From: Rochelle Hoylman <rhoylman@verizon.net>
To: p66-railspur-comments@co.slo.ca.us
Cc: jim@jimirving.com, ktopping@calpoly.edu, frenchbicycles@gmail.com, elcarroll@co.slo.ca.us, rhedges@co.slo.ca.us, cray@co.slo.ca.us, bgibson@co.slo.ca.us, ahill@co.slo.ca.us, darnold@co.slo.ca.us, fmecham@co.slo.ca.us, boardofsups@co.slo.ca.us, Linda Reynolds <lreynolds151@gmail.com>
Date: 11/20/2014 08:51 PM
Subject: Derail the Spur

Mr Murry Wilson, SLO County Planning Dept, et al:

My husband and I have lived in the Trilogy Development since 2013. We were aware Phillips 66 being part of the community. When we purchased our home, we asked questions about Phillips and were told that "they have been good neighbors" and that they had been there many years without incident and so we felt reassured that there would not be an issue living next to Phillips. With the approval of a rail spur that may change our community, health, property values and possible lives. HOW-01

We as a community in Nipomo along with all the communities in the North/South County need representation that Phillips does not have the right to put profits before the safety of the "people". Good neighbors do not put people at risk for gain.

Added pollution/traffic/noise on Willow Road that runs next to Black Lake and Trilogy communities for 10 months. The Nipomo Mesa already has bad air due to the Dunes…we don't need added pollution that can affect many seniors living with lung problems in our communities. HOW-02

Length of Trains vs Length of Tracks…8,000 ft of tank cars on only 6,915 feet of new track…math incorrect. Discrepancy! HOW-03

Noise of Train Repairs…added noise…Phillips does not describe type of repairs to be done on-site or how noise will be alleviated. HOW-04

Some views from the Trilogy community will include seeing trains arriving and departing…please don't allow this to happen. People bought in this community because of the serene views of openness, trees, etc. Taking this away would be awful for those homeowners. Known Viewing Area elevations are misleading and inaccurate for certain homeowners. The "scenic vista" discussed will not work with a berm 10-20 ft tall as some homes in Trilogy are some 100' higher than presented in study. The visual destruction would remain. HOW-05

New Lighting on 30 foot tall poles every 300 ft, 50-60 hrs/wk…this will be seen on elevated sites on Louise Lane, Eucalyptus Rd, Tomas court, etc in Trilogy. Unacceptable! HOW-06

This is a residential community that has lived with Phillips 66 as a relatively serene refinery whose raw material was delivered by pipeline…delivering by rail is a whole new ball game which brings significant concerns, dangers to this residential community. HOW-07

The Nipomo Mesa does not need any more bad air quality…we already have people moving from the community because of the Dunes creating dust. Having additional toxic emissions/greenhouse gas that exceed SLOCAPCD is unacceptable. The county has a responsibility to protect the citizens with respect to air quality. HOW-08

Tar Sands has higher concentrations of sulfur, copper, nickel, nitrogen, lead and benzene than are found in conventional crude. The prevailing winds do our community no favors if Phillips allows Tar Sands into the community. HOW-09

Impact on wildlife can be affected

Impact on environment…too much to list here.

Monarch butterfly habitat could be affected. HOW-10

Please do not put our community in a position for a rail oil spill. Misrepresentation of the odds of this happening is not accurate. The stats are outdated and misleading. The number of tankers of crude transported has grown from under 10,000 to about 400,000 - a 40-fold increase. There are more trains carrying hazardous material and there are more trains derailing with disastrous results. HOW-11

Rail cars DOT-111 have been involved in most or all of the derailments, they are not good enough and Phillips wants to use these same cars. Unacceptable. HOW-12

I want to live in this beautiful community and retain the integrity of well being.

