From: palermo22 <palermo22@aol.com>
To: p66-railspur-comments@co.slo.ca.us
Date: 11/14/2014 03:27 PM
Subject: Opposition To The P66 Rail Terminal Project

Mr. Murry Wilson, SLO County Planning Department

Dear Mr. Wilson,

My name is Jerry Kandel and I am a long-time resident (almost 8 years) of Trilogy, Monarch Dunes. This letter is being written because of my opposition to the P66 Rail Terminal Project. This community - which sits but 1/2 mile from the proposed terminal - will have upon completion close to 3,000 residents - all of whom will be directly affected by pollution, noise, light and the potential for a catastrophe should these trains be involved in an accident. While I am concerned for this community - it is this whole county that will be affected should an accident occur. These trains upon coming down the Cuesta Grade can very easily become a runaway train where it would be headed for the city of San Luis Obispo and Cal Poly putting over 50,000 people in harms way. KAN-01

Of most importance will be the additional pollution that these trains will cause (to a community that already has pollution problems because of the sand dunes nearby). The EIR identifies 5 air quality impacts that are Class I (which cannot be mitigated to less than significant levels). Again, not taken into account is that this pollution would be in addition to air quality that already fails to meet state and federal standards. This additional pollution would even be greater since it is likely that tar sands will be shipped by rail bringing even a greater potential for pollution. The issues for tar sands and the resulting "petcoke" are never addressed. KAN-02

The noise and light levels will be dramatically increased in what will amount to 24/7 - 365 days a year to communities that SLO County approved on the Nipomo Mesa. An invasive Rail Terminal is totally incompatible with these communities. KAN-03

I thank you for your time and trust that these and other issues will be reviewed thoroughly before any decision is made.

Jerry Kandel
924 Bea Court
Nipomo, Ca. 93444

KAN-01	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 pollution, noise, aesthetics and visual resources, and hazards are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
KAN-02	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. The RDEIR examined changes in emissions associated with a change of slate as part of Impact AQ.2 (see Section 4.3, Air Quality and Greenhouse Gases). For the SMR, key crude slate parameters that could impact air emissions include the percent of BTEX , vacuum resid, sulfur and metals in the crude oil. The BTEX was analyzed in the health risk assessment to determine the increased health risk. Increased sulfur was assessed as to the increased sulfur truck trips that would be required. None of the other components would alter the emissions at the refinery as the heavy metals would not be emitted into the air from the SMR. Note that as the API gravity would be similar, the emissions of volatile components (ROG) from fugitive emissions would be similar with the change in crude slate. BTEX levels of Canadian tar sands crude oil are similar to other heavy crude oil processed by the SMR and the EIR demonstrates that any increases in BTEX would generate a nominal increase in health risk. The potential increase in BTEX has been addressed in the EIR. See Impacts AQ.2 and AQ.4 in Section 4.3, Air Quality and Greenhouse Gas Emissions. However, during the Enbridge Spill, 1,086 air samples of benzene levels, for example, were measured and 21 of the samples showed air concentrations above the EPA action levels (http://www.epa.gov/enbridgespill/data/dataair.html) of 6 ppb, indicating that some volatiles were present in the spilled materials although not very much. Sampling conducted by the Michigan Department Of Natural Resources And Environment Environmental Laboratory on the crude oil in the Enbridge pipeline (which was dilbit from Canada, same as would be expected for the proposed project) indicated that benzene could be as high as 1,100 ppm in the crude, Xylene as high as 1,200 ppm and Toluene as high as 1,900 ppm (measured as mg/kg) (http://www.epa.gov/enbridgespill/data/index.html#aqdata). The results indicated a BTEX concentration of about 0.50%, or, as per Table 4.3.13 in the RDEIR, within or below the range of crude oils currently processed by the SMR. The Keystone Pipeline FEIS (2013) also examined a wide range of crude oils and demonstrated that the " BTEX content of the dilbits [from Canada] is much lower than that of many lighter crude oils"

	The EIR analyzed a BTEX concentration of 1.25% to be conservative which indicated nominal increases in health risk. BTEX levels of the proposed project crude do not present a "far greater" amount of BTEX from fugitive components. In addition, fugitive emissions from components are estimated based on industry-wide average emission rates developed by the EPA and include a wide range of crude oil types, volatilities, BTEX fractions and compositions. The EIR demonstrated that changes to health risk due to a potential increase in BTEX to 1.25% are nominal and do not require further analysis. See Appendix B.2. The metals in the tar sands oil would not be volatilized at the SMR or along transportation routes and would therefore not contribute to increases in air-based health risk.
KAN-03	Noise levels along the mainline and at the SMR would increase with the additional trains. Noise levels along the mainline are addressed in Section 4.9 (Noise and Vibration) under impact N.3. Noise levels at the SMR are discussed in Section 4.9 under impacts N.1 for construction and N.2 for operations. Based on in-field monitoring and modeling, noise impacts would be less than significant with mitigation (Class II). The RDEIR acknowledges visibility of new night lights from the surrounding areas and identifies substantial mitigation measures to minimize any potentially adverse effects. The project description defines an unloading of up to five trains per week, averaging less than one train per day. Although some security lighting may be on throughout the night, the more intense lighting associated with unloading would only occur during unloading operations. 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.