

November 21, 2014

Via Email

Mr. Murry Wilson
San Luis Obispo County Planning Department
976 Osos Street, Room 200
San Luis Obispo, CA 93408
Email: p66-railspur-comments@co.slo.ca.us

Subject: Comments on the Phillips 66 Rail Terminal Project Revised Draft Environmental Impact Report

Dear Mr. Wilson:

I am writing to you today to add my voice to the voices of many others in strongly urging adoption of the "no project alternative" over the Rail Terminal Project proposed by Phillips 66. The no project alternative is by far the superior alternative for many reasons. Approval of the proposed Phillips 66 Rail Terminal Project would be bad policy for our environment, bad for the health and welfare of the people of San Luis Obispo County and elsewhere, bad for tourism in our county, pose unwarranted risks to the population in the event of an accident, and be a visual and auditory blight to a beautiful residential and recreational area, all without bringing any significant benefits. In fact as stated in Section 6.2 of the Revised Draft Environmental Impact Report, "... under operation of the Project, the SMR would not increase the importation or exportation of product" and "the Rail Spur Project would be a less energy efficient mode of transportation".

WIW-01

Because many others are commenting on many of the above reasons for adopting the no project alternative, I would like to focus my comments here specifically on Sections 4.1.3 and 4.1.4 of the Revised Draft Environmental Impact Report. Section 4.1.4 of the Revised Draft Environmental Impact Report selects Key Viewing Areas or KVAs to illustrate visual changes proposed by the project. However, in the case of KVA-1 (from State Route 1 near Via Entrada Road) and KVA-2 (from State Route 1 near Via Concha Road), the selected views vastly underestimate the actual visual impacts that will result. The selected KVA-1 and KVA-2 are near the base of a significant rise in elevation to the Nipomo Mesa to the east. In fact, within 400 yards from KVA-2 the terrain rises nearly 100 feet to provide commanding views over the area which would be adversely impacted by the proposed project. By ignoring this prominent terrain feature, the DEIR greatly discounts the aesthetic and visual resource impact on the residences and public golf course that occupy this area.

WIW-02

From this area of the golf course near the corner of Eucalyptus Road and Louise Lane, golfers and visitors are offered beautiful views of the open areas, dunes, and Pacific Ocean, as well as spectacular sunsets over the ocean. This is an area where I often see golfers, both local and tourists to our area, taking photos and where on many evenings you will find local residents and visitors enjoying the tranquil beauty and magnificent sunsets. Unfortunately, the proposed rail terminal project, if approved, would be highly visible and in the direct line of sight of vistas from this area. To help illustrate this point, I have attached two photos from this scenic point. Please compare these to the photos provided as Figures 4.1-4, 4.1-6 and 4.1-7 in the DEIR to clearly see that the selection of the Key Viewing Area along State Route 1 is a misrepresentation of the true visual impact to this scenic area.

The DEIR purports to mitigate the project's adverse effects on scenic vistas by installing a 10' – 20' berm at the eastern end of the proposed project. However, due to the rise in elevation immediately to the east of the proposed project, such a berm would be ineffective in mitigating the visual impacts and would do essentially nothing to mitigate the noise impacts and light pollution impacts of the proposed project. Additionally, since the view from the golf course and surrounding residences would be toward the side of the proposed rail terminal project rather than toward the end of the project, the berm at the end of the project would provide no mitigation (note that Figures 4.1-6 and 4.1-7 of the DEIR are mislabeled in that Via Entrada Road is south of Via Concha Road and, therefore, Via Entrada Road would have the end view and Via Concha Road the more sideways view of the proposed project).

WIW-03

WIW-04

Based merely on the limited information provided above, one would need to conclude that the proposed project would have a substantial adverse effect on a scenic vista (see Section 4.1.3.1 of the DEIR pertaining the California Environmental Quality Act Guidelines) and that the project would be incompatible with San Luis Obispo County plans and policies by creating an aesthetically incompatible site open to public view, introducing a use within a scenic view open to public view, changing the visual character of an area and creating glare or night lighting which may affect surrounding areas (see Section 4.1.3.2 of the DEIR outlining the County of San Luis Obispo Initial Study Checklist for consistency with County Plans and Policies). Further, these significant impacts are not mitigated by the proposals contained in the DEIR and likely cannot be adequately mitigated.

WIW-05

The no project alternative is clearly the environmentally preferred alternative and the Phillips DEIR Executive Summary states that the no project alternative meets most of the objectives of the project (p. ES-16). Phillips DEIR further states that the availability of "competitively priced crudes would be the main driver for the SMR rail project" in the short term (p. 2-36) and offers only speculative needs for the long term. It would be unconscionable to saddle local residents, the people of San Luis Obispo County and others with a rail terminal project with such significant adverse impacts while the proponents own DEIR acknowledges the main driver for the project to be its own economic gain, indicates that the project will not increase the amount of product processed (DEIR p. 4.8-21 and 6-4) and states that the no project alternative meets most of the project objectives.

WIW-06

For the reasons stated in this letter and the many letters submitted by others, the "no project alternative" must be adopted.

Sincerely,



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Attachments:

Day-time photo from public golf course area near Eucalyptus Rd. and Louise Ln.
Sunset photo from public golf course area near Eucalyptus Rd. and Louise Ln.

Attachment 1: Day-time photo from public golf course area near Eucalyptus Rd. and Louise Ln.



Attachment 2: Sunset photo from public golf course area near Eucalyptus Rd. and Louise Ln.

