From: Steven Rubin <steve102bg@gmail.com>
Date: Mon, Nov 24, 2014 at 1:02 PM
Subject: Phillips 66 Railspur Proposal;
To: mwilson@co.slo.ca.us, p66-railspur-comments@co.slo.ca, 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, boardofsupervisors@co.slo.ca.us, lreynolds151@gmail.com

Dear Mr.Murray,

My wife Donna and I recently moved from Silicon Valley, where we were both Silicon Valley Technology Executives, to Nipomo. We live in Trilogy Monarch Dunes. My wife is retired and I am semi retired. I am an SVP of a Silicon Valley Software Company and sit on numerous advisory boards and boards of directors. I am an independent voice on these boards .I say what I feel and personally believe.

Since we moved to Trilogy two months ago, we became aware of the potential Phillips 66 Rail spur Project. My wife and I are "VERY CONCERNED"!!!!!

We moved to SLO county, Nipomo and Trilogy for the quality of lifestyle that SLO county provides. Great weather, No traffic to deal with, a safe and healthy environment, the four beach towns; (Avila, Shell, Pismo & Grover) and the vast selection of wineries and coastal towns to visit with our family and friends. RUS-01

Within the first couple of weeks of arriving at our new home in Trilogy, we found out about this Phillips 66 proposed rail spur. The quality of life that we moved here to enjoy we now see as being jeopardized, by this proposed rail spur project. After reading the proposal and attending a couple of meetings, including the South County Advisory Council Meeting held at the NCSD Building in Nipomo, I am even MORE CONCERNED.

Our specific concerns relate to the following:

HEALTH ISSUES: Due to worsening Air Quality. I have bronchitis and this condition could be dramatically effected by increased toxic emissions.
There are a large number of retirees living not only in Trilogy Monarch Dunes, but all over SLO county, including the beach communities. Many of these retirees have advanced age medical issues, that would be negatively impacted if this rail spur project is approved and built. The image of SLO County would get a very negative image as a place for retirees to move and for tourists to visit. RUS-02

SLO COUNTY SAFETY ISSUES: Potential oil spills, train accidents due to the increased number of trains with 80 tanker cars each, Fires & Explosions. RUS-03

NOISE AND LIGHT POLLUTION:
Many of the homes in Trilogy and on the Mesa in general would be subjected to extreme noise from the trains moving on the tracks, the coupling and uncoupling of the cars, and the noise associated with the unloading of the oil and the remaining by products. RUS-04

My wife and I have had several friends who are retired like us come down to visit us, and check out the area as a possible retirement location for themselves. RUS-05

The refinery rail spur project is also a deterrent to them as well, in considering joining us at Trilogy as a new resident.

On another note, my wife and I are investors in a 150 Acre Winery in San Martin, California. We have been investors for the past ten years. We ship 70,000 Cases of wine each year. We will be looking for additional acreage in the future, to grow additional Pinot Noir and Chardonnay. SLO would be ideal for this expansion. But with this proposed refinery rail project hanging over SLO county, and all of the negative consequences for SLO county and the agricultural industry, we may choose to go to another area to grow our fruit when the time comes, if this rail spur project is approved. . RUS-05 cont

Last but not least, when my wife and I looked for our new retirement home, another reason we chose SLO County (Trilogy & Nipomo) was the Land Use Policy. It was intelligent planning. Now the original one mile buffer zone between the homes and the industry activities at Phillips 66 will shrink by two thirds. This is unacceptable!! . This Proposed Phillips 66 Rail Spur Project is inconsistent with our Land Use Policy and will cause a very negative and irreversible economic result for SLO County, (SLO, Trilogy, Nipomo, Arroyo Grande and the four beach communities) . RUS-06

Approving the Phillips 66 Rail Spur Proposal is NOT in the best interests of SLO County, its industries ,its economy, its residents, the Cal Poly Students, or the wine industry. The ONLY beneficiary of this project is Phillips 66 and its owners BOTTOM LINE PROFITS. RUS-07

VOTE NO: ON THIS PROJECT!!!!!
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Sincere regards,

Steve
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Responses to Steven Rubin Comments

RUS-01	This comment introduces the topic of subsequent comments and therefore does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. No further response is required.
RUS-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 EIR concludes that emissions of criteria, GHG and toxic pollutants would exceed the SLOCAPCD thresholds and would be a significant impact. Emissions of toxic pollutants contribute to cancer risks and are generally more local impacts. Emission credits are not proposed for these impacts. The use of DPM credits was removed from the final EIR. The mitigation measures for toxic impacts are to utilize Tier 4 locomotives, which are substantially cleaner than most locomotive currently operating and Tier 4 locomotives are available in 2015. However, this mitigation measure may be preempted by Federal requirements. Emissions of toxic materials are found to be significant and unavoidable. See Appendix B.2. However, along the mainline, impacts would be less than significant for areas where trains are consistently traveling more than 30 mph (most of the mainline route).
RUS-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.
RUS-04	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).
RUS-05	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 agriculture and economics are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
RUS-06	The Project's consistency with applicable plans and policies, including the Land Use Element, is described in Section 4.8 and Appendix G of the RDEIR. The proposed expansion into the buffer area separating the SMR and adjacent

	residential areas is specifically discussed in Section 4.8 (Land Use and Recreation). While the RDEIR discusses potential inconsistencies with applicable planning documents, the decision of whether a proposed project is consistent with a particular plan or policy must ultimately be made by the local decision-making body. The comment has been included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
RUS-07	This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The commenter's statements about there being no benefit to the community, but only to Phillips 66, are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.