

146. Pope Francis Reminds Us Of Our Responsibilities (1:12):

49

Speaker: _____

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

In July, 2015 Pope Francis issued an emphatic papal letter. It decried today's environmental damage and the resulting social consequences created by "apathy and greed." He wrote that humanity must have a "sense of responsibility for our fellow men and women upon which all civil society is founded."

He stated frankly - "The earth is beginning to look like an immense pile of filth. In many parts of the planet, the elderly lament that once beautiful landscapes are now covered with rubbish. Frequently no measures are taken until after people's health has been irreversibly affected."

Given what Phillips 66 intends, Francis' words should resonate for us: including the horrific effects of tar sands extraction, delivery and refining; the production of "petcoke" dust which blows into our neighborhoods and lungs; and the vastly increased diesel pollution that will be breathed by every citizen on the Central Coast ... toxins that will be ingested by every person in this chamber and every member of their families, almost every day.

That's why it's time for us to say "Enough! Corporate profits at any cost has to stop somewhere, and it will stop right here with Phillips's crude-by-rail plan for SLO County and California."

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

<http://www.npr.org/sections/thetwo-way/2015/06/18/415429852/pope-francis-climate-change-a-principal-challenge-for-humanity>
<http://www.cbsnews.com/news/pope-francis-says-humans-irresponsible-with-environment/>

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/25/16

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72

155. The Reality Of Crude Oil Train Derailments -- Oklahoma (3:00):

Speaker: _____

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

(Ask the staff to insert the flash drive labeled "Derailment In Oklahoma" and be prepared to play it.)

Phillips' supporters say that those who alert our communities to the derailments of crude oil trains are imagining it all and making it all up ... that we're fear-mongering. They would like us to believe that trains carrying flammable crude oil will live in peace and harmony with our communities. But reality tells us these disasters actually happen.

Please play the video labeled "Derailment in Oklahoma." This is the reality.

https://www.youtube.com/watch?v=xn_GSxTDnyc; Luther, OK; 2008

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161. Summary Of Arguments Against Phillips' Crude-By-Rail Plan (2:55):

Speaker: Linda Reynolds

I'm Linda Reynolds, Founder of the Mesa Refinery Watch Group. I live in Nipomo.

Here's a summary of why Phillips' proposal must be rejected:

- They say they need to import crude by rail to remain "viable" ... yet it's been shown repeatedly there are many sources of California crude to access by pipeline.
- They imply it's all about protecting jobs ... yet they refuse to say people will be laid off or the plant will close. This is only about increasing corporate profits.
- They say this is about protecting their business ... but crude oil trains would put thousands of jobs and small businesses in our County at great risk.
- They say they're concerned about citizens ... yet their plan will generate almost a dozen class I, significant, unavoidable impacts.
- They say how safe their plant has been ... but they have zero experience operating a crude oil rail facility, so their safety record doesn't count.
- They say neighbors would be protected ... yet they'll remove almost the entire buffer, allowing all types of pollutants and dangers to enter the communities. The land transitions from passive fields and dunes into a highly active, intense rail yard.
- They know that air on the Mesa is already unhealthy ... yet they'll add huge amounts of poisonous emissions. It will be breathed by residents and settle on nearby crops.
- They say residents won't see or hear the terminal ... yet the screeching, clanging, blaring and vibrations will be heard far beyond their facility. And, their brightly lit rail yard will be seen well into the distance.
- They say crude by rail is safe ... yet they ignore the reality of ongoing derailments, spills, explosions, injuries, deaths and property damage.
- They say their rail tankers meet government specifications ... yet the government says those tankers are outdated and untrustworthy.
- They say tar sands is safe ... but they fail to say they'll ship diluted tar sands which makes it highly flammable. Two such trains have already blown up.
- They maintain a mountain of unhealthy petcoke ... but they fail to cover it up so it blows into Nipomo and AG. And they don't care that the tar sands they'll bring here will generate even more petcoke than conventional crude.

(continued)

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/25/10

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161. Summary Of Arguments Against Phillips' Crude-By-Rail Plan

- They say everything will happen on their property ... yet they don't discuss that hundreds of trains will be hauled back and forth through SLO County, spewing emissions, blocking traffic, spreading noise and visual pollution, and introducing the potential for oil spills and explosions.
- They say there are already oil trains going through the County ... but they don't tell you those trains carry far less flammable crude... and that hundreds of more trains increases pollution and the odds of derailments, spills and explosions.
- They tell you that emergency services can handle oil train disasters ... but in reality they're underfunded, undertrained, under-equipped, and unprepared.
- And they tell us how much they care about our communities ... yet shove preemption in our faces, saying we can't do a thing about all the evils they intend to bring here.

Intellectually and emotionally you know this is a horrible idea. It would permanently damage SLO County. Listen to your conscience. Vote No Project.

157. How The Noise From Phillips Rail Terminal Will Invade Far Into Local Communities (3:00):

Speaker: _____

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

(Ask the staff to insert the flash drive labeled "Noise Invasion From Crude Oil Rail Terminals" and be prepared to play it.)

In these chambers, Phillips' lawyer stated that no-one should worry about the reduction of the buffer at the refinery from one-and-a-half miles to one-half mile ... a reduction of about 300%. She told you with a straight face that about 2,600 feet was still plenty of room and that all the pollution would remain on-site and never cross over into local communities.

That was an outrageous, illogical, totally misleading statement. Let's look at just one of the many impacts that would not remain on Phillips' property -- the impact of noise.

Please watch and listen to this video from Sandusky, Ohio. Notice how the screeches and squeals leap from a rail terminal, far beyond a half mile, and invades the lives of nearby residents every single day.

Please play the video labeled "Noise Invasion From Crude Oil Rail Terminals."

<https://www.youtube.com/watch?v=NH34-Ys1Zis>

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/25/16

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74. Appropriate Crude-By-Rail Safety & Environmental Criteria Is Unavailable For SLO County (1:41):

Speaker: _____

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

There's an old saying -- "Experience is a great teacher." It means that when you face a difficult situation, base your actions on your own history ... on the hard lessons you've learned personally ... not on someone else's experiences.

SLO County is facing a difficult situation. It's being asked by Phillips to swallow an entirely new method of operation, where the County would become a hub for crude-by-rail in California.

As such, one issue the County faces is complying with the California Environmental Quality Act (CEQA), and addressing their thresholds and associated issues. Unfortunately, SLO County isn't prepared to do so. Why not? Likely because SLO County has never had to address a crude-by-rail analysis and a rail terminal/unloading facility.

SLO County has no related experience to go on, and Phillips had no data or guidelines to refer to.

So what did they do? Their draft EIR looked around and then applied thresholds as per Santa Barbara County's experiences.

But Santa Barbara is not San Luis Obispo. SLO County does not have the same overall geography, land formations, economy, environment, business conditions, housing, population, first responders, etc., as Santa Barbara.

Given the enormity of the change in the business model that Phillips 66 proposes, Phillips' plan must not simply rely on some other location's CEQA thresholds.

SLO County must develop its own criteria to determine whether crude-by-rail is acceptable here, where we live. And until we're certain that SLO County meets the appropriate state guidelines, Phillips' plan should not even be seriously considered for approval.

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

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/25/16

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PLANNING COMMISSION APPEARANCE REQUEST FORM

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

AGENDA ITEM: _____

DATE: 2/25/16

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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):

MONIQUE GRAJEDA

SIGNATURE:

Monique Grajeda

DATE:

2/25/16

IMPORTANT INFORMATION:

- If the Hearing Chambers are full, and if your number is not within approximately 20 of the current speaker, we ask that you wait outside of the Chambers in our overflow areas where the hearing will be streaming for you to view. Staff will be available 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 will be located in 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>.
- If you need assistance with a language translator (Spanish) please notify one of our staff with your speaker number handy.

