

Valero Improvement Project

MITIGATION MONITORING AND REPORTING PROGRAM

FOR VALERO REFINING COMPANY'S LAND USE APPLICATION FOR THE VALERO IMPROVEMENT PROJECT (VIP)

Introduction

This document describes the mitigation monitoring and reporting program (MMRP) for ensuring the effective implementation of the mitigation measures required for City of Benicia approval of a Use Permit for Valero Benicia Refinery's Valero Improvement Project (VIP).

City of Benicia

When a lead agency approves findings pursuant to [21081.6](#) upon completion of a certified EIR it is required to adopt a reporting and monitoring program. The purpose of the reporting and monitoring program is to ensure that measures adopted to mitigate or avoid significant environmental impacts are implemented. A mitigation monitoring and reporting program does not need to be included with the EIR as at times the findings which trigger the program are made after considering the Final EIR. Note that mitigation measures are enforced through permit conditions, agreements, or other measures. The reporting and monitoring program will not only direct the implementation of mitigation measures by the applicant, but also facilitate the monitoring, compliance and reporting activities of the City and any monitors it may designate.

Project Background

The VIP proposes a series of modifications and additions to the refinery. The project would modify existing and install new refining equipment. All units would be located within the refinery boundaries, generally placed among similar existing equipment. When operating, the VIP would add fewer than 20 new regular employees at the refinery. The VIP would implement a series of modifications and additions that are focused on four objectives.

1. Provide ability to process lower grades of raw materials .
2. Provide flexibility to substitute raw materials - crude oil instead of gas oil.
3. Optimize operations for efficient production of clean burning fuels.
4. Mitigate project-related impacts to avoid detrimental effects on the community.

The VIP would modify and install typical refining equipment -- piping, heat exchangers, instrumentation, catalytic reactors, fractionation equipment, pumps, compressors, furnaces, tanks, and their associated facilities. These changes would include installation of new facilities as well as minor changes to existing facilities. The components of the project include the following:

- Pipestill modifications to increase crude oil processing capacity by approximately 25%
- Fluid Catalytic Cracker Unit Feed Flexibility modifications to process different feeds
- Coker Unit modifications to process additional feed
- Increased refinery capacity to remove and recover sulfur
- Flue Gas Scrubber to reduce emissions from the main stack
- Additional hydrogen production to support hydrofining and hydrocracking
- Hydrofining optimization changes
- Modifications to maximize hydrocracking, alkylation, and reforming capacity
- Adding a Guard Reactor to the Hydrotreater
- Modifications to optimize fractionation processes
- New and modified existing combustion sources
- Use of additional water
- Modifications to the wastewater treatment facility
- Added support facilities and infrastructure
- Added new crude tankage
- Import and export changes

Valero would implement the project in a series of steps, starting in 2003 and, if all components are built, construction would be completed in about 2009. The result would be that the refinery would be able to continue to efficiently produce clean burning fuels in the California market and would remain economically competitive into the future.

The Environmental Impact Report for the VIP found that the resulting actions would have potentially significant impacts in the areas of:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Noise
- Transportation and Traffic
- Utilities and Service Systems

In addition, no mitigation measures were identified for the following areas as all potential project impacts were determined to be either no impact or less than significant:

- Aesthetics, Visual Quality, Light and Glare

- Energy
- Public Health
- Public Safety
- Hydrology and Water Quality
- Land Use, Plans and Policies
- Public Services

Based on the Initial Study prepared for the VIP and comments received during scoping, the City determined that the VIP will not result in impacts to:

- Agriculture Resources
- Mineral Resources
- Population and Housing
- Recreation

Accordingly, those topics were not studied further in the EIR.

Roles and Responsibilities

As the lead agency under CEQA, the City of Benicia will be responsible for ensuring full compliance with the provisions of this monitoring program and has primary responsibility for implementation of the monitoring program. The City of Benicia has the authority to halt any activity associated with the construction and operation of the VIP if the activity is determined to be a deviation from the approved project or the adopted mitigation measures. The City of Benicia will act as the mitigation monitor and will designate to Valero how to contact the monitor.

Mitigation Monitoring and Reporting Program

The table attached presents a compilation of the mitigation measures in the Environmental Impact Report together with the required monitoring and reporting actions, effectiveness criteria, and timing.

