



California Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
 Office of Spill Prevention and Response
 1700 K Street, Suite 250
 Sacramento, CA 95811
<http://www.wildlife.ca.gov>

EDMUND G. BROWN JR. Governor
CHARLTON H. BONHAM, Director



November 24, 2014

Mr. Murry Wilson
 San Luis Obispo County Department of Planning and Building
 976 Osos St., Rm. 200
 San Luis Obispo, CA 93408-2040

Re: Phillips 66 Company Rail Spur Extension And Crude Unloading Project Revised Public Draft Environmental Impact Report And Vertical Coastal Access Project Assessment, SCH# 2013071028, dated October 2014; California Department of Fish and Wildlife, Office of Spill Prevention and Response Comments.

Dear Mr. Wilson:

Thank you for the opportunity to review the Phillips 66 Company Rail Spur Extension And Crude Unloading Project Revised Public Draft Environmental Impact Report And Vertical Coastal Access Project Assessment, dated October 2014 for the Phillips 66 Company Rail Spur Extension Project located in the southwestern unincorporated area of San Luis Obispo County. The document addresses the environmental impacts that may be associated with the 7,000-foot eastward extension of an existing rail spur off of the Union Pacific rail mainline, a crude oil railcar unloading facility, and associated above-ground pipelines. Trains would deliver crude oil to the Santa Maria Refinery (SMR) for processing.

Below are California Department of Fish and Wildlife, Office of Spill Prevention and Response (CDFW-OSPR) comments on the subject document. The review focused on the Introduction, Project Description, Biological Resources, and the Hazards and Hazardous Materials sections of the report.

1) Section 2.3.10, Spill Containment and Response Facilities, states the system would be sized to contain the contents of one rail car as well as foam and water that would be released for fire suppression. However, on page 4.4-38 it states, "The capacity of the storage tanks and drain boxes would be sufficient to hold three full tanker cars of oil." This discrepancy should be clarified and if secondary containment will have capacity for only one rail car volume of spilled oil, additional justification should be provided that documents why this would be sufficient.

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2) Section 2.0, Project Description, states "No Bakken crude would be delivered to the SMR as part of the project." Section 2.6, Crude Oil Changes from Rail Spur Project, states two future crude by rail sources that could be delivered to the refinery via rail are Canadian. It also states given the design of the refinery, unit trains will need to deliver heavy crudes similar to what is currently being processed. Some diluted bitumen crude oils have been known to sink if spilled into a water body and therefore be more difficult to

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contain and recover. This should be mentioned and spill contingency plans for this project should take this into account if this type of crude oil (diluted bitumen) is considered for this facility. | CF&W
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3) Section 4.4.1.7 Biological Resources, Mainline Rail Routes, evaluates potential biological impacts and it states "...a query was conducted that includes a CNDDDB review of all sensitive biological resources within 300 feet on each side of the rail line routes to develop a general list of potential plant and wildlife species that may be directly impacted by a derailment crude oil spill." It also states, "Because the analysis of impacts to these resources is limited to available data, the documented occurrences are only intended to serve as a minimum baseline for describing the potential impact that could occur under a scenario of train derailment, fire, and oil spill." With that understanding, additional information should be provided as to why 300 feet on each side of rail line was chosen. | CF&W
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4) Section 4.4, Mitigation Measure Bio-1, it is unclear if the focused Nipomo Mesa lupine survey prior to initiation of project activities will be conducted during the normal blooming period for this species in addition to conducting the survey during a normal rainfall season to determine presence/absence of this plant. It is also unclear how the 3:1 mitigation ratio was selected if this plant species is impacted. | CF&W
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5) Section 4.4, Mitigation Measure Bio-5a, it is unclear why a 2:1 acreage mitigation ratio for potential impacts to dune habitat was selected. | CF&W
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6) Section 4.4, Mitigation Measure Bio-8b, it is unclear why a minimum of 26.5 acres was selected to mitigate for loss of burrowing owl habitat. | CF&W
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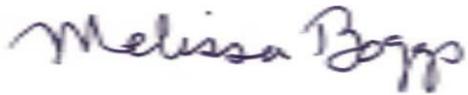
7) Section 4.4, page 4.4-46 discusses oil spills and potential impacts to biological resources. It states, "The probability of a crude oil train release incident exceeding 100 gallons would range between one every 45 years to once every 76 years depending upon the rail route used to get to the SMR. It is unclear which references were used to calculate these spill probabilities so an evaluation of the accuracy can be made. This section also mentions that Patriot Environmental Services (an oil spill cleanup contractor) is located in Santa Ynez. Please verify Patriot Environmental Services has a facility in Santa Ynez. | CF&W
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8) Section 4.4.5 Cumulative Analysis, pg 4.4-48 states if all of the crude by rail projects travel via the Roseville area, it estimates, "...along this route the probability of a 100 gallon or greater oil spill has been estimated to be once in 138 years." And additional spill probabilities are provided for different routes. Again, it is unclear which references were used for how these spill probabilities were calculated so an evaluation of the accuracy can be made. | CF&W
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9) Section 4.7 Hazards and Hazardous Materials, describes different oil spill release scenarios, but pin hole leaks in pipelines that are normally not detected with smart pigging technology was not discussed; but should be considered. | CF&W
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Thank you for the opportunity to review and comment on this DEIR. Please contact me at (805) 594-6165 if you have any questions regarding these comments.

Sincerely,

A handwritten signature in dark ink that reads "Melissa Boggs". The signature is written in a cursive style with a large, prominent initial "M".

Melissa Boggs,
Senior Environmental Scientist