



PLANNING COMMISSION APPEARANCE REQUEST FORM

The San Luis Obispo County Planning Commission Welcomes
Your Comments for the Phillips 66 Rail Spur Hearing

In the interest of time, three (3) minutes will be reserved for your presentation. Please submit this completed form to the Clerk of the Planning Commission when it is your turn to speak. YOU MUST HAVE THIS FORM WITH YOUR NUMBER TO SPEAK, speaker numbers will be called in numerical order. Please keep apprised of the speakers/numbers as your number will be called. If you miss your opportunity to speak, you must request a new number. Please note that you will be granted one 3 minute opportunity to speak per person (we are digitally recording speakers).

Public Comment remarks should be directed to the Chairman and the Commission as a whole and not to any individual thereof. No person will be permitted to make slanderous, profane or personal remarks against any individual

NAME (print): Maria V. Page

SIGNATURE: MVP DATE: 2/5/16

IMPORTANT INFORMATION:

- If your number is not within approximately 20 of the current speaker we ask that you wait outside of the Chambers in one of our overflow areas where the hearing will be streaming for you to view. Staff will be available in overflow areas to help with any logistical questions. The hearing room can only hold 160 people for safety.
- If you wish to submit digital information such as a PowerPoint or digital photos within your 3 minute presentation, please put a sticker with your speaker number on a flash drive and submit to the clerk when it is your turn to speak. Stickers will be available in the lobby with our staff. The flash drive will not be returned as the information will need to be retained for the record.
- Overflow viewing areas are located in the Fremont Theater which is next door to the hearing chambers, Conference Room 161/162 outside the hearing Chambers as well as the lobby area. The hearing will be streaming for viewing at these locations. The hearing can also be viewed online at [http://www.slocounty.ca.gov/planning/meetings.htm?](http://www.slocounty.ca.gov/planning/meetings.htm)
- If you need assistance with a language translator (Spanish) please notify one of our staff with your speaker number handy.

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/5/16

Speaker Number 457 DO NOT REMOVE FROM FILE

My name is Maria Page, I am a resident of Arroyo Grande, in the Cypress Ridge neighborhood on the Nipomo Mesa.

I wish to state my emphatic opposition to the Phillips 66 proposed rail extension at the Santa Maria Refinery.

Decreasing the number of ^{tracks/}trains from 5 to 3 makes no

difference whatsoever - it only takes 1 to cause a major

catastrophe in our community. Plus, if 3 were to be approved now, there undoubtedly would be more added

in the future - this would only be the beginning.

I urge and request that the SLO county Planning Commission vote a unanimous NO to this entire project and let

the big oil people know that the people of this county and this great country have made their will known.

AGENDA ITEM: 3
 DATE: 2/5/14

#175

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THE COALITION OF LABOR,
 AGRICULTURE, AND BUSINESS

COLAB

San Luis Obispo County

FEBRUARY 4-5, 2016 HEARING EXHIBIT

When judged in the moral and ethical light of the benefits of an industrial civilization, civic responsibility, and material practicality, the Commission has plenty of reason to override its staff and approve the project in accordance with section 21081.

At this point there appear to be two possible paths by which the Commission may approve the project. The first would occur if the Commission determines that a smaller project (less trains) eliminates the 12 Class 1 unavoidable negative environmental impacts.

1. Phillips 66 announced during the hearing that it was reducing the size of the project from 6 unit oil trains of 90 tank cars per week to 3. Phillips' calculations indicate that this step eliminates the Class 1 unavoidable negative environmental impacts. Phillips further informed the Commission that it could not make a decision or impose restrictions on components of the project external to the site and impacting the Union Pacific Railroad, because railroads are under the jurisdiction of the Federal government for regulatory purposes. Additionally, such actions would violate interstate commerce laws. Of course, opponents strongly dispute this position.

2. The second path would occur if it turns out that the smaller project is determined not to eliminate all or some of the unavoidable negative environmental impacts. This path would require that the Commission look to the significant overriding public interest specified in Section 21081 of the State Resources Code. The full text of Section 21081 is important. The staff report cites the Section but does not provide the Commission with the full text.

21081. Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

(a) The public agency makes one or more of the following findings with respect to each significant effect:

(1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on

the environment.

(2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

(3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

Subsection (3); highlighted in yellow above (an opportunity for the Commission to consider overriding public interest matters) was rejected out of hand by the Planning Staff per item 7 (highlighted in green below) in the reasons for denial. The staff has attempted to set the bar for the Planning Commission (and ultimately the Board of Supervisors) impossibly high.

7. There is a lack of specific overriding economic, legal, social, technological, or other benefits of the Project that outweigh the significant effects on the environment, as would be required to approve the Project pursuant to Public Resources Code section 21081.

Greater Public Interest:

OVERRIDING THE DENIAL RECOMMENDATION

The System is Rigged Against Industrial Projects:

Under the logic applied here, could any industrial project or major transportation project ever be approved in San Luis Obispo County or even the State of California for that matter?

Parenthetically, there is no way the Golden Gate Bridge could be approved today. By their very nature, extracting and refining minerals, smelting metals, manufacturing chemicals and durable goods, transporting hazardous raw materials, processing agricultural products, producing electricity on a large scale, producing and distributing medical gases, spraying crops, and many other essential industrial processes are inherently hazardous. But without them, the standard of living would be devastated. Civilization would collapse. What if people in all the counties of America (about 3000) decided that industrial processing is too hazardous and violated their respective general plan elements and environmental standards?

What Project Could Be Approved? The Planning Staff (government officials) say that denial of this project does not prejudice or set a precedent for some future project by Philipps 66. What does that mean? The issue is how to get more oil supply from disparate and shifting points on the north American continent to this refinery (not a refinery in Bakersfield or some other hypothetical place). This militates against permanent pipelines, since the sources are moving

targets. So what does the staff actually mean? They have given no examples of projects which they believe they could recommend, let alone test their examples with financial feasibility.

You Can't Have it Both Ways: When one of the planners or one of planning commissioners or one of the members of the Board of Supervisors has a heart attack at 3:00 AM, they want the phone to work, the dispatch system to work, the ambulance to come, the lights to be on in the cardiac care unit, the hospital to be warm, the medical gases to be plentiful, the plastic oxygen mask to be ready and functioning. Each of these things and processes are currently about 86% dependent on fossil fuels. Tank cars which bring them go through Salt Lake City, Boise, Tucson, San Antonio, Sacramento, Los Angeles, Oakland, San Bernardino, and even Berkeley. To what exceptional privilege do people in San Luis Obispo County or the entire state of California for that matter, claim that they should be exempt from hosting the industrial plants, mines, oil fields, etc., which make their very lives and standard of living possible?

The Anti-Industrial Policy: Do those who would deny this project consider themselves an elite to be served by less affluent others in other locations that must separately bear the risks of industrial society? It is not as if this project is a new refinery. Do they think it's OK for black families in Richmond (California) to have lived next to huge refineries, tanker facilities, and rail facilities for generations (and where this oil will be tankered even if this project is denied), so that they can drive their Mercedes Benzes to LAX and fly to Cabo?

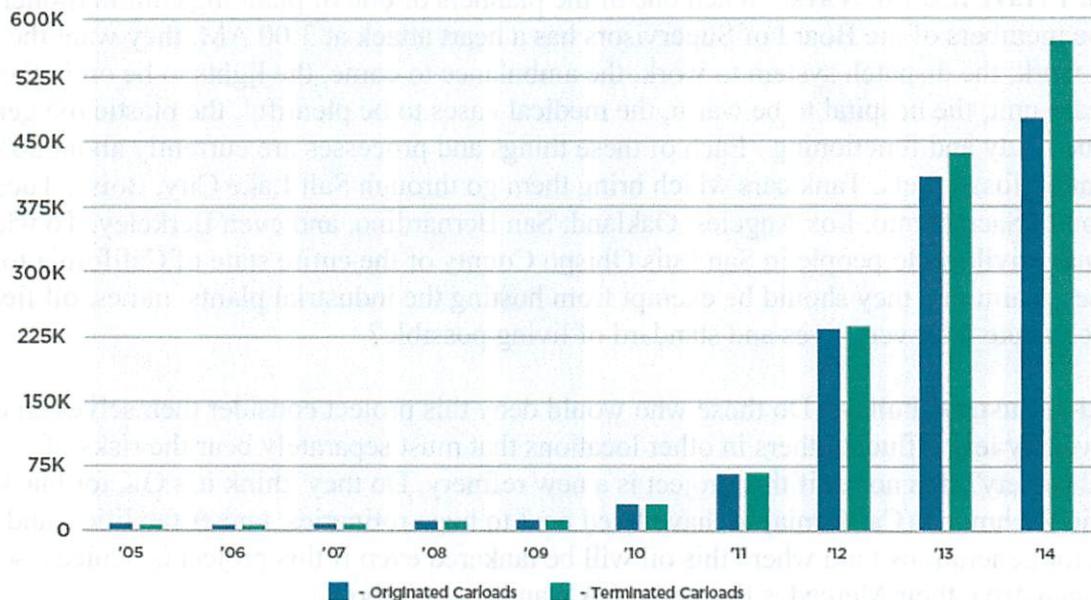
After all, they all drive cars, fly on 777's, use plastic, enjoy hot water on demand, and wear clothes made of synthetic products. Indeed they depend on a huge fleet of tanker trucks, which deliver thousands of gallons of highly volatile gasoline into their very neighborhoods and densest commercial areas every day without a second thought. At least the tank car trains run in dedicated right of ways which are often grade separated from adjacent traffic and activities.

When judged in the moral and ethical light of the benefits of an industrial civilization, civic responsibility, and material practicality, the Commission has plenty of reason to override its staff and approve the project in accordance with section 21081.

The chart on the next page demonstrates the significantly increased amount of tank car loads of oil moving through American communities. What if they all shut it down?

RAILROADS MOVING MORE CRUDE OIL

Originations vs. Terminations, 2005-2014



America's freight railroads are supporting the nation's energy renaissance by moving domestic energy resources such as crude oil. In fact, rail shipments of crude oil have skyrocketed in recent years with railroads originating a record 493,146 carloads in 2014. In light of increased volumes of crude oil moving by rail, freight railroads have implemented new operational protocols and advocated for stronger tank car design standards, while federal regulators have issued new regulations to help ensure this important commodity is moved safely.

Notes: Data are for U.S. Class I railroads

Source: Association of American Railroads



In recent years, as U.S. crude oil output has surged, so too have carloads of crude oil on U.S. railroads. Originated carloads of crude oil on U.S. Class I railroads (including the U.S. Class I subsidiaries of Canadian railroads) rose from 9,500 in 2008 to 493,146 in 2014. Terminated carloads of crude oil on U.S. Class I railroads rose from 9,344 in 2008 to 540,383 in 2014.

From 2000 through 2014, a period during which U.S. railroads terminated 1.405 million carloads of crude oil, more than 99.99 percent of those carloads arrived at their destination without a release caused by an accident. That said, several recent rail accidents involving crude oil have led some to question railroads' ability to operate safely. Railroads are committed to keeping the public's full confidence and demonstrating that nothing is more important to railroads than the safety of their employees, their customers, and the communities they serve.

Figure 2-4 Mainline Rail Routes to the Santa Maria Refinery



Source: Adapted by MRS from UPRR maps.

PLANNING COMMISSION

31. Cities North And South Of SLO Are Standing Up To Big Oil. SLO County Must Join Them: (1:55)

AGENDA ITEM: 3
DATE: 2/15/16

Speaker: _____

DO NOT REMOVE FROM FILE



Hello, I'm _____ and I live in _____.

Stereotyping crude-by-rail as a NIMBY issue is a deception created by Phillips' PR staff. The truth -- their plan will put not only SLO County in danger, but huge sections of California. That's why officials throughout the state are raising their voices. For example ...

- A report warned the Moorpark City Council that if an accident occurred, the odds of a catastrophe were extremely high. An official said - "We should show leadership. Hopefully other cities will take notice." The council resolved to oppose the rail terminal.
- The Berkeley City Council directed its attorney to join lawsuits against plans to transport oil by train to Nipomo. A councilman stated - "We're talking about rendering a large swath of our community uninhabitable and toxic for future generations."
- The San Jose City Council advised SLO County to reject the project. A councilman said of the threat - "It's coming within a hundred feet of homes. (It's) going through farmlands and downtown."
- The Oakland City Council voted unanimously to fight Phillips' rail terminal.
- Richmond officials voted to oppose crude-by-rail. The Mayor said - "(These) are terrible threats. We need to ban it from coming through our community."
- The Davis City Council stated - "(We) oppose using Union Pacific rail lines to transport crude through Davis and adjacent habitats." They specifically referenced the Santa Maria Refinery.
- The Simi Valley City Council sent a letter of opposition to SLO County. The Mayor said "If we have someone who needs to get to the hospital and we have these rail cars (in the way), what's going to happen?"
- The Oxnard City Council asked SLO County to "deny the Rail Spur Extension due to unmitigated significant hazardous impacts. Just one event could be devastating."
- The Ventura County Board of Supervisors requested SLO County reject the project, saying "A rail accident could have disastrous life, safety, health, environmental, and economic consequences."
- The City of Santa Barbara stated "the risks make this project unsupportable."
- And the San Luis Obispo City Council stated flatly "Reject this project and protect the health, safety and welfare of San Luis Obispo County residents."

Officials from all political parties have the courage to stand up to Big Oil. They're pleading with SLO County to protect their cities. And they will remember your response forever.

For the record, I'd like to submit many of the above resolutions.

(Hand one copy of your statement/supporting material to each commissioner + three copies to the clerk)

31. Cities North And South Of SLO Are Standing Up To Big Oil; SLO County Must Join Them, con.

http://www.mpacorn.com/news/2014-12-26/Front_Page/Council_wants_to_stop_train_in_its_tracks.html

http://www.contracostatimes.com/News/ci_27148318/Berkeley-Rent-Stabilization-Board-opposes-crudeoil-transport-by-rail-through-city

http://www.mercurynews.com/breaking-news/ci_25421355/berkeley-council-votes-oppose-rail-shipments-crude-oil

http://www.mercurynews.com/breaking-news/ci_25421355/berkeley-council-votes-oppose-rail-shipments-crude-oil

<http://pasoroblesdailynews.com/san-jose-opposes-central-coast-oil-train-project/30660/>

<http://www.nbcbayarea.com/news/local/San-Jose-Residents-Oppose-Proposed-Crude-Oil-Train-Line-288481791.html>

http://www.contracostatimes.com/news/ci_25426813/richmond-berkeley-councils-vote-oppose-transport-highly-flammable

<http://www.reuters.com/article/2014/06/18/usa-crude-rail-oakland-idUSL2N0OZ2GC20140618>

<http://beniciaindependent.com/davis-city-council-votes-to-oppose-crude-by-rail-and-to-file-comments-under-ceqa/>

http://m.simivalleyacorn.com/node/59777#.VM_2Vlp6iM5

<http://m.independent.com/news/2015/jul/29/santa-barbara-says-no-oil-train/?templates=mobile>



City of Santa Barbara

Office of Mayor

HSchneider@SantaBarbaraCA.gov
www.SantaBarbaraCA.gov

August 4, 2015

Helene Schneider
Mayor

Honorable Planning Commissioners
San Luis Obispo County
c/o James A. Bergman, Director of Planning and Building
976 Los Osos Street, Room 200, Fax # (805) 781-5603
San Luis Obispo, CA 93408

City Hall
735 Anacapa Street
Santa Barbara, CA
93101-1990

Subject: Phillips 66 Santa Maria Refinery Rail Spur Project

Dear Honorable Chair and Commissioners:

Mailing Address:
P.O. Box 1990
Santa Barbara, CA
93102-1990

Tel: 805.564.5323
Fax: 805.564.5475

On behalf of the City of Santa Barbara, I am writing to relay concerns about the proposed project plan to transport crude oil through the City of Santa Barbara to the Phillips 66 Santa Maria Refinery. This project poses increased risks to public safety, to the environment and to the economic interests of our local businesses. I respectfully request that the City's concerns be taken into consideration when evaluating the project details, and encourage the commissioners to deny the transport of significant amounts of crude oil via unit train through our City as proposed by the subject Rail Spur Project.

The recirculated Draft Environmental Impact Report (DEIR) estimates that the project could increase the occurrence of unit trains up to five per week on the Union Pacific Railroad (UPRR) mainline delivering crude oil to an extended rail spur at the Santa Maria Refinery. The potential increase in the number and frequency of trains transporting hazardous materials (crude oil) through our City raises the probability of a spill or accident occurring along a rail line that is densely populated with residences and businesses and crosses environmentally-sensitive creeks and wetlands.

