

CALIFORNIA COASTAL COMMISSION

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PLANNING & BUILDING

November 24, 2014

Murry Wilson
Department of Planning and Building
976 Osos Street, Room 200
San Luis Obispo, CA 93408-2040

Re: **Revised Draft Environmental Impact Report for the Phillips 66 Santa Maria Refinery Rail Spur Extension Project**

Dear Mr. Wilson:

Thank you for considering the following input from Coastal Commission staff (Commission) on the revised draft Environmental Impact Report (EIR) for the proposed Phillips 66 Santa Maria Refinery Rail Spur Extension and Coastal Access Projects.

Phillips' proposed Rail Spur Extension Project is located within San Luis Obispo County's certified Local Coastal Program (LCP) jurisdiction and therefore requires a coastal development permit (CDP) from County. The County's decision on this project (approval or denial) is appealable to the Commission under Coastal Act section 30603(a) at least because the project is located between the first public road and the sea, is not the principally permitted use on this parcel, and is a "major energy facility" as defined in the Commission's regulations.¹ In addition, the Coastal Access Project will also require a CDP from the County. Because this project would be located between the sea and the first public road paralleling the sea, a County approval of the project is also subject to appeal to the Commission, pursuant to Coastal Act Section 30603(a). Therefore, if either or both projects are appealed, the Commission will use the information contained in the EIR in its evaluation of the appealed project's conformity with the San Luis Obispo County LCP. Our comments and requests for additional information are as follows:

CCC-01

Coastal Commission Appeal Jurisdiction

1. Please include information about the Commission's appeal jurisdiction in Section 1.2 (Agency Use of the Document for the Rail Spur Project) of the EIR.

¹ Coastal Act Section 30107 defines "energy facility" as "any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy. 14 Cal. Admin. Code Section 13012(a) defines, in relevant part, "major energy facilities" as those energy facilities "that cost more than one hundred thousand dollars (\$100,000)..."

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Project Descriptions

Rail Spur Extension Project

2. **Public Service Capacity:** Please describe and quantify any proposed demand increases to municipal water and sewer resources that would result from the proposed project. In addition, please describe the existing excess capacity that is available to meet these demand increases, and whether applying such capacity to this project would adequately meet requirements for reserving capacity for Coastal Act and LCP priority uses. CCC-02
3. **Disturbance Area:** Please specify how much of the proposed 48.9 acre disturbance area would be within the existing footprint of the refinery facility and coke storage area. CCC-03
4. **Existing Uses:** Please describe the existing operations at the refinery facility and coke storage area, including the activities that are carried out at these sites as well as the equipment that is used and the vehicle and train traffic generated by this use. CCC-04
5. **Proposed Operations:** Please describe any and all increased activities, operations, or traffic that would result from the proposed project. CCC-05

Coastal Access Project

6. **Accessway Design:** Please provide a detailed description of the proposed design of the accessway and the factors that contributed to the selection of this design. Please include a description of the materials to be used, the dimensions of the accessway, and any ancillary facilities that would also be developed to support its use (i.e. parking areas, restrooms, emergency services, etc.). CCC-06
7. **Construction and Maintenance:** Please provide a detailed description of the proposed method of constructing and installing the accessway, including any excavation, grading, or landform alteration that would be carried out. Please also describe the proposed maintenance activities that would be carried out to ensure that the accessway is open and available for safe operation. Please also describe how often sand and vegetation removal activities would be carried out from within and adjacent to the accessway footprint. CCC-07

Biological Resources

Regarding the presence and classification of dune habitat areas within the proposed Rail Spur Extension project's disturbance and development footprints, the discussion on page 4.4-4 states, "Under the current classification system, the Dune-Heather Alliance (and observed associations) would not be considered sensitive as dune-heather is a common plant species and has no sensitivity ranking." However, this assertion relies on the assumption that stands of dune vegetation that support *Ericameria ericoides* (mock heather) without *Lupinus chamissonis* (silver dune lupine) should be classified as distinct from those that support both of these dominant shrub species together. Based on Commission staff's review of the Manual of California Vegetation (Second Edition), and consultation with the California Department of Fish and Wildlife Vegetation Specialist, Dr. Todd Keeler-Wolf, the current guidelines for classifying vegetation in California do not support this assumption. In fact, these guidelines specify that stands of dune vegetation that support these species either together or separately should be classified as part of the *Lupinus chamissonis*-*Ericameria ericoides* Alliance, a vegetation alliance recognized both globally and statewide as rare and highly imperiled. Specifically, the membership rules in the Manual of California Vegetation (Second Edition), for the *Lupinus chamissonis*- *Ericameria ericoides* Alliance state that *Lupinus chamissonis* and/or *Ericameria ericoides* are conspicuous. CCC-08

In addition, the characteristic species paragraph for this Alliance states that “*Ericameria ericoides* and *Lupinus chamissonis* occur characteristically together or alone in the shrub canopy...” [emphasis added].

