

Valero Crude by Rail Project
Public Comments received DEIR Public Review Period
June 17 - July 2, 2014

Commenter	Date Received
Agencies	
City of Davis	24-Jun-14
Sacramento Council of Governments	27-Jun-14
Organizations	
Lynne Nittler of Yolano Climate Action	30-Jun-14
Individuals	
Kirk Johnson	19-Jun-14
Anthony Van Zandt	19-Jun-14
Dell (Rio) Holbrook	19-Jun-14
Paul and Lois Leimone	19-Jun-14
Andrew Erthum	19-Jun-14
Dennis Lowry	19-Jun-14
Suzanne Kleiman	19-Jun-14
Desiree La Bar	19-Jun-14
Dale Cross	24-Jun-14
Paul and Lois Leimone	24-Jun-14
Jim Kons	24-Jun-14
Roger Straw	25-Jun-14
Patty Eastman	30-Jun-14
Charles M. Graham	30-Jun-14
Barrie Robinson	30-Jun-14
Cara Bateman	30-Jun-14
Joyce Resnick	30-Jun-14
Wayne W. Evans	1-Jul-14
Greg Yuhas	1-Jul-14

COMMUNITY DEVELOPMENT AND SUSTAINABILITY DEPARTMENT

23 Russell Boulevard, Suite 2 – Davis, California 95616
530/757-5610 – FAX: 530/757-5660 – TDD: 530/757-5666



June 24, 2014

Amy Million, Principal Planner
City of Benicia, Community Development Department
250 East L Street
Benicia, CA 94510

RE: Valero Crude by Rail Project – Draft EIR Comment Period

Dear Ms. Million,

The City of Davis is currently reviewing the Draft EIR (DEIR) for the proposed Valero Crude by Rail Project, which was released on June 17, 2014 for a 45-day public comment period ending on August 1, 2014. The City will endeavor to submit comments on the DEIR in a timely manner. However, given the length and complexity of the DEIR document and technical reports and the timing of the DEIR release during the busy summer break with the July 4th holiday in the middle of the comment period, the City of Davis is requesting an extension of the comment period for an additional 30 days.

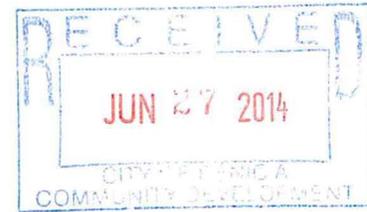
The additional time would allow us to provide better informed and more useful comments. Please contact me with your response at: (530) 747-5881; or by email at: mwebb@cityofdavis.org. Thank you.

Respectfully,

Mike Webb,
Director of Community Development and Sustainability



June 24, 2014



Amy Million, Principal Planner
Community Development Department
City of Benicia
250 East L Street
Benicia, CA 94510

Re: Valero Crude by Rail Project—Draft EIR Comment Period

Dear Ms. Million:

Sacramento Area Council of Governments (SACOG), in coordination with its member agencies, is currently reviewing the Draft EIR (DEIR) for the proposed Valero Crude by Rail Project.

We are working with our regional partners, who are interested in the indirect impacts resulting from this project along the railroad's mainline. Given the length and complexity of the DEIR document and technical reports, we respectfully request an extension of the public comment period for an additional 30 days. The additional time would allow us to provide you with our comprehensive and coordinated regional comments.

We thank you for your consideration, and if you have any questions, please contact me at (916) 340-6210 or ktrost@sacog.org.

Sincerely,

Kirk Trost
Chief Operating Officer/General Counsel

KT:gg

Auburn
Citrus Heights
Colfax
Davis
El Dorado County
Elk Grove
Folsom
Galt
Isleton
Lincoln
Live Oak
Loomis
Marysville
Placer County
Placerville
Rancho Cordova
Rocklin
Roseville
Sacramento
Sacramento County
Sutter County
West Sacramento
Wheatland
Winters
Woodland
Yolo County
Yuba City
Yuba County

Amy Million - Valero Crude by Rail DEIR

From: Lynne Nittler <lnittler@sbcglobal.net>
To: "AMillion@ci.benicia.ca.us" <AMillion@ci.benicia.ca.us>
Date: 6/30/2014 2:03 PM
Subject: Valero Crude by Rail DEIR
Attachments: request for extension.docx



June 30, 2014

Amy Million, Principal Planner
City of Benicia, Community Development Department
250 East L Street
Benicia, CA 94510

Re: Valero Crude by Rail Project – Draft EIR Comment Period
Dear Ms. Million,

Yolano Climate Action, an organization in Yolo and Solano Counties that brings together representatives of local groups and individuals working on mitigation of the climate crisis in order to amplify the effectiveness of all our advocacy efforts through improved communication, coordination, and support, is reviewing the draft EIR for the proposed Valero Crude by Rail Project which extends to July 31, 2014. Given the summer vacation timing of the review period and the depth and complexity of the report and appendices, we are requesting an extension of the DEIR comment period for an additional 60 days so that we can provide more thorough and thoughtful comments. This letter is also attached.

I understand an extension will be considered at the July 10 Planning Commission meeting. Please let us know the decision either by email at lnittler@sbcglobal.net or by phone at [530-756-8110](tel:530-756-8110).
Thank you.

Respectfully,
Lynne Nittler
Resident of Davis and leader of Yolano Climate Action

June 30, 2014

Amy Million, Principal Planner
City of Benicia, Community Development Department
250 East L Street
Benicia, CA 94510



Re: Valero Crude by Rail Project – Draft EIR Comment Period
Dear Ms. Million,

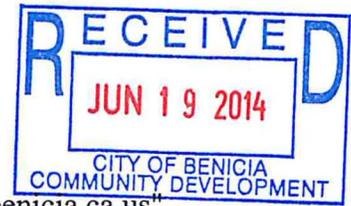
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I understand an extension will be considered at the July 10 Planning Commission meeting. Please let us know the decision either by email at lnittler@sbcglobal.net or by phone at 530-756-8110.
Thank you.

Respectfully,
Lynne Nittler
Resident of Davis and leader of Yolano Climate Action

Amy Million - oil train deir

From: kirk johnson <kirkj55@yahoo.com>
To: "amillion@ci.benicia.ca.us" <amillion@ci.benicia.ca.us>
Date: 6/18/2014 5:41 PM
Subject: oil train deir
CC: "info@beniciaCBR.com" <info@beniciaCBR.com>, "bkilger@ci.benicia.ca.us" ...



I'm good with the train, maybe install a containment system with foam application along the route starting at city limits to quell fears of the sky is falling crowd

Amy Million - deir

From: kirk johnson <kirkj55@yahoo.com>
To: "amillion@ci.benicia.ca.us" <amillion@ci.benicia.ca.us>
Date: 6/18/2014 5:44 PM
Subject: deir
CC: "bkilger@ci.benicia.ca.us" <bkilger@ci.benicia.ca.us>, "info@beniciaCBR...."