I urge all of you to take a stand and protect SLO County and the residents from Phillips going forth with the rail spur. It is time for our representatives to speak on behalf of the welfare of the citizens and vote against this (REIR) HOW-13

Thank you,

Rochelle & Walt Hoylman
Trilogy Residents

HOW-01	These comments do not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The commenter's concerns about health, property values and safety are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
HOW-02	Construction activities will add traffic to Willow Road. However, it will be temporary in nature as it is associated with construction. Operational activities related to the proposed Project would produce nominal traffic increases along Willow Road. This is discussed in the EIR Chapter 2.0, Project Description.
HOW-03	The unit trains are designed to fit onto the rail spur tracks with 3 locomotives, 2 buffer cars and the 80 tank cars. Appendix A of the RDEIR provides detailed track layout drawings that provide the various track distances. Figure 2-4 (Chapter 2.0, Project Description) of the FEIR has been modified to provide the length of each of the tracks.
HOW-03	As shown in Appendix A of the RDEIR each of the 80 tank cars and two buffer cars would be 60 feet long, and the three locomotives would be 90 feet long. This would make the total train length 5,190 feet (82*60+90*3=5,190), not 1.5 miles as stated in the comment. Section 2.5 of the FEIR that provides additional information on the length of a unit train. Appendix A of the RDEIR contains detailed track drawings that provide the length of each of the tracks. Figure 2-4 of the FEIR has been modified to provide the length of each of the tracks.
HOW-04	The main purpose of the "bad order track" is to hold tank cars that have crude oil that does not meet the require specifications. With regard to rail car and locomotive repairs, the SMR facilities do not have the equipment or operations to conduct major repairs to rail cars and locomotives. If a rail care or locomotive broke down and needed repair UPRR would have to move them to one of its rail yard facilities. Mitigation has been added to the FEIR to ensure that any minor car or locomotive repairs occur only during daylight hours (refer to mitigation measure N-2a), when background noise levels are higher and noise from rail spur activities has less of an impact. Note also that UPRR may do minor car and locomotive repairs along the existing siding near the SMR for any trains currently being transported by UPRR, so a degree of repairs are already a part of the baseline noise environment.
HOW-05	The RDEIR identifies and acknowledges potential impacts to the scenic vista and requires mitigation measures such as the screening berm which would reduce those impacts to a less than significant level. The RDEIR also notes that the project would not block views of the Pacific Ocean, sweeping coastline, dunes, riparian corridors, or agricultural field patterns. The project description defines an unloading of up to five trains per week, averaging less than one train per day. The project proposes to the construct the unloading facility and rail spur tracks adjacent to the southern slopes of a