Speaker Number 173

HELLO AND THANK YOU FOR
CONSIDERING MY VIEWS.

MY NAME IS MONIQUE GRATJEDA
I AM A LOCAL RESIDENT AND I WORK
IN THE ARCHITECTURAL FIELD.

IT IS THE DUTY OF THE COUNSEL TO
PUT HEALTH, LIFE, & SAFETY AT THE
FOREFRONT OF ALL POLICY AND DECISIONS
AFFECTING THIS COUNTY AND EVEN
THE BORDERS BEYOND.

I UNDERSTAND THE IMPORTANCE OF JOBS
BUT NO JOB IS WORTH MORE THAN LIFE,
HEALTH AND SAFETY OF THE MASSES AND
THE ENVIRONMENT, WATER, AIR, &
BIOLOGICAL SYSTEMS. THE GOOD OF
THE MANY OUTWEIGHS THE GOOD OF THE
FEW. THAT PHILOSOPHY SHOULD NEVER
BE SACRIFICIED. RISKS BRING REGRET
AND IT IS THE COUNSEL'S DUTY TO
PROTECT THE PEOPLE AND THE LAND.
NO JOB OR INDUSTRY SHOULD EVER TAKE
PRESIDENCE. THANK YOU.

69. Phillips' Rail Cars - They're Not As Safe As Phillips Claims (250) DO NOT REMOVE FROM FILE

Speaker: Roxanne Lenway 11/23/10
DATE: _____
AGENDA ITEM: _____

Hello, I'm _____ and I live in Nipomo. **PLANNING COMMISSION**

Phillips' current and proposed crude oil tankers are not as safe as they claim.

In recent years Phillips rushed to take advantage of low cost crude by purchasing thousands of rail tankers. Each was the model DOT-111. That was a model originally designed to carry corn oil. But that model became involved in numerous derailments during which the tankers broke open, spilled crude oil, caught on fire and often exploded.

This is the car Phillips continued to purchase. Their February, 2014 flyer stated - "Our fleet includes 2,000 newly acquired cars ... and all are DOT 111 cars." And soon after that, Phillips would own 3,700 of them.

Then, in May 2015, the DOT issued new rules for tankers. It outlawed DOT-111 cars by 2018. But it also addressed the cars that Phillips now wants to bring to SLO County ... they're called model CPC-1232s. And the new DOT rules say that even those are unsafe.

The Final EIR recognizes this. It says that the kind of cars Phillips wants to use, CPC-1232s, are unacceptable. It says they need to be upgraded to model DOT-117R cars, that have far higher standards. But the new DOT rules gives Phillips until April, 2020 -- four years from now -- to accomplish that.

Therefore, if Phillips is permitted to bring its current CPC-1232 cars to SLO County, they'd be using cars that the DOT says need to be taken off the tracks because they're too dangerous.

Also of concern is that the Final EIR says, regarding Phillip's tankers -- "the County may be preempted by Federal law from requiring mitigation for operations on the UPRR mainline tracks."

And there's another major issue here. According to the FEIR -- "the rail industry and others have challenged various aspects of the (new DOT rules in court). Until these lawsuits are resolved, the exact nature of the final rules are unknown." In fact, the industry wants until 2025 to upgrade the CPC-1232 cars to DOT-117 standards -- nine years from now.

What's the bottom line? Current model tankers are outdated and dangerous ... but unfortunately for the public, they'll be allowed to stay on the tracks for many years to come. And, given the rail industry's lawsuits and the issue of preemption, we don't know if and when those tankers will ever become safe.

All Phillips will tell you is that their tankers meet historical government standards. But, the government says those standards are no longer good enough -- there are now new rules.

How do we protect our citizens from this rail tanker uncertainty, confusion and potential fiasco? The way to do it all is to vote No Project.

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

I am Ken Hough, director of Santa Barbara County Action Network. SBCAN works to promote social and economic justice, to preserve environmental and agricultural resources, and to create sustainable communities in Santa Barbara County. This project, with its potential to bring volatile crude oil through Santa Barbara County, could negatively impact all these areas of concern. Federal, state and county governments do not have the power to stop this oil from coming through Santa Barbara by rail. You do, however, have the one-time power to do that... and I am here today, as your southern neighbor, to ask you to do just that.

To help you be as informed as possible in making this decision, we—SBCAN—have published a comprehensive paper detailing how this project, in your county, would endanger Santa Barbara County, its beaches and coastal marine resources, agriculture, wild lands, and the communities of Carpinteria, Sandyland, Summerland, Montecito, Santa Barbara, Goleta, Casmalia, and Guadalupe.

Our map shows the blast and evacuation zones in developed areas along the main rail line. This two-mile wide path of potential destruction is where thousands of lives, homes, businesses, 12 fire houses, historic landmarks, two hospitals, jails, governmental buildings and facilities, 30 schools and much more would be at risk of accidents from oil trains.

In the case of a derailment with fire and explosion, within a **half-mile** distance from the tracks there can be fatalities, possible vaporization of bodies, asphyxiation, as well as severe injuries from concussive force, burns, smoke inhalation, buildings collapsing, flying glass and structure debris and shrapnel-like metal projectiles exploding off of oil tank cars. Up to a **mile** from the tracks there can be flying glass, building damage, smoke inhalation, injury, and possible projectiles.

Our analysis addresses the fragile habitats of over 50 crossings of local streams and coastal canyons and the uncertain safety of their associated tressels and bridges. The risk of derailment related to fog, obstacles on the tracks, or earthquake along the rail line in close proximity to the ocean puts coastal resources at risk. The railroad tracks are closer to the sea than the recent All American Pipe Line spill where the total spill volume was equal to less than five oil-train tankers.

I hope you'll review the many important issues covered in our paper to understand the widespread implications of your decision. Please consider the requests from Santa Barbara, Carpinteria, Goleta, and Santa Barbara County to deny this project. Please follow your staff's recommendation.

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/25/16

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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: 2/25/16

ALERT SUMMARY:

DO NOT REMOVE FROM FILE

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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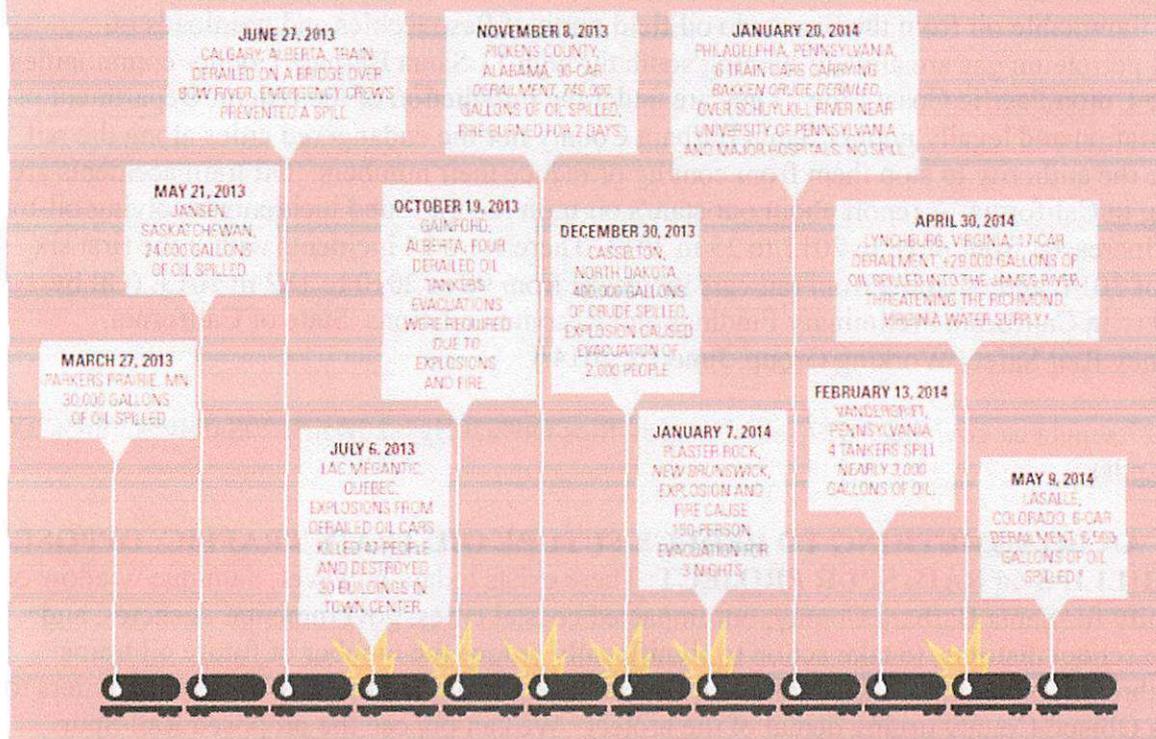
1. SANTA BARBARA COUNTY ALREADY HAS AN OIL TRAIN PROBLEM: Trains carrying flammable oil from the San Ardo oil field north of Paso Robles and trainloads of liquefied petroleum gas are already running south through 11 Santa Barbara County communities along the Union Pacific Coast Line. They are under the 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.)

