

Bay Trail advocates sue state, Chevron over public access at refinery

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The battle to build a public path at the Chevron Richmond refinery has shifted to the courts.

Trail advocates are suing the California State Lands Commission and Chevron, saying the parties failed to provide public access at the refinery in exchange for the oil giant's lease of state land that is closed to residents.

Trails for Richmond Action Committee, Citizens for Eastshore Parks, and Richmond resident Daniel Doellstedt filed a lawsuit in Alameda County Superior Court on March 5. The environmental impact report is incomplete, they argue, and both the document and lease should be declared invalid.

The lawsuit follows the State Lands Commission's Jan. 29 decision to allow Chevron to lease for 30 years state tidelands known as the Long Wharf where oil tankers are moored. It included a commitment that Chevron provide land north and south of Interstate 580 to close a .6-mile gap in the Bay Trail between Point Molate and the San Pablo Peninsula.

Chevron promised land for a trail and \$2 million for security in a deal with the city of Richmond last summer.

The state did not require Chevron to give at least \$5 million to build the trail, a provision that locals and some state lawmakers had lobbied hard for. Trail advocates say the state failed its duty to protect public access when it allowed a private company to lease public land without compensating residents with access elsewhere.

"The Long Wharf's sole purpose is to enhance the business and profits of Chevron, and does not provide available and feasible alternatives and mitigations such as providing a safe connecting segment of the Bay Trail around the Long Wharf," the lawsuit states. State Lands Commission Counsel Curtis Fossum said he believes officials are on stable legal ground.

Refinery spokesman Brent Tippen said the state review of its lease request was "fully and properly considered."

Bay Trail advocates have lobbied for a path at the refinery for years. A 2001 study examined five routes, including one along the south side of I-580 on Chevron property that passes over pipes carrying oil to and from the Long Wharf. Chevron opposed construction, saying the Sept. 11, 2001, terrorist attacks resulted in stiffer security requirements.

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