Some of the hazards associated with crude oil transport are documented within the DEIR and include Class 1 (unmitigatable) impacts to public safety, biological, and water resources. Each crude oil train could carry more than two million gallons of crude oil, exposing our community to almost eleven million gallons of hazardous and potentially explosive oil product each week. The trains traveling through Santa Barbara would stretch over a mile long, along the Pacific Ocean shoreline, between the public beaches and Highway 101. The rail line through Santa Barbara passes right through areas densely packed with hotels, restaurants, galleries, tourist destinations, business centers and the downtown shopping area. Hundreds of houses and apartments back right up to the rail line and several schools, fire stations, and Santa Barbara's hospital are within less than a quarter mile from the tracks.

Another Class 1 impact states that a rupture or leak from a rail car could substantially degrade surface water and groundwater quality. Santa Barbara's wastewater treatment and desalination facilities are directly adjacent to the rail line. Any accident impacting either of those facilities could potentially shut down vital services affecting all residents and visitors to Santa Barbara. The trains would parallel the environmentally sensitive bodies of water including the ocean, the Andree Clark Bird Refuge wetlands, Mission Creek, Arroyo Burro Creek, and San Roque



Please consider the environment before printing this letter.

January 16, 2015

Mr. Murry Wilson
Department of Planning and Building
San Luis Obispo County
976 Osos Street, Room 300
San Luis Obispo, CA 93408

(City of San Jose)

RE: Phillips 66 Rail Spur Project

Dear Mr. Wilson,

The City of San José would like to express its concerns over the Phillips 66 oil train offloading facility expansion in San Luis Obispo County. The City is particularly concerned with the increase in oil-train traffic through many densely populated areas and the risk it poses to our city of over one million people.

The most significant impact identified in the Revised Draft Environmental Impact Report (RDEIR) is accidents on the main rail line that could result in oil spills, fires, and explosions near populated areas. Our current rail system is designed to connect residents to their destinations throughout the entire Bay Area, not to move large quantities of hazardous materials like crude oil. Ultimately, regardless of whether we're transporting goods or people, safety is our primary concern.

Even without the risk posed by the extreme proximity of rail lines to our residents and businesses, local emergency responders are not prepared for the scale of disaster represented by a major oil-train derailment, and current oil-by-rail safety standards, like electronically controlled braking systems, and phase-out of older cars, have not kept pace with increased oil-train traffic. The RDEIR also did not evaluate the relative air quality or greenhouse gas emissions for the entire project area, which includes the transport through San José from Canada to the San Luis Obispo County facility.

The City of San José requests that additional environmental and risk analysis be completed, particularly for the communities that the oil-trains will travel through to serve the Phillips facility, like San José.

Sincerely,



Norberto Dueñas
Interim City Manager

C: San José Mayor and City Council



Office of the City Council

990 Palm Street, San Luis Obispo, CA 93401-3249
805.781.7114
slocity.org

(City of San Luis Obispo)

February 19, 2015

San Luis Obispo County Planning Commission
976 Osos Street, Room 200
San Luis Obispo, CA 93408

Dear Planning Commissioners:

I am writing at the unanimous direction of the San Luis Obispo City Council to urge you to deny the application of the Phillips 66 Santa Maria Refinery in Nipomo, which wishes to upgrade its facility to allow for crude oil deliveries by rail for processing. This project would significantly increase the exposure of our residents, neighbors, business people and natural resources to the threat of explosions, fire, contamination and other dangerous conditions which would result from this project. Please consider this letter part of the public record of the hearing at which you consider this matter.

As you know, trains delivering crude for this project would use Union Pacific rail tracks, which go right through the heart of our City and which are used by both passenger trains and freight trains. Given the increasing record of crude-oil rail accidents in recent years, such an event would have catastrophic effects if it occurred in any populated or habitat area. The primary source of the petroleum anticipated to be transported by rail through our county is from the Canadian tar sands and Bakken (North Dakota) formations, which the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration has determined is more flammable than traditional heavy crude oil. When oil trains carrying this more hazardous oil derail, not only does the oil spill, but it also often explodes and bursts into flame. Frequent newscasts show us that as oil-by-train transport has increased, so has damage, hazardous contamination and loss of life from explosions.

The City of San Luis Obispo is situated in an especially vulnerable area, due to the curvature of the rail line and rail cross over as the line passes through our densely populated residential and commercial areas. Furthermore, the line going over the Cuesta Grade to the immediate north of the City transverses thousands of acres of sensitive wildlife habitat in the City's greenbelt, as well as the campus and agricultural land of Cal Poly University. This rough mountainous terrain is classified by Cal Fire as having a very high danger of wildfire due to the fact that it is virtually inaccessible and has dense forest with century old native trees. Furthermore, the more than century old wooden bridges over which such trains would have to pass are uninspected and not designed to safely support such hazardous freight.

The City has previously conveyed its deep concerns regarding this expansion project in EIR comments dated January 27, 2014, attached for your convenience. The project would result in a significant increase in rail traffic, increase in the length of locomotives, and volatility of freight being carried through our City, which would present long term threats to the public



MEMBERS OF THE BOARD
STEVE BENNETT
LINDA PARKS
KATHY I. LONG
PETER C. FOY
JOHN C. ZARAGOZA

BOARD OF SUPERVISORS
COUNTY OF VENTURA
GOVERNMENT CENTER, HALL OF ADMINISTRATION
800 SOUTH VICTORIA AVENUE, VENTURA, CALIFORNIA 93009

(Ventura County)

January 13th, 2015

San Luis Obispo County Planning Commission
c/o Murry Wilson of the San Luis Obispo County Department of Planning and Building
976 Osos St., Rm. 200, San Luis Obispo VIA E-MAIL

RE: Phillips 66 Company Rail Spur Extension Project – Request for Denial

Dear Planning Commissioners:

The subject project EIR concludes that the project would cause a significant and unavoidable rail accident hazard risk. The Commission action that would avoid this significant public safety risk is denial of the project.

The EIR identifies that trains accessing the project from the Colton rail yard would traverse Ventura County, traveling through the heart of many heavily populated areas, crossing many creeks and rivers, and crossing or running along many critical roads and highways. A rail accident involving oil spills, fire, or explosion could have disastrous life safety, health, environmental, and economic consequences in Ventura County.

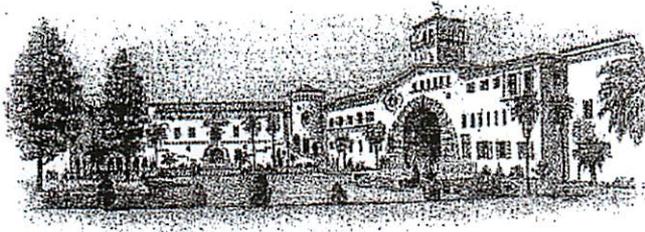
On January 13th, the Ventura County Board of Supervisors voted to respectfully request that, in order to protect public safety and the environment, your commission vote to deny the project.

Cordially,

Kathy I. Long

Chair, Board of Supervisors

DOREEN FARR
Third District Supervisor



OFFICE OF THE
THIRD DISTRICT SUPERVISOR
County Administration Building
105 East Anapamu Street
Santa Barbara, California 93101
Telephone: (805) 568-2192
Fax: (805) 568-2883
www.countyofsb.org

COUNTY OF SANTA BARBARA

January 26, 2015

San Luis Obispo Planning Commission
976 Osos Street
San Luis Obispo, CA 93408

**(Santa Barbara County,
3rd District)**

Re: Phillips 66 Rail Spur Extension Project

Dear Chair Topping and Commissioners:

I write to you today in strong opposition to the Phillips 66 (Phillips) Santa Maria Refinery Rail Spur Extension Project (Project), as transportation of crude presents grave health and safety risks to my constituents, and the environment. As Third District Supervisor, the potential train routes coming and going from the Santa Maria Refinery (Refinery) would travel through the heart of my district, which includes Guadalupe, Goleta and the Gaviota Coast.

The proposed project is of great concern, due in part to the volatility of Canadian tar sands, and the proximity of the proposed route to highly populated areas. An accident would have catastrophic consequences for my constituents, as well as the sensitive environment of the Central Coast.

As reflected in Santa Barbara County Planning and Development Department comments regarding the Project, the Revised Draft EIR fails to analyze alternative, safer and less environmentally damaging methods transportation, such as pipeline. Further, importation of crude to the Refinery would likely result in displacement of local production to other areas for refining. Displacement of approximately 61,000 barrels per day (onshore and offshore production volume) would have significant air quality and traffic impacts in Santa Barbara County.

Approval of this project may result in hauling of anywhere from 1.8 to 2.1 million gallons of crude annually here on the Central Coast. Transportation of crude presents many known risks, including explosion, derailment, air, odor, noise and visual pollution, as well as many unknown risks, as approval of this project would extend the operational life of the Refinery for 20-30 years.

I strongly urge you to reject the Phillips' proposal and appreciate your consideration of this important issue to our local community.

Sincerely,

Doreen Farr
Third District Supervisor, County of Santa Barbara

Chris Henson
Chief of Staff
chenon@countyofsb.org

Esther Aguilera
District Representative
eaguilera@countyofsb.org

Elizabeth Farnum
District Representative
efarnum@countyofsb.org

Stephanie Langsdorf
District Representative
slangsdorf@countyofsb.org



(City of Ventura)

City Council

Cheryl Heitmann, Mayor
Erik Nasarenko, Deputy Mayor
Neal Andrews, Councilmember
James L. Monahan, Councilmember
Carl E. Morehouse, Councilmember
Mike Tracy, Councilmember
Christy Weir, Councilmember

February 3, 2015

San Luis Obispo County Planning Commission
c/o Murry Wilson of the San Luis Obispo County Department of Planning and Building
976 Osos Street, Room 200
San Luis Obispo CA 93408

Re: Phillips 66 Company Rail Spur Extension Project – Request for Denial

Dear Planning Commissioners:

The subject project's EIR concludes that the project could cause a rail accident hazard risk. The Commission action that would avoid this significant public safety risk is denial of the project.

The EIR identifies that trains accessing the project from the Colton rail yard would traverse Ventura County, including the City of Ventura, traveling through the heart of many heavily populated areas, crossing many creeks and rivers, and crossing or running along many critical roads and highways. A rail accident involving oil spills, fire, or explosion could create substantial life safety, health, environmental, and economic consequences in Ventura County, and potentially the City of Ventura.

On Monday, February 2, 2015, the Ventura City Council voted to respectfully request that, in order to protect public safety and the environment, your commission vote to deny the project.

Sincerely,

Cheryl Heitmann
Mayor

Resolution to protect our community from the hazards of increasing crude-by-rail transport in Richmond

WHEREAS, there has recently been a substantial increase in crude oil being transported by rail in North America, including highly flammable and volatile Bakken crude oil from North Dakota;

WHEREAS, according to the US Pipeline and Hazardous Materials Safety Administration, in the year 2013 alone more crude oil was spilled from train derailments (1.1 million gallons) than during the entire period of 1976-2012 (792,600 gallons); and

WHEREAS, in the early morning of July 6, 2013, a train carrying fracked crude Bakken oil from North Dakota derailed and exploded in Lac-Mégantic, a small town in Québec, Canada, killing 47 people and destroying the downtown; and

WHEREAS, in early November, 2013, a tanker train with 2.9 million gallons of Bakken crude oil derailed and burned in a west Alabama swamp, with an unknown amount of oil continuing to contaminate this fragile habitat, and

WHEREAS, Albany County, NY has issued a moratorium on Global Partners LP's plans to increase the processing of Bakken crude oil at the Port of Albany, since heating and storage of Bakken crude arriving to the port could pose a threat to the safety of county residents due to a combination of its extreme volatility and flammability as well as the inferiority of most of the tank cars used to rail those crude volumes into the county; and

WHEREAS, the Environmental Quality Committee and the Natural Resources and Water Committee of the California State Senate scheduled hearings on emergency response to rail accidents due to concerns over the increased transport of crude oil into California by rail and the high number of train accidents and explosions last year; and [per notice in 3/19/2014 WCTimes]

WHEREAS, local media reported on March 14, 2014, that trains were observed bringing crude oil by rail into the Kinder Morgan rail terminal in Richmond and the crude oil from these trains was being unloaded onto trucks for shipment to refineries in Contra Costa County; and

WHEREAS, the Bay Area Air Quality Management District allegedly issued Kinder Morgan a permit to receive and unload crude oil at its Richmond rail terminal without an environmental impact report; and

WHEREAS, the community of Richmond has suffered the impacts of many crude oil disasters, the most recent being the August 6, 2012 explosion and fire at the Chevron refinery that sent 15,000 residents to local hospitals; and

WHEREAS, The US National Transportation Safety Board has recently concluded the following: "Oil spill response planning requirements for rail transportation and oil/petroleum products are practically nonexistent compared with other modes of transportation;" and

"That because conditions have significantly changed with the recent massive growth in crude oil transportation, the regulations are no longer sufficient to mitigate the risks of petroleum product releases in accidents;" and



Meeting Date: 1/27/2015

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Other Council Business

Prepared By: Christopher Williamson, AICP *CW* Agenda Item No. M-1
 Reviewed By: City Manager *M* City Attorney *ET* Finance *M* Other (Specify) _____

DATE: January 14, 2015 **(City of Oxnard)**

TO: City Council

FROM: Matthew G. Winegar, Director *[Signature]*
 Development Services Department

SUBJECT: Opposition Letter to the San Luis Obispo County Planning Commission Regarding the Proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project

RECOMMENDATION

That City Council authorize the Mayor to sign and transmit a letter to the San Luis Obispo County Planning Commission expressing the City Council's opposition to the proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project.

SUMMARY

The San Luis Obispo County Department of Planning and Building recently completed a recirculated Draft Environmental Impact Report (EIR) for a project that would extend an existing rail spur of the Union Pacific railroad (UPRR) mainline by an additional 6,915 feet to serve the Phillips 66 Company Santa Maria Refinery, which is located approximately 3.5 miles west of the community of Nipomo in San Luis Obispo County. The EIR identifies a significant hazard impact related to the risk for release of crude oil that results in a fire or explosion in the vicinity of a populated area along the UPRR tracks. Because this significant hazard could affect Oxnard residents and businesses, staff recommends a letter of opposition to the project be sent to the San Luis Obispo County Planning Commission, the decision makers on this request. A hearing before the San Luis Obispo County Planning Commission is tentatively scheduled in early February, 2015.

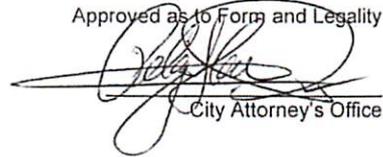
Although the Santa Maria Refinery is approximately 110 miles from the City of Oxnard, the construction of a rail spur would allow for up to five deliveries of oil per week on unit trains (freight trains carrying a single type of freight, in this case crude oil) with 80 tanker cars that are 90 feet long each. Combined with three engines and two buffer cars, these trains would be approximately 1.4 miles long. These unit trains would travel to the refinery spur line either from the north through Roseville, or from the south through Colton. The south route passes through several Ventura County cities, including Oxnard. Empty trains would presumably return the same route after unloading.

(City of Oakland)

FILED
OFFICE OF THE CITY CLERK
OAKLAND

14 MAY 29 PM 4:52

Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBERS Kalb, Gibson McElhaney and Kaplan

RESOLUTION TO OPPOSE TRANSPORTATION OF HAZARDOUS FOSSIL FUEL MATERIALS, INCLUDING CRUDE OIL, COAL, AND PETROLEUM COKE, ALONG CALIFORNIA WATERWAYS, THROUGH DENSELY POPULATED AREAS, THROUGH THE CITY OF OAKLAND

WHEREAS, there is a new push by the fossil fuel industry to transport, export, and/or refine coal, crude oil and petroleum coke ("petcoke")—a byproduct of oil refining—on the West Coast and in California; and

WHEREAS, California refineries are in the process of securing permits to build rail terminals to import Canadian tar sands and Bakken crude oils from North Dakota, and existing rail terminals are securing permits to import tar sands and crude oil without public notice or CEQA review; and

WHEREAS, other refineries have similar projects planned to transport hazardous crude by rail through Oakland and other East Bay cities; and

WHEREAS, California public and private Ports are in the process of securing permits to build or expand export facilities for coal and petcoke; and

WHEREAS, the California Assembly passed, and Governor Brown signed, Assembly Joint Resolution No. 35 in September 2012 urging the President and Congress to enact legislation to restrict the export of coal for electricity generation to any nation that fails to adopt regulations on greenhouse gas emissions or hazardous air emissions that are at least as restrictive as those adopted by the U.S.; and

WHEREAS, New York Governor Andrew Cuomo also recognized the risk of transporting volatile crude by rail by passing Executive Order #125 directing New York state agencies to conduct a comprehensive review of crude rail transport safety procedures and emergency response preparedness and Albany County, NY, issued a moratorium on crude increases at the Port of Albany pending a public health investigation. In California, the cities of Berkeley and Richmond have passed resolutions concerning the safety of transporting crude by rail; and

WHEREAS, in Washington and Oregon, 27 communities have passed resolutions against coal transport and export, and hundreds of other public officials, including Governors Inslee and Kitzhaber, state and federal agencies, tribes, health entities, religious leaders and other community leaders, have recognized the harms of coal by making statements of concern

1383417

(City of Davis)

City of Davis Resolution Opposing Transportation of Oil-by -Rail

Posted: May 11, 2014 in [Rail Transport of Oil](#)

Tags: [April 22](#), [crude-by-rail](#), [Davis resolution](#), [resolution opposing crude oil trains](#)



Oil Tank cars on 2nd St. in Davis on Jan. 9, 2014. #1286 means petroleum distillates classified at level 3, highly flammable liquid, same category as crude oil.

