

Michael W. Stamp
Molly Erickson

STAMP | ERICKSON
Attorneys at Law

479 Pacific Street, Suite One
Monterey, California 93940
T: (831) 373-1214
F: (831) 373-0242

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Via email

Hon. Debbie Arnold, Chair
Board of Supervisors
San Luis Obispo County
Room D-430, County Government Center
San Luis Obispo, CA 93408

Ken Topping, Chair
Planning Commission
San Luis Obispo County
976 Osos Street, Room 200
San Luis Obispo, CA 93401

Re: Objections to the proposed Phillips 66 Santa Maria Refinery Rail Spur Extension Project; support for staff recommendation for denial (County File Number: DRC2012-00095)

Dear Chair Arnold and Supervisors, and Chair Topping and Commissioners:

We represent Friends, Artists, and Neighbors of Elkhorn Slough (FANS) which reiterates its objections to the Santa Maria Refinery Rail Spur Extension Project due to the potential severe unanalyzed and unmitigated impacts on the Elkhorn Slough in Monterey County. FANS is dedicated to preserving and enhancing the Elkhorn Slough and its watershed through public education, citizen activism and advocacy. FANS advocates for management of the Slough and its environment in order to protect the environmental, cultural and agricultural integrity of the Slough.

This letter is to provide further information about Elkhorn Slough and its ecological significance, in order to put into perspective the serious harm that would be caused by an oil spill. The EIR is inadequate in addressing the impacts of the proposed project to Elkhorn Slough.

The Elkhorn Slough

Elkhorn Slough is the second largest estuary in California, and home to many twenty-four rare, threatened or endangered species. California estuaries such as Morro Bay and Elkhorn Slough are imperiled habitats. More than 90% of California's saltwater marshes have already been lost to development. An oil spill in the Elkhorn Slough could be the tipping point from which species could never recover.

The Slough's mud is the "nursery" for the animals that live there, including the birds and the otters. An oil spill in the Slough would contaminate the mud. The mud cannot be scooped up, cleaned and released. Once the mud is contaminated, the nursery would be destroyed. The tiny biological organisms (including microscopic algae and tiny animals) living in the thin top layer of mud – called the benthic community – are essential to the health of the estuarine system. If the benthic community is covered with oil, everything above, including birds, fish and cute, furry critters, will be in trouble. FANS intends to submit to you scientific information that shows the nature and severity of the likely and foreseeable impacts on the Slough.

The Elkhorn Slough Foundation and Elkhorn Slough National Estuarine Research Reserve state that "The mudflats at the Slough make up 1605 acres, the largest aquatic habitat within the watershed. . . . Similar to the subtidal habitats, the soft sediment hosts a large variety of tiny invertebrates that provide food for a number of animals including migrating birds, sharks and otters." Further, "The mudflats and marsh are full of delicate life, and it takes several years for the banks to recover from a footprint." In light of the fragile balance of the slough, FANS urges you to consider the irreversible impacts of an oil spill on that environment.

Elkhorn Slough contains Yampah Island, a remote island covered in pickleweed. Next to Yampah Island, endangered sea otters give birth to and raise their pups. There are 100 otter residents in the vicinity. Yampah Island is a vital resource for a healthy otter population in Monterey County. Yampah Island and the whole of Elkhorn Slough must be protected from the potential impacts of trains transporting toxic crude oil.

The Slough is also the breeding ground of the Plainfin Midshipman fish. Adults usually live in depths of around 400 meters, but venture into the intertidal slough for breeding. These fish have photophores along their body which glow to attract prey in the depths. If the Slough is compromised the Plainfin Midshipmans will lose their breeding ground which may severely negative impact the species and their other ecosystem- the depths of the ocean.

Elkhorn Slough is on the Pacific Flyway. Over 340 species of birds can be seen at the slough of which approximately one third live there year round. Birds need to rest and feed at the nutrient rich slough. Human bird watchers also benefit from the recreation of biodiversity at Elkhorn Slough.

The Slough is heavily subject to tidal influence, so the tidal action would move spilled oil from the Slough into the Sanctuary. Any spill in the Slough likely would impact the Monterey Bay National Marine Sanctuary and the deep underwater canyon which has its mouth where the Slough meets Monterey Bay.

FANS intends to provide more information soon on these issues.

Allowing trains to transport toxic crude oil through the Elkhorn Slough would put the many diverse biological resources found there at risk for irreversible devastation. FANS urges you to support the staff recommendation to deny the proposed project due to its foreseeable severely damaging impacts. Thank you.

Very truly yours,

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