate the push for
25 Richmond to continue leading with the vision of being a

1 leader in clean energy, especially in community-based
2 solar. We have already signed on to a CCA aggregate
3 program. We are already -- we know that we have the
4 vision to provide local, clean, and healthy solutions.
5 I push you to implement it, to actually on that vision.

6 Remember -- and the other thing I want to
7 emphasize today is urging you to please remember the
8 faces of people who stood behind this platform today.
9 Remember the story of Lucero, the very first woman who
10 came to speak, about her three-year-old son. Taking her
11 son to the hospital because the asthma rates in Richmond
12 are so exorbitantly high. Remember our stories of our
13 members in APEN, stories like Torm, who's lived here for
14 35 years. Stories of Mey, whose daughters have to deal
15 with the realities of the effects of the refinery of
16 these toxic air contaminants.

17 And please remember that these are not just
18 statistics. These are lives. These are sisters,
19 brothers. These are people who look just like us, who
20 sound just like us, can be our own family members.

21 Cap and trade is not the solution for
22 Richmond. We expect our City Council to protect the
23 community health and Chevron to do more to reduce
24 climate and toxic emissions locally.

25 Thank you very much.

1 CHAIR LANE: So as I noted in the beginning of
2 the hearing, we are going to take a break just so that
3 our court reporter can rest his fingers. So we take a
4 ten-minute break and then we'll resume the meeting.
5 Thank you.

6 [The meeting went off the record from
7 7:58 p.m to 8:10 p.m.]

8 CHAIR LANE: We're about to get started again.
9 And Hector will call the next five speakers.

10 MR. ROJAS: All right. We have Jeff Kilbreth,
11 Joseph Puleo, Kathleen Wimer, Katy Roemer, and Irene.

12 So if we could have Jeff Kilbreth.

13 JEFF KILBRETH: Good evening.

14 I just wanted to say that I think this Draft
15 EIR was a real big step forward for the City and for
16 this whole discussion about pollution and everything. I
17 mean there is a lot of information and a lot of great
18 work was done. So we're way ahead of wherever we were
19 in the past.

20 Secondly, I would like to ask that the
21 Planning Commission specifically consult with the State
22 Attorney General, Kamala Harris's office, on the
23 question of what is the intent of AB 32. My
24 understanding is that AB 32 is supposed to use a market
25 regulation called cap and trade for people to buy

1 pollution credits, to be able to essentially purchase
2 the right to pollute, to produce more greenhouse gases
3 in one place by buying that right and that over time the
4 number of permits would be reduced; and eventually we
5 would get to a better world. I believe that law says
6 that CAP and TAC toxic emissions, local emissions, are
7 not supposed to be allowed to go up in the use of AB 32
8 to manage greenhouse-gas emission increases or shall we
9 say, manage decreases over time.

10 Okay? I think that what Chevron has proposed
11 is simply illegal and certainly in violation of the
12 spirit of AB 32.

13 So I think that you have to ask Chevron to
14 produce a new project scenario. Maybe a number of them.
15 But none of ones that are in the EIR, ones that have CAP
16 and TAC emissions being below the baseline. There's no
17 excuse for a project that calls itself a modernization
18 project to do anything other than reduce emissions. If
19 they simply modernized more of the refinery and created
20 more jobs it would be a piece of cake.

21 MR. ROJAS: Katy Roemer.

22 KATY ROEMER: Hi. My name is Katy Roemer and
23 I'm a registered nurse. I've been a registered nurse
24 for 19 years and I'm a proud member of the California
25 Nurses Association. And I work here in Richmond, at

1 Kaiser Richmond. And many of my colleagues cared for
2 the patients that came in on that day in 2012 following
3 the Chevron explosion.

4 The EIR makes it clear that this expansion
5 program, which Chevron is deceptively calling a
6 modernization project, is going to greatly increase the
7 capacity of this refinery to process dirtier crude.
8 This means drastic increases in toxic emissions in
9 Richmond and the surrounding cities.

10 More than 25,000 people live within three
11 miles of the Chevron refinery and are considered one of
12 the most high-risk groups in the county by the Contra
13 Costa Health Department. We are very concerned about
14 the health impacts of some of the emissions increases
15 disclosed in the environmental impact report. It states
16 that there will be significant increases for 16 toxic
17 air contaminants associated with chronic air impacts.
18 Some of these include benzene, which can cause breathing
19 problems and cancer; hydrogen sulfide, which is
20 projected 863-percent increase, can cause headaches and
21 vomiting, difficulty breathing, asthma. And people with
22 asthma have a lower tolerance at exposure to hydrogen
23 sulfide. Acetaldehyde has a projected 429-percent
24 increase, which causes irritation of the eyes and
25 respiratory system.

1 The health impacts of these toxins cannot be
2 overstated. This EIR claims that the proposed increases
3 in local air pollutants are not significant, but
4 residents and the nurses know better. My 17-year-old
5 son, who's here today, has asthma. So I know what it's
6 like to watch a child struggle to breathe and worry that
7 the toxins in the environment are causing that struggle.

8 I'm also a maternity nurse. And the chemicals
9 that are released into the environment from the
10 refineries are a pregnant woman's nightmare. We
11 threaten, by allowing a project like this to go forward,
12 to impact not only the generation now but in the future
13 to come. As I advocate for my patients, I can't support
14 a project that's going to increase local emissions for
15 Richmond residents, no matter how profitable it may be
16 for Chevron. Richmond is already suffering with
17 disproportionately high --

18 MS. VELASCO: Ma'am, you've exceeded your
19 time.

20 KATY ROEMER: -- and we need to see a reduction
21 in emissions. Thank you.

22 MR. ROJAS: Kathleen Wimer. Kathleen.

23 KATHLEEN WIMER: Hello. My name is Kathleen
24 Wimer and I live in Richmond.

25 I would like further information about the

1 jobs aspect of this plan. These are my questions.

2 Question one: I understand there is an
3 agreement outside the Draft EIR which stipulates the
4 project will employ a minimum percentage of Richmond
5 residents. To which part of the project does that
6 agreement pertain -- to the construction jobs only? Or
7 does the agreement to hire residents apply also to the
8 29 permanent jobs the EIR says will be created at the
9 refinery?

10 Two: What are the jobs classification and
11 qualifications for the 29 permanent jobs the EIR says
12 will be created at the refinery? Could you please break
13 out those and indicate whether or not your labor
14 research analysis suggests that the people in Richmond
15 currently have those qualifications?

16 Please also present the kinds of education and
17 experience people who might want one of those 29 jobs
18 needs to qualify for them.

19 And the third question: The EIR says at the
20 height of the project there will be 1,000 construction
21 workers on-site for six months. For the other 18 months
22 an average of 500 will be on the construction site
23 daily. Would you please supply by each trade --
24 plumbers, carpenters, electricians, et cetera -- the
25 number of days throughout the duration of the project

1 members from each trade are expected to work on-site and
2 within each trade the break-out of days members in each
3 job classification -- journeymen, apprentice, laborer --
4 could be expected to work over the length of the
5 project?

6 Thank you.

7 MR. ROJAS: Joseph Puleo.

8 JOSEPH PULEO: Joe Puleo, Richmond resident.

9 Chevron claims its refinery modernization will
10 reduce air pollution overall. Unfortunately, I and
11 104,000 other people don't live in a city called
12 "overall." We live in a city called Richmond, with some
13 of the highest respiratory disease and cancer rates in
14 the country.

15 The purpose of this refinery project is to
16 enable Chevron to refine dirtier and accordingly cheaper
17 grades of crude oil. Doing so will increase the
18 refinery's profits from between 500 million to one
19 billion dollars a year. Not bad to get paid back in one
20 or two years. I have no problem with Chevron increasing
21 its profits, but not if it's at the expense of our
22 community's health.

23 Increases in toxic air contaminants and
24 criteria air pollutions, TAC and CAP, increase in 60 of
25 the 61 categories, including acetaldehyde 428 percent,

1 formaldehyde 124 percent, mercury 133 percent --
2 mercury, a substance that the federal courts have just
3 upheld the EPA's authority to eliminate from power
4 plants.

5 These increases in toxins are facts. The
6 health outcomes in the EIR are just conjecture based on
7 assumptions. They are not science, but statistics, with
8 all the built-in issues statistical projections have.

9 As Mark Twain said, there are three types of
10 liars: liars, damned liars, and statisticians. For
11 example, for 30 years the EPA statisticians told us that
12 diesel particle emissions were not hazardous to our
13 health. Now they've changed their mind. They're among
14 the most dangerous airborne emissions.

15 I've spoken with a petroleum engineer and I'm
16 assured if Chevron chose to it could actually reduce
17 toxic emissions by modernizing more of its plant and
18 changing its products slate; for example, by replacing
19 the catalytic cracker.

