From: Gary McKible <gary@mckible.com>
To: p66-railspur-comments@co.slo.ca.us
Date: 11/03/2014 08:02 AM
Subject: PHILLIPS 66 RAIL TERMINAL PROJECT

Mr. Murry Wilson
SLO County Planning Department

Dear Mr. Wilson,

No intelligent person could expect us to take, at face value, the results of the noise testing (see Noise Modeling Appendix at D.1-2 through D.1.5) that Phillips hired it consultants to perform as being representative of the extent of the NOISE that we will be subjected to if this project goes forward.

The train noise measurement test was a single test, carried out during the day, lasting less than 30 minutes, and with significantly fewer rail cars than would be moving about the spur if this project came to fruition. I respectfully suggest that this test be given little, if any weight, in trying to determine the real world noise levels we would actually be subjected to. At the very least, much more extensive noise testing should be mandated in order to determine the true noise and vibrational impact of this project.

Furthermore, according to the REIR, section 4.9 Noise and Vibration (particularly 4.9-24), Phillips 66 admits "UNCERTAINTIES" in its noise test...

"There are a number of UNCERTAINTIES associated with ESTIMATING noise impacts. Meteorological conditions can strongly affect noise propagation and impacts, as most people have had experiences of hearing noisy activities A LONG DISTANCE FROM THE SOURCE WHEN CONDITIONS ARE RIGHT. In addition, characterizing noise sources is challenging, as there are a number of activities, INCLUDING HOOKING UP RAIL CARS, POTENTIAL EMERGENCY ANNUNCIATORS AND THE LOW FREQUENCY OCOMOTIVE NOISES THAT CAN TRAVEL LONG DISTANCES. The models capture many of these issues, BUT THERE IS NOT EXTENSIVE DATA AVAILABLE ON SOME ISSUES, SUCH AS OCTAVE BAND ANALYSIS OF DIFFERENT LOCOMOTIVE ARRANGEMENTS, for example, that bring in a range of POTENTIAL ERRORS into the analysis" (all emphases mine). MCG-01

The REIR leaves many details of the "Rail Unloading and Management Plan (see "Mitigation Measures" N-2a at page 4.9-26) to be developed in the future...therefore, we have no reasonable way of knowing or assessing what mitigation measures Phillips 66 would actually take to alleviate exceedances of noise thresholds at noise-sensitive receptors which exceedances are recognized as a "POTENTIALLY SIGNIFICANT IMPACT" (see 4.9-25 of REIR).

This project should be DISAPPROVED.

Sincerely,

Gary McKible
1007 Maggie Lane
Nipomo, Ca 93444

From: Gary McKible <gary@mckible.com>
To: p66-railspur-comments@co.slo.ca.us
Date: 11/12/2014 10:54 AM
Subject: Mr. Murry Wilson, SLO County Planning Department

Dear Mr. Wilson,

The REIR at page C.4-10 acknowledges that the Monarch Butterfly is considered a "sensitive species" in the CNDDB.

However, the REIR is silent as to what impact this project would have on the wintering butterfly roost sites that are acknowledged to be less that 1 mile from the Site.

It is unreasonable to assume that these roost sites would not be negatively impacted by the project without having first done a proper study.

This Project should be disapproved.

MCG-02

Sincerely,

Gary McKible
1007 Maggie Lane
Nipomo, CA 93444

From: Gary McKible <gary@mckible.com>
To: p66-railspur-comments@co.slo.ca.us, "bcc: Jim Irving" <jim@jimirving.com>, ktopping@calpoly.edu, Eric Meyer <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: 11/12/2014 11:32 AM
Subject: PHILLIPS 66 RAIL TERMINAL PROJECT

Dear Mr. Wilson,

Considering the poor air quality in general on the Nipomo Mesa, it stretches credulity to believe, as Phillips 66 would have us do, that this project would not make the Mesa air even worse, (see generally section 4.3 of the REIR). MCG-03

Vote NO on this project.