8. We therefore recommend you correct the classification of dune vegetation within the proposed project site to reflect the California Department of Fish and Wildlife vegetation classification guidelines and amend the corresponding analysis of project impacts to sensitive biological resources to reflect the recognized rarity and imperiled status of dune vegetation within the proposed project footprint. CCC-09
9. Please provide the biological survey reports developed by SWCA as an appendix to the EIR. These reports are described on page 4.4-22: “The survey area reviewed by SWCA is referred to herein as the Biological Study Area (BSA) and accounts for a 100-foot buffer beyond the applicant’s proposed limits of disturbance near the rail spur and the proposed Emergency Vehicle Access road (EVA) to the southeast.” CCC-10
10. Mitigation Measure BIO-1 on page 4.4-27 notes that a focused survey for Nipomo mesa lupine shall be carried out prior to initiation of project activities during a “normal rainfall season.” Please provide the criteria that would be used to define when a normal rainfall season is occurring. Please also clarify how discovery of this sensitive plant species during a focused survey would affect the designation of sensitive habitat. CCC-11

Agricultural Resources

11. Please review internal citations to sections, figures, and appendices and correct as needed. Review by Commission staff suggests that a number of these internal references are not accurate. For example, the discussion in Section 4.2 includes references to the “Policy Consistency Analysis” in Appendix E. However, Appendix E is a document titled, “Preliminary Fire Protection Plan.” Additionally, discussion also in Section 4.2 refers to the land use designations depicted in Figure 4.8-1. However, it appears that this discussion should instead refer to Figure 4.8-2, as it is the figure providing the relevant information. CCC-12
12. Based on the information provided in Section 4.2.1.2 and Figure 4.8-2, the south-eastern corner of the project site is within the Agriculture land use category and currently supports ongoing agriculture activities. In addition, Figure 4.8-2 appears to indicate that a portion of this agriculture area is within the proposed project footprint. Please specify how much of this area is within the proposed project development and disturbance footprints and provide a discussion of the specific activities proposed for these areas. CCC-13
13. Please provide additional support for the conclusion in Section 4.2 that the proposed conversion of agricultural land of local significance, loss of land currently used for agricultural activities, and land within the Agriculture land use category would not result in significant impacts to agricultural resources. For any proposed conversion of agricultural land, please provide a conversion analysis based on Coastal Act Sections 30241, 30241.5, and 30242. CCC-14
14. Part of LCP Agriculture Policy 1 requires that non-prime lands suitable for agriculture be maintained in or available for agricultural production unless certain requirements are met. These requirements include the finding that “continued or renewed agricultural use is not feasible.” As indicated in Figure 4.8-2 and the discussion in Section 4.2.1.2, a portion of the proposed project footprint appears to be within the Agriculture land use category. CCC-15

Referring to portions of the project site that do not currently support industrial uses, both the discussion on page 4.2-34 and in Appendix G note that existing constraints would make “future agricultural use of this area unlikely...” However, information provided in Sections 4.2 and 4.8 indicates that this area currently supports agricultural activity. No analysis appears to have been provided demonstrating that continuation of this activity would be infeasible. Please provide such an analysis in the DEIR or acknowledge the proposed project’s apparent inconsistency with LCP Agriculture Policy 1.

CCC-15

15. The discussion in Appendix G appears inconsistent with the discussion on page 4.2-34. Specifically, the discussion on page 4.2-34 notes that “Due to the Rail Spur Project’s location on an Industrial-zoned parcel and the presence of multiple site conditions and regulatory constraints that would make future agricultural use of this area unlikely, conversion of these farmlands to industrial use consistent with existing land uses and zoning is considered a less than significant impact on agricultural resources.” However, Figure 4.8-2 and the discussion in Section 4.2.1.2 appear to demonstrate that an area within the proposed project disturbance and development footprint (the south-east corner) is within the Agriculture land use category. Consistent with this land use designation, this area is described as currently supporting agricultural uses. This information suggests that contrary to the assertion on page 4.2-34, “conversion of farmland to industrial use” on at least a portion of the project parcel would not be “consistent with existing land uses and zoning.” Please clarify this apparent discrepancy in the DEIR’s analysis of the project’s potential impacts to agricultural resources.

