

In The Matter Of:
CITY OF RICHMOND
SPECIAL MEETING

RE: CHEVRON REFINERY
July 9, 2014

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CITY OF RICHMOND PLANNING COMMISSION
SPECIAL MEETING

JOHN F. KENNEDY HIGH SCHOOL, CAFETERIA
4300 CUTTING BLVD.
RICHMOND, CA 94804

WEDNESDAY, JULY 9, 2014

PUBLIC HEARING TO RECEIVE COMMENTS ON
PROJECT NO. PLN11-089, THE CHEVRON REFINERY
MODERNIZATION PROJECT
ENVIRONMENTAL IMPACT REPORT (EIR)
AT 100 CHEVRON WAY/841 CHEVRON WAY

REPORTED BY: FREDDIE REPPOND, STENOGRAPHIC REPORTER

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A P P E A R A N C E S

CITY OF RICHMOND PLANNING COMMISSION:

- Sheryl Lane, Chair
- Ben Choi, Vice Chair
- Marilyn Langlois, Secretary
- Andrew Butt
- Eduardo Martinez
- Roberto Reyes
- Melvin Willis

FOR THE CITY ATTORNEY'S OFFICE:

- Carlos Privat, Assistant City Attorney
- Rachel Sommovilla, Assistant City Attorney

FOR THE PLANNING & BUILDING SERVICES DEPARTMENT:

- Richard Mitchell, Director
- Lina Velasco, Senior Planner
- Hector Rojas, Senior Planner

FOR THE CITY'S CONSULTANT TEAM:

- Jennifer Hernandez, Attorney at Law

FOR THE APPLICANT:

- Kory Judd
- Jeff Hartwig

FOR THE OPPONENTS:

- Jeff Kilbreth
- Greg Karras

FROM THE PUBLIC:

- 1 Antwon Cloird
- 2 Greg Feere
- 3 Iris Archuleta
- 4 Keith Archuleta
- 5 Katrinka Ruk
- 6 Dr. Henry Clark
- 7 Tim Laidman
- 8 Marc Sapir
- 9 Saeng Chanthanasak
- 10 Kae Linh Suechao
- 11 Kroy Saeng Suechao
- 12 Vong Chai
- 13 Lipo Chanthanasak
- 14 Thongsoun Phutama
- 15 Naomi Williams
- 16 Bea Roberson
- 17 Deborah Dyer
- 18 Teri Katz
- 19 Grant Tokiwa
- 20 Kevin Lewis
- 21 Charles Braxton
- 22 Silvia Ledezma
- 23 Lisa Raber
- 24 Scott Sexton
- 25 James Griggs

- 1 Rita Grigsby
- 2 Barrie Hathaway
- 3 Brandon Hancock
- 4 Marc Ayers
- 5 Michael Davenport
- 6 Christian Dowell
- 7 Sherwin Harris
- 8 Angelina Faggett
- 9 Jason Gallia
- 10 Kristin Connelly
- 11 Bill Pinkham
- 12 Michael Parker
- 13 Rev. Earl W. Koteen
- 14 Wayne Ellis
- 15 Quanah Brightman
- 16 Andrea Weber
- 17 Michael Beer
- 18 Andrés Soto
- 19 Abigail Bok
- 20 Vivian Huang
- 21 Sylvia Gray-White
- 22 David Druding
- 23 Robert J. Bustos
- 24 Bob Lilley
- 25 Lucymarie Ruth

- 1 Kat Black
- 2 Megan Zapanta
- 3 Robin Jennings
- 4 Neal Kimble
- 5 Darnell Lewis
- 6 Tery Lizarraga
- 7 Per Lorentzen
- 8 Adam Lovano
- 9 Kimia Namazian
- 10 Mark Piersante
- 11 Mark Plubell
- 12 Joey Porter
- 13 Wei Shi
- 14 Mark Stutzman
- 15 Don Gosney
- 16 Arthur Hatchett
- 17 Len Turner
- 18 Andrew Wong
- 19 Jonny Pasco
- 20 Marcus Mitchell
- 21 Chris Pedroza
- 22 Nick Despota
- 23 Patricia Byers
- 24 Roger Lin
- 25 Debi Mazor

- 1 Niran Somasundaran
- 2 Heather Lewis
- 3 Raymond Landry
- 4 Diane Bailey
- 5 Jamie Cousey
- 6 Saechau Khae
- 7 Charles Finley
- 8 Clifford Foster
- 9 Richard Page
- 10 Mike Leedie
- 11 Ali Brooks
- 12 Maria Sahagun
- 13 Rosa Lara
- 14 Torm Nompraseurt
- 15 Susan Druding
- 16 Nancy Riser
- 17 Paloma Pavel
- 18 Dennis Dalton
- 19 Claudia Citroen
- 20 Unidentified speakers (four)

--oOo--

1 JULY 9, 2014

6:49 P.M.

2 PROCEEDINGS

3 --oOo--

4 CHAIR LANE: Good evening and welcome. The
5 July 9th, 2014, special meeting of the Richmond Planning
6 Commission is now in session.

7 Before we get started, if you could look and
8 see if you have one of these. This is a cellphone. If
9 you could please make sure it's on silent or vibrate.
10 And if you do need to make or take a call, please do so
11 outside of the auditorium. We have a lot of people
12 here, so ringing and phone conversations is not a good
13 thing.

14 So at this time we say the Pledge of
15 Allegiance. We usually have a flag when we're in the
16 chambers. We don't have one today, but we can still
17 rise and we'll recite it.

18 [Pledge of Allegiance]

19 CHAIR LANE: Okay. I hear a phone.

20 Okay. The next agenda item is roll call.

21 Staff, can we have roll call, please.

22 MS. VELASCO: Chair Lane.

23 CHAIR LANE: Here.

24 MS. VELASCO: Vice Chair Choi.

25 VICE CHAIR CHOI: Here.

1 MS. VELASCO: Commissioner Langlois.

2 COMMISSIONER LANGLOIS: Here.

3 MS. VELASCO: Commissioner Reyes.

4 COMMISSIONER REYES: Here.

5 MS. VELASCO: Commissioner Butt.

6 COMMISSIONER BUTT: Here.

7 MS. VELASCO: Commissioner Willis.

8 COMMISSIONER WILLIS: Here.

9 MS. VELASCO: Commissioner Martinez.

10 COMMISSIONER MARTINEZ: Here.

11 CHAIR LANE: Okay. So the staff members with
12 us this evening -- tonight -- are, to the audience's
13 left, is Hector Rojas and Lina Velasco, both senior
14 planners in the Planning Department. To the audience's
15 right is Carlos Privat and Rachel Sommovilla,
16 representing the City Attorney's Office, and Richard
17 Mitchell, Director of Building and Planning Services.

18 So tonight's meeting, as you can see by how
19 many of us are here tonight, is very important. And so
20 one of the things I'm going to ask is for all of us just
21 to respect all the various views, ideas that we will
22 hear tonight from the public speakers as well as from
23 the Commissioners as we discuss this issue. So what
24 does that mean? That means no booing, no hissing. None
25 of that stuff will be allowed tonight. I'm fine with

1 applause, but just keep it to a minimum, meaning just
2 don't prolong it, because we're going to have a lot of
3 discussion and public speakers tonight. That's all I
4 have for tonight.

5 And one other thing: I'm a little bit under
6 the weather, so if you hear me coughing I'm not
7 disrespecting anyone. It's just I'm a little sick.

8 So with that, I will outline the way the
9 Commission functions and the hearing procedures. And
10 let me just reiterate before we get started, I will give
11 this last opportunity. If you do wish to speak, you do
12 need to have filled out a speaker form, which is up here
13 to my right with staff. So if you need to do that,
14 here's your kind of last chance to fill it out.

15 Once the discussion of the agenda item begins,
16 no one shall be permitted to speak on the item other
17 than those persons who have submitted their names to
18 Planning staff. Your name will be called when the item
19 is announced for discussion. When your name is called,
20 please come to the front of the auditorium, as you will
21 be speaking here, in order to move the hearing along at
22 a prompt pace. And Planning staff will probably call
23 people in groups. Thank you.

24 So the following is the way in which we will
25 conduct tonight's public hearing. I, the Chair, will

1 open the item. City staff and consultants will explain
2 the application and offer its analysis. The Chair, I,
3 will request that Planning Commissioners hold their
4 questions to staff until after the public hearing is
5 closed.

6 Applicant will be given ten minutes to present
7 their project. Opponents or persons requesting
8 modifications on the project will be given ten minutes.
9 And I've been told the Richmond Environmental Justice
10 Coalition has representatives who want to speak in this
11 role.

12 The remaining speakers will be taken on a
13 first-come-first-served basis. Each of you will be
14 given two minutes to speak. And two minutes is a short
15 amount of time, so which means just be concise and to
16 the point with your comments, because when that two
17 minutes is up, it's up.

18 After all speakers signed up to speak have
19 finished, the applicant and opponents will have
20 two-minute rebuttals. After the two-minute rebuttals,
21 Commissioners can ask questions or can obtain clarity
22 from the applicants or opponents or those requesting
23 modifications.

24 When the public hearing is closed and after
25 discussion, the Commission will vote.

1 The Chair of the Commission will then inform
2 the audience of the Commission's actions and outline the
3 appeal procedure.

4 Given that we have a lot of speakers tonight,
5 I'm not sure how far we'll get into the hearing. We
6 have set aside time for tomorrow, July 10th, to also
7 again have and continue the meeting tomorrow night. And
8 we'll begin -- I'm pretty sure Planning staff will share
9 that -- at 5:30 p.m. tomorrow. So if we don't get to
10 all of the speakers tonight, I hope, if you haven't been
11 called up today, you will join us tomorrow, so you'll be
12 able to provide your public comment.

13 So with that, the sole agenda item is PLN
14 11089, Chevron Refinery Modernization Project. So I'll
15 ask staff how many speakers -- well, I think they're
16 still counting.

17 Okay. So I'll ask to give it to City staff.

18 MS. VELASCO: Good evening. Thank you, Chair
19 Lane, Vice Chair Choi, and Commissioners, and the
20 general public.

21 We are here this evening to consider
22 certification of the Environmental Impact Report and a
23 request for a conditional use permit and a design review
24 permit for the Chevron Refinery Modernization Project.

25 And here with me this evening, Jennifer

1 Hernandez of Holland & Knight, the City's outside
2 counsel, will be doing the presentation. And I also
3 have Dr. Shari Libicki, who will be available with
4 questions, along with key members of the consultant
5 team.

6 So, with that, I'll pass it on to Jennifer.

7 MS. HERNANDEZ: Well, now it's on.

8 I apologize in advance for my microphone
9 technique, which is wanting, as is much else. But thank
10 you very much for the opportunity to address you. I
11 have to say on behalf of the EIR preparation team, it's
12 been an honor to work with the City of Richmond and with
13 the Richmond community on this project.

14 My goal today is to spend a half an hour going
15 through where we are and what's happening tonight --
16 where we are in the EIR process, what's happening
17 tonight. There have been three topics that have been
18 the subject of considerable comment and, I think, still
19 confusion. And so I'll be focused on those three topics
20 and not going through what I did last time for the
21 Planning Commission, which was a quite tedious recital
22 of a lot.

23 So the slides that we'll be going through are
24 available and somewhat visible in the corner. I
25 apologize for the constraints of the room.

1 The project consists of several components:
2 the hydrogen-plant replacement, some sulfur-removal
3 improvements which will allow the refinery to actually
4 process and remove more sulfur than it currently does;
5 infrastructure improvements to tie in this new
6 equipment; and then a combination of additional project
7 features that have been added to either reduce emissions
8 or improve public safety. Those are project design
9 features.

10 Next slide. Where we are now is we have an
11 extended now EIR process. The California Environmental
12 Quality Act proscribes certain mandatory features --
13 public comment process, notice process, and whatever.
14 At each and every step of this EIR process the City has
15 directed that we exceed the minimum set-by standards by
16 CEQA; and we have exactly done that. So we had, for
17 example, additional workshops prior to issuance of the
18 Draft DEIR in order to brief the community on various
19 key topics like greenhouse gas and refinery operations.

20 When the Draft EIR was released on March 18th,
21 that started a 45-day public review period. And during
22 that public review period it's optional to have one
23 hearing. We actually had several. We had public
24 workshops, which were interactive opportunities to talk
25 to the experts who wrote the EIR. We had a study

1 session with the Planning Commission -- again,
2 interactive -- and included the experts that prepared
3 various sections of the EIR. And then we had the formal
4 public comment hearing. Also, during the public comment
5 process we had the project Design Review Board and the
6 Design Review Board had feedback that's part of today's
7 proceeding.

8 The public comment period ended on May 2nd.
9 And that started us in preparing what's called the Final
10 EIR, which consists of all of the comments made, oral as
11 well as written; responses to all of those comments
12 prepared by the same suite of experts that prepared the
13 Draft EIR; and then also changes to the Draft EIR.
14 There were significant changes to the Draft EIR in terms
15 of additional alternatives looked at, mitigation measure
16 enhancements and clarifications, and some additional
17 analysis.

18 So the comment process is very important. We
19 took it very seriously and we produced a pretty long
20 Final EIR. The Final EIR has to be available for ten
21 days before it's acted on. This EIR was available --
22 the Final EIR -- was available much longer and included
23 tonight's additional hearing.

24 We also had a separate process that was really
25 aimed at a very common Contra Costa, as well as

1 California, practice of considering whether there should
2 be community benefits associated with this kind of
3 project, this kind of industrial project. When this
4 project was first approved and before the EIR was
5 invalidated by the court, there was a community benefits
6 agreement. There was some criticism about the way that
7 community benefits agreement was worked through. This
8 process, in considering community benefits, was designed
9 to be much more transparent at the direction of the
10 City. And we had two public workshops on community
11 benefit items; and we'll talk about that a little bit
12 more.

13 So ending with where we are today is the
14 Planning Commission today or tomorrow is slated to
15 consider whether to certify the EIR and approve the
16 conditional use permit and related documents for this
17 project.

18 I need to briefly now go through some of the
19 final -- or some of the key topics that people raised in
20 responses to comments on the Draft EIR as well as the
21 three kind of key topics that continue to be, I think,
22 of greatest concern in the community.

23 Just briefly, we had lots of letters. And
24 many of those -- over eight hundred -- were form
25 letters. Eight agencies -- public agencies, state and

1 local -- commented; fifteen organizations; forty-nine
2 individuals. And we had seventy speakers speak.

3 The topics that the Draft EIR process is
4 designed to kind of solicit input on is really about
5 whether the environmental impacts are appropriately
6 considered and whether significant impacts are
7 appropriately mitigated. But people like to talk about
8 what they like to talk about. And that's always
9 appropriate. The most comments by volume we had were
10 about the project merits, not about the environmental
11 impacts. Should you approve the project? Should you
12 not approve the project? People weighed in with
13 opinions -- strong opinions -- on both sides.

14 Jobs and community benefits are likewise not
15 environmental impacts. But the job-associated issues of
16 this project received a lot of positive comments.
17 Community benefits received a share of comments. So
18 actually by volume the most comments weren't on the
19 environment analysis; they were on the project merits
20 and on jobs and community benefits.

21 When we did get to environmental impacts, we
22 really focused on and commenters really focused on air
23 quality, including questions about one of the units of
24 the refinery that's been there quite a while called the
25 fluid catalytic converter, which is shorthand called the

1 FCC. It cracks -- I'm a philosophy major -- it cracks
2 the molecules of hydrocarbon from long molecules into
3 shorter molecules. Past that, we have to talk to Dr.
4 Libicki. But it's a significant unit at the refinery;
5 and there are questions -- and I'm going to talk about
6 that more -- questions about air toxics and health risks
7 from breathing air near the refinery or elsewhere in
8 Richmond. What is the air-toxic story associated with
9 this project? And then questions about different kinds
10 of much more technical analytical methods.

11 The next topic that was considerable focus was
12 greenhouse-gas emissions and I'll talk about that.

13 And then public safety. A quick note on
14 public safety: The 2008 EIR which this replaces by
15 court order didn't spend a lot of time on public safety.
16 It basically said there's a lot of laws and regs on
17 public safety and they're going to be complied with.
18 This EIR took a very, very different approach,
19 especially after the August 2012 fire. We had
20 independent refinery safety experts crawl all over the
21 refinery and the refinery safety team and documents; and
22 we came up with quite a laundry list of additional
23 measures above and beyond what's required by law. And
24 so this is a very different public safety analysis and
25 was not, by the way, ordered by the court. The court

1 ordered this to be redone based on air quality and
2 greenhouse-gas issues. The public safety enhancements
3 were really very much prompted by community concern and
4 direction from the City.

5 Finally, there were questions about mitigation
6 measures. Are these real? Or is it just a binder on
7 the shelf? Can they be enforced? And alternatives.

8 After the draft EIR was issued -- in fact, an
9 hour and ten minutes after the Final EIR went to
10 print -- we had the first of two letters from the
11 Attorney General's office. The Attorney General has a
12 unique role in being able to enforce CEQA and, frankly,
13 not having to comply with any of the deadlines.
14 Nevertheless, we had talked for some weeks with the
15 Attorney General's team; and we knew their concerns.
16 And, although they issued a comment letter before having
17 seen the final EIR that was fairly critical, shortly
18 thereafter they issued a second comment letter that
19 agreed with the Final EIR analysis, much of which had
20 been tailored to the concerns we'd heard from them early
21 and endorsed a particular new alternative called
22 Alternative 11, which I'll talk to you about in a
23 minute. So there were two post-Final EIR letters from
24 the Attorney General.

25 We have now even more recently -- Thursday,

1 yesterday, and now today -- received additional
2 comments, including proposed changes to the conditions
3 of approval for the project that are newly available
4 from the Communities for Better Environment and today
5 from the Richmond Progressive Alliance. And so those
6 are more topics to be discussed, I think, by the
7 Planning Commission. They're outside the scope of the
8 normal Final EIR process, but I did want to acknowledge
9 them and their importance in this overall process.

10 So now on to the three key topics. The first
11 one is the longest. The second two are pretty short. I
12 hope I'm not losing you with this pace. I'm trying to
13 be brisk, given the number of folks in the room who want
14 to talk; and that's what we want to do is listen.

15 So three comment topics I want to go into some
16 detail on. The first is this whole issue of toxic air
17 contaminants. Is breathing the air around the refinery
18 dangerous? Is it going to get more dangerous? How
19 dangerous? That's a big issue. There's confusion about
20 the issue. I'm going to talk about it in four, five,
21 six slides, actually.

22 The second topic is the issue I talked about
23 before, this fluid catalytic cracker issue, this FCC
24 issue. Is it in compliance with permit limits? Is it
25 spewing out a lot of particulate matter, which is like a

1 fine soot that you can breathe deep into your lungs and
2 is quite dangerous? What is the story with the FCC and
3 particulate matter, or PM, as it's called in the
4 regulatory environment?

5 And finally, so there's this new alternative
6 that the California Attorney General thinks should be
7 approved, if any project is going to be approved here.
8 And it's called Alternative 11. It's a combination of
9 two of the alternatives studied in the Draft EIR, but
10 mooshed together. It's environmentally superior to the
11 project. And I want to talk to you a little bit more
12 about what that alternative looks like, especially given
13 the Attorney General's endorsement of it.

14 Okay. So first, health risk from toxic air
15 contaminants. Put up with me for a little bit. So a
16 toxic air contaminant is defined as something you
17 breathe that may cause or contribute to an increase in
18 death or serious illness or which may pose a present or
19 potential hazard to human health. This is stuff you
20 don't want to be breathing if you can avoid it.

21 Different kinds of chemicals can cause
22 different kinds of risk. Some can cause cancer. Some
23 can cause asthma. Some can cause both. And there's
24 lots of in-between. Some can suffocate you. You go
25 into your garage, seal it, turn on the car and let the

1 exhaust build up, you can suffocate from that kind of --
2 so there's different kinds of health risks associated
3 with different kinds of chemical emissions in air.

4 For an environmental impact report on a
5 project, the key analysis is not what each chemical is
6 individually, but rather what is the project going to
7 emit as a whole? What are all of these chemicals and
8 how are they going to act and where are people going to
9 be exposed to them and how dangerous are they? So we
10 look at the world of toxic air contaminants in the
11 context of all toxic air contaminants to evaluate
12 whether there's a health risk and, if so, what kind of
13 health risk.

14 Because not all toxic air contaminants -- and
15 that's sort of a regulatory term of art -- have the same
16 danger, there are important distinctions to be made
17 about toxic air contaminants that aren't very dangerous
18 and some that are much more dangerous. Some examples --
19 and my partner Nicholas Targ, whom some of you know,
20 came up with the chile analogy, which I think makes
21 sense. But, you know, I'm part Mexican. So one of the
22 examples has a low cancer potency -- jalapeño.

23 Another, diesel particulate matter -- and I
24 want that one to be something you think about. Diesel
25 particulate matter is the big baddy for this project.

1 It comes mostly from transportation engine combustion.
2 And diesel particulate matter -- which any of us who
3 have ever ridden a yellow school bus, we've breathed
4 it -- that is the toughest, most dangerous thing --
5 chemical. And it's called a "risk driver" in the
6 parlance of this health-risk-assessment stuff I'm about
7 to talk about associated with this project.

8 Diesel particulate matter -- pretty tough.
9 That's not a good chemical to be breathing.

10 You know, I don't even know how to pronounce
11 this. Shari?

12 Acetaldehyde. Not a chemistry major. A low
13 cancer potency. The keys -- or the chemicals that have
14 high potencies as well as high quantities are the risk
15 drivers. That's what we care about the most. And here,
16 again, that's diesel particulate matter.

17 We spent a lot of time -- a lot of time --
18 trying to figure out and make diesel particulate
19 reductions occur as part of this project, because
20 reductions in diesel particulate matter is what was
21 going to be critical to assuring that public health did
22 not get worse. And, in fact, as you'll see in just a
23 minute or two, we think actually risk from inhaling
24 toxic air contaminants will be lower -- that is to say
25 the public health will be better -- with this project,

1 given the suite of mitigations that we have come up
2 with.

3 But for those of you who don't already know
4 this -- next slide -- Richmond is in an area that has a
5 very high background level of toxic air contaminants.
6 This slide is produced by the Bay Area Air Quality
7 Management District; and it's designed to capture and
8 visually picture how much health risk is currently
9 present in the whole Bay Area. And each community is
10 separately mapped. And this is expressed in units of
11 cancer per million. And even one cancer case per
12 million is nothing you want to ignore, but in some cases
13 we have areas with four or even six hundred cancer cases
14 per million. And that is a high background level of
15 toxic air contaminant risk.

16 Because of that high background level of toxic
17 air contaminant risk and because of CEQA's structure in
18 considering cumulative effects, as well as the
19 environmental justice issues associated with this
20 community -- and I'm going into a lot of detail -- this
21 EIR takes the position that no increase in risk is
22 acceptable. No increase in health risk is less than
23 significant for CEQA purposes. We had to at least make
24 sure that there was no increase in risk. If you can
25 make it better, so much the better. But no increase is

1 where we started and where we stayed in this EIR.

2 So now I'm going to show you a couple of
3 weird-looking pictures and then do a little more
4 explanation and then I'll be done with this topic.

5 So how does the science work to figure out
6 you've got quantities of toxic air contaminants that are
7 being emitted. Is it dangerous or not? That science is
8 called the health risk assessment process. And what a
9 health risk assessment process requires is that you feed
10 into a computer model each of the chemicals, details
11 about where the chemicals are coming from, in what
12 volumes, how toxic they are, how toxic they are to
13 chronic illnesses like asthma versus acute or
14 cancer-type illnesses. And then you model where people
15 are going to be actually breathing this stuff and in
16 what quantities.

17 This EIR has 8,000 points spread throughout
18 the Richmond community to model what is that
19 neighborhood, what is virtually almost that house, what
20 is that house going to be like in terms of the air it
21 breathes if this project is approved. And the map that
22 you have up there uses color to demonstrate green,
23 especially solid green, is a net improvement in air
24 quality. How is that possible? That's possible because
25 we required mitigation and Chevron agreed to mitigation

1 that was aimed at the most toxic of these contaminants,
2 diesel particulate matter, and the biggest source of
3 diesel parcel matter, which is not the refinery. It's
4 shipping. It's the ships that go to and from the long
5 wharf; and it's the tugs that service the long wharf.

6 Chevron is replacing three older ships with
7 two newer, cleaner ships that will come to the long
8 wharf instead of the old ships. And they're
9 retrofitting a tugboat with hyperclean engine
10 technology. And so that tugboat, which not only serves
11 the long wharf, but also serves other parts of the
12 Richmond port, will actually be a lot cleaner than it is
13 today.

14 Now, those don't have much to do with those
15 shipping activities, don't have much to do with the
16 refinery. And I'm going to tell you why they're so
17 important for the mitigation story for tax in a sec.
18 But they're not refinery units, but they are the driver
19 of health risk from toxic air contaminants. And that's
20 how we get to green, better for the community. Solid
21 green is best. Medium green is next best. And the dots
22 just mean that we have fewer sampling points in the dot
23 area. We have so many sampling points in the
24 neighborhood closest -- the neighborhoods closest to the
25 refinery that they merge together and that's why it

1 looks solid. But the solid colors plus the dots -- and
2 then this map actually is expanded, this is just a
3 focused area for this meeting -- are 8,000 different
4 points of modeled and measured toxics.

5 The next slide -- put that visually -- first
6 one -- could you go back to the first one? The first
7 slide is the project. This is the modernization project
8 considered in the EIR.

9 The next slide. Look at this. Now we have
10 all green. Go back and forth. Toggle back and forth.
11 Light green is not as clean. Dark green is cleaner.