CRUDE BY RAIL ACCIDENTS, MARCH 2013-MAY 2014



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:

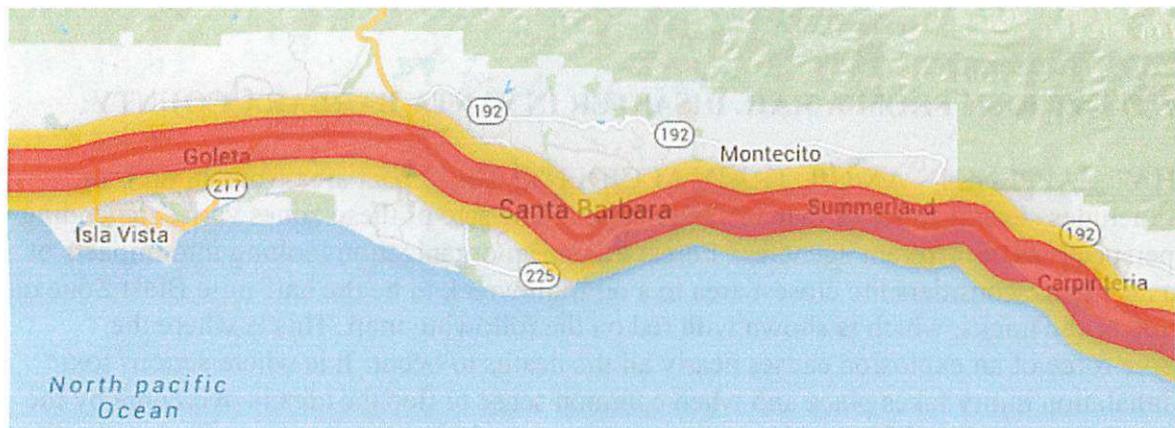
4.1. WHAT HAPPENS IN AN OIL TRAIN ACCIDENT? The impact area from an oil train disaster includes several zones of damage and impacts. The size of these zones varies depending on the perspectives of different agencies. Forest Ethics, an organization looking into impacts of oil train accidents, considers 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.

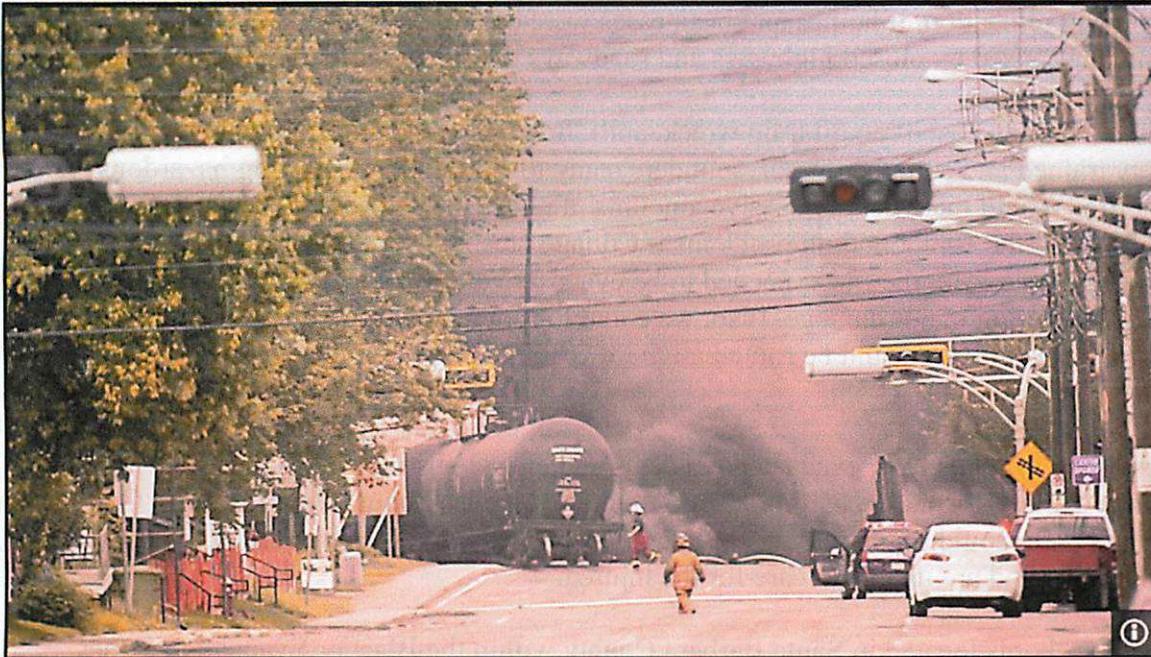
Visualize the human cost of an oil train wreck, spill, fire, and exploding oil tankers without adequately trained and equipped first responders ready to contain an expanding hazardous materials fire. Would there be the massive amounts of required special foam retardant to fight an oil fire? Think of 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.

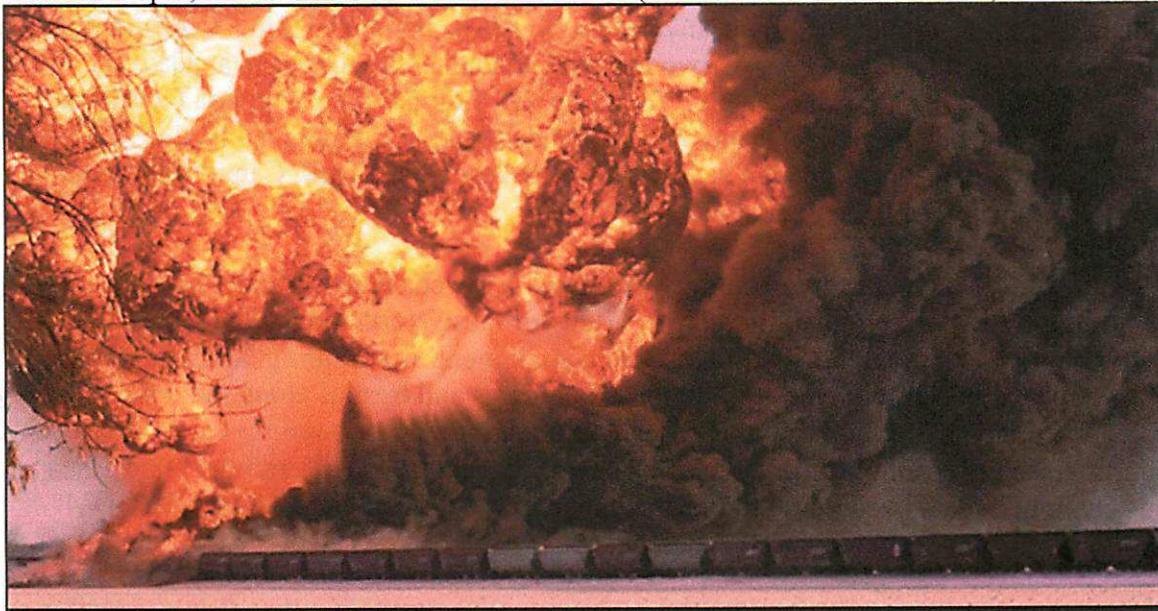
Of special concern is the impact of inhaling soot particles of one micron or less by the most vulnerable populations: those under the age of 11, over the age of 70, and people with asthma, COPD, and emphysema.