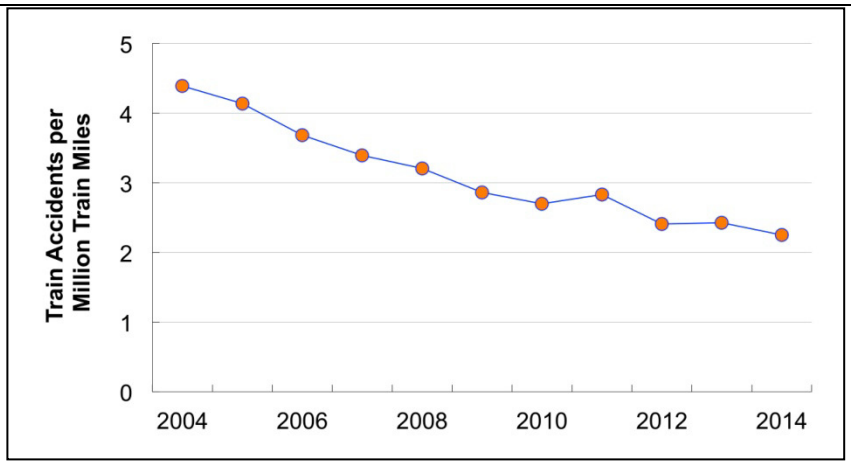
	natural landform ridge. This adjacent landform rises to elevations ranging from approximately 120 to 145 feet above sea level. The proposed rail spur tracks are proposed at an elevation of approximately 94 feet above sea level, which would be as much as 55 feet lower than the landform to the north. As a result, views of the unloading facility and railroad spur from the north and the northeast would be substantially blocked. In addition, the eastern segment of the rail spur tracks, closest to Highway 1, are proposed to be constructed in an excavated area maintaining the approximately 94-foot elevation while the adjacent ground rises up eastward, resulting in the easternmost end of the tracks being approximately 20 feet below the surrounding natural terrain. This elevation difference, along with the required 10 to 20-foot tall mitigation berm, would combine for an approximately 30 to 40-foot tall earthen visual screen around the eastern end of the railroad spur. This berm height in combination with the natural ridge to the north will be sufficient to reduce visibility of the project to a less than significant level for viewpoints from the east, including elevated viewpoints in the Trilogy residential and recreation areas.. The RDEIR Aesthetics section considers all public viewpoints surrounding the project, and specifically addresses viewpoints associated with the developments east of Highway 1. The project location was directly viewed and analyzed from each of these potential viewpoints. The analysis, potential impacts and mitigation measures identified in the RDEIR Aesthetic section include and specifically address views from the residential and recreational developments east of Highway 1. Key Viewing Areas (KVAs) along Highway 1 provide a fair representation of how the majority of the public will experience the project. Highway 1 has the greatest traffic volume, is the closest public roadway and is a primary regional and local transportation route. KVAs along Highway 1 were positioned at major entrances to the Trilogy and other east side development to further increase their representative value. KVA-2, at the intersection of Highway 1 and Via Concha is at an elevation of approximately 200 feet above sea level. The closest residential street (and golf course) east of the project is at an elevation of approximately 235 feet above sea level. Potential viewpoints along Louise Lane and Eucalyptus Road rise to approximately 250 feet above sea level. Although the 35 to 50-foot viewpoint elevation difference between Highway 1 and the viewpoints to the east is not substantial when applied to the 0.5 to 1.5 mile viewing distance, field analysis showed that some public viewpoints would have slightly increased visual exposure to the project compared to views from Highway 1. This increased visual exposure would mostly occur through the 600-foot gap in the existing approximately one-mile long windrow of mature eucalyptus trees paralleling the east side of Highway 1. The RDEIR analyzed views from these elevated viewpoints, and includes mitigation measures which would minimize visual impacts from these areas.

	In addition, field review showed that this somewhat increased exposure also includes greater visibility of the existing Santa Maria Refinery, coke processing facility, railroad tracks and other development. As seen from these elevated locations the project would not block views of the Pacific Ocean, coastline, dunes, riparian corridors, or agricultural field patterns. Direct observation showed that from the vast majority of potential public views within the developed and recreation areas east of Highway 1, views of the project would be substantially or completely blocked by some combination of intervening vegetation, landform, distance or existing residential and recreational development.
HOW-06	The RDEIR acknowledges visibility of new night lights from the surrounding areas and identifies substantial mitigation measures to minimize any potentially adverse effects. At the unloading facility all lights would be mounted under the proposed canopy. Forty of these canopy lights would be placed 60-feet apart, and 30 of them would be 20-feet apart. Lighting for the rail spur would only be for perimeter fencing security purposes and would be placed on 15-foot tall poles, 500 feet apart. The project proposes to the construct the unloading facility and rail spur tracks adjacent to the southern slopes of a natural landform ridge. This adjacent landform rises to elevations ranging from approximately 120 to 145 feet above sea level. The proposed rail spur tracks are proposed at an elevation of approximately 94 feet above sea level, which would be as much as 55 feet lower than the landform to the north. As a result, views of the unloading facility and railroad spur from the north and the northeast would be substantially blocked. In addition, the eastern segment of the rail spur tracks, closest to Highway 1, are proposed to be constructed in an excavated area maintaining the approximately 94-foot elevation while the adjacent ground rises up eastward, resulting in the easternmost end of the tracks being approximately 20 feet below the surrounding natural terrain. This elevation difference, along with the required 10 to 20-foot tall mitigation berm, would combine for an approximately 30 to 40-foot tall earthen visual screen around the eastern end of the railroad spur. This berm height in combination with the natural ridge to the north will help reduce visibility of night lighting for viewpoints from the east, including elevated viewpoints in the Trilogy development and other public viewpoints. The lighting associated with the unloading facility would be viewed at a distance of approximately 1.5 miles or more from viewpoints east of Highway 1, and would be seen in the context of the Santa Maria Refinery immediately to the north. In addition the unloading facility proposes a covered canopy over the majority of the area, which would decrease light-trespass. Similar to the lack of visibility of the existing Santa Maria Refinery's illuminated ground-plane, intervening topography would block views of the illuminated ground-plane of the unloading facility as seen from Highway 1 and the residential areas to the east. Although the unloading facility lights would introduce light into a new

