Good morning Mayor Wilson, Council President Pirtle-Guiney, and Portland City Councilors. We appreciate the opportunity to speak with you today. My name is Kate Murphy. I am a Senior Community Organizer with Columbia Riverkeeper. We work to protect and restore the water quality of the Columbia River and all life connected to it. I have a Masters in Public Health with a focus on environmental systems and human health, and I was born and raised in Portland.

I would like to add some important context to the decision before you regarding Zenith Energy. We have many concerns about Zenith's current operations and its plans to significantly increase operations in Portland. There are far more issues than I can cover in the short amount of time today, including the important distinction between reduction of allowable emission and the increase of actual real-world emissions and the impacts of Zenith's plan to significantly expand truck, rail, and marine traffic. We have much more information we can share and I hope to continue the conversation further.

Based on our research, we see a timeline that looks considerably different from the one already presented to you. As you likely know, Zenith Energy has demonstrated a consistent record of violations and dishonesty. The roughly 20 violations that we are currently aware of show that Zenith has been out of compliance the entire time it has been in operation in Portland, and it continues to profit from operations not included in its current Land Use Compatibility Statement (LUCS).

The most recent violation addressed, illegal construction to expand fossil fuel operations by accessing a marine loading dock at the McCall Oil facility, went undetected for three years. During which time, Zenith profited from the illegal activities and continues to do so. Also during that time, in order to obtain City approvals, Zenith agreed that any new infrastructure would be used exclusively for "renewable fuels". Simultaneously, Zenith was violating that agreement by using the new illegally constructed pipeline to handle fossil fuels. In fact, I believe the first product handled in the new pipeline to the McCall dock was diesel, a fossil fuel. And though it is outrageous, it should be no surprise to anyone paying attention, as there have never been any consequences with enough teeth to deter Zenith from its practice of noncompliance.

Following a surprise inspection and investigation that was the result of massive public pressure, DEQ issued a fine and requirement for Zenith to obtain a new LUCS that includes the entirety of its operations, which brings us here today. Let us be very clear about what is happening here. After being caught illegally expanding fossil fuel operations to incorporate the McCall dock, Zenith is taking the opportunity to ask for even more from the City, including retroactively facilitating permitting years of illegal activities.

Zenith's current LUCS is specific to Zenith's property address, meaning it is a land-locked facility. Concerningly, despite plans to expand operations, that is also the limit of Zenith's liability. The pending LUCS is a significant expansion, including three adjacent properties and two additional docks for marine loading. At the same time, Zenith is potentially compromising the agreement to exclusively handle products in new infrastructure that are a minimum of 95% "renewable fuel". Zenith is now proposing handling Sustainable Aviation Fuel (SAF), which

requires a minimum of 50% blend with jet fuel, a fossil fuel. So, any SAF renewable components must be blended with a minimum of 50% fossil fuel. Additionally, Zenith is very quietly potentially attempting to add a new use to the facility (outside of storage and transport) in the form of blending fuel. This is different from storing and transporting fuels. Very little is known about that plan, and it should be closely analyzed in order to understand the implications for public health and safety.

This bears repeating: Zenith is asking you to facilitate retroactively permitting years of illegal activities as well as expanding its operations and offering a loophole to allow more handling of fossil fuels. Historical and ongoing illegal activities are not a valid justification to approve a more expansive LUCS, particularly one that will bring greater threats of harm to our communities. This is a very popular tactic in the fossil fuel industry toolbox. Zenith is a fossil fuel company and will continue to be a fossil fuel company after the transition off crude oil. We are counting on you to see this for what it is, another desperate, greenwashed attempt from a fossil fuel company to pursue profit at any cost.

For years, thousands of community members, nearly 50 neighborhood associations, multnomah county commissioners, and elected officials have all spoken up in opposition to Zenith's harmful operations and the threats they bring to our environment, to Portland, and to communities all along the transportation route.

Today we are here to ask you to do your own investigation. Take your time. There is a lot of information available and we ask that you understand it clearly before making this decision. Look at the emissions numbers, specifically the increase in emissions after the transition off crude oil. Look at the massive increase in throughput and corresponding train, truck, and marine traffic. Look at the discrepancies between what Zenith tells the City and what it asks from DEQ. Consider the history of noncompliance. Ask questions. And please understand, the decision you are considering is one that carries great consequences and liability for Portland.

When someone shows you who they are, you should believe them. When a company commits over 20 violations, you should count on it. And now we are counting on you. This is a critical moment for you to decide what kind of industry we want to invest in for the future of our City—a moment where bold, protective local action is more critical than ever. Please listen to the community and have the courage to do what is right and protect us from the harms of the fossil fuel industry. This LUCS should not be approved. Thank you for your time.