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.

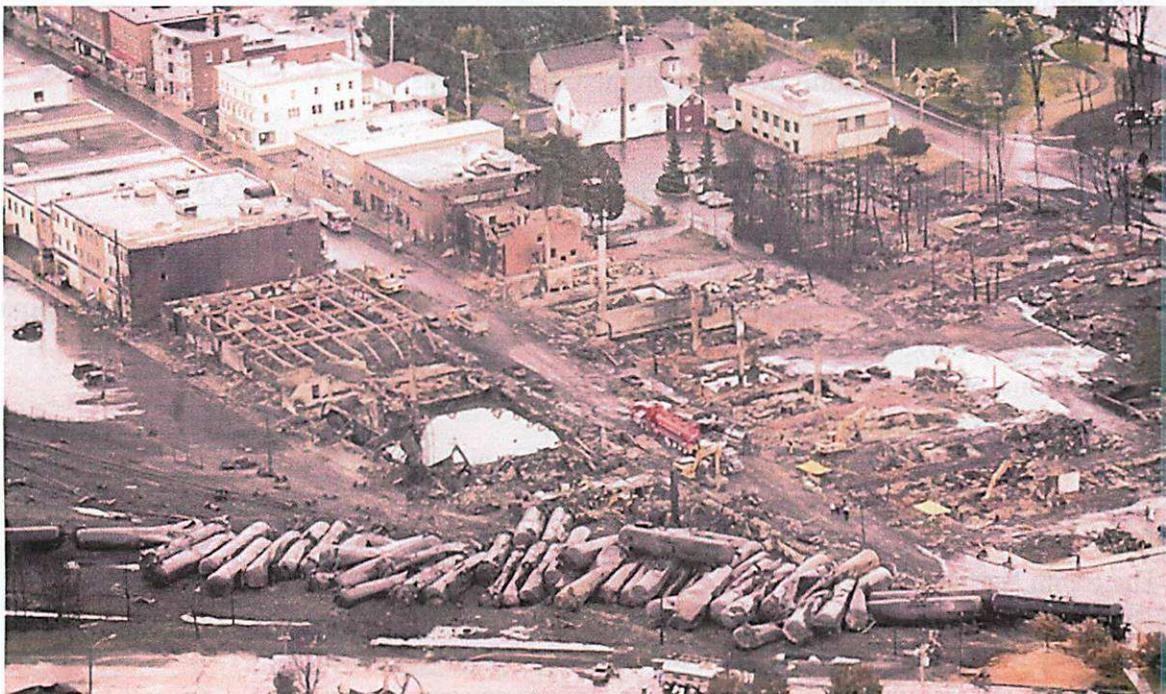
5. ECONOMIC IMPACT OF OIL TRAIN DISASTERS

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>

114. What Does It Cost To Clean Up A Crude Oil Spill, Or A Rail Disaster? (1:45):

Speaker: Rosemary Remacke

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

The May, 2015 crude oil spill at Refugio State Beach involved 143,000 gallons of oil and 97 miles of coastline. As of August, 2015 that overall cost was estimated at \$257 million ... including costs for cleanup, fines, and claims settlements.

Unfortunately, that pales in comparison to overcoming the destruction caused by crude-by-rail accidents.

Take for example, the cost to rebuild Lac-Megantic after its disaster in 2013. 1.5 million gallons of oil spilled or exploded ... six times more than the oil spilled at Refugio. Lac-Megantic's Mayor estimated a rebuilding cost of "about \$2 billion" (which of course doesn't take into account the 47 lives that were lost).

So - what's the potential loss from Phillips's crude-by-rail plan for California? Each of their trains would contain 80 cars. Each car contains about 27,000 gallons of crude*. That's 2,160,000 gallons of oil per train that could spill, explode, destroy and pollute -- in areas that are far more populated and metropolitan than Lac-Megantic. Therefore, the cost would very likely be many, many billions as well.

Then, who pays? How long would the lawsuits take? How much would the oil companies and railroads attempt to settle for? How long would it take to collect? How much would be put on the taxpayers' shoulders? Would our cities, towns or environmental areas ever be the same? It's all impossible to answer at this point. Better yet, let's not ever find out. Just say "No" to the assault of oil trains. Just say "No" to the rail terminal.

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

- <http://calcoastnews.com/2015/06/oil-spill-cleanup-costs-surpassing-70-million>
 - <http://www.refugioresponse.com/go/doc/7258/2517126>
 - <http://www.treehugger.com/energy-disasters/15-million-gallons-oil-spilled-lac-megantic-47-dead.html>
 - <http://www.thecanadianpress.com/english/online/OnlineFullStory.aspx?filename=DOR-MNN-CP.80a6ef2c88d14738bdee9bba5c9f28f0.CPKEY2008111303&newsitemid=31450830&languageid=1>
- *The FEIR issued 12/21/15 states that each car would carry between 26,076 and 28,105 gallons of crude.
<http://www.independent.com/news/2015/aug/05/refugio-oil-spill-likely-far-larger-projected/>

PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/25/16

DO NOT REMOVE FROM FILE

SLO County Rated One Of The Most Desirable Places To Live—But For How Long PLANNING COMMISSION

AGENDA ITEM: 3
DATE: 2/25/16

Speaker: Charles Davis

DO NOT REMOVE FROM FILE

Hello, I'm Charles Davis and I live in Nipomo.

I moved to San Luis Obispo County ten years ago, attracted to its natural beauty and healthy lifestyle. And I have not been disappointed—quite the opposite: I have been wonderfully happy here, but now I am appalled at Phillips 66's callous disregard for this beautiful environment by proposing this rail spur. I am not alone in this concern: the project has been the subject of repeated denunciations throughout these hearings by residents and elected officials from across the state.

Based on US Department of Agriculture data, the Washington Post recently ranked every US county on its "natural amenities"—that is, its physical and environmental qualities that, "enhance the location as a place to live." Out of more than 3000 counties, SLO County ranks #21—that's in the top 1%.

That's the good news. The bad is that our future may include tens of thousands of Phillips' mile-long trains filled with flammable crude oil, pouring diesel pollution into the air.

In my opinion, this might seriously lower SLO's ranking for "natural amenities."

As Mayor Jan Marx has said—"We're called the happiest city in America. But we're not happy with the Phillips 66 project."

Interestingly, other California counties rank high on the list—Ventura is #1, Monterey is #9, and Santa Cruz is #12. And every one of them has officially stated their opposition to Phillips' plan for crude-by-rail. Certainly, they recognize they have a great deal to lose, and they're proactive about protecting their residents and their businesses.

SLO County would be ground-zero for the Phillips project and its rail terminal. It would make our county a major hub for crude-by-rail. So we have more to lose than any other county in California.

Please—let's keep San Luis Obispo among the counties with qualities making them extremely desirable places to live, recreate and work.

I ask that you reject this project in its entirety. Thank you.

<http://www.washingtonpost.com/news/wonkblog/wp/2015/08/17/every-county-in-america-ranked-by-natural-beauty>.
<http://sanfransico.cbslocal.com/2015/08/18/california-coast-dominates-ranking-of-nations-most-scenic-counties>.