CCC-16

Project Alternatives

16. *Train Size and Frequency Alternatives:* Based on information provided in Section 2.3.1 of the project description, the size, configuration and location of the proposed rail spur is influenced primarily by the length of supply trains that would visit the refinery facility and the frequency and duration of these visits. This information suggests that a rail spur with a smaller overall footprint would be needed for shorter and/or less frequent trains. Please revise the evaluation of the three trains per week alternative (Section 5.1.4.1) to include a discussion of how this reduced delivery schedule would affect the size and design of the proposed rail spur. In addition, please also evaluate alternative crude oil supply train size/length alternatives (for example, supply trains with 20, 40, or 60 tanker cars instead of the proposed 80 car trains) and discuss how these shorter trains would affect the design and footprint of the proposed rail spur as well as the adverse impacts identified in the revised draft EIR

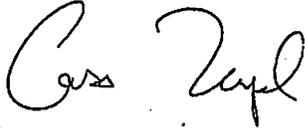
CCC-17

17. *Pipeline Transport Alternative:* Several significant rail transport projects are currently being planned or permitted in California, including several that propose to supply crude oil directly to the statewide pipeline network for transport to refineries. For example, the Plains All American Pipeline and the Alon rail terminals in Bakersfield are expected to come online in late 2014/early 2015 with a joint offloading capacity of 220,000 barrels of crude per day and are planned to supply refineries throughout the state by pipeline. Please evaluate the feasibility and impacts associated with pipeline transport of crude to the Santa Maria Refinery from existing and pending rail terminals.

CCC-18

Thank you for your consideration of the comments included above. If you have any questions, please feel free to call me (415) 904-5502.

Sincerely,

A handwritten signature in black ink, appearing to read "Cassidy Teufel". The signature is written in a cursive style with a large initial "C" and a long, sweeping underline.

CASSIDY TEUFEL
Senior Environmental Scientist
Energy, Ocean Resources and Federal Consistency Division

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CCC-01	<p>This comment discusses the fact that since the proposed project is in the coastal zone that it is appealable to the California Coastal Commission. This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. Therefore, no further response is required.</p>
CCC-02	<p>Water use at the SMR is from private water wells on their property and therefore, is not municipal water. As discussed in Section 4.13, The SMR extracts groundwater from the Nipomo Mesa Management Area (NMMA) of the Santa Maria Groundwater Basin. The source of groundwater for the SMR wells is the deep aquifer in the Paso Robles and Careaga formations underlying the Nipomo Mesa. The deep aquifer is also the main source of water for surrounding municipal and agricultural wells. Water use at the SMR with the proposed project would not exceed the Phillips 66 groundwater rights in the Nipomo Mesa Management Area (NMMA), as defined in the Stipulation for the Santa Maria Groundwater Litigation (the Stipulation). This is discussed further in the Section 4.13 of the EIR (Water Resources).</p> <p>The project would not result in any use of municipal sewer resources.</p> <p>Since the Proposed Project would not use any public services for water or sewer it would not affect the existing reserve capacity for Coastal Act and LCP priority uses as define in the County of San Luis Obispo Coastal Plan Policies for Public Works (Policy 8).</p>
CCC-03	<p>Table 2.2 in the Project Description (Chapter 2.0) provides a breakdown of the disturbance area for the Proposed Project. The data in this table provided the breakdown by area currently undisturbed and areas that are currently disturbed. The table shows that 18.7 acres of the disturbance area would be in areas that are currently disturbed by the refinery or the coke area.</p>
CCC-04	<p>Section 2.6 in the Project Description (Chapter 2.0) describes the current operations at the refinery. Current rail car operations for the coke are discussed in Section 2.5.5 of the Project Description. The current truck traffic associated with the refinery operation is discussed in Section 4.12.1.3 (4.12 Transportation and Circulation).</p>
CCC-05	<p>Chapter 2.0 Project Description provides a detailed description of all of the activities that would occur with the Proposed Project for both construction and operation. Section 2.5 of the Project Description provides a detailed discussion of the train operations that would be associated with the Proposed Project. Table 2.4 lists the construction vehicle trips.</p>
CCC-06 and CCC-07	<p>The County did not have a formal application to construct a public access at this location so it was not possible to conduct a project specific analysis. As discussed during the Planning Commission Hearing on December 13, 2012, the steps for implementing the coastal access conditions (Condition 17) would involve Phillips 66 submitting an offer to dedicate prior to notice to proceed for</p>