Mitigation Monitoring Table

Impact	Mitigation Measure	Monitoring/Reporting Action	Effectiveness Criteria	Timing	Non-Compliance Sanction
AIR QUALITY					
4.2-1: Construction activities associated with	4.2-1a: During construction, Valero shall require the construction	Reporting action: Valero shall submit documentation to the mitigation monitor that the dust control	Receipt by the mitigation monitor of the described	At the time of each building permit	Withhold building permit.S

<p>project construction would generate short-term emissions of criteria pollutants, including suspended and inhalable particulate matter and equipment exhaust emissions.</p>	<p>contractor to implement the following dust control procedures to maintain project construction-related impacts at acceptable levels.</p> <p>1) Water all active construction areas at least twice daily. Watering should be sufficient to prevent airborne dust from leaving the site. Increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. Reclaimed water should be used whenever possible.</p> <p>2) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard (i.e., the minimum required space between the top of the load and</p>	<p>procedures are specified in construction contracts.</p> <p>Monitoring action: Field inspections during construction by the mitigation monitor.</p>	<p>documentation.</p> <p>Verification by the mitigation monitor that the prescribed procedures are being followed.</p>	<p>submittal for VIP construction.</p>	<p>top work order.</p>
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	<p>the top of the trailer).</p> <p>3) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.</p> <p>4) Sweep all paved access roads, parking areas and staging areas at construction sites daily. Sweep City streets (with water sweepers using reclaimed water if possible) at the end of each day if visible soil material is carried onto adjacent paved public roads.</p> <p>5) If construction activities for any project component or group of components undergoing simultaneous construction will occur on a construction site greater than four</p>				
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	<p>acres in area, Valero shall require the construction contractor to implement the following enhanced dust control procedure:</p> <p>Hydroseed or apply (non-toxic) soil stabilizer to inactive construction areas (previously graded areas inactive for ten days or more). Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.) Limit traffic speeds on unpaved roads to 15 mph. Install sandbags or other erosion control measures to prevent silt runoff to public roadways. Replant vegetation in disturbed areas as quickly as possible.</p>				
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	<p>4.2-1b: To mitigate impact of construction equipment exhaust emissions, the project sponsor shall require its construction contractors to comply with the following requirements: Construction equipment shall be properly tuned and maintained in accordance with manufacturers' specifications. Best management construction practices shall be used to avoid unnecessary emissions (e.g., trucks and vehicles in loading and unloading queues would turn their engines off when not in use). Any stationary motor sources (such as generators and compressors) located within 100 feet of any residence shall be equipped with a supplementary</p>	<p>Reporting action: Valero shall submit documentation to the mitigation monitor that the described emission control measures are specified in construction contracts.</p> <p>Monitoring action: Field inspections during construction by the mitigation monitor.</p>	<p>Receipt by the mitigation monitor of the described documentation.</p> <p>Verification by the mitigation monitor that the prescribed procedures are being followed.</p>	<p>At least 10 days prior to start of construction of VIP elements.</p>	<p>Withhold building permit.</p> <p>Stop work order.</p>
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	exhaust pollution control system as required by the BAAQMD and CARB. In such cases, the project sponsor shall require construction contractors to mitigate diesel emission by measures such as the use of catalyzed diesel particulate filters, use of ultra-low sulfur diesel fuel, and/or use of EPA and CARB 1996 certified diesel engines.				
4.2-2: Operational activities associated with the implementation of the proposed project could lead to increase in regional air pollutant emissions into the air basin.	4.2-2: As a condition of approval of the use permit for the VIP, Valero must implement the Light Ends Rail Rack Arm Drains project.	Reporting action: Valero will provide the City with a copy of its BAAQMD permit to operate or a comparable document to indicate that the Light Ends Rail Rack Arm Drains project has been implemented.	Receipt by the mitigation monitor of the described documentation.	Prior to the operation of VIP elements.	Use permit revocation.
BIOLOGICAL RESOURCES					
4.3-1: Potential	4.3-1: Unless protocol surveys	Reporting action: Valero will notify	Receipt and approval by	Prior to each	Withhold