12 The alternative endorsed by the AG -- the
13 Attorney General's office -- is this slide. This is
14 cleaner still. So for the modernization project we were
15 able to make sure there was no net decrease in -- or no
16 net increase in health risk from toxics. Under the
17 environmentally superior alternative endorsed by the
18 Attorney General, it's actually a net improvement in air
19 quality and health risks. Talk about that a little bit
20 more.

21 Okay. Let's then go to the next slide. There
22 was a flyer that was put out identifying 15 chemicals
23 that increased as a result of this project; and each of
24 those chemicals is a toxic air contaminate. The math
25 from that flyer is exactly right. It was taken from the

1 Draft EIR. And so it's exactly right that there will
2 some chemicals, some toxic air contaminants that
3 increase. But for reasons I hope I've just described,
4 the bad ones -- the stuff that causes health risks,
5 especially diesel particulate matter -- will come down.
6 A couple of other examples, but that's the big one.

7 So this is color-coded and I'm now going to go
8 through and we'll come back to this slide in just a
9 second. But this is color-coded to show why some of
10 these chemical increases occurred. It's a little
11 counter-intuitive to say, Well, the health risk is
12 getting, but some toxic air contaminants are increasing.
13 And I'm going to now tell you what's changing about
14 toxic air contaminants for the project.

15 And there's three changes that have caused
16 toxic air contaminants to either go up or down. For
17 this presentation we are just focused on the 15 that go
18 up, as reported by the Richmond Progressive Alliance and
19 CBE -- accurately reported.

20 Okay. So the first of these three reasons,
21 one slide each. Some physical changes are happening at
22 the refinery that are causing changes in how the
23 refinery process equipment -- not shipping or other
24 transportation -- but process equipment, what's
25 happening with toxic air contaminants there. Mostly,

1 those toxic air contaminant changes inside the fence
2 line of the refinery are going down. They're
3 decreasing. So we have significant toxic air
4 contaminant decreases in methanol, sulfuric acid mist,
5 and some reactive organic compounds, which are a suite
6 of chemicals that evaporate in air -- volatilize in air.
7 There is a small increase in toxic air contaminants from
8 what's called fugitive emissions. This happens because
9 valves and flanges, no matter how tight we make them,
10 will leak. And so there's this kind of fugitive story
11 about if you build some more pipes with some more valves
12 and flanges you're going to have some more fugitive
13 emissions.

14 Overall, though, because the project proposes
15 the project-design feature of the shipping changes I
16 described -- overall, the project results in fewer
17 rather than more health risks associated with these.

18 So the project itself inside the confines of
19 the refinery is not doing much about toxic air
20 contaminant increases. It's mostly decreasing. And
21 what is increasing doesn't really count for much. And
22 actually there are no increases that are solely a result
23 of new equipment being put into the refinery. But what
24 is happening is that the science and the regulations
25 around toxic air contaminants continuously evolve. And

1 so if you did this analysis five years ago, you would
2 have different information about how dangerous some of
3 these chemicals are. Mostly, the science is getting
4 more conservative. It's assuming these are more and
5 more dangerous. What that means is we get periodic
6 updates from the Air Quality Management District, which
7 in turn relies on people -- or agencies -- like U.S. EPA
8 and what's called the Office of Environmental Health
9 Hazards Assessment in California, about cancer potency,
10 about different kinds of health impacts from different
11 chemicals, and from about estimates about how much of
12 this stuff gets emitted by different kinds of equipment.
13 And the Air District hands us the factors that are
14 today's correct factors. And today's correct factors
15 are not necessarily the factors that were used during
16 the three-year baseline period that we looked at that
17 was kind of in the can from what's called an emission
18 inventory that the Air District produces.

19 I can tell some of you are losing me. I'm
20 losing myself. What this basically comes down to is the
21 Air District hands us the right kind of science and then
22 the City's scientists independently look at that. And
23 if they agree, they'll use it; and if not, continue to
24 talk to the Air District until we reach consensus. But
25 changes in the Air District emission factors are the

1 overwhelming cause of the increases.

2 What do I mean by that? Well, I mean if the
3 Air District says we're going to have more fugitive
4 emissions, we're going to tell you there's going to be
5 more fugitive emissions. That doesn't mean there's
6 going to be actually more than I can go out and measure,
7 or anything associated with this project that makes more
8 fugitive emissions necessarily; but there is, in fact,
9 going to be more fugitive emissions from valves and
10 flanges based on what the Air District now thinks is
11 happening with valves and flanges.

12 Some of the science has changed. Some of
13 these chemicals are more dangerous. So anyway emission
14 factor changes occur. And that looks like an increase,
15 kind of is an increase, as we are saying it, because
16 that lets us require mitigation for it. But it's not an
17 increase that's related to a physical activity at the
18 refinery. It's an increase resulting or based on
19 science and prediction and expert opinion.

20 The last of these categories -- so first was
21 physical changes of processing equipment at the
22 refinery. Second was Air District emission factors.
23 The third and last of these reasons for toxic air
24 contaminant changes is that we have assumed that
25 Chevron's historical practice of operating at roughly

1 88-89 percent utilization when it's full-out. And 88-89
2 percent means of its permitted capacity. It goes 88-89,
3 sometimes 87, really not much higher historically than
4 that, of its permitted capacity on an average annual
5 basis.

6 We weren't sure that they would stay there.
7 They may want to go higher. We found the highest number
8 we could of West Coast refineries, which is like Denver
9 east -- or Denver west. It's a big area. And said,
10 Well, you know what? The best refineries operate at
11 93-percent utilization. What happens if we scale up
12 refinery operations from what they've been traditionally
13 higher to 93 percent? What does that emissions story
14 look like? What does that toxics story look like? It
15 may look a lot worse and then we have to mitigate more.
16 And we do mitigate more. And that additional mitigation
17 gives us air quality improvement to the extent they
18 either operate at this very aspirational 93 percent,
19 where it gives a lot of mitigation improvement if they
20 continue to operate at the historic average of 88 to 89
21 percent.

22 Okay. So let's just quickly then review --
23 and this is the end of this -- and this, by far, is the
24 longest. So for toxic air contaminants we have the
25 quantity issue of what's coming, what different

1 chemicals are coming from where. But we also have the
2 health risk part of this analysis which looks at the
3 type and potency of each chemical, the location where
4 these chemicals are emitted, those that are closest to
5 residents -- sensitive receptors like Point Richmond
6 next to the wharf. Those are actually trickier, could
7 cause worse health impacts than emissions that are
8 located quite distant from residences or schools or
9 other sensitive receptors. Emissions that are low to
10 the ground can have a worse impact than emissions that
11 are released hundreds of feet into the air. Is it more
12 concentrated at the ground level? And then we looked at
13 mitigation that was effective against the actual
14 emissions -- toxic air emissions -- associated with this
15 project, inclusive of these Air District changes to
16 emission factors.

17 The result is what you've seen, is the project
18 mitigation, especially these shipping measures, but also
19 other stuff like tank domes and stuff we won't go into,
20 creates -- last slide, please, in this sequence,
21 Lynette -- creates this picture, which is a picture of
22 improved air quality, lower public health risk from
23 toxic air contaminants with the project, notwithstanding
24 the various changes in the quantities of toxic air
25 contaminant quantities.

1 So I hope that made it a little clearer. If
2 not, I apologize. This story is written in five or six
3 different ways and we tried to get it clearer and it's
4 complicated. So I apologize. You can yell at me during
5 public comments if it's still confusing.

6 Two more quickies, one slide each. This fluid
7 catalytic cracker, FCC controversy, is another one of
8 these technical issues. Okay. You can regulate what
9 you can measure. If you can't measure something very
10 well, then it's pretty hard to regulate it. Right now
11 the expert area agencies require Chevron -- especially
12 the Air District, but also others -- require Chevron to
13 measure from the FCC particulate matter -- that's that
14 soot stuff that gets in your lungs -- in the stack,
15 right? You can stick in a filter to the stack and
16 capture the actual particulate matter that's caught in
17 the filter. You can count what's on the filter and you
18 can set a permit limit and you can make sure there's
19 compliance with that permit limit. That's called
20 filterable particulate matter. That's how this unit is
21 regulated today. The FCC has a limit on filterable
22 particulate matter which is caught in these filters.

23 Okay. It turns out that when the stack gas
24 goes up -- and by the way, it's already treated to
25 remove particulate matter. It's treated with ammonia to

1 remove other pollutants like NOx, which can produce the
2 smog and soot. So you're measuring the stuff that's
3 been cleaned up and you're measuring what's now going
4 into the air. But apart from what can be filtered at
5 the stack gas, when the stack gas goes into the air,
6 chemical things can happen. How's that?

7 As the heated stack gas -- and it's pretty
8 hot -- interacts with the air -- if it's raining, if
9 it's windy, if it's warm, if it's cold -- different
10 chemical stuff can happen and the stack gas can form
11 more particulates out of the stack than were caught in
12 the filter. Those are called condensable particulates.
13 Okay? It's hard to guess and it's really hard to
14 measure what the condensable particulates would be once
15 they leave the stack, because it's hard to replicate
16 what happens in air, especially different kind of air
17 conditions, right? Is it raining? Is it cold? Is it
18 hot? Is it snowing? I mean these are national
19 standards.

20 No one at the regulatory agency level has
21 figured out to accurately measure condensable
22 particulates. There are measurement techniques that
23 have issues. Those issues prompted EPA just this last
24 April to say, Okay, we know there are issues. We're
25 working on it. We'll let you know what to do.

1 We don't know yet what EPA is going to let us
2 know what to do. That was true in April. The Air
3 District has looked and our experts have looked to see
4 whether Chevron's FCC unit is in compliance with its
5 permit limit, which is the filter; and we know it is.
6 There are other tests that try to mimic condensables
7 plus the filter. Well, you know what? That's higher
8 than the permit limit, because the permit limit is just
9 a filter. It doesn't try to capture condensables.
10 Okay. Those higher-total measured numbers are what we
11 considered in the EIR to be baseline, because otherwise
12 we wouldn't be telling the truth.

13 If all we said to you was, The only PM coming
14 out of that stack gas is what's caught in the filters,
15 we wouldn't be telling you there's more that can be
16 formed in the atmosphere. So even though this
17 measurement technology is troubled, we reported and the
18 Air District reports the outcome of this measurement
19 technology and we included it as, quote, the baseline.

20 So there's a difference, a fundamental
21 difference, here between permit compliance and baseline
22 conditions. And all we can do as EIR drafters is tell
23 the truth; and that's the truth. So we have a permit
24 limit with filters and the facility is in compliance.
25 And there are condensables that are more than what's

1 filtered out. And we shared with you in the EIR what
2 those totals are as well. And we have the Air District
3 confirming in writing. There's no violation. Our
4 experts looked at it and there's no violation. Lots of
5 controversy swirling around this issue, but that's my
6 effort to communicate what's going on. And, again, you
7 can yell at me as I'm, you know, potentially butchering
8 this story; but I think it's right.

9 Okay. Last of these issues. And then
10 everything will go really quick. The Attorney General
11 endorsed in its second letter an alternative,
12 Alternative 11, that combines two of the alternatives
13 studied. Chevron is asking for an increase of 300 long
14 tons per day of processing capability for its
15 sulfur-removal gear. That means it will be able to take
16 higher sulfur -- crude and gas oil -- and strip it out.
17 The stripping-out part is what the 300 tons a year -- or
18 300 tons a day -- is about. So they can strip out to up
19 300 tons per day. Okay, fine.

20 We looked, because EIRs want you to look, at
21 alternatives that could potentially reduce project
22 impacts, really to less-than-significant levels. We
23 didn't have any of those. We looked at it anyway. And
24 we looked at an alternative that said, Well, Chevron,
25 what if we give you only half of what you're asking for?

1 You want 300 long tons? What if we give you only 150?
2 That means that there is less sulfur coming in and
3 through the refinery. That was environmentally superior
4 to the project.

5 We also looked at an alternative that said,
6 you know what, Chevron is going to be increasing its
7 greenhouse-gas emissions, especially associated with
8 this hydrogen plant -- a new hydrogen plant which is a
9 lot more efficient, but it's a lot bigger, so it's going
10 to allow for more hydrogen to be produced and you need
11 hydrogen to strip out this sulfur. So it's part of the
12 project. It is what it is.

13 But some of the hydrogen plant activity may --
14 may -- be associated in the future with an export
15 project that is not part of this project and that the
16 port confirmed was a separate project, currently
17 contemplated by Praxair. It's on indefinite hold. What
18 if we said to Chevron in an alternative, You guys can't
19 increase locally greenhouse-gas emissions from refinery
20 operations above current levels. You're capped at
21 current levels of greenhouse-gas emissions. What does
22 that look like?

23 Well, that too had environmental benefits
24 relative to the project. The Attorney General said, Put
25 these two alternatives together -- reduce sulfur and no

1 physical increase in greenhouse gas. And that is what
2 is now the new environmentally superior alternative; and
3 it's what the Attorney General thinks should be approved
4 and has advised the City. It's in the City's discretion
5 as to whether or not to approve an alternative. CEQA
6 requires you to approve an alternative that's feasible
7 if it eliminates or reduces an environmental impact
8 that's significant. Because we don't have significant
9 environmental impacts associated with this project as
10 mitigated, it would be the City's discretionary judgment
11 as to whether to approve this new alternative. But this
12 new alternative is a lot less greenhouse gas than the
13 proposed project.

14 And there's other features with it as well.
15 Among other things, the EIR requires a whole bunch of
16 additional greenhouse-gas mitigation to occur, assuming
17 that the original project, which would have increased
18 greenhouse gas, was going to happen. Chevron had to
19 retrofit to do LED lighting. It had to do other
20 stuff -- more energy efficiency, a solar thing -- and
21 spend \$30 million on community-based
22 greenhouse-gas-reduction program activities. All of
23 those requirements that were for the original project --
24 the \$30 million, the LED lighting, the solar -- that --
25 not the solar, actually, but the LED lighting,

1 community -- the \$30 million fund and some other
2 stuff -- that would still be part of this alternative.
3 So if this alternative was approved, not only would
4 Chevron not to be able to emit past what it currently
5 emits by way of greenhouse gas, but it would still have
6 to implement the various other measures that get that
7 number lower, including the \$30 million for
8 community-based greenhouse-gas credits.

9 Okay. Those are the three topics I wanted to
10 cover in a little more detail. And then we're back to
11 pretty much pro forma.

12 So project will rule in less than significant
13 environmental impacts at both the project and cumulative
14 level as mitigated. "No net increase" is a term of art
15 we use to say there's no increase in either criteria air
16 pollutants -- which we didn't spend a lot of time
17 talking about, although particulate matter is one of
18 them -- risk from toxic air contaminants, or greenhouse
19 gases. There's a net improvement in public safety
20 relative to existing conditions. We didn't focus on
21 this much. But we are getting a safer refinery from
22 this project.

23 What do I mean by that? There are seventeen
24 piping circuits in the crude unit that are being
25 replaced with higher-caliber metal. There are lots more

1 sensors. There are lots more inspection programs.
2 There are lots and lots and lots more oversight
3 programs. And Chevron has to fund third parties to
4 oversee and administer and make sure they're
5 implemented. We worked very hard with a whole host of
6 safety agencies to really beef up public safety at this
7 refinery; and we think we now have a result that is
8 better than the current refinery by quite some margin.

9 Okay. Impacts requiring mitigation. We
10 covered them pretty much all -- almost all. Air
11 quality, greenhouse gases. There's some hydrology,
12 water quality, cultural, noise, and transportation and
13 traffic stuff that's kind of the typical -- you know, if
14 you're going to have construction traffic, tear up
15 roads. You got to make sure the roads get repaired
16 afterwards. I won't spend any time on that.

17 There were a whole bunch of topics that
18 require analysis under CEQA that don't result in adverse
19 impacts. No impacts to farmland. No impacts to geology
20 and soils and what-not. This is continued use of an
21 existing industrial site.

22 So the action items now for consideration by
23 the Council, Chair Lane and Commissioners, are the
24 resolution certifying the EIR, which includes findings
25 about the EIR; an adoption of the mitigation monitoring

1 reporting program, which requires a transparent
2 reporting to the community annually of compliance with
3 mitigation measures. This isn't a binder on somebody's
4 shelf, this EIR. This is a living, breathing program
5 with annualized reporting about compliance to the
6 community.

7 And then a second resolution which would
8 approve the conditional use permit and design review
9 permit and then recommend to the City Council, which
10 only the City Council can enter into a binding
11 contractual agreement, whether or not -- really a
12 community wellness agreement should be approved. And a
13 wellness agreement instead of community-benefits
14 agreement really was the outcome of the outreach process
15 on what should be included for the Richmond community as
16 far as the community was concerned in an agreement that
17 wasn't part of the EIR. And that's something also in
18 front of the Council.

19 What does it mean to certify an EIR? That's
20 an almost technical legal step. You can't approve a
21 project like this until you have certified the EIR.
22 Well, you can certify the EIR and hate the project. The
23 question to be asked about the EIR is, is it legally
24 adequate? Is it an informational document that
25 accurately describes what's going on with the project?

1 That's the EIR certification stuff.

2 And you know what? I don't think the rest of
3 this is really that important. The staff recommendation
4 for the EIR is that it be certified. We believe it's
5 legally adequate and actually more than adequate. It
6 goes -- I've done this now for 30 years. This is by far
7 the most comprehensive environmentally and public-safety
8 protective EIR that I've ever been associated with. I'm
9 proud to be associated with it and I think all the team
10 members feel the same way.

11 We recommend that the EIR be certified,
12 findings be approved. We prepared draft findings, which
13 is really the explanation of why you're certifying it.
14 Assuming the modernization project as proposed would be
15 approved, if Alternative 11, the alternative endorsed by
16 the Attorney General, was approved, we'd need to modify
17 those findings; and we have those available.

18 Next slide. The Design Review Board process
19 is more about aesthetics, but other issues as well. The
20 Design Review Board prompted several conditions of
21 approval to be added to the conditional use permit, such
22 as compliance with the mitigation monitoring plan,
23 landscaping plan.

24 We're going to make Chevron do these domes
25 over tanks to further decrease the possibility of air

1 pollution coming up from the top of the tank. The domes
2 look like domes. And some people like or don't mind the
3 look. Others don't like it. The Design Review Board
4 said, Please locate the domes where they're less visible
5 to people. Another example. Reduce dust and what-not.

6 The staff also recommends approval of the use
7 permit and the design review permit and recommends, as I
8 mentioned before, that the City Council take action on
9 the community health and wellness agreement. Just as
10 with the EIR, if the Attorney General-endorsed
11 Alternative 11 is selected, those conditions of approval
12 would need to be adjusted; and we have those in place.

13 We have conditional use permit terms that kind
14 of go through all of the required findings: That the
15 proposed conditional use is in accordance with the
16 General Plan; that the proposed use is compatible with
17 and will not be detrimental to public health, safety, or
18 welfare; the proposed use complies with all applicable
19 provisions of the zoning ordinance; and on and on.

20 Similarly, the City has a hazardous materials
21 ordinance and design review ordinance; and there are
22 findings on those issues.

23 If you can go, Lynette, to 34, conditions of
24 approval extend on for themselves several pages and
25 include, if you go all the way down to the bottom, the

1 consequences for failure to comply; and those include
2 violations and remedies enforceable by the City.

3 Finally, I'm going to touch briefly on the
4 community benefits workshop outcome and let you know
5 that, to the extent the community was advocating for
6 measures that fit in a condition of approval or an EIR
7 mitigation measure, that is where they went. So there
8 were two new conditions of approval added as a result of
9 the community workshop on -- workshops -- on community
10 benefits. And those relate to reporting on safety and
11 reliability goals and greenhouse-gas reduction.

12 The majority of the other programs that the
13 community workshop really identified and that gathered
14 steam were not so much really focused on mitigation
15 measures or conditions of approval. They did not have
16 the required nexus or proportionality, two legal terms
17 about what you can require. So these fall into kind of
18 the world of a negotiated agreement; and only the City
19 Council can enter into an agreement. But, of course,
20 this Commission can recommend to the City Council
21 whatever you'd like to recommend by way of this
22 agreement.

23 And I think that's it. To conclude is, you
24 know, we -- the staff recommends you certify the EIR and
25 make the necessary findings; adopt and require all the

1 mitigation measures and improvement measures and make
2 them conditions of the project approval; adopt the
3 mitigation-monitoring reporting plan; make the necessary
4 findings for the use permit; and recommend that the City
5 enter into a community health and wellness agreement
6 with Chevron, if that's your desire.

7 And that concludes this presentation.

8 CHAIR LANE: Perfect. Thank you. Thanks
9 again.

10 As you heard from that presentation, there's a
11 lot to take in. There's a lot of technical knowledge to
12 try to condense to where it's understandable to most
13 people. I want to thank City staff and its consultants
14 for that presentation.

15 So at this time what we will do is the
16 opportunity for the applicant to present. And they are
17 given a total of ten minutes to do that. What I've
18 asked, because I know we have a lot of public speakers
19 tonight, is that the Commission hold off questions both
20 for the consultant as well as for Chevron, the
21 applicant, and those who either oppose the proposal or
22 parts of the proposal until after the public speakers,
23 because we know that's going to take a lot more time;
24 and I presume that the applicant as well as other
25 parties will be back either -- will be here all evening

1 or will be here tomorrow if needed.

2 So with that I'll ask the applicant to speak.

3 MS. VELASCO: Representing the applicant, we
4 have Kory Judd and Jeff Hartwig.

5 MR. JUDD: Good evening, Chair Lane and
6 Members of the Planning Commission, my name is Kory
7 Judd. I'm the general manager at the Richmond refinery.
8 I appreciate the opportunity to be here this evening.
9 I'd first like to thank the City and it's technical
10 experts who have also, I believe, created the gold
11 standard for refinery EIRs. I'd also like to thank the
12 Planning Commission. I know this has taken a
13 significant part of your time and I appreciate your
14 diligence in reviewing this application.

15 When I started as a general manager at the
16 refinery over a year ago, it was a tough time for us and
17 I know it was a tough time for the community. We were
18 recovering from a fire. We were working hard to earn
19 back Richmond's trust; and I think we have come a long
20 way since then and I think that is evident by the
21 hundreds of people here tonight who are supporting the
22 refinery and this modernization project. The refinery
23 has been here 112 years; and the community is important
24 to us. When we work together on significant projects
25 like modernization, Richmond reaches what I think is its

1 greatest potential. This modernization project will
2 allow our refinery to continue to operate and play an
3 important role here for years to come and we can
4 continue to invest in this community.

5 When we restarted the project more than three
6 years ago we made a commitment to be fully transparent
7 and open in this process. And I'm proud to say that we
8 have delivered on that commitment. We listened to the
9 community. They provided us feedback on what they
10 expected from us and this project. And then Chevron and
11 the City worked together to ensure the community's
12 concerns were addressed. We've spoken directly with
13 more than 18,000 residents. We've literally knocked on
14 every door in the City of Richmond. And overwhelmingly
15 the community supports this project.

16 I'd like to take a moment to thank the many
17 who have worked very hard and stand with us on this very
18 important effort. That includes my refinery leadership
19 team and those that are here tonight, if you'd stand or
20 raise your hand, I'd appreciate it. Many employees --
21 and I'd like our employees to stand so that people can
22 see who they are that are representing.

23 I would also like to thank the hundreds in
24 labor who are here this evening who would like to get
25 back to work. I'd ask them to stand and be recognized.

1 And, finally, hundreds from the community who
2 are here in support of this project. Not only are we
3 saying thanks -- thank you. Not only are we saying
4 thanks to our supporters in this room tonight, but we'd
5 also like to thank the 10,049 members of the community
6 that have signed cards pledging their support for this
7 project for a newer, safer, cleaner refinery. Yes,
8 that's right. We have earned more than 10,000 pledges
9 in support of modernization. And I think that's an
10 incredible testament to this community's overwhelming
11 endorsement for this project. We're extremely proud of
12 this project. We know it will replace older equipment
13 with modern technologies. The project delivers
14 important community benefits, thousands of local
15 construction jobs, 1,300 related jobs, and \$30 million
16 invested to reduce greenhouse-gas emissions and to
17 create green jobs locally.

18 There are always going to be nay-sayers,
19 people opposed to what we do. But I'm here tonight to
20 celebrate and recognize the collaborative effort that
21 has led us on this journey towards the approval that we
22 hope to get from this Planning Commission. Richmond
23 residents have pledged their support because that know
24 that modernization is as important to our community as
25 it is to the refinery. We want to continue to operate

1 in this community for years to come and modernization is
2 a key investment that will us make that possible. Thank
3 you.

4 MR. HARTWIG: Good evening and thank you for
5 the opportunity to talk to you tonight. Before I start,
6 I'd like to talk -- share a little about myself.
7 I'm a chemical engineer that started my career here in
8 Richmond 34 years ago. More than half of that time has
9 been spent as a health, environment, and safety
10 professional; and much of that time here at the
11 refinery.

12 Six years ago critics stopped this project, a
13 project that was approved by this City. And as a result
14 a thousand workers were sent home. They said the
15 environmental impact report needed to be more thorough
16 and more transparent. This EIR addresses all of these
17 concerns.

18 Some suggest that Richmond deserves a better
19 project this time. I'm here to tell you this is a
20 better project, one that Chevron and the community can
21 be proud of. Some suggest --

22 I'd now like to directly address a number of
23 concerns and proposals we have been hearing from project
24 opponents. Project opponents say that this project is
25 inadequate in respect to the handling of potential

1 increase in greenhouse-gas emissions. We strongly
2 disagree.