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the Throughput Increase Project (Phillips 66 did submit a offer to dedicate prior to receiving their notice to proceed for the Throughput Increase Project on March 27, 2015). In addition, Phillips 66 could submit documentation demonstrating that coastal access at the SMR was inconsistent with the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance. Phillips 66 submitted to the County a report that claimed coastal access at the SMR site was inconsistent with the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance as part of their application for the Rail Spur Project.

As part of compliance with the Throughput Project Conditions of Approval, Condition #17, Phillips 66 also submitted an Offer to Dedicate an easement across their property which has been accepted by both the County and Coastal Commission March 2015.

The County is in the process of determining if access at this site would comply with the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance. The County determined that a programmatic assessment of various access options was the best way to provide information that would assist in making the determination if coastal access at the SMR site is consistent with the provision of Section 23.04.420 of the Coastal Zone Land Use Ordinance. As stated in Section 9.0 (Vertical Coastal Access Assessment) the assessment will be used by the County to assist in determining:

Whether coastal access is appropriate for the SMR site consistent with the standards of Section 23.04.420 of the Coastal Zone Land Use Ordinance; and

What intensity and type of coastal access is appropriate at the SMR site.

Without a formal application it is not possible to describe the exact material that would be used or the exact method that would be used to construct and install the vertical coastal accessway. Section 9.3 (see Chapter 9.0, Vertical Coastal Access Assessment) provides a description of possible design for various coastal accessways, which include the dimensions of the accessway, the major components, and the need and possible location of parking lots. Section 9.3 also provides a discussion on why various design elements were chosen such as the elevated bridge for crossing the UPRR right-of-way.

By including this analysis in the Rail Spur Project RDEIR, it allows for public review and input on any decision about coastal access at this site. If the County finds that coastal access for this location is consistent with the requirements of Section 23.04.420 of the Coastal Zone Land Use Ordinance, then a formal application would need to be submitted that details the type and design of the proposed access. This application would be subject to additional environmental review and an appropriate environmental determination would be required prior to final approval. An additional Coastal Development Permit would also be required based on the location of coastal access and resources found in the

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	<p>vicinity of the final proposed alignment.</p> <p>As part of any formal application to construct a vertical coastal accessway at the SMR site would include information on the exact materials of construction, dimensions of the accessway, and all ancillary facilities that would need to be constructed to support the accessway. The application would also have to address maintenance requirement.</p>
CCC-08 and CCC-09	<p>The nomenclature for sensitive communities has been revised within the FEIR due to the inconsistencies identified during the public review process. Habitat mapping within the BSA has been revised by Arcadis, and has been field verified by EIR technical specialist, Ms. Lauren Brown of Leidos, Inc. Findings from both studies have been summarized within the EIR and the studies have been appended to the FEIR. The nomenclature of sensitive communities has been revised within the FEIR in order to more closely follow the National Vegetation Classification system used by <i>A Manual of California Vegetation, Second Edition</i>. CDFW states clearly that the Holland 1986 definitions are a legacy classification system. Therefore, the sensitivity ranking of habitat within the FEIR follows the National Vegetation Classification system and uses the ranking system provided by NatureServe’s Heritage Methodology when describing the vegetation types.</p>
CCC-10	<p>Chapter 4.4 states that botanical and wildlife data was gather by the consultant’s biologist, Arcadis U.S. Inc. Field verification of data within these reports was conducted by SWCA. Separate reports were not prepared as part of the field verification. The nomenclature for sensitive communities has been revised within the FEIR due to the inconsistencies identified during the public review process. Habitat mapping within the BSA has been revised by Arcadis, and has been field verified by EIR technical specialist, Ms. Lauren Brown of Leidos, Inc. Findings from both studies have been summarized within the EIR and the studies have been appended to the FEIR. As a result of the revised habitat mapping, the FEIR no longer recognizes Dune Heather Alliance as a stand-alone habitat type within the BSA due to the absence of <i>Lupinus chamissonis</i>.</p>
CCC-11	<p>According to the National Drought Mitigation Center, a ‘normal’ rainfall period is considered to be the equivalent of a monthly or annual average of precipitation over a 30 year time period for the area. The EIR has been revised to include this definition and direct the reader to the most recent data regarding regional rainfall, as these numbers are expected to change with time. The EIR has been updated to explain how the identification of a sensitive plant species would indicated the potential for Unmapped ESHA.</p>
CCC-12	<p>Internal references within the agricultural section of the EIR have been reviewed and citations have been corrected, as appropriate.</p>
CCC-13	<p>The southeastern portion of the Project Site is within the Agriculture land use</p>