STAFF REPORT

DATE: April 22, 2014

TO: City Council

FROM: Mike Webb, Director of Community Development & Sustainability
Harriet Steiner, City Attorney

SUBJECT: Resolution Regarding Transportation of Oil-by-Rail through Davis
Recommendation

1. Adopt the attached Resolution opposing the transport of hazardous crude oil by rail along the Union Pacific railway through Davis for the purposes of ensuring community safety, and;
2. Authorize the City Attorney and staff to undertake the action items set forth in the attached Resolution.

Council Goals

- Actively participate in regional planning activities in the areas of transit, air quality, water and wastewater resources, land use and agricultural and open space conservation.
- Assure top quality fire, police, emergency and other services to promote the health, safety and well-being of all residents and neighborhoods.
- Maintain efficient and highly trained public safety staff.
- Create and maintain an environment that promotes safety and well-being.

RESOLUTION TO OPPOSE TRANSPORTATION OF HAZARDOUS MATERIALS ALONG CALIFORNIA WATERWAYS, THROUGH DENSELY POPULATED AREAS, THROUGH THE EAST BAY, AND BERKELEY

RESOLUTION NO. 08.516-N.S.



(City of Berkeley)

WHEREAS California refineries are in the process of securing permits to build rail terminals to import Canadian tar sands and Balden crude oil from the Dakotas; and

WHEREAS existing rail terminals are securing permits to import Canadian tar sands and Balden crude oil without any public notice or CEQA review; and

WHEREAS the volume of crude by rail shipments in Northern California increased by 57 percent during 2013 and this growth will continue to skyrocket if the proposed rail terminals are permitted and constructed; and

WHEREAS crude oil, like that coming from the Balden shale reservoir, is known to be volatile, highly flammable, and contain elevated concentrations of benzene, a potent carcinogen; and

WHEREAS tar sands crude or bitumen is known to be an extremely viscous form of petroleum that will not flow unless heated or diluted with other lighter hydrocarbons that include toxic substances, and is known to be extremely difficult to clean up when spills occur especially in aquatic ecosystems; and

WHEREAS the last few years have seen a dramatic rise in transport of crude by rail, accompanied by a similar rise in spectacular accidents, nearly 100 in 2013; more crude oil was spilled in U.S. rail accidents in 2013 than in the preceding four decades, more than 1.15 million gallons in 2013; and

WHEREAS in July 2013, 72 tanker cars loaded with 2 million gallons of flammable Balden crude oil derailed in Lac-Mégantic, Canada, causing explosions that destroyed dozens of buildings, killed 47 people, and caused over \$1 billion in damages; and

WHEREAS in July 2010, a tar sands oil pipeline burst and caused more than 1 million gallons of tar sands crude to flow into Michigan's Kalamazoo River, much of which sank to the river bottom and still remains today after \$1 billion in clean-up efforts; and

WHEREAS the National Transportation Safety Board and the Pipeline and Hazardous Materials Safety Administration recently acknowledged the failure of shippers to appropriately classify the contents of crude oil to reflect the hazardous and highly flammable nature of the substances being transported by rail, in particular Balden crude, and the devastating consequences of a crude oil rail accident including loss of life, property and environmental damage; and

WHEREAS the National Transportation Safety Board, as a result of recent catastrophic crude oil rail accidents, made recommendations to federal agencies to improve rail safety regulations for the transport of crude oil, including requirements for comprehensive worst-case scenario emergency response plans and requirements for testing and documenting the physical and chemical characteristics of hazardous materials being offered for shipment by rail; and

(Santa Cruz County)



County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069
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JOHN LEOPOLD
FIRST DISTRICT

ZACH FRIEND
SECOND DISTRICT

RYAN COONERTY
THIRD DISTRICT

GREG CAPUT
FOURTH DISTRICT

BRUCE MCPHERSON
FIFTH DISTRICT

March 10, 2015

Chairperson and Members
San Luis Obispo County Planning Commission
County Government Center
1055 Monterey Street
San Luis Obispo, CA 93408

**RE: OPPOSITION TO THE PROPOSED PHILLIPS 66
COMPANY RAIL SPUR EXTENSION PROJECT**

Dear Members of the Commission:

I am writing at the direction of the Santa Cruz County Board of Supervisors to express our opposition to the proposed Phillips 66 Company Rail Spur Extension Project.

Our community recognizes the environmental hazards and community risks associated with oil transportation and oil exploration techniques such as hydraulic fracturing. In our county, local voters expressed strongly that they did not want oil derricks off our coast, and the County supported legislation to regulate the type of container ships carrying oil along our coastline. Last year, the Santa Cruz County Board of Supervisors also unanimously banned hydraulic fracturing, or "fracking," in our county.

Members of our Board have been contacted by local residents and residents of other communities who are extremely concerned about the proposal by Phillips 66 to haul oil to a location in San Luis Obispo County by train. Phillips 66 wants to expand a train terminal in San Luis Obispo County to bring nearly three million gallons of toxic tar sands oil, each day, in mile-and-a-half long trains to their refinery in Nipomo. Phillips 66 admits that the plan will include transport of "significant and unavoidable" levels of toxic sulfur dioxide and cancer-causing chemicals. These are the heaviest trains on the tracks, running over our water supplies and through our towns across the state. While the trains won't run directly through our county, they will run over the Pajaro River, which is one of the most valuable water resources in our county.

(City of San Leandro)



CITY OF SAN LEANDRO

CALIFORNIA

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File #: 15-155 | Version: 1 | Name: Phillips 66 Oil Train Off-Loading Facility Expansion in San Luis Obispo County
Type: Resolution - Council | Status: Agenda Ready
In control: City Council

Meeting Date: 3/16/2015 | Final action:
Enactment date: | Enactment #:
Title: RESOLUTION Opposing the Phillips 66 Oil Train Off-Loading Facility Expansion in San Luis Obispo County
Sponsors: City Council
Related files: 15-156

History (0) | Text

Title
RESOLUTION Opposing the Phillips 66 Oil Train Off-Loading Facility Expansion in San Luis Obispo County

Body

WHEREAS, the oil train off-loading facility expansion, being considered by San Luis Obispo County, would increase rail traffic through densely populated areas of Alameda County, increase risks of oil spills, fires and explosions that would damage residences, businesses, and at least twenty (20) schools located in the "blast zone" along the projected route; and

WHEREAS, the current rail system is designed to connect residents to their destinations throughout the Bay Area and NOT to move large quantities of hazardous materials like crude oil through populated areas; and

WHEREAS, the diesel emissions from trains along the route would generate toxic pollutants that exceed medically advised thresholds and cause cancer, heart disease and asthma, in an area that is the third highest for childhood asthma disorders in the State of California.

NOW, THEREFORE, BE IT RESOLVED that the City of San Leandro requests that the County Board of Supervisors of San Luis Obispo County deny permits for the Phillips 66 oil train offloading facility and the denial of any construction related to this project; and

BE IT FURTHER RESOLVED that the City Manager or his designee shall submit a letter to rail carriers involved in transport of crude oil, coal, and petroleum coke in California, requesting:

1. That the rail carriers make public any plans for new or expanded rail facilities or significant rail traffic volume increases;
2. That the rail carriers provide representatives to meet periodically with local citizens groups and local government officials from San Leandro to seek mutually acceptable ways to address local concerns;
3. That the rail carriers update their emergency response plans with the City of San Leandro to account for the transport of crude oil, coal, and petroleum coke and the potential emergencies that could occur from accidents when transporting these hazardous materials;
4. That the rail carriers conduct environmental monitoring in San Leandro, including, but not limited to, groundwater and air monitoring, and submit environmental monitoring or testing information to local governmental entities on a monthly basis for 10 years; and
5. That the rail carriers implement measures to reduce community impacts including, but not limited to, drafting road improvement plans for grading, widening, or otherwise providing crossings at intersections that would be impacted by rail traffic increases to prevent rail accidents and offset congestion; and require the railroad to pay in full for these upgrades in San Leandro.



CITY OF MOORPARK

799 Moorpark Avenue, Moorpark, California 93021 | Phone (805) 517-6222 | Fax (805) 532-2528

OFFICE OF THE MAYOR

January 12, 2015

VIA ELECTRONIC MAIL & U.S. MAIL

(City of Moorpark)

Honorable Planning Commissioners
San Luis Obispo County
c/o James A. Bergman, Director of Planning and Building
976 Los Osos Street, Room 200
San Luis Obispo, CA 93408

RE: Request that the San Luis Obispo County Planning Commission deny the proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project

Dear Honorable Chair and Commissioners:

As Mayor of the City of Moorpark ("Moorpark"), I write on behalf of myself and the Moorpark City Council, to respectfully request that the San Luis Obispo County Planning Commission ("Commission") deny the proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project, due to unmitigated significant hazard impacts associated with the transport of crude oil by rail that would result as part of this project, as identified in the Recirculated Draft Environmental Impact Report (EIR) for this project.

The transport of crude oil by 1.4-mile long unit trains to the Santa Maria Refinery would occur on the Union Pacific railroad tracks, either from Roseville to the refinery, or from Colton to the refinery. The City of Moorpark is located in Ventura County along the route between Colton and the Santa Maria Refinery. Moorpark has 5 at-grade signalized public crossings and 3 at-grade un-signalized private crossings of the Union Pacific mainline tracks that go through our community, including State Highway 23, which carries a significant amount of heavy truck traffic. An incident involving an oil unit train from this project could result in the closure of multiple crossings at the same time, affecting both emergency response and traffic. Homes, schools, parks, and businesses are located adjacent to the Union Pacific tracks as they traverse Moorpark. Although the EIR for this project identifies the risk of derailment resulting in a spill as small, the impacts could be devastating on adjacent land uses.

For these reasons, we respectfully request the Commission to deny the proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project.

Thank you for your consideration of our comments on this project.

Sincerely,

Janice S. Parvin
Mayor

cc: Honorable City Council; Honorable Planning Commission; Honorable Ventura County Board of Supervisors; Steven Kueny, City Manager; Deborah S. Traffenstedt, Assistant City Manager; David A. Bobardt, Community Development Director; Kevin G. Ennis, City Attorney; Murry Wilson, San Luis Obispo County Department of Planning and Building

JANICE S. PARVIN
Mayor

ROSEANN MIKOS, Ph.D.
Councilmember

KEITH F. MILLHOUSE
Councilmember

DAVID POLLOCK
Councilmember

MARK VAN DAM
Councilmember



SUSAN S. MURANISHI
COUNTY ADMINISTRATOR

C O U N T Y A D M I N I S T R A T O R

(Alameda)

February 3, 2015

Honorable Board of Supervisors
Administration Building
Oakland, CA 94612

Dear Board Members:

SUBJECT: APPROVE THE TRANSMISSION OF A LETTER FROM THE PUBLIC HEALTH DEPARTMENT TO THE SAN LUIS OBISPO COUNTY BOARD OF SUPERVISORS AND SAN LUIS OBISPO COUNTY PLANNING COMMISSION CONCERNING THE PROPOSED TRANSPORT OF CRUDE OIL BY RAIL THROUGH ALAMEDA COUNTY

RECOMMENDATION:

Approve the action taken by the PAL (Personnel, Administration and Legislation) Committee at its February 2, 2015 meeting approving the request of the Public Health Department to send a comment letter, attached, to the San Luis Obispo County Board of Supervisors and the San Luis Obispo County Planning Commission to express concerns about the impact of the proposed Phillips 66 Crude Oil Transport Project.

DISCUSSION:

The Director of the Public Health Department, Muntu Davis, requests your Board's authorization to send the above-referenced comment letter. A copy of the comment letter is attached herewith. A number of cities, including Berkeley, Oakland, San Jose, Martinez, Davis, and Moorpark in Ventura County have passed resolutions opposing crude by rail and this project in particular. The San Leandro School Board has also sent a letter opposing the project. The Sierra Club has contacted officials in Fremont, Albany and Emeryville to do the same.

San Luis Obispo County is currently reviewing the Recirculated Draft Environmental Impact Report regarding a proposed facility in Santa Maria that would facilitate the import of crude oil for the Santa Maria Refinery. The issue will be voted on by the San Luis Obispo County Planning Commission and then the County Board of Supervisors. If approved, the flatland communities in Oakland and the rest of the County will be impacted by added pollution. The impact radius of an oil train derailment is at least 1 mile. A particular concern is the possible exacerbation of existing cumulative health impacts on flatland Oakland communities, Ashland-Cherryland, San Leandro and Hayward that are low-income communities of color already burdened by some of the worst air pollution and highest social and health burdens in the County and state.

Phillips 66 is proposing to build a crude oil train offloading facility in Santa Maria in San Luis Obispo County to transport crude oil to/from the Phillips 66 refinery in Rodeo, Contra Costa County and the Santa Maria Refinery. The Phillips 66 project would transport 2.5 million gallons of crude oil a year – that is a mile-long, roughly 80 tanker cars up to 5 times a week, or 250 trips per year — through the Bay Area on the Union Pacific rail line, which passes through West Berkeley, Emeryville, East and West Oakland, San Leandro, San Lorenzo (nearby Ashland/Cherryland), Hayward, Union City, Newark, and Fremont. The Sierra Club raised the issue to the Public Health Department and requested our department send a letter to San Luis Obispo County.



Monterey County

Board Order

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Upon motion of Supervisor Parker, seconded by Supervisor Armenta and carried by those members present, the Board of Supervisors hereby:

Authorized the Chair of the Board of Supervisors to sign and send a letter to the County of San Luis Obispo addressing the County of Monterey's concerns related to transport of crude oil by rail through Monterey County related to expansion of the Phillips 66 refinery operations permit in San Luis Obispo County. (REF150022, County-wide, Phillips 66 Refinery Rail Spur)

PASSED AND ADOPTED on this 7th day of April 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 77 for the meeting on April 7, 2015.

Dated: April 8, 2015
File ID: 15-0314

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By *Denise Hancock*
Deputy

SALUD CARBAJAL
First District

JANET WOLF
Second District, Chair

DOREEN FARR
Third District

PETER ADAM
Fourth District, Vice Chair

STEVE LAVAGNINO
Fifth District



BOARD OF SUPERVISORS
County Administration Building
105 East Anapamu Street
Santa Barbara, CA 93101
Telephone: (805) 568-2190
www.countyofsb.org

COUNTY OF SANTA BARBARA

(Santa Barbara County)

September 10, 2015

San Luis Obispo Board of Supervisors
1055 Monterey Street
San Luis Obispo, CA 93408

San Luis Obispo County Planning Commission
976 Los Osos Street, Room 200
San Luis Obispo, CA 93408

RE: Proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project

Dear Supervisors and Commissioners:

At the September 1, 2015 Board Meeting the Santa Barbara County Board of Supervisors voted to oppose the Phillips 66 Company's application for its Rail Spur Extension due to the potential health and safety risks to Santa Barbara County residents, our environment and the local economy.

The number of trains transporting petroleum products throughout the United States has increased dramatically over the last decade. The number of shipments of crude oil by rail car in the U.S. has increased by 8,358 percent since 2006, according to the U.S. Energy Information Administration and Association of American Railroads. Consequently, this surge in shipments of crude oil by rail has resulted in an increased frequency of oil spills by American trains, including an all-time high of 141 "unintentional releases" in 2014, according to the federal Pipeline and Hazardous Materials Safety Administration (PHMSA).