3 The environmental impact report outlines a
4 very thoughtful approach to mitigating greenhouse gas.
5 In addition to energy conservation projects in the
6 refinery, it creates a \$30 million greenhouse-gas fund
7 to enable local projects, projects that will be selected
8 with input by the community. Through the modernization
9 project not only does Chevron fulfill its legal
10 responsibility, it goes beyond. It is supporting the
11 very programs that the project opponents say they want.
12 It will result in hundreds of new environmental projects
13 that benefit residents and businesses in Richmond and
14 North Richmond. It also creates local clean-energy
15 jobs. This approach has been found compliant with AB
16 32, arguably the most aggressive climate-change program
17 in the world by the Air District and by CARB.
18 Additional greenhouse-gas conditions are unwarranted and
19 unacceptable.

20 Opportunities -- opponents are also attempting
21 to spread fear and mistrust in the community regarding
22 air emission and health impacts. They say that air
23 quality is bad and getting worse. Their message is
24 misleading and disingenuous. The facts and the data in
25 the EIR show the real story. According to the Air

1 District, health risks associated with toxic air
2 contaminants have significantly improved locally since
3 1990 and are projected to continue doing so. And with
4 the modernization project, the health risk from toxic
5 air contaminants is further reduced for our closest
6 neighbors.

7 Those opposing this project are using
8 percentages instead of actual amounts to scare residents
9 about the project. For example, opponents are alarmed
10 by the potential annual increase of 53 percent in
11 chlorine emissions. This possible increase amounts to
12 approximately one pound per year, which is a fraction of
13 the amount of chlorine in an Olympic-sized pool like
14 Richmond Plunge.

15 Opposition is also trying to convince the
16 community that our project is a large expansion project,
17 increasing our ability to process heavy gas oil in our
18 FCC. This unit has its capacity limited by a permit set
19 by the Air District; and we are not changing that limit.

20 The opposition also says that
21 fine-particulate-matter emissions will increase at the
22 refinery and that we are operating this unit outside of
23 its permitted limits.

24 Both of these claims are untrue. The Air
25 District has definitively stated that Chevron is in

1 compliance with its permit. Furthermore, the project
2 and conditions proposed by the City staff already
3 include unprecedented oversight, verification, and
4 accountability that will be conducted by the Air
5 District and other appropriate agencies. New conditions
6 that prohibit our FCC from operating within its existing
7 permitted limit are unwarranted and unacceptable.

8 Opponents assert that switching to higher
9 sulfur feed will lead to catastrophic incidents. We
10 strongly disagree again with this assertion; and so does
11 the EIR. In fact, this project is the best investment
12 we can make to become more reliable, more safe; and that
13 includes many unprecedented safety elements. The City's
14 consultant staff and safety agencies in aggregate have
15 recommended 50 project conditions to ensure any
16 potential impact from running higher sulfur feed stocks
17 are mitigated. Chevron has accepted every one of them.
18 Additional safety conditions are unwarranted and
19 unacceptable.

20 In closing, some say that this \$1 billion
21 modernization project is not enough. We strongly
22 disagree. This is an extremely large and important
23 investment in the refinery and in this community. It is
24 a great project and it has gained the support of more
25 than 10,000 Richmond residents, as shown on the banner

1 that was on the side earlier tonight. The time to
2 approve the modernization project is now.

3 Thank you for your attention.

4 MR. ROJAS: If our speakers in opposition
5 would come up, Jeff Kilbreth and Greg Karras. You'll be
6 sharing ten minutes.

7 MR. KILBRETH: Good evening. I'm -- my name
8 is Jeff Kilbreth. I'm with the Richmond Progressive
9 Alliance and I live half a mile from the refinery.

10 Our friends at Chevron just now are
11 suggesting, or implying, that anyone who doesn't support
12 the project is opposed to the project. Well, that's not
13 true. I'm wearing a "Support Modernization" sticker.

14 This is not about being for it or against it.
15 It's about doing the best possible modernization project
16 for Richmond and getting on the right course with
17 Chevron. So before I go into the specifics, let me just
18 reiterate what others have already said. The EIR was a
19 terrific piece of work and the process has been a
20 terrific process. We know so much more about the
21 refinery and how it works and what the trade-offs are
22 and what the choices are and what's reasonable and
23 what's not reasonable than we did before. It's
24 incredible. It's just great. It's a terrific step
25 forward in terms of transparency and

1 information-sharing. But at the end of the day we have
2 to make some decisions and we have choices.

3 So we support modernization and we support
4 modernization being approved immediately. We'd love to
5 see the project approved this month and get people to
6 work and get this thing going.

7 Secondly, we support certifying the EIR. It
8 has a few holes. There's some questions that didn't get
9 answered. But all in all, it's a terrific piece of
10 work. And we can get those questions answered without
11 going to court.

12 Thirdly, we support certifying -- approving,
13 permitting -- Alternative 11, what the Attorney General
14 approved. And we have some conditions that we think are
15 really important.

16 First of all -- and these are at a high level,
17 more detailed versions are available -- Chevron needs to
18 have the same attitude towards emissions reduction that
19 it is now demonstrating so clearly with safety. Reading
20 everything about safety in the EIR is a tremendous
21 breath of fresh air. I mean it really makes you feel
22 confident that Chevron took the fire very seriously and
23 is doing a whole range of things to improve both
24 transparency and operational safety.

25 On emissions improvement, it's not the same.

1 Chevron's attitude is more, We'll do the minimum. We'll
2 do what we have to. We won't violate any laws. But
3 there's nothing in it that smacks of continuous
4 improvement or leadership.

5 If Chevron was really Richmond Proud, Chevron
6 would want the Richmond refinery to be the best refinery
7 in America. And as we all know, this modernization
8 project is only modernizing 20 or 25 percent of the
9 refinery and its purpose is to allow Chevron to burn
10 higher sulfur oil.

11 Okay. So the first question is what's the
12 plan for continuous improvement on emissions reduction?
13 Is it -- do we have a plan that in fifteen years would
14 result in significant reductions from what we have now?
15 And if we don't decide that that's part of the deal
16 right now, when would we ever decide to do that? I mean
17 if not now, when?

18 So I say a condition for improvement -- for
19 approval of Alternative 11 is that Chevron engage in a
20 process of setting modernization goals and emission
21 reduction goals for the next fifteen years that will
22 take us to the best refinery in America.

23 Okay. Secondly, there are many improvements
24 that are mentioned in the EIR and that are mentioned as
25 possible mitigations if they were necessary that simply

1 should be done if Chevron were truly Richmond Proud.

2 For example, why would Chevron only upgrade
3 one tug when it could upgrade six tugs in the next three
4 years? Why would Chevron not bring power to the wharf
5 so that the ships at the Chevron wharf were emitting the
6 same amount of pollution that the container ships in
7 Oakland and Long Beach are emitting? Why can't Chevron
8 dome nine tanks instead of three in the next three
9 years?

10 The list goes on. Why can't Chevron replace
11 all of the carbon-steel pipes that carry 450-degree oil
12 that are over 25 years old in the next three years?

13 So the point here is simply to say that the
14 EIR has identified an enormous number of simple,
15 straightforward improvements that are not disruptive to
16 operations, that don't require shutting down production,
17 that would make progress on emissions reduction and
18 create more jobs.

19 In addition, there are many other things that
20 can be planned and scheduled over the next ten, fifteen
21 years, so we should be concerned about having a plan for
22 those things as well. We don't have to have it all
23 figured out right now. As a condition of approval of
24 this project, we can simply require that there be plans
25 and that those plans be maintained on an annual basis.

1 Okay. I think that in the interest of
2 splitting time . . .

3 MR. KARRAS: Can you give me a time check,
4 Hector?

5 MR. ROJAS: You have three minutes.

6 MR. KARRAS: Three minutes?

7 Greg Karras, Communities for a Better
8 Environment. I'm speaking on behalf of CBE.

9 Let' see. First of all, I spent the last
10 forty minutes listening to the people tell you what
11 CBE's position is. And so maybe I don't even need the
12 three minutes, right? You believe everything they said,
13 don't you? I disagree with all of it, including what
14 your consultants said. There are problems with the EIR.

15 I'm not here to talk about that. This is too
16 important to pass up. Think -- I'm going to ask you to
17 think about -- really think about what happened and
18 where you were and how you felt on the afternoon of
19 August 6th less than two years ago when 15,000 or more
20 of us went to the hospital, when twenty workers almost
21 lost their lives. And tell me if you didn't feel like I
22 wish there was something I could do.

23 This is when there is. And I would say that
24 you may never get a chance like this again. These kinds
25 of projects come along once every twenty years. Stuff

1 doesn't get replaced. That's why there's 80-year-old
2 equipment. That's why there's a 48-year-old hydrogen
3 plant they're replacing. That's why -- I could go on
4 and on. It doesn't get replaced unless there's a public
5 requirement and then things blow up.

6 Now, this EIR is trying to tell you and
7 Chevron is trying to tell you that they can inspect and
8 find every one of those pipes in a thousand miles of
9 piping before it goes, every time. And they'll get it
10 before it goes, every time.

11 I don't think you believe that. I know you
12 shouldn't believe that. It's absolutely unsupported.
13 There is no way that inspecting and monitoring it
14 exactly what went wrong last time is going to fix this
15 problem in the parts of the refinery where they need to
16 replace that pipe.

17 And there's a lot of jobs in that for us. And
18 less of us will die.

19 So there's a condition that we'd like you to
20 add and this is the time to do it. With the climate
21 change -- look, we're going to have as a society, as a
22 world, as a species, we're going to have to transform
23 our energy system. Not tomorrow. We're not talking
24 about closing the refinery tomorrow. Everybody here
25 should know that. We're talking about a just transition

1 for the workers, for all of us, and not to be left
2 behind. So when 99 percent of the this fossil-fuel
3 energy center's resources for that go everywhere else
4 but here for thirty or fifty years, that's blight.
5 That's going to hurt us badly; and it's going to hurt
6 our health because our economy and our health are put
7 together.

8 So this is an environmental justice issue.
9 And there is no reason why you should say it's okay for
10 the EIR analysis to only look at the first ten years out
11 of that fifty. It's absolutely feasible to mitigate
12 longer.

13 We're asking for a small seed money so that we
14 as a community can transform our economy and our jobs --
15 and there's a lot of jobs in this, too; and there's a
16 lot of solar energy; and there's a lot of rebuilding
17 houses -- 12 million a year for the life of the project,
18 way less than Chevron makes. And that's a jobs program.

19 Finally, you heard a lot about what they can't
20 measure. Remember five years ago when they complained
21 about the crude cap and said, No, please. Focus on the
22 output. We can measure everything.

23 They will say anything to get out of spending
24 money. Look in the EIR. There's a measure that Chevron
25 says can meet that limit. That limit says that they're

1 way over it. And when the Air District joins them, the
2 same Air District that just cited that rail yard, you
3 have to act. This is your time. Please do it.

4 CHAIR LANE: Okay. With that -- with that, we
5 are now ready to go to the public speakers.

6 Again, each speaker will be given two minutes.
7 That's two minutes and that's it. I'll ask Hector, when
8 those two minutes are up, to say, "Your two minutes are
9 up." If you don't hear it from him, I'll make sure you
10 hear it from me.

11 Again, I know some folks will probably need
12 translation; and so I will allow for them to have an
13 extra time so that the translate can translate back to
14 us what that speaker is saying.

15 So with that said, remember again what I
16 shared in the beginning of the meeting. Let's be
17 respectful. I'm fine with applause. Just keep it to a
18 minimum so that we can get through all the public
19 comment. And I'll ask Hector -- just, I'm curious how
20 many public spears do we have?

21 MR. ROJAS: Yes, ma'am. We have 130 speakers.

22 CHAIR LANE: Okay. So we have a lot. So
23 let's get started.

24 COMMISSIONER REYES: Madam Chair, are we going
25 to be -- if we move into this hearing tomorrow night and

1 there are speakers who are speaking tonight and we want
2 to make sure we don't exceed our time or their time, how
3 do we get to those questions you want to ask them?

4 CHAIR LANE: Okay. So given that most likely
5 we'll continue this meeting on tomorrow, I will -- so if
6 a Commissioner does have a question of a speaker, I will
7 allow that, with the expectation that that person may
8 not be able to come tomorrow. So if a Commissioner does
9 have a question of a specific speaker, I will allow that
10 for tonight. Just exercise brevity, please.

11 Thank you.

12 MR. ROJAS: Okay. We're going to go ahead and
13 call up groups of ten. As I call out your name, if you
14 can just come up into this section of seating.

15 And, Greg and Jeff, if you wouldn't mind
16 vacating those seats, we'll go ahead and get started.

17 First speaker is going to be Antwon Cloird,
18 Greg Feere, Iris Archuleta, Keith Archuleta, Katrinka
19 Ruk, Dr. Henry Clark, Tim Laidman, Marc Sapir, Saeng
20 Chanthanasak, Sieng Lekthanasuk; and that's our first
21 ten.

22 MR. CLOIRD: Good evening. Antwon Cloird.

23 I want to thank the Planning Commission for
24 giving the community the opportunity to really show up.
25 You know, a lot of people that fights this project don't

1 even live here. The people who live here are Richmond
2 Proud. Chevron is partnering with the people of
3 Richmond. When our own elected people don't partner
4 with an economical engine, which doesn't make sense.
5 But now they're reaching out to the people. You've got
6 to understand. These are the people back here with
7 these Richmond Proud shirts, not these other shirts who
8 don't live here. We live here.

9 So if you don't know your history about
10 Richmond, you can't talk about Chevron. Chevron has did
11 great wonders in the last twenty years with their
12 relationship with the people and the jobs,
13 opportunities. I've worked in that refinery. They are
14 so safe, you mess up in that refinery, you going to walk
15 out the door so fast it's going to scare you. And
16 that's the truth.

17 So I'll be hearing everybody talking. If you
18 ain't never been there, you can't talk about what going
19 if you ain't never been there. You know what I'm
20 saying?

21 It's about those thousand jobs that lost.
22 Y'all don't know. Y'all got a paycheck. We ain't ate
23 in two years. We lost our homes. We lost cars. Our
24 kids didn't get the GI Joe with the Kung Fu grip.
25 That's reality.

1 Come on. I deal with reality. I deal with
2 the population that's coming back to this community
3 that's hurting, that need jobs. They have records.
4 They can't -- they have background checks. As soon as
5 they background check come up, they can't get a job.
6 But you can work at Chevron. And you can make a good
7 living doing it and be proud every day when you go home
8 safe.

9 And the next thing I want to say, they reached
10 out to this community to do some training around with
11 these unions, to these youth. If crime going to go
12 down, you got to have a job to stop crime.

13 MR. ROJAS: That's your time.

14 MR. CLOIRD: Thank you very much.

15 MR. FEERE: Good evening, Members of the
16 Planning Commission. My name is Greg Feere; and I'm
17 here on behalf of the thirty construction trades for
18 Contra Costa County and the 35,000 building tradesmen
19 and women who reside here.

20 Over the last two decades I have probably
21 looked at hundreds of environmental impact reports, some
22 good, some bad, some even ugly. And, you know, what I
23 found is that, you know, be honest with you, I'm not an
24 expert. But we have the opportunity to hire the experts
25 to review these various agreements. And what we did on

1 the Chevron agreement this time, which was different
2 from 2008, we had our experts, who are the best
3 environmental attorneys in the State of California to
4 review this project in its entirety page by page. And
5 it took a long time. And I don't even know if the
6 Planning Commission has that much time to review it in
7 detail -- and the technology.

8 What they found is that this was the most
9 concise, most detailed, most well-thought-out project or
10 environmental impact report that we've ever seen, ever.
11 And that's really saying something. Because, you know,
12 once this project is approved, you've already heard
13 about the thousand jobs -- a thousand construction jobs
14 with somewhere between 2,500 and -- 2,500 secondary jobs
15 that will be applied to this project.

16 The project today -- you know, you heard also
17 in 2008, when these people were laid off -- let me tell
18 you about those people that were laid off. There was
19 1,426 men and women laid off in November before
20 Christmas time. There was no effort at all, especially
21 from the opponents, to put these people back to work.
22 Their families, their children, they suffer. So right
23 now, if you look out here in the audience, put these
24 people to work. Certify this EIR and let's get them
25 back to work.

1 Thank you.

2 COMMISSIONER REYES: Question.

3 MR. ROJAS: Iris.

4 MS. ARCHULETA: Good evening. My name is Iris
5 Archuleta and I'm the CEO of Emerald HPC international.
6 Our company has been in business for over 22 years; and
7 we're proud of the fact that over the years we have only
8 agreed to work with clients who genuinely desire to do
9 work with outcomes that align with our mitigation of
10 developing whole people, healthy organizations, and
11 sustainable communities.

12 We are the planning consultants for Chevron's
13 Richmond/North Richmond Economic Revitalization
14 Initiative. We believed so strongly in Chevron's vision
15 and commitment to revitalize North Richmond and Richmond
16 communities like Parkchester Village and the Iron
17 Triangle that we actually provided 50-percent match
18 against the planning grant. We are not wealthy people,
19 but we wanted to send a very strong message to community
20 and stakeholders that the Economic Revitalization
21 Initiative is a serious effort and that, regardless of
22 the differences between Chevron and members of the
23 Richmond community, when a person or an organization
24 attempts to do the right thing for people and
25 communities, we must support that.

1 We feel the same way about the modernization
2 project and urge you to join us in supporting this
3 effort by approving the EIR. This is an effort that is
4 right for this community and if done correctly will have
5 future impact on generations to come.

6 Thank you.

7 MR. ROJAS: Keith.

8 MR. ARCHULETA: Good evening. My name is
9 Keith Archuleta and I'm president of Emerald HPC
10 International.

11 As consultants to the Chevron Richmond/North
12 Richmond Economic Revitalization Initiative, we
13 understand the importance of initiatives that positively
14 impact the community and the quality of life for the
15 region. Instead of the old lose/lose politics and
16 us-versus-them politics, we support win/win efforts that
17 benefit the residents, workers, and families in the
18 community. We therefore urge you to support the
19 modernization project because of its ultimate positive
20 impact on local jobs, the environment, public safety,
21 and the economic development of not only Richmond/North
22 Richmond but the impact it will have on the entire
23 region.

24 We urge you to certify this EIR. Your City
25 staff and the experts and the community have done a

1 great job, way beyond even what is required by AB 32.
2 So we urge you to support the EIR and ultimately the
3 modernization project.

4 Thank you.

5 MR. ROJAS: Katrinka.

6 KATRINKA RUK: Good evening, Chair Lane,
7 Commissioners, and staff. My name is Katrinka Ruk. I'm
8 a resident of Richmond. And I'm speaking on behalf of
9 myself tonight as a resident and also as the executive
10 director of the Council of Industry.

11 Sorry. I got this cold thing going on here
12 too.

13 First of all, I want to thank you all for
14 taking the time in diligently reviewing a very lengthy
15 and detailed document and presenting well-thought-out
16 questions to the consultants and the staff. Clearly,
17 it's a document that probably most of us in this room
18 have not had an opportunity to really go through. And
19 as the document may have tested many of our knowledge
20 base, the staff and consultants have done an exemplary
21 job in analyzing the EIR and responding to your
22 questions as well as to staff's and public's questions.

23 So given that review, our organization and I
24 want to ask you and we want to support the certification
25 of the project for a lot of reasons. One, as a resident

1 I feel much better and safer if a refinery like Chevron
2 were to modernize. So I mean I think there's no doubt
3 about that, that we all appreciate that. I think you
4 all need to focus that a lot of the comments on what
5 people are asking for passionately do not have anything
6 to do with this EIR. So as Planning Commissioners I ask
7 that you really focus in on the EIR and look at what the
8 EIR encircles.

9 In regards to what Chevron's doing, they're
10 investing over a billion dollars in addressing a lot of
11 these issues by putting in new controls. They're
12 putting in piping that's resistant to corrosion, which
13 addresses the issues that we saw, or that other people
14 brought up. In addition to that, they're also
15 responding to community needs, not only by providing the
16 much-needed jobs that we do need for our residents
17 and -- for people who are passionate about this but
18 don't live in Richmond --

19 MR. ROJAS: That's your time.

20 MS. RUK -- I ask you to come and buy some
21 property here and live with us.

22 Thank you.

23 MR. ROJAS: Dr. Henry Clark.

24 DR. CLARK: Good evening, Madam Chair and
25 Members of the Planning Commission, Dr. Henry Clark,

1 executive director of the West County Toxics Coalition,
2 member of the North Richmond Municipal Advisory Council.

3 I want to say that I'm here to support the
4 modernization project under the conditions that we adopt
5 the recommendation that the Attorney General mentioned
6 as being the most environmentally sound or best
7 alternative. And the reason I said that is because of
8 the fact that the City of Richmond has adopted an
9 ordinance, a law, saying that they're going to operate
10 by the principles or the meaning of environmental
11 justices; as well as the City Council said they're going
12 to operate by the precautionary principle. So
13 consistent with that, you need to adopt the best
14 alternative. And I believe that is the one that the
15 Attorney General is recommending at a minimum.

16 And many of these suggestions that the
17 Richmond Environmental Justice Coalition mentioned, I
18 don't particularly see a problem with those
19 recommendations either.

20 I would also say that this time around Chevron
21 has taken a different approach. They have reached out
22 to the North Richmond community, Parkchester Village,
23 communities on the front line; and they have been
24 receptive to listening to the community and trying to
25 come up with a modernization project this time that's,

1 to me, much better than the one that we were dealing
2 with last time, where the negotiations with the
3 environmental justice group broke down around levels of
4 greenhouse-gas increases and we walked out of those
5 negotiations --

6 MR. ROJAS: That's your time.

7 DR. CLARK: -- I'm understanding now there's
8 no net increase in greenhouse gases. And with all the
9 other improvements this --

10 MR. ROJAS: Sir, that's your time.

11 DR. CLARK: -- best project that I've ever
12 seen. So thank you.

13 MR. ROJAS: Tim Laidman.

14 MR. LAIDMAN: Thank you. I feel like I won
15 the lottery being in the first ten here to speak tonight
16 and I hope you can go quickly.

17 My name's Tim Laidman. I'm a member of the
18 Richmond Progressive Alliance and I'm also a council
19 member for the Green Party of Contra Costa County.

20 I support the recommendations that were made
21 by the Richmond Environmental Justice Coalition and
22 things that were said by the RPA and the Citizens for
23 Better Environment at the beginning of this thing.

24 There's not a dichotomy of it's either the
25 environment or it's jobs. The environment will produce

1 more jobs if we respect the environment and we take care
2 of the things that we need to do to survive on this
3 planet. We'll create a lot more green jobs, there will
4 be lot more union jobs and strengthening that.

5 And strengthening those requirements and
6 making it the best possible plan that we can, it will be
7 a benefit in every respect. It will be saving lives.
8 It will be saving the environment. It will be creating
9 jobs. It'll be giving good jobs to residents of
10 Richmond. There'll be training programs. There will be
11 community benefits. There will be reductions in
12 greenhouse gases.

13 But we need to be as aggressive as possible to
14 reduce greenhouse gases. And until the Attorney General
15 said you put these things together in Alternative 11, it
16 wasn't going to make it compatible with AB 32. I
17 strongly support those improvements and anything else
18 that can be done to make this a workable plan and do the
19 best job for the environment, the people, and everyone.

20 Thank you very much.

21 MR. ROJAS: Marc Sapir.

22 MR. SAPIR: Hi. Thank you. You obviously
23 have a very important trust here from the public in
24 making this decision. The Planning Commission in this
25 case is dealing very directly with environmental safety

1 and public health.

2 As a physician, a primary-care physician with
3 a degree in epidemiology, I am very concerned about
4 environmental issues and safety issues. I reside in
5 Berkeley. I was in my home in North Berkeley at the
6 time of the fire and I was expecting to interview
7 someone about her husband dying from pancreatic cancer.
8 We don't know what causes that at all. And he's a
9 friend, John Scherer, who died suddenly.

10 And she called and told me she couldn't come
11 because the bridge was closed. And I looked out the
12 window. I saw a little bit of smoke. I said, "Oh, it's
13 no big deal. Come on."

14 She said, "No, I can't. They closed the
15 bridge."

16 But, you see, we all make mistakes. And I was
17 so wrong about what was going on at that time.

18 And the EIR is important. There's a lot of
19 very important valuable information in the EIR. But
20 what we know, as the presenter said, a lot of this is
21 speculative projections. And, therefore, in
22 epidemiology and when you're dealing with public health
23 and safety, you have to deal with basically worst-case
24 scenarios. And if you deal with worst-case scenarios,
25 you're going to do the best you possibly can for

1 prevention. But still, we kept lead in automotive fuel
2 for 50, 75 -- whatever number of years. We know that
3 benzene causes leukemia; and it's in the gas. But we're
4 a petrochemical-based culture. And society is going to
5 continue to go on. But we must actually try and do the
6 best we possibly can. And that means, I think, what the
7 CBE is saying: Accept the Attorney General's
8 recommendations; accept the most stringent controls and
9 supervision over the process when you improve the
10 modernization project.

11 Thank you.

12 MR. ROJAS: Saeng.

13 And while you go up there, I'm going to go
14 ahead and call up the next ten speakers after you. So
15 if you just can go ahead and take a seat as I call up --

16 MS. CHANTHANASUK: [through interpreter] My
17 name is Saeng Chanthanasuk. I live here in Richmond
18 nearby the Chevron refinery.

19 What I want to ask here, Chevron, is that
20 Chevron to operate the safe and healthy, because Chevron
21 explosion happened many times. In 1993 when it happened
22 my family and myself, they are sick until today. And
23 then two years go explosion happened and send many
24 people to hospital. Those are the concern that we want
25 to see that Chevron need to help the community to make

1 sure that those do not happen. And that's only we ask
2 for, that they will operate safe and healthy for the
3 worker and also community like us.

