From: Jamie Herbon <jjherbon@gmail.com>
To: p66-railspur-comments@co.slo.ca.us
Date: 11/18/2014 07:28 PM
Subject: The Phillips REIR – Concerns and Alternative Plan

To: Murry Wilson, SLO County Planning Department
From: Jamie Herbon

Dear Mr. Wilson,

There are many reasons the County should consider the No Project Alternative to the P66 Rail Terminal project. The No Project Alternative would meet most of the basic objectives of the Rail Spur Project. (Page 5-49, paragraphs 3 and 6 of the REIR). HEO-01

Here are some of the more salient points that make the Rail Terminal project negative for San Luis Obispo County:

1. The project is inconsistent with County policies to protect life and the environment. HEO-02

2. The project not only impacts the Nipomo Mesa, but also has the potential of creating serious hazardous materials situations as the oil trains moves through the entire county, including the Cuesta Grade, Cal Poly campus and a county water treatment facility. HEO-03

3. The current buffer from homes to P66 operations is 1 ½ miles. The proposed rail terminal eliminates nearly all of the buffer and brings numerous pollutants severely close to existing residential areas. The pollutants include Noise Pollution, Light Pollution (24 hours per day) and Air Pollution. HEO-04

4. As the project is defined, there are 5 Class 1 impacts that cannot be mitigated. With the Nipomo Mesa already violating air quality standards over 90 times in the last year, why would the County consider a project that would further impede the breathability of the air on the Mesa? HEO-05

5. In general, many of the proposed mitigations for the Rail Terminal will require one or more agencies to measure, inspect and monitor P-66 to verify the mitigations are in place and working properly. The REIR does not arrange for/pay for such ongoing monitoring. HEO-06

6. For over 50 years, the Santa Maria Oil Refinery has accepted oil by pipe line. There are numerous pump stations located in outlying areas of Santa Maria and San Ardo. There is no need to build rail spursat the Santa Maria Oil Refinery with the existing infrastructure for accepting oil by pipeline. HEO-07

Three years ago the SMR received permission to increase its storage capacity by 10%. There was no mention of needing oil delivered by rail. Clearly, the rail spur is not needed for operations at the SMR to continue. As the REIR states, the NO PROJECT alternative is superior HEO-08

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HEO-01	This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The comment about approving the No Project Alternative is included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
HEO-02	Appendix G of the RDEIR contains a preliminary analysis of consistency with applicable SLO County plans and polices. The Rail Spur Project was found to be inconsistent with a number of County policies.
HEO-03	This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The commenter's concerns about the safety and environmental impacts of the project are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
HEO-04	This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The commenter's concerns about the buffer between homes and the proposed rail terminal, noise, air pollution, and aesthetics and visual resources are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
HEO-05	A study performed by the SLOCAPCD, the South County Phase 2 Particulate Study, evaluated whether impacts from off-road vehicle activities at the Oceano Dunes State Vehicle Recreational Area (ODSVRA), the Phillips Refinery coke piles, and adjacent agricultural fields were contributing to the particulate problems on the Nipomo Mesa (SLOC APCD 2010). The Phase 2 portion of the study concluded that off-road vehicle activity in the ODSVRA is a major contributing factor to the PM concentrations observed on the Nipomo Mesa and that neither the petroleum coke piles at the Phillips facility nor agricultural fields or activities in and around the area are a significant source of ambient PM on the Nipomo Mesa. The composition of the particulates is predominately natural crustal particles. Emissions of particulate matter from construction would not exceed the SLOCAPCD thresholds after mitigation and would be less than significant. Particulate matter from construction is managed through the use of watering, soil binders and limits on activities during windy periods. None of these methods are used in the recreation area. Impacts of particulates in the area are determined to be from the recreational areas on the beach, not from the SMR. Emissions of other pollutants, such as NOx and ROC, for which the mesa is in compliance, would exceed the SLOCAPCD thresholds and would be a significant impact.
HEO-06	A detailed mitigation monitoring plan is provided in Chapter 8.0 of the RDEIR.

	Mitigation measure EM-1 (see Section 4.0, Environmental Analysis) requires that Phillips 66 fund all the County monitoring activities associated with the Rail Spur Project. The County would likely hire additional staff or consultants to handle the work load that would be associated with permit compliance monitoring and enforcement for the Rail Spur Project.
HEO-07	This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The comment about adequate local pipeline infrastructure to provide crude oil to the SMR is included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
HEO-08	This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The comment about approving the No Project Alternative is included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.