3 to 5 mph inside city limits

From: Anthony Van Zandt <anthonyvanzandt@comcast.net>
To: "amillion@ci.benicia.ca.us" <amillion@ci.benicia.ca.us>
Date: 6/18/2014 6:52 PM
Subject: Crude by rail



After reading the EIR report I fully support the crude by rail project. I think its a win win. It creates good paying jobs and lowers overall greenhouse gas emissions. Thats a great combo for everyone in the community.

Sincerely,
Anthony Van Zandt
707-652-4884

From: <rio728@aol.com>
To: "amillion@ci.benicia.ca.us" <amillion@ci.benicia.ca.us>
Date: 6/18/2014 8:19 PM
Subject: Crude by rail



As a local business owner I don't understand the opposition to what Valero is requesting. As I understand the crude by rail will basically have zero impacts on air quality, traffic, public safety, or any other negatives And will have many positive impacts such as job creation and an increase in tax revenue for the city. As a concerned long time resident of Benicia I fully support what Valero is proposing.

Sincerely
Dell (Rio) Holbrook

Sent from my iPad

From: Paul Leimone <paulleimone@gmail.com>
To: <amillion@ci.benicia.ca.us>
Date: 6/18/2014 9:30 PM
Subject: Crude by mail



Amy,

I wanted to let you know that my wife and I are in support of Valero's plan to rail in crude. I see the possible dangers as very slim and the benefit to the city and citizens is great. Lets not shoot the hand that brings in lots of benifits to the city as is.

Concerned citizen,
Paul and Lois
675 Daffodil Dr.

Amy Million - CBR



From: <erthum@comcast.net>
To: <amillion@ci.benicia.ca.us>, <bkilger@ci.benicia.ca.us>
Date: 6/19/2014 7:25 AM
Subject: CBR
CC: <info@beniciaCBR.com>

Good morning my name is Andrew Erthum. I am a long time resident and home owner of Benicia, and would not want to live in any other location in California. I would like to show my support to the Crude By Rail Project via this email. I think it is important that you know a little bit about some of the supporters of the project. I am a Building Inspector that specializes in the welding of piping and structural steel, and have worked in all of the Bay Area Refineries. I was one of the inspectors that was scheduled to be on this project before it was delayed. I know there is a lot of controversy over this project, but I feel if Benicia wants to maintain it high quality of standards and all of the support that the refinery provides the Benicia community, it needs to approve this project. Thank you for your time, Andrew Erthum AWS/CWI 96041041



Valero Rail Extension - Equal Justice (Treatment) Under the Law??????????????

I decided to write this piece before release of the Staff EIR report on the Valero request to build 3 railroad track extensions (sidings) on their property. The level of near hysterical hyperbole presented by one small but active group against this effort has caused the City and Valero to again be held hostage by the less than veiled threat of efforts to delay construction of this project. The project has already been delayed a year or more at an initial cost of one or more millions of dollars; all of which will be passed to the consumer in the form of higher gas prices. It is my opinion that the City and Valero should have proceeded no differently than how the City processed past requests to build the nearly exact same facilities.

A few years ago around 2009, Union Pacific constructed 4 railroad track extensions (sidings), around ½ mile each, on their property on the Southwest side of Industrial Way between Channel Road and Bayshore Road. I estimate the cost to build those 4 tracks were similar to today's cost to build 3 extensions so the requirement to apply and receive a use permit should have occurred. My research for articles, protests, Council Handwringing and City Manager pontification along with reading 2009-2014 Planning Commission Minutes came up empty; I could not find anything remotely noteworthy regarding the Union Pacific project. Recently, in late 2013 and early 2014, Union Pacific significantly upgraded those 4 track extensions in addition to the remaining extensions paralleling Industrial Way. I assume those upgrades significantly increased the load carrying capacity of each track since the spacing between railroad ties was cut in half i.e., moved much closer to each other. This effort probably fell short of the requirement to apply for a use permit but otherwise is no different regarding what could conceivably be parked on those tracks. Again, no efforts to protest the construction and no sensationalism or postulation that tankers of sweet/heavy crude could be parked on those newly upgraded tracks.



My understanding of the 14th Amendment to our Constitution along with the way our Country works is that we are a Country of Laws. "EQUAL JUSTICE UNDER THE LAW" – These are the words engraved above the main entrance to the Supreme Court Building. The most recognized legal symbol visible in the architecture of the building is the female figure representing Justice. Lady Justice has often been depicted wearing a blindfold. The blindfold represents objectivity, in that justice is or should be meted out objectively, without fear or favor, regardless of identity, money, power, or weakness; blind justice and impartiality must prevail in all legal decisions.

I believe the City of Benicia, its Staff, Council and Planning Commission have lost sight of the "Equal Justice Under the Law" concept. I think they need to take a giant step back and reconsider Valero's request through a very simple lens. What has the City done in the past, what are they legally able to regulate, and what should the City's overall role be in the Valero Rail Extension (siding) request.

I believe there are three separate and distinct issues along with distinct regulatory

bodies for each issue:

1. Request to Build 3 Railroad Track Extensions (sidings) – This is an area of authority for Benicia; Valero should meet all requirements in order to receive a permit to build their rail extensions. The criteria for approval of the request should be the same as applied to Union Pacific's extensions and any other similar projects.
2. Environmental implications of what is carried on those tracks in addition to the standards that must be met in processing any liquids offloaded or loaded to railroad tanker cars. This is an area where Benicia does not have any authority. I believe the levels of authority are the BAQMD (Bay Area Quality Management District), the State Environmental Protection Authority and the Federal EPA.

3. Authorization and standards of what may be transported in tanker cars on railroad tracks and the safety standards therein. This is an area where Benicia does not have any authority. I believe the levels of authority are DOT (Department of Transportation), U. S. Department of Homeland Security and perhaps the EPA.

In essence, the one matter that the City of Benicia has the authority to regulate is Valero's request to build 3 railroad track extensions (sidings). I also believe the precedent has been set on the criteria that must be met to build the tracks; that used to regulate the Union Pacific track extensions (sidings). A worst case scenario for Valero is that they are able to build their track extensions but at the same time decisions are made by DOT to disallow any heavy crude to be transported by rail. Each act and accompanying decision is separate from the other and should be addressed accordingly. Allowing radicals from either side of the argument to influence what is to be addressed is patently wrong and should be rejected out of hand. Those concerned about what is transported on the rails or what the quality of air will be should be referred to the appropriate State or Federal authority; it should not and cannot be decided or regulated by the City of Benicia.

Dennis Lowry
Benicia

Amy Million - Support for Valero CBR Project



From: Sue Kleiman <suzykleiman@gmail.com>
To: <amillion@ci.benicia.ca.us>, <bkilger@ci.benicia.ca.us>, <info@beniciaCB...>
Date: 6/19/2014 10:43 AM
Subject: Support for Valero CBR Project

I support this project because there are no good reasons not to.

It will create jobs, make us more independent from foreign oil, generate increased tax revenue for the city. It will decrease Greenhouse gas emissions and complies with safety and noise issues. It will make producing gas more economically efficient which may go towards lowering the price of gas. We all benefit.