20 Thank you.

21 MR. ROJAS: Irene Thompson, followed by Mike
22 Parker, Alexandra Early, Christiana Guevara, Ellen
23 Faden.

24 So Irene Thompson.

25 IRENE THOMPSON: Hi. Good evening. My name

1 is Irene Thompson. I live in Montalvin, which is mostly
2 upwind of Chevron. And I'm not going to cry about my
3 grandbabies, who live in Richmond. Instead, I'm going
4 to tell you that I'm a retired shop steward from San
5 Francisco Laborers Local 261. So I know how good it is
6 to have a good union job. Can I get an amen on that?

7 And I want everybody to have a good union job.
8 However, it's absolutely clear -- and when we say
9 Chevron, we are not talking about you. We are talking
10 about management. Management, who knows no better than
11 to send people in to fix a leak while the unit is
12 running; who knows no better than to put a clamp on a
13 pipe. A plumber in your house won't do that.

14 So my point is, think carefully, because we
15 know you guys care about safety. You guys care about
16 the community. Chevron management does not give a
17 [makes unintelligible sound].

18 Thank you.

19 MR. ROJAS: Mike Parker.

20 MIKE PARKER: Mike Parker, Richmond resident
21 and member of the Richmond Progressive Alliance.

22 I, for one, want to thank the staff and
23 consultants for producing what I think was an extremely
24 good EIR that had to be produced under very difficult
25 circumstances. It's transparent. It's detailed. And

1 it makes it clear just why the Planning Commission must
2 put conditions on any permit that it allows Chevron to
3 go ahead with, that the proposed way that Chevron wants
4 to run this plan is unacceptable. That's in the EIR as
5 it stands now.

6 The public has a right to be disappointed that
7 Chevron did not use its technological expertise to
8 improve conditions for Richmond. Instead, it chose to
9 modernize only those parts of the plant that will allow
10 it to use cheaper, more-polluting crude oil. The net
11 result of doing that is that, as people have pointed
12 out, we are increasing 61 toxic air contaminants, deadly
13 carcinogens into the air. Chevron proposes that this is
14 okay because it's balanced by a reduction of other
15 poisons it is already poisoning us with. That's not an
16 acceptable approach.

17 We want all toxic air pollutants reduced in
18 Richmond. Chevron has to lead the way in making that
19 refinery safer and cleaner for all residents. It can do
20 it. It has the ability. It can be done, as people have
21 pointed out, by more modernization. It can be done by
22 using a less-sulfur slate of crude oil. And it can do
23 it by putting more people to work at the refinery. We
24 have to insist that Chevron lead the way to a cleaner,
25 safer Richmond.

1 Thank you.

2 MR. ROJAS: Christiana Guevara.

3 CHRISTIANA GUEVARA: Hi. Good evening. My
4 name is Christiana Guevara. I live here in Richmond. I
5 have been a registered nurse for ten years and I work as
6 an oncology nurse at California Pacific Medical Center
7 in San Francisco and I am also here with the California
8 Nurses Association.

9 As a nurse I am deeply concerned about the
10 health impacts of this proposed expansion project.
11 Instead of investing time in a project that will
12 increase toxic emissions for our local residents,
13 Richmond should be a leader in community-based solar by
14 preparing our community with cleaner energy and more
15 jobs. We need local, clean, and healthy solutions to
16 build a healthier Richmond.

17 To make matters worse, Doctors Medical Center,
18 a facility currently treating victims of this pollution,
19 is under threat of closure. We should be spending our
20 resources on improving our healthcare, not increasing
21 toxic emissions.

22 I cannot support any project that would
23 increase local pollution. Please don't put Chevron's
24 profits ahead of public health.

25 Thank you.

1 MR. ROJAS: Alexandra Early.

2 ALEXANDRA EARLY: Hi. I just had a short
3 comment. I echo what everyone has said about putting
4 safety and the health of our community.

5 I live here in Richmond. My name is Alexandra
6 Early. I live right by the refinery and I can smell the
7 smell of the refinery as well.

8 And I worry a lot about the explosion that
9 happened in August. And I think it's not incompatible
10 to demand for more jobs and to demand for health and
11 safety. And I actually I think that the modernization
12 that we are asking for, which puts safety and health
13 first, would mean more jobs, like Mike Parker said.

14 And I just want to make sure that, when you
15 guys are thinking about changes that need to be made to
16 this proposal, that we are focusing on safety and
17 health.

18 And I really am -- I feel also suspicious when
19 I see the flyers that come to my house talking about
20 modernization. I think that Chevron needs to be
21 straight about what it's doing; and modernizing 20
22 percent of the facility is not what we need. We need a
23 full modernization. And that will mean more jobs and
24 more safety for our community.

25 So thank you.

1 MR. ROJAS: Ellen Faden.

2 ELLEN FADEN: Hi. My name is Ellen Faden. I
3 live in Richmond.

4 I was looking at the DEIR. I scanned it. And
5 I did not see that it addressed the volatility of the
6 crude oil coming into and out of our town or into and
7 out of the plant. We live in an earthquake zone. What
8 if a pipe breaks in an earthquake?

9 If we give jobs to the people in renewable
10 energy instead of fossil fuels, we will not have this
11 worry. Why not employ people building windmills and
12 building green gardens that add oxygen to our air? And
13 Chevron can do a lot better. With this slick campaign,
14 it feels like Chevron is throwing us a crumb in order to
15 continue their outrageous profits based on polluting the
16 earth.

17 So, again, we ask where's this oil coming
18 from? How is it impacting the rest of our country? Is
19 this part of the Keystone pipeline? What are doing to
20 the rest of the U.S. And, finally, I'll say stop
21 fracking.

22 MR. ROJAS: I have Judy Williams. And after
23 that we have the next five speakers, Oscar Garcia, Per
24 Lorentzen, Jeff Hartwig, Joey Porter, and Jesse Arnold.

25 If we could have Judy Williams.

1 Let's have Oscar Garcia.

2 OSCAR GARCIA: Good evening. My name is Oscar
3 Garcia. I am a lifelong Richmond resident. And I
4 currently work at the Chevron Richmond refinery. I was
5 born and raised in the Iron Triangle. I've lived
6 downstream of the refinery most of my life and my
7 104-year-old grandfather has lived in the neighborhood
8 since the 1950s. And, like my family and most of my
9 neighbors, we are supportive of the refinery. We know
10 what it means for the City of Richmond.

11 And since I have been working at the refinery,
12 I've been seeing that the refinery really takes
13 environmental issues very seriously. I'm in the air
14 quality group; and in every meeting that I participate
15 in, my opinion supersedes anything else that is going on
16 or any other issues, because environmental issues are
17 top priority at the refinery.

18 So the next step here is modernization. I
19 think it's really important that we consider this
20 project, because it's really beneficial to the City of
21 Richmond, not just to Chevron. It allows the refinery
22 to modernize to today's standards.

23 So like when my family and neighbors ask me
24 about this project, I tell them, Do you prefer to live
25 next to a 1960s car or a 2014 car? That's the analogy I

1 always give them. And usually the answer is, I'd rather
2 live next to a newer car. And that to me is obvious.

3 And my ten years of experience in air quality
4 tells me that this project is really good for the City
5 of Richmond, not just for Chevron.

6 So hopefully you approve it. Thank you.

7 MR. ROJAS: Per Lorentzen.

8 PER LORENTZEN: Good evening. My name is Per
9 Lorentzen. I'm a resident of Vacaville. I have been
10 with Chevron for eight years. Prior to that I worked
11 for a large international construction company, working
12 at oil refineries both in the Midwest, Africa, the
13 Middle East. And I can tell you without a shadow of a
14 doubt, this refinery is the cleanest and most reliable
15 refinery I've ever worked at. And you're welcome to go
16 around the world and take a look and see what's going on
17 elsewhere.

18 I'm a single parent. My wife died of cancer
19 six years ago. Left me with two daughters, 12 and 14.
20 If I thought for one minute I was at risk or my safety
21 was at risk going to work every day, I would not be
22 working here.

23 We are trying to put things right out there.
24 We are trying to make it better. We are making
25 improvements. And I think you have a duty as the

1 Planning Commission here to move forward with this
2 project so we can continue to make improvements for
3 everyone. You can travel around the world and they're
4 building refineries elsewhere, where greenhouse-gas
5 emissions and all the other stuff is not being
6 considered the way it is right here in California. So
7 when you talk about the best technology, the safest
8 refineries and all those good things, right here in
9 California is, bar none, the safest and the best place
10 to move forward with these types of projects.

11 Thank you.

12 MR. ROJAS: Jeff Hartwig.

13 JEFF HARTWIG: Good evening, Chairwoman Lane
14 and Planning Commissioners. My name is Jeff Hartwig and
15 I'm the permitting manager for the modernization
16 project.