Sincerely,

Gary McKible
1007 Maggie Lane
Nipomo, Ca 93444

From: Gary McKible <gary@mckible.com>
To: p66-railspur-comments@co.slo.ca.us
Date: 11/12/2014 01:23 PM
Subject: PHILLIPS 66 RAIL SPUR PROJECT- CUMULATIVE IMPACTS

Dear Mr. Murry,

No where under the section titled "3.2 Cumulative Projects List" is there mentioned the Phillips 66 Rodeo facility and for that reason this REIR could be considered incomplete. Failing to even consider what impact, if any, changes in the way Rodeo operates now or in the future is troublesome.

Phillips' Santa Maria Refinery and its Rodeo Refinery are inextricably connected and the fact that the Rodeo Facility is not mentioned in this section could be viewed as an attempt to "piecemeal" this project. The cumulative impacts from these two projects should have, at the very least, been addressed. MCG-04

This project should be DISAPPROVED.

Sincerely,

Gary McKible
1007 Maggie Lane
Nipomo, Ca 93444

From: Gary McKible <gary@mckible.com>
To: p66-railspur-comments@co.slo.ca.us, "bcc: Jim Irving" <jim@jimirving.com>, ktopping@calpoly.edu, Eric Meyer <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: 11/13/2014 8:15 AM
Subject: PHILLIPS 66 RAIL TERMINAL PROJECT

(NOTE: This email was previously sent without the proper subject line)

Dear Mr. Wilson,

The REIR at page C.4-10 acknowledges that the Monarch Butterfly is considered a "sensitive species" in the CNDDB.

However, the REIR is silent as to what impact this project would have on the wintering butterfly roost sites that are acknowledged to be less that 1 mile from the Site.

MCG-05

It is unreasonable to assume that these roost sites would not be negatively impacted by the project without having first done a proper study.

This Project should be disapproved.

Sincerely,

Gary McKible
1007 Maggie Lane
Nipomo, CA 93444

From: Gary McKible <gary@mckible.com>
To: "p66-railspur-comments@co.slo.ca.us"
<p66-railspur-comments@co.slo.ca.us>, Murry Wilson
<mwilson@co.slo.ca.us>
Date: 11/23/2014 02:15 PM
Subject: Mr. Wilson - Official Responses From The Mesa Refinery Watch Group- VERSION #2

Dear Mr. Wilson:

As you know, the Mesa Refinery Watch Group represents more than 500 SLO County citizens.

On November 20, 2014, we emailed our "Official Response From The Mesa Refinery Watch Group" to your office and you have acknowledged the receipt of same. We have also hand-delivered our Response document to your office.

MCG-06

The attached PDF contains our official responses to the Phillips 66 Rail Spur REIR that was issued in October, 2014, with a revision to page 70, only.

I will hand-deliver the revised page 70 to your office on Monday, November 24, 2014.

KINDLY REPLY TO THIS EMAIL ACKNOWLEDGING RECEIPT OF OUR REVISED DOCUMENT.

Respectfully,
For The Mesa Refinery Watch Group
Gary McKible

• Linda Reynolds (Chairperson): lreynolds151@gmail.com • Martin Akel: akelassoc@earthlink.net • John Anderson: johnanderson33@hotmail.com • Kevin Beauchamp: Kevin.Beauchamp@kw.co • Lee Edmonson: edmondson60@gmail.com • Gary McKible: gary@mckible.com • Mike Nelson: miken0105@gmail.com • Tom Ryan: whitneyhiker888@yahoo.com • Sam Saltoun: ssaltoun@verizon.net • Laurance Shinderman: lshinderman@sbcglobal.net (See attached file: _Response_ Submitted To Murry Wilson v2.pdf)

See Mesa Refinery Watch Group Comment Letter under Organizations and Schools

From: Gary McKible <gary@mckible.com>
To: p66-railspur-comments@co.slo.ca.us
Date: 11/25/2014 11:08 AM
Subject: LETTER IN OPPOSITION TO THE PHILLIPS 66 RAIL TERMINAL PROJECT

Dear Mr. Wilson,

I recall that the Draft EIR contained comments from citizens who thought that Phillips 66 was a good neighbor who supported local business and provided jobs for the community. Some letters went into great detail about Phillips' good deeds.

