

Chevron Energy and Hydrogen Renewal Project

The following is a transcription of the January 31, 2008 Design Review Board's recommended Conditions, and vote.

1 CHAIR AVELLAR: Oh, okay.

2 MEMBER WOODROW: I saw a couple of folks
3 shudder out there when I said that. No. No, I'm
4 done. I've said everything I need to say.

5 CHAIR AVELLAR: Does anyone want to make a
6 motion to continue or to recommend?

7 MEMBER WOODROW: I will, if I can go back and
8 find the Staff report. Do you have a copy of the
9 Staff report?

10 CHAIR AVELLAR: Yeah, right here. It's
11 buried in this. Here you are.

12 MEMBER WOODROW: So I move that --

13 UNIDENTIFIED MALE SPEAKER: Microphone?

14 MEMBER WOODROW: I was going to move my knee
15 here. I didn't know what was going on.

16 I will move that -- can you all hear that?

17 Can you hear that? Do I have to get up front now?

18 Can you hear?

19 Yes. Okay. Fine. I move that we approve
20 DR 1104423, the design review for the Chevron
21 Energy and Hydrogen Project. Here are some other
22 numbers that I don't understand.

23 But anyway, it's EID and CUP number 110-1974,
24 with the Staff's four findings. And I have to
25 look to see if they have -- and they have one
214

1 recommendation.

2 I don't think so, do they? Yes, and that the
3 following conditions -- and I will start and
4 others can add in -- number one: That Chevron be
5 required to undertake a geotechnical study that
6 will influence the design of the project, and that
7 should include a geology map of the site -- and
8 that includes the whole site -- maps showing the
9 physical properties and thickness of sediments,
10 including fill ground; a map that shows the ground
11 water surface; modeling that shows the shock
12 effects of several earthquake scenarios, and they
13 can get those off the ABAG site; and some
14 commentary about the effect of sea-level rise on

15 shock effects and ground water. The study should
16 take up at least those things.

17 Now, I don't think that I have to have it
18 moved, but that's going to involve drilling,
19 that's going to involve geophysical studies of the
20 site, it may involve ground-penetrating radar, a
21 variety of things that will be the grounding of
22 the maps. Now, does somebody have the Bay Trail?

23 MEMBER BLOOM: I have it right here.

24 MEMBER WOODROW: I want the Bay Trail thing.

25 MEMBER BLOOM: You should come back to it --

215

1 MEMBER WOODROW: Okay. He should be up here.

2 Okay. Number two -- hang on to that --

3 Chevron shall provide the needed public
4 access easement for construction and operation of
5 a Bay Trail at no cost to the City. Chevron shall
6 cofund preparation of -- I'm sorry. Let me start
7 again. Chevron shall cofund trail construction
8 design documents with cost estimates. So that's
9 number three. That's number three.

10 MEMBER BLOOM: There's a third.

11 MEMBER WOODROW: This stuff -- I think that
12 will do it.

13 (Off-the-record discussion.)

14 MEMBER BLOOM: Well, there's another --

15 MEMBER WOODROW: Let me see that. Hang on a
16 minute. It may be number four.

17 Yes. Question? Did somebody have a flag
18 going up over there?

19 UNIDENTIFIED MALE SPEAKER: I heard the Bay
20 Trail. I thought that was number two, but it is
21 number three, the funding?

22 MEMBER WOODROW: It's got two parts.

23 UNIDENTIFIED MALE SPEAKER: I see.

24 MEMBER WOODROW: It's got two parts, A and B.

25 MEMBER BLOOM: But it has another part, I

216

1 believe.

2 MEMBER WOODROW: The one which is that
3 they'll give the easement, and the second is that
4 they'll prepare trail documents. And then
5 thirdly -- so this is part three under that
6 condition.

7 MR. THOMPSON: Right. You might want to
8 check with the city attorney or the --

9 MEMBER WOODROW: Well, he can hear me out and
10 tell me if I'm off the wall. Okay?

11 Chevron shall pay the incremental capital and
12 operating cost for the trail, which will be
13 incurred during its operation. Does that function
14 all right?

15 UNIDENTIFIED FEMALE SPEAKER: I'm not certain
16 whether the Planning Commission can legally impose
17 that condition. However, you are free to
18 recommend it and we can have the fight at Planning
19 Commission.

20 MEMBER WOODROW: It's in there.

21 MEMBER BLOOM: Can we have a number four on
22 that that the siting of the Bay Trail will come
23 back to us --

24 MEMBER WOODROW: Fine. Yes, that would be
25 good.

217

1 MEMBER BLOOM: -- for review, yeah.

2 MEMBER WOODROW: Currently, they are going

3 over the map that was in fact given us, which is
4 option two, as I understand it, and that seems to
5 be the one that they're going to focus on.

