From: Robert Smith <rdwightsmith@gmail.com>
To: p66-railspur-comments@co.slo.ca.us
Date: 11/24/2014 02:31 PM
Subject: My P66 Rail Terminal Project Reir Comments

Mr. Murry Wilson: Please find attached pdf copy of my comments on the Phillips 66 Rail Terminal Project and REIR. (See attached file: Nov2 Ltr on P66 Rail Term Comments Scan.pdf)

November 24, 2014

Mr. Murry Wilson
SLO County Department of Planning & Building
976 Osos Street, Room 200
San Luis Obispo, CA 93408
c/o: p66-railspur-comments@co.slo.ca.us

Re: The P66 Rail Terminal Project REIR Comments

Dear Mr. Murry Wilson:

As a SLO County resident, I strongly oppose the proposed Phillips 66 Rail Terminal Project as summarized in the REIR report, and urge the Planning Commission to reject this proposed project.

The proposed Phillips Rail Terminal Project represent a major change in the nature, methods and scale of operations at the Phillips 66 Santa Maria Refinery. This proposed change-over of the facility from a pipeline-fed to a crude oil-by-rail refinery has a major number of unacceptable and un-mitigateable impacts not only to the adjacent Mesa community and SLO County, as well as the entire State of California.

Simply stated, this proposal would introduce for the first time, never seen before risks to the health and safety of county residents:

- A total of 260 crude oil tanker trains entering, unloading and departing per year
- Each train up to 1.5 miles long and weighs an estimated 11,630 tons
- Over a half a billion gallons (561,800,000) of hazardous crude oil traveling through SLO County to the refinery for processing per year.

SMR-01

I would urge the Planning Commission deliberations to carefully consider the following:

- The impact of recent devastating crude oil-by-train accidents, including:
  -Lac-Megantic, Quebec (block leveling explosion, 47 killed, $1B liability
  -Casselton, North Dakota (gigantic fireball, forced evacuation)
  -Aliceville, Alabama (extensive pollution of sensitive wetlands)
- Potential Federal Preemption of Local Mitigation requirements
- No Federally-approved train cars for crude oil currently exist
- Inadequate liability insurance coverage for crude oil-by-train accidents
- Inadequate local emergency/disaster management resources

Furthermore, the refinery itself has increasingly become an inappropriate land use along the scenic coastline and is incompatible with the surrounding area land use and development. The refinery's proposed further expansion and change of operations as a heavy industrial use at this point would fly-in-the face of the County's long range vision of a scenic coastline with compatible surrounding area development on the Mesa (i.e., Cypress Ridge, Monarch Dunes, Black Lake, etc) SMR-02

I urge you to reject the proposed Phillips 66 Rail Terminal project proposal (i.e.,Crude Oil-by-Train) and REIR. It poses catastrophic risks to the health and safety, and well being of county residents and visitors, and further exacerbates an already inappropriate and incompatible land use on the Mesa and coastline., SMR-03

Sincerely submitted,

Robert D. Smith
961 Jacqueline Place
Nipomo, CA 93444

Responses to Robert Smith Comments

SMR-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 health, hazards, Federal preemption, liability, and emergency responses are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.
SMR-02	CEQA requires an analysis of a proposed project's adverse effects on the existing (baseline) environment. Any existing incompatibilities of the SMR with surrounding areas would not be a result of the proposed Rail Spur Project, and therefore, are not analyzed in the RDEIR. Potential Project-related impacts associated with land use incompatibilities are discussed in Section 4.8 of the RDEIR. As explained in that section, an incompatibility would not necessarily result in a significant land use impact, particularly if the impact is based on the same environmental effects identified in other sections of the RDEIR (i.e., Aesthetics and Visual Resources, Hazards and Hazardous Substances, Noise). To result in a significant effect on land use, the incompatibility would need to result in some additional adverse effect, such as health risks, public safety issues, or the inability to sleep, relax, or enjoy the full use of one's property. Using this approach, a significant and unavoidable land use impact was identified based on the increased health risk that would result from increased diesel particulate matter emissions from the Project. Other potential incompatibilities, such as increased air emissions, noise, odor, and hazards, were also considered. Applicable zoning and land use standards associated with the Project Site and surrounding area, and the Rail Spur Project's potential consistency with applicable standards and policies are addressed in Appendix G of the RDEIR. 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.
SMR-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 health, hazards and land use are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.