The stronger we are economically, in the city, the state and the country the more options and opportunities are available to us in the future. We can afford to make the place we live better and better for our kids.

There are no perfect answers. Everything comes with risks. But the benefits in my opinion, more than outweighs the risks.

Suzanne Kleiman
446 Mills Drive
Benicia
748-0202

Amy Million - I support the Valero CBR Project!



From: Desiree La Bar <dlabar@ur.com>
To: "amillion@ci.benicia.ca.us" <amillion@ci.benicia.ca.us>, "bkilger@ci.ben..."
Date: 6/19/2014 2:39 PM
Subject: I support the Valero CBR Project!
CC: "info@beniciaCBR.com" <info@beniciaCBR.com>

Hello,

I am a Benicia resident and I am writing you to express my support of the Valero CBR project. This project will benefit our community in a variety of ways, including most importantly, an overall net decrease in Greenhouse Gas emissions.

The project will also help ensure Valero's viability as a source of jobs and economic activity for us here in Benicia, Solano County and statewide, where this industry directly or indirectly employs more than 300,000 people.

The Environmental Impact Review process found that the project will not adversely impact the environment. In addition, it complies with all California Environmental Quality Act requirements. Valero Benicia is a responsible company and a good neighbor. They are committed to safety and to the community. Please take the necessary steps to approve this project, so that our community can start to benefit from the project's positive impacts.

The Valero CBR project is good for our economy and good for our air.

Please join me in advocating for the swift approval of the CBR project.

Thank you.

Sincerely,
Desiree La Bar

Dale Cross

Benicia Resident

Amy Million - Fwd: Crude by Rail

From: Brad Kilger
To: Amy Million
Date: 6/24/2014 4:04 PM
Subject: Fwd: Crude by Rail



>>> Paul Leimone <paulleimone@gmail.com> 6/19/2014 8:45 PM >>>

My wife and I have been residents of Benicia for 22 years and fully support crude by rail. I do not see the risk of transporting crude by rail and more dangerous than propane or other hazardous materials. We need to support industries that provide jobs and income for our city.

Thank you,

Paul and Lois Leimone

675 Daffodil Dr.

Amy Million - Valero Crude by Rail DEIR

From: <jckons@comcast.net>
To: <amillion@ci.benicia.ca.us>, <bkilger@ci.benicia.ca.us>
Date: 6/24/2014 4:11 PM
Subject: Valero Crude by Rail DEIR
CC: <info@beniciaCBR.com>



Ms. Million and Mr. Kilger,

My family and I have been Benicia residents for the past 8 1/2 years. While I am not employed by Valero, I have been involved in the refining industry for over 27 years and have had the opportunity to work and visit many of the refineries throughout the Western United States and Canada.

I would first like to commend the city on the thoroughness of the DEIR. The areas covered should be of concern to all Benicia residents.

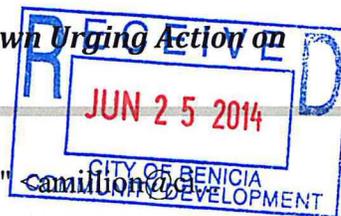
Secondly, I would like to say that I support the Valero Crude by Rail project for many reasons. I believe that the Valero Benicia Refinery does more than put a priority on safety. The expectation is that safety for all of their employees and contractors is a way of life. I also believe that Valero would like to continue to do business in our community for a long time. My observations and belief are that Valero sets and expectation that the work they perform has less than significant or no impact on our environment and natural resources.

Over the past several years I have had the opportunity to travel to North Dakota on numerous occasions. The economic impact of the oil production from the Bakken fields is amazing. I truly believe that the impact from the Bakken and other shale oil fields has kept energy prices in North America at the level where businesses that were driven overseas due to advantaged labor costs are now returning to the US because of our lower energy costs. In order to keep responsible businesses in Benicia, they need to be able to compete with other locations, both in California and beyond. I believe that allowing a responsible business like Valero access to price advantaged supplies of crude oil by rail is a smart long term decision for our city.

Thanks for attention in this matter,

Jim Kons
McCall Dr.

Amy Million - FW: FOR IMMEDIATE RELEASE: Letter to Governor Brown Urging Action on Crude by Rail



From: <rogrmail@gmail.com>
To: ""Brad Kilger"" <bkilger@ci.benicia.ca.us>, ""Amy Million"" <amillion@ci.benicia.ca.us>
Date: 6/25/2014 1:28 PM
Subject: FW: FOR IMMEDIATE RELEASE: Letter to Governor Brown Urging Action on Crude by Rail
CC: ""Marilyn Bardet"" <mjbardet@comcast.net>
Attachments: image001.jpg; header.htm; 2014.06.16 - Ltr to Gov. Brown download.pdf

Brad and Amy – The following media advisory went out far and wide this afternoon, detailing a letter to Governor Brown sent by Benicians For A Safe and Healthy Community. Please include the advisory (below) and the attached memorandum and letter to Governor Brown in the record on Valero Crude By Rail.

Roger Straw

On Behalf of Benicians For A Safe and Healthy Community

Benicians For A Safe and Healthy Community

PRESS RELEASE:

P.O. Box 253 Benicia, CA 94510
 WWW.ASAFEANDHEALTHYCOMMUNITY.ORG SafeBenicia.org
BENICIANS FOR A SAFE AND HEALTHY COMMUNITY ["BSHC"] URGES GOVERNOR BROWN TO TAKE ACTION TO PROTECT CALIFORNIA COMMUNITIES AND THE ENVIRONMENT FROM RISKS POSED BY RAIL TRANSPORT OF CRUDE OIL AND OTHER HAZARDOUS FOSSIL FUELS.

BENICIA, CA – June 26, 2014

Benicians For A Safe And Healthy Community (BSHC), a local grassroots group formed to challenge Valero Benicia refinery's proposed Crude By Rail Project, has sent a letter to the Governor, dated June 16th, which identifies risks to Californians associated with transportation of crude oil by rail and the need for immediate executive and legislative action. Communities and sensitive ecologies up and down the state could soon face added daily risks posed by increasing rail delivery of North American-sourced crude oil – dirty tar sands from Alberta, Canada, and volatile Bakken from North Dakota – as well as increasing rail exports of other hazardous fossil fuels (butane, propane). Union Pacific and BNSF unit trains would travel through cities, and over treasured lands and waters: Donner Summit, Feather River canyon, Shasta's Dunsuir gorge, ag land, Suisun Marsh, Carquinez Strait, and through Bay Area cities and down California's prized coast to Santa Maria.

Refinery expansion projects and proposals for new oil terminals are now under CEQA environmental review, yet newly recommended state legislation and federal rail safety policies cannot be counted on to prevent catastrophic derailments such as the six that have occurred since the horrendous fireball, July 6, 2013 at Lac-Mégantic, Quebec, that instantly killed 47 people and decimated the city center.

BSHC's recommendations call for withholding permits until new Federal and State legislation protective of communities and the environment is enforced. Current Federal and State policy and legislation is

outdated, inadequate and does not fully address inherent risks associated with rail transport of dangerous fossil fuels or the measures required to protect California communities and ecologies.