	area, with applied mitigation measures they would not appear out of place given the relatively close proximity to the existing refinery and coke processing facility, which emits high levels of industrial lighting throughout the night, every night of the year. In addition to the applicant-proposed lighting features such as downward-directed lights with fully shielded lenses, the RDEIR requires substantial mitigation measures that will minimize lighting impacts. Mitigation measures include that the lighting plan be based on a photometric study prepared by a qualified engineer who is an active member of the Illuminating Engineering Society of North America (IESNA), using guidance and best practices endorsed by the International Dark Sky Association. Mitigation measures preclude illumination of adjacent slopes, prohibit placement of perimeter lights (which as previously described would be 15-feet tall) east of the screening berm (which as previously described would be 10 to 20- feet tall), and require the use of motion detectors rather than being continuously on. Importantly, following project completion the RDEIR requires the preparation of a Lighting Evaluation Report for review and approval by the County Department of Planning and Building prepared by a qualified lighting engineer not involved in the design of the original lighting plan. The Lighting Evaluation Report will conduct a comprehensive evaluation of in-place lighting, under all expected circumstances, and will require correction of any unexpected or residual lighting impacts based on direct observation of the completed project. The air quality mitigation that would limit rail car unloading from between 7 A.M. and 7 P.M. would also serve to reduce the nighttime lighting impacts to less than significant.
HOW-07	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.
HOW-08	The RDEIR addresses the potential impacts and recommends mitigation measures for the proposed Project consistent with the requirements of CEQA. Section 4.3 (Air Quality and Greenhouse Gases) addresses GHG emissions, criteria air emissions and health risks. The commenter's statement about air issues are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
HOW-09	The increased levels of nickel, vanadium, lead and copper do not affect air emissions as none of the crude oil is combusted and none of the metals are carried over in the fuel gas. The metals would remain in the coke. Sulfur production would increase producing potentially more sulfur trucks trips, as

	discussed in Section 4.3.4.2 (see Section 4.3 Air Quality and Greenhouse Gases).
HOW-10	The comment regarding impacts to wildlife, the environment in general, and monarch butterfly habitat does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The commenter's concern regarding these issues have been included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
HOW-11	A Quantitative Risk Analysis (QRA) was conducted as part of the RDEIR and is documented in the Hazards and Hazardous Materials Section (see Section 4.7 and Appendix H). The rail routes were divided up into distinct segments to account for differing population levels along the rail routes. Each segment was assigned a population density reflecting the unique populations along the rail route. Segments where facilities and/or events might attract temporary high population levels were assigned a population that reflected the larger temporary population, and did not correct for seasonal or diurnal variation, thus slightly overestimating the risk for the segment. The fact that every possible landmark along the proposed rail routes is not explicitly mentioned does not mean that it was omitted. The population assigned for each segment characterizes the potential residential, commercial, industrial, and venue population that is, or could be temporarily, present along the segment. The historical accidental data used in the RDEIR is not limited to trains shipping crude oil in recent years, but the long term historical train accident data for all freight. The use of data from all freight train movements nationwide provides a very robust database for estimating rail accidents and derailments. Average U.S. train derailment rates over the 5-year period 2005 – 2009 have previously been estimated using data from the U.S. Department of Transportation, Federal Railroad Administration (FRA) Rail Equipment Accident (REA) database combined with traffic data from the rail industry (Liu et al, 2014). This dataset was used to develop detailed derailment rates as a function of three factors: FRA Track Class, traffic volume (which appears to be correlated with additional maintenance above basic federal requirements) and Method of Operation (i.e., signaled or non-signaled trackage). All three of these factors have a significant effect on freight train derailment rate. These factors were used to calculate segment-specific derailment rates thereby enabling a fine grained calculation of derailment probability for any particular route. As discussed below, the overall accident rate has declined since this data was recorded and analyzed, thereby resulting in an overestimate of the present-day risk, and future risk. For example the average accident rate for the five-year period 2010-2014 was 27% lower than the average for the five-year period from 2005-2009, and the preliminary estimate of the accident rate for 2014 was 35% lower than the five-year period from 2010-2014.