17 As you may know, we are actively communicating
18 with Richmond residents about our proposed project,
19 which will create a newer, safer, cleaner refinery.
20 This is a billion-dollar project that has been nearly
21 ten years in the making. Our goal is to make sure that
22 our neighbors understand the important safety and
23 environmental benefits of this project. Our employees
24 have walked door to door to share information. They've
25 hosted small events at their homes to educate friends,

1 family members, and neighbors. And many of them join me
2 here tonight to show their support.

3 Modernization is a project that is good for
4 Chevron, good for our workforce, and good for this
5 community. It means less pollution. It means a
6 thousand local union construction jobs and a commitment
7 to hire locally and use local suppliers. It means \$30
8 million over ten years to fund energy efficiency and
9 renewable-energy projects in our community that will not
10 only reduce emissions but create new local green jobs.

11 The City of Richmond assembled a team of
12 California's best environmental and safety experts and
13 government officials to develop this project
14 environmental impact report. Their report concludes
15 that the proposed project is superior to all of the
16 alternatives that were considered. This community, our
17 neighbors, our workforce, deserves a newer, safer,
18 cleaner refinery. So the time for modernization is now.

19 Thank you.

20 MR. ROJAS: Joey Porter.

21 JOEY PORTER: Thank you for giving us the
22 ability to express our First Amendment rights tonight.

23 My name is Joey Porter. I'm a resident of
24 Vallejo, California. Same name as the linebacker,
25 except I'm bigger than him. We're both outspoken.

1 Just a thing -- I thought about several things
2 to talk about tonight. And I thought about the movie
3 It's a Wonderful Life and Henry Bailey, a what-if
4 scenario.

5 I said, Well, what if there is no
6 modernization project? What project would we see?
7 Would we see tall cranes? Perhaps. Cranes taking down
8 vessels, loading them out, taking them to China. What
9 we would see: A reduction in property taxes, public
10 safety, reduction in police force. Reduction in fire
11 department. You want to talk about health and safety
12 and health of the community? How would this city
13 function on 60-percent less property taxes? It's not a
14 pretty future.

15 You know one thing about this project?
16 Everybody is looking for jobs for our youth. We're
17 talking about training every day. Do you know that
18 every dollar that's spent on this job, a percentage will
19 go into education of the next generation of construction
20 workers? People who know how to be electricians.
21 People who know how to forge metal. People who know how
22 to dig a hole in the ground. Skills. Valuable skills.
23 Skills that you're not going to get at Harvard, perhaps
24 in the school of hard knocks.

25 I thank you for this evening. Thank you for

1 this time. Good evening.

2 MR. ROJAS: Jesse Arnold, followed by the next
3 five speakers, Susanna Henley, Eric Henley, Bob Lilley,
4 Mario Giovannetti, and Bea Roberson.

5 JESSE ARNOLD: Good evening, members of the
6 Planning Commission and fellow union members. My name
7 is Jesse Arnold.

8 I'm a proud member of Local Laborers 324. I
9 have lived in Richmond for 38 years. I have made the
10 choice to raise my children here. Common sense should
11 tell you when you modernize -- I'm sorry -- efficiency
12 and quality of the product improves. Also, this project
13 will create jobs the for short-term, the long-term as
14 well.

15 I hear this talk about cleanest, safest, and
16 best. I agree to an extent. Then I think, Hmh, isn't
17 Chevron making a step in that direction with this
18 modernization project?

19 My last question is how many of the people in
20 this audience that are professing solely green
21 modernization drove to this meeting on Chevron gas?

22 Thank you.

23 MR. ROJAS: Susanna Henley.

24 SUSANNA HENLEY: This is just a question. I
25 am Susanna Henley and I live in El Cerrito.

1 In view of the fact that this hydrogen
2 expansion project will expand the capacity of the
3 refinery to process heavier, dirtier crude oil, thus
4 increasing amounts of extremely toxic emissions, can
5 Chevron guarantee that there will be absolutely no
6 negative impact on the health and well-being of the
7 citizens of Richmond and the surrounding areas?

8 MR. ROJAS: Eric Henley.

9 ERIC HENLEY: Hi. Thank you. I'm Eric
10 Henley. I'm from El Cerrito. And I'm a physician and
11 I'm also the chief medical officer of Lifelong Medical
12 Care, which has clinics in Richmond and San Pablo.

13 And my questions, of course, are related to
14 health. They are: What chronic health conditions does
15 Chevron propose to monitor and analyze? Are these the
16 right ones? How will they do it? And how will they do
17 it in the best way? And how often will they do it and
18 tell us what they find?

19 Thank you.

20 MR. ROJAS: Bob Lilley.

21 BOB LILLEY: Good evening. I'm Bob Lilley
22 from Pleasant Hill, although I spent quite a bit of time
23 in Richmond working with -- for Richmond. And we are
24 proud supporters of Richmond Build. I represent the
25 IBEW, the International Brotherhood of Electrical

1 Workers.

2 I've been here, like the rest of you,
3 listening to the different speakers. And I think really
4 we're saying the same thing. I see signs that say that
5 people want clean air. I see people saying they don't
6 want any contamination. They want to know what the
7 benefit is to the community. Those are all great
8 questions. One side said "What does it say for the
9 future?"

10 I've heard speakers talk about how they're
11 concerned with safety and they'd like a third-party
12 review.

13 I'm in favor of all those things. I'm in
14 favor of things for my union brothers that work not only
15 in this refinery but in the other refineries. I
16 represent the maintenance unit for the IBEW in Chevron
17 refinery. I'm out there all the time. I can tell you
18 that refinery is much cleaner than it was 20 years ago.
19 And it's going to be much more modern and efficient,
20 hopefully, when this modernization project is completed.

21 There are 4,200 building-trades members that
22 live in the city of Richmond. Many of them are mine.
23 They're comprised of boilermakers, ironworkers,
24 laborers. They're all looking for jobs. They want
25 clean jobs. But, you know, they're also residents of

1 the community. And they want clean air. They want
2 safety. They don't want to see any more fires, just
3 like the management at Richmond.

4 We have a City EIR -- that's third-party
5 review. It's been given careful review. And I'm
6 speaking in favor of the modernization project and I
7 think the sooner the better. Modernization is a good
8 word.

9 Thank you.

10 MR. ROJAS: Mario Giovannetti.

11 MARIO GIOVANNETTI: Mario Giovannetti,
12 Richmond resident, fourth generation.

13 My family used to farm at the foot of Parr
14 Boulevard and Garden Tract Road. My great-grandfather
15 farmed there and died of cancer. Now, I don't think
16 that he died of cancer from Chevron. Myself, I've been
17 a lifelong sufferer of asthma. I don't believe that I
18 have asthma from Chevron. I go see the doctor. I get
19 treated for my illness. I live a happy life.

20 I'm also an operating engineer. Local 3 has
21 42,000 members across our four-state jurisdiction. We
22 also have 4,400 members that live in Contra Costa and
23 Alameda County alone. The building-trades members that
24 live in this community that work in these jobs to build
25 those modernization projects, we need jobs like those.

1 We need building-trades members to build those jobs.
2 Contractors, unions that have apprenticeships.

3 Senate Bill 54 that just recently passed,
4 those jobs that are going to be out at Chevron, those
5 are union jobs with the apprenticeships --
6 apprenticeship standards -- that are governed by the
7 State of California, not just some fly-by-night outfit
8 coming and building these jobs out of Texas.

9 I have had the opportunity myself personally
10 to work out at Chevron several different times building
11 some projects out there. Chevron is the safest place
12 you can work. They have a policy out there: If you
13 can't do it safe, don't do it at all.

14 We have to look out for one another while we
15 are building these jobs. And Chevron relies on the
16 professionalism of the union contractors, the
17 carpenters, the laborers, the operating engineers, the
18 electricians -- all those different trades -- to do a
19 safe project; and we do every time.

20 Thank you.

21 MR. ROJAS: Bea Roberson. And followed by the
22 next five speakers, Naomi Williams, Stephanie Harvey,
23 James Austin, Jr, Carol Teltschick, and Katrinka Ruk.

24 BEA ROBERSON: Bea Roberson. I live in the
25 city of Richmond and have since 1964.

1 This analysis is far more thorough and the
2 evaluation is much more comprehensive. Now, there have
3 been all sorts of complaints about that, but you had
4 complaints about the little short one that they did
5 before. But now you're still complaining about the one
6 that's comprehensive and takes care of everything.

7 All the processes are evaluated in this EIR,
8 not just the ones that they're trying to modernize. The
9 impact on the quality of air is analyzed and there are
10 to be no higher emission level after the project is
11 complete.

12 I believe the project is needed to modernize
13 the refinery to make it safer for the public. The units
14 that are to be replaced are from the 1950s and there
15 have been many advances in the science since then. The
16 way they are doing it now is antiquated. There will be
17 less toxic chemicals used in the process with no arsenic
18 to be used in the new hydrogen plant.