Additionally, BSHC's letter notes that the effect of increased crude oil transport by rail may be in direct opposition to California's priority: namely, guided by AB32, the California Global Warming Solutions Act of 2006, that the state redirect investment toward renewable energy, aiming to supply 100% of electric power from a combination of wind, solar and tidal energy by 2050.

Attached to the letter is a memorandum which highlights the key points in the letter. **View the memorandum and letter here:** <http://safebenicia.org/wp-content/uploads/2014/06/2014.06.16-Ltr-to-Gov.-Brown-download.pdf>.

Copies of the letter have been sent to select congressional members, CA legislators, CA mayors and County supervisors, environmental and community groups, and other interested parties. See letter for full list.

CONTACTS:

Andres Soto, BSHC Media coordinator [\(510\) 237-6866](tel:5102376866) adcsoto@hotmail.com

Marilyn Bardet, BSHC member, letter signatory, and founding member of the Good Neighbor Steering Committee [\(707\) 745-9094](tel:7077459094) mjbardet@comcast.net

MORE INFORMATION:

SafeBenicia.org

[The Benicia Independent](#)



MEMORANDUM

TO: The Honorable Edmund G. Brown Jr.
Governor of California

FROM: Benicians For A Safe And Healthy Community ("BSHC")

DATE: June 16, 2014

SUBJECT: **The oil industry's proposal to import by rail and process massive amounts of volatile new forms of crude oil without adequate safeguards endangers citizens throughout the state and mocks California's commitment to clean energy.**

This memorandum summarizes the concerns of BSHC as described in the attached letter addressed to the Governor:

- Numerous expansion projects have been proposed by the oil industry in the Bay Area as part of a statewide plan to move by rail enormous amounts of unusually volatile and dangerous fossil fuel products;
- Rail transport of Bakken and tar sands crude has already begun and continues even as plans for expansion of such imports are under CEQA review;
- The goal of the proposed projects is to allow exponentially increased transport by rail of dangerous forms of imported crude oil, as well as concomitant increases in shipments of other flammable products (such as LPG, propane and butane) around the state;
- The U.S. Department of Transportation (DOT) classifies transport of crude oil by rail as an "imminent hazard"; and it is undisputed that the 98,000 rail tank cars in service were not designed to carry tar sands and Bakken crude;
- Between July 2013 and May 2014 there were seven (7) train derailments involving Bakken crude, six of which were catastrophic with fiery explosions and environmental devastation; the best emergency response to such fires was to let them "burn out";
- Between 2010 and 2012 the EPA spent \$1 billion in an unsuccessful attempt to clean up a tar sands spill from a pipeline into the Kalamazoo River in Michigan; the routes at issue in California cross dozens of sensitive waterways, protected marshlands and vast agricultural areas;
- New guidelines for emergency response, protocols for selecting the safest routes, and safety standards for rail tank cars must be in place and enforced before trains of explosive materials are allowed to enter populated and environmentally sensitive areas of California;

The Governor is requested: to delay increases in such rail traffic until environmental impacts are assessed and adequate safety regulations are in place; and to establish an entity composed of stakeholders representing the impacted "fenceline" communities to oversee the movement of crude oil and other fossil fuels by rail and pipeline.

Enclosure



Benicians For A Safe and Healthy Community

////////////////////////////////////
P.O. Box 253 Benicia, CA 94510
(707) 742-3597 info@safebenicia.org SafeBenicia.org

June 16, 2014

The Honorable Edmund G. Brown Jr.
Governor of California
c/o State Capitol, Suite 1173
Sacramento, CA 95814

Subject: Benicians For A Safe And Healthy Community (“**BSHC**”) concerns regarding significant threats posed by multiple oil industry expansion projects that propose increased transport and processing of dangerous unconventional crude and other fossil fuels.

Dear Governor Brown,

As proud Californians, we are grateful that the Golden State has strict policies with some of the highest standards in the nation to safeguard public health and safety, protect land, air and water, and drastically reduce greenhouse gases to ameliorate the accelerating rate of global warming. Our landmark visionary climate protection law AB32 (the California Global Warming Solutions Act of 2006), leads the nation forward towards the creation of a sustainable, resilient economy based on renewable energy. As Californians, are looking to you as Governor of this great state, for guidance, direction and protection. Your leadership is paramount in this unprecedented global climate challenge.

A significant impediment to this challenge is the oil majors’ Klondike-like rush to import into California unconventional domestic oil. The types of materials coupled with the methods of importation sabotage our state’s “clean energy” alternative to fully invest in and urgently implement clean fuels technologies – to meet 100% of the state’s energy demands to power a new economy by 2050.¹

As residents of the greater Bay Area, we are highly alarmed by oil industries’ proposed (and, in some instances implemented) expansion projects in our region and in Southern California² currently facing multiple CEQA reviews. These projects propose the import by rail and pipeline of unconventional “extreme crudes”, which are the most dirty, dangerous, and carbon-intensive

crudes ever produced: heavy sulfur and metals-laden diluted bitumen (“dilbits”) from Alberta, Canada’s vast tar sands operations³ and highly volatile “Bakken” crude from the Williston Basin of the Bakken shale formation in North Dakota.⁴

We recognize that the oil majors’ immediate motives are to acquire heavily discounted, “price-advantaged” North American-sourced crude to maintain and grow profit and business-as-usual’s dependence on fossil fuels – while they last – for energy and transportation and to profit from exports to Asian markets.⁵ Yet, gross estimates for the total recoverable oil from North Dakota’s Bakken are speculative. Even if exaggerated, the figure provided of 11 billion barrels of oil for those reserves would only supply the US for two years.⁶ The US government Energy Information Administration (“EIA”) recently reported a 96% devaluation of the prior estimates of extractable tight oil from California’s Monterey Shale. This significant devaluation, together with the Alberta’s tar sands operations which represent the highest costs and investment risks in the industry,⁷ strongly suggests that California must redirect its priorities.

The number of oil industry projects now simultaneously proposed must be thoroughly vetted under CEQA for their foreseeable adverse, cumulatively considerable effects on California communities’ safety, public health, lands, waters, and climate as well as the effects on our global climate.

WE RESPECTFULLY REQUEST that you exercise your executive authority and take decisive action to investigate these unsafe industry projects that, individually and cumulatively, envision transport of unprecedented volumes of dangerous crude and increasing amounts of propane that would exponentially increase the already numerous daily rail shipments throughout the state of flammable fossil fuel liquids and gases. These projects would send freight unit trains, up to 100 tank cars long, through our cities and surrounding environs, through light and heavily populated areas, fragile marshes and wetlands, major waterways, along San Francisco Bay and California’s coastal communities, through agricultural lands and areas of incredibly treasured environmental beauty and on tracks shared with passenger rail commuters.

What is at stake for Bay Area and other California communities and the environment?

