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**EILEEN LUSSIER, PH.D.**  
**915 BEA COURT**  
**NIPOMO, CA 93444**

JAN 14 2014

PLANNING & BUILDING

January 12, 2014

Mr. Murray Wilson  
Environmental Resource Specialist  
County of San Luis Obispo  
976 Osos St. Room 300  
San Luis Obispo, CA 93408

Dear Mr. Wilson,

I am writing this letter in regards to the plans that have been presented by Phillips Conoco to develop a "Rail Spur" on their property on the Mesa of Nipomo. I know that you have or will be receiving letters expressing concern about this project and the hazards that this project can present. There are issues of pollution and possible accidents that have been extremely disturbing to someone who is interested in this area.

Since I am unclear as to when this project was first proposed to the board I would like to ask the board to consider their responsibility to the people living on the Mesa. At one point in time, when Conoco Phillips first arrived on the Mesa, the area was considered very rural, with a very low population of people, but a high population of animals and eucalyptus trees. There were very few homes and the area was covered with trees. At that time, a project such as what they are proposing would have impacted the animals residing in the area, but the trees could possibly have absorbed some of the pollution and so the residents living in the lower part of Nipomo may not have been impacted so greatly by the light and air and noise pollution that will be a part of this project. Of course an accident occurring such as the ones that have recently occurred in North Dakota and Canada with the volatile products that are being carried in the inadequately prepared rail cars would have probably still wiped out the center of Nipomo or damaged the environment to the extent that people would not have been able to live there in the same way, so some people would have been dramatically impacted.

However, at some point in time the planning board and the people of Nipomo decided that they did not want to remain a rural community and plans were proposed and passed by the planning board to allow the Mesa area to develop into a residential area. This change may have

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occurred to increase the tax revenues for the community and to expand the services that were able to be provided to the people living in Nipomo and the surrounding areas. For whatever reason, the board has approved the building that has allowed the population of Nipomo to increase 80.24% since 1990. That would indicate that in 1965 or when Phillips Conoco plant was built, there were very few people living in the area of the plant. Population wise it may have been similar to the area of North Dakota where the last explosion occurred from the rail carrying fuel products.

There are many developments, such as Black Lake, Cypress and Trilogy that were allowed to be built with great plans of expanding the area to include more golf courses, hotels, and to become an area which is considered a great place to retire and a place of destination. More individual homes were built with the blessing of the planning board. The mean home value increased from \$189,000 in 2000 to \$561,000 in 2011. That represents a large increase in the tax coffers to be used for the betterment of Nipomo and surrounding areas. Many of those homes that have increased the value of this area are situated on or near the Mesa. People have made the decision to move to this area based on the idea that the planning board of the community had wanted this change to occur and that they would be overseeing and protecting the property and the lives of the people that they have encouraged to live in Nipomo.

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I am hoping that this letter helps you to recognize the responsibility that you have to assure that what happens in the area will not destroy the value, the environment, and the great plan for the future of this area, the plan that was determined by your committee to go forward many years ago that would change this area from eucalyptus trees to residences. Needless to say, you have a responsibility to assure that people living in the area are safe from being attacked by large corporations sending pollutants and setting up a dangerous environmental hazard in their back yards that would terminate any plans for future life.

I urge you to take this matter seriously. If you read about what has happened recently you will realize that other people who had similar decisions to make did not recognize the full extent of their decisions and many people have suffered and much damage has been done to the environment.

Sincerely,



Eileen Lussier

From: Eileen Lussier <[eileen.lussier@gmail.com](mailto:eileen.lussier@gmail.com)>  
To: [mwilson@co.slo.ca.us](mailto:mwilson@co.slo.ca.us)  
Date: 01/22/2014 10:53 PM  
Subject: Request New Environmental Impact study

Dear Mr. Wilson,

I feel that with the new numbers of train derailments that have occurred in the past few months, I am unclear what number the newest one on January 20 would be, but it is clear that the rail system is not an effective means of moving any crude oil, and particularly the volatile Bakken that may be introduced into the area. Given the impact that a disaster would have on the Nipomo Mesa and surrounding areas and the clear possibility of a disaster I feel that a new environmental impact study should be initiated to take into account what has happened to other areas recently. I would like to know how we can be protected from the results of a rail accident such as what happened in North Dakota.