19 Approve the EIR. Accept the final. Approve
20 the project.

21 And there are many Chevron bashers in this
22 building tonight. But when is -- you're all talking
23 about all the pollution and all that. But ask the Air
24 Quality Board who does most of the pollution in the city
25 of Richmond? It's the trains and the diesel trucks.

1 And there's a swath a mile on each side of all the
2 freeways through Richmond that has more asthma and
3 cancers. And then there's companies like Stauffer, who
4 polluted everything over there, that I live just across
5 the train tracks from, and they left town and left the
6 City and everybody else holding the bag. Chevron is not
7 doing that. They are trying to comply with whatever
8 that we need to put up to do for them to do their
9 project. So can we just do it?

10 MR. ROJAS: Naomi Williams.

11 NAOMI WILLIAMS: Good evening. My name is
12 Naomi Williams and I live in the city of Richmond. I
13 think I'm going at this modernization in a different
14 way. This is from a concerned resident, who I am; and
15 I've been here since 1972. I'm wondering and I hear
16 people talk about extensions [sic] or just
17 modernization. Now, is it both or is this EIR for the
18 modernization? If it's for the modernization, then I'm
19 saying let's make sure that when they do let them make
20 the modernization, think about it. If you don't they
21 going to still use the same equipment that they have and
22 they still going to do the same thing they doing. If
23 you make a modernization, it's going to be more safe for
24 us as citizens. I know people are saying don't do it.
25 But why not? Don't you think -- somebody talked about

1 an old car versus a new car. The new car will last
2 maybe a little longer than an old car that's already
3 been beaten. So I'm saying consider -- consider --
4 making this -- approve this EIR so we can hurry up and
5 start being feeling more safe in Richmond anyway, since
6 that's where I live and my family lives.

7 Thank you.

8 MR. ROJAS: Stephanie Harvey.

9 STEPHANIE HARVEY: My name is Stephanie
10 Harvey. I'm not a long-time Richmond resident. I've
11 only lived here for three years. But when I got to
12 Richmond I couldn't believe that there was a refinery in
13 a place where a lot of people live. It just didn't seem
14 like it made a lot of sense to me. But I stayed anyway.

15 A lot of people have been speaking up for
16 different people in the community, so I'm not going to
17 tell the story of the day that the incident happened and
18 I had to go to the hospital. But I will say that I'm
19 going to speak for some policy-makers that are
20 struggling right now. Policy-makers are trying to
21 reduce the GHG emissions for the State of California;
22 and they have identified seven hot-spots in the State of
23 California, three of which are confirmed in the Bay
24 Area. That would be Bayview Hunters Point, West
25 Oakland, and Richmond, California. Their issue is not

1 being able to meet the targets because of these
2 hot-spots. So if Chevron is going to increase
3 emissions, that is going to decrease the ability for us
4 to reduce our GHG emissions and meet the state
5 requirement.

6 As a mother with a child I heard the guy say
7 that they're going to teach some people how to dig a
8 hole. My son is nine years old. He knows how to dig a
9 hole, but he digs a hole to grow food. So we need to be
10 changing our standards. Today's standard is not good
11 enough. We want tomorrow's progress. We don't want to
12 just get by on a few jobs. I know there's more than 29
13 people in here looking for a job. Who's it going to be?
14 I'd like to know what their local hiring policy is and
15 I'd like to know that they're not using cap and trade to
16 reduce. A net is not an equal or a loss. A net means
17 they have sacrificed something to get to the emissions
18 level that is appropriate for the standard of
19 California. Please thoroughly -- I know the EIR is just
20 10,000 pages. And, as an analyst, if something's that
21 long, somebody's trying to hide something.

22 MR. ROJAS: James Austin, Jr.

23 UNIDENTIFIED SPEAKER: I would like to donate
24 for a better refinery.

25 UNIDENTIFIED SPEAKER: Good evening, honorable

1 supervisors and distinguished members and visitors to
2 Richmond. First of all, everybody has that dream, the
3 American dream. I'm sorry to the Hmong, Vietnamese, and
4 Cambodian of this bad atmosphere. But it's far better
5 to come to America than to be in a third-world that have
6 no standards and don't care about its citizens and use
7 them as tools.

8 The environmental has good ideas, but they're
9 going about the wrong way. We got to think outside the
10 box. How can we make it better by prolonging and doing
11 this stuff? You hand-tie Chevron and other businesses
12 that would make Richmond better. Contra Costa,
13 Richmond, and all the communities across the United
14 States is starving for money to pay for the basics --
15 fire, school, education for our kids. How are we going
16 to pay for that? You're chasing out businesses and want
17 to tax more to the small businesses that can't afford
18 it. Giving a person a decent wage would be a start.
19 But education. How are you going to get them to have
20 the skills when you're locking up, incarcerating our
21 kids? You're teaching them to go sell stuff on the
22 corner for themselves. Shame on you. Please, don't make
23 Richmond another Watts. Make Richmond better. Chevron
24 is the only company that you hold and bound to higher
25 standards than any other thing, not to AC, not to

1 Kaiser, or anything else. Even Richmond doesn't want to
2 pay the kids. If you do it and don't work, you want to
3 pay them less than that. Please, don't be that way. We
4 don't need another third-world in Richmond. We already
5 have that. Please, vote for the modernization. I know
6 a lot of you people were voted -- appointed by the Mayor
7 or the Vice-Mayor. Please, think about your heart. God
8 bless. Please support this modernization.

9 MR. ROJAS: Carol Teltschick.

10 UNIDENTIFIED SPEAKER: These are also some of
11 the lists that are for helping, housing, and jobs for
12 Richmond also put out by Chevron. I can get you more if
13 I go to the unemployment office.

14 CAROL TELTSCHICK: Good evening. I'm Carol
15 Teltschick. I live in Richmond. Good to see you all.
16 Thank you for listening to us. There have been some
17 very eloquent speakers tonight. I wouldn't say that I
18 don't understand the need for jobs and I will say that I
19 grew up on the Gulf coast surrounded by refineries --
20 more refineries than the one we have here in Richmond.
21 But having said that, I would also say that looking at
22 this project and this EIR, which is not about the other
23 polluters, which we also need to address, but this is
24 about this project. And even if I didn't read the whole
25 huge document, you can look at the executive summary and

1 see, for me, there were two big things that I object to.

2 Number one, it's much more about expansion
3 than it is about modernization. So that's not -- I just
4 think that it's not fair to try to call it
5 modernization. So it makes me feel like we are trying
6 to slip something past us. And if it's expansion, then
7 call it expansion.

8 The second thing about it is the toxic
9 chemicals. I mean the data is in. You can always say,
10 Oh, well, this person didn't get sick, that person did.
11 But, you know, you get sick when it happens. And it can
12 happen at any time to anyone. And the data is very
13 clear. Any person in this room can go look online, look
14 at the disease clusters. They cluster around industry
15 and agriculture. So that is a clear directive to us to
16 reduce the amount of chemicals. It's not okay to say
17 we're going -- there's not going to be any net increase
18 over five years ago. This is now. We need to go
19 forward.

20 So I would urge you to, please, put conditions
21 on this project that reduce the chemicals and that call
22 it what it is. If you can figure out how to get more
23 product into there and more profits out the other end,
24 we can figure out how to make it cleaner.

25 MR. ROJAS: Katrinka Ruk.

1 KATRINKA RUK: Good evening, Planning
2 Commission and staff. My name is Katrinka Ruk. I'm a
3 resident of Richmond.

4 And I wanted to say that the EIR that was
5 conducted by the City of Richmond is very extensive and
6 very impressive and could be one that is modeled across
7 the nation. And what it shows is that the one billion
8 dollars of the Chevron modernization project will make
9 the refinery newer, safer, and cleaner. It creates a
10 thousand much-needed construction jobs for local
11 residents still suffering from the remnants of the
12 economic recession. According to experts, it will also
13 create an additional 1,300 jobs and 200 million in
14 multiplier economic activity Richmond and West County
15 during the project. The modernization project includes
16 a number of significant safety improvements, including
17 adding new piping circuits with greater resistance to
18 corrosion, enhanced safety inspections, and new
19 regulatory oversight to ensure the refiner operates
20 safely. It protects air quality and the environment
21 through Chevron's commitment to no net increase in
22 criteria air pollutants, greenhouse-gas emissions, and
23 health risks. And Chevron will invest 30 million to
24 reduce the greenhouse-gas emissions and create local
25 green jobs. The EIR also confirms that the project does

1 not authorize the refinery to accept crude oil by rail.