If permitted, the numerous, simultaneously proposed oil industry project involving increased rail and/or pipeline transport of Bakken and tar sands crude pose immediate daily risks to the North Bay Area communities – Richmond, Rodeo, Crockett, Benicia, Martinez and Pittsburg, as well as, So-Cal communities of Santa Maria and Bakersfield.⁸ *Our fenceline communities have already reached their carrying capacity for pollution, public health hazards and safety risks, including risks associated with possible terrorist attacks.*

Rail transport of tar sands and Bakken crude, as well as increased rail shipments of other flammable fossil fuels (LPG, propane, butane), through our cities and counties puts hundreds of communities and sensitive ecologies throughout the State in ‘harm’s way’. Exposure to these

risks not only emanates from the rails but additionally originates from refinery facilities, oil terminal operations and rail yards.

The proposed projects to import exponentially greater quantities of Bakken and tar sands into the Bay Area and So-Cal (Bakersfield, Santa Maria and Wilmington) terminals and refineries suggest plans are underway to process even greater amounts of unconventional crude as a percentage of refineries' total daily permitted throughput. Processing of these extreme crudes will increase fugitive toxic air emissions, produce more dirty by-products and inevitably result in more pollution, accidents, fires and explosions⁹ similar to the Chevron Richmond refinery's 'accident' which occurred on August 6, 2012, sending 15,000 residents to seek medical attention.

These projects will have considerable cumulative, direct and indirect impacts that would likely increase, not reduce, the state's total carbon footprint. With reference to Greenhouse Gas ("GHG") reductions under ICLEI (International Council for Local Environmental Initiatives – Local Governments for Sustainability) protocols,¹⁰ local communities cannot account for GHG contributions made by refineries and other large-scale energy industry facilities. There is no reason to expect that these projects can meet or support the targeted GHG reduction goals of AB32. (Trading carbon credits only sends pollution elsewhere).

Transporting huge quantities of crude oil across California is terribly dangerous. The U.S. Dept. of Transportation ("DOT"), which regulates US rail activity and train movement, has classified the shipment of crude oil by rail as an "imminent hazard."¹¹ According to the American Association of Railroads, there are about "98,000 DOT-111 tank cars in service carrying crude oil and ethanol in the United States and Canada, their design dates to the 1960's and the overwhelming majority were built before 2011."¹² It is conceded by federal regulators that DOT-111 tank cars were never designed nor engineered to carry crude oil.

The following points illuminate the perils of permitting crude by rail in California and BSHC's primary concerns:

- There is no conclusive evidence that the Federal Transportation Safety Board's ("FTSB") recommended interim design upgrades for tank car safety will serve to prevent future catastrophic fires and explosions of Bakken crude during a derailment.¹³
- Since July 6, 2013, there have been seven (7) train derailments involving Bakken crude, six of which were catastrophic, with fiery explosions.¹⁴ Investigations are ongoing as to particular causes. Bakken-loaded DOT-111's have earned their moniker, "Bakken Bombs".
- Railroad ("RR") companies are eager to profit from the oil industry expansion projects which aim to access greater amounts of North American-sourced crude. RR companies lobbied DOT to delay implementation of required phase-out of DOT-111's until 2017.¹⁵
- Oil shippers and rail carriers dispute the reasons for the increased number of derailments involving Bakken crude with oil shippers and refiners lobbying that the focus of safety improvements should be on "mechanical and track integrity," not the Bakken

oil's dangerous volatility or the inadequate design of the DOT-111 tank cars. Delaying review of newer CPC-1232 tank cars' performance is recommended by the American Fuel & Petrochemical Manufacturers ("AFPM") until "comprehensive derailment data has been collected and analyzed."¹⁶

- Although DOT has issued new guidelines for 'Emergency Response and Spill Prevention' suggesting protocols for re-routing crude trains around cities and tank car safety standards, this work has not been completed. For fenceline communities and the environment and for those cities along rail routes, the status quo is already perilous and threatens disaster.¹⁷

- These proposed crude oil expansion projects are currently undergoing CEQA reviews. However, any final DOT promulgated-rules and safety standards cannot be expected soon enough and once effective, would still require substantial additional time for the DOT-111 tank cars to be phased out and replaced.

- There is no current level of local and regional Emergency Response and Spill Prevention adequate to the challenges posed by exploding "Bakken Bomb trains" and/or massive spill of tar sands. Local emergency responders lack sufficient personnel, special equipment, compatible communications and training to handle fiery explosions and spills that will occur in populated areas and difficult terrain (marsh or wetlands) including rivers and over gorges.

- The only practical emergency response by local and regional fire crews during the six catastrophic train derailments involving Bakken crude that occurred between July 6, 2013 and May 20, 2014 was to let the fires burn out. Toxic emissions emanating from the fire and toxic smoke cloud resulting from the catastrophic unit train derailment and explosion of Bakken crude near Casselton, North Dakota caused officials to warn its 2,300 residents to evacuate their city.¹⁸ It took 36 hours for the fire to burn itself out.

- Spills of tar sands dilbits cause irreversible damage to land and waters. In Michigan in 2010, an Enbridge Energy pipeline rupture fouled 35 miles of the Kalamazoo River and coated the river bottom and its shoreline with asphalt-like bitumen. The Environmental Protection Agency's ("EPA") cleanup attempt cost \$1 billion by 2012 and there still has been no satisfactory ecological resolution.¹⁹

- Local governments have little authority to protect their communities and environs from the terrible hazards posed by rail transport of crude and other dangerous fossil fuels.

- Properties of Bakken tight oil have been debated, as have the results of official testing of the oil by industry and regulators, but Bakken has proven to be highly volatile. On July 6, 2013, in Lac Megantic, Quebec, a catastrophic runaway derailment of a 72-car unit train filled with Bakken resulted in a fiery inferno that incinerated the town's center, instantly killing 47 people and spilling 1.6 million gallons of oil throughout the area and in the Chaudiere River.²⁰ Subsequent investigations pointed to variables: on a warm summer night, Bakken's vaporizing gases (found to have elevated levels of highly

flammable methane, propane, benzene and hydrogen sulfide vapors at 24 times permitted limits) self-ignited under pressure and exploded the DOT-111's. To date, since the Lac Megantic tragedy, six more train derailments, explosions, fires and spills involving Bakken have happened, four of which occurred during the late fall, winter and early spring months.