The proposed project is of great concern, due in part to the volatility of Canadian tar sands, and the proximity of the proposed route to highly populated areas. An accident would have catastrophic consequences for our constituents, as well as the sensitive environment of the Central Coast. Moreover, a series of recent rail events underscore the potential danger of the project: In July 2013, 63 cars from a runaway oil tanker train exploded in Lac-Mégantic, Québec, leveling much of the town; then in February 2015, an oil train hauling hundreds of millions of pounds of oil derailed in Boomer, West Virginia and exploded. Most recently, we were reminded that while train accidents are rare, they do occur as evidenced by the recent Metrolink accident on February 24, 2015 in Oxnard which occurred on our same local rail corridor which trains related to this project would operate on. A similar scenario involving an oil train would have resulted in wide ranging public health, safety, economic and environmental impacts.

Approval of this project would present considerable risks as the proposed project would result in up to five additional oil trains per week travelling the Santa Barbara County coastal rail line. This route includes heavily populated urban areas and Highway 101, one of the two major interstate highways

CITY of CARPINTERIA, CALIFORNIA

April 7, 2015

San Luis Obispo County Planning Commission
c/o James A. Bergmann, Director of Planning and Building
976 Los Osos Street, Room 200
San Luis Obispo, CA 93408



Re: Request for denial of the proposed Phillips 66 Santa Maria Refinery Rail Spur Extension Project

Dear Chair and Commissioners:

As Mayor of the City of Carpinteria, I write to you on behalf of the Carpinteria City Council to request that the Planning Commission deny the proposed Phillips 66 Santa Maria Refinery Rail Spur Extension Project due to the 11 Significant and Unavoidable (Class I) environmental impacts, identified in the project draft environmental impact report (DEIR). In particular, we object to the project due to the increased risk of a crude oil train derailment in our community.

Carpinteria is located on the coast in southeast Santa Barbara County and is bisected by the Union Pacific Railroad mainline studied in the DEIR and subject to project impacts. Thousands of Carpinterians live, work and go to school adjacent to this rail line. An oil train derailment in Carpinteria poses a significant risk of loss of life in our community.

Carpinteria is home to a variety of coastal resources that are of regional and statewide significance include an estuary, near shore ocean reefs, a harbor seal haulout/sanctuary, popular tourist destinations such as the Carpinteria downtown shopping district and the Carpinteria State Beach campground. All of these important resources are located adjacent to the UPRR railroad tracks and, in the event of an oil train derailment in Carpinteria, would put these resources at a significant risk of being damaged or destroyed.

As you know, in its letter of November 24, 2014, UPRR takes the position that federal regulations preempt local government agencies such as the San Luis Obispo County from regulating railroad operations. Yet, the regulation of rail transportation, as promulgated and carried out by the rail industry and federal regulatory agencies has proven to be inadequate to effectively address the risks represented by oil-by-rail transportation. Nationwide, the lack of effective federal or state regulations and the inability to establish local regulations has resulted in a dangerous void in oversight with, as we have seen over and over again, disastrous results. This inadequate system of regulatory oversight, the threat of federal preemption, and the posture of UPRR concerning the establishment of project mitigation or conditions that may be deemed to affect railroad operations make clear that the significant environmental impacts identified cannot be adequately addressed.

For these reasons, we respectfully request the Commission deny the proposed Phillips 66 Santa Maria Refinery project.

Sincerely,

Gregg A. Carty
Mayor

c: San Luis Obispo County Board of Supervisors
California Coastal Commission

5775 CARPINTERIA AVENUE • CARPINTERIA, CA 93013-2603 (805) 684-5405 • FAX (805) 684-5304
www.carpinteria.ca.us



Office of the Mayor

3300 Capitol Avenue, Building A | P.O. Box 5006, Fremont, CA 94537-5006

510 284-4011 *ph* | 510 284-4001 *fax* | www.fremont.gov

May 13, 2015

San Luis Obispo County Planning Commission
Attn: Ms. Ryan Hostetter
Department of Planning and Building
San Luis Obispo County
976 Osos Street, Room 300
San Luis Obispo, CA 93408

RE: Proposed Phillips 66 Santa Maria Refinery Rail Spur Extension Project

Dear Planning Commissioners:

The City of Fremont would like to express our concerns regarding the proposed Phillips 66 Santa Maria Refinery (SMR) Rail Spur Extension in San Luis Obispo County. The City is particularly concerned with the increase of 80 tank cars weekly, with the potential of transporting two million gallons per unit train of crude oil through many densely populated areas and the risks that it poses to our city. The Revised Draft Environmental Report (RDEIR) identifies 3.2 miles of Union Pacific Rail Road (UPRR) track in Fremont with a population density of 10,000 people per square mile, as a north-to-south train route from Roseville to the Santa Maria Refinery.

The most significant impact identified in the RDEIR is accidents on the main line that could result in oil spills, fires, and explosions near populated areas. Based upon the assumptions of the RDEIR of 10,000 people/square mile for 3.2 miles of track, approximately 32,000 people within our jurisdiction, or 1/6 of Fremont's population, would be within ½ mile of these trains.

As oil-by-rail shipments have increased in recent years, there has been a dramatic increase in the number of incidents involving crude oil by rail accidents from several per year prior to 2010 to 155 in 2013 and 141 oil spills in 2014. Tank cars adhering to CPC-1232 standards proposed in the transport of crude oil for the Phillips 66 Rail Spur Extension project have proven to be largely ineffective from protection in a derailment, breaching and causing large explosions even at low speeds, and have thermally failed in four accidents occurring between February 2015 and March 2015.

In addition to the risk of an oil spill that our residents face due to the close proximity of the transport of crude oil through UPRR rail lines, daily toxic air contaminants (TAC) from rail operations would exceed both the San Luis Obispo County Air Pollution Control District's thresholds for 30-year cancer risk beyond the railroad right-of-way, and increase the exposure for residents along the entire route to TAC. An increase in greenhouse gas emissions would occur as well.

The City's water resources, wildlife species, and popular natural resource recreation areas would experience significant impacts in the event of an oil spill. The presence of water resources such as the California Aqueduct, numerous creeks and rivers, and biologically sensitive sloughs along

Residents speak out against oil trains

(Simi Valley)

Text: T T

City opposes refinery rail project

By Melissa Simon

melissa@theacorn.com



POTENTIAL THOROUGHFARE—

If a proposal to extend the Phillips 66 Santa Maria Refinery's rail spur is approved by the San Luis Obispo County planning commission, Simi Valley officials estimate that an average of five oil trains comprising about 80 tank cars and carrying 50,000 barrels of crude oil may travel through Simi Valley per week.

Following a recent barrage of public outcry, the Simi Valley City Council has officially changed its position on a Santa Maria rail expansion project that, if approved, would bring oil trains through the city.

Last month the City Council sent a letter to the San Luis Obispo County planning commission urging the execution of higher federal safety standards for rail cars should the commission approve a request by the Phillips 66 Santa Maria Refinery to add oil trains to its operation.

But on Monday city officials changed their tune and voted to send a letter of opposition to SLO County, pointing out health, safety and environmental concerns. The letter also asked SLO County officials to conduct more environmental and risk analyses before making a final decision.

"Even without the risk posed by the extreme proximity of rail lines to our residents and businesses, local emergency responders are not prepared for the scale of disaster represented by a major oil train derailment," the council's letter states. "Current oil-by-rail safety standards, like electronically controlled brake systems and (the) phase-out of older cars, have not kept pace with oil train traffic."

With nine railroad crossings throughout the city—located at Hidden Ranch Drive, Los Angeles Avenue, Tapo Street, Tapo Canyon Road, Sequoia Avenue, Sycamore Drive, Erringer Road, First Street and Quimisa Drive—an accident involving an oil spill, fire or explosion could impact several intersections.

Phillips 66, a Texas-based energy manufacturing and logistics company, is requesting an extension of the refinery's existing rail line by 6,900 feet on refinery property and the addition of a train unloading facility, according to a Simi Valley city staff report.

The southern route would go from the Santa Maria refinery to the Colton Rail Yard in San Bernardino County, making multiple stops along the way.

Residents opposed to project

Simi Valley resident Kevin Tohill implored the council this week to send the opposition letter.

"Each train that comes through Simi Valley will pass homes, parks, businesses and, most importantly, elementary schools. . . . It would be a disaster if an accident were to occur like it has in other communities," Tohill said during public comment. "Let's join together with our neighboring cities and the county of Ventura in protecting our communities and, most importantly, our children."

Lance Charles, another speaker at the meeting, agreed with Tohill that oil-by-rail would be a disaster, calling it a "time bomb."

"No oil by rail. It's time to cut the cord on petroleum products in general," Charles said, adding that he dreams of turning Simi into a solar-based city. "If you've got a million square feet of roof space on a building, why not use it to produce solar energy for Simi Valley?"

*Clerk - file - *26 - 3/10/15*



County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069
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JOHN LEOPOLD
FIRST DISTRICT

ZACH FRIEND
SECOND DISTRICT

RYAN COONERTY
THIRD DISTRICT

GREG CAPUT
FOURTH DISTRICT

BRUCE MCPHERSON
FIFTH DISTRICT

March 10, 2015

Chairperson and Members
San Luis Obispo County Planning Commission
County Government Center
1055 Monterey Street
San Luis Obispo, CA 93408

**RE: OPPOSITION TO THE PROPOSED PHILLIPS 66
COMPANY RAIL SPUR EXTENSION PROJECT**

Dear Members of the Commission:

I am writing at the direction of the Santa Cruz County Board of Supervisors to express our opposition to the proposed Phillips 66 Company Rail Spur Extension Project.

Our community recognizes the environmental hazards and community risks associated with oil transportation and oil exploration techniques such as hydraulic fracturing. In our county, local voters expressed strongly that they did not want oil derricks off our coast, and the County supported legislation to regulate the type of container ships carrying oil along our coastline. Last year, the Santa Cruz County Board of Supervisors also unanimously banned hydraulic fracturing, or "fracking," in our county.

Members of our Board have been contacted by local residents and residents of other communities who are extremely concerned about the proposal by Phillips 66 to haul oil to a location in San Luis Obispo County by train. Phillips 66 wants to expand a train terminal in San Luis Obispo County to bring nearly three million gallons of toxic tar sands oil, each day, in mile-and-a-half long trains to their refinery in Nipomo. Phillips 66 admits that the plan will include transport of "significant and unavoidable" levels of toxic sulfur dioxide and cancer-causing chemicals. These are the heaviest trains on the tracks, running over our water supplies and through our towns across the state. While the trains won't run directly through our county, they will run over the Pajaro River, which is one of the most valuable water resources in our county.



From the Office of the Mayor
Shelly Higginbotham
760 Mattie Road
Pismo Beach, CA 93449
(805) 235-6604

September 17, 2015

(Pismo Beach)

Honorable Planning Commissioners
San Luis Obispo County Planning Commission
c/o James A Bergman, Director of Planning and Building
976 Los Osos Street, Room 200
San Luis Obispo, CA 93408

RE: Phillips 66 Santa Maria Refinery Rail Project

As the Mayor of Pismo Beach and many our residents, we have concerns regarding the safety of increased oil trains passing through our city limits en route to the Santa Maria refinery.

The continued increase in the transport of crude by rail combined with recent rail accidents involving oil spills and resulting fires has served to heighten concerns about rail safety, adverse environmental impacts and potential adverse health impacts.

Over the course of 2014 and 2015, personnel from Cal fire San Luis Obispo, who also serve as Pismo Beach's Fire Department and emergency responders have conducted ongoing dialog with the project applicants, environmental consultants, and County staff; formulating mitigation measures to address specs of the project identified as being of "notable concern" culminating in the measures presented in the project's final "Environmental Impact Report".

Furthermore, the League of California Cities has as formal policy, made recommendations to improve rail safety. We understand this area of regulation is largely preempted by federal law, which is why the mayor Pro tem and City Manager of Pismo Beach traveled to Washington, D.C. in March to meet with the Senate Commerce Subcommittee on Surface Transportation and Merchant marine Infrastructure, Safety, and Security. Additionally, they met with key staff from the Federal Rail Administration at the Department of Transportation to discuss the issue of rail safety, focusing on ways in which oil transportation may be made safer.

We would like to add our opposition to the proposed project along with the large number of cities citing the 11 class 1 environmental impacts unless those impacts can be mitigated.

Respectfully,

A handwritten signature in black ink that reads "Shelly Higginbotham".

Shelly Higginbotham
Mayor

Cc: Pismo Beach City Council
Cal Fire/Pismo Beach Fire Department
Cal Fire/San Luis Obispo
Railroad Commission

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS OPPOSING THE TRANSPORTATION OF CRUDE OIL BY RAIL, SPECIFICALLY THE PHILLIPS 66 RAIL SPUR EXTENSION PROJECT AND CRUDE OIL UNLOADING FACILITY IN SAN LUIS OBISPO COUNTY, AND AUTHORIZING CITY MANAGER TO SEND LETTERS OF OPPOSITION

WHEREAS, California refineries are in the process of securing permits to build rail terminals to import Canadian tar sands and Bakken crude oils from the Dakotas; and

WHEREAS, existing rail terminals are securing permits to import Canadian tar sands and Bakken crude oils to Central Coastal California; and

WHEREAS, for the first time, United States Energy Information Administration is providing monthly data on rail movements of crude oil, which have significantly increased over the past five years. The new data on crude-by-rail (CBR) movements are integrated with EIA’s existing monthly petroleum supply statistics, which already include movements by pipeline, tanker, and barge; and

WHEREAS, the new monthly time series of crude oil rail movements includes shipments to and from Canada and dramatically reduces the absolute level of unaccounted for volumes in EIA’s monthly balances for each region; and

WHEREAS, crude oil, like that coming from the Bakken shale reservoir, is known to be volatile, highly flammable, and contain elevated concentrations of benzene, a potent carcinogen; and

WHEREAS, tar sands crude or bitumen is known to be an extremely viscous form of petroleum that will not flow unless heated or diluted with other lighter hydrocarbons that include toxic substances, and is known to be extremely difficult to clean up when spills occur, especially in aquatic ecosystems; and

WHEREAS, almost 500,000 carloads of crude oil were transported by rail in 2014, up from 9,500 in 2008. It now accounts for “1.6% of total carloads for U.S. railroads,” according to the Association of American Railroads. This statistic is accompanied by a similar rise in spectacular accidents, 143 incidents in 2014 alone affecting 21 states and 57,600 gallons of oil spilled; more crude oil was spilled in U.S. rail accidents in 2014 than in the preceding four decades; and

WHEREAS, rail incidents involving crude oil jumped nearly sixteen fold between 2010 and 2014, and the rise in crashes accompanies the burgeoning rail traffic from North Dakota’s Bakken shale to points all over North America. Oil train accidents spread from 8 states in 2010 to 21 states in 2014, according to the consulting firm ClearView Energy Partners’ analysis of data from the U.S. Pipeline and Hazardous Materials Safety Administration; and

WHEREAS, rail incidents are still happening in 2015, including the fiery derailments recently in Mount Carbon, West Virginia, and Galena, Illinois. Both of these incidents involved the newer CPC 1232 cars initially proposed as a safer alternative to the DOT-111 cars involved in other accidents, such as the deadly derailment and crash in Lac-Mégantic, Quebec in July 2013, that killed 47 people, and caused over \$1 billion in damages; and

WHEREAS, in July 2010, Enbridge Energy Partners LL, reported a 30-inch tar sands oil pipeline burst that caused more than 1 million gallons of tar sands to flow into Michigan’s Kalamazoo River and, in June 2015, the U.S. Department of Justice has lodged a proposed Consent Decree on behalf of federal, state, and tribal natural resource trustees to resolve natural resource damage claims arising from this incident; and

WHEREAS, to date in 2015 there has been a 20-car oil train derailment in rural eastern Montana spilling 35,000 gallons of crude oil; a 109-car crude train derailment in North Dakota causing six cars to catch fire and an estimated 60,000 gallons of oil to spill; a 21-car train derailment (of a 103 tank car) resulting in at least 5 cars rupturing and causing fires and wreckage to burn for several days and threatening a tributary to the Mississippi River and the Upper Mississippi



Mar Vista Community Council



MAR VISTA COMMUNITY COUNCIL

Regular Meeting of the Board of Directors

Tuesday, May 12th, 2015, at 7:00 P.M.