As you know, there is no provision in the EIR for approving a project based on how much good will an Applicant has bestowed upon the County. MCG-07

I suspect that this Revised EIR will, likewise, attract many letters focused purely on issues that are completely irrelevant to the decision process, so please append my comment to those.

This project should be DISAPPROVED.

Thank you.

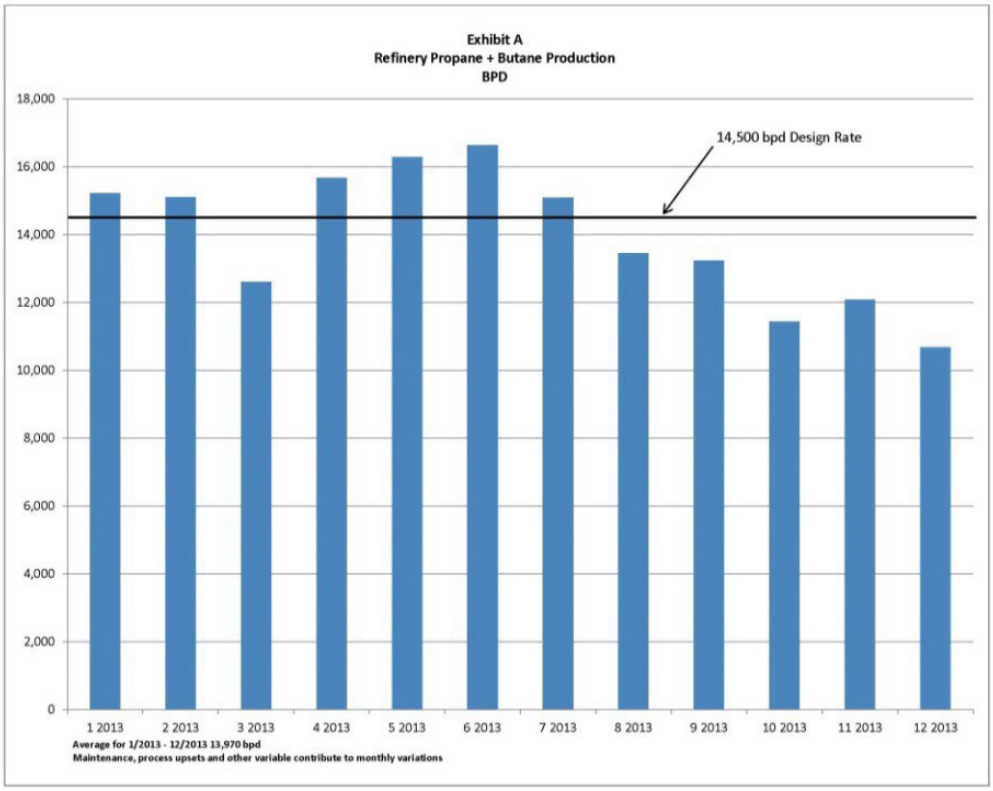
Gary McKible
1007 Maggie Lane
Nipomo, CA 93444