6 MEMBER BLOOM: Right.

7 MEMBER WOODROW: Isn't that correct, Dean,
8 that it is option two? Yeah. It seems -- so
9 those are the ones they are going to focus on.

10 CHAIR AVELLAR: I have some more.

11 MEMBER WOODROW: Oh, go ahead. Those are the
12 ones I have.

13 CHAIR AVELLAR: That the domes on the new
14 tanks are painted darker than the white color
15 that's shown in the presentation, darker or the
16 same color as the domes. And relook at or
17 increase trees for screening, if possible, around
18 perimeter and around tanks or wherever you can to
19 screen some of the tanks and equipment, where
20 possible.

21 MEMBER BLOOM: Can I do landscaping?

22 CHAIR AVELLAR: Yes.

23 MEMBER BLOOM: Okay. An independent

24 consultant should be hired to evaluate soil and
25 recommend substantial additional plantings, and to
218

1 advise on the additional acreage which Chevron has
2 proposed they're willing to plant, and to
3 recommend habitat restoration plantings for
4 additional areas of the acreage owned by Chevron.

5 Now, I don't know how that amount gets
6 determined. This is a recommendation.

7 Additional suggestions that have been offered
8 include elimination of invasive exotic plants --
9 "exotic" is the term used for things that aren't
10 California natives -- from the refinery property,
11 includes broom, pampas grass, fennel eucalyptus;
12 replace existing Monterey pines and eucalyptus on
13 the property which are fire attractants with more
14 fire-resistant species to be determined by the
15 consultant. Native Oaks would be one plant that
16 could be included in this group.

17 Screening. Plantings of groves of trees
18 surrounding the perimeter is something we have
19 discussed. It's already -- I guess we have to

20 redo it as a condition. I would suggest four to
21 six species, including redwoods, in alternating
22 groupings of varying heights and varying growth
23 rates to include broadleaf evergreen plants, which
24 will do the best job of cleansing the air.

25 Soil analysis will inform us to which are the
219

1 most appropriate species given salinity in the
2 water, wind conditions and the purpose that
3 they're there for.

4 I'd like to additionally suggest that Chevron
5 foot the bill for groves of trees in all the
6 counties where the wind blows any particulate from
7 their plant so that there could be a series of
8 groves of trees located in various areas.

9 A question I forgot to ask was, you know,
10 when the wind blows, how many counties actually
11 are affected? I don't think it's just the local
12 Richmond area.

13 So I want to propose this idea which, again,
14 I think is a great opportunity for Chevron, to
15 have groves of trees in various communities. That

16 would, of course, entail working with communities
17 beyond Richmond. And I'm sure that's a question,
18 but this is a strong recommendation.

19 All landscaping plans have to return to the
20 DRB for final approval. If there happens to have
21 been a merger of the DRB and the PC by that time,
22 to the appropriate person. I think we need to put
23 that in there so it doesn't fall by the wayside if
24 by some chance the DRB is in a different form at
25 that time.

220

1 It's better to put that in like that -- or
2 should I say it in a different way? Is that good?

3 Okay. Additionally, the establishment of a
4 series of urban groves, which I'm suggesting need
5 to be in these urban groves. The growth has to be
6 monitored, irrigation systems need to be
7 established, maintained. And pruning in
8 perpetuity, and that needs to be in the plans so
9 that Chevron will assume the responsibility for
10 keeping these groves going and contributing
11 pockets of habitat and of air cleaning.

12 I'm sure that between the Parks Department
13 and the City, possible sites could be recommended.
14 The Greenway is one obvious one in Richmond where
15 a lot of planting is going on at the moment. And
16 there's thousands and thousands of square feet to
17 plant there.

18 It's been suggested that the City of Richmond
19 could qualify for the Tree City USA designation if
20 they applied. An annual budget, I think, is
21 something like 200,000 a year for 10 years, would
22 be about 2 million, and that's again planting and
23 maintenance costs.

24 And that's something that would be well worth
25 doing and would contribute trees around the city.

221

1 Are these conditions? Yeah. I'm doing them
2 as conditions and they can do with them as they
3 like. I was instructed to put out all my ideas
4 tonight.

5 MR. SMITH: On your tree planting, I heard
6 you mention trees outside of Richmond.

7 MEMBER BLOOM: As a possibility, yeah.

8 MR. SMITH: I won't vote for that.

9 MEMBER BLOOM: You won't vote for that?

10 MR. SMITH: No.

11 MEMBER BLOOM: Okay.

12 MR. SMITH: I'm not looking out for anybody

13 else.

14 MEMBER BLOOM: Okay. You don't need to vote

15 for that. If I have to take it out, I will.

16 Hey, Ted, we can trust you for that.

17 Okay. And I will mention this far-out idea,

18 but why not.

