



Office of the City Council

990 Palm Street, San Luis Obispo, CA 93401-3249
805.781.7114
slocity.org

February 19, 2015

San Luis Obispo County Planning Commission
976 Osos Street, Room 200
San Luis Obispo, CA 93408

Dear Planning Commissioners:

I am writing at the unanimous direction of the San Luis Obispo City Council to urge you to deny the application of the Phillips 66 Santa Maria Refinery in Nipomo, which wishes to upgrade its facility to allow for crude oil deliveries by rail for processing. This project would significantly increase the exposure of our residents, neighbors, business people and natural resources to the threat of explosions, fire, contamination and other dangerous conditions which would result from this project. Please consider this letter part of the public record of the hearing at which you consider this matter.

As you know, trains delivering crude for this project would use Union Pacific rail tracks, which go right through the heart of our City and which are used by both passenger trains and freight trains. Given the increasing record of crude-oil rail accidents in recent years, such an event would have catastrophic effects if it occurred in any populated or habitat area. The primary source of the petroleum anticipated to be transported by rail through our county is from the Canadian tar sands and Bakken (North Dakota) formations, which the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration has determined is more flammable than traditional heavy crude oil. When oil trains carrying this more hazardous oil derail, not only does the oil spill, but it also often explodes and bursts into flame. Frequent newscasts show us that as oil-by-train transport has increased, so has damage, hazardous contamination and loss of life from explosions.

The City of San Luis Obispo is situated in an especially vulnerable area, due to the curvature of the rail line and rail cross over as the line passes through our densely populated residential and commercial areas. Furthermore, the line going over the Cuesta Grade to the immediate north of the City transverses thousands of acres of sensitive wildlife habitat in the City's greenbelt, as well as the campus and agricultural land of Cal Poly University. This rough mountainous terrain is classified by Cal Fire as having a very high danger of wildfire due to the fact that it is virtually inaccessible and has dense forest with century old native trees. Furthermore, the more than century old wooden bridges over which such trains would have to pass are uninspected and not designed to safely support such hazardous freight.

The City has previously conveyed its deep concerns regarding this expansion project in EIR comments dated January 27, 2014, attached for your convenience. The project would result in a significant increase in rail traffic, increase in the length of locomotives, and volatility of freight being carried through our City, which would present long term threats to the public



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safety of our residents. Our fire fighters and emergency response or hazmat teams are not funded nor equipped to deal with the magnitude of a rail disaster, which would become more likely if this project were approved. The longer, slower trains which would go through our city would also affect multiple intersections and impact vehicle traffic and pedestrian safety in these areas.

The City's 2015 legislative platform also states these concerns, as do the following policies, adopted in December 2014 as part of the Land Use and Circulation Element update (Resolution 10586):

12.2.4 Railroad Hazards Reduction.

The City shall monitor and respond to changes, or proposed changes in passenger and freight rail traffic that may impact the safety and well-being of residents of the community including the transport of combustible materials.

12.2.5 Transport of Combustible Materials

The City shall discourage the transportation of oil and other combustible hydrocarbons through the City.

For all of reasons stated above, the City of San Luis Obispo requests the Planning Commission to reject this project and thereby protect the health, safety and welfare of San Luis Obispo County residents, including over 46,000 City residents.

Sincerely

A handwritten signature in black ink that reads "Jan Howell Marx".

Jan Howell Marx
Mayor

Cc: San Luis Obispo City Council
San Luis Obispo County Board of Supervisors
State Senator Bill Monning
Assemblyman Katcho Achadjian
US Congresswoman Lois Capps