- Displacement of one rail or a misaligned tank car wheel can cause a train's derailment. The proposed projects involving crude-by-rail would increase the number of 100-car unit trains loaded with tar sands, Bakken oil, propane and other flammable fossil fuels traveling through seismically vulnerable areas and liquefaction zones, including through and along protected marshes (Suisun Marsh) and shorelines.
- BNSF and Union Pacific train routes use old trestle bridges that span deep mountain gorges (Dunsmuir, Donner Summit) and rivers (Carquinez Strait). Old rail bridges and "at grade" rail crossings were never designed to accommodate 100-car unit trains carrying crude oil and other fossil fuels.
- Valero Benicia Refinery's proposed 'Crude By Rail Project' would allow daily import of 70,000 barrels of Bakken and/or tar sands by two 50-car Union Pacific trains each day, exponentially increasing risks to the community and local environs, including: the Benicia Industrial Park; the Port of Benicia; Cal-Trans I-680 freeway exits; local roadways; Suisun Marsh and Suisun Bay; the Strait and shorelines; and three bridges including a Union Pacific-owned trestle bridge built nearly 100 years ago. Communities and sensitive landscapes (public and private) are threatened along hundreds of miles of rail lines throughout the state.
- Phillips 66's proposed 'Propane Recovery Project' for their Rodeo refinery, coupled with their 'Rail Spur Extension Project' for their Santa Maria refinery, would export increasing amounts of propane out of Rodeo by BNSF rail and deliver increasing amounts of Bakken crude by 100-car BNSF unit trains coming from the north and continuing down the state along the coast into Santa Maria. These linked projects will send volatile fossil fuels through heavily populated areas and through fragile delta wetlands, over and near high density commercial waterways, over the Carquinez Strait, through vital agricultural lands and across the most scenic areas of California's beautiful landscape.
- The massive oil terminal operation proposed by WesPac-Pittsburg LLC, the lynchpin project of the oil industry's plan for the Bay Area, would import 242,000 barrels of oil each day by BNSF rail and/or ship into the terminal for storage and export. The project's stated aim is to supply domestically-sourced crude to regional refineries by pipeline; oil would likely be exported by ship to Asia as well. Adjacent family neighborhoods with homes, schools, churches and day care centers lie within stone's throw of the giant oil tanks and very near the rail offloading terminal.

What can be done to protect our communities and the environment from the added threats posed by multiple plans by Big Oil and Big Rail for increased transport and processing of dirty tar sands and volatile Bakken crude and other flammable fossil fuels?

As Bay Area residents and voters, we are extremely concerned about the safety of our communities – for our lives, homes, businesses, the lands and waters we love – and the peril of global warming caused in great measure by the burning of fossil fuels.

We need your leadership to address the threats posed by multiple projects proposed as part of a plan to bring more fossil fuels to California. The oil and rail industries' plans pose unprecedented and unacceptable risks to local communities and the environment. Allowing these plans to proceed absent adequate safeguards undermines California's transition to renewable energy and raises questions about our commitment to preserve the environment. As Governor you can take swift action and implement prudent standards to protect our State. We believe the nation is watching California and will again be guided by the example of this great State.

As Governor, we recommend your executive action through the following Initiatives:

A. Direct all permitting agencies to:

(1) Delay or withhold permitting for projects proposing crude-by-rail import or export of tar sands and Bakken crude until all new DOT safety policies, orders and guidelines are formalized, applied and enforceable and ensure the DOT-111s are taken out of service and prohibited from carrying crude oil or other flammable fossil fuels in California;

(2) Require that regional air districts provide statistical analyses to communities during public CEQA review periods on foreseeable, cumulatively considerable adverse and significant emissions impacts on air quality, public health, public safety and the climate from all existing large-scale facilities evaluated together with the multiple projects they now propose for the shipping, handling, and storage of Bakken and tar sands crude and the increased production, storage and shipment of propane;

(3) Require specific detailed information to support any and all proposed mitigation and monitoring measures and conditions proposed under CEQA to address existing and added threats posed to air quality, public health and public safety in local fence-line communities;

(4) Require that threshold standards for toxic emission limits and current emissions "caps" or "ceilings" be kept and enforced at refineries and oil terminal operations such that permitting would not allow increased emissions; and

(5) Issue direction to suspend or revoke permits for rail transport of fossil fuels if there is an incident, episode or major rail accident that would suggest that continued operations

would further threaten public safety and public health and put communities at further risk of devaluation and loss.

B. Appoint a Select Oversight Committee with representatives from fence-line communities, charged with receiving and coordinating timely assessments and recommendations from regulators, responsible agencies and the legislature to improve rail and pipeline transport safety in California of shipments of hazmat, crude oil and other fossil fuels and to provide oversight of the regulatory review process, consulting with the Dept. of Justice, to better protect the health and safety of communities, regional air quality, surrounding lands and waters from the risks posed by increased processing of unconventional crude oil.

The Select Oversight Committee would:

- (1) Coordinate research and current data on rail safety with DOT regulators, specifically, with regard to particular dangers associated with the transport of Bakken and tar sands crude;
- (2) Closely consult with RR companies to assess current RR operations, rail route conditions and safety of rail bridges and above grade crossings;
- (3) Perform “credible worst case” scenarios with emergency responders involving existing regional “Emergency Response and Spill Preventions” organizations for pipeline and ship accidents and recommend appropriate organizational structure to address and respond to emergencies involving rail transport of hazmat, crude oil and other fossil fuels;
- (4) Assess vulnerabilities of rail, pipeline and other infrastructure with regard to terrorism (e.g., where and how facilities, terminals, transport infrastructure are inordinately exposed to random vandalism and planned attack) and recommend protective/safety upgrades to protect communities and high value assets, both private and public;
- (5) Closely monitor and ensure that appropriate regulatory agencies make timely comment on all local/county CEQA reviews of projects involving rail transport of fossil fuels and that such comments are provided for public benefit during the official public comment period;
- (6) Coordinate with emergency responders to determine their capabilities and shortfalls with regard to handling accidents and incidents involving transport and processing of unconventional crude and other fossil fuels;
- (7) Ensure that regional and county transportation plans focus on the problems of rail transport of crude oil and other fossil fuels while advocating and promoting increasing use of rail for other freight and passenger service. (For example, Solano Transportation Authority 2012 Report did not identify proposed transport of crude oil by rail as part of the mix of increased freight transport by RR companies);

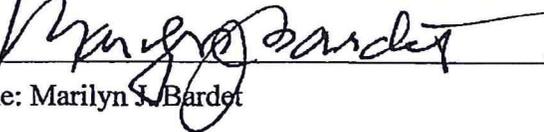
(8) Make assessments and recommendations for policy changes to the appropriate legislative bodies and DOT as necessary; and

(9) Report finding of the Select Oversight Committee on a regular basis to the state legislature, appropriate agencies, state and county officials and the public.

We have provided our primary concerns, requests and recommendations in the spirit of "good government for all," with a vote of confidence in your understanding of the enormous challenges that our California communities face immediately and in the future with respect to our State's continuing dependence on fossil fuels and the urgent need to resolve the issues for the health and safety of the people and for the sake of all life on earth.

Respectfully submitted for your consideration,

BENICIANS FOR A SAFE AND HEALTHY COMMUNITY

By: 
Name: Marilyn J. Bardet

cc

Martinez Environmental Group
Crockett-Rodeo United to Defend the Environment
Richmond Progressive Alliance
Richmond Environmental Justice Coalition
Pittsburg Defense Council
Pittsburg Ethics Council
Sunflower Alliance
350 Bay Area
Natural Resources Defense Council
Sierra Club
Communities for a Better Environment
ForestEthics
Idle No More
Asia Pacific Environmental Network

US Congress: Hon. Diane Feinstein, Senate
Hon. Barbara Boxer, Senate
House of Representatives, All members of the California Delegation
California Legislature: All members of the California Senate and Assembly
County Boards of Supervisors: Contra Costa, Alameda, Solano, Yolo, Sacramento, Placer
Jack Broadbent, Director, Bay Area Air Quality Management District
John Gioia, BAAQMD Board member & Chair, Stationary Source Committee;
Board member, California Air Resources Board (CARB)
Mayors of: Benicia, Pittsburg, Martinez, Richmond, Berkeley, Oakland,
Davis, Sacramento, Roseville.