2 I hope you support the project. Thank you.

3 MR. ROJAS: Marcus Mitchell.

4 MARCUS MITCHELL: Good evening, Commissioners
5 and members of this panel on tonight. My name is Marcus
6 Mitchell. I'm a pastor in the city and also a member of
7 Local 342 Steamfitters, going into my 14th year. I've
8 worked at Chevron probably about eight years of that
9 career. It's a very, very safe place to work. I'm not
10 going to go on. There's been some great things that
11 have been said tonight. I'm not going to rehash all of
12 it. But a few things that I'd like to lift up tonight
13 is, there's only two parts to a problem. You're either
14 part of the problem or part of the solution. I've heard
15 tonight people saying that Chevron is a great problem.
16 So I see that. You got that problem needs to be fixed.
17 If this project is able to go forward, it's definitely
18 going to fix whatever issues that have been brought up
19 tonight.

20 And, also, we have to look at the safety piece
21 of it -- the safety enhancement, the safety awareness,
22 and a safer environment. And there's more pollution --
23 I heard it earlier -- that's created by Interstate 80
24 than Chevron produces. And how many of us tonight drove
25 a gas-driven vehicle to this meeting on tonight? And,

1 also, we have to look at processed foods that are eaten
2 that may cause cancer also. And we all should feel free
3 and safe in our communities, in our homes; and without
4 this project this will not happen. So I'm for the
5 project and I hope you guys will let this cascade
6 through your minds and be a problem-solver for this
7 project.

8 Thank you.

9 MR. ROJAS: Walter Pope.

10 WALTER POPE: My name is Walter Pope and I've
11 been a resident here since the '50s. My parents came as
12 migrants, like most of the people. A lot of people here
13 in Richmond came from out of the south in search of
14 opportunity, working-class background and so forth.

15 But I've been working as a Sierra Club
16 organizer for about ten years and probably, I would say,
17 more recently a membership outreach representative.

18 And what disturbs me, I don't have much to say
19 about the environmental impact, because I think that's
20 been covered by most of the people here. So I'll just
21 add a short comment. For 30 years I've been listening to
22 this expression "trickle-down economics." What -- what
23 is Chevron doing in terms of a fair share of
24 contributions to the tax base of the City? I haven't
25 seen much and it's getting worse every year. Less and

1 less is trickling down. They say, Well, we can't run
2 away Chevron. We can't frighten them. And they are --
3 they will leave a black hole in the economy here. What
4 are they contributing that's fair to the City? The
5 country is plagued with unemployment all over. Cities
6 are imploding. What is Chevron actually doing?

7 That's my comment.

8 MR. ROJAS: Madam Chair, that concludes our
9 speakers.

10 CHAIR LANE: Thank you so much. That was our
11 last speaker. So first I will thank all of you who
12 provided public comment. This is what this forum is for
13 and it's always good to see representatives of the
14 community, whether you live here or not, have the
15 opportunity to have your say.

16 So with that I also want to thank all of you
17 for respecting each other's comments view. Whether you
18 agree or not, it's great to have a forum that is
19 respectful of everyone.

20 So with that I'm going bring it up to the
21 Commission as our opportunity to also provide public
22 comment, if we choose to do so tonight or not. So what
23 I'll do I'll go down the line and see who's prepared to
24 do so; and then we'll go from there. So I'll start with
25 Vice Chair Choi.

1 VICE CHAIR CHOI: Well, I just want to thank
2 everybody for coming out tonight. It was actually
3 really a great thing to see all the different opinions.
4 One thing I want to point out that's a little
5 irreconcilable for me is that we're talking about two
6 different EIRs.

7 Now, the basic facts -- the basic underlying points
8 that most of the speakers are saying, there are two
9 basic sides that they're going on. And they're not
10 talking about the same documents. So one thing that I
11 want to point out -- I'm not -- obviously, it's a big
12 document. A lot of people haven't been able to read it.
13 But I'm just saying, you know, if at all possible take a
14 look at this document. I can't say that I've read every
15 single page here, but it's -- it's -- it's not all just
16 in black and white. Like any sizeable project, there's
17 of lot of flexibility in here. And I just want
18 everybody to just be aware of it because I think there's
19 a lot of -- there's an inclination of people to say, Oh,
20 this is what someone told me it says, and that's what it
21 says.

22 You know, my final point is those two things
23 are irreconcilable. One of these is more truth than the
24 other. There is no more new pollution or there's not
25 more pollution than there was or there is. I'm actually

1 not going to share my opinion, but I'm saying both of
2 those things can't be true.

3 Thanks.

4 CHAIR LANE: Commissioner Langlois.

5 COMMISSIONER LANGLOIS: Thank you.

6 I want to first of all thank all of the
7 speakers. It was really helpful to hear from every
8 single one of you. You all made good points, a lot of
9 different points. You spoke from your heart. I want to
10 thank the elders who came. I also want to thank the
11 young -- very young person who spoke. It's really clear
12 that this impacts a huge range of people throughout our
13 community.

14 I want also to thank the staff and the
15 consultants who prepared the EIR, Ms. Hernandez and Ms.
16 Libicki. I see in the audience Ms. Lynette and Mr.
17 Nicholas. They worked on this for about three years
18 now. And, as was mentioned, I think this EIR is just a
19 lot better than the one we had with the previous project
20 six years ago. I want to really appreciate the
21 thoroughness of the work that they have done in coming
22 up with some really good ideas and expanding, including
23 the analysis of the shipping, pollution from the ships,
24 and also the safety study. That's really great.

25 It's pretty clear from the comments that

1 there's a lot of real agreement across the board that we
2 all want jobs and we want health and we want to save the
3 planet. And I think it's going to be possible for us to
4 do all of these things by the time we get to the final
5 EIR and look to permitting the project.

6 Before I go to my questions, I do want to ask
7 a procedural question. In the PowerPoint at the very
8 beginning, Ms. Hernandez, you stated that the -- when
9 the FEIR -- after the FEIR comes out, there would be ten
10 days and then it would come back to us for the permit
11 decision. That just seems like a very, very short time.
12 I mean there have been so many questions raised already.
13 Clearly, there will be several adjustments made to the
14 EIR in the final version. And ten days is not going to
15 be enough time for us to really look at all of that and
16 come up with appropriate conditions to put on the
17 conditional use permit. So I'd like to find out at what
18 point -- can we do that tonight or at another subsequent
19 Planning Commission meeting, make a motion to extend
20 that time period after the FEIR comes out to give us a
21 little important time to analyze that? This is just a
22 procedural question. I don't know if you can answer
23 that now.

24 MS. VELASCO: The requirement is by statute
25 that we have to release a minimum of ten days prior to

1 the Commission taking action on it. We will work as
2 quickly as we can to release it in anticipation of that.
3 But given our schedule we're trying to meet, that may
4 not be possible. But we'll definitely keep you updated
5 once we know the close of the comment period.

6 COMMISSIONER LANGLOIS: Well, my question is
7 once the FEIR is released can we delay the actual
8 hearing for like -- instead of ten days after, say a
9 month after or something like that to give us a little
10 more time to -- so that if, say, the FEIR comes out on
11 June 9th currently the hearing is stated for June 19th.
12 Could we give us a little more time?

13 MS. VELASCO: We'll do our best.

14 COMMISSIONER LANGLOIS: Okay.

15 MS. VELASCO: And we'll report back.

16 COMMISSIONER LANGLOIS: I'd like to get a
17 report back at our next meeting and make a motion on
18 that if necessary. Thank you.

19 So just my questions and comments that I have
20 for the record. Again, it looks like we all want the
21 jobs and the health, but I think it's important that we
22 really have it in deed -- not just word but also in
23 deed. The stated project goal of no net increase in
24 greenhouse-gases, criteria air pollutants, health risks
25 related to the toxic air contaminates is very admirable.

1 I'm really happy with that. But the question is how can
2 we be assured that this will in fact be the case and not
3 just words on paper? As they say, the road to hell is
4 paved with good intentions. And so how can we make sure
5 this commitment is in fact a reality and not just a good
6 intention?

7 The no net increase, as I understand it, means
8 that, if there is an increase resulting from one aspect
9 or any aspects of the project, then there will have to
10 be a decrease somewhere else so that it nets out to
11 zero. And I see this happening in some parts of it, but
12 I don't see it happening reliably throughout the entire
13 Draft EIR in a few areas.

14 First of all, with the greenhouse gases.
15 Within the framework of the cap and trade program I'd
16 like to have an explanation how we can get documentation
17 of exactly where and when greenhouse gas has been
18 reduced in the amounts necessary to offset the
19 documented increases over baseline within a given year.
20 Because absent such documentation about the decreases,
21 there would be no evidence that the actual increases
22 have netted out to zero.

23 I was told at the community workshop back on
24 April 2nd, when I visited the greenhouse-gas table, that
25 cap and trade allowances are issued each year by CARB,

1 California Air Resources Board in decreasing numbers, so
2 that every year they issue fewer and fewer.

3 Now, do these allowances actually represent
4 documented cases of greenhouse gas being reduced in a
5 specific place and specific time from a specific
6 baseline?

