

[EXT]DEIR comment C-DRC2022-00048 Phillips 66 SMR Demolition and Remediation Project

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Susan: Thanks for the work on the Phillips 66 Demolition & Remediation DEIR and the Planning Commission study session April 25th. These comments stem from discussion at the hearing, however, it seems that having written comment into the record and noted for the purposes of formal inclusion into the EIR makes sense.

- 1. Public access to the Coast & Connectivity:** There is public access to the coastal public areas included in the project proposal and DEIR discussion through the offering of a public access easement across the project site to the State Parks recreational area to the west of the project. The Union Pacific railroad tracks bisect the access easement, however. As we discussed and have seen on numerous other projects, gaining permission for the public to cross the Union Pacific owned railroad tracks at grade is not favored by Union Pacific, and given the expense of tunneling under tracks or bridging over them, actual public access isn't highly likely. As such, public access, as proposed, is more theoretical than practical. If we were after coastal recreational public access as a beneficial project component, it would seem that other access enhancement options should be explored, including the possibility to connect other local trails listed in the DEIR, including those at Oso Flaco and the Anza. Recommendation: final EIR explore alternative trail and coastal access options, so the public can consider options for coastal access and trail connectivity that this project may open up opportunity for. Such analysis may create actual public access rather than the theoretical access of the single easement proposed and considered.
- 2. Environmentally Superior Option and Standard of Soil Remediation:** Housing and Recreation are high priorities of the County of San Luis Obispo and economic drivers, at least equal to Industrial activities. There seems to be an inherent assumption that project site will remain in Industrial use. This may be the case, although zoning changes are not out of the ordinary either, as we see zone change requests granted at least a handful of times yearly. Additionally, we recently observed a majority of Supervisors approve a housing project with 19 Class I environmental impacts in this general project area, stating that housing is desperately needed. The Dana Reserve project area, East on Willow Road, had originally been planned for commercial and light industrial uses, so the higher level of residential development deviated from older plans and involved zone changes to the County's General Plan. It seems that similar circumstances could come into play at the Phillips project site. Of relevance also, the water wells at the project site have rights and historical pump rates, at more than 1,100 acre feet per year, a substantial water right that could provide for residential needs in excess of 10,000 homes per year, if not utilized for industrial uses. In a warming and changing environment, where water sources will be essential to a thriving County, these rights are substantial and the project site underlying water table deserving of high level of protection. Recommendation: more thorough analysis and comparison of impacts between soil remediation to the industrial level only and to a higher (residential/recreational) level mandating more offsite materials removal. Soil

remediation that meets residential and recreational standards and provides a higher level of protection for underground water supply should be considered more thoroughly in the EIR analysis for comparative purposes. It may be the case that the environmentally preferred option is soil remediation only to the industrial standard, as DEIR concludes, in order to minimize potential issues associated with increased contaminated materials removal. A more extensive comparative analysis may indicate a project, even if not the environmentally superior project, allowing future potential for housing and recreation as land uses, may be preferable. A more direct comparative section around these environmental impact trade offs between industrial level and residential/recreational level remediation would more clearly inform that discussion ahead.

Thank you again for your work and for the opportunity to comment on the DEIR and join in on the discussion. -a

Anne R. Wyatt