

From: <[kschmeiss@cox.net](mailto:kschmeiss@cox.net)>  
To: [P66-railspur-comments@co.slo.ca.us](mailto:P66-railspur-comments@co.slo.ca.us)  
Date: 11/25/2014 11:06 AM  
Subject: Phillips 66 - Rail Terminal Project

Dear Mr. Murry.

As a Nipomo Mesa resident, I am extremely concerned over the proposed "Phillips 66 refinery Rail Terminal project, which I believe, will have a negative and potentially disastrous impact on the Nipomo Mesa and throughout SLO County. The 520 trains that would traverse the county to and from the refinery each year, would be highly invasive, not to mention the significant pollution they would bring, and the potential of major oil spills. The types of crude oils, likely to be delivered, are highly dangerous, to both the health and safety to all the citizens of the SLO County. The quality of life would drastically be reduced for all of us, and should an accident occur, the life's of students at SLO Polytech and Nipomo, would be particularly endangered.

SCR-01

The County would certainly lose revenues due to a drop in the Real Estate Market and declining business as a result of it.

SCR-02

The "Keystone Pipeline" was voted down, and Senator Barbara Boxer, called the proposed oil "filthy and disgusting." It is my hope that County Officials reject the Phillips proposal as well.

SCR-03

Sincerely,

Reinhard and Karin Schmeiss  
1652 Waterview Place  
Nipomo, CA 93444

**Responses to Reinhard and Karin Schmeiss Comments**

SCR-01	<p>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 health, hazards and environmental pollution are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.</p>
SCR-02	<p>The comment provides no evidence to support the claim that the County would lose revenue due to a drop in the real estate market. CEQA is applied to projects that cause a physical change in the environment. Economic effects alone do not trigger CEQA; "[T]here must be a physical change resulting from the project directly or indirectly before CEQA will apply." Such changes can be direct or indirect. In other words, if a proposed project may cause economic and social consequences, but no significant environmental impacts, CEQA does not require that an EIR be prepared. By themselves, however, economic and social impacts of a proposed project "shall <i>not</i> be treated as significant effects on the environment." (CEQA Guidelines, Section 15131(a))</p> <p>The courts have specifically rejected consideration of economic concerns, for example "the economic impact on small businesses on property values" did not trigger CEQA in <i>City of Orange v. Valenti</i> (4th Dist. 1974) 37 Cal. App. 3d 240, 249 [112 Cal. Rptr. 379].</p> <p>The issue of property values will be considered by the decision makers as part of the public hearing process.</p>
SCR-03	<p>This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. No further response is required.</p>