<p>disturbance of western pond turtle and California red-legged frog could occur during construction at the Tank Farm retention pond site.</p>	<p>during the period May 1 through November 1 establish that the retention ponds are not occupied by either species, the modification of any Tank Farm retention pond shall be preceded by a period of at least six months during which the pond is drained and minimal water allowed to collect in the basin. If such pond drying is not possible, the project shall adhere to the following mitigation protocols: At least 45 days prior to working at the site, Valero shall notify City and a City-designated biologist to ensure that no work occurs without appropriate pre-construction surveys 48 hours before work begins. Notification shall be in</p>	<p>the City which mitigation option it intends to implement.</p> <p>Option 1: Prepare Survey -Prepare protocol surveys during the period May 1 through November 1 to establish presence (or non-presence) of either specie.</p> <p>Option 2: No Survey -Drying the pond and maintaining in a dry state for six months. Note that a gradual drying of the ponds over a period of approximately two weeks will allow resident animals to depart under conditions not dissimilar from natural ephemeral water bodies.</p>	<p>the City of a protocol survey by a City biologist.</p> <p>If the presence of either specie is established. A City biologist will perform construction monitoring.</p> <p>City biologist to confirm pond drying activities upon notification of start from Valero and at end of six month period.</p>	<p>applicable building permit approval.</p> <p>During the period 1 May through 1 November.</p> <p>Notification to City at least six months prior to construction.</p>	<p>building permit.</p> <p>Withhold building permit/stop work order.</p>
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	<p>writing and clearly define proposed construction schedule such that pre-construction surveys can be completed. The City-designated biologist shall be present at all times during construction at the ponds, and as required during construction near non-sensitive areas, as an on-site monitor to detect frogs or pond turtles which may enter the area of disturbance. If a California red-legged frog is identified in the project construction zone during pre-construction surveys or construction, no work in the immediate area can begin (or ongoing construction shall be halted) until the USFWS Sacramento Field Office is</p>				
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	<p>contacted and concurs that the project will not result in harm or harassment to the species. Western pond turtles may be relocated to suitable habitat by the City-designated biologist.</p>				
<p>4.3-2: Potential disturbance of special status and protected native birds (e.g., tricolored blackbird and Suisun song sparrow) during the breeding season could occur at the Tank Farm retention ponds.</p>	<p>4.3-2: Construction at the Tank Farm shall be limited to the non-breeding season for most birds, i.e., all work shall occur September through February.</p> <p>Alternatively, if construction must occur during the breeding season, all vegetation that could be used for nesting shall be removed during the September through February period preceding construction.</p>	<p>Reporting action: Valero will notify the City if it intends to limit construction to the non-breeding season.</p> <p>Reporting action: Valero will notify the City if it intends to clear vegetation.</p>	<p>Receipt of notification by the City.</p> <p>Receipt of notification 15 days prior to clearance and verification by City biologist that all nesting vegetation is cleared.</p>	<p>15 days prior to construction.</p> <p>Notification and verification must be made between September and February.</p>	<p>Stop work order.</p> <p>Stop work order.</p>
CULTURAL RESOURCES					

<p>4.4-1: Construction of the refinery modifications may cause substantial adverse changes to the significance of currently unknown cultural resources.</p>	<p>4.4-1: Pursuant to CEQA Guidelines 15064.5 (f), "provisions for historical or unique archaeological resources accidentally discovered during construction" shall be instituted. Therefore, in the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 50 feet of the resources shall be halted and Valero shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any find is determined to be significant, representatives of Valero and the qualified</p>	<p>Reporting action: Valero shall provide the mitigation monitor with the proposed program including instructions to contractors and name(s) and statement of qualifications of its designated cultural resources specialist(s) who will be responsible for implementation of all project-related cultural resources mitigation measures.</p>	<p>City mitigation monitor approval of Valero's proposed archaeological mitigation monitoring program and any subsequent implementation reports.</p> <p>The statement of qualifications must be sufficient to substantiate that the specialist(s) meets the Secretary of the Interior's proposed Historic Preservation Qualification Standards as published in the Federal Register (United States Department of the Interior 1997).</p>	<p>At the time of each building permit submittal for VIP construction.</p> <p>At least 10 days prior to the start of any project-related earth disturbing activity, Valero shall confirm in writing to the mitigation monitor that the approved designated cultural resources specialist will be available at the start of the project and is prepared</p>	<p>Stop work order.</p>
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	archaeologist and/or paleontologist shall meet to determine the appropriate avoidance measures or other appropriate mitigation. All significant cultural materials recovered shall be subject to scientific analysis, professional museum curation, and a report prepared by the qualified archaeologist according to current professional standards.			to implement the mitigation measures.	
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GEOLOGY AND SOILS