MCG-01	Appendix D provides the results of noise monitoring during train activities on the SMR site. In addition to this testing, the EIR utilized extensive testing and modeling as conducted by the FTA in order to assess the potential noise impacts of the project. The monitoring listed in Appendix D was conducted in order to assess the accuracy of the FTA models for this facility and arrangement. Models are often used to assess potential impacts, as they are used extensively to assess air quality impacts as well as noise impacts. The EIR provides the estimated impacts and provides for mitigation to ensure that the noise levels will remain below the thresholds, including monitoring of the activities during the day and night. Note that these results do not indicate that the activities will not be heard, only that they will remain below the thresholds. The noise monitoring was conducted by the EIR consultant under contract to the County, not the Applicant. The noise levels measured were "scaled" to the level of activity expected with the project, not used directly. For example, 2 locomotives would have 2/3 of the noise energy of 3 locomotives. By measuring the noise energy from the 2 locomotives, the noise levels that 3 locomotives would generate can be calculated. This approach was used to assess the project activities. The primary issue associated with the rail management plan is the amount of time that locomotives are allowed to be on the east end of the spur, which is substantially closer to the receptors that other areas. This is the limit placed on the activities during the night in mitigation measure N-2a, along with limits on horns, etc. This is sufficient detail to assess the noise impacts and determine that the noise levels would be below the thresholds. Noise estimation models, like any models, have uncertainties, and these are discussed in the EIR. However, the EIR presents the results as per CEQA requirements, and estimates that, with extensive mitigation, that the noise impacts would be less than the thresholds.
MCG-02	The potential impacts to overwintering monarch habitat have been specifically discussed within BIO-10 of the RDEIR. Impacts to monarch overwintering habitat have been evaluated using qualitative comparisons to other successful roosting sites along the UPRR mainline. The impact classification for impacts to overwintering monarch habitat would not change as a result of this comment.
MCG-03	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 EIR concludes that emissions of criteria pollutants would exceed the SLOCAPCD thresholds and would be a significant impact.
MCG-04	Operations at the Rodeo Refinery are not anticipated to change with the processing of Rail Spur Project crude oil. The refinery currently handles heavy

	crude oil and the characteristics of the Rail Spur Project crude oil are similar to current heavy crude oils. Section 4.3, Table 4.3.13 summaries the different characteristics of the crude oils. BTEX levels may increase (although some tar sands crude oils have lower percentages of BTEX than the heavy crudes currently being processed. The SMR refinery ships naphtha and gas oils via pipeline to the Rodeo Refinery. Both of these are semi-refined products. The composition of these two products is not expected to change with the Rail Spur Project. As discussed in the Project Description (Chapter 2.0) the SMR currently processes a range of crude oils from different sources, and the crudes vary from time to time. In addition, the refinery often blends crudes from multiple sources prior to processing. A comparison of crude oils and their characteristics demonstrates that the crudes likely to be received by unit train would be comparable to those currently or recently processed at the SMR. The SMR is not requesting any changes or modifications to its crude unit or other processing units that would allow it to process any crude types that it can't be process currently. The only proposed change to the Rodeo Refinery is the Propane Recovery Project. The Rodeo Refinery (SFR) produces gases as a byproduct of the refining process, and these gases are used as fuel in various refinery processes (referred to as "refinery fuel gas" or "RFG"). Currently, the propane and part of the butane generated at the SFR is used as RFG. Instead of using the propane and butane as fuel at the SFR, the Propane Recovery Project will allow Phillips 66 to recover, store, and ship propane and additional butane via rail to outside customers. Therefore, the primary project objective is to recover liquid petroleum gases ("LPGs"– i.e., propane and butane) that already exist in the RFG. The Propane Recovery Project will not cause or require an increase in the amount of recoverable LPG present in the RFG; it will simply allow recovery of the LPGs that already are present in the RFG. The Propane Recovery Project is designed to remove up to 14,500 barrels of LPGs per day. Data regarding actual LPG content of the RFG is consistent with the design basis for the project. The figure below shows that, for the twelve month period from January through December 2013, the average LPGs in the Rodeo RFG was 13,970 barrels per day. The equipment design is a limiting factor on the amount of propane and butane that can be captured and stored, regardless of how much propane and butane can be produced by the SFR in the future or what type of crude oil is processed. Phillips 66 specified this design basis in the application to the Bay Area Air Quality Management District for an authority to construct the Propane Recovery Project, and it has been translated into an enforceable condition included in the draft permit prepared by the air district. Therefore, the amount of propane and butane to be extracted once the Propane Recovery Project is

operational will be constrained by the physical design of the equipment and the permit limits.