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	<p>designation (refer to Figure 4.8-2). However, this agricultural parcel in outside of the coastal zone (refer to Figure 4.8-1). The only proposed activities that would occur in this area are improvements to an existing road that would serve as secondary access for emergency services only. The information requested in the comment is discussed under Impact # AR.4 of the RDEIR.</p>
<p>CCC-14</p>	<p>The conversion of lands within the Agriculture land use designation would occur solely outside of the Coastal Zone in the southeastern corner of the Project Site. Therefore, the referenced Coastal Act sections do not apply to this area. Information supporting the determination that the proposed conversion of 0.25 acre of lands within the Agriculture land use designation would be a less than significant impact is discussed under Impact AR.4 of the RDEIR, and include maintenance of existing grazing activities within this area and the absence of any proposed new use that would conflict with existing or potential future use of the area for agricultural purposes.</p> <p>The Farmlands of Local Potential and existing grazing lands that would be converted are within the Industrial land use designation. Agriculture Policy 1 states: “All prime agricultural lands and other (non-prime) lands suitable for agriculture are designated in the land use element as Agriculture unless agricultural use is already limited by conflicts with urban uses.” Therefore, per the LCP, agricultural use of this area is considered limited by conflicts with urban uses, as further described under Impact AR.2 of the RDEIR. The RDEIR supports the determination of a less than significant impact by citing numerous factors that would inhibit or prevent agricultural use of this area in the future, including the incompatible historic and existing heavy industrial use of the area, the presence of Nipomo Mesa lupine (a state and federally endangered plant species) and resulting permitting constraints, the ability of the site to continue to support existing levels of grazing despite project development, existing zoning and permitting constraints, and land owner preferences. Therefore, this conversion of Industrial lands is considered a less than significant impact on agricultural resources.</p> <p>Coastal Act Sections 30241 and 30241.5 state that the maximum amount of <u>prime</u> agricultural land shall be maintained in agricultural production, and if the viability of existing agricultural uses is an issue, an economic feasibility evaluation shall be conducted to determine agricultural viability. None of the areas in the Project Site meet the criteria for prime agricultural land as set out in the Coastal Act (see Coastal Act Section.30113 and Government Code Section 51201 [Williamson Act]). In addition, the Industrial land use designation reflects a recognition that the Rail Spur Project Site is not considered suitable for agriculture due to existing conflicts with urban uses (LCP Agriculture Policy 1). Because none of the lands within the Coastal Zone meet the definition of prime agricultural lands, Coastal Act Sections 30241 and 30241.5 do not apply, and no economic feasibility evaluation is required.</p> <p>Coastal Act Section 30242 and LCP Agriculture Policy 1 state that <u>all other</u></p>