19 Looking at the whole picture, seriously

20 addressing the problem of global warming, which

21 we're all contributing to. If you're really

22 dealing with global warming in terms of planting,

23 although we would like to believe that -- I mean,

24 this is informational, then I'll form it, I guess,

25 as a condition -- sorry, but that's how it is --

222

1 we would like to believe that if we planted a

2 zillion trees right here on the property and so

3 on, it's going to take care of all the air

4 problems. And it won't. It just doesn't work
5 that way in terms of the numbers.

6 To seriously address the problem of global
7 warming, in fact, one would need to adopt, replant
8 rainforest areas which are not, even on this
9 continent. But, in fact, we are a global
10 community and there is -- I've received several
11 e-mails from people about this and wanted this
12 included, and I think it's something to think
13 about. If it gets rejected, that's fine.

14 But people need to realize what we're doing
15 here definitely impacts what happens to people
16 healthwise all over the place.

17 And the fact is, botanically, you get more
18 bang for the buck and more mileage out of the
19 kinds of trees, the kind of oxygen production you
20 get in a rainforest than you do out of any tree we
21 could ever plant here.

22 CHAIR AVELLAR: Do you have more?

23 MEMBER BLOOM: I might. I think that's the
24 major ones.

25 CHAIR AVELLAR: It was discussed -- we didn't
223

1 put it in the conditions -- removal of all the
2 retired stacks.

3 MEMBER BLOOM: Yeah, that's right.

4 CHAIR AVELLAR: Okay. So --

5 MEMBER BLOOM: Wait, wait, wait. There's
6 more. There's more.

7 MEMBER WOODROW: Yes. That the company be
8 required to assess again solar and wind energy,
9 not to account for all of their needs, but to
10 offset some of it.

11 I thought that the EIR was a wonderful
12 example of, saying, well, you can't do it all, so
13 dump it.

14 You people have a lot of land that you could
15 put to use. I don't know whether wind would
16 work -- or solar would, but you could offset some
17 of your needs that way. I don't know what part,
18 that's up to you to decide, but it would seem to
19 me that that should be thought over again, not
20 with the idea that you are going to offset all of

21 your needs, but some of them.

22 MEMBER BLOOM: Chevron has a wonderful
23 project at one of the community colleges, a solar
24 project right now.

25 So I'd like a condition too that the
224

1 applicant form a committee which would include
2 perhaps City people, definitely community people,
3 to figure out two plans, two programs to directly
4 address concerns expressed by the people who live
5 in the City, and one of these could be related to
6 children's health, whether it's screening,
7 education, nutrition or whatever.

8 One could be in that area. One could be in
9 job training, perhaps connected to all these
10 people who are going to be released from jail now
11 who are going to need something to do and --

12 CHAIR AVELLAR: Hold on a second. Make a
13 motion to extend the meeting for 15 more minutes,
14 until 10:45.

15 MEMBER WOODROW: So moved.

16 MEMBER BLOOM: So moved.

17 CHAIR AVELLAR: Second?

18 MEMBER BLOOM: Someone seconded.

19 CHAIR AVELLAR: All right. All in favor?

20 (Ayes.)

21 MEMBER BLOOM: I would like to see in place a

22 committee with some commitment on the part of

23 Chevron to respond to the way the community words

24 its concerns. It seems like a no-brainer

25 budgetwise for you to indicate that you take very

225

1 seriously what these people's concerns are and to

2 take it from there. So I'd like to see something

3 like that established.

4 MR. SMITH: Can I ask a question? And it's

5 all right for them to respond.

6 Dean, don't you already have something like

7 that?

8 MEMBER WOODROW: He was going to --

9 MR. O'HARE: We have, I think, in terms of

10 the job training programs and things like that,

11 we're rather sophisticated with. We've had an

12 operator training program at the high school for

13 probably 20 or 30 years. We also do some
14 maintenance training there. We do, again, the
15 welding training programs.

16 We've had a community advisory panel, and
17 that panel voted itself out of existence several
18 years ago.

19 We've tried to go out to the neighborhood
20 councils on a basis of invitation as well as
21 sometimes going out when we have something to talk
22 about and presenting information to them.

23 MEMBER BLOOM: Well, do you think you might
24 be amenable to a proposal put together by some
25 people who live in the community who would say,

226

1 "We want this for our kids" or whatever, something
2 that responds directly to how they're seeing it?

3 Now, it's a different group of people than
4 voted themselves out. I know how --

5 MR. O'HARE: No. I -- I think we're open to
6 all of that. Again, we have a rather sizeable
7 community engagement investment that we make. Jim
8 Brumfield handles that. And we look at a variety

9 of things and from a variety of various programs

10 and this may fit well with something like that.

11 MR. SMITH: Why don't you do like you used

12 to, and you can really do this community a big

13 favor if you do like you used to. You used to

14 have people that sit on every board and commission

15 in town.