Mar Vista Recreation Center Auditorium

11430 Woodbine Street, Mar Vista, CA

90066

AGENDA

1. **Call to order and Welcome** – Chair (1 min)
2. **Presentation of flag and Pledge of Allegiance** (1 min)
3. **Approval of April 2015 Board of Directors Meeting Minutes** (public comment permitted) (1 min)
4. **Approval of April 2015 Stakeholder Meeting Minutes** (public comment permitted) (1 min)
5. **Public Comment & Announcements** - for items not on the agenda (max 1 min each unless waived by the Chair)
6. **Elected Officials and City Department Reports** (max 1 min. each unless waived by the Chair)
 - a. CD 11 – CM Mike Bonin, rep. by Field Deputy Len Nguyen Len.Nguyen@lacity.org
 - b. Mar Vista Recreation Center – Jason Kitahara, Director
 - c. CD 5 – Paul Koretz, rep by Joseph Galloway joejdg92@gmail.com
 - d. US 36 – Janice Hahn
 - e. CA Assembly 54-Sebastian Ridley-Thomas, rep by Scott Malsin scott.malsin@assembly.ca.gov
 - f. Congressman – Ted Lieu, rep. by Robert Pullen-Miles Robert.Pullen-Miles@sen.ca.gov
 - g. CA Assembly 47
 - h. CA Assembly 62
 - i. 2nd Dist. L. A. County Board Supervisor Mark Ridley Thomas, rep. by KarlyKatona, Karly.Katona@bos.lacounty.gov
 - j. Mayor of Los Angeles – Eric Garcetti, rep. by Daniel Tamm Daniel.tamm@lacity.org
7. **Presentations**
 - a. **Education Awards** (Sara Roos, 10 min)
 - b. **Green Corners** (Michael Mansour, 5 min)
8. **Officers and Liaison Reports** (Action items included with public comment permitted, 1 min per speaker)
 - a. Chair-Bill Koontz
 - i. Update on Code of Conduct
 - ii. Committee Assignment Motion: Remove Steve Wallace as PLUM Committee co-chair and appoint Mitchell Rishe as chair.
 - b. First Vice Chair – Mitchell Rishe
 - c. Second Vice Chair – John Kuchta
 - d. Secretary –Melissa Stoller
 - e. Treasurer-William Scheduling: NOTE: All funding motions must conform to all Empower funding guidelines and must be funded and paid in fiscal year 2014-15 or they will expire. All NPG and CIG grants approved by the Mar Vista Community Council are restricted funds according to Department of Neighborhood Empowerment regulations and must be used for the exact purpose approved by the MVCC. All Neighborhood Council Funding reports are available online at <http://done.lacity.org/onlinefunding/ncfunding.aspx>
 - i. **FUNDING MOTION:** Approval of May Monthly Expense Report (MER).

RESOLUTION **(City of Los Angeles)**

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal government body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, a proposed Phillips 66 Company Santa Maria Refinery Rail Spur Extension Project is pending before the San Luis Obispo Planning Commission; and

WHEREAS, the project would enable 5 unit trains (400 tank cars) per week, each unit train stretching 1.4-miles in length and carrying 2 million tons of oil, to transport crude oil through Santa Maria, Ventura and Los Angeles Counties, traversing the San Fernando Valley and traveling along the LA River and through areas of South Los Angeles toward Colton, CA, or the Port of Los Angeles; and

WHEREAS, the environmental documents for the project indicate that there would be unmitigated significant hazard impacts associated with the transport of crude oil by rail, including from a possible derailment of trains carrying crude oil; and

WHEREAS, this project has significant impacts on air quality, biological resources, hazardous materials, public services, and water resources; and

WHEREAS, homes, schools, parks and businesses are located in the corridor through which trains would travel, and a billion-dollar federal investment in the LA River area to return it to a more natural state and provide much-needed green space is in progress; and

WHEREAS, in the event of an incident involving an oil unit train from this project, it could be necessary to close multiple rail crossings and potentially require evacuation of homes, businesses and offices and/or result in serious injuries, deaths, and environmental devastation, overwhelming police and fire emergency response capabilities; and

WHEREAS, numerous disasters involving transportation of crude oil by rail have occurred, with derailments resulting in oil spills, fires, and explosions near populated areas in the US and Canada; and

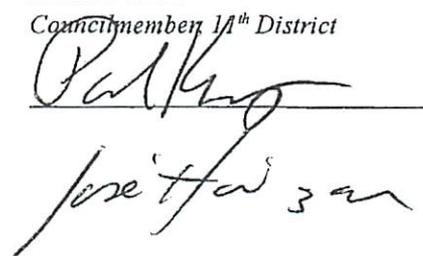
WHEREAS, there is ample reason to believe that an increase in oil train traffic from this project poses an unacceptable risk to our City of four million people;

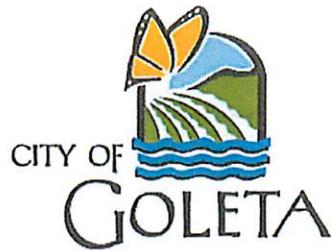
NOW THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this resolution, the City of Los Angeles hereby includes in its 2015-16 legislative advocacy program SUPPORT for administrative action URGING the San Luis Obispo Planning Commission to **DENY APPROVAL** of the Phillips 66 facility expansion project, inasmuch as it is far too dangerous to public safety and presents far too many environmental risks.

PRESENTED BY:


MIKE BONIN
Councilmember 11th District

SECONDED BY:


Jose Hernandez



June 9, 2015

CITY COUNCIL

Paula Perotte
Mayor

Jim Farr
Mayor Pro Tempore

Roger S. Aceves
Councilmember

Michael T. Bennett
Councilmember

Tony Vallejo
Councilmember

CITY MANAGER
Michelle Greene

Honorable Planning Commissioners
San Luis Obispo County
c/o James A. Bergman, Director of Planning and Building
976 Los Osos Street, Room 200
San Luis Obispo, CA 93408

RE: Phillips 66 Santa Maria Refinery Rail Project

Dear Honorable Chair and Commissioners:

The purpose of this letter is to relay the City of Goleta's concern for public safety and the environmental risks and public safety arising from the proposed Phillips 66 Santa Maria Refinery Rail Project ("Project"). We respectfully request that the City's concerns be included as part of your evaluation of the merits of the Project.

The Project, however, proposes to expand the capacity of the Santa Maria Refinery located in Nipomo, California, to accept crude oil from outside of the region, transported into the refinery via rail, as opposed to pipeline transport. The Project directly affects the City of Goleta and our residents.

The proposed transport to market includes two routes, one of which runs through the center of Goleta. The hazards associated with crude oil rail transport are well documented within the environmental impact report for the Project and puts our public, sensitive creek habitats, and environment at unnecessary risk.

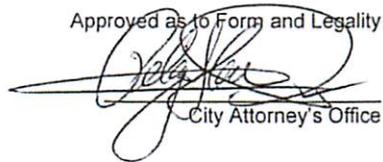
Each crude oil train could carry more than two million gallons of crude oil, exposing our community to almost 11,000,000 gallons of hazardous and potentially explosive oil product each week. The trains traveling through Goleta and the region would stretch over a mile long, paralleling major transportation corridors such as Highway 101 and Hollister Avenue, through the densely populated Old Town area of Goleta, and adjacent to our high-tech business center and research park area. Hundreds of homes exist or are currently under construction adjacent to the rail corridor with hundreds more soon to be constructed in the same vicinity. The rail line parallels Ellwood Elementary School, a

FILED
OFFICE OF THE CITY CLERK
OAKLAND

14 MAY 29 PM 4:52

(Oakland)

Approved as to Form and Legality



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCILMEMBERS Kalb, Gibson McElhaney and Kaplan

RESOLUTION TO OPPOSE TRANSPORTATION OF HAZARDOUS FOSSIL FUEL MATERIALS, INCLUDING CRUDE OIL, COAL, AND PETROLEUM COKE, ALONG CALIFORNIA WATERWAYS, THROUGH DENSELY POPULATED AREAS, THROUGH THE CITY OF OAKLAND

WHEREAS, there is a new push by the fossil fuel industry to transport, export, and/or refine coal, crude oil and petroleum coke ("petcoke")—a byproduct of oil refining—on the West Coast and in California; and

WHEREAS, California refineries are in the process of securing permits to build rail terminals to import Canadian tar sands and Bakken crude oils from North Dakota, and existing rail terminals are securing permits to import tar sands and crude oil without public notice or CEQA review; and

WHEREAS, other refineries have similar projects planned to transport hazardous crude by rail through Oakland and other East Bay cities; and

WHEREAS, California public and private Ports are in the process of securing permits to build or expand export facilities for coal and petcoke; and

WHEREAS, the California Assembly passed, and Governor Brown signed, Assembly Joint Resolution No. 35 in September 2012 urging the President and Congress to enact legislation to restrict the export of coal for electricity generation to any nation that fails to adopt regulations on greenhouse gas emissions or hazardous air emissions that are at least as restrictive as those adopted by the U.S.; and

WHEREAS, New York Governor Andrew Cuomo also recognized the risk of transporting volatile crude by rail by passing Executive Order #125 directing New York state agencies to conduct a comprehensive review of crude rail transport safety procedures and emergency response preparedness and Albany County, NY, issued a moratorium on crude increases at the Port of Albany pending a public health investigation. In California, the cities of Berkeley and Richmond have passed resolutions concerning the safety of transporting crude by rail; and

WHEREAS, in Washington and Oregon, 27 communities have passed resolutions against coal transport and export, and hundreds of other public officials, including Governors Inslee and Kitzhaber, state and federal agencies, tribes, health entities, religious leaders and other community leaders, have recognized the harms of coal by making statements of concern

1383417



City of Grover Beach

Mayor John P. Shada Mayor Pro Tem Jeff Lee
Council Member Karen Bright, Council Member Barbara Nicolli, Council Member Mariam Shah

Robert Ferrault
City Manager

October 6, 2015

Honorable Planning Commissioners
San Luis Obispo County Planning Commission
c/o James Bergman, Director of Planning and Building
976 Los Osos Street, Room 200
San Luis Obispo, CA 93408

SUBJECT: OPPOSITION TO THE PHILLIPS 66 SANTA MARIA REFINERY EXPANSION PROJECT

Dear Planning Commissioners:

In the very near future, you will be reviewing the Santa Maria Refinery's request to expand the facilities in Nipomo to enable the plant to process crude oil. Once approved, the project would require an increase in the transport of crude oil along the Union Pacific Rail Line in our community to access the refinery. On September 23rd, the Grover Beach City Council reviewed the project, allowed for public input, and conducted a detailed discussion on the project. At the end of the discussion, the Council directed me to write to you and express the Council's **opposition** to the project based on the potential rail safety impacts the project could have on the City of Grover Beach and its residents and the vital at-grade crossing at West Grand Avenue.

We are aware that on any given day trains pass through our city carrying hazardous materials. Currently an average of three trains a week is moving through the city carrying crude oil. In addition to the crude oil transport, trains typically carry a variety of hazardous materials, including ethanol, pesticides, and a whole host of toxic chemicals. Trains carrying these products can and do have accidents with unfortunate consequences. The City of Grover Beach can attest to this probability since we were impacted with a train derailment in 1986 that led to the evacuation of a portion of our community as a result of leaking chlorine gas from a tanker car. We know first-hand that when a derailment or spill takes place, ours and our neighbor's emergency resources will be immediately taxed. In addition the length of crude oil carrying trains is a concern. These trains from time to time block the West Grand Avenue at grade crossing which has the potential of delaying emergency response to the Highway 1 area of the City.

The potential of a rail accident and the subsequent impacts is a risk this city faces every day. Expansion of the refinery will increase the number of trains carrying crude oil through our city by as many as five (5) trains a week, thus increasing this risk. This City Council is strongly opposed to any project (including the Refinery Expansion) that carries with it the potential to increase the safety risk on a regional basis.

154 South Eighth Street • Grover Beach, California 93431 • FAX (805) 489-9657 • www.grover.org

Administrative Services/Water (805) 473-4550 • Day Council/City Manager (805) 473-4507 • City Clerk (805) 473-4568
Community Development - Building, Planning & Economic Development (805) 473-4520 • Human Resources (805) 473-4564
Parks & Recreation (805) 473-4580 • Police/Non-Emergency (805) 473-4511 • Public Works (805) 473-4520

78. Phillips' Plan Will Impact Water Resources In SLO County & Throughout California (1:55):

Speaker: #242

PLANNING COMMISSION

MARK
Hello, I'm SPINDLER and I live in UNION CITY.

AGENDA ITEM: 3
DATE: 2/5/16

DO NOT REMOVE FROM FILE

Here's the water impact of Phillips' plan:

First -- Southern SLO County suffers from serious water issues. But the rail terminal would be built there. And the Final EIR states - "A rupture from the tankers, the unloading facility or pipeline during operation could substantially degrade surface and groundwater quality."

Second - the problem wouldn't be limited to the terminal. The report states - "A rupture from a car on the mainline could substantially degrade surface and groundwater quality ... Class 1, significant and unavoidable."

It continues: "The northern and southern track from the refinery would traverse creeks, washes, rivers, and wetlands. Routes are in proximity to lakes and marine waters. Derailments could release oil which causes substantial degradation to surface and groundwater quality. Worst case - 180,000 gallons - six tanker cars."

The report describes how spills might be cleaned up: "Depending on location, there may be no containment or cleanup equipment immediately available. It could take some time for response teams to mobilize equipment. (This) could allow the spill to impact various water bodies, as well as plants and animals. Therefore, spills could be cumulatively significant."

Finally it says -- "Depending on location, (water) impacts may occur that cannot be mitigated through response, remediation and restoration, and the cumulative impact would remain significant and unavoidable.

"Mitigation measures would help mitigate these impacts, but they would still remain significant and unavoidable (Class I). (And) the County may be preempted by Federal law from requiring mitigation for operations on the mainline."

But - is it realistic that water-related accidents can occur? Well, when tar sands oil spilled into the Kalamazoo River in 2010, it took four years and \$1.2 billion to clean up.

It's obvious that Phillips' plan is a direct threat to our ever-scarcer water resources. You must reject their plan.

(Hand one copy of your statement to each commissioner + three copies to the clerk)

35. More Than 1 Million California Students Are Threatened By Crude Oil Trains (1:37)

Speaker: #240

Hello, I'm REBECCA SPINDLER and I live in UNION CITY.

How many elementary, middle and high school students in California do you think are threatened by existing and proposed crude oil trains?

The federal Pipeline and Hazardous Materials Safety Administration offers guidelines for evacuations in the event of oil train accidents:

- They recommend a half-mile evacuation from sites with a single tanker on fire.
- And they recommend a one-mile or wider zone when explosions and fires involve multiple tankers.

The Center for Biological Diversity combined that information with federal data on the number of elementary, middle and high schools, plus federal documents on oil train routes. The result ...

- 1,178,000 California students attend school within a mile of confirmed routes.
- Of those, roughly 521,000 go to school within a half-mile of the routes officials say should be evacuated in case of a single tanker on fire. Unfortunately these include --
 - The Los Ranchos Elementary School in SLO, which is 50 feet from the tracks.
 - Lopez High School in Arroyo Grande which sits about 1,000 feet away.
 - SLO High School which is 200 feet away.
 - And the Santa Margarita Elementary School which is 500 feet away.

So it's no wonder the National Education Association and the California Federation of Teachers are officially opposed to Phillips' plan for crude oil trains.

Those who support Phillips' plan ridicule opponents who point out the "blast zone." They think it's something opponents made up out of thin air. But as I've discussed, that's not true. It's the federal government that developed the zone ... and our elementary, middle and high school students are sitting in that space.

(Hand one copy of your statement to each commissioner + three copies to the clerk)

http://www.biologicaldiversity.org/campaigns/oil_trains/methodology.html
http://www.biologicaldiversity.org/news/press_releases/2015/crude-oil-transport-09-02-2015.html
<http://www.mesarefinerywatch.com/letters.html>

PLANNING COMMISSION
AGENDA ITEM: 3
DATE: 2/5/16
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9. Phillips 66 Already Has Far More Local Crude
For Their Santa Maria Refinery Than They Can Process (2:40):

AGENDA ITEM: 3
DATE: 2/5/10

Speaker: THOMAS RYAN

DO NOT REMOVE FROM FILE

Hello, I'm _____ and I live in _____.

The Final EIR shows that Santa Maria Refinery's cup runs over with an abundance of crude oil produced locally.

The Final EIR also tells us that local oil production in 2012 was over 67,000 barrels per day. That's 60% more than the refinery's maximum throughput. And overproduction in the region just goes up from there.

Add in another 19,000 barrels per day of truck delivery that's already permitted, and local crude oil available is almost 90% more than the refinery can process.

Add in still another 23,000 barrels per day in possible production increases for projects already approved or under construction, and our region then produces about 140% more crude than the refinery can process.