Most of the LPG produced at the SFR does not arrive as propane and butane in crude oil or in the semi-refined products received from the Santa Maria Refinery (SMR). Rather, the vast majority of LPG produced at the SFR is created through the refining process itself. As explained above, the design capacity of the Rodeo Propane Recovery Project was sized to recover LPGs that are currently being produced and burned as part of the refinery fuel gas at the SFR. No changes in the crude delivery system, type of crude or operations at the SMR are needed in order to fully utilize the propane recovery unit in Rodeo.



The commenter's have overlooked the fact that the refining process at the SFR itself accounts for 90% of the propane and butane currently produced and proposed to be recovered by the Rodeo Propane Recovery Project. As described at pages 3-8 to 3-9 of the Recirculated Draft Environmental Impact Report for the Propane Recovery Project, the refining process incorporates four primary functions: separation, conversion, purification and blending. Crude oil and other incoming feed streams contain mixtures of various hydrocarbon compounds that can be separated using distillation and fractionation in the first step of the refining process. At the SFR, a small

	amount of butane and propane is separated from the crude oil in these first stage processes. However, butane and propane are also created from other hydrocarbon compounds during the conversion phase of the refining process. Overall approximately ten percent of the LPG (combined butane and propane) arrives as identifiable fractions of the crude oil, and the balance of approximately ninety percent is created in the refining processes (cracking units). Since LPG in the crude oil accounts for only a very small fraction (approximately ten percent) of the total LPG produced at the SFR, a change in crude oil LPG content in Santa Maria or in Rodeo would have very little effect on the volume of LPG available for recovery at Rodeo. As discussed in the Recirculated Draft Environmental Impact Report for the Propane Recovery Project Section 3.4.2.1, and shown in Figure 3-7, the proposed Project's design basis was derived from data taken at the Refinery in August, 2011. In the same section, the RDEIR for the Propane Recovery Project also provides an update to substantiate this 2011 design basis with the most recent full year (2013) of RFG data from the Refinery in Figure 3-8. This figure shows that for 2013 an average of 13,970 barrels per day (BPD) of propane and butane were available and that monthly this quantity of propane and butane varies. Note that between the 2011 design basis and the 2013 data, no change to crude feedstock, such as those of concern to commenter's, had been made. These data provide the substantial evidence to support the "independent utility" of this Project and further support that the EIR has not inappropriately piecemealed or segmented this Project.
MCG-05	Impact BIO.10 (see Section 4.4, Biological Resources) discusses the impacts the Rail Spur Project would have on the Monarch Butterfly roost areas in the vicinity of the SMR. To evaluate the potential long-term impacts to monarch butterfly, Dr. Kingston Leong and Dr. Francis Villablanca were contacted to determine if scientific literature was available to evaluate the potential impact. Dr. Leong confirmed that there is no scientific literature currently available which evaluates pollutants on monarch butterfly. Because of the unknown effects of pollutants on this species, impacts to this species have been inferred based existing conditions elsewhere along the UPRR route where diesel and particulates likely exceed the levels that are expected with construction and operations of the Rail Spur Project. For comparison purposes, the UPRR railroad is directly located adjacent to overwintering habitat located at the Pismo Preserve and at overwintering locations near Carpentaria. Given the level of short-term air and noise pollutants associated with operational activities along this route due to commuter rail traffic and cargo traffic, it is reasonable to assume that this short-term activity would expose monarchs to a higher level of pollutants than the long-term operation of the Rail Spur Project. Considering the long-term continued success of the overwintering populations at these locations given their proximity to pollutants from the UPPR mainline and the existing vehicle traffic adjacent to their locations, it is inferred that the potential

	impacts due to construction and operational activities of the Rail Spur Project would be less than significant (Class III).
MCG-06	This comment announces the submission of the Mesa Refinery Watch Group Comment Letter and does not comment on the EIR.
MCG-07	CEQA requires state and local agencies within California to follow a protocol of analysis and public disclosure of environmental impacts of proposed projects and adopt all feasible measures to mitigate those impacts. An EIR is an informational tool for the local agencies and decision makers to use in approving or denying a project.