16. Phillips Is Seeking To Enhance Their Export Opportunities,
Not Develop "Energy Independence" For The United States (1:40):

PLANNING COMMISSION

Speaker: _____

AGENDA ITEM: _____

DATE: _____ 3
2/25/16

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

DO NOT REMOVE FROM FILE

Phillips' supporters link the need for energy independence to the rail terminal project. However, as a company beholdng to its stockholders, Phillips seeks any outlet to profit from its products. In fact, in a recent annual report, Phillips stated that a key strategy was to refine lower cost crude to "give Phillips 66 a competitive advantage in the GLOBAL marketplace."

On its Website, Phillips confirms this in its descriptions of its West Coast refineries ...

1. In Washington State it "produces transportation fuels. Products are distributed in the northwest U.S. Improvements have enhanced the refinery's ability to export products."
2. In Los Angeles it "processes mainly heavy crude oil. Refined products are distributed to California, Nevada and Arizona. Improvements have enhanced the refinery's ability to export products."
3. In Rodeo it "processes heavy, high sulfur crude oil. Refined products are distributed to California. Improvements have enhanced the refinery's ability to export refined products."
4. And in Santa Maria, it "processes heavy and light sweet crude. Products are distributed in California. Improvements have enhanced the refinery's ability to export refined products."

Where will these exported products go from the West Coast? Bloomberg News reported ...

"If the railway networks on the West Coast are completed, the region's refiners will use domestic crude to boost exports to meet rising needs in Asia, where demand for new cars, electricity and air conditioning is boosting energy consumption."

Therefore, supporters of the Phillips project cannot use "energy independence" as a reason for project approval. Pure and simple, the driver is to escalate profits, globally.

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

<http://www.bloomberg.com/news/2014-01-08/unforseen-u-s-oil-boom-upends-world-markets-as-drilling-spreads.html>

<http://www.phillips66.com/EN/about/our-businesses/refining-marketing/refining/Pages/index.aspx>

<http://www.phillips66.com/EN/about/reports/Documents/Phillips-66-Summary-Annual-Report.pdf> (2012 report)

<http://www.phillips66.com/EN/about/our-businesses/refining/Pages/western-pacific.aspx>

109. Crude-By-Rail Puts Jobs Throughout SLO County At Risk (1:50): REFINING COMMISSION

Speaker: _____

AGENDA ITEM: 3
DATE: 2/26/16

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

DO NOT REMOVE FROM FILE

SLO County has an estimated 81,000 non-farm workers employed at 7,700 non-farm businesses. Many of those jobs will be put at risk if Phillips' crude-by-rail project is allowed to go forward.

Simply put, do you think investments are now being made or planned for places like Lac-Megantic, Canada or Casselton, North Dakota, where major derailments, fires and oil spills occurred? Where peoples' lives were severely disrupted? Those towns are likely experiencing economic challenges, not economic growth.

If a major rail accident occurred in SLO County, hundreds or thousands of jobs would definitely be lost:

- Ask any realtor - far fewer people would build new homes or relocate here. Far fewer commercial enterprises would be started. That would mean a loss of construction jobs and loss of sales for tradesmen that service those homes and businesses.
- Far fewer tourists would come here ... so leisure and hospitality jobs would be lost.
- Far fewer tourists also means less business for wineries, and fewer jobs.
- If major oil spills or fires affected our crops, more jobs would be lost.
- Professional buildings, hotels and shopping centers might not be built ... eliminating the potential for job growth.
- Health care professionals, educators, lawyers, realtors, restauranteurs, shopkeepers and others would look elsewhere ... further halting job growth.
- And every job that's lost or not created, can have a ripple effect on other jobs.

We respect the 140 people employed full time at the Nipomo refinery. But because Phillips will certainly keep their refinery operating even if the rail terminal is rejected, those jobs will be safe. On the other hand, a great many of the 81,000 jobs throughout SLO County would be put at risk. And they'd be put at risk for no good reason, other than to support the growth of profits at Phillips 66.

Our first responsibility -- protect the 81,000 jobs that exist throughout the County.

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

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THE COALITION OF LABOR,
 AGRICULTURE, AND BUSINESS

COLAB

San Luis Obispo County

FEBRUARY 25, 2016 HEARING ON PHILLIPS OIL SPUR

The Nipomo opponents argue that now that there are residential enclaves bordering the Nipomo industrial zone, their preferences should rule. If this principle is validated, is any change (particularly a new plant) at any business in the county safe? After all, it is an industrial zone and the plant abuts a mainline national railroad.



Does this mean that if someone builds some new condos next to the railroad in SLO, the railroad should eventually be shut down? The new condos under construction off Orcutt Road on Sacramento St. are located adjacent to the railroad, which carries tank cars containing not only crude oil, but all sorts of hazardous materials every day. The last unit is about 50 ft. from the track.

This is Not about Safety: Tank cars containing oil, ammonium hydroxide, sulphuric acid, chlorine, and many other dangerous substances have rolled through the area every day for a century. A massive statewide opposition movement, undergirded by anti-industrial and anti-fossil fuel radicals, has framed the issue as exploding tank cars in an urban area. As we have pointed out previously:

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

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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.

How many additional tank cars per year are too many? Is one more too many? What about 50? Three trains per week (the current proposal) of 80 cars adds up to 240 cars per week, or 12,480 per year. As noted in the text above, 99.99 percent of all tank car loads of crude oil in America reach their destination without incident. Thus only .01% are involved in some problem. The number within the .01%, which actually spill something or catch fire, is statistically very small (some part of .01%). Say for discussion purposes-- it's .005. The risk would be $.005 \times 12,480$ or up to 62 of the tank cars might have a serious accident somewhere along the route from the Midwest, Texas, or wherever to Nipomo. For most of these routes the trains are passing through sparsely populated prairies, mountains, and deserts. Accordingly, the chance of a serious incident taking place in an urban area is statistically even more remote.

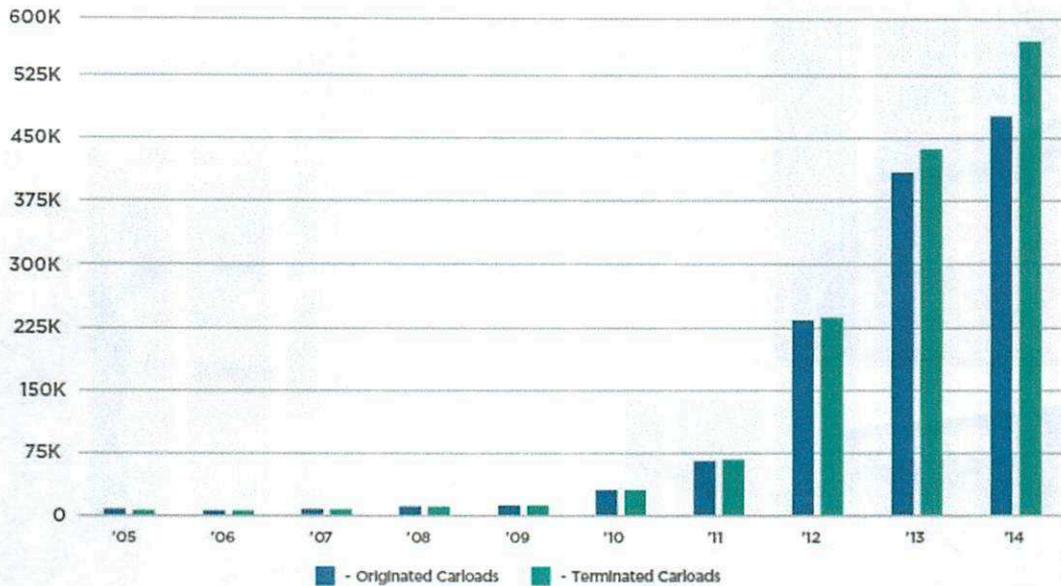
Of course these numbers also apply to the other potential less catastrophic incidents such as spills into watercourses, agricultural fields, and other land uses which are noted in the EIR.