All of these production statistics are right out of the Final EIR. And to quote the EIR: "*All of these sources of crude could be available to the SMR for processing.*" It then adds -- "*Whether or not Phillips 66 is willing to pay the needed price to obtain these crudes, is unknown and not a CEQA issue.*"

However, I must point out that it is an issue for SLO County's economy.

Switching from Central Coast crude oil to imported crude-by-rail, can idle local oil fields and create the same kinds of economic hardships our counties are now facing with offshore production shut down.

Santa Maria Refinery was built to process local crude oil, and has done so for over 60 years, while ownership of the refinery turned over five times.

Imported crude-by-rail gives Phillips 66, or any future owner, considerable influence over our local economy. A significant chunk of our County budget could be decided in the boardroom of a multinational corporation, instead of by our own elected Board of Supervisors.

Just ask Santa Barbara County how they're dealing the budget shortfalls caused by the Refugio oil spill and pipeline outage - and the long-term loss of royalty and tax revenues from offshore crude oil production.

Santa Maria Refinery doesn't need to import crude-by-rail to be fully productive and profitable. And our County doesn't need to accept eleven CEQA Class 1 impacts with zero "overriding considerations."

(Hand one copy of your statement to each commissioner + three copies to the clerk)

Source: REIR issued 12/2015: Page ES-26 and Section 3.2 page 3-3
California Energy Almanac: http://energyalmanac.ca.gov/petroleum/refinery_history.html

I'm Paul Garratt - Nipomo **VOTER!** Worked 37 years at city, county, State and Federal levels - last with NASA. 800 pound gorilla in room is **TERRORISM potential** from this project. **Railroad employees** came up with term "**Bomb Trains**" for reason - **not** project opponents. When they derail or are **intentionally detonated** they can burn for days. Terrorists already have Bomb Trains **on their radar** per testimony at Homeland Security hearings.

Passed thru Toronto Airport in 2014 on one year anniversary of Quebec Bomb Train disaster obliterating lives of 47 souls. Canadians watching event on airport TV were **bitter**. Railroad that caused carnage **went bankrupt** but new Bomb Trains were passing thru **traumatized downtown** of flattened buildings within weeks of explosion.

Wrote SLO Tribune Letter to Editor two years ago titled: "**Where is Cal Poly?**". To date, school administration has been **SILENT** to proposed **TEN** 105 car **Bomb Trains** coming and going **PER WEEK** thru heart of campus within **50 feet** of **12,000 seat** stadium. If approved, change name of school mascot from "**Mustangs**" to "**Bomb Trains**" because that's what Cal Poly will be **known** for! Cal Poly's buildings and endowed chairs courtesy of Phillips and Union Pacific **cannot hide the truth!**

Bomb Trains will travel **right next door** to 20,000 seat San Jose Arena and Sacramento's new arena. **Again, Terrorists are watching and waiting!**

To Warren Buffett: You recently invested **\$34 billion** in Phillips and Union Pacific thinking good times were ahead. Warren: **Support green projects next time!**

To Santa Maria Phillips refinery: Up till now, you have been a good neighbor. Phillips **Houston headquarters** and shareholders **foisted** this project on you. 200 employees before project - 200 employees after project rejection.

To SLO County Planning Commission: Follow staff recommendation and **reject this project**. **24,350 letters** in opposition to project says it all!

To SLO Board of Supervisors: Will likely hear project on appeal. You're in office **because of VOTERS** and can be **removed from office** because of **VOTERS**. **You are the only remaining legislative body in the United States that has the power to say NO to Bomb Trains!**

Finally, to Phillips attorneys with last minute proposal to try and lessen negative environmental impacts: Decreasing number of trains **will do nothing!** Remember it only took **TWO** planes to bring down two 110 story buildings. One **Bomb Train** will have more explosive capability than those two planes **combined!** Like I said: **Bad guys ARE watching...**

Deny this project!
Keep up the good fight VOTERS!
We promise WE WILL!!

Thank you for your consideration.

Ciao

Paul Garratt
Nipomo, CA
paul.garratt@gmail.com

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/5/16

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PLANNING COMMISSION

A Santa Barbara County Action Network Alert:
Impacts and Risks from Oil Trains and the Phillips 66 Rail Spur Project

*Keeping Explosive Canadian Tar Sands Oil
from Riding the Rails through Santa Barbara County*
By Jane Baxter. Edited by Ken Hough. 2nd Edition: July 8, 2015

AGENDA ITEM: 3
DATE: 2/5/16

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ALERT SUMMARY:

Visualize the ramifications of a crash of a train carrying up to 3 million gallons of crude oil along the coastline of Santa Barbara County. This would dwarf the recent Plains All-American pipeline spill at Refugio Beach (reported as 101,000 gallons), which sent oil at least as far as Redondo Beach. Currently we have the potential for this type of train accident because three or more oil trains a week already travel south from the San Ardo oil field in Monterey County through Santa Barbara County. Now imagine the catastrophe that would result if one of these oil trains derailed with ensuing fire and explosion in one of the 11 Santa Barbara County communities that the Union Pacific Coast Line runs through.

This report details the specifics of what would happen and be at risk from such accidents. It also recommends action that could reduce future oil train traffic and keep a more explosive and more environmentally dangerous oil product from riding the rails through Santa Barbara County: opposition to the Phillips 66 Santa Maria Oil Refinery Rail Spur Project.

This alert does not evaluate the hundreds of pages of environmental impacts of the project detailed by San Luis Obispo County in the EIR for the Rail Spur and other issues raised by concerned residents, activists and government officials up and down the West Coast. It focuses on the impacts and risks in Santa Barbara County of existing oil train traffic and the increased impacts and risks that could occur if the project is approved.

Learn about these risks:

- The lives and health of residents working or living in the Blast Zone can change forever.
- Eleven communities are in the Blast Zone: people, homes, businesses, and community facilities.
- Economic well being of residents, businesses and government agencies can be devastated.
- Cottage Hospital is in the Blast Zone, and Goleta Valley Hospital is in the Evacuation Zone.
- Thirty schools countywide are in the Blast or Evacuation Zones.
- Three jails, 12 fire departments, historic structures, municipal buildings and dozens of other key community facilities could be lost or shut down.
- Over 70 rail crossings create the potential for collisions with vehicles, farm equipment, and pedestrians.
- The majority of the county's coastline is vulnerable to an oil spill far larger than the Refugio spill.
- Threatened and endangered wildlife and their habitat are at risk along miles of tracks.
- Over 50 irreplaceable creeks, riparian habitats, and coastal canyons are crossed by the tracks.
- A major wild fire could start from an oil train accident.
- Recreational resources such as Stearns Wharf, State Parks and Beaches, Santa Barbara Zoo, county and city parks, etc., could be lost or damaged.

Make your voice heard! Encourage your local civic leaders to oppose this dangerous rail spur project and express your views directly to the decision makers in San Luis Obispo County.

A Santa Barbara County Action Network Alert:
Risks from Oil Trains and the Phillips 66 Rail Spur Project
*Keeping Explosive Canadian Tar Sands Oil
 from Riding the Rails through Santa Barbara County*

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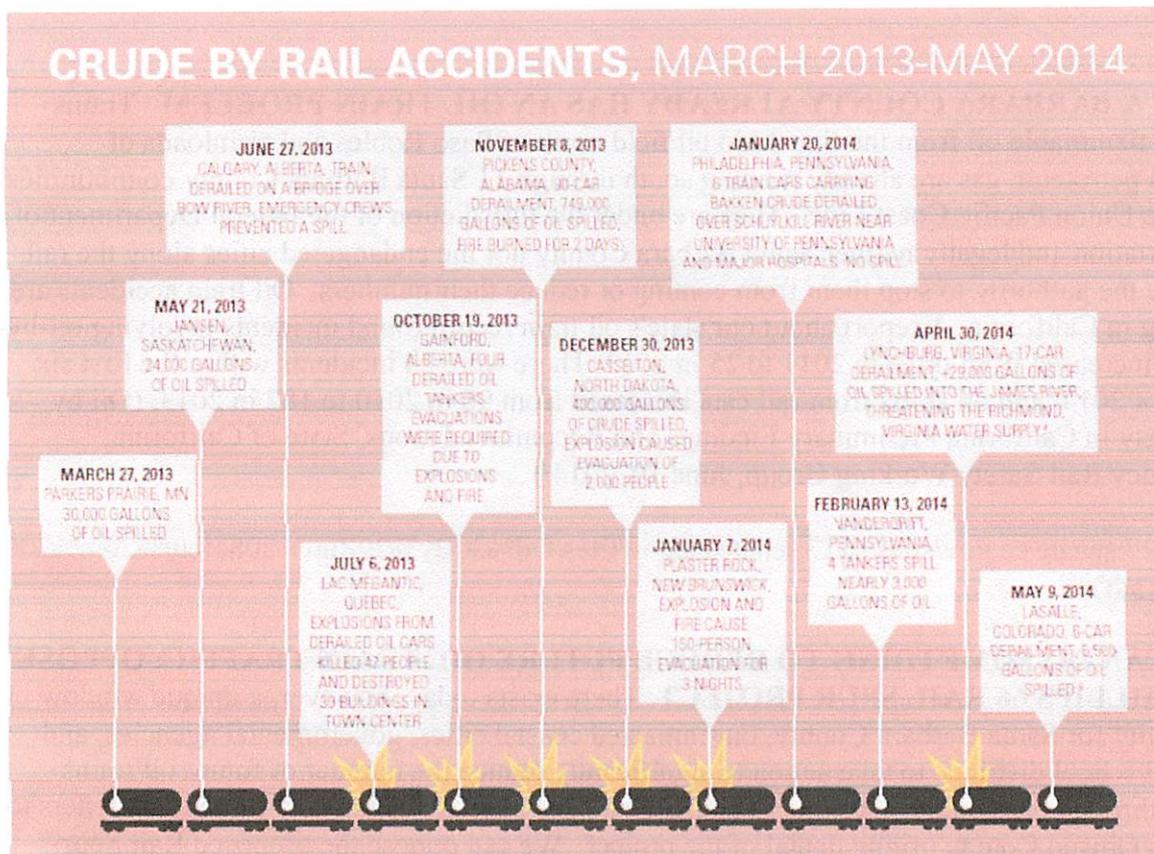
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1. SANTA BARBARA COUNTY ALREADY HAS AN OIL TRAIN PROBLEM: Trains carrying flammable oil from the San Ardo oil field north of Paso Robles and trainloads of liquefied petroleum gas are already running south through 11 Santa Barbara County communities along the Union Pacific Coast Line. They are under the jurisdiction of the federal Department of Transportation and legally neither Santa Barbara County nor the endangered cities along the rail line have the authority to stop them from coming or reduce their numbers. Oil train accidents are occurring in California. A report about our state's oil train record found incidents involving oil-by-rail cars increased from three in 2011 to 25 in 2013. There were 24 incidents within the first six months of 2014, and oil spills from rail cars increased from 98 in 2010 to 182 in 2013. (Oil by Rail Safety in California Preliminary Findings and Recommendations, State of California, Interagency Rail Safety Working Group, June 10, 2014.)

<http://sd27.senate.ca.gov/sites/sd27.senate.ca.gov/files/Oil%20By%20Rail%20Safety%20in%20California.pdf>

2. WE CAN DO SOMETHING TO REDUCE FUTURE OIL TRAIN TRAFFIC: OPPOSE THE PHILLIPS 66 RAIL SPUR PROJECT: There exists today, however, a unique window of opportunity for Santa Barbara County, our impacted coastal cities, governmental agencies, and impacted school districts, to take action to significantly reduce the number of future oil trains coming through our county. Carpinteria and Goleta have already led the way by sending letters to San Luis Obispo County urging denial of the project. We can oppose the proposed Rail Spur Project at the Phillips 66 Santa Maria Refinery on the Nipomo Mesa and encourage San Luis Obispo County officials to deny the project. The Rail Spur project would allow up to five trains per week of up to 80 cars each to unload highly explosive Canadian tar sand oil at the refinery. Some or all of these nearly mile-long trains could be routed through Southern California and run north through Santa Barbara County to the refinery. This increase in oil train traffic through Santa Barbara County would dramatically increase current levels of risk.

A growing list of California cities and counties, including the Santa Barbara cities of Carpinteria and Goleta, school districts, and the California Teachers Association has opposed the project. Denial of the Rail Spur project would reduce the risk of accidents in communities like the explosions in Lynchburg, Virginia and in Lac Megantic, Quebec, (both included in the following graphic). In Lac Megantic, blocks of the downtown were destroyed and 47 lives lost. (Five additional major accidents have occurred in the year since the chart was created.)



3. SEVEN BAY AREA CITIES COMMISSIONED A STUDY OF THE IMPACTS OF THE PHILLIPS 66 RAIL SPUR PROJECT: This local SLO project is of such concern to the numerous cities on the rail lines between Canada and San Luis Obispo, that the Bay Area's impacted communities of Richmond, Berkeley, Oakland, Hayward, Fremont, Santa Clara and San Jose commissioned a study about the Rail Spur Project. It concluded that there is a probability of 3.3% annually that there could be an oil train derailment in the Bay Area. Just looking at the most highly populated stretches, including Berkeley, Emeryville, Oakland, Santa Clara, San Jose and others, the estimated likelihood of at least one derailment over the next 30 years is approximately 28%, assuming no increase in shipping volumes.

The Bay Area analysis, by Hinman Consulting Engineers, Inc., concluded “a reasonable estimate given a derailment along a populated stretch of track and an impact zone of 1,000 feet on either side, is that an average of 117 households could be destroyed along with \$244 million in property value. These estimates do not include loss of revenue, environmental cleanup costs, loss of human life, or other societal costs.”

(http://hce.com/Library/documents/New_Oil_Transportation_Risks.pdf)

Locally, a community organization, Mesa Refinery Watch, has identified numerous valid concerns about the project in a short PowerPoint (The Mesa Refinery Watch Presentation at <http://www.mesarefinerywatch.com>). Because the many flaws with the project have been well addressed by Mesa Refinery Watch, this SBCAN alert does not address these myriad issues, but focuses instead on what the impacts and risks are in Santa Barbara County.

4. WHAT'S AT RISK FROM A RAIL DISASTER IN SANTA BARBARA COUNTY:

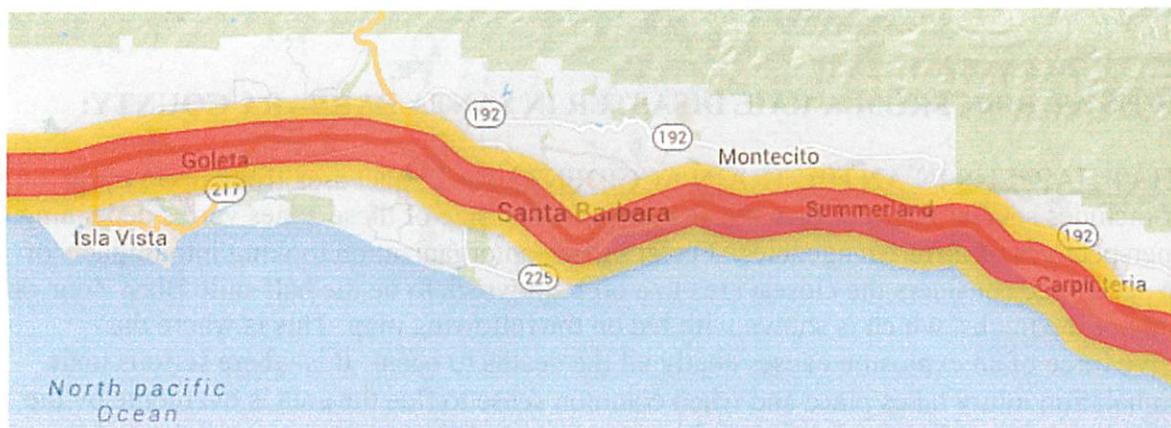
4.1. WHAT HAPPENS IN AN OIL TRAIN ACCIDENT? The impact area from an oil train disaster includes several zones of damage and impacts. The size of these zones varies depending on the perspectives of different agencies. Forest Ethics, an organization looking into impacts of oil train accidents, considers the closest area to a oil train wreck to be the half-mile Blast Zone on either side of the tracks, which is shown with red on the following map. This is where the concussive force of an explosion causes nearly all the deaths to occur. It is where serious toxic smoke inhalation injury takes place and when common sense to flee the area is overcome by the desire to help the injured. It is also the minimum recommended evacuation zone for an oil train derailment without fire. In the event of fire, the evacuation zone expands.