	The reason data from 2005-2009 was used is because that dataset contained additional information that allowed for the estimated effect of FRA Track Class, Traffic Density and Method of Operation (Signaled or Unsignaled) on derailment rate. This additional granularity is needed for more precise segment-specific accident rate used in the analysis. The derailment rates calculated were based on 1,420 Class 1 railroad mainline derailments. Inclusion of a few more crude oil train derailments in recent years would have virtually no effect on the estimated rates. The suggestion that because these recent accidents were not included in our dataset somehow invalidates the results reflects a lack of understanding of the analytical technique and how it was used. The data needed for this analysis are less complete than for overall accident rate but all other things being equal, there is no reason to believe that crude oil trains derail at a rate different than other freight trains. Using what data are available and making certain assumptions, the EIR consultant conducted an analysis in 2014 and observed no significant difference in the derailment rate for crude oil trains then for other freight trains. The railroad accident rate has been steadily trending downward for over a decade. The accident rates in the past few years were the lowest since the FRA started recording the data in the mid-1970s. In the period from 2004 to 2014 the rate declined by 49% (almost half) (see Figure 1 below). Most derailments receive little or no attention from the public or media. Railroads are required by regulation to report all accidents that exceed a certain monetary threshold in damage to track, signals and rolling stock (currently $9,600). Proper estimation of train accident rates involves analysis of all accidents, divided by the total amount of traffic. The reason that some perceive an increase in the railroad petroleum crude oil accident rate is because of the more than 50-fold increase in this traffic since 2009. Estimates are that 233,698 tank cars of crude oil were moved by rail in 2012. This increased to over 435,000 tank cars moved by rail in 2013 (the full year of data is not yet available for 2014). With this increase in crude by rail traffic, the derailment and spill probability data would suggest that multiple crude by rail accidents would happen each year. Figure 1. Railroad Accident Rate 2004 – 2014

<table>
<tr><td></td><td>


Data Source: US DOT Federal Railroad Administration http://safetydata.fra.dot.gov/officeofsafety/publicsite/summary.aspx

(Data for 2014 include January through November)

Using the accident and spill probability data from the RDEIR the DEIR would have estimated that between 2012 and 2013 there would have been two to five derailments that had spills of 100 gallons or more in the U.S. Based upon the United States Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) incident data base, there were three crude oil train derailments with spills of 100 gallons or more.

This does not contain the accident and spills that have occurred in Canada over this period since the accident and spill probability data is for mainline rails within the United States only.

The methodology for estimating crude oil unit train accidents and spill probabilities is also consistent with the methodology outlined by the American Institute of Chemical Engineers, Center for Chemical Process Safety (AIChE CCPS) document Guidelines for Chemical Transportation Risk Analysis (CCPS, 1995), which is the definitive reference on the methodology for estimating hazardous materials transportation risk.</td></tr>
<tr><td>HOW-12</td><td>As noted in the RDEIR, the current DOT-111 tank cars have serious safety deficiencies that can lead to an unacceptable spill rate in the event of a train derailment. As a result, the RDEIR specifically included mitigation measure HM-2a, which requires only rail cars designed to Option 1: PHMSA and FRA Designed Tank Car as listed in Table 4.7.6, shall be allowed to unload crude oil at the Santa Maria Refinery. Even with the improved rail cars, the RDEIR found that the risk of a crude oil train accident and spill was considered a Significant and Unavoidable (Class I) impact.</td></tr>
<tr><td>HOW-13</td><td>This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. No further response is</td></tr>
</table>

	required.