7 I was also told that it takes about two years
8 to calculate and verify the amount of greenhouse-gas
9 increases in any given year; and that, based on that
10 calculation, the number of allowances they're required
11 to submit will be determined. So, for example the
12 project gets started in 2016, but we won't know for sure
13 how much greenhouse gas increased in 2016 until the end
14 of 2018. So doesn't that two-year delay in requiring
15 the offset of greenhouse-gas emissions again show that
16 during the year in which these emissions occurred
17 there's not necessarily a corresponding reduction that
18 would result in net zero for that year?

19 And then I'm wondering -- I expressed this
20 before, but I want to get this on the record. What if
21 there are future problems with the cap and trade and
22 it's not possible to acquire sufficient cap-and-trade
23 credits to offset the greenhouse-gas increases from the
24 project? What is the backup plan, short of shutting
25 down operations for a while?

1 I'd like to know how much of the projected
2 increases in greenhouse gas could be mitigated at the
3 refinery by, one, allowing hydrogen production for the
4 on-site use only -- that is not for export; two,
5 allowing for refining crude with sulfur content of no
6 more than 2 percent or 2.25 percent instead of upwards
7 of 2.75; three, require the construction of an
8 8-megawatt solar installation at the refinery for
9 partial powering of the on-site electricity needs; and,
10 four, requiring additional modernization upgrades at
11 other parts of the refinery not currently included in
12 the project. As many have said, this would also bring
13 many more jobs.

14 As I've said previously, I'd like you to
15 please clarify Chevron's past and potential future
16 participation in Marin Clean Energy and quantify the
17 effect it would have on reducing greenhouse gas.

18 Regarding the criteria air pollutants
19 emissions of carbon monoxide, which of course is not
20 good for us, the EIR states that Chevron currently has
21 banked emission credits for carbon monoxide. So my
22 question is do these credits represent documented cases
23 of carbon monoxide being reduced somewhere in a specific
24 place and time from a specific baseline? If not, how
25 will future increases from carbon monoxide from the

1 project be offset in actual measurable amounts? Won't
2 it just be net zero in theory but not in practice?

3 And I have the same question. I'm not sure if
4 there are also banked emissions credits for particulate
5 matter, but if there is then the same question goes for
6 that.

7 Regarding the toxic air contaminate
8 emissions -- and this goes to the health issues that
9 were raised by so many of the speakers. If the future
10 research points to additional health risks from toxic
11 air contaminate emissions than what is known today, is
12 there a provision that would ensure a reduction in those
13 toxic air contaminates to offset any previously allowed
14 increase going back to the onset of the project
15 operation?

16 And then in the spirit of the precautionary
17 principle, I'm just wondering isn't it more prudent,
18 because the project says not no net increase in toxic
19 air contaminants, no net increase in health risks, which
20 is sometimes a little subjective. So in the spirit of
21 the precautionary principle, wouldn't it be more prudent
22 to simply commit to no net increase of any toxic air
23 contaminants regardless of the current status of
24 research on health risks? After all, the name itself --
25 toxic air contaminants -- implies that it's not healthy.

1 And then regarding -- I have a question
2 regarding what I see as a potential loophole I'd like to
3 see closed that's implicit with the clean air
4 improvement fund that's described. The EIR states that
5 if there turns out to be a net increase after all in
6 either the criteria air pollutants or toxic -- or the
7 health risks from the toxic air contaminants --
8 unexpectedly if there is an increase net -- then Chevron
9 would be required to pay a pretty nominal amount into
10 what's known as the clean air improvement fund. What
11 I'm wondering is can't these increases, in addition, be
12 required to be offset in the next year by sufficient
13 documented reduction, so that over the two years you get
14 back to the net zero. Because if not, we do have a net
15 increase and the no net increase commitment is not being
16 adhered to.

17 And then if there's an increase one year and
18 then the next year again there's an increase and they
19 just pay into the fund, why not, you know, say, Hey, the
20 required -- the refinery may be required to shut down
21 temporarily until they can get these, you know,
22 increases back to truly zero. So I'm just wondering
23 again what requirements are there to ensure that no net
24 increase means just that and is really taken seriously?

25 And then a question regarding the monitoring.

1 I'm wondering -- we've heard about some failings in
2 emissions in some of the monitoring report by both
3 Chevron and the Bay Area Air Quality Management
4 District. I'm a little confused on that. So could you
5 provide an analysis of the track record since, say,
6 going back to 2008 of the accuracy and completeness of
7 Chevron's and the Air Quality District's monitoring and
8 baseline monitoring of the baseline emissions?

9 And, also, I'm just wondering about the
10 monitoring and reporting requirement, because it's good
11 do put all this in place, but how do we make sure it
12 happens going forward? Let's take an example of the
13 last time Chevron retooled, which I believe was in 1994.
14 Can you provide documentation of monitoring and
15 reporting requirements from that last retooling in 1994
16 and the extent to which these requirement were actually
17 fulfilled?

18 As you may recall, about a year ago Council
19 Member Tom Butt unearthed a document that stated that
20 the Planning Commission was supposed to receive annual
21 reports about what was supposed to happen 1994, but I
22 don't recall ever seeing one. So how can we be assured
23 that the monitoring and reporting requirements of this
24 project will in fact be fulfilled?

25 And then regarding the project alternatives,

1 on Table 6-2 on page 622, there's a table called
2 "Summary of Project Alternative Impact Compared to
3 Modernization Project with 93-percent Utilization
4 Scenario." The table assumes that the project's no net
5 increase commitment and project design features are not
6 implemented for each alternative, which yields
7 counter-intuitive results. And some of these
8 alternatives are somewhat lower sulfur, not making as
9 much hydrogen, having more on-site greenhouse-gas
10 production, that sort of thing. So I'd like to ask if
11 you can include an additional table with the same
12 summary but assuming that the no net increase commitment
13 and the project design elements are included for each
14 alternative. It would be just be really helpful to have
15 those two tables side by side.

16 And then finally the jobs issue, which is
17 really very, very important to all of us. The EIR
18 estimates, as has been said, that the project will
19 result in a net increase of 29 permanent jobs.

20 Now, I have a question about the construction
21 jobs, which of course there will be considerably more
22 and that's good. Can you let us know how many estimated
23 work hours or work days there will be for each relevant
24 job category -- for example, the laborers, carpenters
25 electricians, the pipe-fitters, steam-fitters,

1 sheet-metal workers, et cetera. There's a whole number
2 of categories. So how many work hours in each category?

3 And then, because I'm hoping that every worker
4 in this room tonight who needs a job will get one when
5 the project is approved -- I sincerely hope that. And I
6 hope that you all get a job that lasts for a pretty long
7 time. I'd like to know how many work hours or work days
8 could any one individual who is in any one of these
9 categories expect to be hired for during the project's
10 construction? Just a simple table with that breakdown
11 would be really helpful.

12 And then, in addition, if you can let us know
13 how many additional local jobs would result from a
14 requirement to construct an 8-megawatt solar facility at
15 the refinery.

16 And those are my questions. Thank you.

17 CHAIR LANE: Commissioner Butt.

18 COMMISSIONER BUTT: Well, Commissioner
19 Langlois stole my thunder and covered every one of my
20 questions.

21 But seriously, I'm still in the process of
22 thoroughly working through this. I'm going to refrain
23 from specific questions and comments until I've
24 completed that.

25 But I just want to say kind of just some

1 general statements. I think (a) it's -- I'll echo that
2 I appreciate the work that's gone into this. I
3 certainly appreciate everyone coming out here tonight
4 and throughout this process. CEQA, despite what many
5 developers might think, is truly a gift to the people of
6 California. And I think the fact that we're allowed to
7 do this and that the public is allowed to participate in
8 this transparent process and really work through these
9 issues and items is incredibly important.

10 I think for me this project and this process
11 is about the definition of what is cleaner or clean.
12 What is better. What is best. What is safe. And
13 that's when -- when this process completes, that's what
14 I'm going to be looking to put into the conditions.

15 I think everyone agrees or has stated
16 agreement that in essence very few people disagree with
17 the fact that a project should be done. It's just sort
18 of an issue of whether it's really truly a modernization
19 that's improving the output of the refinery and
20 improving the health and the environment in the process
21 versus just an expansion that's really not doing that at
22 all, but increasing the output. So as I continue to
23 look through this, that's what I'll be looking to
24 address.

25 There were a couple of things. I think

1 Commissioner Langlois again kind of said most of
2 everything. But I do have concern about the baseline
3 and some of the issues brought up about the violations
4 during that period of time and the discovery of the
5 bypass in the pipeline.

6 I also -- I think one thing that wasn't yet
7 mentioned that I'll mention is there was some mention of
8 a couple of folks about the source of pollutants being
9 even more so from trains and diesel trucks and things
10 like that on the freeways. And then I'll add to that
11 ships also.