Please watch this video and be prepared to answer that question when the board meets. Also think of what you would do and how you would feel if it were to occur.

<http://www.youtube.com/watch?v=Bew81WxZsp0>.

Sincerely,  
Eileen Lussier

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From: Eileen Lussier <[elussier123@gmail.com](mailto:elussier123@gmail.com)>  
To: [p66-railspur-comments@co.slo.ca.us](mailto:p66-railspur-comments@co.slo.ca.us)  
Date: 01/22/2014 10:19 PM  
Subject: Request for new environmental impact study

I would like to be sure that everyone on the board has the opportunity to see the video of the rail incident in North Dakota. I think they need to recognize that this is possible in Nipomo on the Mesa if Phillips is allowed to expand their plant to include rail import of crude. This plant is not equipped to handle the Bakkin type of crude and the trains are also not equipped to handle transporting this crude. If you have followed the news, there have been a number of rail accidents in the past few months, at least 5, possibly 6 as of this week. Please watch the video of the North Dakota incident and assure us that you will have a way to protect us from an incident of this type and if it occurred, what would you do???

<http://www.youtube.com/watch?v=Bew81WxZsp0>.

Sincerely,  
Eileen Lussier,  
Resident of Nipomo Mesa

LE-3

From: Eileen Lussier <[elussier123@gmail.com](mailto:elussier123@gmail.com)>  
To: [mwilson@co.slo.ca.us](mailto:mwilson@co.slo.ca.us)  
Date: 01/23/2014 11:49 AM  
Subject: Phillips rail spur project

Dear Mr. Wilson,

I just learned that we as residents in the area of Phillips were asked to call in when we smelled odors from the plant. We had not been informed of this process or the reason behind it and have not done our due diligence of informing the proper authorities of the odors that we experience here at least twice a week, sometimes more often. Now that I have the background information on how Phillips has already been cited for causing the odors, it makes me more concerned about the obvious carelessness and lack of regard that they have given to the citation that was already in place regarding odors. It does not give me confidence that the "rail spur"

project is going to receive any different treatment in regards to concern for safety. From now on the calls will be coming in from the people who know about this and we will attempt to inform more home owners of this phone process.

Sincerely,  
Eileen Lussier

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From: Eileen Lussier <[elussier123@gmail.com](mailto:elussier123@gmail.com)>  
To: [mwilson@co.slo.ca.us](mailto:mwilson@co.slo.ca.us), [fmecham@co.slo.ca.us](mailto:fmecham@co.slo.ca.us),  
[bgibson@co.slo.ca.us](mailto:bgibson@co.slo.ca.us), [ahill@co.slo.ca.us](mailto:ahill@co.slo.ca.us), [cray@co.slo.ca.us](mailto:cray@co.slo.ca.us),  
[darnold@co.slo.ca.us](mailto:darnold@co.slo.ca.us)  
Date: 01/26/2014 05:44 PM  
Subject: Phillips rail car spur

Dear Board Members,  
Please realize that 5 trains with 80 cars going in carrying crude will also be leaving carrying other products no doubt or even empty they will be going through the cities causing traffic problems and air pollution throughout the area. That is 41,600 rail cars a year going through towns and cities in our area. Please consider this in the picture.