4 It's not only me have asthma in the family.
5 My son and my daughter and they are adult son and adult
6 daughter, but they still have asthma. We have to take
7 medicine every day. We have to take care of ourselves
8 every day.

9 Thank you.

10 MR. ROJAS: So I just wanted to clarify for
11 those of you that are going to need translation, we're
12 going to go ahead and offer an additional minute for
13 speaking.

14 So the next ten speakers are -- and I'm not
15 sure I saw her up here, Sieng Lekthanasuk, Kae Linh
16 Suechao, Vong Chai, Dom Chanthanasuk, Khamsaeng
17 Meosaeng, Lipo Chanthanasuk, Thongsaun Phuthama, Naomi
18 Williams, Bea Roberson, Deborah Dyer, Teri Katz.

19 And if we could have four first speaker, Kae
20 Linh Suechao.

21 MS. SUECHAO: [through interpreter] Her name
22 is Kae Linh Suechao. She's in support with
23 modernization. She is an 80-year-old senior; and she
24 would like to live longer and in a healthier
25 environment. So she does support it, but pleased that

1 they change a lot of the things that needs to be
2 replaced or changed.

3 And talking about what the explosion that
4 happened on August 6th, at the time I was in my garden.
5 I didn't even know there was an explosion. So I was
6 there outside planting my plants and didn't know I was
7 supposed to go in and shut. Not knowing that it was an
8 explosion and from that that could be the cause. But I
9 ended up being hospitalized for about a week. And right
10 now I'm still not really well.

11 That would be all I have to share.

12 MS SUECHAO: [through interpreter] Her name is
13 Kroy Saeng Suechao. She just want to thank you all the
14 Commissioners for here listening to our opinions. And
15 she does support the modernization as well, but just
16 again do ask that we fix what we need to fix so all the
17 people working here or in Chevron or us, people
18 community who lives in Richmond, that we all still be
19 safe and live healthier and hopefully a longer life for
20 her situation.

21 That would be all.

22 MR. ROJAS: Okay. Vong. Vong?

23 MR. CHAI: [through interpreter] Hi. My name
24 is Vong. I live here in Richmond. I thank you to see
25 all of our Richmond community member in here and

1 everybody here. We all talking about safety and healthy
2 community. We talking about Chevron refinery, the
3 chemical. They use a lot of chemical. I don't know
4 what kind of chemical, but I know that they use a lot of
5 chemical.

6 My wife just passed two months ago. She had
7 asthma. She had all kind of health issues. And she
8 suffered for many, many years. And it suffered me too
9 because I have been taking care of her. But now she
10 passed away.

11 So what I want to ask is that Chevron and that
12 our community look into how we can leave here in healthy
13 and safety. Those are only what we ask. So I don't
14 want to see anyone die like my wife. And before she
15 died she suffered a lot.

16 Thank you.

17 MR. ROJAS: Dom.

18 Next one? All right.

19 Khamsaeng.

20 Lipo?

21 MR. CHANTHANASAK: [through interpreter]

22 Hello. My name is Lipo. I am the resident of Richmond
23 here. I am also Khmu. I've been the leader of APEN
24 many, many year.

25 What I want to speak out today is the concern

1 we have -- our community, my family, but also the
2 government also who are also concerned about our safety
3 here. We all here in Richmond we want clean, we want
4 healthy, and we don't want anymore dirty. We don't want
5 any unhealthy. If we have healthy environment, we have
6 clean air. We can breathe clean air. We can live
7 healthy. We all will be healthy in our physical and
8 also mental also health. And we want to see everyone
9 healthy and happy in our community here.

10 We are ask Chevron just to work with us in the
11 community, just to help, that Chevron should do
12 everything that they can do to make their operation
13 healthy. And they should replace all the equipment
14 that's old and that is not healthy. So then we can all
15 be scared and know that we're healthy.

16 MR. ROJAS: That's your time.

17 MR. CHANTHANASAK: We just want Chevron to
18 look into the community healthy and safety but also the
19 worker who work there healthy and safety.

20 Thank you.

21 MR. ROJAS: Thongsoun.

22 MR. PHUTHAMA: [Through interpreter] My name
23 is Thongsoun Phuthama. I'm a Laotian refugee who
24 settled here in Richmond since 1975. Now I've been with
25 the APEN.

1 I also want to let you know that I love
2 Richmond. I love all the people in Richmond. I love
3 the community in Richmond here. And also I love myself.
4 I love and also sincere respect all of our community
5 members and also the official Richmond here, all the
6 people who care for the Richmond community, all of us.
7 We just want you to understand our concern, our worry.
8 And why we are concerned why we worry, can always said
9 but you don't do what you said, because we have seen
10 history in the past that have caused us concern, have
11 caused us worry about your plan now, because how you
12 going to assure that we are not going to have a problem
13 that we see in the past, kept seeing it, seeing it. And
14 we want you to practice, not just say.

15 MR. ROJAS: Naomi Williams.

16 MS. WILLIAMS: Good evening. My name is Naomi
17 Williams and I do live in the City of Richmond and I am
18 also a concerned citizen.

19 First, let me get the record straight.
20 Chevron is not paying me. I'm paying Chevron. Every
21 day I go and put gas in my car, so maybe that's okay.

22 Let's do some common sense. A new room is
23 much better than an old room. A new house is much
24 better than an old house and safer. So let's stop
25 politicking. And people start people-ticking, getting

1 them jobs, and getting them back to work. The longer we
2 stall, the more dangerous this situation becomes. No
3 matter what our differences are, it is better to be safe
4 than sorry. When the big one comes, would you rather be
5 near an old tank or a new, modernized tank? It's
6 coming, so we just don't know when. So please use
7 common sense, at least for once.

8 Thank you. And approve this project.

9 MR. ROJAS: Bea Roberson.

10 MS. ROBERSON: Good evening. My name is Bea
11 Roberson.

12 And as you have heard and will hear from the
13 voters of Richmond, not the people who don't even live
14 here, like the CBE and ACE and many of your RPA people,
15 we, the voters of Richmond, want this project to move
16 forward. The construction people want to go to work.
17 And we're very grateful to Councilman Butt for
18 originating the mechanism to go around you.

19 In spite of all the half truths and the plain
20 lies that the CBE is spreading, let's get this project
21 going. Put our people back to work. If it was true
22 that the CBE really cared about our health and welfare,
23 the CBE people would be working on the fumes and
24 pollution spewed out by the trains and 18-wheelers, in
25 addition to whatever Chevron is doing. They're really

1 responsible for 85 percent of the pollution that is in
2 Richmond, not Chevron.

3 The CBE -- is the CBE going to pony up \$30
4 million to help the people of Richmond, the residents of
5 Richmond, reduce greenhouse gases? I hardly think so.
6 When they have failed and this project is moving on,
7 you'll never hear from them again, fortunately.

8 Chevron, not CBE, is even working on the other
9 pollution-makers, not the people who claim to care about
10 us and claim to be "us" and "we." There's no "us" and
11 "we" from people who are from New Jersey. We're not --
12 all you're interested in is stalling the project.

13 But thank you, Councilman Butt, for fixing so
14 that you can't. Let's put our people to work and move
15 on.

16 MR. ROJAS: Deborah Dyer.

17 MS. DYER: Hello. I'm Deborah Dyer. I am a
18 resident and a worker here in Richmond.

19 I am recommending that you approve this
20 modernization. I'm back to the common sense. I work in
21 the arts, so I have not read the entire document, but it
22 seems to me that something that is new, efficient, and
23 uses modern technology has to be better than something
24 that's 55 years old.

25 So I'm fairly new to the area and I realized

1 very quickly what a large footprint Richmond has and a
2 large footprint that the refinery shadow overcasts here.
3 I firmly believe that this is for the benefit of
4 Richmond. Please approve.

5 MR. ROJAS: Teri Katz. And we're going to go
6 ahead and call up the next ten speakers after her.

7 Jan Mignone, Grant Tokiwa, Kevin Lewis,
8 Timothy Russell, Charles Braxton, Silvia Ledezma, Lisa
9 Raber, Scott Sexton, James, Griggs, and Rita Grigsby.

10 Teri.

11 MS. KATZ: There's two of us speaking.

12 MR. ROJAS: You're going to share two minutes?

13 MS. KATZ: My minutes.

14 MR. ROJAS: Okay. Go ahead.

15 MS. KATZ: Good evening, Planning Commission
16 Members and Richmond community. We, the three of us,
17 are here representing Richmond Trees. And we're an
18 organization, a grass-roots organization that was
19 founded in 2011. And we've been working in partnership
20 with the City of Richmond and several community groups
21 to grow the urban forest.

22 And we are here tonight speaking in favor of
23 the adoption of this plan. We're here to address the
24 mitigation and the health-and-wellness component of the
25 mitigation.

1 So I just want to talk about trees in a broad
2 sense, because a lot of what we're heard tonight is
3 about what Chevron is doing in terms of the refinery
4 modernization, but we want to address what we can do as
5 a community and as a City to address the pollutants in
6 the air and further reduce greenhouse-gas emissions as
7 part of this project and the mitigation money that is
8 coming to the City to work with it.

9 So trees, as we all know, are selfless. They
10 don't ask for much -- a little water and some space to
11 grow. They're happy. They don't complain. They just
12 need to be planted in the ground and taken care of.

13 And we all have pleasant memories of trees. I
14 know I do, making forts and swinging on tree swings and
15 playing hide-and-seek. We know the birds sing in the
16 trees. We like to listen to them. We know that we like
17 the sound of wind rustling through the trees.

18 Some trees are magical. There's trees of life
19 and trees of knowledge. And I think we've all had the
20 experience of allowing the beauty and wonder of a tree
21 to calm our hearts and lift our spirits.

22 At the same time there's 5.8 million tons of
23 carbon dioxide that's emitted annually in Richmond. And
24 Richmond has a higher-than-normal incidence of
25 pollution-related health problems and has been

1 designated an impacted community. So it's recommended
2 that a healthy city have at least a 40-percent tree
3 canopy and Richmond's is 10 percent.

4 And there are many economic, environmental,
5 and social benefits that are critically important in the
6 planting of trees, such as when people live on
7 tree-lined streets they're more likely to spend time
8 outside. We know that crime goes down and property
9 values go up when there's more trees on the streets.
10 And trees clean the air.

11 So the bottom line is that we have pollution
12 in Richmond and a golden opportunity to turn it around
13 using these mitigation funds.

14 And Richmond needs trees -- lots of them.
15 There are currently about 22,000 trees in the city. And
16 a recent report that was commissioned by the City shows
17 that there's space for 13,000 more trees on City
18 property. That's a lot of trees and we'd like to see
19 them all planted with this mitigation money. I think we
20 owe it to ourselves, our children, and generations to
21 come to leave a legacy of health and do everything
22 possible to protect and nourish our planet.

23 UNIDENTIFIED SPEAKER: Just to pick up where
24 Teri left off, there's a lot of discussion tonight about
25 whether this modernization program is going to make

1 Richmond unhealthier. And I think we should be looking
2 at this as an opportunity by using this community-based
3 greenhouse-gas reductions program EIR Section 4.8 to
4 make it actually a healthier city.

5 So thank you. The time is now. We are
6 forever grateful. And thank you for listening.

7 MR. ROJAS: That's your time.

8 Grant Tokiwa.

9 MR. TOKIWA: Good evening. My name is Grant
10 Tokiwa. Want to let you guys know that I am not happy
11 to be here tonight at Kennedy High, Richmond High, class
12 of 1979. I lived here for 32 years. I'm a retired fire
13 captain from the City of Vacaville. I now work as a
14 battalion chief. I started on March 8th this year.

15 Here at Kennedy High, I did have a girlfriend
16 and she was the one that eventually introduced me to my
17 wife of 21 years; so I guess I am happy to be here at
18 Kennedy High.

19 I have family. I have friends. My family --
20 my brother Mark is here. My friends and my coworkers
21 that are here, what I want to let you know is I am
22 invested in both partners of this issue, the City of
23 Richmond, the people that live here, and the refinery.
24 I would highly, highly recommend that you do push this
25 modernization forward for a cleaner and safer Richmond

1 and cleaner and safer refinery.

2 Thank you.

3 MR. ROJAS: Kevin Lewis.

4 MR. LEWIS: My name's Kevin Lewis and I am a
5 graduate of Kennedy High School. I grew up right here
6 in Richmond, 1972 when my mother first came from San
7 Francisco -- mother and father.

8 But through out Richmond I've seen all of it.
9 I mean the good and the bad. And Richmond was fun when
10 we grew up. It was Standard Oil back then. And we came
11 up in Richmond when everything was prosperous.
12 Everybody had work. It was all good. Now, with the
13 environmentalists coming in and stopping work, I just
14 don't understand where they get the power. Chevron is
15 ten times bigger than them, so where does that happen?
16 I always thought Standard Oil -- Chevron was giant. But
17 these people come in from, what, Berkeley. I just
18 talked to a couple of them. They come in from Berkeley.
19 They come in from Oakland and they don't even live here.
20 But they want to come in and tell you what to do with
21 something that belongs to you.

22 If you got a problem with your car and it cost
23 you, let's say, 500,000 to fix it, you're going to fix
24 parts of it until you get it done. If that's the way
25 Chevron want to fix their car that's their car. Let

1 them fix it the way they want to. And you just mind
2 your business and stay out of it.

3 MR. ROJAS: Timothy Russell.

4 MR. ROJAS: All right. Seeing he's not here,
5 Charles Braxton.

6 MR. BRAXTON: Well, good evening and thank you
7 for this opportunity. I've been an ambassador of
8 supporting our local community for over the last 26
9 years. During this time I've been blessed with a
10 variety of opportunities to support both the City of
11 Richmond and the Richmond refinery. By volunteering my
12 time and resources, I and my collective others have been
13 able to support the Richmond Rescue Mission Center. We
14 support our annual food drive, generating over
15 300,000 pounds of food for those in need. We also
16 support the Richmond Food Bank children-in-need monthly
17 distribution activities, and as an instructor for the
18 Richmond refinery-sponsored regional occupational
19 program developing marketable skills for both local
20 adults seeking future employment.

21 As an employee I actively support and model
22 our safety culture both as a member of our Richmond
23 refinery incident/injury-free leadership team and also
24 as a mentor supporting both our new hires and our
25 contractors who support our facility.

1 It's important to acknowledge that the
2 effectiveness and the impact of our refinery safety
3 orientation was just recently recognized by our county
4 assessment representatives stating that it was the best
5 presentation in their 20-plus years of experience in the
6 field.

7 I love my job and the positive impact it has
8 on our safety culture both within and outside the gates
9 of the refinery. I know that I create and manage a safe
10 and reliable workplace. My wife, my three children, my
11 friends and neighbors depend on me to ensure this
12 happens each and every day.

13 Our safety culture thrives on the premise that
14 we are all accountable -- everyone in the room, everyone
15 at the table, and everyone outside of this facility. We
16 have a responsibility for operating a safe --

17 MR. ROJAS: That's your time, sir.

18 MR. BRAXTON -- and I'll like to just close in
19 thanking you guys for the many opportunities that we
20 have collectively achieved both inside and outside the
21 gates.

22 Thank you.

23 MR. ROJAS: Silvia Ledezma.

24 MS. LEDEZMA: Good evening, Planning
25 Commissioners. I'm Silvia Ledezma, Richmond resident.

1 I worked as a scaffold builder and carpenter in various
2 refineries throughout Contra Costa County and I also
3 work at Chevron. Some of my fellow brothers and sisters
4 here the same. I worked in various units -- hydro
5 cracker, co-gen, coker, sulfur unit.

6 And we work safe. We work safe because we are
7 part of the labor standards labor protections. And we
8 also have safety standards inside the refinery
9 throughout our contracts. And I believe that people --
10 Richmond residents, along with the rest of people that
11 are out of work they should deserve another chance and
12 they should come back to work. And you need to consider
13 the modernization because this units need to be replaced
14 to have a safer environment and to avoid, you know,
15 accidents to happen. So I think you should really think
16 about it because it's going to improve the quality of
17 residents here, improve the quality of any worker who is
18 going to have a better standard of living. And it is
19 going create healthcare benefits, pension annuity -- you
20 name it. So please support it.

21 Thank you so much.

22 MR. ROJAS: Lisa Raber.

23 MS. RABER: Hello. My name is Lisa Raber and
24 I work at the Chevron refinery and I live right here in
25 Richmond. I'm a chemical engineer and in my current

1 role at the refinery I help ensure the refinery complies
2 with the California mandatory reporting of greenhouse
3 gases and the AB 32 cap-and-trade regulation. I deal
4 with the technical aspects of the emissions every day
5 and I still choose to work and live here in Richmond.

6 When I first accepted a job with Chevron five
7 years ago, I was not sure if I would like the refinery
8 or even if I would stay there for long, because I had
9 originally wanted to work in a different industry. Only
10 a couple months into the job I realized I could no
11 longer dream of working anywhere else because I loved
12 working there so much.

13 Today I recruit young engineers to join
14 Chevron; and the one question I am always asked is,
15 "What is the best part about working for Chevron?" And
16 I always give the same answer, "The people." The
17 culture is inclusive, kind, and caring. With that comes
18 a high regard for safety, which really is everyone's top
19 priority. We are a family and we want to ensure
20 everyone goes home to their real families the same way
21 that they came in.

22 To me, modernization means a safer place for
23 me to work and a safer place for my coworkers to work.
24 Three years ago my husband and I bought a house and
25 moved here to Richmond. Since then we have come to know

1 our neighbors both across the street and across the
2 City. It is clear that the members of the City care
3 about each other and are proud to live here. This is
4 truly a community.

5 To me, modernization means a safer place for
6 me to live and safer place for my neighbors to live.
7 When I wear my Chevron shirt out in the community, I
8 usually get stopped and asked, "Do you know so and so?
9 He works for Chevron." That makes me very aware that
10 Chevron is a part of the fabric of this community and of
11 this city. I am proud to be associated with both.

12 I encourage you to certify the EIR of this
13 great project that will keep my family, my coworkers,
14 and my neighbors safe.

15 Thank you.

16 MR. ROJAS: Scott Sexton.

17 MR. SEXTON: Good evening and thank you for
18 your audience. My name is Scott Sexton. I work for
19 Harbor Mechanical. We have a local office right here
20 off Canal Boulevard, where we employ local trade-union
21 employees, craft labor, and local supervision. And I
22 can only speak about my experience in construction and
23 my observations. I'm going to refrain from commenting
24 on the EIR, because clearly there are other experts in
25 the room.

1 But over a 35-year career in construction,
2 I've had opportunity to work in several regions in the
3 United States, over multiple different industries with
4 leading industry owners on several occasions and some
5 overseas. And my observation is, what I see with the
6 Chevron safety values and culture, it's second to none.
7 I'm impressed with the safety culture and value that I
8 see there.

9 The local workforce that we have here is also
10 second to none. I've had opportunity to witness the
11 work, the skill, and the training that's possessed by
12 the local workforce. And it's high quality, second to
13 none, like I said.

14 The safety aspect of the work that goes on at
15 the plant, I have a personal commitment to my family to
16 go home safe every day. It's important to me. I owe
17 them that. And I also have a professional safety
18 commitment to all the people that work at Harbor
19 Mechanical and all the people that are in the area that
20 we touch and affect.

21 So, in summary, this project has all the
22 ingredients for success. It's got an owner that's
23 committed to the success, contract partners that are
24 committed to the success, and the local workforce that's
25 ready to execute the project. So my challenge is if

1 this project --

2 MR. ROJAS: That's your time.

3 MR. SEXTON: -- isn't approved now, then when?

4 Thank you.

5 MR. ROJAS: James Griggs.

6 MR. GRIGGS: Good evening. My name is James
7 Griggs and I am the senior labor-relations specialist at
8 the Chevron Richmond refinery.

9 I've been at the refinery for about two years
10 now; and in my role I help with the hiring of local
11 residents who have dreams of long careers at the
12 refinery. I have seen the good work that Chevron does
13 in the local community. And myself I participate in the
14 community outreach at the Greater Richmond Interfaith
15 Program and also the Bay Area Rescue Mission.

16 Working in the Richmond refinery and working
17 out in the community gives us a sense of pride and the
18 folks that we help in the local community are certainly
19 appreciative of the work that we do in the community.

20 I believe the modernization project is vital
21 to the future viability of the refinery and the
22 continued support of Chevron to the local community. I
23 love my job at the refinery and I believe the refinery
24 is good for the local community. And I'm here tonight
25 to ask you for your support of the modernization

1 project.

2 Thank you.

3 COMMISSIONER REYES: Madam Chair.

4 MR. ROJAS: Rita Grisby. Followed by Rita is
5 going to Barbie [sic] Hathaway, Brandon Hancock, Mark
6 Ayers, Michael Davenport, Christian Dowell, Sherwin
7 Harris, Angelina Faggett, Jason Gallia, Kristin
8 Connelly, and Marena Brown.

9 MS. GRISBY: Good evening, Planning
10 Commission. My name is Rita Grisby and I work at
11 Chevron's Richmond refinery as the hiring and recruiting
12 coordinator for operations and maintenance.

13 My job is hiring and recruiting coordinators
14 to coordinate the hiring activities such as
15 administering the pre-employment test and interview
16 scheduling. In order to attract a diverse pool of
17 applicants, my team and I maintain relationships with
18 Richmond Build, military and college career affairs, the
19 regional occupational maintenance and operator programs.

20 My team, along with public affairs, takes
21 great pride in making certain that we support the local
22 economy in Richmond by notifying them firsthand when
23 posting for operator or maintenance trainee jobs we will
24 be posting.

25 I love my job. I take my role very seriously

1 because I feel I help to make a difference for someone
2 to get a job and put food on their family's table,
3 provide education for their children, or buy their first
4 new truck or car.

5 What the modernization project means to me is
6 one-thousand-plus construction jobs for people who
7 really need to work, providing the residents of Richmond
8 and my coworkers a newer and cleaner environment and
9 most important a safer one. It is good for the
10 community. It is good for the refinery. And we need to
11 make it happen now.

12 Thank you.

13 MR. ROJAS: Barbie Hathaway.

14 MR. HATHAWAY: Good evening. 9:05, not too
15 bad, huh? You guys are doing great.

16 Listen, my name is Barrie Hathaway. I'm the
17 executive director of the Stride Center. And we are a
18 nonprofit organization that's been serving in this
19 community for 15 years. And what we do is we help very
20 low-income men and women in this community to get
21 trained up and prepared for and placed in jobs. So we
22 spend all of our time understanding the devastating
23 impact of joblessness and poverty in this community and
24 for individuals and for their families in the
25 communities that we work in. We see dramatic negative

1 effect of joblessness. We see homelessness, hunger,
2 dropout rates in schools, poor school performance. You
3 name it, the list goes on and on and on.

4 And Chevron has done a good job of helping to
5 fund nonprofits in this community to provide services
6 for those people who are not working and can't provide
7 for themselves. But jobs -- Senator Byron Dorgan, I
8 think, said it the best. He said, "There's no better
9 social program than a good job." And the fact of the
10 matter is that when we create jobs in these communities,
11 first of all, that money goes directly to the
12 individuals who need it, which as a nonprofit guy, I'd
13 say let's do that instead. I would love it if you'd put
14 me out of a job by creating a lot more jobs in this
15 community.

16 But we know that the best thing we can do for
17 this community to alleviate so many of the bad parts of
18 what's happening in Richmond are to help people go to
19 work. And this project is going to do that in a very
20 meaningful way. So I'm here tonight to ask you to
21 approve this project.

22 Thank you.

23 MR. ROJAS: Brandon Hancock. Brandon.

24 MR. HANCOCK: My name is Brandon Hancock. I'm
25 with Local 16 insulators.

1 This sounds like to me everybody coming to an
2 agreement to get this thing started. I'm not sure of
3 what we're waiting on, but our community is suffering
4 from it. I think it will lower the crime rate. There's
5 kids at home right now just probably graduated, 18 years
6 old, came up in a rough lifestyle, probably right now
7 looking for a car to break into. But if they had a job
8 to go to in the morning, I think it'll help the
9 community out.

10 That's all I have. Thank you.

11 MR. ROJAS: Marc Ayers.

12 MR. AYERS: Good evening. My name is Marc
13 Ayers. I'm the fire chief at the Chevron Richmond
14 refinery.

15 For 32 years I've gotten up and gone to
16 protect and serve, both in a municipal capacity when I
17 started out and then as an industrial capacity now with
18 Chevron. And one of the things that I've found working
19 at our facility is I thought that I was out there to
20 protect everybody. But what I found is that everybody
21 out there is working together. Every single solitary
22 person is out there trying to make that place a better
23 facility, make it safer, make it more environmentally
24 friendly.

25 And this project goes directly in line with

1 what we've trying to do for the 30 years that I've been
2 working for Chevron.

3 I look at some of the signs that I see out
4 here that says we want a healthier facility for our
5 children, a healthy city for our children. This project
6 does that. That we want cleaner water and cleaner air.
7 This project does that. That we want a safer refinery
8 and a safer community. This project does that.

9 But then what happens is when we start meeting
10 the requirements of these EIRs they start moving the
11 line in the sand and they come up with a different
12 argument that says, Well, now we want to look 15 years
13 ahead or 20 years ahead or 50 years ahead. And that's
14 good. And we do that and we continue to look for ways
15 to improve. But before us tonight is certifying the EIR
16 as it stands today, which will help this city, which
17 will provide jobs, which will make it a healthier
18 community, a safer community, a safer facility, and a
19 safer place for me, my friends, my coworkers, and
20 everybody else to go to.