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	<p>lands suitable for agricultural use shall not be converted unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Coastal Act Section 30250, and (3) any such permitted conversion would be compatible with continued agricultural use on surrounding lands. Per LCP Agriculture Policy 1, all prime agricultural lands and other (non-prime) lands suitable for agriculture are designated in the land use element as Agriculture. All Rail Spur Project Site lands within the Coastal Zone are within the Industrial land use designation, and are therefore not considered prime agricultural land or other (non-prime) lands suitable for agricultural purposes, due to existing conflicts with urban uses. In addition, the analysis in the RDEIR concludes that future agricultural use of the Rail Spur Project Site is not likely and the proposed development would not conflict with or inhibit continued agricultural use on surrounding lands, consistent with the requirements of Coastal Act Section 30242 and LCP Agriculture Policy 1. Unlike under Sections 30241 and 30241.5, dealing with the conversion of prime agricultural land, there is no economic feasibility evaluation component to Section 30242, and therefore, no evaluation is required for the proposed Rail Spur Project.</p>
CCC-15	<p>All Project Site lands within the Agriculture land use category are outside of the Coastal Zone; therefore, LCP Agriculture Policy 1 does not apply. All Project Site lands within the Coastal Zone and subject to LCP policies are within the Industrial land use designation and their incompatibility with future agricultural use is described under Impact AR.2 of the RDEIR.</p>
CCC-16	<p>Similar to the remainder of the Rail Spur Project Area, the portion of the Project Site within the Agriculture land use designation, which is outside of the Coastal Zone, supports grazing as a secondary use to the oil refinery. This area currently provides secondary access to the refinery, which would be improved through implementation of the Rail Spur Project, resulting in a widening of the existing dirt road and small conversion of soils into the improved roadway (approximately 0.25 acre).</p> <p>As discussed in the RDEIR, the proposed improvements in this area would result in a negligible effect on existing grazing activities, which would continue on areas adjacent to the secondary access road in the same manner as they currently exist. The proposed emergency access road would be located coterminous with the existing dirt access road, thereby minimizing the conversion of adjacent areas into the improved roadway. Because the proposed project would result in minimal conversion of soils into the improved roadway, would not substantially affect or inhibit existing grazing activities, and would not introduce a new use in this area which could impact future continued use of the area for grazing purposes, impacts associated with this conversion were considered less than significant.</p> <p>Appendix G provides a preliminary analysis of this project component's consistency with applicable policies in the San Luis Obispo County Agriculture</p>

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	<p>Element (refer to Appendix G). As discussed in response to CCC-14 and CCC-15, above, the Coastal Act and LCP policies do not apply to areas with an agricultural land use designation as it lies outside of the Coastal Zone.</p> <p>As discussed in Appendix G, the project would not result in a division of land or affect the substantial agricultural activities in the project vicinity. No impacts on Williamson Act contracts or other incentives for agricultural use would occur. The limited conversion of agricultural soils that would result from project development would not encourage or facilitate a larger-scale conversion of agricultural land in the surrounding rural area. Therefore, the Rail Spur Project was found to be potentially consistent with the policies of the Agriculture Element.</p>
CCC-17	<p>As discussed in Section 5.3.3 (Chapter 5.0, Alternatives Analysis) the reduced rail deliveries alternative would have the same construction impacts as the Proposed Project. The footprint of the Rail Spur Project at the SMR would remain the same as for the proposed project since the trains would remain the same length, but the frequency of delivery would be reduced. The size, configuration and location of the proposed Rail Spur Project at the SMR is dictated by the length of the overall unit train and the rate at which tank cars can be unloaded. It is not affected by the frequency of deliveries to the SMR. The alternative of delivering only three trains per week to the SMR would not affect the size and design of the rail facilities at the refinery. For the Reduced Delivery Alternative design of the rail unloading facility would remain the same as for the proposed Project. The description of the facility design is provided in the Project Description (Chapter 2.0).</p> <p>However, it would affect some of the environmental impacts associated with the Rail Spur Project, mainly as a result of fewer deliveries to the SMR. These changes in impacts are discussed in Section 5.3.3 (Chapter 5.0, Alternatives Analysis), and summarized in Table 5.11.</p> <p>The use of shorter trains would reduce the overall construction footprint of the Rail Spur Project. For example, if a 40 tanker car unit train was used, the overall length of the tracks at the SMR could be reduced by about 40 percent. Shorter trains would only reduce the length of track needed east of the loading racks. The portion of the track west of the loading rack would remain the same regardless of the length of the train. However, to deliver the same quantity of oil as the proposed project twice as many trains would have to be delivered to the refinery and unloaded. This would almost double the air and GHG emissions. Also it is likely that the overall accident rate associated with running a higher number of shorter trains would increase as compared to running fewer longer trains (Schafer. 2008). Use of shorter trains would not eliminate any of the identified significant impacts for the Rail Spur Project, but would increase the severity of a number of the significant impact. A shorter train alternative has been added to the Alternatives Analysis (see Chapter 5.0).</p>

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CCC-18	There are a number of rail unloading facilities that have been approved in the Bakersfield area. However approvals for the Alon Project and the expansion of the All American rail facility have been challenged so their timing for construction and startup is uncertain. A discussion on pipeline alternatives has been added to the Alternatives Analysis (see Section 5.1.2.3)
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