

## Donna Hernandez

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**From:** Ramona Hedges  
**Sent:** Tuesday, September 27, 2016 8:01 AM  
**To:** Donna Hernandez  
**Subject:** FW: Will San Luis Obispo County follow the lead of Benicia and ban oil trains, or capitulate to Phillips 66? - LA Times

Donna,  
Please PDF & name file per Phillips instructions & file in the appropriate P-66 folder. Thanks.

**From:** Charles Varni [mailto:charles@varni.org]  
**Sent:** Monday, September 26, 2016 5:10 PM  
**To:** Ramona Hedges <rhedges@co.slo.ca.us>  
**Subject:** Fwd: Will San Luis Obispo County follow the lead of Benicia and ban oil trains, or capitulate to Phillips 66? - LA Times

Please forward to Planning Commissioners. Thank you

----- Forwarded message -----

**From:** Mark Schmitt <[1mschmitt@att.net](mailto:1mschmitt@att.net)>

**Date:** Mon, Sep 26, 2016 at 3:48 PM

**Subject:** Will San Luis Obispo County follow the lead of Benicia and ban oil trains, or capitulate to Phillips 66? - LA Times

**To:** [fmecham@co.slo.ca.us](mailto:fmecham@co.slo.ca.us), [bgibson@co.slo.ca.us](mailto:bgibson@co.slo.ca.us), [ahill@co.slo.ca.us](mailto:ahill@co.slo.ca.us), [lcompton@co.slo.ca.us](mailto:lcompton@co.slo.ca.us), [darnold@co.slo.ca.us](mailto:darnold@co.slo.ca.us)

**Cc:** Charles Varni <[charles@varni.org](mailto:charles@varni.org)>

Dear members of the Board. Please take a moment to read this LA Times article regarding the P66 proposal. Would you also forward it to the members of the SLO County Planning Commission. I cannot find any contact information, email addresses or otherwise, for any of the Planning Commission members on the County's website.

Please don't miss this opportunity to keep our County safe from the potential un-mitigatable consequences of the Phillips 66 proposal. There is too much state-wide opposition to this proposal for all of them to be wrong. Furthermore, you have an obligation to protect the residents, students and visitors of San Luis Obispo from the unintended consequences this project may pose. One derailment would immediately overwhelm our first responders and set the stage for a life safety, environmental and economic catastrophe...The risk vs gain analysis falls heavily on the risk side of the equation.

Can you please let me know how to contact the members of the SLO Planning Commission. One is a personal friend, but I don't know how to contact the others.

Thank you for your thoughtful consideration of this critical matter that has the potential to adversely affect the very individuals your are charged with protecting.

Mark Schmitt  
951 Shaffer Lane  
Pismo Beach, CA. 93449

<http://www.latimes.com/local/abcarian/la-me-abcarian-oil-train-20160923-snap-story.html>

## **Will San Luis Obispo County follow the lead of Benicia and ban oil trains, or capitulate to Phillips 66?**

There were a couple of light moments Thursday at the San Luis Obispo County Planning Commission's interminable, inconclusive public hearing about whether it should allow the fossil fuel giant Phillips 66 to send crude-oil trains across California to its Santa Maria Refinery.

A local named Gary, one of only four citizens to express support for the project, took the microphone and announced, "Anybody opposed to something because it's dangerous is my definition of a coward." As he walked away, the audience, packed with oil train opponents, howled.

"My name is Sherry Lewis," said the next speaker, "and I come from Cowards Anonymous."

After several hearings, reams of public comment and a few concessions by Phillips 66, commissioners were finally supposed to put the matter to a vote this week.

Would they approve the construction of a new rail spur and oil transfer operation that would give Phillips the ability to send three new crude-oil trains through California each week, or would they defy their staff, who recommended denial because the project would have significant negative effects, particularly to air quality and sensitive habitats?

Would they disregard their pleading constituents, and the letters that have poured in from cities, teachers and boards of supervisors from San Francisco to Los Angeles asking commissioners to deny the project because those mile-long oil trains bring increased risk to every California community along Union Pacific tracks?

(Not to belabor the point, but if you live, work or study within half a mile of those tracks, you're in what is known, for emergency planning purposes, as the "blast zone." Even the mayor of nearby Paso Robles, who has offered lukewarm support for the project, once referred to them as "bomb trains.")

Last spring, three of five commissioners indicated they were leaning toward approval. But one of them, a local realtor named Jim Irving, now appears to be on the fence.

The regulatory issues around oil trains are complex and somewhat maddening. Local and state governments, for example, have no say over what is carried on railroad tracks, because the federal government regulates interstate commerce. Think of the chaos if individual cities tried to impose rules on railroads.

Even though cities and counties have no control over railroads, they still want assurances that tracks and bridges are safe for the heavy, mile-long trains that carry highly flammable crude oil. We all do, don't we?

Thursday, Irving asked about the Stenner Creek Trestle, a picturesque, 85-foot-high steel railroad bridge just north of the Cal Poly San Luis Obispo campus that was built in 1894.

Could Union Pacific reassure the county that the bridge is sound enough to carry those heavy tanker cars? As recently as June, a slow-moving Union Pacific oil train derailed near an elementary school and a water treatment plant on the Columbia River Gorge in Mosier, Ore. That derailment has weighed heavily on people's minds around here.

"We tried to request documentation from Union Pacific related to the stability of bridges," county planner Ryan Hostetter told Irving, "and all we got was a form with a checked box that they had inspected."

"That's kind of appalling," said Irving.

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These are not idle questions, and they are being faced by communities all over the country.

As my colleague Ralph Vartabedian has reported, some of the nation's top safety experts believe "the government has misjudged the risk posed by the growing number of crude-oil trains."

The Mosier train derailment was caused by failing bolts that allowed the tracks to separate. This was particularly worrisome because the tracks had been inspected the previous week.

"For me, that was a game changer," said Benicia City Councilwoman Christina Strawbridge. "I just don't think the rail industry has caught up with safety standards."

On Tuesday, Strawbridge and her colleagues on the Benicia City Council voted 5-0 to deny a project very much like the one under consideration in San Luis Obispo County. This one was proposed by energy behemoth Valero, which owns a refinery in Benicia.

Unlike Phillips' Santa Maria Refinery, which employs only 120 people full time, Valero is Benicia's largest employer. The refinery provides nearly 25% of the city's annual \$31 million budget. It has been a good neighbor, said Strawbridge, and charitable.

But she and her colleagues could not put their town at risk. After four years of debate, and a last-minute declaration by the federal Surface Transportation Board that oil companies cannot claim they are exempt from local regulations just because they use the railroads, the council said no to oil trains.

"I've gotten a lot of hugs on the street," Strawbridge told me Friday.

They are well deserved.

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Next month, the San Luis Obispo Planning Commission is scheduled, finally, to vote on this thing. After that, the San Luis Obispo Board of Supervisors will weigh in.

The wild card seems to be the board's one open seat, in District 1, which comprises towns in the more conservative north side of the county. That supervisor has often functioned as a swing vote on the board. Two conservatives are vying for the seat, the aforementioned mayor of Paso Robles, Steve Martin, and John Peschong, a well-known Republican operative whose firm, Meridian Pacific Inc., received \$262,000 from Phillips 66 in 2015, [according to the oil company's website](#).

Maybe the leaders of San Luis Obispo County will look north to the tiny city of Benicia for inspiration. That town, after all, had far more at stake.

They have a chance to do the right thing, not just for their county, but for all of California.

**ALSO**

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