21 So I encourage you to please listen to the
22 EIR, listen to what you've been told, and stay focused
23 on the fact at hand. Thank you.

24 MR. ROJAS: Michael Davenport.

25 MR. DAVENPORT: Good evening. My name's

1 Michael Davenport. I'm here representing myself and
2 also the Richmond Chamber of Commerce.

3 And we urge you to listen to the EIR and move
4 this plan forward. This place has been -- Chevron has
5 been needing this for years. They are one of the safest
6 places I know -- I work out there myself -- it's one of
7 safest place I know, that they have a very, very
8 stringent safety rule. I mean you have to go through a
9 whole bunch just to each get hired out there.

10 And the -- I heard someone say, well, a young
11 man back there saying about you have your car, you fix
12 your car, let them do it. Well, I was thinking about
13 your home. We started off years ago with a fireplace to
14 warm my house, then steam heat, then a floor heat, then
15 a wall heat, and central heating. It's time for
16 modernization. The time is now to do this. And I would
17 really appreciate it.

18 And the jobs that it's going to create. You
19 got a thousand construction jobs, 1,300 indirect jobs
20 that it's going to create. And one thing of it is I'm
21 thinking of, okay, I can understand the safety problems
22 the opponents and the health problems the opponents are
23 saying and talking about. Okay. Let's fix that. Let's
24 stop holding them up and let's let them get this done.

25 Thank you.

1 MR. ROJAS: Christian Dowell.

2 MR. DOWELL: Thank you for letting us be here
3 tonight. My name's Christian Dowell. I'm a processing
4 engineer at the Richmond refinery.

5 I actually grew up in this area right across
6 the bridge in Vallejo and I returned to Richmond. I've
7 lived in Richmond for the majority of my career here at
8 Chevron. I can be found walking my dog near the Marina
9 and Richmond Harbor and run along the Bay Trail.

10 And I can also be found at the Greater
11 Richmond Interfaith Program, where I volunteer, as well
12 as the Bay Area Rescue Mission. And I frequently get to
13 see the great people that make up the city of Richmond.

14 To me, the modernization project is an
15 opportunity to help out the community with over a
16 thousand jobs and not sacrifice the health, the safety
17 or the environment in any stretch.

18 I encourage you to certify the EIR and to
19 approve the modernization project. And thank you for
20 the time.

21 MR. ROJAS: Sherwin Harris.

22 MR. HARRIS: Good evening. My name is Sherwin
23 Harris. I'm the vice-president of renovations at the
24 Bay Area Rescue Mission. I'm also a worker here in the
25 City of Richmond. For the last 20 years I've worked at

1 the Bay Area Rescue Mission. And seven of those twenty
2 years I held two jobs, one at the Bay Area Rescue
3 Mission and one with the City of Richmond.

4 I'm here on behalf of the Bay Area Rescue
5 Mission and to let Chevron know that we support this
6 modernization program and project; and we pray that you
7 would do the same and pass these EIRs into law, that
8 they can begin their work there and continue to employ
9 the citizens of Richmond.

10 Chevron has been side by side to help support
11 the men, women, and children that come through the Bay
12 Area Rescue Mission, not only with their moneys but with
13 their time and their talents. On any given week you can
14 see an employee of Chevron working with us side by side,
15 as you already heard. And without them -- I've seen
16 also -- well, I worked at the auditorium, different
17 programs that were being conducted there that were being
18 funded by Chevron. They have a pulse of the community.
19 They have an impact on the community. And many of the
20 kids that receive their school packs that they supply --
21 the school supplies that they supply us with have went
22 on to graduate from UC Davis, Stanford University, and
23 one is now doing two tours in Iraq. So we just pray
24 that you would pass this law.

25 Thank you.

1 MR. ROJAS: Angelina Faggett.

2 MS. FAGGETT: Hello. My name is Angelina
3 Faggett and I am a Kennedy graduate. Also, I am a
4 resident of Richmond.

5 And I'm also excited by what the modernization
6 project will be doing and the jobs that it will create
7 once approved and that it has already created. I manage
8 the canvassing program for the modernization project
9 here in Richmond. We have about 30 canvassers that are
10 all Richmond residents. They have gone throughout the
11 city of Richmond to gain support from Richmond residents
12 who are Richmond voters who put our people into office
13 that want this to be approved. I'm here saying
14 basically I hope that we gain your approval also and
15 that you push forward this EIR report.

16 Thank you.

17 MR. ROJAS: Jason Gallia.

18 MR. GALLIA: Hello, everybody. My name is
19 Jason Gallia, 44-year Richmond resident DeAnza High
20 School graduate. And I remember playing football
21 against Kennedy out here, right here in this field.

22 What I'd like to say, we definitely support
23 the EIR. We want it to move forward. But I just want
24 to touch on some of the opportunities that I had when I
25 first started the crafts. Started with the ironworkers

1 back in '86. As a matter of fact, it was one of these
2 refineries with one of their new renewal projects that
3 gave me the opportunity to have the career that I have
4 today. With that I had a chance to work in all these
5 refineries around the Bay Area here. And I had a lot of
6 times very thankful for what I had by working in these
7 refineries. I was able to buy a house, buy a car. And
8 the list goes on.

9 So what I'd like to say with this
10 modernization project, speaking for the ironworkers,
11 also vice-president, business agent of the ironworkers,
12 we will definitely open the doors for new opportunity,
13 not only for the citizens here in Richmond but anybody
14 else that wants to come and work in this Chevron
15 facility.

16 Thank you.

17 MR. ROJAS: Kristin Connelly. I did notice
18 that you had duplicate speaker cards. So we would ask
19 if you could combine your comments into one speaker.

20 MS. CONNELLY: Oh, yeah. Thank you very much.

21 Good evening. My name is Kristin Connelly.
22 Thank you for the opportunity to speak here tonight. I
23 am the president and CEO of the East Bay Leadership
24 Council and we were one of the -- we've submitted a
25 letter in support of the EIR, one of the letters

1 mentioned by Jennifer Hernandez during her fantastic
2 presentation. I was very glad to be here for that
3 tonight. So thank you.

4 And I'm also here tonight in any capacity as
5 executive director of the Contra Costa Economic
6 Partnership, a sister organization with the council.

7 And I want to emphasize that we want you to
8 certify the EIR as recommended. You know, we've heard a
9 lot tonight about the jobs created by this project. The
10 jobs being created with this project aligned with the
11 high school transformation strategies being implemented
12 in the region using linked-learning approach. The
13 Contra Costa Economic Partnership's science, technology,
14 engineering, and mathematics initiative has been
15 generously supported in West Contra Costa County by
16 Chevron to the tune of a million dollars -- nearly a
17 million dollars -- over the last three years and it's
18 allowed us to do some really significant things. And
19 the kinds of jobs being created here will be the kind of
20 jobs that the linked-learning programs are going to
21 support.

22 Through the investment that Chevron's made,
23 the Contra Costa Economic Partnership has been able to
24 provide paid summer work-based learning opportunities
25 for teachers and students and have been able to develop

1 opportunities for students to showcase their classroom
2 work at major STEM events in the Bay Area, including the
3 annual Bay Area Science Festival and the annual
4 Engineering Design Challenge.

5 Time doesn't allow me to articulate all the
6 amazing things that our STEM initiative has been able to
7 do with Chevron's support. I just ask you to certify
8 the EIR tonight and support this project.

9 Thank you.

10 MR. ROJAS: Marena Brown. And followed by her
11 will be Bill Pinkham, Michael Parker, Reverend Earl
12 Keteen, Wayne Ellis, Michael Beer, Abigail Bok, David
13 Gottlieb, Andrés Soto, Quanah Brightman, and Andrea
14 Weber. And I think Marena is not here. So Bill
15 Pinkham.

16 MR. PINKHAM: Good evening. I'm Bill Pinkham.
17 I guess some would consider me a carpetbagger. I've
18 only lived in Richmond about 27 years.

19 I'm a little tired of this nonsense about
20 environmentalists are not from here. Everybody I know
21 in CBE, ACE -- most of the people -- and in RPA
22 [unintelligible], West County Toxics -- go on and on --
23 are Richmond residents. I wonder how many of the
24 buildings-trade people who want jobs here are Richmond
25 residents.

1 Furthermore, the number of Richmond residents
2 at Chevron is usually estimated to be about
3 seven percent.

4 So I'd like to talk about a couple of things
5 that aren't in the EIR. One is the fact that the GHG
6 emissions are supposedly not going to increase. But the
7 problem is that they're based on a baseline that is far
8 too great. And at one point Chevron was the biggest
9 point-source polluter in the Bay Area.

10 The other thing I wanted to mention was we
11 hear about replacing the pipes. There's absolutely no
12 reason why Chevron can't replace the pipes. They make,
13 on the average -- last year, they made on the average
14 \$2.5 million per hour. Now, how long would it take them
15 to replace the pipes? Couple of days? A week? What?

16 They'll throw a few sobs to the community
17 because they have so much money to throw around. But
18 it's absolute BS that they can't do this and do it soon.

19 Thank you.

20 MR. ROJAS: Mike Parker.

21 MR. PARKER: Mike Parker.

22 Look, let's be clear. They're something wrong
23 here. Everybody in this room is for certifying the EIR,
24 everybody in this room. Everybody in this room thinks
25 the project should go forward. The issue here is what

1 alternatives of the alternatives listed in the EIR
2 should be used and what additional conditions should be
3 put on this project. And that nobody is discussing.
4 We're just having one speech after another about the EIR
5 and whether we should certify it.

6 Let's pay attention to the map that Jennifer
7 Hernandez put up there. Richmond has dangerous air
8 quality and high cancer rates and is designated as an
9 impacted community. This is a chance to do something
10 about that. But the original Chevron project, not the
11 alternative, actually increases 61 of 88 toxics -- get
12 that word "toxic" -- that means deadly air contaminants.
13 Yes, Chevron is going to reduce the DPM from ships and
14 tugs. Great. They should have done that a long time
15 ago. But that shouldn't count against reducing the
16 toxic air contaminants. Modernization should mean a
17 reduction of toxic air contaminants, period.

18 Carbon monoxide is going to go up by
19 nine percent. Oh, Chevron says, Not really, because we
20 can claim credits. What that means is that Chevron is
21 claiming the right to grandfather in the fact that it's
22 poisoned us for years and can therefore continue to do
23 it. No, that's not acceptable.

24 I support certifying the EIR. I support
25 Alternative 11. I support the additional conditions

1 proposed by the Richmond Environmental Justice
2 Coalition. Let's pass a project and truly make it
3 cleaner and safer.

4 Thank you.

5 MR. ROJAS: Earl Koteen.

6 REV. KOTEEN: I'm Reverend Earl Koteen and a
7 member of the Richmond Environmental Justice Coalition.

8 Couple of thousand years ago or more --
9 actually more -- a young shepherd boy went out on a
10 battlefield and faced a very, very large opponent.
11 You've all heard the story of David and Goliath, of
12 course. But recently Malcolm Gladwell did some research
13 and he found Goliath had an illness called "giantism,"
14 which makes the bones very fragile. And he did some
15 more research and he found that a slingshot was actually
16 the most effective weapon of the time. And so, in all
17 truth, David had a big advantage over Goliath. It was
18 just the appearance that Goliath was the greater
19 champion.

20 Today, you have an opportunity to knock down a
21 Goliath that hasn't replaced its pipes. Its bones are
22 weak. It is an opportunity to hold them accountable.
23 And who knows? A thousand years from now, they may tell
24 the story differently. But you'll know what you've
25 done.

1 Thank you.

2 MR. ROJAS: Wayne Ellis.

3 MR. ELLIS: My name is Wayne Ellis. I've
4 lived in Richmond and owned property here for 35 years.
5 I'm a buildings-trades member.

6 And I'm concerned about what goes on here.
7 And we have a \$7 million budget deficit in Richmond this
8 year. We will have it again next year. If this lawsuit
9 for eminent domain fails, I was told that it would be
10 another \$20 million on top of that.

11 But one thing I would like not to worry about
12 was the security of the 34 percent of the Richmond
13 budget from a tax perspective that Chevron provides.
14 And I won't have to worry about that if you pass that
15 EIR tonight. It's the practical thing to do.

16 Chevron is a part of the community. We don't
17 want it to go anywhere. We can't afford it to go
18 anywhere. The best thing to do is to modernize it and
19 to make it as least intrusive as we can on the
20 environment and pass the EIR.

21 MR. ROJAS: Michael Beer.

22 MR. BEER: My name is Michael Beer. I'm a
23 Richmond resident.

24 And it's really annoying to hear some of the
25 rhetoric that's coming out over here. I don't know who

1 this dude is over here next to you, Kory; but when he
2 talks about the opposition, he's talking about me. He's
3 talking about the community. We're not the opposition.
4 We're the community. And if we want to talk about where
5 people come from, I get a little annoyed with people
6 coming from San Ramon, world headquarters of Chevron
7 Corporation, and telling me what air I can breathe. And
8 I don't know where you live, Kory, either, but I'm not
9 going to ask you right now.

10 Nigel Hearn, at least, said that sometimes
11 Chevron can get arrogant. And I've been here before
12 listening to people talk about the safety, the safety,
13 the safety of Chevron. It's their number-one concern.

14 And then what happened about the fire and
15 about the investigation? How much fine did you get?
16 How many federal regulations did you break?

17 It's not true. It's not true. They do not
18 follow through what they do.

19 Maybe you've turned a leaf -- complete leaf --
20 and changed. Is he taking the place of Dean O'Hare? I
21 miss him. Okay. Maybe you've changed a complete leaf,
22 but you have to admit that you did it. You can't go on
23 and say we've been safe, we've always been safe. And
24 what I want to see is, of course, like everybody here
25 wants to see that the EIR is passed; and it looks like

1 the alternative is the best alternative. And for you to
2 say that it's unwarranted and unacceptable is
3 unwarranted and unacceptable.

4 MR. ROJAS: Abigail Bok.

5 If not, David Gottlieb

6 Andrés Soto.

7 MR. SOTO: Good evening, Members of the
8 Planning Commission. My name's Andrés Soto and I've
9 lived in Richmond for 58 years.

10 One of the things that I'd like to say is
11 let's get some of the facts out on the table. The night
12 of the fire, on August 6, 2012, Chevron lied to us.
13 Heather Culp lied and blamed environmentalists and the
14 community for fire because they didn't allow them to
15 update their project. We now know because Attorney
16 General and the District Attorney caused them to cop a
17 plea bargain that they're under criminal probation as we
18 speak. We're talking about a criminal operation.

19 Now, are you going to believe a criminal? Or
20 are you going to believe your neighbors in the
21 community? What we're talking about here is we want to
22 get this refinery cleaned up. We want to get this
23 refinery safe. We're all on that page. The question is
24 how we get there.

25 And one of the things that we know is that

1 Chevron wants to get away with whatever they can. It
2 maximizes their profits. They suck money out of this
3 community. Sure, they buy off people, spreading a
4 little bit of cash around and hire a few little people
5 here and there for their projects. But one of the
6 things we know is that they don't hire Richmond people
7 except for five to percent on any given year.

8 Now, they hire contractors that come and do
9 all the building projects. These people come from
10 Texas, Oklahoma, Louisiana, other places and Brentwood
11 and Antioch. They're not Richmond people.

12 So let's get real. We're talking about an
13 alternative that includes a major transition from the
14 fossil-fuel economy and starting to turn that door and
15 get around that corner and hire thousands of local
16 people, improving the air quality and the health and the
17 economy of this community.

18 And let's get real about the deficit that
19 Richmond is facing. It's because Chevron blew their
20 plant up and the County Assessor devalued the property.
21 And Chevron -- Richmond is suffering because of these
22 people right here. Don't believe their bullshit.

23 MR. ROJAS: Quanah Brightman.

24 MR. BRIGHTMAN: That's kind of hard to follow
25 up, I must say. He's a good friend of mine. He's done

1 a tremendous amount of work for this community to defend
2 our Mother Earth.

3 Again, my name is Quannah Parker Brightman.
4 I'm the executive director of United Native Americans.
5 Just to give a brief synopsis of who we are as UNA, we
6 were founded here in the San Francisco Greater Bay Area
7 in 1968. We were involved in the takeover of Alcatraz,
8 Wounded Knee, a couple of Long Walks across country. We
9 led a group one time that took over Mount Rushmore and
10 reclaimed it for my nation, the Lakota Nation.

11 Now, my father, of course, one of the founders
12 of the civil rights movement and he used to teach at UC
13 Berkeley, UC San Diego, and, of course, here at Contra
14 Costa College for, what, 34 years. Lee Brightman.
15 Thank you.

16 Of course, as indigenous people, the way that
17 we see these refineries and especially Chevron and how
18 they continuously go into a number of our areas and push
19 out the local indigenous tribes, force them out of
20 their -- basically have these relocation programs for
21 them to steal their natural resources. It's disgusting
22 and appalling.

23 And I'd like to bring to the attention of this
24 environmental report -- that's why we're here, to talk
25 about an environmental report, not to talk about your

1 job, okay? We're talking about the safety of our
2 community here. For all of us as the community.

3 Now, putting a Band-Aid on this insidious
4 refinery is not going to work. I'd like to remind
5 people that the sulfur that corroded the piping at
6 Chevron's crude oil unit was what caused a massive fire
7 at the refinery in August 2012 and sent a plume of black
8 smoke over Richmond and put 15,000 people in the
9 hospital complaining of respiratory problems, a far cry
10 from the 10,000 whom support this so-called project.

11 Now, as far as this processed heavy crude --

12 MR. ROJAS: I'm sorry. That's your time.

13 MR. BRIGHTMAN -- Canadian tar sands, I would
14 just like to say that we need to stand up for our Mother
15 Earth and we need to revoke this permit from this
16 insidious corporation known as Chevron.

17 Thank you.

18 MR. ROJAS: Andrea Weber.

19 She's going to be followed by Stephanie
20 Hervey, Vivian Huang, Ethan Buckner, Jack Alotto, Martin
21 McNair, Sylvia Gray-White, David Druding, Robert Bustos,
22 Bob Lilley, and Lucymarie Ruth.

23 MS. WEBER: Good evening, Commissioners. My
24 name is Andrea Weber. I am a resident of El Sobrante
25 and actually attended Kennedy High School back in 1978.

1 I'm also with the Center for Biological Diversity.

2 We ask you to deny this project. It's harms
3 to our health and environment are too great and
4 environmental review documents are deficient. I know
5 we've spent a lot of time on the environmental review
6 documents already. Unfortunately, I believe we should
7 spend more time to get it right.

8 A project approval would allow this facility
9 to operate indefinitely processing ever more dangerous,
10 dirty, and extreme crude oils. Based on our analysis of
11 the EIR, we believe this expansion will threaten our
12 community with more explosions, fires, and deadly gas
13 releases and will fuel climate disruption with vast
14 quantities of greenhouse-gas pollution. We should not
15 allow that to just get traded a way with cap-and-trade
16 program. These are real greenhouse-gas emissions that
17 will come out of those stacks and be hanging over our
18 city of Richmond.

19 These harms have not been properly disclosed
20 or avoided as required by California Environmental
21 Quality Act. Our safety net for environmental health
22 and protection is CEQA and it is your duty to protect us
23 under CEQA.

24 In addition, the EIR illegally harms marine
25 species from the project's ship traffic and ignores

1 harms to wildlife from the project's increased train
2 trips to and from the facility. We have submitted
3 additional comments yesterday that detail this in --

4 MR. ROJAS: That's your time.

5 MS. WEBER -- scientific detail.

6 Please deny this project.

7 MR. ROJAS: Vivian Huang.

8 MS. HUANG: Good evening. I'm Vivian Huang.
9 I'm with Asian Pacific Environmental Network.

10 We've been working in Richmond for the last
11 twenty years organizing primarily with the Laotian
12 refugee community. And as you heard from many of our
13 community members tonight, they're very concerned about
14 making sure that whatever project comes -- whatever
15 project that is developed is the healthiest and safest
16 project that it can be. Many of our members have cancer
17 and have asthma and have many of the health conditions
18 that they outlined today. And it's been very, very
19 traumatic, right, to see all the funerals that are
20 facing the community and all the impacts that the
21 pollution from the refinery has had on them.

22 And so -- and so we want to make sure that
23 whatever happens around the refinery is that we put in
24 place really strong conditions to make sure that it is
25 as healthy and safe as it can be.

1 We actually in the aftermath of the August 6th
2 refinery explosion actually collected support from about
3 700 different people who signed postcards saying that
4 they want to see that the refinery is safer and that we
5 actually put measures in place to make it as -- to
6 protect the community health.

7 And so we really urge you to use your power to
8 adopt conditions that are going to reduce the
9 greenhouse-gas emissions that are coming from the
10 refinery locally and to really create a strong
11 clean-energy and jobs program the way that we can
12 actually do more to protect our planet, create a just
13 transition, and really build a local living economy that
14 gives jobs to local residents. We also wanted
15 conditions that reduce the toxic air emissions and also
16 increase the safety by replacing the old equipment.
17 And, finally, we want to make sure that there are
18 publicly verified data and documentation to show that
19 these conditions are being met.

20 So I strongly urge you to adopt conditions to
21 make sure that this project is as healthy and as safe as
22 it can be for the community members.

23 Thank you.

24 MR. ROJAS: Ethan Bucker, Jack Alotto, Martin
25 McNair, Sylvia Gray-White, David Druding.

1 Oh, okay. Sylvia.

2 MS. GRAY-WHITE: Good evening. My name is
3 Sylvia Gray-White. Unfortunately, I'm a Richmond
4 resident. I say that because Richmond has long been a
5 City led by a political system that spends a lot of time
6 and energy negotiating our health and agreeing with
7 Chevron rather than establishing nonnegotiable rules and
8 regulations that will benefit the health and safety of
9 its citizens and stop this premeditated killing. The
10 public has never been allowed to vote on these
11 environmental issues.

12 Well, this is where it stops. This is our
13 town. Richmond citizens are going to run Richmond. If
14 it's going to affect all of us, we want to vote on it.
15 The City Council members have been elected to do what we
16 want -- provide us with a clean safety, healthy
17 environment. If they don't want to do that, yes, we
18 need to vote for someone else. I do not consider
19 approval of any proposal that does not include total
20 removal of current poisonous emissions. How much poison
21 can you take? A little poison is still poison and will
22 negatively affect your body, which will soon become just
23 that -- a body. Every year air pollution causes seven
24 million premature deaths all over the world.

25 Did you know every cell in your body needs

1 oxygen every four minutes? If not, it dies. How much
2 oxygen is in polluted air? Twelve to fifteen percent.
3 We need twenty-one percent and start to die at nineteen
4 percent. How much polluted air do we have to breathe to
5 get the necessary oxygen for our 37.2 trillion cells?
6 The main cause of all diseases is cellular impairment.
7 The main cause of cellular impairment is oxygen
8 deficiency.

9 If Chevron really cared about us, they would
10 have funded a medical treatment system that would test
11 us for the chemicals in our bodies --

12 MR. ROJAS: That's your time.

13 MS. GRAY-WHITE: -- detoxify and treat us for
14 the many health problems they, Chevron, cause: Heart
15 attack --

16 MR. ROJAS: Thank you, ma'am.

17 MS. GRAY-WHITE: -- stroke, dementia,
18 diabetes, cataracts, obesity --

19 MR. ROJAS: You're fifteen seconds over.

20 MS. GRAY-WHITE: Fifteen seconds?

21 CHAIR LANE: That's your time.

22 MS. GRAY-WHITE: I thought I had two minutes.

23 MR. ROJAS: That was fifteen seconds over two
24 minutes.

25 MS. GRAY-WHITE: Anyway, I'm going to say this

1 -- erectile dysfunction and many, many, many more.

2 MR. ROJAS: Thank you.

3 David Druding.

4 MR. DRUDING: Hello and thank you. I wanted
5 to set those pictures up there. They're from refineries
6 in Canada and in the Gulf and Manchester that are
7 involved with the refining nonconventional fossil fuels,
8 specifically tar sands.

9 A Chevron chemical engineer stated tonight
10 that opponents to green-lighting Chevron's expansion
11 into refining, quote, nonconventional fossil fuels under
12 the cover of modernization were misleading and
13 disingenuous. Calling a project that is creating a
14 refinery to process dirty nonconventional fossil fuels
15 "a modernization project" is misleading and
16 disingenuous.

17 I would like to ask our Planning Commission to
18 require Chevron to more thoroughly define what refining
19 of nonconventional fossil fuels they are planning, what
20 it will involve, before certifying this EIR. All I have
21 been able to learn from Chevron's public relations staff
22 is that they want to remain, quote, flexible on what
23 this modernization will include. For all our safety
24 from the inevitable leaks that will happen, as you can
25 see in those pictures, and the impact on our environment

1 that processing dangerous tar sands with its deadly
2 dilutants will have on all of us, we must not have this
3 modernization include tar sands processing.

4 Thank you.

5 MR. ROJAS: Robert Bustos.

6 MR. BUSTOS: Good evening Madam Chairman,
7 Members of the Richmond Planning Commission. My name is
8 Robert Bustos. I'm a 50-year-resident of Pittsburg,
9 California, downstream from Richmond. I've had the
10 opportunity to work for 34 years in the construction
11 field and the pipe-fitting industry. I've worked in
12 every single refinery, chemical plant, research and
13 development lab, shipyards, what have you, throughout
14 the region.