NOTES:

¹ Mark Schwartz, Stanford News. (Feb, 26, 2014), [Stanford scientist unveils 50-state plan to transform U.S. to renewable energy](#). (Mark Jacobson, professor of civil and environmental engineering)

² Chevron Refinery (Richmond) "Modernization Project", Valero Refinery (Benicia) "Crude By Rail Project", Phillips 66 Refinery (Rodeo) "Propane Recovery Project", Shell Refinery (Martinez) "GHG Reduction Project", Wespac LLC "Pittsburg Energy Infrastructure Project", Kinder Morgan (Richmond) "Oil Rail Terminal Expansion", Tesoro Golden Eagle Refinery "Oil Terminal Expansion", Phillips 66 (Santa Maria) "Rail Spur Expansion Project", Plains All American (Bakersfield) "Crude By Rail Terminal Plan".

³ Andrew Nikiforuk, "Tar Sands: Dirty Oil and the Future of a Continent", 2009; David Suzuki Foundation, "bitumen is one of the most water-intensive hydrocarbons on the planet...On average, the open-pit mines require twelve barrels of water to make one barrel of molasses-like bitumen.", p. 63. "Planned expansions could bring the total to 3.3 barrels [of fresh water] per year, a volume that Natural Resources Canada website admits 'would not be sustainable because the Athabasca River does not have sufficient flows.', p. 65. "... every barrel of bitumen produced from the tar sands creates, on average, three times more carbon dioxide emissions (187 lbs.) than a barrel of normal [conventional] crude (62 lbs.)." p. 129. Various methods are used for upgrading bitumen to allow it to flow in pipelines and be transported by rail. Alberta tar sands vast network of mining operations are the largest industrial project in the world, encompassing 125,000 - 250,000 sq. miles of once pristine boreal forest and the watersheds of three mighty rivers that flow to the Arctic.

⁴ [Fracking chemicals in spotlight as regulators investigate rail car corrosion and flammability of North Dakota crude](#) | [Financial Post](#). Bloomberg News. Aug. 12, 2013.

⁵ For information on the economic prospects and environmental impacts of extracting and processing unconventional crude types found in the U.S. see Richard Heinberg, *Snake Oil: How Fracking's False Promise of Plenty Imperils Our Future* (Post Carbon Institute, 2013). This thorough investigative analysis refutes industry hype, using statistics from the US Energy Administration (EIA) including the EIA's recent prediction that unconventional oil supply will experience historic decline within this decade. This prediction, based on current production levels for existing shale and gas in the U.S., raises the question of the actual economic reality of the "boom" that current oil industry promotion campaigns describe for "inexhaustible oil reserves" found in extensive, often very deep, shale formations of the Midwest, Texas, New York and California. The real test of this claim is how much supply of tight oil can be extracted at what cost, and thus, the "energy return on energy invested" or "EROEI". The overall high costs of energy and resources for the extraction processes are huge and are offset now by favorable pricing discounts such as offered by the Canadian government for "upgraded" tar sands bitumen.

⁶ Eric Konigsberg, "Kuwait on the Prairie", *The New Yorker*, April 25, 2011 [North Dakota, Oil, and the Energy Crisis : The New Yorker](#).

⁷ Carol Linnitt, [New Report Names Alberta Oilsands as Highest Cost, Highest Risk Investment in Oil Sector](#) DeSmogCanada, May 8, 2014; see also: [Financial specialists making carbon investment risk real today in the capital market](#) | [Carbon Tracker Initiative](#), [Carbon Supply Cost Curves: Evaluating financial risk to oil capital expenditures](#); Louis Sahagun, [LA Times - U.S. officials cut estimate of recoverable Monterey Shale oil by 96%](#), Los Angeles Times, May 20, 2014.

⁸ John Cox, "Increased Oil Train Traffic Raises Potential For Safety Challenges", *Bakersfield Californian*, May 26, 2014. [Bakersfield High School](#).

⁹ Natural Resources Defensive Council, Fact Sheet on Valero Crude By Rail Project, July 19, 2013 (Appendix)

¹⁰ [Greenhouse Gas Accounting Protocols](#) — ICLEI Local Governments for Sustainability USA

¹¹ US Dept. of Transportation Emergency Order, Docket No. DOT-OST-2014-0067, May 7, 2014. Also DOT: [Safety Action Plan for Hazardous Materials Safety](#) | [Federal Railroad Administration](#), May 20, 2014.

¹² Jay Mouawad, [Despite Orders, Federal Tank-Car Safety Measures Are Slow in Coming](#) - [NYTimes.com](#), *The New York Times*, May 8, 2014.

¹³ *Ibid.* "...railroad officials, point out that these newer cars - known as CPC 1232s -. have also failed in recent crashes."

¹⁴ Lac Mégantic, Quebec, July 6, 2013; Aliceville, AL, November 8, 2013; Casselton, ND, December 31, 2013; Plaster Rock, New Brunswick, January 7, 2014; Philadelphia, PA, January 20, 2014; Lynchburg, VA, April 30, 2014; LaSalle, CO, May 6, 2014.

¹⁵ David Thomas, Refiners' lobby says DOT-111 is "fine" for shipping Bakken crude | Railway Age. Railway Age, May 19, 2014.

¹⁶ Ibid.

¹⁷ US Dept. Of Transportation Emergency Order, Docket No. DOOST-2014-0067, May 7, 2014. Also DOT: Safety Action Plan for Hazardous Materials Safety | Federal Railroad Administration. May 20, 2014.

¹⁸ David Shaffer and Susan Hogan, Casselton, N.D. residents flee town after oil train explosion | StarTribune. StarTribune, December 31, 2013, updated.

¹⁹ The Environmental Protection Agency, EPA Response to Enbridge Spill in Michigan | US EPA

²⁰ Jaquie McNish and Grant Robertson, The deadly secret behind the Lac-Mégantic inferno - The Globe and Mail, The Globe and Mail, January 16, 2014.

From: patty eastman <beniciapatty@icloud.com>
To: "amy.million@ci.benicia.ca.us" <amy.million@ci.benicia.ca.us>
Date: 6/29/2014 4:53 PM
Subject: No crude oil

I am very concerned that the board is even considering letting Valero import 70,000 barrels of crude oil into our community. Please stand up for the community and residents against big money giant Valero. Risk of environmental pollution, explosions, increase of dangerous rail traffic is not worth the few jobs this may create.
Thank you. Long time Benicia resident.