Were the Commission to deny the project on this basis, it would essentially be setting a standard that the project must have absolutely no risk – a 100% chance of no risk. Applying such a standard would be unreasonable and capricious in the extreme. The fact that the neighbors don't like the project or that a noisy group of radicals wishes to destroy the fossil fuel industry (and perhaps the civilization in the process) should not have a bearing on the Commission's decision.



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



The same opponents have totally ignored the risk of the over 12.3 billion gallons of gasoline which are delivered each year into California cities and towns (including very dense urban settings) by tandem gasoline tanker trucks. Millions of individuals are handling gasoline in a variety of risky settings and not everyone is careful. Any ignition source here could be disastrous especially if the gasoline tanker truck is at the station at the same time making a delivery.

Please see the illustrations on the page below:



How many times per day do you think this happens all over the State? None of the opponents are hysterical about all the gasoline in their communities. Why are they picking on the Phillips project? Put these two pictures together with a little wind and a loose ash. In making its decision the Planning Commission should use real statistics, not politicized emotion.

The Project:

A schematic of the track configuration is displayed on the page below.

Figure 2-4 Proposed Rail Track Line Diagram

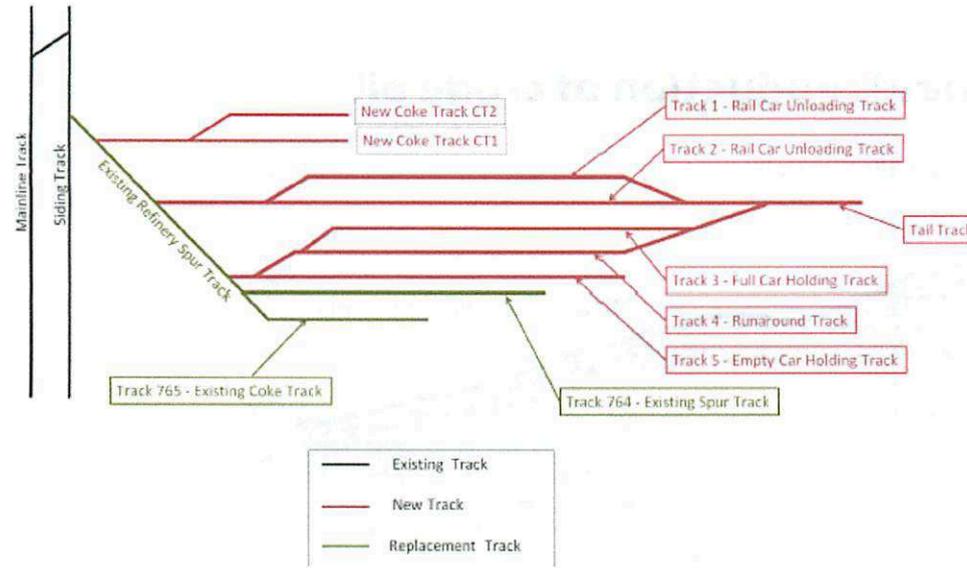
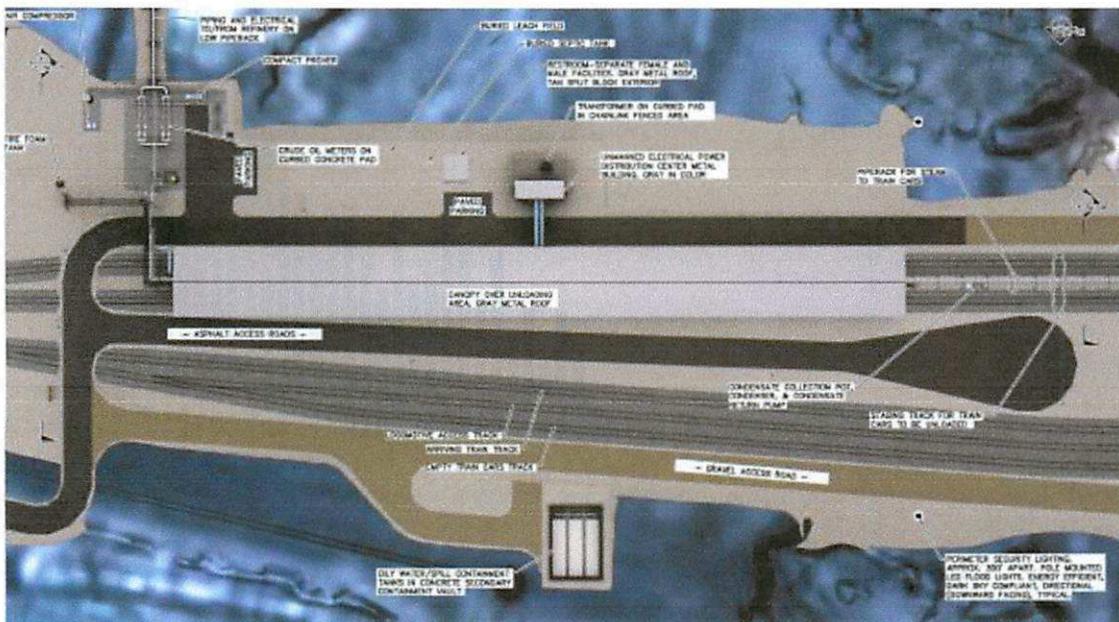


Diagram is not to scale.
Source: Developed by MRS from Union Pacific Rail Track Drawings. See Appendix A.

The rendering below shows the configuration as it would look from the air. Note that the actual unloading tracks are covered.

Figure 2-6 Plot Plan of Rail Unloading Facility

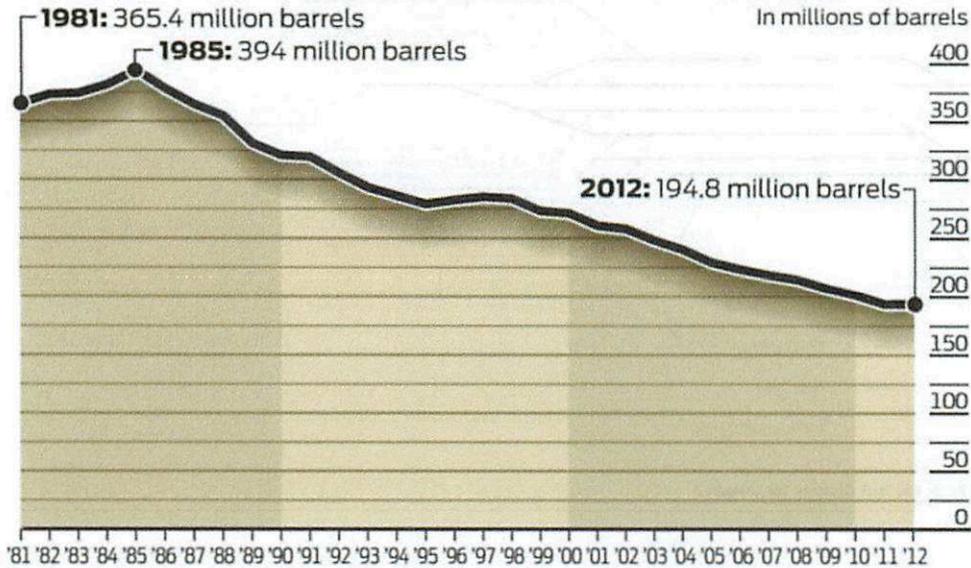


Source: Phillips 66 updated drawing, 2014.