15 You know, the refinery is old. It was built
16 in 1902. And much like any infrastructure, whether it's
17 privately owned or publicly owned, such as CalTrans,
18 City of Richmond, City of Pittsburg, Contra Costa
19 County, you have to modernize your infrastructure to
20 keep up. That means using the latest technologies, the
21 latest materials to keep up with the times. It makes
22 for a safer place, makes for a safer place to work.

23 Again, I've been in the refineries many years
24 and I've still got all my fingers, all my toes, and I
25 don't have cancer. They've done a great job as far as

1 training is.

2 I got you. One minute.

3 For more than a hundred years the refinery has
4 provided thousands of jobs and creates a stable local
5 economy; and we'd like to see that continue.

6 By the way, I am a business representative for
7 the steamfitters union representing 3,000 members
8 working in Contra Costa and Alameda Counties.

9 So with that, I'd like to close with saying
10 that I'd like to you please consider the work that your
11 staff did. I believe they are the experts. Everybody
12 else in this room, I don't believe, is an expert or else
13 they'd be sitting where she was. And, please, I
14 recommend that you, the staff, please pass this along
15 and let's get this project moving.

16 Thank you.

17 MR. ROJAS: Bob Lilley.

18 MR. LILLEY: Good evening. I'm Bob Lilley.
19 I'm with the IBEW, representing the electricians of
20 Contra Costa County.

21 I don't work for Chevron. In fact, I'm
22 frequently across the table from them as I negotiate for
23 our maintenance unit that works in that refinery. Many
24 of my members do live in Richmond and they're safety and
25 well being of their families and while they're at work

1 are utmost to me.

2 I had a statement that I had prepared talking
3 about the benefits of the project and the benefits of
4 the community, but I don't think that's what this is all
5 about. I don't think it's about facts and figures, a
6 thousand jobs and 1,300 other jobs on a billion-dollar
7 project. I don't think that's what we're discussing. I
8 think this is about politics.

9 And although I appreciate and understand
10 that -- understand the process -- I don't think politics
11 should ever be used to delay the implementation of a
12 safety program for a community or for a facility, no
13 matter how large or small it is. I don't think that it
14 should be used to delay the financial security of a
15 community. I don't think it should diminish the pride
16 they feel as they get up in the morning and go to work,
17 as opposed to go down to the street corner and beg for a
18 job. And I certainly don't think that politics should
19 be used to stand in the way of progress.

20 Richmond is on the verge of an industrial
21 renaissance. It could easily double its financial
22 footprint outside -- its industrial footprint outside
23 the refinery in the next five years. But that
24 renaissance, that Richmond renaissance, will not blossom
25 if you saddle your largest industry with an outmoded,

1 outdated technology, much of which is over half a
2 century old. And you're not going to -- you're not
3 going to benefit the community if many of them are
4 unemployed.

5 So at the end of this political process, I
6 urge you to do everything you can to get this project
7 moving forward as soon as possible. I urge you to --

8 MR. ROJAS: That's your time.

9 MR. LILLEY: Thank you.

10 MR. ROJAS: Lucymarie Ruth.

11 MS. RUTH: Is that okay? That sure sounded
12 like a political statement to me.

13 Practically of the -- is this -- okay.
14 Practically all of the persons who have spoken against
15 the proposal tonight are from Richmond. I have lived in
16 Richmond for 36 years. Both my children went to West
17 Contra Costa County School District schools.

18 Through most of the evening -- well, the
19 earlier half -- I've been sitting amid a sea of folks
20 with t-shirts proclaiming a "Modernized Refinery,
21 Another Reason to be Richmond Proud." Not a bad slogan
22 but terribly misleading.

23 What kind of modernization are we talking
24 about? Is it a modernization to make the aging refinery
25 safe to process the grades of oil from the Middle East

1 and Alaska that Chevron has always processed? Or is it
2 a modernization to process grades of crude oil from the
3 Bakken Fields and from tar sands that would be
4 transported by rail?

5 We all know the answer to that. There have
6 already been numerous explosions resulting from crude
7 oil being transported by rail, hundreds of people have
8 been -- died and been injured from that. When these
9 explosions happen to oil destined for Chevron Richmond
10 will Richmond be proud then? You know the answer to
11 that too.

12 We need to expand our focus. At least, until
13 we do that, we must say, "Hell, no," to Burlington
14 Northern, "Hell, no," to Kinder Morgan and "Hell, no,"
15 to Chevron.

16 Thank you.

17 MR. ROJAS: Stephanie Hervey.

18 Followed by her is Kat Black, Megan Zapanta,
19 Robin Jennings, Neal Kimble, Gary Kinsburg, Darnell
20 Lewis, Tery Lizarraga, Per Lorentzen, Adam Lovano, Kimia
21 Namazian.

22 Go ahead.

23 UNIDENTIFIED SPEAKER: I just wanted to thank
24 everyone who worked on this process. I could only get
25 through the 114 pages of changes. So I really respect

1 the people that worked on this and those who actually
2 looked out for and tried make sure that the process was
3 transparent.

4 I am a Richmond resident. I just moved out of
5 North Richmond, which is a fence-line community; and so
6 this is not political. I just wanted to let you know
7 that I am speaking on behalf of many organizations
8 today.

9 The first thing is in reference to Kamala
10 Harris's letter that asked to evaluate the safety risks.
11 I do see in the EIR there is an evaluation of the
12 process risk -- safety risks; but there's not an
13 evaluation of the health risk. I'm not sure if it's
14 missing, but we're missing some of the safety risk in
15 this report.

16 Also, the cumulative effects. If we could
17 make -- look at the heat-island effects. There was no
18 reference to heat-island effects, the extreme heat
19 temperatures once these chemicals are heated up during
20 the hot days of the year and how that affects the
21 health.

22 Our community is asking for no increase in
23 toxic contaminants, period. The community is asking for
24 no reduction in permit limits. The risks should be
25 Measured. If they can't be measured, we're asking for

1 that to happen as a condition to the permit. We're also
2 asking that we share the love with the other parts of
3 the community, including the environmental justice
4 community that's asking for a fund. So I support CBE.
5 I support APEN and also the health community of the
6 doctors and the nurses that support critical care. We
7 need to also support Doctors Medical Center within this
8 as well and secure optimization -- Health Optimization
9 Fund. That's the only clear nexus that the community
10 has to this is the health nexus.

11 Thank you.

12 MR. ROJAS: Kat Black.

13 UNIDENTIFIED SPEAKER: I want to go home.

14 MS. BLACK: Hello. Good evening. My name is
15 Catherine Black. I am a Benicia resident. I am a
16 downwind community. So although I don't live in
17 Richmond, what happens here affects Benicia too as a
18 downwind community.

19 I'm a member of the Benicians for a Safe and
20 Healthy Community opposing the Valero crude-by-rail
21 project in Benicia. They are presenting their draft
22 environmental impact report tomorrow at the planning
23 commission at City Hall in Benicia at seven o'clock
24 tomorrow with a rally beforehand at five-thirty.

25 I have personally watched the City Council of

1 Richmond and the Planning Commission for a couple of
2 years now. I think most you on the panel know me. I
3 have also watched this CEQA process on this project. I
4 have learned a lot.

5 As a member of Benicians for a Safe and
6 Healthy Community and as an individual, I support the
7 CBE and RPA conditions. What happens in Richmond at the
8 Chevron refinery affects the Bay Area as a cumulative
9 impact. If Chevron could isolate the air and water
10 above the Chevron refinery, it might be different, but
11 they can't. It affects us all. Please remember that.

12 MR. ROJAS: Megan Zapanta.

13 MS. ZAPANTA: Good evening. My name is Megan
14 Zapanta; and I'm a community organizer with the Asian
15 Pacific Environmental Network.

16 Earlier this evening, many of our members
17 testified about the many health impacts they face living
18 in the shadow of Chevron. Like many of our leaders, I
19 too have asthma and today bought a new inhaler. Like
20 our leaders who are facing cancer, asthma, and other
21 diseases, I'm tired of treating the symptoms of this
22 health problem. I want to treat the problem. The
23 problem is polluting corporations that get away with
24 fixing -- patching up old pipes instead of really fixing
25 them, not paying their taxes, exceeding emission

1 standards. APEN members don't trust Chevron and for
2 good reason.

3 I'm here to echo their concerns and to urge
4 you to adopt stringent conditions on this plan,
5 including making Chevron fund a clean-energy jobs
6 program to help us transition to a cleaner and safer
7 future, capping their emissions, replacing old piping,
8 and also creating a process for documenting how Chevron
9 is meeting all of these conditions, because if we give
10 them the benefit of the doubt, then we may be paying
11 with our lives.

12 MR. ROJAS: Robin Jennings.

13 MS. JENNINGS: Much lower.

14 Ladies and gentlemen of the Planning
15 Commission, thank you for allowing me to speak this
16 evening. My name is Robin Jennings. I'm sure you've
17 seen me before. And I'm here tonight to lend my support
18 once again to the Chevron Refinery Modernization Project
19 and the EIR as it stands.

20 The reasons I support modernization for the
21 refinery are simple. I work at the Chevron
22 learning-and-development department. I am a resident,
23 taxpayer, voter and homeowner in Richmond. And Chevron
24 benefits not only me and my family but my neighbors as
25 well with this project.

1 I have watched my fellow workers as we
2 volunteered together to clean up the streets, feed the
3 poor, walk and find a cure for AIDS, walk to end
4 homelessness shoulder to shoulder with my homeless
5 brothers and sisters who live on streets of my city.
6 Chevron doesn't pay us to do these things. We as
7 individuals choose to support these projects because we
8 are passionate about these causes. Frankly, there isn't
9 enough money made to make me speak out in favor of
10 something I didn't believe in. And I believe in this
11 project with all my heart. It will make the refinery
12 safer, better, cleaner, and more energy-efficient.

13 I urge you to find in favor of presenting the
14 modernization project to the City Council.

15 Thank you.

16 MR. ROJAS: Neal Kimble.

17 MR. KIMBLE: Hi. I'm Neal Kimble and I'm a
18 project manager for the Richmond refinery.

19 The projects I deal with are mostly building
20 projects; that is making improvements to our existing
21 infrastructure. And we are spending over a hundred
22 million dollars -- well over a hundred million dollars
23 -- just to make buildings safer with that sole purpose,
24 that the personnel are in safer buildings. And these
25 are all voluntary improvements. They're not required by

1 law. That's over a hundred million dollars just at
2 Richmond refinery.

3 I've worked at the refinery for seven years
4 and in various refineries and chemical plants for over
5 thirty-five years. The Richmond refinery is by far the
6 safest and most environmentally conscious facility I
7 have ever worked in. And if it wasn't that way, I
8 wouldn't be there.

9 The safeguards we employ that address safety
10 and environmental issues are second to none and we go
11 well beyond what's required by law.

12 My father also worked at Chevron. He was a
13 truck driver and he was in and out of the Richmond
14 refinery for 47 years. And he too always felt that
15 Richmond refinery was the safest place to drive in and
16 out of and to load his truck.

17 With the modernization project, we'll have a
18 refinery that's more reliable, cleaner, and even safer
19 for the employees and community. Please approve the
20 modernization project.

21 Thank you.

22 MR. ROJAS: Gary Kinsburg.

23 MS. LIZARRAGA: Did you say "Tery"?

24 MR. ROJAS: Gary Kinsburg.

25 Okay. Darnell Lewis.

1 MR. LEWIS: Hi. My name is Darnell Lewis.
2 I'm a Richmond resident. I graduated from Kennedy High
3 School, and I was born here.

4 And I hear a lot of stuff about people wanting
5 better health for the community. They want to support
6 the community, but I live in inner-city Richmond, grew
7 up here all my life. And what better way to help the
8 young adults and the youth by giving them jobs?

9 I haven't been at Chevron that long. They
10 have hired me, a Richmond resident. I do work there
11 now. I haven't been there long, six months. And as
12 soon as you walk through the gate, it's all about
13 safety. Everything you do inside of that refinery is
14 all about safety. All they want you to do is come in
15 the refinery and leave the same way you left. And I
16 think that's a great thing.

17 I've been in multiple refineries, power plants
18 and chemical plants; and none of them care about your
19 safety as much as them.

20 So, yes, I want to see this project proceed.
21 Yes, I want to see other inner-city Richmond residents
22 find a way to change and make a difference, to support
23 their family and their health issues and their lives.

24 Thank you.

25 MR. ROJAS: Tery Lizarraga.

1 MS. LIZARRAGA: Good evening. My name's Tery
2 Lizarraga. I live in Richmond. I grew up in this area.
3 And have a long-term family history here. I raised my
4 kids near refineries -- the Phillips refinery and the
5 Chevron refinery; and that's with an understanding of
6 refinery emissions.

7 I'm active in the community as a basketball
8 coach. I coach basketball at Salesian High School. And
9 I recall that my career started in Richmond buying my
10 first pair of low-top Converse shoes at J.C. Penneys in
11 downtown Richmond. I've been here a long time.

12 I'm a professional engineer from UC Berkeley.
13 I have 26 years at the Richmond refinery; and I've
14 worked in many, many jobs, most of which were somehow
15 focused on reducing emissions, improving safety or
16 reliability of refinery-process units. Now I'm the
17 manager of process-safety management at the refinery.
18 I've spent the last year working with teams of people on
19 trying to figure out how to improve the safety and
20 reliability of the refinery, implementing new work
21 processes, and things like that. I'm invested in this
22 community.

23 And as a Richmond resident I believe that this
24 project is good for Chevron, for our employees and
25 contractors, and the City of Richmond. I think it

1 secures the future of a refinery that's committed to
2 continuous improvement, emissions reductions, and safe
3 and reliable operations.

4 I worked on the permitting for the last
5 project. I think this one goes above and beyond that
6 project. I live here. I care about my family at work
7 and at home; and I believe that my coworkers and I
8 conduct ourselves that way.

9 Please approve the project with reasonable
10 conditions. Thank you.

11 MR. ROJAS: Per Lorentzen.

12 MR. LORENTZEN: I'm Per Lorentzen. I'm a
13 construction manager out at the refinery, been working
14 for Chevron for eight years.

15 I'm going to quote General Patton. "A good
16 plan today is better than a perfect plan tomorrow."

17 This project here is not just a good plan.
18 It's not even a great plan. This is a world-class plan.
19 And here's what it does.

20 It meets or exceeds all legal requirements.
21 It meets or exceeds all the environmental requirements.
22 It enhances the safety of the refinery. It's going to
23 put thousands of people to work. It's going to provide
24 huge community benefits to this entire city.

25 I hear a lot of talk about progressive

1 alliance in Richmond, progress. Not moving this
2 progress forward is not progress. It's not even
3 maintaining the status quo. It's moving backwards.
4 There is no sound reason not approve this project.

5 So I'm asking you as the Planning Commission
6 to do what I feel is your civic duty to do because
7 here's the chance that you have to make a change is you
8 have the ability to enhance the safety of the refinery.
9 You now have a chance to improve the environment in this
10 city. You have the chance to put over a thousand people
11 to work. And you have the ability to go ahead and spend
12 the community benefits in a wise manner that will put
13 even more people to work.

14 So I'm encouraging you, please, approve this
15 project. It's required. And there's no reason for you
16 not to do it.

17 Thank you.

18 MR. ROJAS: Adam Lovano.

19 MR. LOVANO: Good evening, Planning Commission
20 Members, City of Richmond residents, and Bay Area
21 community members. Thank you for the opportunity to
22 speak regarding the Richmond Refinery Modernization
23 Project.

24 My name is Adam Lovano. I have lived in the
25 City of El Cerrito and worked at the Richmond refinery

1 for the past nine years. And I'm here today to show my
2 support for the modernization project.

3 As a Bay Area resident I have enjoyed living,
4 working, and volunteering in the Richmond community.
5 Outside of work I enjoy spending time in Richmond by
6 running along the Marina Bay and dining on 23rd Street.
7 In addition, I have also volunteered as a mentor at
8 Kennedy High, right here just a couple doors down, and
9 basically helping students learn about science and
10 technology. I've served meals at the Bay Area Rescue
11 Mission and supported the fun run, among many other
12 community events.

13 The reason why I bring all this stuff up is to
14 me Richmond is a community of doers and creators and
15 that's what I'd like to continue to support both as an
16 employee at the refinery and as a community member.

17 I am currently an operations planner at the
18 refinery. In this role I work on a team to ensure we
19 safely and reliably supply our customers with products
20 such as gasoline, jet, and diesel. To me, the
21 modernization project allows us to meet these safe and
22 reliable expectations into the future. Like the
23 residents of Richmond, safety and health are my top
24 priorities. And I believe the modernization project
25 supports these priorities. By replacing 40-plus-year

1 old technology with new technology, our community will
2 be more energy-efficient, cleaner, and safer.

3 Thank you for your time and I ask you to
4 support and approve the refinery modernization project
5 today.

6 MR. ROJAS: Kimia Namazian. Followed by her
7 is going to be Mark Piersante, Mark Plubell, Joey
8 Porter, Frynrare Fletcher, Greg Reed, Rebecca Ross, Wei
9 Shi, Mark Stutzman, Troy Tagliabosch, and La Saunda
10 Tate.

11 MS. NAMAZIAN: Hi. My name is Kimia Namazian.
12 I've been a process engineer at Chevron for six years.
13 And before that I did two summer internships with
14 Chevron while in college, one in operations doing
15 rotating shift work and one in technical. When Chevron
16 offered me a full-time job I did not hesitate to accept
17 because the people are so approachable and Chevron
18 really did emphasize operating safely and within their
19 environmental limits. It's our number-one tenet of
20 operation that I wear on my work badge every day.

21 I started full-time in 2008 on the current
22 older hydrogen plants; and exactly one week later
23 construction on the new cleaner, safer hydrogen plant
24 was granted. So every time we pass by, we thoroughly
25 scan the construction site to see what new exciting

1 progress all the contractors had made.

2 I was born and raised in the Bay Area. I live
3 close to Richmond on the El Cerrito border and I spend a
4 lot of my time here in Richmond. I'll stay late on-site
5 next to the operating units waiting to play volley ball,
6 where I'm a team captain and I feel safe and I have no
7 health concerns. My team, my coworkers, or my work
8 family often has dinner and drinks at the Up and Under,
9 the Baltic, or the Spot.

10 I've also personally shown my support for this
11 community by coordinating groups of other engineers to
12 volunteer, including assembling bags of holiday toys for
13 needy families at the fire department, filling backpacks
14 with school supplies to be handed out at the
15 back-to-school block party. And just yesterday I helped
16 serve lunch at the Bay Area Rescue Mission with eight of
17 my colleagues; and multiple people there said, "We love
18 Chevron. They always help us out."

19 So I ask that you please approve modernization
20 as is because it is absolutely critical for the
21 long-term feasibility of the refinery and therefore the
22 long-term support of the Richmond community.

23 Thank you for your time and consideration.

24 MR. ROJAS: Mark Piersante.

25 MR. PIERSANTE: Good evening. My name is Mark

1 Piersante. I'm a chemical engineer. I live in San
2 Rafael. And although I've been involved with this
3 project from its original inception back in 2003, this
4 process recently is -- the City's to be commended and
5 specifically staff, Lina, the legal staff, and Environ.
6 Some of the best experts have put together an incredible
7 environmental document.

8 I would urge you to approve the document and
9 to ignore the sensationalized rants of the opposition.

10 And I ask you this question. For every day
11 that this project is delayed is another day that the
12 health benefits and the safety benefits of this project
13 are being prevented from being implemented. So I would
14 ask you to please approve the project.

15 Thank you very much.

16 MR. ROJAS: Mark Plubell.

17 MR. PLUBELL: Good evening. My name is Mark
18 Plubell. I'm the business agent for the Heat and Frost
19 Insulators of Northern California. We currently have 30
20 members working on doing inspections -- just for the
21 same purpose as you've all been talking for safety of
22 the refinery -- checking welds, checking bends in the
23 pipe and everything. Three of our members are Richmond
24 residents; and we would love to put more Richmond
25 residents to work.

1 Sounds like the staff is recommending this
2 EIR, this final EIR. Kamala Harris's office is coming
3 around with it. I think it's time to get this done.

4 Thank you very much.

5 MR. ROJAS: Joey Porter.

6 Frynrare Fletcher.

7 Greg Reed.

8 Sir, are you Greg? Greg Reed.

9 Rebecca Ross.

10 MR. PORTER: Hi. Good evening. My name is
11 Joey Porter. I'm a construction project manager with
12 Overaa Construction. We're a Richmond-area contractor.
13 We've been doing business in this city for 107 years.
14 In fact, we did your City Council chambers a few years
15 ago.

16 I'm here tonight and I think of an old parable
17 about the magical fish and the fisher's wife. And this
18 fisher's wife was granted wishes by the fish until there
19 came a moment and the fish -- the fish asked, "One more
20 wish?" And she says, "I ask for the moon and stars."
21 And the fish replied, "You asked for the moon and stars?
22 You will have nothing at all."

23 And I think that's where we are at tonight.
24 We have a fantastic project, an EIR that is stellar
25 beyond anything that's been done, the opportunity to

1 pass that. Or you have the opportunity to perhaps grab
2 a little more, some environmental justice, some economic
3 injustice, some progressive feel-goody things.

4 I'd like to leave you tonight paraphrasing a
5 quote from the author of Atlas Shrugged 50 years ago,
6 Ayn Rand. When you see trading is done not by consent
7 but by compulsion, when you see that in order to produce
8 you must gain the permission of those who produce
9 nothing, when you see that money goes to those who do
10 not deal in goods but in favors and the laws work in
11 their favor, then society is doomed. I leave you with
12 that thought tonight.

13 Thank you.

14 MR. ROJAS: Frynrare Fletcher, Greg Reed,
15 Rebecca Ross.

16 UNIDENTIFIED SPEAKER: Good evening, Planning
17 Commissioners. I know many of you from volunteering all
18 around Richmond. And I know we all have one thing in
19 common. We're passionate about our city and we're all
20 Richmond Proud. I'm going to ask you guys to do the
21 hardest thing in this city -- and I know too, because
22 you guys know me. I love this city, I love the kids,
23 I'm out there. But you all have to become independent
24 thinkers tonight. You have to take all of the emotions
25 that we all have on both sides of this and you got to

1 look at the facts.

2 The City took time and they brought out an
3 EIR. We were here in, like, 2006, '07, '08 -- I can't
4 remember. We were doing the same process. And you said
5 it wasn't good enough. City Council, okay. Chevron and
6 the City went back at it. And I've heard tonight from
7 professionals that it's better.

8 So ask yourself to be an independent thinker.
9 Lots of your party people on both sides are going to be
10 in your ear. But look at the EIR. Really consider what
11 you're doing, because jobs need to happen. Kids need to
12 have solutions, not just hope. We can talk about the
13 environment. Go drive the southside at 3:00 o'clock in
14 the morning. And then let's make sure we're focused on
15 the right things. Let's get this right. Let's get it
16 done. Please be independent thinkers.

17 Thank you.

18 MR. ROJAS: Wei Shi.

19 MR. SHI: Good evening. My name is Wei Shi.
20 I work in Richmond refinery as a design engineer. Thank
21 you for giving me the opportunity here to show my
22 support for the modernization project.

23 I want to start with my grandparents. They
24 are both over 80 years old. They don't speak any
25 English. They've been with me, so they been living

1 close to me for the past over five years so I can take
2 care of them.

3 Before I took my current position here at
4 Richmond, I didn't know what to expect, because this is
5 my first job inside a refinery. I intend to live close
6 to the refinery. My grandpa has severe asthma and COPD
7 for the past over thirty years. So I was a little bit
8 concerned.

9 I talked to the people who work here before
10 and the people who are working here and actually also
11 talked to couple of doctors around here. And they all
12 assured me that the air quality here is not going to be
13 a concern for him.

14 So I move here. I took the job. And, sure
15 enough, his health condition is actually improved since
16 we moved here. He doesn't require oxygen at night
17 anymore. He can actually walk around outside a little
18 bit during the day time. So a lot of my relatives, I
19 guess, surprisingly surprised.

20 I wasn't that surprised, because after working
21 with Chevron for five more years and I know how much we
22 care about the environment. I know how much we care
23 about the community. I know what we're doing for all
24 the people around us. So I have so much faith in the
25 way we conduct our business. At the end a thousand

1 miles of journey starts with one step. I feel this
2 project is the right step towards the right direction.
3 So please approve it so we can have an even cleaner
4 refinery in the future.

5 Thanks.

6 MR. ROJAS: Mark Stutzman.

7 MR. STUTZMAN: Good evening. My name is Mark
8 Stutzman. I'm the CEO of J.T. Thorpe & Son. We're a
9 union industrial contractor on Hensley Street very close
10 to the Richmond refinery. We employ about 50 to 60
11 people full-time in our Richmond facility. Being a
12 contractor, we have 700 people that work all around the
13 country in different refineries, power plants, and other
14 manufacturing facilities. And we have up to 200 in the
15 local area. So I've been around Richmond in the
16 refinery for the last 30 years and worked in there, so I
17 understand about it.

18 Obviously, as a business owner and a Richmond
19 taxpayer, I care about this project and I want it to go
20 forward. It critical to the success of Chevron going
21 forward and it's safer for our employees and the people
22 around Richmond.

23 One thing is being around -- working in
24 Richmond for the last 25 years, I've been around the
25 city and worked in and around the Richmond. And, doing

1 that, I've seen many improvements within -- at the
2 Richmond refinery. And I have to say we have made
3 mistakes as contractors in the past; and we've gotten
4 the chance to do better. And I've seen Chevron make
5 great strides in the right direction on improving their
6 safety and their quality within their construction.

7 Several speakers have talked about -- have
8 commented about the Richmond refinery does not care
9 about the safety and well-being of workers and the
10 environment. If you've worked in the refinery, they
11 impress on you continuously for safety of not only the
12 workers but making sure you have leak-proof construction
13 and you complete the work adequately.

