

From: David Markus <woburn659@hotmail.com>

To: mwilson@co.slo.ca.us, p66-railspur-comments@co.slo.ca.us, jim@jimirving.com,
ktopping@calpoly.edu, frenchbicycles@gmail.com, elcarroll@co.slo.ca.us, rhedges@co.slo.ca.us,
cray@co.slo.ca.us, bgibson@co.slo.ca.us, ahill@co.slo.ca.us, darnold@co.slo.ca.us,
fmecham@co.slo.ca.us, boardofsups@co.slo.ca.us, ireynolds151@gmail.com

Date: 10/24/2014 01:11 PM

Subject: RE: Phillips 66 Rail terminal Project

We are residents in the Trilogy community which is very close to the proposed expansion of the Philips facility and the fundamental change regarding the transportation of crude to and from the refinery.

We are shocked and disappointed that the revised Draft EIR did not address the fundamental issues raised by those most impacted.

We understood when we purchased our home that SLO County had created and zoned the area next to the refinery as a residential community. This project will certainly change the character of the entire community.

We believe that as tax payers and voters in SLO County, we are entitled to be protected from major changes to the character of the area adjacent to our community

Our objections include many factors:

Noise pollution:

Noise Pollution inconsistent with a residential community and far greater than existing noise from the refinery.

Specifically:

- Noise will come from blaring train whistles, as 260 fully-loaded, 1.5-mile-long trains enter SLO County each year, moving from north to south.

- Noise will come from blaring train whistles, as another 260 empty, mile-long trains leave SLO County each year, moving from south to north.

- Even more noise will come from the same 260 empty trains leaving the County, because empty cars have a tendency to shake, rattle and roll with even greater intensity than fully-loaded cars.

- Track noise will be generated by the 520 trains coming and going each year. That's the seemingly, never-ending, "clickety-clack" sound produced by the wheels of trains moving over the rails.

MAD-1

- Engine and vibration noise will be heard as 200-ton locomotives are forced to idle at crossings, in virtually every town in SLO County.

In addition, locally on the Nipomo Mesa, here's what residents would now be hearing from the new Rail Terminal ...

- Engine and vibration noise will be heard as locomotives idle at the Nipomo refinery.

- Onsite, ongoing mechanical, operational noise will be heard on the Mesa from the new crude oil offloading facility, new pumping systems, HVAC equipment, and air compressors.

- Onsite, sharp clatter will be generated as locomotives disengage and then connect again with their tank cars ... 520 trains and 41,600 tankers a year.

- And also onsite, noise will be heard from additional vehicles, as cars, trucks and other construction and transport vehicles work to service the new rail operations.

It is a given that trains would be moving about the spur at all hours of the night. However, the REIR leaves many details of their management plan to be developed in the future ... therefore, we have no way of knowing or assessing what mitigation measures Phillips would take. We should assume the worst case that no sufficient measures will be taken.

Thank you for your attention.

David and Margie Markus

MAD-01

From: David Markus <woburn659@hotmail.com>

To: mwilson@co.slo.ca.us, p66-railspur-comments@co.slo.ca.us, jim@jimirving.com,
ktopping@calpoly.edu, frenchbicycles@gmail.com, elcarroll@co.slo.ca.us, rhedges@co.slo.ca.us,
cray@co.slo.ca.us, bgibson@co.slo.ca.us, ahill@co.slo.ca.us, darnold@co.slo.ca.us,
fmecham@co.slo.ca.us, boardofsups@co.slo.ca.us, ireynolds151@gmail.com

Date: 10/24/2014 12:43 PM

Subject: Phillips 66 Rail terminal Project

We are residents in the Trilogy community which is very close to the proposed expansion of the Philips facility and the fundamental change regarding the transportation of crude to and from the refinery.

We are shocked and disappointed that the revised Draft EIR did not address the fundamental issues raised by those most impacted.

We understood when we purchased our home that SLO County had created and zoned the area next to the refinery as a residential community. This project will certainly change the character of the entire community. Our objections include many factors:

Noise and air pollution:

The original EIR recognized only two air quality impacts as "Class I. However, in the REIR, the number of Class I impacts has more than doubled to five in that are "significant and unavoidable" ... obviously proving that the original analysis either purposely minimized these issues or was woefully inadequate in its observations.

In the new REIR, the following project impacts were classified as Class I:

1. (AQ.2): Operational activities associated with the Rail Spur Project at the Refinery would generate criteria pollutant emissions that exceed SLOCAPD thresholds.
2. (AQ.3): Operational activities of trains along the mainline rail route outside of SLO County associated with the Rail Spur Project would generate criteria pollutant emissions that exceed thresholds.
3. (AQ.4): Operational activities at the Refinery associated with the Rail Spur Project would generate toxic emissions that exceed SLOCAPCD thresholds.
4. (AQ.5): Operational activities of trains along the mainline rail route associated with the Rail Spur Project would generate toxic emissions that exceed thresholds.
5. (AQ.6): Operational activities associated with the Rail Spur Project would generate GHG (greenhouse gas) emissions that exceed SLOCAPCD thresholds.

MAD-02

The Key Issues ...

- Heightened Recognition Of Specific Threats To Citizens' Health: This REIR recognizes the serious nature of the health risks raised by this project. Increased risks in important health categories such as cancer, heart disease, respiratory disease (especially in the very young and very old) and premature death are recognized and in some cases the risks are quantified.

MAD-03

- Heightened Recognition Of A Threat To Global Climate Change: The impact of this project on California's and SLO County's programs to reduce the threat of global climate change is also quantified in this REIR and the increase in greenhouse gas emissions of this project are found to exceed thresholds.

MAD-04

- Impractical And Unenforceable Mitigation Measures Although there are mitigation measures discussed in this EIR for all five Class I impacts, the EIR's discussion of the measures, for the most part, makes it very clear they are not truly feasible or adequately enforceable.

MAD-05

- Not Taking Into Account All The Criteria For Determining Compliance With Air Pollution Standards: An issue of great concern with the REIR is its singular reliance on emissions increase thresholds as the sole criteria for the determination of significance under CEQA. The County has identified a list of criteria that can be used as a basis for determining "significance" under CEQA. An emissions increase threshold is only one of them.

MAD-06

Given that this project lies in the heart of a region where the state health standard for particulate matter is violated over 70 times per year and where the federal health standard has been violated in each of the last three years, we believe that any increase in the emissions of particulate matter at this project site violates additional CEQA significance criteria.

MAD-07

For the above and many other reasons, we ask that this project be stopped and that the transportation of oil and refined oil products be restricted to pipelines.

Thank you for your attention.

David and Margie Markus