As illustrated in the chart below, California refineries are becoming increasingly dependent on imported oil as existing oil fields in the State are pumped out. Where is Phillips to get its oil? It

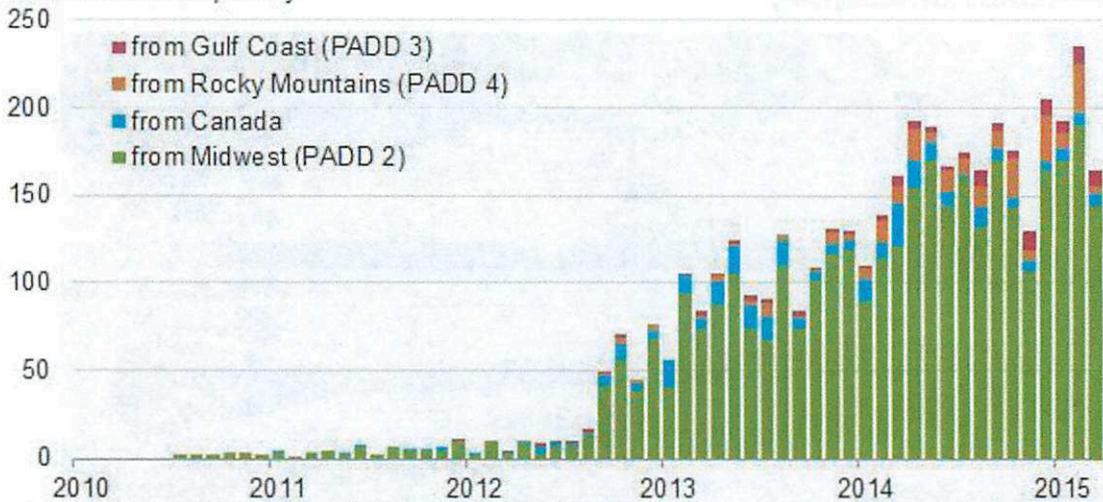
is unlikely that SLO County will permit the development of new oil fields let alone promote such development

California field production of crude oil



Source: U.S. Energy Information Administration John Blanchard / The Chronicle

Crude oil supplied by rail to West Coast (PADD 5) thousand barrels per day



Source: U.S. Energy Information Administration, Petroleum Supply Monthly

Background - We Repeat:

The Planning staff has recommended the denial of the project in the most didactic terms.

Under the staff's logic as 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 that 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 Is Not Only Selfish - It Is Classist and Elitist: Do those who would deny this project consider themselves members of an elite group, 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 crucial legal criteria by which the project must be approved or denied under State law).

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.

Benefits Vs. Risks- Phillips 66 Rail Project

By Devin Miller

The most hypocritical thing the opposition to the Phillips 66 Rail Extension Project has been spouting is "Phillips 66 has been a good neighbor and we trust them to keep operating safely, but transport of oil by rail is dangerous."

Two questions:

Are they picketing the federal government to amend rail safety measures? No.

Are they trying to stop oil coming in a facility from an already existing route? Yes.

They also say "Phillips 66 only cares about profits and not the people they are endangering." Phillips 66 provides more than 200 local jobs, meaning that all their employees live in the vicinity. I doubt they want a project that will endanger not only their lives but their families' as well. Why would a good neighbor of over 60 years propose a project that would harm its community?

This is what your average SLO county resident has not heard: Phillips 66 has a 99.99% safety record across Phillips 66 operations, nor does the mainstream media tell you that there is a third party inspection of all cars. They don't tell you the truth. Instead, something the average local has heard about the rail project is the absolute fallacy that Phillips 66 will endanger it's friends, family, and community to put in a high risk project that will derail at any moments notice.

If this is really the case, than why does the Amtrak, despite the fact that an individual car weighs over 8 times the weight limit of that of an oil car, pass on a daily basis through the downtown area without any accidents, or even any concerns about derailment?

So have I made my point? Is derailment really as likely, or is the project really as dangerous as it sounds? In my research, a neighbor like Phillips 66 would, after 60 years of operation and only a .01% chance of unsafe operations across all it's history, be a trusted neighbor for this operation.

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97. There's A Wide Gap Between What Phillips Tells Us And Reality (1:50):

PLANNING COMMISSION

Speaker: Mardi Geredes

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Hello, I'm Mardi and I live in Atascadero

Along with their initial plan, Phillips said everyone would be safe, regardless of their making our County an epicenter for crude-by-rail.

But their managers said they could bring Bakken crude here. Then, trains carrying Bakken started blowing up. We assume Phillips wasn't trying to mislead us. They were simply ignorant of the dangers. Regardless, Phillips then took Bakken off the table.

Then, in their second plan, they specified bringing in tar sands ^{crude} from Canada.

However, they didn't tell us that tar sands needs to be diluted for shipping by rail, making it as highly volatile as Bakken.

Unfortunately for Phillips, trains carrying diluted tar sands ^{crude} also started blowing up. We assume Phillips wasn't trying to mislead us. They're simply ignorant of the dangers. It's one or the other.

They're also saying our air will be safe despite the diesel exhaust and tar sands ^{crude} pollution they'd pump into our lungs. However, scientific evidence about this pollution says otherwise. We assume Phillips isn't trying to mislead us. They're simply ignorant of the dangers. It's one or the other.

So what should we believe? This is not a "he-said, she-said" argument. The evidence is indisputably clear that bringing more oil trains to SLO County is a horrific threat to citizens.

Here's the reality.

Phillips' spin doesn't make the dozens of derailments that have actually happened go away. It doesn't make those explosions vanish. It doesn't extinguish the real fires that spewed toxic smoke. It doesn't make the evacuations disappear. It doesn't erase the oil spills that shut down city water supplies. And it doesn't bring back the people who died ... and will die from the industry's desire to expand profits via crude-by-rail.

If our County allows Phillips to build their terminal, we'll forever be holding our breath every time one of their trains rolls by. And eventually, the worst will happen. Who do you believe? Phillips' corporate-driven, self-serving statements, or what's actually happening?

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

154. Passive Land Use Versus Extremely Active Rail Terminal (3:00):

Speaker: #45

PLANNING COMMISSION

Hello, I'm Patti and I live in Nipoma.

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(Ask the staff to insert the flash drive labeled "Before & After.")

(When it's loaded up, state the following on the first slide that says "Before & After ...")

Your staff's report correctly and repeatedly points to how Phillips' project would change a major portion of their property from passive use of land into highly active, industrial use.

What was specifically designated by previous Commissioners as a sweeping, one-and-a-half-mile buffer to separate industrial and residential activities, would now be turned into a highly active, offensive, far more intensive use of that land.

This would severely impact the quality of life and health and safety of nearby communities. It would also severely impact the fundamental dynamics of the communities ... making them far less desirable places to live, affecting the residents financially, affecting the County from a property tax point of view, and affecting the small businesses and jobs that rely on those communities for their incomes.

Here's what it means to change the buffer from passive to extremely active and highly intensive.

Slide 2: This is the buffer with passive land use.

Slide 3: This is what the buffer will look like under Phillip's plan.

Slide 4: Passive.

Slide 5: Extremely Active Rail Terminal.

Slide 6: Passive.

Slide 7: Extremely Active Rail Terminal.

(repeat the same until the slides are finished.)

(with the last slide ...)

It's your obligation to honor the commitments made by previous planning commissioners ... reject the rail terminal. Thank you.

#17

154. Passive Land Use Versus Extremely Active Rail Terminal (3:00):

Speaker: #45

Hello, I'm Pat and I live in Nipomo.

(Ask the staff to insert the flash drive labeled "Before & After.")

(When it's loaded up, state the following on the first slide that says "Before & After ...")

Your staff's report correctly and repeatedly points to how Phillips' project would change a major portion of their property from passive use of land into highly active, industrial use.

What was specifically designated by previous Commissioners as a sweeping, one-and-a-half-mile buffer to separate industrial and residential activities, would now be turned into a highly active, offensive, far more intensive use of that land.