Sincerely,

Eileen Lussier,  
915 Bea Court  
Nipomo, CA 93444

LE-5

From: Eileen Lussier <[elussier123@gmail.com](mailto:elussier123@gmail.com)>  
To: [mwilson@co.slo.ca.us](mailto:mwilson@co.slo.ca.us), [fmecham@co.slo.ca.us](mailto:fmecham@co.slo.ca.us),  
[bgibson@co.slo.ca.us](mailto:bgibson@co.slo.ca.us), [ahill@co.slo.ca.us](mailto:ahill@co.slo.ca.us), [cray@co.slo.ca.us](mailto:cray@co.slo.ca.us),  
[darnold@co.slo.ca.us](mailto:darnold@co.slo.ca.us), Thomas Wallace <[tomwallaceGHS@gmail.com](mailto:tomwallaceGHS@gmail.com)>  
Date: 01/26/2014 05:15 PM  
Subject: Phillips rail spur project

Dear Mr. Wilson,

Since tomorrow is the last day for written comments, I want to be sure that you have a written account of the various issues that I am concerned about regarding the proposed spur. I am concerned about the air pollution that will occur from the engines of the trains and the off loading of the product. Not only to humans, many of whom are older adults who may have issues such as COPD or other ailments that afflict the older population; but also to the butterflies that are wintering in the trees just about a mile from the proposed habitat. They are quite fussy about where they choose to winter and have decided that the area is still to their liking now and we do not want to change that by polluting their air and having light that would confuse them and noises that would startle them.

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I am also concerned about the possibility of Bakken oil being transported to the area by rail. Since there have been at least 5 recent rail car incidents that have caused great environmental harm and human distress, I do not feel that a product such as this should be transported through highly populated cities in rail cars that are not equipped to handle the volatility of this product, to arrive in a residential area to be off-loaded into tanks that probably are not equipped to contain this product safely. Although Phillips' recent note to the residents of the area claimed that they "do not have the type of process equipment necessary to refine SIGNIFICANT quantities of light, sweet crude (Bakken), and their plan is to continue processing PRIMARILY heavy sour crude oil....." I recognize the highlighted words (my highlighting) to be saying that some Bakken crude would be coming through and they would be processing it. In addition, my fear would be that once they have the rails they would then want to upgrade their plant to handle more of the crude that they could bring into this plant. I do not feel that this plant should be expanded or that more product should be brought in by rail. The plant is old and in disrepair. They already are not compliant regarding odors that are emitted from the plant and if they can not contain the odors then I do not feel confident that they can provide for safety with expanding their crude intake.

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I do not feel that expansion of this plant would be compatible with the expansion of human habitation of the area, given that there are already issues of air quality in the area and availability of water.

I do not believe that any of the issues of water, air, noise, light and odor, or other factors should be mitigated anywhere other than in this location. There are many more issues of concern regarding this project, but my e-mail space is limited.

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In short, I believe that this project and Phillips plan would jeopardize the plans that your commission had put into movement many years ago. The plan to open the Mesa area up to development of homes, to have Nipomo join the adjoining

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cities in becoming a destination place where people felt that they could raise families and retire safely.

Respectfully,

Eileen Lussier, Resident of Nipomo  
915 Bea Court  
Nipomo, CA 93444

LE-9

From: Eileen Lussier <[elussier123@gmail.com](mailto:elussier123@gmail.com)>  
To: [mwilson@co.slo.ca.us](mailto:mwilson@co.slo.ca.us)  
Date: 01/26/2014 04:10 PM  
Subject:Phillips

Dear Mr. Wilson,

As I was driving on route 1 today, I thought of how it would be to have 5 trains pulling 80 cars going back and forth a week past the butterfly habitat in Grover Beach, and the new convention center that people have been trying to come to fruition. The 80 car trains going by 2 x a day would cause quite a traffic delay, in addition the air pollution that would be part of that may impact the butterflies that winter in Pismo. When I thought of that I also thought of the butterfly habitat that has been set aside at Trilogy and how that will be impacted by the trains engines running, the light from the proposed 5 rail spur, and the noise of the cars and the activity. Since the spur is proposed to be about a mile and 1/2 away from the butterfly habitat, it seems that this should be taken into consideration within the environmental impact report. Perhaps I missed it in the current one, but I would like to know that an expert in monarch butterflies had a part in determining how they may be impacted by this activity.

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Thank you for your consideration of this.

Eileen Lussier, Nipomo resident  
915 Bea Court,  
Nipomo, CA