16 Every one of these nonprofits, you had

17 someone sitting there with an accounting

18 background from your accounting department, to

19 teach them how to manage their money, when you

20 guys were really involved in this community.

21 You stopped being involved. That's why

22 you've got a crowd out there tonight because you

23 don't do what you used to. You got greedy. You

24 forgot about this community.

25 I've been here all my life. I've seen what

227

1 Chevron have done in the past, but you guys soups

2 up all of the -- everything that you used to do.

3 You're not involved in nothing anymore.

4 Nobody in this town can tell you who the

5 plant manager is. They used to be able to tell
6 you -- everybody, a kid, everybody else could tell
7 you who the plant manager was, but you guys
8 started making money and you forgot about us.

9 Or you come out with threats. You're not
10 involved in the community no more. You guys don't
11 do nothing.

12 I'm just telling you, and I've been here all
13 my life and I saw what Chevron used to do, and
14 I've seen what you've done in the past 10 years.

15 You guys haven't done nothing since Bob
16 Davis. I'll be honest with you. You can pat
17 yourself on the back all you want. All you have
18 done is taken out of this community and tried to
19 screw us every time you got a chance.

20 And I was on your side. But I'm getting to
21 the place I don't like you no more. I'm going to
22 be honest with you. Because you don't do what you
23 used to do in this community.

24 That's why nobody don't like you no more.
25 You used to treat this community a lot better.

1 I'm just telling you.

2 MR. O'HARE: Well, we certainly don't have
3 the history that you have here. I know I don't,
4 but we'll look forward to hearing more about what
5 you think we could do to --

6 MR. SMITH: I just gave you an example. Get
7 on some of these nonprofits, take some of them
8 people out of your accounting department, like
9 they used to, sit on the board, teach them how to
10 manage their money and give them some money, like
11 you used to.

12 MR. O'HARE: And I'm sure you have more ideas
13 and we'll look forward --

14 MR. SMITH: Oh, yeah.

15 MR. O'HARE: We'll look forward to hearing
16 those.

17 MR. SMITH: Oh, yeah. Oh, yeah. Bring
18 Booths[phonetic] back. Bring Bob's program back.

19 MR. O'HARE: I'm not familiar with it, but
20 we'll look forward to hearing more about it.

21 MR. SMITH: Yeah, I'm just telling you and

22 these people, when Bob was here, even though he
23 was a conservative guy, most people didn't like
24 him, but he would listen, and he didn't send
25 nobody to do it for him. He was out himself doing
229

1 it. And people had a sense that they got a fair
2 shake from him, even though he was a conservative,
3 but everybody felt as though they got a fair
4 shake.

5 You don't have that no more. That's why
6 everybody was out there against you because you
7 don't do that no more. And you're making way more
8 money. But every time I look around you're trying
9 to screw us. I'm just telling you. And I used to
10 be your friend.

11 MR. O'HARE: And I hear you. That's good
12 counsel.

13 MR. SMITH: You ought to be more humanistic
14 like you used to be before you moved to San Ramon.

15 CHAIR AVELLAR: Okay. So the conditions
16 are --

17 MR. SMITH: Look at your staff there. Nobody

18 looks like me. I remember when that used to
19 didn't be the case.

20 CHAIR AVELLAR: Okay. So, second on the
21 motion? A second? No seconds? You made the
22 motion --

23 MEMBER WOODROW: I moved --

24 MEMBER BLOOM: Oh, he made the -- second.

25 CHAIR AVELLAR: You made the second. All in
230

1 favor say aye.

2 (Ayes.)

3 MR. SMITH: To pass this?

4 CHAIR AVELLAR: Yes. To recommend it to the
5 Planning Commission.

6 MR. SMITH: I'm going to do it begrudgingly,
7 Dean. Straighten your hand up, man.

8 CHAIR AVELLAR: So all in favor.

9 (Ayes.)

10 CHAIR AVELLAR: All opposed.

11 (No response.)

12 CHAIR AVELLAR: Okay. So the motion is
13 removed and recommended to the Planning

14 Commission. And that's DR 1101974. Thank you.

15 Okay. Appeal process. Anyone wants to

16 appeal this recommendation -- okay. No appeals.

17 Okay.

18 (End of Agenda Item 1)

19

20

21

22

23

24

25

231

1

2

3

REPORTER'S CERTIFICATE

4

5 I, Joan Ecker, RPR, hereby certify that the

6 foregoing is a full, true and correct transcript of

7 the proceedings transcribed electronically from

8 audio to the best of my ability.

9

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said proceedings,
12 nor in any way interested in the outcome of said
13 proceedings.

14

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand on this 13th day of February, 2008.

17

18

19 JOAN ECKER, RPR /S

20