The two-mile wide evacuation zone (one-mile on either side of the track) shown in yellow on the following map is the recommended minimum by federal agencies in case of a derailment with fire. Depending on the severity of the incident, this zone can sustain broken glass and building damage from the shock wave. The ATF considers 7,000 feet a Falling Glass Zone, from an explosion of a semi trailer loaded with explosives (which could be considered analogous to the explosion of a tanker car). That is well over a mile. Officials in the Casselton, North Dakota oil train explosion and fire, strongly recommended evacuation of residents five miles downwind of the fire.

The heat in the Blast Zone can be intense. For example, five bodies from the Lac Megantic, Quebec oil train accident Blast Zone were never found and considered vaporized. The Telegraph News and Media Website reported that during the oil train fire near Casselton, North Dakota, in minus 18 degree Celsius temperatures, one could feel warmth even inside a house that was a half-mile from the fire.

The Blast Zone is where the concussive force of the blast causes injury or death. The Bureau of Alcohol, Tobacco and Firearms (ATF) indicates a Lethal Air Blast Range of 600 feet from an explosive semi trailer with explosive cargo. This area is where most of the serious burns to exposed body surfaces occur; where buildings collapse; where debris, broken glass and tanker metal fragments can fly through the air. These can cause injury to evacuating survivors, first responders, and unsuspecting onlookers. According to Guadalupe Police Chief Hoving, an oil tanker in a "directional explosion" was known to have been launched over a mile from the track, landing a considerable distance outside the half-mile Blast Zone.

In the Blast Zone, if one tanker catches fire it can act like a blowtorch on adjacent tankers, causing a succession of explosions, each with huge fireballs, toxic smoke and flying debris. Any tankers filled with Non-odorized Liquid Petroleum Gas (a common sight in Santa Barbara County) that are exposed to heat can vent toxic non-odorized gas leading to possible asphyxiation, prior to explosion. A major fire of LPG will also release deadly carbon monoxide. Even "empty" tankers drained of liquid contain oil residue and fumes and are explosive, having an increased air/fuel mixture. The LP Gas industry agrees that an empty LP container is actually more explosive than a full one.



4.2. ELEVEN COMMUNITIES IN THE BLAST ZONE: Eleven Santa Barbara County communities are located within the two-mile wide (a mile on either side of the tracks) official U.S. Department of Transportation potential impact zone in case of a wreck involving an oil train fire: the Rincon neighborhood, Padaro Lane neighborhood, Carpinteria, Sandyland, Summerland, Montecito, Santa Barbara, Goleta, Hollister Ranch neighborhood, Casmalia, and Guadalupe. A major accident can have profound impacts on residents and the community itself.

Within these communities, there are numerous rail crossings where vehicles and trains can collide with an oil train, causing a derailment. Many of these crossings are unprotected. Also there are numerous crossings where pedestrians regularly cross the tracks and have created footpaths that are potential accident sites, as engineers risk possible derailment at they attempt to brake the train to avoid killing pedestrians. There are over 70 of these crossings in the county, when you include dirt road agricultural crossings, all of which increase the risk of a mishap of consequence.

The worst-case example of an oil train wreck involves an oil spill, a spark, a fire, and subsequent explosions. What is at risk in these communities are lives, resident and visitor injury, loss of homes and businesses, destruction of community landmarks, municipal buildings and history, loss of or impact to unique environmental resources, injury to our first responders, economic impact from loss of tourism and other business income, and any unreimbursed government costs.

4.3. LOSS OF LIFE, INJURY AND HEALTH IMPACTS: In populated areas, oil train fires can lead to the loss of life, (48 died in the 2013 Lac Megantic, Quebec oil train disaster with proposed compensation of \$430 million). Death and personal injury comes from: the shock wave of the explosion; collapsing buildings; flying debris; possible asphyxiation from leaking toxic gases; burns to skin and internal burning from inhaling hot smoke, evacuation of "high risk" hospital patients and the elderly. Last but not least, first responders, often without adequate training and equipment, can die doing their risky jobs. Health impacts come from crude oil spills since petroleum is both toxic and carcinogenic. Respiratory problems come from inhaling small particulate matter, toxic gases, etc., found in the thick smoke (see Section 4.4 to follow).

There can be emotional trauma to both adults and children exposed to the disaster. Employees forced to evacuate the three jails in the one-mile zone, zoo employees trying to save animals, staff trying to evacuate Alzheimer's facilities, and hospital employees dealing with evacuating high-risk ICU patients all could experience stress disorders. There would be inconvenience and stress from

evacuation and relocation, if homes and businesses were destroyed. There is also stress and inconvenience caused by closed highways and roadways during and after the emergency.

Visualize the human cost of an oil train wreck, spill, fire, and exploding oil tankers without adequately trained and equipped first responders ready to contain an expanding hazardous materials fire. Would there be the massive amounts of required special foam retardant to fight an oil fire? Think of the compounding problems if Cottage Hospital, located in the Blast Zone last zone about 1/4 mile from the track, needed to be evacuated and was unable to treat survivors, or even worse, suffering major damage. If so, we could lose the only burn unit in Santa Barbara County and burn patients would be routed all the way to the San Fernando Valley, which is the next closest burn unit.

Cautious public officials have evacuated residents and closed business up to ten miles from an oil fire. Goleta Valley Hospital, a half mile from the tracks, is also about five miles from Cottage Hospital and there could possibly be an accident where both hospitals could need to be evacuated at the same time and are unable to care for the injured.

There are 30 schools located in Santa Barbara County within the Blast or Evacuation Zones. Depending on the disaster location, hundreds of school children would go through the trauma of evacuation, with many possibly needing medical attention for smoke inhalation or other injuries. These concerns about schools and student impacts are what caused the California Teachers Association and 12 school boards to oppose this project. There are also a number of senior-citizen facilities and nursing homes in the Blast Zone, impacting older residents needing special assistance to evacuate.

4.4. HEALTH RISK FROM OIL TRAIN FIRE SMOKE: It is commonly known that smoke inhalation is the leading cause of death from fires. According to the "Explainer Section" of the slate.com website, an oil fire tends to burn very black because most of the fuel is converted into elemental carbon, which forms into tiny particles that absorb light. Because few fire departments are either trained or equipped to extinguish an oil train fire, they are normally left to burn out, a process that can take up to a week and generate massive amounts of toxic, particulate-laden smoke.

Depending on wind conditions, the plume of smoke can rise many hundreds or even thousands of feet and disperse diluted smoke and relatively low concentrations level of pollutants miles downwind. A study of military personnel serving in Kuwait exposed to oil fire smoke found "the signs and symptoms at this level of exposure include 'black mucous or material' in eyes, nose, or mouth; eye or mucous membrane irritation—often with nasal discharge and tearing, shortness of breath, hoarseness, and cough."



However, if there is an inversion layer or no wind, the plume can "touch down" leaving high levels of soot, hugging the ground at breathing levels. This photo above of the Lac Megantic, Quebec fire depicts how visibility can extend only 10-15 feet. According to the "Minnesota Department of Health Fact Sheet: Health Concerns Associated with Oil Fires", those in the immediate vicinity of an oil train fire can experience:

Inhalation of large amounts of gases, vapors, fumes, and smoke [which] can affect tissues of the respiratory tract and produce effects ranging from minor immediate irritation, to rapid or delayed airway and lung diseases. Corrosive or irritant species can produce serious effects. The onset of some dangerous conditions may appear suddenly after a period of time following exposure has elapsed. Individuals directly exposed to the heat and smoke of an oil fire should be evaluated by a medical professional for signs of thermal and chemical burns and acute inhalation exposure.

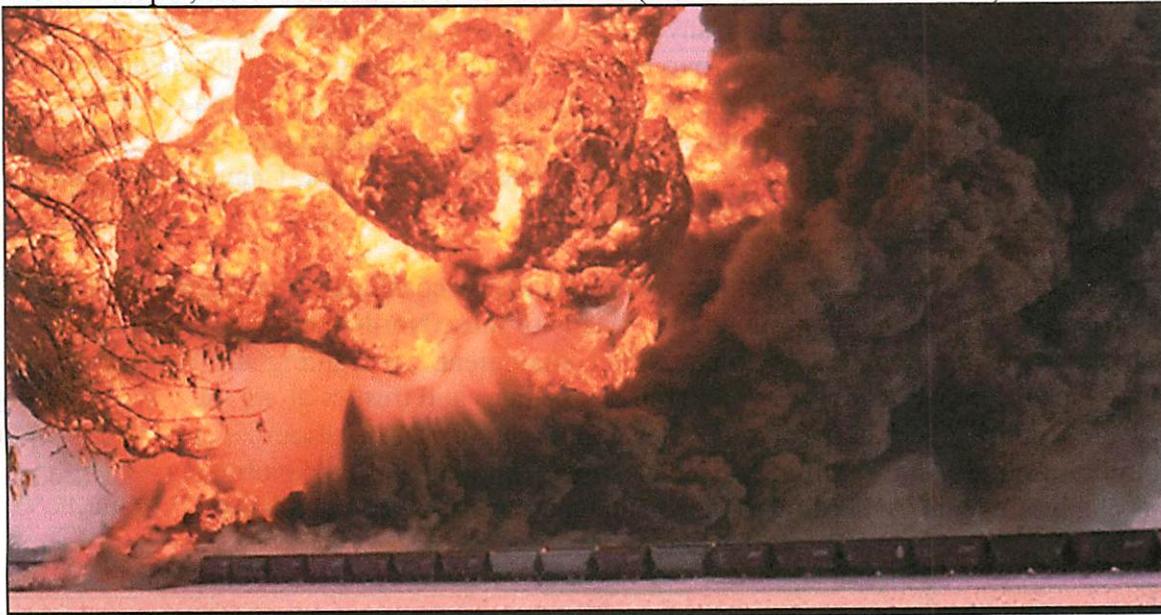
Of special concern is the impact of inhaling soot particles of one micron or less by the most vulnerable populations: those under the age of 11, over the age of 70, and people with asthma, COPD, and emphysema.

4.5. STRUCTURES AND FACILITIES AT RISK IN THE IMPACT ZONE: All of the facilities listed below could need to be evacuated depending on the location of an oil train accident and could sustain damage. There would be special difficulty with evacuating hospital patients, prisoners and zoo animals, under the best of circumstances, let alone when immediately threatened by fire.

- Thousands of homes ranging from modest tract residences to multi-million dollar beach estates.
- Many hundreds of businesses, ranging from shop-front stores to industrial sites.
- 30 schools.
- Two hospitals.

- Three Amtrak stations.
- Twelve fire department facilities.
- The Santa Barbara Airport (some runways are in the Blast/shrapnel Zone).
- Santa Barbara County Court House (on the edge of the 1/2-mile Blast Zone).
- Santa Barbara County Buildings.
- City Halls in Santa Barbara, Goleta and Carpinteria.
- Public buildings in numerous parks.
- Stearns Wharf and the Santa Barbara Harbor.
- Historic buildings in many communities, especially Guadalupe.
- Hotels in Montecito, lower State Street, Santa Barbara Harbor area, Goleta and the Bacara Resort.
- Earl Warren Showground.
- Santa Barbara Juvenile Jail, the County Main Jail and the Medium Security Facility.
- Shopping Centers: Paseo Nuevo, La Cumbre Plaza, Five Point Shopping Center, Storke Plaza and Camino Real Marketplace.

Are Santa Barbara County's and our municipal first responders ready to protect these facilities from an oil train disaster like the one below in West Virginia, featured on the cover of the Center for Biological Diversity's report "RUNAWAY RISKS: Oil Trains and the Government's Failure to Protect People, Wildlife and the Environment?" (See last section for details.)



4.6. ECOLOGICALLY SIGNIFICANT RESOURCES AT RISK:

Surface water: Creeks, rivers, and ocean habitat along the Union Pacific Coast Line are vulnerable to the heavy tar sands oil, which, when spilled, gradually sinks to the bottom of aquatic environments. The April 2015 edition of the "Santa Lucian," the publication of the San Luis Obispo Chapter of the Sierra Club, reported that five years after a tar-sands oil spill and a clean up costing more than \$1 billion, approximately 20% of the oil is still in the Kalamazoo River in Michigan, and the river and wetlands are damaged beyond repair. The May 2015 Plains oil pipeline break at Refugio Beach spilled an amount of oil equal to less than that found in four rail tanker cars.

Tar Sands Oil clean up, in aquatic environments, is complicated by the fact that tar sands oil and the diluents used in shipping does not float on the water like most conventional oils, but sinks beneath the surface. According to June 26, 2012, Inside Climate News: “Existing clean up procedures and equipment are designed to capture floating oil” ... Nancy Kinner, a professor of civil and environmental engineering at the University of New Hampshire who studies submerged oil, said ‘When you can't see [the oil], you don't know where it is, so it's very hard to clean it up’ ... the average cleanup cost of every crude oil spill from the past 10 years was \$2,000 per barrel. The Marshall (dilbit Kalamazoo River) spill has cost upwards of \$29,000 per barrel.”

Threatened or endangered species: In California, there is critical habitat for 57 threatened or endangered species, including the California tiger salamander, California red-legged frog, piping plover, bull trout and several imperiled species of salmon, steelhead and sturgeon, according to The Center for Biodiversity. Many of these species are found by the Union Pacific Coast Line in Santa Barbara County and are at risk from an oil train spill.

Unique riparian and coastal canyon habitats: Any of 55 creeks and unique coastal canyon ecosystems that are crossed by the tracks could suffer an oil spill and irreparable damage. These include: Toro Canyon, San Ysidro Creek, Cold Springs Creek, Mission Creek, San Jose Creek, Las Vegas Creek, San Antonia Creek, Tecolote Canyon, Gato Canyon, Caguda Del Capitan, Caguda Del Refugio, Las Flores Canyon, Tajiguas Creek, Arroyo Quemado, Arroyo Hondo, Canyon de la Posta, Canyon del Molino Canyon San Onofre, Canyon Del Agua Caliente, Canyon del la Quarta, Canada De Santa Anita, Arroyo Bulito, Canada del las Agujas, Canada de las Llegua, Canada del Cojo, Damsite Canyon, Wood Canyon, Black Canyon, Jalama Creek and Canyon, Long Horn Canyon, Sudden Canyon, Canyon del Morida, Canyon del Rodeo, Oil Well Canyon, Grey Canyon, Canada Honda Creek, Spring Canyon, Bear Creek, Canyon Tortuga, San Antonia Creek, Santa Ynez River, and Santa Maria River.

Bridges and trestles: Much of the rich marine resources on the coastline of Santa Barbara County are at risk from oil spills along the railroad line. Many of these North County beach areas are inaccessible by road, compounding the job of spill containment, fire fighting, and environmental clean up. Of special concern are the over 50 railway bridges and trestles along the coast, crossing Santa Barbara County creeks and canyons. They could put our marine resources at risk of oil spill if structurally unsound. A minor tilting of such a structure could cause a derailment and a disastrous chain of events. According to the documentary by the Weather Channel, “BOOM: North America's Explosive Oil-By-Rail Problem:”

There is little oversight of railroad bridges. The Federal Railroad Administration has set no engineering standards for railroad bridges, relying almost entirely on individual railroads to inspect, maintain and repair their own bridges and trestles, some of them built more than a century ago. State and local governments can't independently assess the condition of local rail infrastructure because their inspectors don't have access to the railroads' design and maintenance records, or to the tracks, trestles and bridges themselves. The railroads consider such information proprietary; the tracks and bridges are their private property and disclosure of those materials is voluntary. According to FRA accident records, only 58 train accidents were caused by the structural failure of railroad bridges for the 27 years from 1982 through 2008. But most of the surge in oil has come since then. For the public or even

local governments, confirming that a specific bridge is safe enough to handle the new oil trains is almost impossible.

Examples of ecologically significant resources at risk:

- Groundwater/drinking water resources: these could be impacted by a crude oil spill.
- Wildfire: A catastrophic wildfire could result from an oil train fire and cause extensive damage to wild life, wild lands and important wildlife habitat in the County, especially in Los Padres National Forest.
- The Santa Maria River and the sensitive wetlands, and estuary ecosystems at the coast, are located four miles downstream from the tracks.
- The Carpinteria Bluffs Nature Preserve.
- The Carpinteria Salt Marsh.
- The Andrea Clark Bird Refuge in Santa Barbara next to the Zoo.
- The 782-acre Arroyo Hondo Preserve on the Gaviota Coast.
- The Sperling Preserve near Ellwood.