12 And, of course, as a part of this -- well, the
13 current refinery and as a part of the project -- all
14 these things will increase in terms of the traffic of
15 trains and the trucks and ships coming in and out of the
16 city. And I know that there is some mitigations that
17 address that. I'm not sure -- I'm going to be looking
18 at that more thoroughly and looking at things like a
19 mandate for clean diesel in trucks and ships and perhaps
20 trains. I know the technology continues to change and
21 there's a lot of options out there for almost
22 zero-emissions vehicles. So I will certainly be looking
23 at that.

24 And at this time those are my comments. But I
25 will certainly have a lot more as this process

1 continues.

2 CHAIR LANE: Thank you.

3 Commissioner Willis.

4 COMMISSIONER WILLIS: Just like to appreciate
5 everybody that came out. That's a lot of information to
6 take in. And then a lot of sides and a lot of things to
7 think about to give us more clarity. And I'm sure as we
8 go along this process there's going to be a lot more to
9 take in.

10 And just, in general, just to echo what sort
11 of other people said, it's not a question as to whether
12 or not this refinery -- this project, the refinery, gets
13 modernized. It's more of a question on how it is being
14 modernized. Is it going to be modernized for the
15 better? Or is it just going to be inherently putting
16 modern technology in that is not really that beneficial?

17 And other things is what type of things are
18 being produced? What kind of emissions are being put
19 out? What kind of chemicals are being produced in the
20 air? These are all things to consider with the various
21 concerns that have been echoed here today.

22 And just for me in general, one of my top
23 concerns, like I said, we need to see a modernization
24 project, but we just need to make sure this is the right
25 way to modernize the refinery.

1 And also at the same time one of just my main
2 concerns is the increase in greenhouse gases, how major
3 the increase is going to be. And I know this is a legal
4 policy, but to me cap and trade is just not a viable
5 option to decrease greenhouse gases, including when
6 there is a 104,000 population right next to a refinery
7 who are going to be impacted by the increase in
8 greenhouse gases.

9 And once -- if we can get these jobs produced,
10 I just want more clarity on exactly how many job
11 openings are going to be held and go out to the Richmond
12 residents.

13 But those are my comments.

14 COMMISSIONER MARTINEZ: Thank you.

15 Commissioner Martinez.

16 COMMISSIONER MARTINEZ: Yes. Thanks to
17 everyone who came out. It's great to have public
18 discourse and to hear all views.

19 I would like to start off by talking about the
20 baseline. It's my understanding that AB 32 states that
21 by 2020 we should be at 1990 levels. That is the
22 baseline that AB 32 is looking for. So we are in 2014.
23 This project will take one and a half, two years, which
24 will put us at 2016. So at 2016 we are looking at a
25 baseline which is questionable, when we should be

1 looking at a baseline from 1990 in order to reach the
2 projected baseline by -- given to us by AB 32. So
3 that's the spirit of AB 32 and that's what we should be
4 working toward.

5 The other thing is the cap and trade. Chevron
6 should be selling their credits, not buying them,
7 because Chevron is in a place of a high population and
8 we should be protecting our citizens and selling credits
9 to places that are away from populous areas.

10 This cap and trade may give us a net decrease
11 of greenhouse gases, but it's giving us a raise in 16
12 chronic health concerns -- 16 chemicals that are
13 injurious to our health. For instance, someone
14 mentioned arsenic, saying that there was a decrease in
15 arsenic. Well, the report says that arsenic will be
16 increased by 646 percent. 646 percent.

17 And what are the health concerns that we have
18 with arsenic? I went and looked up health concerns for
19 various items that are being increased. And I don't
20 have the arsenic quite handy, but we do have
21 acetaldehyde -- I'm not sure I pronounced that
22 correctly -- but that's a 429-percent increase. And
23 that is not good for us. It can irritate the skin,
24 causing rashes, a burning feeling on contact; irritate
25 the eyes, nose, throat; cause severe heart burn. If

1 it's inhaled it can irritate the lungs, causing
2 coughing. High exposure may cause a build-up in fluids
3 in the lungs, pulmonary edema, medical emergency, severe
4 shortness of breath. High exposures causes headaches,
5 dizziness, light-headedness, passing out. Sounds like
6 some of the symptoms that some of the people reported.

7 So 16. Naphthalene, increasing 1,971 percent.

8 I think that the Draft EIR needs to have a
9 medical evaluation of all of the chemicals that are
10 being increased. We need to know exactly what this EIR
11 is doing to the health of the community.

12 This certainly is not a Draft EIR of the --
13 what's the principle? The precautionary principle.

14 So the other thing is that Chevron pleaded no
15 contest to six counts of criminal negligence. And in
16 the settlement the District Attorney, Mark Peterson,
17 said this historic resolution is also possible due to
18 Chevron's commitment to do more than what is required by
19 law in order to help ensure nothing like this ever
20 happens again. Chevron's commitment to do more than
21 what is legally required.

22 Now, looking at the Draft EIR, it seems like
23 Chevron is doing what they need to do in order to have
24 this passed. For instance, they talked about capping
25 one of the tanks. So that's so that they can be within

1 legal limits. But they have 29 other tanks that could
2 be capped. So if Chevron was doing more than what is
3 required by law, then I would love to see all of those
4 tanks capped or domed. And that would provide more jobs
5 for our community. It would provide a healthier
6 Richmond.

7 They could also send out land power to all
8 their docks. I know it's not required by law for
9 refineries, according to the -- I'm sorry -- according
10 to the lawyer who put this draft together. But it's
11 required for cargo, but not for refineries. So do it.
12 Do it for the health of the community. Do it for the
13 health of your workers. Do it because it's the right
14 thing to do, not because it's legally required.

15 There are other things that I could mention
16 and I will save them for later. But I do think -- oh,
17 there is one other thing.

18 In the EIR it mentions that the permit limit
19 for the facility's sulfur-recovery units would increase
20 from 600 to 900 long-tons per day. It would increase
21 the barrel production from 65,000 to 80,000. And it
22 also asks for a separate permit to replace the
23 facility's liquid-sulfur truck-loading rack and
24 equipment to allow truck loading of the additional
25 elemental sulfur. But it doesn't tell us how much more

1 elemental sulfur there is. I think that's an important
2 number.

3 And back to the -- I guess I'll loop around
4 back to the baseline. I think the Draft EIR should have
5 alternatives using 1990 as the baseline.

6 Thank you.

7 CHAIR LANE: Thank you.

8 Commissioner Reyes.

9 COMMISSIONER REYES: Thank you, Commissioner
10 Lane. Or Chair Lane.

11 First of all, I want to thank everyone who
12 came out tonight. And I want to single out a few folks
13 that I was really impressed on seeing here tonight. And
14 that's the folks from the health field. I mean it
15 really came together. CNA really did something there.
16 They came together and they brought forward information.

17 And I believe Mr. -- or Commissioner Martinez
18 provided some information regarding some of those metals
19 and those chemicals. But they just lend to the fact
20 that we need an extensive study on for this really to be
21 complete. Those things are very frightening, some of
22 those things he mentioned. So I want to say that.

23 Thank you very much.

24 I'm very sorry for those of you who expressed
25 loss of their family members due to disease that they

1 feel may have contributed. I really am sorry for that.
2 My wife had breast cancer. And my wife is a Kaiser
3 nurse, by the way. So I have to say that also.

4 Thank you, Marilyn, for really addressing a
5 lot of the issues. I think folks know cap and trade is
6 something I find very corrupt, quite frankly; and I
7 can't stand it. So hopefully we can address some of
8 those issues and mitigate some of that concern.

9 You also talked a little bit about the jobs
10 and I know you're concerned about that. I'm -- so one
11 of my points is that we need to look more closely at the
12 jobs piece, which is this agreement between the City --
13 I call it the agreement between the City and the City
14 Manager, quite frankly, and the trades, okay. We need
15 to look closely at that.

16 We need to look and see if we're really
17 preparing our young people. People throw out numbers.
18 People throw out numbers saying, you know, we're going
19 to meet this percentage. But our youth here in this
20 part of the county are not prepared to even get -- are
21 even prepared to get into these programs. We are going
22 to have to do some serious preparation in our schools.
23 This is not just a three-to-five-year campaign. This is
24 going to be about a twenty-year. We have to ensure that
25 our -- that our young people are really, really

1 prepared. So when we say we are concerned with our
2 young, we are. Okay. At least here in Richmond.

3 So also, I did not hear a thing about
4 real-time monitoring. I mentioned this last time, okay.
5 I remember distinctly that day of the fire with me and
6 my two granddaughters at the house having to be trapped
7 in the house. And then only to find out later on that
8 Rodeo has this real-time monitoring and they knew what
9 was going on and they know what's going on -- they can
10 go do it right now, okay. So that's disturbing to me.
11 I need to see that. So certainly I hope that is in
12 play.