14 So I just want to say I support this EIR as
15 written; and please get this project going.

16 Thank you.

17 MR. ROJAS: Troy Tagliaboscht, La Saunda Tate.

18 Madam Chair, at this point, we have about 55
19 speakers left.

20 So I'll call up the next ten: Tracy Thompson,
21 Cesar Zepeda, Don Gosney, Dennis Hicks, Arthur Hatchesen,
22 Washington Burns, Len Turner, Andrew Wong, and Jonny
23 Pasco.

24 Tracy, Cesar. Don.

25 MR. GOSNEY: Good evening. I'm Don Gosney,

1 born here in Richmond and spent about half a century
2 living here. By the way, this is my house, class of
3 '72.

4 What I'm going to talk about tonight is about
5 the -- my concern is about the process. Who in this
6 room came here with an open mind? Who of you sitting as
7 Planning Commissioners came with an open mind? I know I
8 sure didn't. I came armed with facts and a knowledge of
9 issues and I can't imagine what i might hear tonight
10 that would change my mind on this modernization. But
11 I'm not one of the hand-picked representatives of an
12 elected official who told the world the day after the
13 fire in the low-sulfur fuel-oil unit that every Chevron
14 employee is a criminal. And unlike at least four of
15 you, I'm not a dues-paying member of an organization
16 that put out this mailer over the weekend filled with
17 fabrications, half-truths, and misdirections. I'm not
18 one of the Commissioners who has given my own money to
19 support an organization that has advocated for closure
20 of this refinery. And I'm not one of the two
21 Commissioners who has run for office and have announced
22 that they will be running for office and is reliant on
23 the support of an organization that demands that Chevron
24 quit refining oil and use their resources for wind and
25 solar farms. I'm not one of the Commissioners who in

1 one of their previous public meetings to hear about this
2 proposal had trouble reading their own questions about
3 the draft environmental impact report as if they had
4 been fed the questions by someone else. And even
5 amongst the people here tonight, at least I live here in
6 Richmond. You won't see me going into someone else's
7 house and telling them what to think. That's just plain
8 rude. As someone who has spent his adult life building
9 petrochemical complexes, I know this business; and I
10 actually understand what this environmental impact
11 report. This modernization is a good thing for our
12 community and will help to make this refinery safer than
13 it is right now. We're hearing from people demanding
14 that the tens of thousands of miles of pipes in the
15 refinery be replaced. We're hearing that every clamp
16 needs to be removed and the pipes be replaced
17 immediately, even though this is impractical and would
18 cost a gazillion dollars. Not only do these people not
19 understand how a refinery works, but they're unwilling
20 to listen or to learn. They're fixated in their hatred
21 of the big bad oil company. I can't even imagine -- I
22 can even imagine that before I get home --

23 MR. ROJAS: Thank you, Mr. Gosney.

24 MR. GOSNEY: Thank you.

25 MR. ROJAS: Dennis Hicks.

1 Arthur Hatchett.

2 MR. HATCHETT: Good evening, Madam Chairman
3 and Members of the Commission. My name is Arthur
4 Hatchett, executive director of the Greater Richmond
5 Interfaith Program.

6 I could ask your support for this project
7 because of the fact that we've had -- this is probably
8 the first time that I can remember in my 46 years of
9 being with the City that there's been such a substantial
10 amount of opportunity for residents and community people
11 to get together and to learn more about this project. I
12 think it's been phenomenal, the type of information
13 that's been provided by the City and opportunities from
14 this Commission and also from Chevron to help people to
15 understand what's going on here.

16 But, also, as you know, our mission is to
17 transform the lives of the disenfranchised. And one of
18 our greatest partners has been Chevron. They come to
19 our facility. They provide our residents with clothes
20 that they need, with food that they want. From the
21 general manager on down, they come and prepare meals.
22 They serve meals during Christmas time and they give
23 gifts to kids when there's a need. For our residents
24 they make sure they are provided, doing everything from
25 tearing up carpet to cleaning up the place. And they're

1 just good neighbors.

2 So I just want to say this: Who do you want
3 to trust? A neighbor who helps you or that person just
4 walks down the other side of the street and shines you
5 on.

6 Thank you.

7 MR. ROJAS: Washington Burns, Len Turner.

8 MR. TURNER: Good evening. My name is Len
9 Turner and I'm a local contractor, signatory to the
10 carpenters and laborers union. And I'm here in support
11 of this modernization project. Let me tell you why.

12 So over the years Turner Group has partnered
13 with the City of Richmond, in particular Richmond Build
14 and For Richmond. And without these two projects it
15 would have been very hard for Turner Group to complete
16 their projects without the support of Chevron. Chevron
17 supports these projects. It sponsors them.

18 And it sponsors these young people so that we
19 can do affordable housing here. And without Chevron's
20 support we would not have been able to do this.

21 So we want you to move forward with the
22 modernization and because we need the jobs. We need the
23 jobs.

24 And so even if one person said that 7 percent.
25 Let's say worst-case scenario, out of the 1,300, that's

1 91 jobs. And if it's true that these union jobs affect
2 5 people, that's 450 to 500 people being affected by the
3 minimum.

4 So we urge you to move this forward. Thank
5 you.

6 MR. ROJAS: Andrew Wong.

7 MR. WONG: So first, I'd like to thank all of
8 you for doing this process. I know how late it is and
9 how much you have to be committed to this. And so I
10 applaud you for all the work that you've done.

11 My name is Andrew Wong. I have a company.
12 It's a software company that focuses on providing
13 software and data analytics to municipalities that are
14 trying to improve conditions in education, healthcare,
15 in economic development, critical justice, et cetera.

16 We do this work all over the country. We've
17 been contracted with Chevron to work on the economic
18 revitalization initiative here in Richmond. And one of
19 the things that I think has been very inspiring and
20 exciting about the project is that it's the only
21 public/private partnership we have actually been working
22 on where a company and a corporation like Chevron is
23 investing millions of dollars into things like
24 education, like jobs and economic development beyond the
25 work that they do as a corporation within a community.

1 I think this is a very important piece for
2 their role in building trust in the community. And I
3 think what's very important about this is at a time when
4 a corporation is stepping up and trying to move forward
5 and improve its role within a community, I think that's
6 the time to be supportive of them.

7 And so I really encourage you to move forward
8 with the modernization program. I think it's a chance
9 for you to keep a dialogue open with them on how to
10 improve things in Richmond. And I also think it's a
11 time for you to see them as a partner and a collaborator
12 in improving the conditions in Richmond currently. So I
13 encourage you to move forward with the modernization
14 program.

15 Thanks very much.

16 MR. ROJAS: Jonny Pasco.

17 MR. PASCO: Good evening. I'm Jonny Pasco,
18 proud member of Local 152 and CIA member. CIA is an
19 acronym for Carpenters in Action. I'm a carpenter field
20 rep.

21 I've worked at Chevron refinery on and off
22 since 1982 and I was working on the modernization
23 project when it was shut down in 2009. There are
24 hundreds of skilled craftsmen working on this project
25 alone who spend their hard-earned dollars back into this

1 community. I've worked in every refinery in the area.
2 And we always refer to Chevron as the Cadillac of
3 refineries because of their meticulous safety standards
4 and concerns for their workers.

5 I don't know about Chevron the corporation,
6 but I do know about Chevron the refinery. Chevron has
7 their first hour devoted -- when we come in in the
8 morning to work, they have their first hour devoted just
9 to safety. Every other day we stretch. How awesome is
10 that?

11 I heard people talking about refineries
12 spewing out deadly gases, poisoning our air. But
13 everyone drives an automobile which does the same thing.
14 Can you put your vehicle aside? Just like a car, you
15 can't do without it; but you can try to improve it.

16 So if you can talk the talk, you better walk
17 the walk. In a perfect world Chevron would be spewing
18 out daisies and hundred-dollar bills from their stacks.
19 I say support them -- I say support them and this
20 project as a shining example of what they can offer.
21 They've already talked the talk. Let them walk their
22 walk.

23 Thank you.

24 MR. ROJAS: Madam Chair, it's 10:25. Before I
25 call the next set of speakers, would you like to

1 entertain a motion to extend the meeting?

2 CHAIR LANE: Yeah.

3 So we're at almost 10:25. So the guidelines
4 for the Planning Commission is that we end our meetings
5 at 10:30, but we can vote and by a super-majority extend
6 the meeting. So why don't we do that now.

7 And I would make the recommendation to extend
8 it to, at a minimum, hearing all remaining speakers that
9 are present; and hopefully we can get that done. And
10 then we can conclude that portion of the meeting.

11 So with that, let's vote to extend the
12 meeting. And I'll start with Vice-Chair Choi.

13 VICE-CHAIR CHOI: Aye.

14 COMMISSIONER LANGLOIS: Aye.

15 COMMISSIONER BUTT: Aye.

16 CHAIR LANE: Aye.

17 COMMISSIONER WILLIS: Aye.

18 COMMISSIONER MARTINEZ: Although I'm very ill,
19 I'm going to say aye. Pardon my coughs and sneezes.

20 COUNCILMEMBER REYES: Aye.

21 MR. ROJAS: Okay. I'm going to go ahead and
22 call up the next set of speakers. Marcus Mitchell,
23 Chris Pedroza, Nick Despota, Patricia Byers, Uche
24 Uwahemu, Debi Mazor, Richard Hanway, Todd Lewis, Roger
25 Lin, Niran Somasundaram, and Heather Lewis.

1 Marcus.

2 MR. MITCHELL: Good evening, Planning
3 Commission. I know it's been a long night.

4 I have a bunch of notes. I'm not even going
5 to press on with it. The gentleman talked about seven
6 percent of Richmond residents having jobs.

7 Let me start from the beginning.

8 My name is Marcus Mitchell. I am an officer
9 of Local 342 Steamfitters out of Concord.

10 It's a skilled craft to put in pipe and to
11 build refineries. So, unfortunately, I think out of
12 1,700 active members, there's like 30 that live -- or 40
13 -- that live in the city of Richmond that are active.
14 So that's kind of hard to put everybody to work that
15 doesn't have a skilled craft.

16 But let this cascade through your mind.
17 Family and community safety, employees and contractor
18 safety, environmental safety. Not only will this
19 project create a safer environment, but will also bring
20 long-term economic growth to the City of Richmond and
21 this community. And by the City of Richmond being in
22 debt about three to four million dollars, project
23 permits would bring enough money to cover the City's
24 shortfall in a month.

25 Also, it's the trickle-down that's going to

1 affect other businesses. Small businesses, hotels,
2 rentals, all kinds of things will be affected by this
3 job, or this EIR, being passed to attentively [sic] give
4 jobs. So please support this modernization project and
5 approve the EIR.

6 Thank you.

7 MR. ROJAS: Chris Pedroza.

8 MR. PEDROZA: Good evening, Commissioners. My
9 name is Chris Pedroza. I'm field representative with
10 the Carpenters Local 152 in Contra Costa. I thank you
11 for this opportunity to give me the chance to speak on
12 the modernization of the Richmond refinery project.

13 In Contra Costa I represent over 3,600
14 members. And I just want to let you know that
15 Carpenters 152 fully supports Chevron and this project.

16 This modernization project is great for the --
17 is going to be great for the environment, great for the
18 community, and most of all it's going to put a whole lot
19 of people to work. So let's work together. Let's get
20 this thing approved and vote yes on this EIR.

21 Thank you.

22 MR. ROJAS: Nick Despota.

23 MR. DESPOTA: Good evening, Commissioners. My
24 name is Nick Despota; and I want to begin by thanking
25 each of you. This is a long process and your butts must

1 be tired.

2 The word "modernization" seemed like a
3 misnomer to me from the get-go. There's nothing modern
4 about burning fossil fuel. There's just nothing modern
5 about it at all. What's modern is wind, water, and
6 solar.

7 Last month the country of Germany got 72
8 percent of all its energy from alternative sources.

9 But I'm a practical guy and we're talking
10 about practical things here. And I realize that this
11 project is going to be certified. And I think, Okay.
12 That's the way it's going to go.

13 But given that, I'm 65 years old; and two
14 years ago I became a grandfather. And with that change
15 in my life, my horizon of concern moved from about 20
16 years to about 70 or 80 years. Maybe some of you have
17 had a similar experience.

18 I'm very concerned about greenhouse gases. I
19 believe in climate change. I believe it's a reality.
20 There's an urgency here.

21 Therefore I urge you to adopt Alternative 11
22 because it is much more aggressive in bringing real
23 physical reductions of greenhouse gases, greenhouse gas
24 emissions from the plant, as opposed to reductions based
25 on pollution credits and allowances. I think that's

1 pretty obvious. I hope you will support that plan.

2 Thank you.

3 MR. ROJAS: Patricia Byers.

4 MS. BYERS: My name is Patricia Byers and I'm
5 a resident of Richmond.

6 I'd like to take a page from Kory Judd's book
7 and ask everybody who is a resident of Richmond to stand
8 or at least raise your hand now, please.

9 And everybody who works in Richmond. Keep
10 your hand up or keep standing, please, if any of these
11 apply to you.

12 If you hope to live or work in Richmond.

13 And, now, put your hand down if you want a
14 clean, safe environment, a clean, safe refinery. Who's
15 hand is still up? Who doesn't want clean, safe
16 refinery? None of us, right? We all support that.

17 Oh, sorry. I'm sorry. You're right I'm -- I
18 have too narrow a focus. But most people who live in
19 Richmond recognize that the refinery is here for the
20 time being. And we want it to be as clean and safe as
21 possible.

22 What I'd say is that the best way to get that
23 is to support or to endorse and advocate for the
24 Alternative 11 as something that will limit
25 greenhouse-gas emissions locally and then impose

1 conditions for mitigation, funding for alternative
2 energies and local job development, and doing everything
3 you can to help us transition to a future that doesn't
4 involve fossil fuels.

5 Thank you.

6 MR. ROJAS: Uche Uwahemu.

7 CHAIR LANE: And just a reminder: I know it's
8 getting late, but if you can keep kind of the
9 conversations to maybe just a whisper, because we start
10 to hear them up here and then they're kind of disruptive
11 to the speaker. Thank you.

12 MR. LIN: Good evening, Commissioners. Roger
13 Lin, attorney with Communities for a Better Environment.

14 It goes without saying that you have a big
15 task ahead of you tomorrow night. But you're also
16 confronted with a choice that's simple. The community
17 has concerns. These concerns can be met by adopting the
18 community's proposed conditions. There are four of
19 them.

20 First, a community climate justice fund.
21 Chevron must actually commit to community-based
22 mitigation and not export our jobs and health with a
23 purchase of cap-and-trade and other market measures. We
24 need something that, first, works and, second, lasts as
25 long as the project will.

1 Second, make Chevron comply with its air
2 permit with the best monitoring available. This one is
3 a simple matter of public health.

4 Third, safety mitigation. Replace pipes
5 wherever lower-quality oil feed-stock will be refined,
6 which is everywhere in the refinery, not just where the
7 last accident happened. Making improvements only around
8 the crude unit. Is the crude unit the only area where
9 corrosion happens?

10 Finally -- oh -- and no more clamps or
11 patching.

12 Finally, fourth, accountability. Chevron is
13 currently on criminal probation. It also appealed
14 willful and serious Cal-OSHA violations. The company
15 has a poor track record of compliance. And we need a
16 condition to guarantee the company will follow whichever
17 conditions are in the CUP.

18 Let's not wait for the next accident or next
19 emergency-room visit. You're presented with this
20 project; and it has problems. And, sorry to say, folks,
21 but the EIR has a lot of problems too. However, these
22 four conditions can go a long way to solving those
23 problems.

24 The AG's Alternative 11 is less bad. But
25 first we have to have these four conditions. Adopting

1 these four conditions would give us all a project that
2 we can live with safely. And isn't that all what we
3 want?

4 And, finally, I would like -- respectfully
5 request the Commission to request --

6 MR. ROJAS: That's your time.

7 MR. LIN: -- from the consultants a copy of the
8 findings for Alternative 11. I just requested it and
9 was told that only the Commission can --

10 MR. ROJAS: Thank you, Mr. Lin.

11 MR. LIN: -- request it. Yay transparency.
12 So please make that request.

13 MR. ROJAS: Last call for Uche Uwahemu. Are
14 you Uche?

15 Debi Mazor, Richard Hanway.

16 Debi, are you coming up to the podium?

17 MS. MAZOR: Good evening, Commissioners and
18 thank you for your patience.

19 I lived in Richmond for 30 years I practiced
20 law here for a while.

21 And I think it's a sad fact of history that
22 112 years ago a company established itself on the
23 beautiful banks of the Bay and at a time when the
24 population, I imagine, of Richmond was probably less
25 than a thousand people.

1 It is also a sad fact of history that that
2 company has stayed in that location despite all of the
3 problems that the communities around us have had over
4 112 years. But more recently, since we learned about
5 toxins and pollutants, we have discovered that the harm
6 that this company has done is far greater than we had
7 imagined.

8 I just want to ask you, you need to listen to
9 the people who have talked with translators. With great
10 courage they've come before you. And they want you to
11 defend them. They want you to think about them. And
12 you have to because you are David and Chevron is
13 Goliath. And even though you're just a Planning
14 Commission of citizens, you have a lot of power today.
15 And you don't have to pander to an organization that
16 makes \$58 million a day that can well afford to spend
17 billions of dollars to upgrade this refinery, presuming
18 it's going to continue to be here for another 112
19 years --

20 MR. ROJAS: That's your time.

21 MS. MAZOR: Thank you.

22 MR. ROJAS: Richard Hanway, Todd Lewis, Niran
23 Somasundaran.

24 MR. SOMASUNDARAN: Good evening. My name is
25 Niran Somasundaran. I'm with Communities for a Better

1 Environment.

2 Look, modernizing an outdated refinery, that's
3 a great thing. Creating jobs for this community, that's
4 a great thing. Seeing Chevron take preliminary steps
5 towards mitigating their disproportionate emission of
6 greenhouse gases in the Bay Area, that's a really good
7 thing. These are all good things.

8 But looking at the conditions of this project,
9 it's obvious that Chevron can do better. And it's even
10 more obvious that this community deserves better.

11 That's why we're asking the City to include
12 further conditions on this project. Why not establish a
13 stronger community climate justice fund so we can
14 actually implement local greenhouse-gas mitigation
15 efforts?

16 You know, the current mitigation through
17 cap-and-trade allowances, that's all right; but why not
18 enhance it with stronger limits and stronger monitoring
19 on the emissions from the fluid catalytic cracking plant
20 so we can have actual local emission reductions?

21 And while it's great to replace some of the
22 outdated equipment in a small part of the facility, why
23 not expand that and have stronger safety standards by
24 replacing more outdated equipment and creating even more
25 jobs for the community?

1 So, yeah, let's modernize this refinery, but
2 let's do it in a way that ensures the safest, the most
3 equitable, and the least environmentally destructive
4 refinery possible.

5 Thank you.

6 MR. ROJAS: Heather Lewis.

7 And she is going to be followed by the next
8 ten speakers: Rebecca Auerbach, Bruce Kaplan, Raymond
9 Landry, Diane Bailey, Jamie Cousey, Ali Brooks, Zane
10 Handousch, Khae Saecha, I think, and Charles Finley.

11 MS. LEWIS: Good evening. My name is Heather
12 Lewis; and I'm an attorney with Communities for a Better
13 Environment.

14 I wanted to make few comments on the local air
15 pollution impacts of this EIR. This EIR proposes
16 off-site mitigation for both greenhouse gas and criteria
17 air pollutant emissions through the use of regional
18 offset programs by purchasing cap-and-trade for
19 greenhouse-gas emissions and by retiring emission
20 reduction credits, or ERCs, for criteria air pollutants.

21 So ERCs represent emission reductions that
22 have happened in the past; and they represent the
23 potential to emit in the future. Consequently, the
24 retirement of an ERC has no effect on actual emissions
25 in the air but merely reduces the amount that Chevron

1 might be permitted to emit at some time in the future.

2 The EIR proposes to mitigate the localized
3 health and air quality impacts of criteria air
4 pollutants by retiring ERCs. This is completely
5 nonsensical and will have no beneficial impact on the
6 actual air pollution emitted in Richmond. In fact,
7 retiring ERCs reduces Chevron's emissions on paper while
8 allowing actual emissions from the refinery to increase.

9 This Commission should not allow Chevron to
10 trade away significant air quality impacts while
11 creating a toxic hot spot here in Richmond. The
12 conditions outlined in the comment letter submitted by
13 Communities for a Better Environment ensure that
14 emissions are mitigated locally and that air quality and
15 environmental health in Richmond is improved rather than
16 degraded, as Chevron proposes.

17 I urge this Commission to adopt those
18 conditions for the health and safety of the people who
19 live and work in the city of Richmond.

20 Thank you.

21 MR. ROJAS: Rebecca Auerbach.

22 UNIDENTIFIED SPEAKER: I'm a Richmond resident
23 and I am here in support of Alternative 11.

24 This EIR clearly tells us that Chevron's
25 proposal will make THE Richmond refinery itself more

1 toxic, putting out more greenhouse gases and more
2 poisons IN Richmond's air. Then chevron makes the
3 numbers look good by improving other areas that they can
4 and should be fixing anyhow.

5 They're going to put in energy-efficient
6 lightbulbs. I put energy-efficient lightbulbs in my
7 house. Does that mean now I can go dump toxic waste in
8 my neighbor's yard? How about doing the right thing
9 without claiming it has permission to do just as many
10 wrong things?

11 Some of these mitigations aren't even things
12 Chevron will do itself. They want us to go plant trees
13 to make our air a little better while they continue to
14 make our air worse.

15 I was Richmond Proud before Chevron put it on
16 a shiny billboard. I spend a lot of time telling people
17 what a great community this is and how much I love
18 living in Richmond. But how can I be proud if I have to
19 go tell all those people in Oakland and Berkeley --
20 everywhere that you say shouldn't care about this issue
21 but that is breathing our air. If I have to go tell
22 them that my town is increasing greenhouse gases and
23 sending new pollution out across the entire Bay Area,
24 this proposal would make us Richmond Shamed.

25 MR. ROJAS: Bruce Kaplan.

1 Raymond Landry.

2 MR. LANDRY: Raymond Landry, 48-year Richmond
3 resident, by vocation a pastor. I work in a pastoral
4 church here. I'm a member of Local 324, worked as a
5 laborer and worked sometime in Chevron as a laborer.

6 I'm here because I'm a little disturbed and
7 concerned about the politics around this issue. We
8 understand Chevron have had some problems in our
9 community, but we should give -- when somebody is trying
10 to do better, I don't think we should kick him when they
11 are down.

12 You know, I have a degree in urban studies
13 from San Francisco State University. And I realize that
14 a lot of people on the panel are appointed by the Mayor.
15 And I get a little concerned when I see one of the
16 gentlemen on the panel on the back that has the Chevron
17 picture about if you're doing all these bad things and
18 then in the middle you got this man's picture right here
19 in this paper on the panel. I don't think Chevron can
20 even get a fair shake from this panel, because you have
21 people on there who believe this in their heart.

22 And they will never approve this project
23 because they all in this paper. They all in this paper.
24 All in this paper.

25 And they will never get a good shake.

1 But I pray that at some point somebody would
2 have the sense to approve a good project. But if you
3 really know what the EIR say, the executive summary you
4 can read for yourself is in the public library. It will
5 break down for you all that convoluted --

6 MR. ROJAS: Thank you, Mr. Landry.

7 MR. LANDRY: Thank you.

8 MS. BAILEY: Good evening, Commissioners. My
9 name's Diane Bailey. I'm a senior scientist with the
10 Natural Resources Defense Council.

11 Good jobs and clean air, these go hand in hand
12 together. And I think that can't be said enough. You
13 can't sacrifice one for the other.

14 NRDC strongly supports the recommendations for
15 conditions of approval put forward by Communities for a
16 Better Environment and the Richmond Environmental
17 Justice Coalition. And we believe this project cannot
18 move forward without these mitigations and conditions.

19 And I want to note the same for Ethan Buckner
20 of ForestEthics. He had to leave earlier and he asked
21 me to note that.

22 Let me focus a few comments on particulate
23 matter and excess PM emissions from Chevron, in
24 particular the catalytic cracking unit. This has come
25 to our attention from the good work that CBE has done.

1 And particulate matter is deadly. It kills people.
2 Dozens and dozens of studies have shown this. There was
3 one study I wanted to point out, an MIT study released
4 last year looking at over 5,000 cities and found that PM
5 levels were highest and mortality rates from PM
6 pollution were highest in a city in Louisiana because of
7 the refineries. And so we wonder how many people die in
8 Richmond because of refinery pollution. Can anyone
9 answer that? And can we allow this project to move
10 forward before the excess PM emissions from the
11 catalytic cracker are reduced and addressed properly?

12 They're hiding behind excuses about monitoring
13 techniques and all sorts of nuances of their permit. We
14 ask you to investigate. Talk to experts at U.S. EPA.
15 We've contacted experts at U.S. EPA and they've told us
16 that there are very robust method to measure fine PM and
17 that they need to be used. And Chevron has no excuse.
18 They need to address this problem. And if the Air
19 District won't hold them to it, we hope that the City of
20 Richmond will.

21 MR. ROJAS: That's your time.

22 MS. BAILEY: You have a golden opportunity
23 to --

24 MR. ROJAS: Thank you.

25 MS. BAILEY: -- to do the right thing. Please

1 adopt these conditions.

2 Thank you.

3 MR. ROJAS: Jamie Cousey.

4 MR. COUSEY: I'm Jamie Cousey. I've been in
5 Richmond all my life, for 47 years. I'm a qualified
6 resident to work at Chevron. And I approve of the
7 program.