4.7. UNIQUE RECREATIONAL RESOURCES AT RISK IN THE BLAST ZONE:

- State Parks: Carpinteria, El Capitan, Refugio, Gaviota.
- Point Sal State Beach.
- County and city parks: Rincon Park, Tar Pits Park, Salt Marsh Park, Lookout Park, Jalama Beach County Park, and Lake Los Carneros Park.
- Miles of one-of-a-kind beaches.
- World-renowned surf breaks.
- Los Padres National Forest (at risk of wildfire from oil train accident).
- Eight golf courses, clubhouses and infrastructure.
- The Polo Fields.
- The Santa Barbara Zoo.
- The Harbor, Stearns Wharf, State Street recreational resources, municipal pool, tourist shopping areas, and restaurants all near the Amtrak Station.

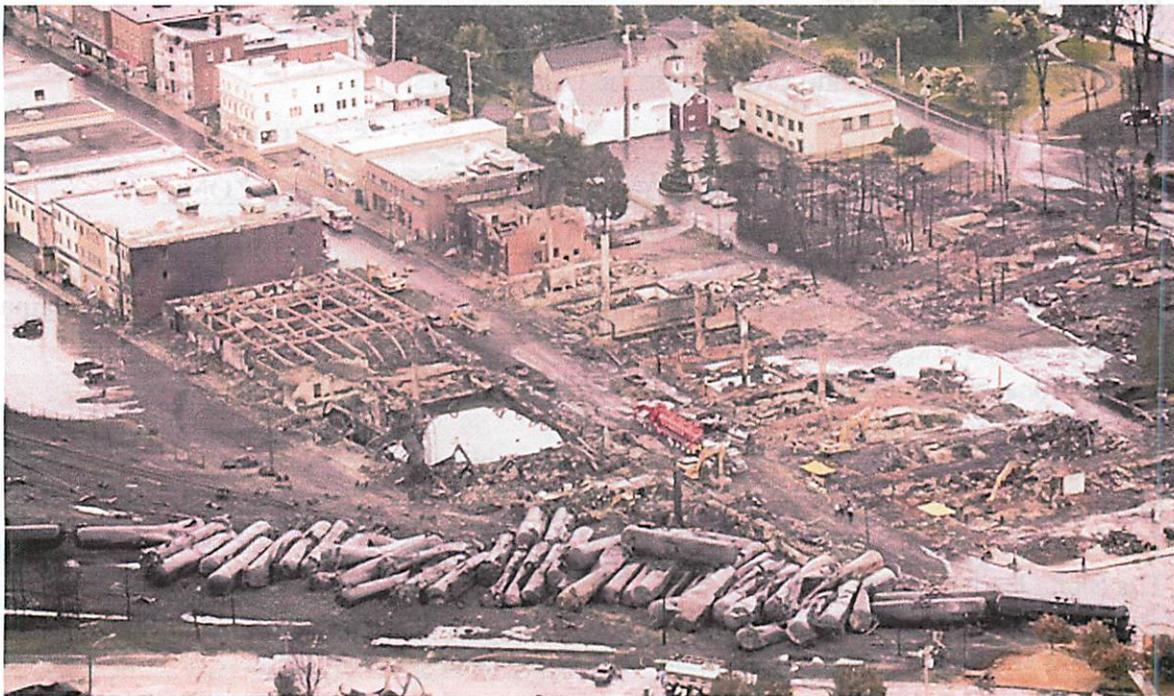
5. ECONOMIC IMPACT OF OIL TRAIN DISASTERS

5.1. OVERVIEW: There would be both short- and long-term economic impacts from an oil train disaster. The cost of clean up from a large crude oil spill impacting beaches, ocean, creeks or rivers is huge. The May 2015 Refugio pipeline break initial response and clean up at its height involved approximately 250 professionals at the federal, state and local level from over a dozen agencies, over 1,000 workers in the field, 18 boats and two helicopters. Six weeks after the spill, the ongoing clean up costs had exceeded \$100 million. In contrast, cleanup of a similar sized spill of tar sands—and the diluent used to thin it for transportation—would run 15 times that amount (see quote by Nancy Kinner on page 10).

Now consider additional costs of an accident that included fire and explosions in one of our communities. There would be the immediate economic loss to business while major roads, like Highway 101, are closed at the same time rail deliveries stop. Goods would not be moving in or out of the disaster area effectively for some time. Tourists would not be coming into an area with compromised air quality, congested traffic and fouled beaches. The May 19, 2015 Refugio oil

pipeline break showed how tourism suffers, even outside the impacted area. FAA flight restrictions might be imposed if smoke blows toward the airport. There would be the immediate cost for evacuation shelters and of longer term housing for displaced families. There would be lost income from businesses while they wait to settle insurance claims and reopen or rebuild, hardships for those who are underinsured or not insured at all, and tough times for those who got inadequate insurance settlements and are unable to rebuild homes or reopen businesses. The reimbursement process for government agencies, businesses and individuals is a complex, long-term and contentious process, not always resulting in a satisfactory outcome for the claimants.

To give an idea of scale, the 2013 oil train fire pictured below in Lac Megantic, Quebec, destroyed 115 businesses.



Governments would sustain the costs of first responders, evacuation, asset protection at the time of the fire, initial environmental containment, and the cost of fighting a possible wild land fire. There would be reconstruction cost of municipal buildings, park facilities, schools, hospitals, Amtrak facilities, etc. There would also be the likely expense of legal action to attempt to collect adequate reimbursement from Union Pacific or others for all of these expenses.

The Weather Channel's documentary "BOOM" covered an April 2013 National Transportation Safety Board meeting where Ed Hamberger, head of the Association of American Railroads stated:

When things do go sideways, the railroad companies compensate communities for damages to person or property. Yet the small railroad that operated the train that derailed in Quebec declared bankruptcy almost immediately. It had only \$25 million in liability insurance and was facing liabilities that might reach \$2 billion. Almost a year and a half after the disaster, it remains unclear who will pay to rebuild the town, clean up the oil and compensate the families of the 47 people who were killed. [In June 2015, about 25 companies

have agreed to contribute \$430 million to a compensation fund for victims, but the railroad is holding out on endorsing the settlement.]

After the dust settles, there could be possible long-term loss of property value due to losing tourist appeal, ending up with numerous empty or abandoned properties where rebuilding is not feasible, or lack of government funding for replacement school facilities, city buildings, park facilities, etc. Potential residential or business buyers might even wonder if lightning could strike twice, so to speak, in the same location in a rebuilt Blast Zone area.

5.2. AGRICULTURAL RESOURCES: The greenhouse area of Carpinteria could suffer from any blasts, fires, or shrapnel-like material. South County field crops along the tracks could be damaged directly by oil spill, fire, or toxic ash or smoke damage. North County field crops along the tracks from Vandenberg to Guadalupe could suffer the same fate.

5.3. IMPACT ON FISHERIES: In the event of a train derailment resulting in a significant spill, fisheries would be closed for miles around any oil spill that reaches the ocean, impacting surf fishing and skin diving from the shore as well as commercial and recreational fishing and diving from boats. For example, the Refugio spill, which reportedly put about one rail tanker car's volume of crude oil into the sea, caused a fishery closure of 138 square miles for a six-week period. Loss of profits and earning capacity from local commercial fishing operations such as trawlers, crabbers, etc., would be significant. Recreational charter fishing boats operating out of Santa Barbara Harbor could be affected as well as whale watching, depending on the season. There would also be additional agency costs for monitoring and enforcing the fishery closure.

It is difficult to put a dollar value on dead and impacted wildlife/birds, marine mammals, fish, crabs, lobster, abalone, other shellfish, tide pool species, etc. Some of these impacts can be multi-generational. These would be valuable public resources lost.

6. ON-GOING DAILY PROBLEMS FROM OIL TRAINS

6.1. ON-GOING PROBLEM OF EMERGENCY-VEHICLE DELAYS: In Santa Barbara County, along the Union Pacific Coast Line, there are dozens of at-grade crossings where exceedingly long oil trains can hold up street traffic for extended periods of time. These delays can be life threatening if someone is being rushed to the hospital. Likewise, fire-truck delays could threaten life or property. The Washington Physicians for Social Responsibility's *Position Paper on Crude Oil Transport and Storage* states: "Emergency vehicle delay at railroad crossings could result in increased fatalities. Five to ten minute delays in emergency medical service (EMS) can critically alter chances for survival, particularly in the case of cardiovascular and respiratory emergencies as well as trauma. The additional blocked traffic at train crossings could make the difference between life and death."

(<https://drive.google.com/file/d/0BxmHEo6N5zkRMG5PMk5DTjVvbUk/view?pli=1>)

6.2. RESIDENTS WOULD BE EXPOSED TO INCREASED ON-GOING AIR POLLUTION FROM THE RAIL SPUR PROJECT: Increased oil train traffic brings increased diesel particulate matter to communities near the rail line. Diesel emissions from idling train engines while unloading crude oil and loading refinery products will move downwind from the refinery into North Santa Barbara County. These impacts, which are especially harmful to children, are another reason the CTA has opposed this project.

The Washington Physicians for Social Responsibility, in its *Position Paper on Crude Oil Transport and Storage*, indicates there are major health consequences to decreasing North County air quality. Their study found that increased air pollution, including diesel particulate matter:

- Accounts for the majority of air-toxic cancer risks in the Puget Sound area;
- Increased risks of cancers, particularly lung and breast cancer;
- Lower infant birth weight and increased risk of respiratory death in first year of life;
- Impaired pulmonary development and increased risk of lung disease in infants, children, and adolescents;
- Increased risk of neurodevelopmental and behavioral disorders in children;
- Increased risk of asthma diagnosis, exacerbation of symptoms, and asthma-related hospitalizations;
- Increased risks of acute cardiovascular and cerebrovascular events;
- Enhanced reactions to airborne allergens and immune system impairment; and
- Increased risks of acute and chronic obstructive lung disease, systemic inflammation, and overall risk of disease and mortality.

<https://drive.google.com/file/d/0BxmHEo6N5zkRMG5PMk5DTjVvbUk/view?pli=1>)

PLEASE TAKE ACTION!

Let the San Luis Obispo County Planning Commission know you don't want them putting Santa Barbara County resources at risk by increasing oil train traffic. **Ask your own elected and appointed representatives at all levels of government to join the officials and entities below that have urged San Luis Obispo County to deny this Phillips 66 Rail Spur Project:**

- Santa Barbara Third District Supervisor.
- Cities of Carpinteria, Goleta, Berkeley, Davis, Moorpark, Oakland, and San Luis Obispo.
- Counties of Ventura and Monterey.
- California Teachers Association, Ventura Unified School District, Berkeley Rent Stabilization Board, Hayward Unified School District and San Leandro School District.

This list is growing every week. Mesa Refinery Watch maintains a compilation of letters that have been approved and submitted at: <http://www.mesarefinerywatch.com/letters.html>.

Send a letter of opposition to: San Luis Obispo County Board of Supervisors and Planning Commission at: 1055 Monterey Street, San Luis Obispo, CA 93408

Let's work together to reduce oil train traffic through Santa Barbara County by opposing the Phillips 66 Rail Spur Project. Keep explosive Canadian tar sands oil off the Union Pacific Coast Line.

Send comments on this paper to its author, Jane Baxter at jane.baxter@verizon.net, and to SBCAN at ken@sbcacn.org.

APPENDIX

VIDEO AND POWERPOINT PRESENTATIONS:

1. The Mesa Refinery Watch website has extensive information updated on a regular basis, on the flaws with the Phillips 66 Rail Spur Project and an excellent PowerPoint presentation is available there. (<http://www.mesarefinerywatch.com>)
2. "A Danger on Rails," published on line by the New York Times. *This is a short documentary that warns about the dangers posed by trains that transport explosive oil across North America. Op-Docs, by Jon Bowermaster, April 21, 2015.* (<http://beniciaindependent.com/topics/emergency-readiness-response>)
3. "Boom: North America's Explosive Oil-By Rail Problem." *A comprehensive written report and documentary video.* (<http://stories.weather.com/boom>)

ARTICLES, STUDIES, AND REPORTS

1. "Recent Train Accidents Call for a Rational, Risk-Based, Mitigation Approach," by Hinman Consulting Engineers, Inc. *An overview of Bay Area Impacts from the Phillips 66 Rail Spur project.* (http://hce.com/Library/documents/New_Oil_Transportation_Risks.pdf)
2. "Runaway Risks; Oil Trains and the Government's Failure to Protect People, Wildlife and the Environment." *A good overview article by the Center for Biological Diversity.* (http://www.biologicaldiversity.org/campaigns/oil_trains/pdfs/runaway_risks_web.pdf)
3. "It Could Happen Here: The Exploding Threat of Crude by Rail in California." *A good evaluation of California-specific oil by rail issues by the National Resources Defense Center.* (<http://www.nrdc.org/energy/ca-crude-oil-by-rail.asp>)
4. Fact Sheet "Health Concerns Associated with Oil Fires," by Minnesota Department of Health. <http://www.health.state.mn.us/divs/eh/emergency/chemical/oilfires.pdf>

AGENDA ITEM: 3
DATE: 2/5/10**Canadian Tar Sands in aquatic habitats**

Jane Baxter 829 East Fesler Steet, Santa Maria, CA 93454

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I am Jane Baxter and I live in Santa Barbara county in a town so close to the proposed refinery project site, they actually named the refinery after it, If the project is approved and because I live down wind from the refinery in Santa Maria, I will daily be inhaling some level of the new mix of toxic emissions and numerous criteria pollutants. When I researched these issue and a variety of other project impacts on Santa Barbara County for the Santa Barbara County action Network, one issue stood out for me.

I learned that a spill of the heavy Canadian Tar Sands Oil into an aquatic habitat would be far more environmentally damaging and considerably more expensive to clean up than a spill of our local crude oil. Why? Because it is heavy and sinks to the bottom of the a stream, river, lake or ocean.

The April 2015 edition of the Sierra Club's "*Santa Lucian*" reported that five years after a tar-sands oil spill and a clean up ...costing more than \$1 billion... approximately 20% of the oil is still in the Kalamazoo River in Michigan, and the river and wetlands are damaged beyond repair.

Michigan State University professor Steve Hamilton says "It's not quite solid, and it's not quite liquid You could pick it up and shape it into a ball practically. Tarry is another way to think about it." Tar sands oil has to be diluted to make it liquid enough to flow. But once it's back out in the environment, the chemicals that liquefied it evaporate. That leaves the heavy stuff behind.

Tar Sands Oil clean up in aquatic environments is complicated by the fact that tar sands oil does not float on the water like most conventional oils, but sinks beneath the surface. According to June 26, 2012, Inside Climate News: "Existing clean up procedures and equipment are designed to capture floating oil"... Nancy Kinner, a professor of civil and environmental engineering at the University of New Hampshire who studies submerged oil, said 'When you can't see [the oil], you don't know where it is, so it's very hard to clean it up' The average cleanup cost of every crude oil spill from the past 10 years was \$2,000 per barrel. The Kalamazoo River spill has cost upwards of \$29,000 per barrel."

Please add this issue to your list of things to consider as your vote. Santa Barbara County is relying on you to protect your waterways and ours ...since you are in a unique time one-position to stop the transport of tar sands oil through our counties...and join in the growing number of communities that have successfully stopped oil train projects in their back yard. Thank you.

Bridges and trestles: Much of the rich marine resources on the coastline of Santa Barbara County are at risk from oil spills along the railroad line. Many of these North County beach areas are inaccessible by road, compounding the job of spill containment, fire fighting, and environmental clean up.

Of special concern are the over 50 railway bridges and trestles along the coast, crossing Santa Barbara County creeks and canyons. They could put our marine resources at risk of oil spill if structurally unsound. A minor tilting of such a structure could cause a derailment and a disastrous chain of events.

According to the documentary by the Weather Channel, "BOOM: North America's Explosive Oil-By-Rail Problem:" There is little oversight of railroad bridges. The Federal Railroad Administration has set no engineering standards for railroad bridges, relying almost entirely on individual railroads to inspect, maintain and repair their own bridges and trestles, some of them built more than a century ago.

State and local governments can't independently assess the condition of local rail infrastructure because their inspectors don't have access to the railroads' design and maintenance records, or to the tracks, trestles and bridges themselves. The railroads consider such information proprietary; the tracks and bridges are their private property and disclosure of those materials is voluntary.

According to FRA accident records, only 58 train accidents were caused by the structural failure of railroad bridges for the 27 years from 1982 through 2008. But most of the surge in oil has come since then. For the public or even local governments, confirming that a specific bridge is safe enough to handle the new oil trains is almost impossible.

Please consider this and the other issues raised by SBCAN in your decision,. Santa Barbara County's request to deny the project, and your own staff's recommendation...and join in the growing number of communities that have successfully stopped oil train projects in their back yard.

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/15/10

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