13 Also, Marilyn talked about solar energy.
14 Thank you very much for that also.

15 After hearing I think it's Ms. Barbera on the
16 radio yesterday, I'm more concerned now that there needs
17 to be more effort into solar energy at the refinery. So
18 I'm hoping that there will be more extensive work done
19 on that. I know it's a recommendation I heard tonight.
20 I'd like to hear more about that okay. So hopefully we
21 will.

22 This business of no net increase or an
23 increase. I'm certainly -- I'm down with that, quite
24 frankly, okay.

25 Beyond that, I want to say that there's

1 another piece here I think is very important. I think
2 that the refinery can really help the City of Richmond
3 meet all these goals. I heard some good ideas out here
4 tonight about how do you, you know, repair this
5 community. Okay. So I, quite frankly, believe that a
6 community benefits package needs to be put in order. I
7 think that type of funding can help increase our urban
8 garden, can help increase a lot of the ideas that came
9 out here tonight beyond just making money and providing
10 a product.

11 So if you really want to help, I think if
12 people really want to help this city, really invest in
13 this city. And so I'm not seeing that at all. I would
14 like to see something around that.

15 Finally, I just want to say that for me
16 tonight the landscape here was really about trust. I
17 heard a lot of stuff about, Hey, how can we believe
18 this? And what's in place to protect us? And until we
19 remove that shadow of mistrust in the community, we're
20 not going to get very far with all these things we're
21 talking about. So we really need to look at that, you
22 know, I believe to help and find ways to improve that.
23 I think a community benefits package with funding
24 directed to the right places, to the healthy places will
25 really help pave that way and move us towards this

1 project that I believe will happen, okay. I believe
2 it's going to happen. But I believe it's going to be
3 very thick. We're going to have to narrow things down
4 and we will get there.

5 Other than that, I'm okay with everything --
6 pretty much everything else. I agree that it's a good
7 report. It's a lot better -- oh, yes, also, there's
8 this business about making a clear distinction between
9 this EIR and the last one. I'm still not clear on, you
10 know, on the differences. I see more similarities. So
11 want to say that.

12 And I guess the last thing I'll say is I'll
13 agree with someone who said it tonight. You know, it's
14 not about the employees of Chevron. And really it's not
15 even about management. It's about the shareholders,
16 okay. To me.

17 So I love these folks that work at Chevron,
18 quite frankly. They come to my agency and they cook
19 dinner for me once a week, okay. They do this on
20 their -- I appreciate that. They're people. They're
21 people. I tell them all the time. I'm not patronizing
22 anyone at all. They do this. For three years they have
23 been doing it. I'm okay with that. I think we need
24 more of those. So that's not quite enough. I like it
25 and certainly I'm impressed by that. And I know those

1 folks. And I like those people, okay. And some of the
2 best cooks are out there too.

3 So let's get beyond all this stuff that
4 separates us. Let's bring us together. And let's talk
5 about all these things without being afraid.

6 Thank you very much.

7 CHAIR LANE: Thank you, Commissioner Reyes.

8 So it looks like Commissioner Martinez had a
9 brief comment.

10 COMMISSIONER MARTINEZ: Yes, a couple of more
11 comments.

12 The issue about monitoring systems. We need a
13 monitoring post at Point Molate. And the reason I think
14 we need this is in case we have that perfect storm where
15 the prevailing winds are going towards the shore, we
16 won't have anything to measure the pollutants if that
17 happens. So I think it's important to have an air
18 monitoring station at Point Molate for that reason and
19 also so that we can compare the pollutants upwind with
20 the pollutants downwind. I think that would give us
21 very important information about the amounts of
22 pollutants.

23 The other thing is the nurses were talking
24 about how the Chevron fire impacted their ability to
25 handle the cases that the fire produced. Right now we

1 have a major problem with Doctors Hospital on the verge
2 of closing. We cannot have that happen. If Doctors
3 Hospital closes, just imagine the damage that a Chevron
4 catastrophe would cause to the environment and to the
5 community. So I know that Kaiser and the casinos have
6 been donating money to have the taxpayers keep the
7 hospital open. And maybe in the community agreement we
8 could have Chevron make sure that the hospitals are
9 there for the community if ever something happened.

10 CHAIR LANE: Thank you.

11 So I'll add a few comments. I guess the thing
12 about going last is everything is mostly covered.

13 So, again, I want to thank all the public
14 speakers. I wrote down what everyone had to say. I
15 think I noted 63 speakers. I tried to capture the gist
16 of what everyone had to say. So I captured it under
17 four different things.

18 Public health, so our community is protected.

19 Public safety, if there was a hazard to take
20 place, again, what are the protections there?

21 Job production as an outcome of this project.
22 Will local residents be hired, prepared, and employed
23 for temporary as well as permanent jobs.

24 And then natural environment. What does the
25 increase in greenhouses gases and other things mean to

1 our natural environment?

2 So, with that, I just want to situate you with
3 a few comments that have already been touched on
4 extensively by either you in the audience or by
5 Commissioners.

6 Again, I think there's opportunities here and
7 that's how we should look at this project, as an
8 opportunity to make it even better.

9 So there's the issue of the tank dome, which I
10 think has been already mentioned here. So I think
11 there's opportunities there to put a dome on all the
12 tanks. So I know that in the DEIR, it says "go up to."
13 Put them on all of them.

14 There was the comment by various folks who had
15 public comment about are we using the highest and best
16 quality materials. So there's already recommendations
17 from the Chemical Safety Board. I'm not going to
18 pretend to know that I know the difference between No. 9
19 chromium and stainless steel, whatever. But if there
20 are already recommendations --

21 How did this shut down? Thank you.

22 So if there are recommendations in terms of
23 which is the best materials to use, that's what we
24 should use for this project.

25 In terms of -- there was a lot of questions

1 about the scope of the project. So is this a full
2 replacement of all the various components in the
3 refinery or limit the scope to what's specific to this
4 project? If the EIR doesn't speak to that, it should
5 and maybe with a notice of why. I think that's a
6 concern of the community.

7 There was a question around the solar
8 implementation piece as a mitigation strategy. I think
9 it is mentioned somewhere in the EIR, but maybe it needs
10 to be fully noted, kind of what are the limitations
11 there and what are the opportunities and terms of
12 mitigation.

13 In terms of jobs, I won't reiterate what
14 Commissioner Langlois said and what someone in the
15 audience spoke very specifically about that. I know
16 there's already agreements with the various trades and
17 other things that are going on. So, again, to make sure
18 that folks have a clear idea of what all those different
19 things mean.

20 In terms of the public health stuff, again,
21 I'm not going to pretend I know all the various
22 chemicals, what they will do, how they will be
23 mitigated, what they won't increase here or decrease
24 there, what does it ultimately do for public health.
25 And so ways to better specify that will be important.

1 And then finally what I'll note is that I know
2 in person here and those that are watching have good and
3 great ideas about mitigations that may not be included
4 here but can and should be included. And so what I
5 would implore you to do, especially very specific
6 mitigations, to make sure that those are recorded,
7 whether it's in writing or other places.

8 And, also, make sure that us, as
9 Commissioners, understand what that means, because I
10 think -- I'll speak for myself -- but I think I could
11 speak for every Commissioner here, we're still trying to
12 wrap our brains around all of this. And so it is a huge
13 document. It is a lot to understand. And so if there's
14 folks who have specific ideas on ways there could be
15 mitigations in place that improve what already exists is
16 something that you should put in writing so that we
17 know.

18 I'll finally note, similar to Commissioner
19 Butt's comment, that there will be other things here
20 between now and the closing of the public comment period
21 that I also will put in writing as I -- if there's
22 things that haven't been addressed, that I will make
23 sure is addressed.

24 So, with that, that's all I have to say. I'll
25 give it over to staff. If there's any closing comments

1 or just kind of summarizing kind of what are the next
2 steps.

3 MS. VELASCO: Thank you, Chair Lane and
4 Commissioners, for your comments as well as the public
5 who participated this evening.

6 We will be accepting comments on the Draft EIR
7 through the scheduled close of the public comment
8 hearing, which is May 2nd. There's also a comment box
9 that was provided here at the front, which I've seen
10 people use throughout this evening. You can grab a
11 comment card which has the address to which your
12 comments should be submitted. We'll also be accepting
13 those via email, so just visit the Website,
14 chevronmodernization.com, for specifics.

15 And we look forward to coming back to you with
16 the Final EIR and the project applications.

17 Thank you.

18 CHAIR LANE: Thank you. So that concludes
19 this part of our hearing or meeting.

20 [Discussion on the item ended at 9:43
21 p.m.]

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CERTIFICATE OF REPORTER

I, FREDDIE REPPOND, a duly authorized Shorthand Reporter and licensed Notary Public, do hereby certify that on the date indicated herein that the above proceedings were taken down by me in stenotype and thereafter transcribed into typewriting and that this transcript is a true record of the said proceedings.

IN WITNESS WHEREOF I have hereunto set my hand on this 20th day of April, 2014.

FREDDIE REPPOND

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