8 I've been a security guard for 20 years. I
9 didn't work for Mr. Roberto right there, though, at
10 Richmond High.

11 And with the Chevron being approved, I not
12 only do better for myself, but I do better for my
13 children and give them a better life to live and a lot
14 of more promises I'll be able to keep with the Chevron
15 project being approved.

16 And I'd like to also say I appreciate for
17 Richmond for paying my dues to get me back in the union,
18 because without them I wouldn't be in the union. I had
19 no money to get in the union. All I was making was \$9
20 an hour being a security guard and taking care of eight
21 children. It's tough. It's real tough.

22 So we can talk what we want to talk, but we
23 can only walk what we can walk.

24 Thank you.

25 MR. ROJAS: Ali Brooks, Zane Handousch, Khae

1 Saechau. Might be Saechau Khae. I'm sorry.

2 MR. KHAE: I'm a Richmond resident. My name
3 is Saechau Khae. And I just want to say thank you for
4 giving us the time to speak. For Richmond, thank you
5 for your support. Chevron, sponsorship. Turner Group
6 Construction. Turner Group Construction, yeah. They
7 sponsored me too.

8 And I just hope that this goes through.
9 That's all I got to say.

10 MR. ROJAS: Charles Finley. He's going to be
11 followed by Richard Freeman, Clifford Foster, Mari Rose
12 Taruc, Robert Bishop, Richard Page, Kayo Saechao,
13 Michael Leedie, Iliana Salazar-Dodge, Jeanne Courts,
14 Deborah Bayer, and Randy Thomas.

15 MR. FINLEY: Hi. I'm Charles Finley and I
16 just wanted to say thank you for Chevron for sponsoring
17 me and helping me better myself. I went through the
18 Richmond Build program and For Richmond sponsored me so
19 that I could work for Turner Group Construction now. So
20 I just wanted to say thank you to Chevron. All right.

21 MR. ROJAS: Richard Freeman, Clifford Foster.

22 MR. FOSTER: How y'all doing today? My name
23 is Clifford Foster. I'm a Richmond resident. I've been
24 here for only two years.

25 And since I've been here I've gotten a great

1 opportunity to be in the Local 324 right here in
2 Richmond. I got that way by working hard, going through
3 classes; and even with all that, I still didn't get all
4 the things that I needed. And Chevron came in and
5 helped me with all of that. They helped me from my
6 boots down to the equipment that I needed to go to work
7 and keep a job. And with that they gave me the
8 opportunity to feel confident. I walk down the streets
9 of Richmond proud to be here. And I'm not even from
10 here, but I'm proud to be here. And without them I
11 wouldn't be here. I can support my family and anybody
12 that needs my help.

13 And so you should do this modernization
14 project because it'll help other people just like me. I
15 wasn't always the best person, wasn't always the
16 fastest, wasn't always the person to just do the right
17 thing. But when they gave me that opportunity, I took
18 it. I ran with it. And you can help somebody else with
19 that same exact thing.

20 Thank you.

21 MR. ROJAS: Mari Rose Taruc, Robert Bishop,
22 Richard Page.

23 MR. PAGE: I'm Richard Page. I work a mile up
24 toward Chevron off Cutting. I live a half mile up
25 Cutting the other way.

1 My sweetie doesn't breathe too well at night
2 some nights, when the window's open. But I don't use
3 any less gas. I don't drive one mile less. I'm
4 complicit in this.

5 I thank you for making my gas, you and your
6 team. It's honest work.

7 I thank you, council people, for giving your
8 lives to help us all, to work for the common good; and
9 you, staff people, who give your lives for the common
10 good; the police, the fire people.

11 Aleksandr Solzhenitysn wasn't allowed to speak
12 for -- against the policies of his country. They put
13 him in the gulag. And while there he came up with -- I
14 can only paraphrase -- it would be easy to find an enemy
15 to separate good from bad and to just eliminate the bad;
16 but our own hearts have good and bad in them and we
17 don't want to cut out our own heart.

18 I heard John Gioia this morning say he's in
19 favor of Angela [sic] Harris's Option 11; and he's a
20 very bright man. With AB 32, we won't implement what we
21 need to with it, but it's a start.

22 Thank you for your time.

23 MR. ROJAS: Koye Seng Saechao, Michael Leedie.

24 MR. LEEDIE: Good evening. My name is Mike
25 Leedie. I'm a 35-year resident of Richmond. That's

1 number one for those of you who think that people are
2 from outside community that are concerned about these
3 issues.

4 Number two, I'm a former CWA member and a
5 former teamster. Also, I was CBE's first environmental
6 justice director and I also was a member of the West
7 County Toxics Board.

8 I request that you adopt the recommendations
9 put forth by CBE, RPA, and the Environmental Justice
10 Coalition, Alternative 11.

11 Let's fix all the pipes in the refinery. I
12 heard a lot of employees talking about how they're very
13 concerned about safety. I know they are, because they
14 want to get home to their families. But you can't
15 resolve safety issues if your equipment is faulty. So
16 no matter how hard you try as a human, there's nothing
17 you can do if the pipes are faulty. So I'm asking
18 Chevron to spend the money to take care of help provide
19 safety in our community. Also, to help us fund a future
20 that's going the make a difference.

21 I heard somebody saying something about
22 driving here. I didn't drive here. I took my bicycle.
23 But you know what? I couldn't find a place to hook my
24 bike up to safely. So that tells you something about
25 the infrastructure we're dealing with.

1 This is more than just an issue of safety at
2 this particular time. One issue that came up -- I know
3 I got 30 seconds -- I'd like to see an enforcement of
4 the best available technology for these condensable
5 air -- the particulate matter as the regulations become
6 more available. And we have to find a way where the
7 community has a way to verify the changes in these
8 conditions and new regulations as they come forth so
9 that the community has involvement in verifying that
10 those issues are addressed in a way that we can live
11 with them.

12 And that's all. I just ask that Chevron help
13 partner us into a new way of living, of cleaner jobs.
14 That means more jobs not just for --

15 MR. ROJAS: That's your time. Thank you.

16 MR. LEEDIE -- for all of THE people, including
17 the union people that are here.

18 MR. ROJAS: Iliana Salazar-Dodge, Jeanne
19 Kortz.

20 MR. BROOKS: You called my name earlier, but I
21 was in the restroom. Ali Brooks.

22 MR. ROJAS: Go ahead, sir.

23 MR. BROOKS: Well, I'm here to speak on behalf
24 of myself, my community, and For Richmond. For Richmond
25 is a great program; and it's helping people get into the

1 construction trades and get into the refinery also. And
2 so I look at it as a good opportunity for my community
3 and younger people that don't have no avenues or don't
4 know how to go about getting things and getting things
5 done or situations. They can help them also get their
6 life together, get it in the construction program, and
7 also be a part of the project that Chevron is trying to
8 put together.

9 And so if you guys was to believe in this
10 project I think that it would help the community a lot,
11 which means may drop crime, may see less people on the
12 streets, you see more families being more together
13 because you have people being able to support their
14 family that's living in the community. And I truly
15 support this program and I hope that you do too.

16 MR. ROJAS: One more time for Jeanne Kortz,
17 Deborah Bayer, Randy Thomas.

18 MS. BAYER: Hi. I'm Deborah Bayer and I'd like
19 to yield my time to Maria Sahagun. Is that okay?

20 MS. SAHAGUN: My name is Maria Sahagun. And
21 I'm a registered nurse at Doctors Medical Center.

22 In a couple of months West County, which
23 represents 250,000 people, will be losing the only
24 community that provides critical-care services. In 2012
25 we took care of -- Doctors Medical Center took care of

1 12,000 of the 15,000 people that came seeking
2 respiratory -- medical services due to their respiratory
3 ailments.

4 Within Contra Costa as a whole, the whole
5 county, West County has the highest health disparities
6 above all. We have the highest cancers within the whole
7 county. People diagnosed with cardiac or diabetes will
8 more likely die of those diagnoses because of poverty
9 and lack of healthcare. Our children are mostly to be
10 hospitalized due to asthma. And we have the chubbiest
11 kids in the whole county as well.

12 Not only that, 75 percent of violent crimes
13 and homicides happen in West County.

14 So if we lose Doctors Medical Center, we lose
15 the only cardiac-care hospital that provides services
16 for people suffering from heart attacks between the
17 cities of Vallejo and Oakland. We lose stroke care and
18 we lose services for those people that the need to be
19 stabilized due to trauma, car accidents, anything. We
20 have the heli-pad there. We do everything. We service
21 up to 45,000 people a year.

22 I'm asking you, Chevron, to be our hero. I
23 don't care if the hospital says "Chevron Hospital" --

24 MR. ROJAS: Thank you, Maria.

25 MS. SAHAGUN: -- please come and save us. This

1 will help 250,000 --

2 MR. ROJAS: That's 15 seconds over your time.

3 Thank you. Thank you, ma'am.

4 Randy Thomas.

5 All right. And we're going to call up the
6 next ten. Sean Hreha, Rosa Lara, Dara Illowsky, Chase
7 Stone, Torm Nompraseurt, Kyle Parson, Quincy D. Harris,
8 David Gesinger, Susan Druding, and Ann Puntch.

9 Sean. Rosa.

10 MS. LARA: Good evening. My name is Rosa Lara
11 and I'm a Richmond resident. I was born and raised in
12 Richmond. I've lived here my whole life -- to be exact,
13 28 years. I'm also the president of the 23rd Street
14 Merchants Association.

15 I'm here today wanting to tell you guys to
16 process the modernization project. This is very
17 important.

18 I'm a mother. I have a ten-year-old son; and
19 his health is everything for me.

20 Thinking and hearing all these people talking
21 about how important it is and the seven percent of the
22 jobs, yeah, it's seven percent of jobs, or even more, or
23 less. But one fact it is is that that seven percent
24 will take a meal home and will put their kids through
25 college. That's very important.

1 But that time not as important as how is it a
2 conflict of interest to have four Planning
3 Commissioners, if not more, protesting against Chevron?
4 No one has brought this up. There's a picture all over
5 Facebook, medias, tweets. There's evidence. How is
6 this project going to move forward if four Commissioners
7 protest against Chevron? Shouldn't it be a conflict of
8 interest?

9 Thank you.

10 MR. ROJAS: Dara Illowsky, Chase Stone?

11 Torm.

12 MR. NOMPRASEURT: Good evening. My name is
13 Torm Nompraseurt. I live here in Richmond here almost
14 40 year.

15 Let me straight the record. The same this
16 room and there is a Planning Commission sit up there.
17 They were not same face. It's a due process. Chevron
18 do the same thing they do tonight. The community had
19 the same thing reply tonight. So we lost. The
20 community lost. The Commission approved. The city
21 Council approve it.

22 We took them to the court. And we win.
23 Because of what? Because Chevron are not supposed --
24 didn't do what they supposed to do.

25 And now they come back. This is second

1 application. So we go through same thing.

2 Don't talk about job. Don't talk about
3 helping the community. We are talking about due
4 process. They have a right to due process. We have a
5 right to our due process. We have a right to speak
6 because it impacts us. Chevron pollution is impact our
7 community, our health.

8 I go to funeral service almost every week.
9 Someone die of the cancer. Don't talk about your
10 Christmas gift, Thanksgiving dinner when we're talking
11 about funeral service. Which one's more expensive?
12 Your family, one of your family somehow somewhere pass
13 away. You know how suffering it is.

14 We are ask Chevron to do the right thing to
15 do. Do the same. Do it clean. And they said yes. And
16 then it happened again. Two years ago sent 15,000 to
17 hospital.

18 Now, you said don't talk about health. Don't
19 talk about the safety. When it happen, we have to.
20 It's not like I want to come up here stand here until
21 eleven o'clock to speak. If you don't have any problem,
22 of course. When you have a problem --

23 MR. ROJAS: Thank you, Torm.

24 MR. NOMPRASEURT: -- we all have a right to
25 speak up. Chevron have the same thing. We have same

1 thing. Thank you.

2 MR. ROJAS: Kyle Parson, Quincy Harris, David
3 Gesinger.

4 UNIDENTIFIED SPEAKER: Hi. If you guys feel
5 that the EIR meets the minimum requirements of the law,
6 please feel free to certify it.

7 I'd like to talk about the conditions.
8 Chevron -- right now, the Richmond Chevron refinery is
9 the number-one greenhouse-gas emitter -- industrial
10 greenhouse-gas emitter in the state. I'd like to see a
11 condition put on the construction that takes that fine
12 distinction away from them.

13 And I'd also like to see a condition put on
14 the construction and maintenance of the facility that
15 requires that if they exceed the baseline threshold,
16 they pay a fine equivalent to a day's profits? That
17 would actually be incentive for them to follow the law,
18 because as we know they have a little trouble with that.

19 We here have heard a lot about jobs. We've
20 heard a lot about the community. If we help Chevron to
21 become a world leader in emissions reduction, that is
22 going to create more jobs than rubber-stamping any
23 project that meets the bare minimum legal requirements.
24 Let's set a baseline that takes away Chevron's
25 distinction of being the number-one greenhouse-gas

1 emitter in the state and let's set a condition that
2 continuously drops that baseline year after year so we
3 can help them through implementation of the latest and
4 greatest technology to be a Richmond Proud industry.

5 Thank you.

6 MR. ROJAS: Susan Druding.

7 MS. DRUDING: Hi. My name is Susan Druding.
8 I live in Richmond. I own a home in Richmond. I also
9 own an acre of property with a building on it where we
10 moved our business on 23rd Street thirteen years ago. I
11 also used to teach at the Richmond Arts center. I am
12 one of the people who is here, contrary to -- I don't
13 know where this circulation came that all of us who are
14 worried about what's going on with Chevron and Richmond
15 have come from Berkeley or San Francisco or something.
16 So I want to establish that.

17 I really support -- and I had not heard them
18 until tonight -- the CBE four suggestions. I think
19 they're very important to be added and maintained under
20 the EIR, which sounds to be a good one, especially with
21 the addition by the Attorney General.

22 I have a couple of just points that I made
23 while we were listening. First of all, I live where I
24 look down on the pier with the boats. And the idea that
25 one tugboat and two oil ships are going to be made

1 better is a joke. I sit there and watch the boats come
2 in and out all day long, and the tugboats. And that is
3 a teeny percentage of what's coming in there. I wasn't
4 happy to see that right where I live is the higher --
5 has a higher pollution area.

6 Another thing I heard tonight is -- I know the
7 building trades are really happy about this, but I heard
8 that the unit for hydrogen is going to be nonunion and
9 the steel workers are not going to be able to work under
10 contract and have a union contract ongoing after it's
11 built. I don't know if that's true, but I talked to a
12 union person who is concerned.

13 So the building trades are happy they're going
14 to get to build it. But after it's done, who's going to
15 run that unit? And will they be unionized under
16 collective bargaining? And from what I heard, they will
17 not. And I think that's something that needs to be
18 brought up with Chevron by the unions. And I'm glad the
19 building trades are happy, but they need to look after
20 the steel workers.

21 I'm a former union member of AFSCME. I was
22 one of the people that started the union at UC that
23 first unionized white-collar workers.

24 MR. ROJAS: Thank you. That is your time.

25 MS. DRUDING: Thanks.

1 MR. ROJAS: Ann Puntch, Nancy Riser, Tom
2 Waller.

3 Nancy.

4 MS. RISER: Nancy Riser.

5 You know, while Chevron upgrades some of its
6 pipes as it doubles down on the discounted tar sands and
7 explosive Bakken crude, it's not replacing
8 infrastructure elsewhere in the refinery. Divestment in
9 fossil fuels is one of the biggest activities on Wall
10 Street and an aging 100-year-old refinery is not
11 replacing most of its crumbling pipes that are held
12 together with clamps. I think the writing on the wall
13 is suggesting that our aging refineries are going to be
14 decommissioned sooner than we think. The City of
15 Richmond has the opportunity to get ahead of the curve
16 and actually implement transitional energy plans before
17 the refinery gets decommissioned.

18 I fully support CBE's climate-justice
19 conditions in their July 3rd letter. These are measures
20 that could mitigate the project's negative impacts and
21 be a part of a community-controlled clean-energy job
22 program that could implement energy conservation
23 programs, develop solar energy, and energy-storage
24 systems, build in electric-vehicle infrastructure, and
25 develop energy efficient public transport. Those

1 measures outlined in CBE's proposal are not only
2 visionary, but they're practical. They embrace the
3 future and mitigate harmful effects of the refinery
4 operations from day one.

5 To be sure, it will be poetic justice that
6 Chevron pays for those programs, but truly from now on
7 shouldn't it be the cost of doing business in our
8 communities?

9 MR. ROJAS: Tom Waller, Paloma Pavel.

10 MS. PAVEL: Good evening. I'm Paloma Pavel.
11 And I'm a visiting professor at UC Davis. I live a mile
12 up the road on the El Cerrito/Richmond border. I'm also
13 president of Earth House Center.

14 And I want to thank you for this process and
15 thank everyone who's spoken here tonight. And I'm
16 really moved by the sense of a kind of drive for life
17 here that the people wanting jobs, wanting to improve
18 our City and our region.

19 I want to speak on behalf of the importance of
20 holding actions to improve the plant that are needed and
21 we see that that's necessary. I drive a car. I'm not
22 yet car-free. But it's true that divestment in fossil
23 fuels is the new direction and we don't have a modern
24 plant ideal here. We have a filling a gap between the
25 new era that we're heading towards, which is really

1 renewables and a way of working with clean energy.

2 And I think we do have an important
3 opportunity here to adopt the CBE suggestions. Kamala
4 Harris has helped us in making a good bridging strategy
5 here. We want jobs, but we also want a clean
6 environment, a good environment. We want health in our
7 communities. We want a hospital that works. And we
8 have the possibility of at this moment, this
9 high-leverage moment of asking for more and dreaming
10 bigger than what we're getting.

11 Thank you for this opportunity. I support the
12 CBE recommendation and that we join together to see that
13 we can have health and jobs and more jobs -- better
14 jobs. Thank you.

15 MR. ROJAS: Sims Thompson. Dennis Dalton.

16 MR. DALTON: My name's Dennis Dalton. I'm a
17 Richmond resident. I've lived here 25, 30 years. I
18 started off my career at Safeway Stores in Richmond. I
19 was a shop steward there, driver. And I led a strike
20 there that lasted five months. We all came back to work
21 except for a few unfortunate people who the company
22 claimed destroyed property or something. And so that's
23 my credentials.

24 I have to make an observation. I've been
25 sitting in the back and I've been watching a lot of the

1 white-shirt people. And I must say they're a good bunch
2 of people. They clapped even when the opposition spoke.
3 They clapped. And I had a good feeling about them. And
4 I think they're really fair.

5 But my feeling about this is we've reached a
6 level where Kamala Harris said, Okay. It's been in the
7 papers. We accept the final revision, whatever the
8 revision is, that the board up there must know what the
9 revision is. I don't know who put it together. But
10 we're almost there. She approved it.

11 My question is, Where is Chevron? I'm look at
12 their executives here. You're bosses. Why they aren't
13 in consultation with these guys up there and the
14 Richmond City Council about how we can have a
15 compromise, how we can lessen some of the fumes coming
16 out of the proposed stack there? Why won't they reduce
17 it a little bit and get the thing going? And if they
18 don't -- if they don't agree, what's going to happen is
19 it going to be challenged in court and all these union
20 members won't have a job for a whole year.

21 So I'm saying they should talk to Chevron
22 bosses and have them talk to them. They can compromise
23 and lower the --

24 MR. ROJAS: That's your time. Thank you.

25 Claudia Citroen. And she will be our last

1 speaker.

2 MS. CITROEN: Claudia Citroen.

3 First of all, it's good to see you still smile
4 and still pay attention as well. You're phenomenal.

5 Legal language. You obviously got Kamala
6 Harris on. And I think the points which were raised
7 here are important. I suggest that you do what
8 government does. You take the recommendation, but you
9 earmark it with an addendum and require that the
10 addendum covers the issues which were raised, which is
11 simple things like electricity. Seems simple.

12 The piping. Let's have a 20-year plan. Let's
13 have a 30-year plan. Let Chevron come up within a very
14 specific time frame how they plan to address it.

15 Chemicals. Apparently -- you know, we learn
16 more on how chemicals are being measured in the air.
17 Let's come up with an addendum that covers that, if
18 technology gets refined, like Google comes up with a
19 balloon that can hang in the air when we know that
20 Chevron releases it.

21 Last thing. Let's debunk one myth about
22 asthma. I went to a specialist. And he told me I don't
23 have asthma, but I have residual symptoms of acid burns.
24 I require that Chevron sends me two more flyers -- one
25 that does a -- gives me actually another nice pie chart

1 with -- just give me a pie chart which gives me the
2 pounds, the grams, of the chemicals which apparently
3 might be released, since you question the 500 percent
4 and the percentage. So give me the measurements. Give
5 me a chart.

6 I require that Chevron does a
7 medical-education piece that helps people understand
8 what asthma is and what acid burns are, what scar tissue
9 in the lungs are --

10 MR. ROJAS: Thank you, Claudia.

11 CHAIR LANE: Okay. So that was our last
12 public speaker.

13 So first I want to thank all those who
14 provided public comments tonight. Most of the folks are
15 gone, which I don't blame them. It's been a long night.
16 But, again, I just want to thank everyone just for being
17 respectful of folks' views whether you agreed or not.
18 It's always great to have a forum where the public can
19 feel free to speak and share their ideas and thoughts.

20 So with that, we're at the time where we can
21 have two-minute rebuttals both from the applicant, which
22 is Chevron, as well as I believe it would be the
23 Richmond Environmental Justice Coalition.

24 So I see Chevron is still here. Do we have
25 folks representing -- okay.

1 So let's have those two-minute rebuttals. And
2 then my recommendation is after that that we'll just
3 continue the rest of the meeting. A big part of tonight
4 is that -- I didn't even think we'd get through the
5 public speakers. So we did that. And then the rest
6 would be for the Commissioners to ask questions -- there
7 could be Chevron, the other side, as well as staff and
8 consultants who provided the recommendations. So I
9 think tomorrow we can just dedicate that time to that
10 and then deliberate and discussion of the Commission.

11 So with that, let's have the applicant. You
12 have two minutes.

13 MR. ROJAS: Jeff Hartwig.

14 MR. HARTWIG: We appreciate the Planning
15 Commission's patience this evening. It's been an
16 interesting evening with lots of great commentary.

17 Modernization is a great project. We think
18 it'll bring significant environmental safety and
19 economic benefits to the City of Richmond. Will be
20 helpful for our refinery. We think that that project
21 will meet the gold standard that's been set in the EIR.

22 We appreciate the thoughtful process that's
23 gone on this evening. And the project before you
24 tonight is an example of what can be achieved when the
25 City and Chevron and community work together to achieve

1 our common goals.

2 We believe the time for modernization is now.
3 I urge the Planning Commission to reject the additional
4 conditions proposed by opponents and pass the project
5 that staff has recommended and proposed this evening.

6 Thank you.

7 MR. LIN: Thanks for your time, Commissioners.

8 First, we want to request -- reiterate our
9 request for the findings for Alternative 11,
10 transparency. We need to see these findings.

11 And as proposed -- just going back to our
12 conditions, as proposed, most of the greenhouse-gas
13 emissions are going to be mitigated by -- 99 percent of
14 them actually are going to be mitigated by
15 cap-and-trade. The state has direct greenhouse goals to
16 get to 80 percent below 1990 levels by 2050. You can't
17 get there with cap-and-trade. Approving this project
18 without mitigation would push California backwards.

19 About the particulate matter, diesel
20 particulate matter, yes, it's bad. But don't forget
21 about fine and ultra-fine particulate matter. The Air
22 District and NRDC tonight noted, yes, it causes death.
23 Don't forget about that one. Don't let them side-track
24 you with diesel particulate matter.

25 And they say it's okay because of monitoring.

1 But, remember, this is CEQA. CEQA carries is there a
2 significant impact using best monitoring? That's why we
3 need the clean-air-proposed condition.

4 For safety hazards now, it's well known that
5 corrosion is not isolated to the crude unit. So why
6 isolate the mitigation to the crude unit?

7 Finally, for verification, that goes without
8 saying. Their track record is not that great. We need
9 something to enforce these conditions.

10 Oh, and one more point so there's no confusion
11 about Alternative 11. It is less bad. But what we
12 really need are these four community conditions first,
13 because Alternative 11 still has gaps. These conditions
14 fill in those gaps.

15 Thanks for your time.

16 COMMISSIONER LANGLOIS: Chair Lane. Could I
17 just ask if we could find out when we will have access
18 to the findings for Alternative 11.

19 CHAIR LANE: Sure.

20 MS. HERNANDEZ: Yes, Commissioner Langlois.
21 If your request is that we prepare such findings, we are
22 anticipating that request and will have them available
23 tomorrow.

24 COMMISSIONER LANGLOIS: Yes, please.

25 MS. HERNANDEZ: Absolutely.

1 CHAIR LANE: So with that request, that's been
2 met by staff.

3 So that's going to conclude our meeting for
4 tonight. Our meeting is already scheduled for tomorrow,
5 which is July 10, 2014, at 5:30 p.m. here in the
6 Richmond Auditorium, right? So with that, the
7 meeting --

8 Do we need to -- I'm sorry. Where we're.
9 Yeah, Kennedy High School.

10 So with that, we'll see you tomorrow.

11 COMMISSIONER MARTINEZ: At what time?

12 CHAIR LANE: Five-thirty.

13 [The hearing ended at 11:24 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 17th day of July, 2014.

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