

Office of the Mayor  
Mayor Tom Bates

February 1, 2016

San Luis Obispo Planning Commission  
San Luis Obispo County Planning and Building Department  
976 Osos Street  
San Luis Obispo, CA 93408

Re: Phillips 66 Rail Spur Project, Santa Maria Refinery, Final EIR

Dear Planning Commissioners,

You have before you, on February 4 and 5, 2016, consideration of the Phillips 66 Rail Spur Project at the Santa Maria Refinery. I am writing to express our City's opposition to the project and request that you support your staff's recommendation to deny the requested Development Plan/Development Permit. The project has received over 24,000 comment letters and all, except for 150 letters, have been opposed to the project. Your staff report has stated:

*"The general consensus among the comments received is that Project benefits do not outweigh the potential hazards it will bring to the public. These hazards mainly stem from rail accidents, oil spills, health hazards, and explosions/fires within communities along rail lines as a result of an increase of crude transport via rail. These hazards are also exacerbated because the County is not legally able, due to federal preemption, to require certain conditions of approval for Union Pacific along the main rail lines (e.g., require particular emergency response preparations, use of particular routes to avoid sensitive areas, or modifications to Union Pacific Railroad [UPRR] tracks or operations), therefore the County's approval of the project would allow an increase in risk to the populations within the County along the mainline (as well as outside the County and throughout the state) without the ability to enforce any measures to mitigate off-site impacts to populations along the rail lines."*

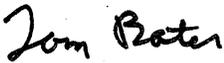
The proposed project will bring up to 5-unit trains per week, each unit train having up to 80 rail cars of crude oil, to the refinery's unloading area. There will be a maximum of 250 unit trains per year. This means there will be up to 20,000 rail cars (or a total volume of up to 546,000,000 gallons) per year through densely populated areas in California. One route will have the trains travelling though the west side of Berkeley within a few feet of Berkeley's commercial district, day care, and residential areas with population densities of 3,000 to 10,000 people per square mile. Many are just a few feet from the rail line that these trains would use. The FEIR indicates that many of our businesses and residences are at significant risk.

The FEIR for this Project indicates accidents involving these trains could result in fires and explosions as well as spills along the railroad route. The hazard modelling in the FEIR indicates that an accident that released only 180,000 gallons (about six tanks cars) would result in fires generating dangerous levels of thermal radiation up to 1400 feet from the accident site and explosions with blast hazard zones up to 1,700 feet from the accident.

The Berkeley City Council has issued a resolution opposing the transport of highly hazardous crude along California waterways (Sacramento River and the Delta) and through densely populated areas, via Union Pacific railways. Emeryville, Fremont, Oakland and other cities have issued similar resolutions as well. We all rely on California waterways for our water supply. Our industries, agriculture, commercial enterprises, and residents adjoin the Amtrak Capitol Corridor rail lines. Berkeley has appealed to Governor Brown and our state and federal representatives to intervene. Providing more robust emergency response has been suggested, but is not the answer. Accidents involving these hazardous substances can be disastrous. No amount of cleanup can avoid that. There have been many examples of train derailments with major community impacts.

I urge you to take your staff's advice and deny this project. It would place densely populated areas along the rail line at significant risk of loss of life and property.

Sincerely,

A handwritten signature in black ink that reads "Tom Bates". The signature is written in a cursive, slightly slanted style.

Tom Bates  
Mayor