4.6-1: In the event of a major earthquake in the region, seismic ground shaking could potentially injure persons at the project site due to	4.6-1a: Seismic design consistent with current professional engineering and industry standards shall be used in construction for resistance to strong ground shaking, especially for lateral forces. The	Reporting action: Valero will submit documentation, including construction plans and specifications to the City. Results of any site-specific geologic studies and associated recommendations should be included in the submittal. Submittals shall specify sources of	Review and approval of plans, specifications and documentation by Community Development Department.	At the time of each building permit submittal for VIP construction.	Withhold building permit.
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<p>structural damage or structural failure. Ground shaking could potentially expose persons and property to seismic-related hazards, including localized liquefaction, related ground failure and seismically-induced settlement.</p>	<p>implementation of the seismic design criteria as required by the California Building Code will reduce the potential for structural failure, major structural damage, and loss of life, and reduce the primary effects of ground shaking on structures and infrastructures to generally acceptable level. At a minimum, the California Building Code requirements or a more stringent building code shall be followed during design and construction of all elements of the Valero Improvement Project. Additional requirements recommended by the project California Certified Engineering Geologist or Geotechnical Engineer, based on site-specific</p>	<p>design standards. These sources should include but are not limited to the California Building Code, the Uniform Building Code, and construction standards of the American Petroleum Institute, if stricter than the codes. Any specific recommendations in geological reports will be included in the submittal and incorporated in the design.</p>			
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	<p>studies and specific project requirements, shall be followed and become part of the project specifications.</p>				
	<p>4.6-1b: Appropriate grading and design, in accordance with the California Building Code requirements or a more stringent standard, shall be used to reduce the secondary effects of ground shaking on structures and infrastructure. Subsurface site conditions shall be investigated for all project facilities to identify poor foundation materials that may be susceptible to the effects of liquefaction, lateral spreading, and differential settlement. Poor foundation materials shall be removed prior to construction or be subjected</p>	<p>Reporting action: For any project requiring grading, Valero will submit a grading plan and soils study to the City for review.</p>	<p>See 4.6-1a.</p>	<p>See 4.6-1a.</p>	<p>See 4.6-1a</p>

	to ground improvement techniques. In addition, deep pile foundations shall be driven through the poor foundation soils and into more competent materials.				
4.6-1c: Structural fill placed during the construction of the Valero Improvement Project shall be designed to reduce fill settlement with keyways and subsurface drainage, and adequately compacted (i.e., Minimum 90 percent compaction as defined by American Society for Testing and Materials (ASTM D1557)).	See 4.6-1a.	See 4.6-1a.	See 4.6-1a.	See 4.6-1a	

	4.6-1d: All structural foundations, above-ground utilities, and underground utilities shall be designed to accommodate estimated settlement without failure, especially across transitions between fills and cuts.	See 4.6-1a.	See 4.6-1a.	See 4.6-1a.	See 4.6-1a
	4.6-1e: Final design of the proposed improvements shall be made in conjunction with a design-level geotechnical investigation submitted to the City of Benicia for review prior to issuing any grading or construction permits.	Reporting action: Valero will submit a design-level geotechnical investigation to the City for review.	Receipt of the geotechnical investigation by the City and approval of the investigation by the City See	4.6-1a.	See 4.6-1a
4.6-2: Proposed foundation construction could be subjected to the geologic hazards related to expansive	Implement 4.6-1a through 4.6-1e.	Implement 4.6-1a through 4.6-1e.	Implement 4.6-1a through 4.6-1e.	See 4.6-1a.	See 4.6-1a

soils and natural settlement.					
4.6-3: Construction of additional tanks or treatment units in the crude storage tank area and/or wastewater treatment plant area could potentially adversely affect the stability of slopes along the retention pond perimeter berms.	4.6-3: To reduce potential slope instability hazards related to static and dynamic forces in the retention pond areas, a slope stability analysis of the retention pond perimeter berms shall be conducted by a licensed professional engineer. All recommendations shall be used in the design and construction of the tanks and submitted to the City of Benicia for review.	Reporting action: Valero will submit all plans and the required engineer's study containing recommendations for additional tanks and treatment units, prepared and signed by a registered civil or geotechnical engineer, to the City for review and approval.	Receipt and approval by the City of plans and Engineer's study and recommendations.	Prior to the start of construction.	See 4.6-1a