Sent from my iPad Patty Eastman



Amy Million - Support For Valero's Crude By Rail Infrastructure Project

From: "Charles M Graham" <charlesgraham08@comcast.net>
To: <amillion@ci.benicia.ca.us>, <bkilger@ci.benicia.ca.us>
Date: 6/29/2014 6:18 PM
Subject: Support For Valero's Crude By Rail Infrastructure Project
CC: <info@beniciaCBR.com>



Dear Sir/Madame,

As a resident of Benicia I wish to express my support for the Valero Crude By Rail Infrastructure Project (Project). Valero makes a significant financial contribution and shows great support for the City of Benicia. The success of Valero is very important to our community and we need to support this vital project. This project not only creates good jobs it makes good business sense for Valero which in turn makes sense for Benicia. The success of the Valero refinery in Benicia has a direct impact on the success of Benicia as a financially stable City that is a great place to live! Valero is our partner and we need to support this project!

Regards,

Charles M Graham
678 Addison Ct
Benicia, CA 94510
(H) 707-297-6877

Amy Million - Valero/Crude oil

From: Barrie ROBINSON <bkr@berkeley.edu>
To: <AMillion@ci.benicia.ca.us>
Date: 6/30/2014 10:26 AM
Subject: Valero/Crude oil



As a long time Benicia resident, the prospect of volatile crude oil being imported through our beautiful town is unacceptable. The many derailments, explosions, and spills that have already occurred is evidence that this is NOT SAFE and can cause disastrous consequences for communities and the environment. It is time for the community to take a firm stand for safety and health. This is the prime function of government. Violating that trust is cause for any council member that votes to allow this travesty to be either recalled or voted out at the next election.

Barrie Robinson

--

Barrie K. Robinson, M.S.S.W.

Field Consultant/Lecturer
School of Social Welfare
University of California, Berkeley
120 Haviland Hall #7400
Berkeley, CA 94720-7400
510-642-7176

Amy Million - In support of Valero's Crude by Rail Project...

From: Cara Bateman <cara_n@yahoo.com>
To: "amillion@ci.benicia.ca.us" <amillion@ci.benicia.ca.us>, "bkilger@ci.ben...
Date: 6/30/2014 12:48 PM
Subject: In support of Valero's Crude by Rail Project...
CC: "info@beniciacbr.com" <info@beniciacbr.com>



To whomever this may concern:

After working in the environmental remediation and regulatory compliance field for the better part of the last 20 years and reading every report, comment, and miscellaneous document posted on the City's Valero Crude by Rail webpage, I fully understand the implications of Valero's proposed Crude by Rail project and I support it 110%. Obviously nothing comes without risk, but I believe that Valero is fully prepared to continue to manage their risk in a manner that has, time and time again, consistently exceeded industry standards.

Valero has always been very generous to the City of Benicia and my family and I look forward our partnership continuing to strengthen for years to come.

Thank you for your time,

Cara Bateman
Benicia Resident

From: Joyce <jrmd2@comcast.net>
To: "AMillion@ci.benicia.ca.us" <AMillion@ci.benicia.ca.us>
Date: 6/30/2014 5:34 PM
Subject: Crude oil in Benicia



Against transport of crude oil by train--not to Benicia. There are no safeguards in place against accidents and no emergency contingency plans.

I oppose city council supporting Valero on this.

Joyce Resnick, M.D.
Long time Benicia Resident

Sent from my iPad

Amy Million - Oil Transport

From: "Wayne Evans" <wwevans@elease.com>
To: <AMillion@ci.benicia.ca.us>
Date: 7/1/2014 10:50 AM
Subject: Oil Transport
CC: <bkilger@ci.benicia.ca.us>



Dear Ms. Million,

It is with a great deal of consternation that I've learned and understand the Benicia Planning Commission is even considering allowing the transport of thousands of gallons of crude oil through our pristine community.

1. Have you forgotten the oil train derailment in Lac Megantic, Quebec only a year ago; 47 lives lost and hundreds of millions in damages to their community.
2. Casselton, ND where a derailment last December spilled 400,000 gallons causing a huge explosion and the evacuation of 1,400 homes.
3. There's also the derailment and crude oil spill in Aliceville, AL last March which has permanently damaged thousands of acres of wetlands and led to an ecological nightmare.

The three mention above, which have occurred in the last year, are just the most recent. Go back 10 years and look at the number of oil train derailments causing unimaginable disasters. Please reconsider this foolhardy and poorly conceived plan.

Very Truly Yours,

Wayne W. Evans
Benicia Resident

Wayne Wright Evans
(707) 751-1888 telephone
(707) 751-1881 fax
(415) 652-4299 mobile
wwevans@elease.com

Amy Million - Vallerio Crude by Rail

From: <gpyuhas@comcast.net>
To: Amy Million <amillion@ci.benicia.ca.us>, and Brad Kilger <bkilger@ci.ben...>
Date: 7/1/2014 1:20 PM
Subject: Vallerio Crude by Rail



On June 30, 2014, I attended Valero's public meeting, held at the Ironworkers' hall, to learn about Valero's plan to receive light sweet crude oil (low density, low sulfur crude) from the Bakken formation in North Dakota. The meeting was well attended; Ironworkers Local 378 President, Bobby Lux, set the tone and Valero's John Hill and Donald Cuffel made very professional and informative presentations.

If one purpose of the meeting was to inspire the public to look at the big picture and reach our own conclusions about the proposal, then it was successful. Like it or not, we all depend on petroleum products and unless we manage those resources more effectively than we have in the past, we'll damage ourselves and the earth we live on.

Thanks to the City of Benicia we have a draft Environmental Impact Report, the Times-Herald for several articles and the amazing internet for many informative reports. I encourage everyone to have a look and ask themselves is rail delivery of Bakken something we should accept in our backyard?

As a retired federal regulator, University of California Radiation Safety Officer and independent consultant, I can assure you that there is no lack of oversight in the packaging and shipment of hazardous materials. The regulatory framework has been in place for many years and continues to be refined and improved to minimize risk. As a resident of Benicia, lover of the California Delta and Valero stock holder I'm confident the project can proceed with no significant increase in risk if:

1. The shipper of the crude oil (oil company) properly samples, analyses, characterizes, labels, loads, closes and placards each batch of crude placed in a tank car.
2. The carrier (railroad company or Valero) only uses railroad tank cars that have been manufactured, operated and maintained consistent with Department of Transportation (DOT-1232) design criteria.
3. The carrier establishes, implements and maintains compliance with laws, regulations and industry standards governing operation, maintenance and use of the rails, and
4. Valero uses Best Available Control (BAC) technology to minimize fugitive emissions at the proposed rail spur and off-loading rack.

These actions will not eliminate all risk, i.e. terrorism or malfeasance, but the consequences will be less than those associated with shipping, in part because the volume contained in the proposed train is much less than a ship.

Finally, I too would rather the refinery be located in someone else's backyard. But if we use petroleum products, shouldn't we be willing to accept some of the risk and inconvenience for the benefit received by all of us?

Greg Yuhas

790 West J

Benicia, CA 94510