January 27, 2014

Murry Wilson
Environmental Resource Specialist
Department of Planning and Building
976 Osos Street ~ Room 200
San Luis Obispo, CA 93408

RE: Phillips 66 Rail Spur Project, DRC2012-00095

Dear Mr. Wilson,

Please accept these comments as they relate to the project mentioned above.

I object to the bifurcation that has taken place between the Throughput Increase and the Rail Spur projects. The impacts of the two projects are cumulative and should be analyzed as such. Additionally, I am also concerned with the "Fast Track" nature of such a large project whose CEQA process began during the holiday season, when families are distracted with real life and what's most important to them. TAJ-1

The No Project Alternative is the preferred project and I would wholeheartedly support that option. TAJ-2

The overarching concern I have is for public safety on and offsite as it relates to the health and wellbeing of the environment and citizenry all along the thousands of miles of rail from which 250 trains will come and go (500 trips) through this country and Canada. The recent rash of accidents associated with crude oil trains and the controversy surrounding substandard rail cars raises public safety to the highest level of concern.

Please consider the articles linked below:

http://www.commondreams.org/headline/2013/12/30-9

http://www.businessinsider.com/photos-from-the-investigation-into-the-quebec-train-crash-2013-7?op=1

http://bangordailynews.com/2013/08/07/business/railway-involved-in-quebec-crash-that-killed-47-files-for-bankruptcy/ TAJ-3

The DEIR suggests few, if any; significant rail accidents have happened in this county, when in fact there have been significant derailments, as recently 1996 when as three men died: http://www.trainwacko.com/ncmr/photos/prototype/special/derail/index.html

additionally, in 1986 much of Grover City was evacuated: http://sloblogs.thetribunenews.com/slovault/2011/02/isobutane-tanker-cars-derail-grover-beach-evacuated/

And as long ago as the early 1900's
http://www.flickr.com/photos/photosfromthevault/2851964212/

TAJ-3

The risks associated with this project outweigh the public benefit; Phillips 66 is a multimillion dollar private corporation that is the only beneficiary from said project.

Proposed Mitigation

The project is silent on the matter of solar energy, onsite mitigation measures that would contribute to improvements in the environment associated with the historic and ongoing operation of the refinery and its recent capacity increase should be considered at this time.

A simple measure of mitigation that could be added to the project would be to install solar panels on top of the canopy structure that is proposed for the crude oil offloading area. Solar energy could be used by the refinery in myriad ways, saving Phillips 66 money and benefit the planet by reducing greenhouse gases produced by generating electricity through traditional means. These panels may help in noise reduction as well.

Example:

TAJ-4

Air Pollution

Phillips 66 has been a bad actor over the decades of its existence with regard to air pollution, having received multiple violations for emissions. While the refinery has overcome violations in the recent past, its emissions combined with those from the Oceano

TAJ-5

Dunes should be considered as a cumulative impact and the Rail Spur Project mitigation should be aimed at reducing both sources of pollution. Phillips 66 is the owner of 600 acres of the OHV riding area and should partner with the State to overcome the impacts of both the riding area and the refinery. TAJ-5

Noise is air pollution; sound will carry via the westerly winds beyond the project area. There will be clanging and banging and the squeaking of brakes as the trains slow to enter and rev up to leave the site. No trains should be allowed to enter or depart the facility between the hours of 10pm and 7am. During the daytime hours the low rumble of train engines running for 10 or so hours during offloading will be a nearly daily nuisance. While we generally think of protecting people from noise nuisance, the grazing animals and wildlife can also be disturbed by exposure to noise. It is unclear how the project will mitigate, or if it can, the long duration of the persistent noise. TAJ-6

All aspects of air pollution impact the neighboring agricultural pieces; some of which are prime coastal ag and are to be protected under the Coastal Act. TAJ-7