NOISE

4.11-1: Construction activities would intermittently and temporarily generate noise levels above existing ambient levels in the project	4.11-1: Over the duration of pile driving activities, Valero shall require the construction contractor to implement the following mitigation measures: To reduce the potential for noise impacts	Monitoring action: Valero will implement and follow construction noise mitigation measures and the mitigation monitor shall ensure compliance with the measures during pile driving. Reporting action: Valero will	Receipt of a letter designating the construction complaint manager and contact information. Valero shall report any complaints and any correction	During pile driving activities, contractors will be required to limit noisy construction activity to the hours of	Withhold building permit. Stop work order.
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vicinity over the duration of the construction period.	from pile driving, alternate methods of driving shall be used, if feasible. Alternate measures may include pre-drilling of piles, the use of more than one pile driver to lessen the total time required for driving piles, and other measures. Pile driving activities shall limited to daytime hours between 7 a.m. and 7 p.m., on weekdays. Pile driving shall be prohibited during weekends, state and federal holidays. Valero shall also designate a construction complaint manager for the project for the duration of the construction activities.	designate a construction complaint manager for the project for the duration of the construction activities. Receipt of construction plans or copies of construction contracts showing mitigation wording.	measures taken to the mitigation monitor.	7:00 a.m. to 7:00 p.m., Monday through Friday or as specified by the City of Benicia.	
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TRANSPORTATION / TRAFFIC

4.13-1: The proposed construction phase of	4.13-1: Since this significant impact would be temporary and	Reporting action: Valero shall submit all state road encroachment	Valero shall obtain and comply with state road	Prior to commencing construct	Stop work order.
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<p>the VIP would result in a potentially significant impact to the a.m. peak hour operations of I-680 northbound off-ramp/Bayshore Road in the 2004 plus project scenario.</p>	<p>only occur for a period of approximately 45 days, there are several measures that can be applied to improve intersection levels of service at the I-680 northbound off-ramp / Bayshore Boulevard intersection without the installation or construction of additional transportation facilities (e.g., lane widening, traffic signal installation, etc.).</p> <p>These measures include, at a minimum: Provision of traffic control personnel at impacted intersection during the peak hours. For this intersection, the refinery and the City of Benicia will be required to apply for a Caltrans Encroachment Permit, since "manual" traffic</p>	<p>permits required for impacted intersections and report effectiveness to City at regular meetings or as directed by the City.</p> <p>Valero to take additional listed measures if determined necessary by the City.</p>	<p>encroachment permits. Attendance by a Valero representative at regular traffic meetings between Valero staff and City staff at times designated by the City.</p> <p>Verification by the mitigation monitor that Valero is implementing the specific aspects of the specific alternate measure as directed by the City.</p>	<p>ion activities and during construction as required.</p> <p>At times designated by the City.</p>	
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	<p>control will occur within the State right-of-way. An evaluation of manual traffic control was conducted assuming the intersection as a "fixed time" signalized intersection. The signal would simulate a traffic control officer controlling vehicle flow at the intersection during the a.m. peak hour. If the traffic control officer were to allow the off-ramp traffic to enter the intersection unimpeded for 60 seconds, the level of service at the intersection would be LOS B (11.0 seconds of delay). The forecast queue length would almost be reduced in half from 625 feet to 340 feet (or 14 vehicles).</p>				
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	<p>Although not required, the following additional measures would provide for further improvements to the study area intersection delays:</p> <ul style="list-style-type: none">• Stagger work hours and shifts of construction personnel during the a.m. and p.m. peak commute periods.• Use alternative and additional gate access locations to disperse traffic from the I-680 northbound off-ramp/Bayshore Road intersection.				
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	<ul style="list-style-type: none"> Attendance at monthly traffic meetings between Valero staff and City staff (police, traffic engineer, and public works department) to review and implement the traffic controls listed above. 				
<p>4.13-2: The proposed construction phase of the VIP would result in a contribution of construction traffic volumes to one of the I-680 ramp junctions which are already forecast to</p>	<p>Implement 4-13-1.</p>	<p>Implement 4-13-1.</p>	<p>Implement 4-13-1.</p>	<p>Implement 4-13-1.</p>	<p>Stop work order.</p>

<p>operate at LOS F in the baseline (i.e., without project) condition. However, when the 2004 baseline and 2004 plus project ramp volumes are compared at the impacted ramps, the project's contribution would be nominal.</p>					
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UTILITIES AND SERVICE SYSTEMS

