



November 4, 2014

Honorable Nate Miley  
Chair, Board of Directors  
Bay Area Air Quality Management District  
939 Ellis Street  
San Francisco, California 94109

*Via email and US mail*

**Subject:** Resolution by the Richmond City Council calling on the Bay Area Air Quality Management District Board to review the Kinder Morgan permit related to offloading of Bakken crude oil and Alberta Tar Sands crude oil at its leased facility at the BNSF rail yard in Richmond and, if feasible, revoke the permit and subject the project to a complete CEQA process

Dear Chair Miley:

At its meeting of October 28, 2014, the Richmond City Council heard a presentation regarding the transport of Bakken crude by rail, the offloading of this crude at the Kinder Morgan facility in Richmond, and the safety impacts to the Richmond community of the permit issued for this project by the Bay Area Air Quality Management District (BAAQMD). Among the facts provided to the City Council as part of this presentation were:

**This project affects air quality:**

- Kinder Morgan is bringing in up to three unit trains of 100 cars per week into Richmond resulting in up to 900 tanker truck trips per week, creating even more diesel pollution in already disproportionately impacted communities.
- Kinder Morgan signed an exclusive contract with Tesoro Golden Eagle refinery in Avon, California, to supply them with the Bakken crude via tanker trucks over Richmond's local roads, and state and federal highways.

**The project raises serious safety issues for the Richmond community.**

- There are inherent safety concerns in transporting crude oil by rail, and especially Bakken crude, which is highly volatile and which has resulted in numerous accidents and harm to communities and the environment nationwide.

- The potential blast zone of rail lines carrying Bakken crude through Richmond and West Contra Costa County would impact 27 schools, Kaiser Hospital, four community centers, most of the neighborhoods in Richmond, the Richmond Civic Center, the Richmond police headquarters and five of seven Richmond Fire Stations.
- Most local schools, parts of Contra Costa College, most of the business district and most residents of the City of San Pablo are in the identified blast zone radius.
- Previous rail car derailment explosions in North America would indicate that Richmond emergency responders do not have sufficient equipment and supplies, such as fire suppression foam, to adequately respond to a catastrophic explosion resulting from a rail car derailment explosion.

**The process by which the permit for this project was issued by the BAAQMD was seriously flawed:**

- BAAQMD issued a permit ministerially to Kinder Morgan to convert its ethanol by rail operation at the BNSF rail yard in Richmond to a crude by rail operation and did not notify members of the public or even its own governing board;
- The Richmond community, and, in fact, the Bay Area had no knowledge of the Kinder Morgan Richmond operation being permitted by BAAQMD until an investigative report by KPIX televised the report showing the operation in action.

Because of these clear community impacts, and the lack of public notification or review, the Richmond City Council disagrees in the strongest possible terms with the BAAQMD staff's decision to issue a ministerial permit to Kinder Morgan Richmond for the offloading of Bakken crude oil and Alberta Tar Sands crude oil at its leased facility at the BNSF rail yard in Richmond. As a result, the City Council requests that the BAAQMD Board of Directors review the Kinder Morgan permit and, if feasible, revoke the permit and complete a thorough CEQA review of this project.

Thank you for your thoughtful consideration of the Richmond City Council's position on this serious issue.

Sincerely,



William A. Lindsay  
City Manager

cc. Richmond City Council ✓  
Jack Broadbent, Chief Executive Officer/APCO, BAAQMD