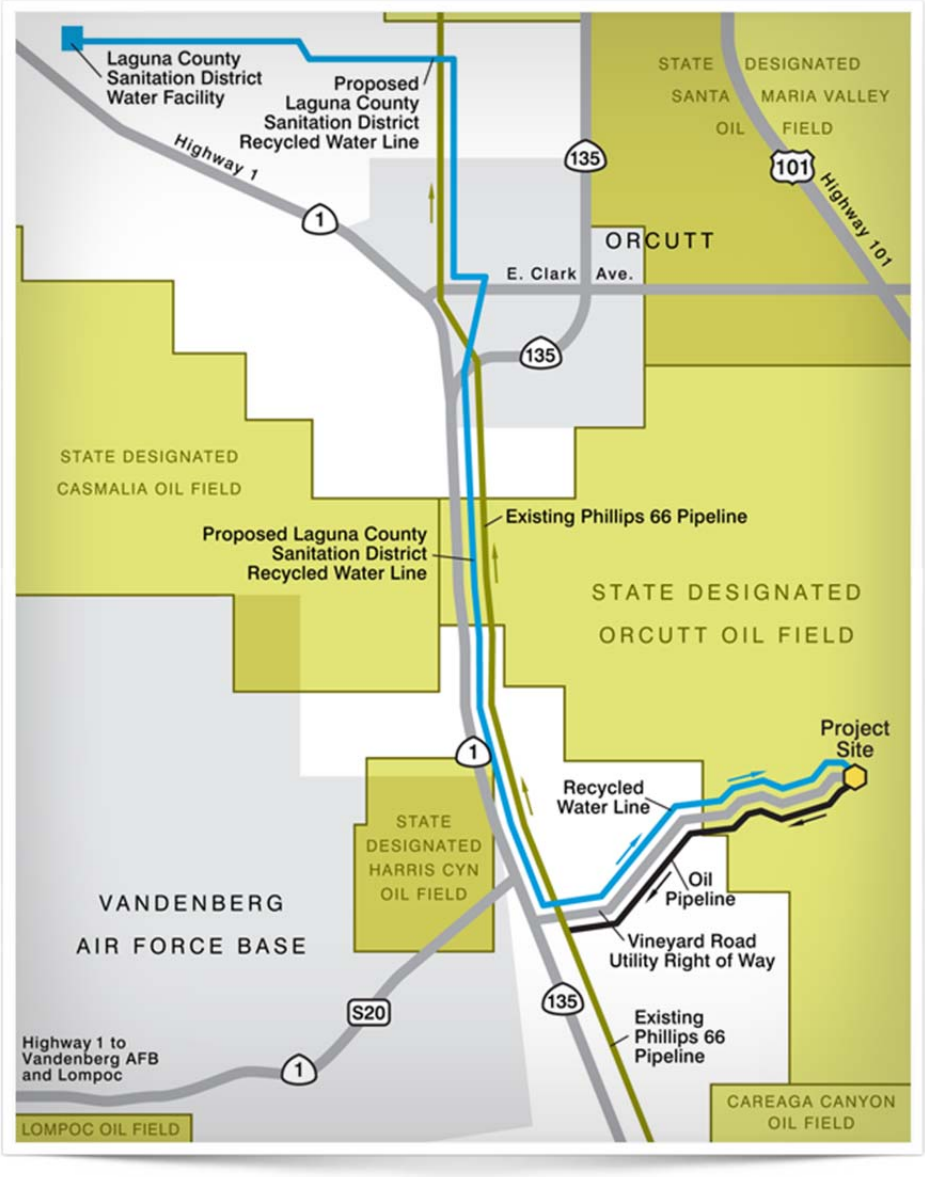
Water

The refinery has also been a bad actor over the decades of its existence with regard to groundwater pollution and high volumes of use in a compromised basin. The refinery's Coke byproduct has been handled poorly in the past and resulted in groundwater pollution and resulting fines by the RWQCB. While clean-up efforts are ongoing the refinery could do more to benefit the groundwater basin.

The refinery uses approximately 1,100 AFY of potable water each year and has an allocation approved in the recent Santa Maria Groundwater Litigation that exceeds 1,500 AFY. It occurs to me that the refinery does not need potable water for its refinery processes. Over the years it has been considered a very likely candidate for recycled/nonpotable water from the South San Luis Obispo County Sanitation District. The beneficial reuse of the recycled wastewater would help the groundwater basin overall health and nearly eliminate the SSLOCSD ocean outfall. TAJ-8

The Laguna County Sanitation District is current involved in a similar proposal wherein their relationship with Santa Maria Energy includes a project that constructs and installs an 8-mile, 16" underground recycled water pipeline that will be built at Santa Maria Energy expense but will be owned by LCSD. The objectives of this recycled water pipeline project include: expanding wastewater disposal capacity by providing additional infrastructure to deliver recycled water from the LCSD wastewater reclamation plant at 3500 Black Road to the Santa Maria Energy project site at 7980 East San Antonio Road; and reducing impacts to groundwater resources by providing recycled water as a substitute. This treated water will be used in generating steam for the EOR technique being employed by Santa Maria Energy to produce oil from the Sisquoc diatomite formation. This project is a win/win for the Laguna Sanitation customers and the basin as a whole. A similar relationship should be established between SSLOCSD and the Phillips 66 refinery.

Furthermore, the County of San Luis Obispo is currently under contract with Cannon engineers to develop a Regional Recycled Water Master Plan; in it the engineers will be looking at the feasibility of such a project for SSLOCSD and the refinery. The draft plan is due out in April of 2014. It would be appropriate to include recycled water use in the projects mitigation.



TAJ-8

Example:

Cultural Resources and Public Access

On the eve of the American Revolution, Lt. Colonel Juan Bautista de Anza led more than 240 men, women, and children on an epic journey across the frontier of New Spain to establish a settlement at San Francisco Bay. Their legacy on the Juan Bautista de Anza National Historic Trail, connects culture, history, and outdoor recreation throughout Arizona,

TAJ-9

California, and beyond. Special attention should be paid to the setting in which the project lies. The de Anza trail may indeed have crossed through the Phillips 66 property. Some parts of the 1600 acre property is as beautiful today as it was in 1776, the ability to allow public access through the property to the beach is an exciting concept and should seriously be considered.

By improving the maintenance road alignment seems the most logical and least impactful alternative for coastal access. Even beginning with docent led hikes, as the access becomes more accessible to the public, may lead to further expanding of the access in the future. An access at this point should be phased in. I request that this opportunity be embraced and left open for project development into the future.

TAJ-9

Contrarily, the Arcadis report regarding Vertical Access suggests if there were an accident at the refinery that would put the public in danger. Phillips 66 can't have it both ways; the Hazard and Hazardous Materials section of the DEIR suggests there is little to no possibility of an accident at the plant. Either the public is in danger from the facility or they are not.

Thank you for the opportunity to comment,

Sincerely,

Julie Tacker

PO Box 6070
Los Osos, CA 93412
805.528.3569