<p>4.14-1: The Valero Improvement Project would increase demand for raw, untreated water from the City of Benicia in excess of the baseline refinery demand</p>	<p>4.14-1a: The City will continue to move forward with obtaining the future water supplies as identified in the Water Study, the UWMP, and the 1996 Water System Master Plan.</p>	<p>Monitoring action: Mitigation monitor shall communicate monthly with the Public Works Department to ascertain progress.</p>	<p>Delivery of agreement for additional water signed by all involved parties.</p>	<p>Best efforts by the City. Timing is not entirely within City and Valero's control.</p>	<p>NA</p>
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<p>anticipated in the UWMP. In the future, the City's overall water demand may exceed available supplies from current sources in dry years. This impact would be significant. This impact could be altered to be less than significant if the City were to obtain additional water supplies or if the City were able to implement planned future water supply programs and projects. Some of</p>					
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<p>these measures are beyond City control and some are within the control of the City and Valero.</p>					
	<p>4.14-1b. The City of Benicia and Valero will continue to implement General Plan Program 2.36.A to pursue reuse of reclaimed wastewater where feasible, and the Valero Refinery will accept and use reclaimed water from a City reclamation project.</p>	<p>Monitoring action: Mitigation monitor to communicate monthly with the Public Works Department. as above.</p>	<p>Completion of project construction and notification to the City of acceptance and use of reclaimed water from the City reclamation project by Valero.</p>	<p>Best efforts as discussed in 4.14-1a above, on the part of Valero and the City.</p>	<p>Revoke use permit.</p>
	<p>4.14-1c: Drought Contingency. If a "water shortage" (as defined below) occurs, then Valero shall take the steps necessary to reduce water consumption at the refinery by an amount equal to or greater than the amount of</p>	<p>Reporting action: When notified by the City that a water shortage exists for any given year, Valero will provide prompt documentation to the City of: the amount of water expected to be consumed by the VIP during the year of the shortage; a description of the steps planned to</p>	<p>Valero will notify the City as the steps are implemented and will provide an annual report at the end of the year, verifying the amounts of water saved by the steps taken.</p>	<p>When a water shortage occurs, as defined by this mitigation measure.</p>	<p>Revoke use permit.</p>

	<p>raw water that is being consumed due to implementation of the VIP during the period of the water shortage. This reduction shall be in addition to any amount of reduction required by Condition WATER RES-2, approved by the California Energy Commission on October 31, 2001, for the Valero Cogeneration Project. Upon notification that a water shortage exists for any given year, Valero shall provide prompt documentation to the City of: the amount of water expected to be consumed by the VIP during the year of the shortage; a description of the steps planned to reduce consumption; the amounts to be saved by the</p>	<p>reduce consumption; the amounts to be saved by the steps; and the timing of implementation.</p>			
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	<p>steps; and the timing of implementation. Valero shall notify the City as the steps are implemented and will provide an annual report at the end of the year, verifying the amounts of water saved by the steps taken.</p> <p>For purposes of this mitigation, "water shortage" means that all of the following conditions have occurred:</p> <ul style="list-style-type: none">a. The City is unable to secure, pursuant to Supplemental Water Rights Application 30681, rights to the amount of water projected to accommodate City demand				
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	<p>for the year of the water shortage, as shown in Table 4.14-3 of the VIP EIR, plus the amount of water needed for the VIP;</p> <p>b. The City is unable to secure other water entitlements to the amount of water projected to accommodate City demand for the year of the water shortage, as shown in Table 4.14-3 of the VIP EIR, plus the amount of water needed for the VIP;</p>				
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	<p>c. Valero has not secured a separate water entitlement, valid for the year of the water shortage, adequate for the amount of water needed for the VIP;</p> <p>d. The City has not implemented the wastewater reuse project; and. The City has announced a water alert, as defined by Benicia Municipal Code Title 13, Chapter 13.35, section 13.35.06 0(B), and has ordered impleme</p>				
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	<p>ntation of conservation stage two pursuant to the City Code.</p>				
<p>4.14-5a: The Valero Improvement project, together with the Cogeneration Project and other refinery projects would increase demand for raw, untreated water from the City of Benicia in excess of the baseline refinery demand anticipated in the UWMP. Together with other future, non-refinery projects, the VIP would</p>	<p>Implement 4.14-1a through e.</p>	<p>Implement 4.14-1a through e.</p>	<p>Implement 4.14-1a through e.</p>	<p>Implement 4.14-1a through e.</p>	<p>Revoke use permit.</p>

make a significant contribution to the cumulative shortfall in City water supply in dry years.

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