

From: Peter Zajac <[pfzmsw@aol.com](mailto:pfzmsw@aol.com)>  
To: ""\To: p66-railspur-comments\"" <"To: p66-railspur-comments""@co.slo.ca.us  
Sent: Mon, Nov 24, 2014 12:53 pm  
Subject: Phillips 66 Proposal

Mr. Murry Wilson, SLO County Planning Department -

This is in regard to the Phillips 66 proposed project to add rail spur lines to their refining facility on the Nipomo Mesa. I believe the project is ill-conceived and provides little benefit to this county and its residents as compared to the negative impact it will have on our quality of life, tourism, and the impact on wildlife

ZAP-01

The rail line runs along the beach and tourist areas, as well as productive farmland, hiking trails and the Monarch Butterfly preserve. The nearby Oso Flaco Nature Preserve sees thousands of migratory birds each year. The endangered snowy plover and least tern nest on the nearby dunes. You can see and sometimes smell the refinery as you stand in the parking lot at Oso Flaco State Reserve.

I am a docent for the Dunes Center in Guadalupe, leading educational hikes for elementary students through the reserve out to the beach and back. (My comments do not reflect the opinion of the Dunes Center). For many of the children, this is their first encounter with the ocean and the surrounding natural environment. When they get off the school bus at the parking lot, they can hear the ocean a mile and a half away (coincidentally that happens to be the length of the proposed oil trains). They learn about the area's history and local flora and fauna, including the many migratory species of birds we encounter crossing Oso Flaco Lake. Visitors from all over the world also come to explore the dunes area.

The beach environment is a wonderful area for exploration. Children examine seashells and sand, rocks and kelp. They see the nesting areas of the the endangered snowy plovers and least tern, the shorebirds hunting for food, along with dolphins, seals and even the occasional whale in the ocean. They also learn about the inter-connectedness of people with their natural environment and why it is important to leave nothing but footprints and take nothing but memories from this wonderful area. When they help pick up trash along the shoreline, students often find smelly tar balls and oil blobs in the sand, often with sea shells, feathers and plants stuck to them. These may have been left from the earlier refinery near Guadalupe as opposed to the current Phillips site, but whatever the source, it diminishes their experience with the nature.

ZAP-02

Each of the proposed trains would be 80 cars long and together with the engines and buffer cars, would be over 1 1/2 miles long. The spur lines would somewhat parallel Oso Flaco Road and the tank cars would likely be visible from the parking lot. As they go by on a daily basis, students and visitors would be greeted with noise and smells from the cars and the locomotives that pull them. They would no longer be greeted by the sounds of the distant ocean or the birds of the riparian forest or lake. Instead they might see a mountain of petcoke, the commercial byproduct of petroleum refining.

The REIR is clear that the proposed project will result in increased negative impact on the area occasioned by fuel management, vegetation removal, night lighting, noise, noxious odors, air pollution, and storm runoff (sec.4-4-22). Downlighting on 30' tall poles and refinery flares from burnoff can still disorient migrating birds. Spills and leaks are likely and will find their way into the water table and seep into Oso Flaco lakes, which in turn will destroy the area as we know it. We have only to look at the historical evidence to know this is true (recent derailments and spills in Virginia's James River, Seattle, North Dakota and Colorado (75 yards from the South Platte River) to name a few, as well as Alberta, Canada.

ZAP-03

As the toxicity of the area increases, wildlife and native flora will be lost. It would not be a place tourists would want to visit, and schools would no longer schedule field trips. Once these natural resources are lost, they are gone forever.

ZAP-04

Phillips has offered little benefit to the community with this proposed project compared to the significant negative risks and impact it will create. This is not progress; it is instead one company's opportunity to expand its global share of the oil exportation market and increase their profits. Sometimes preserving what we have for posterity is progress. This is one of those times. Please deny Phillips 66 rail terminal project

ZAP-05

Thank you for your time and the opportunity to voice my concerns.

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## Responses to Peter Zajac Comments

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| ZAP-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 impacts to quality of life, tourism, and wildlife, have been included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.</p>   |
| ZAP-02 | <p>As shown in Appendix A of the RDEIR each of the 80 tank cars and two buffer cars would be 60 feet long, and the three locomotives would be 90 feet long. This would make the total train length 5,190 feet (<math>82*60+90*3=5,190</math>), not 1.5 miles as stated in the comment.</p> <p>The parking lot on Oso Flaco Road would be over two miles away from the rail spur lines on the SMR property. Given the elevation of the rail spur lines (see Appendix A of the RDEIR), they would not be visible from the parking lot.</p> <p>If the trains came from the south they would cross Oso Flaco Road, about twice per day. The trains would generate noise along the mainline tracks that could be heard along portions of Oso Flaco Road and the parking lot. However, this is no different than the current freight train traffic that used the Coast Line. The Rail Spur Project would not affect the amount of petroleum coke that would be produced at the SMR as discussed in Section 4.3, Air Quality and Greenhouse Gases.</p>  |
| ZAP-03 | <p>Most of 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 night lighting, noise, odors, air pollution and runoff are included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.</p> <p>The worst case spill would be if the pipeline leaked or ruptured near the unloading rack since the pipeline increases in elevation as the line runs from the unloading area to the storage tanks. The worst case spill from this pipeline would be approximately 90,800 gallons. A spill near the unloading rack would drain into the spill drain boxes. Potential spills along the rest of the pipeline would be smaller in size due to the elevation change. As one moves up the pipeline toward the storage tanks, the maximum spill volumes decrease, with the smallest spill volumes being near the storage tanks. In the event of a release from the pipeline the oil would drain into the area around the pipeline and unloading racks (see grading plans in Appendix A).</p> <p>The rail unloading facilities have been designed to contain a spill at the SMR within the facility area through the use of containment systems, and site grading, which is discussed in Chapter 2.0, Project Description. As discussed in Section 4.13, Water Resources, in the unlikely event that a spill got outside the perimeter of the unloading facility it would be generally be confined to the Project Site, as there are limited hydrologic connections between the Project Site and Little Oso Flaco Creek, located south of the Rail Spur Project Site (see</p> |

**Responses to Peter Zajac Comments**

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|        | discussion in WR.1).   |
| ZAP-04 | Section 4.4, Biological Resources, evaluates the construction and operational impacts on wildlife and native flora, and identifies a number of mitigation measures to reduce the impacts to biological resources. The RDEIR found that in the event of a spill along the mainline rail routes, the impacts to biological resources could be significant and unavoidable (Class I). |
| ZAP-05 | This comment does not identify a specific environmental analysis or CEQA issue relative to the EIR and compliance with CEQA. The comment the project offers little benefit to the community compared to the negative impacts has been included in the FEIR for the decision-makers' consideration as part of the County's deliberations on the proposed project.                   |