This would severely impact the quality of life and health and safety of nearby communities. It would also severely impact the fundamental dynamics of the communities ... making them far less desirable places to live, affecting the residents financially, affecting the County from a property tax point of view, and affecting the small businesses and jobs that rely on those communities for their incomes.

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Slide 6: Passive.

Slide 7: Extremely Active Rail Terminal.

(repeat the same until the slides are finished.)

(with the last slide ...)

It's your obligation to honor the commitments made by previous planning commissioners ... reject the rail terminal. Thank you.

PLANNING COMMISSION

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110. Building The Rail Terminal Will Cost Jobs In The California Oil Industry (1:30):

Speaker: STAN WYNE

Hello, I'm STAN WYNE and I live in NIPOMO.

Phillips' rail terminal plan calls for crude oil to be shipped here from out of state, and it will replace the crude they now purchase, which is taken from the ground here in California.

That of course means increased sales revenue and increased jobs for those who own and work in places like the tar sands fields in Alberta, Canada.

But of course, every action has an equal reaction. And if revenue and jobs are generated elsewhere, revenue and jobs will be lost here in California. If Phillips imports crude oil to its Nipomo refinery, it will boomerang negatively on California producers, support companies and their employees.

First it will cause local oil producers to lower their prices to compete with out-of-state producers. Or, it might even cause local producers to cut back on production.

Then it will put pressure on the wages of those working in the California oil industry, as producers and support companies attempt to maintain their profits.

And finally it will force cuts in the workforce at companies that drill for oil, distribute it and provide other support services. In effect, Phillips' crude-by-rail strategy will ship many of those jobs out of California.

There's ample evidence that regardless of whether Phillips rail terminal is built, their Nipomo plant will not close and the refinery's jobs are not at risk. However, if crude-by-rail is permitted, with oil arriving from elsewhere, jobs here will definitely be lost. For some reason, Phillips never mentions that.

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

https://www.wspa.org/sites/default/files/uploads/O%26G_Contribution_20140418.pdf

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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~~ ^{PLANNING 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

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DATE: 2/25/16

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NAME (print): Barbara Hernandez

SIGNATURE: Barbara Hernandez DATE: 2/25/16

Submission of written comments only.

IMPORTANT INFORMATION:

- If the Hearing Chambers are full, and if your number is not within approximately 20 of the current speaker, we ask that you wait outside of the Chambers in our overflow areas where the hearing will be streaming for you to view. Staff will be available 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.
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- If you need assistance with a language translator (Spanish) please notify one of our staff with your speaker number handy.

Comments: Jobs: *Jobs & Economy potentially threatened. Our Ag;*

Speaker Number 177

Farmers, ranchers & supporting industry are at risk if there is an accident or spill - And our enormous Tourist industry - hotels, restaurants, local beauty & environment. Please NO Trains w/ oil - no additional trains.

160. The MRWG Respects The Refinery's Employees; No Desire To See The Plant Closed (257):

PLANNING COMMISSION

Speaker: _____

AGENDA ITEM: _____
DATE: 2/26/16

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

DO NOT REMOVE FROM FILE

This statement is for employees working at Phillips' refinery. We at the Mesa Refinery Watch Group have paid close attention to what you've said at city councils and these hearings.

Respectfully -- you have a major misconception about us.

First -- members of our group have never -- I repeat never -- called for your place of work to be closed.

Residents moved to the Mesa knowing full well the refinery was there. And communities like Black Lake and Trilogy have lived in harmony with the facility for decades, with a large buffer separating us.

Only recently, with the fully documented threats of crude-by-rail, have we launched our vigorous opposition.

Honestly, you would do the very same. Imagine if you bought a home in a quiet neighborhood for your spouse and children to live in safety. But then, someone proposed building a 25-acre major league baseball stadium on open land just 3,000 feet from your home ... complete with 30,000 roaring, rowdy fans each evening, 15,000 cars polluting your air, stadium lights in your face, etc. Do you think you'd object? Of course you would.

Our group is not objecting to your refinery or calling for its closure. We're objecting to the construction of a loud, polluting, dangerous, highly invasive crude oil rail terminal just 3,000 feet from our homes.

Secondly, and you may not believe this -- but we respect you as individuals and the work you do. We too have worked or continue to work our entire lives. Many of us even worked in the oil industry, the railroad industry and other manufacturing operations. We get it ... you have jobs, you need jobs to feed, clothe and educate your families, and you're dedicated to operating the plant safely. We get it, and we respect it. We've been there, done that.

On the other hand, we don't respect what Phillips' corporate executives in Houston are doing, 1,700 miles away. Perhaps they're the ones subtly telling you your jobs are threatened. Certainly, they've refused to say publicly they'll close the plant if they don't get the rail terminal ... because it's not true. But it seems they have no problem asking you to stand here and say your jobs are on the line.

We also don't respect what those executives are trying to impose on communities throughout California. To expand their profits, they'll willing to destroy our health, safety and way of life. They're trying to shove it down our throats and cut our officials out of the decision making process with preemption and legal maneuvers. We're sorry, but we won't have it ... we won't roll over so they can satisfy shareholders.

Our only objective is to stop the rail terminal. We can't say it any clearer than that. We welcome the refinery if it uses safe, benign, well-maintained pipelines. And if that occurs, we'll continue to live peacefully as neighbors, as we've done for decades. You must believe -- we are not your enemies.

Hello, my name is Sharon Rippner and I live in Squire Canyon. I do not live in the blast zone and the car I drive requires gasoline. However, I am still opposed to this project.

Some Phillips' supporters say we should allow the company to bring in crude by rail to protect our supply of gasoline and the price we pay. So let's examine the issue.

First of all, gas prices here on the Central Coast are far higher than most everywhere else in the U.S. ... they've been anywhere from 34% to 90% higher. This past summer was especially newsworthy.

On July 14, 2015, GasBuddy, which is a major reporter of our nation's gas prices, told us the following, "We have a lot of oil (in California). Oil is not the problem. The cost of oil is still relatively cheap. The bottle neck is at the refinery."

The supply issues really are these: First, an explosion at a Los Angeles refinery temporarily closed that plant, reducing the supply of gasoline. Second, imports fluctuate ... sometimes with too much crude and sometimes with too little. However, overall, there's a sufficient supply of crude oil for refineries.

Now, as to the cause for our high price of gas. This seems to be due to the greed of refiners. On July 21, 2015, the LA Times published an article entitled "California oil refineries' gross profits nearly double in 2015." It revealed that California refineries earned an average of 49¢ per gallon of gasoline each year from 1999 to 2014. But in 2015, the average profit ballooned to 89¢ per gallon... an increase of 80%!

Regarding this profit increase, a California Energy Commission fuels specialist was asked if this boom in profits was unusual. He stated: "Is it unusual? Absolutely. They are making more money. And yeah, consumers are, unfortunately, having to pay significantly more."

So, when Phillips tells you they need crude-by-rail to protect their supply of oil, and to protect our gasoline supply, and to keep our gas prices affordable, don't swallow it. As GasBuddy says - "We have a lot of oil. Oil is not the problem."

Resources:

<http://www.ksby.com/story/29549428/whats-behind-the-central-coasts-gas-price-jump> <http://www.washingtontimes.com/news/2015/aug/5/billionaire-steyer-seeks-oil-refiner-transparency-/>
<http://www.latimes.com/business/la-fi-gas-profits-20150722-story.html#page=1>

PLANNING COMMISSION

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Phillips 66 Rail Extension Project

- Good morning and thank you for this opportunity to speak before you today.
- I am Kent Penningroth, 18-year resident of Nipomo
- A little background:
 - Currently, Superintendent of Turnaround and Capital Planning at the Phillips 66 Santa Maria Refinery
 - 29-year employee
 - My wife, Camille, and I raised our two sons here on the Central Coast
 - Camille works with special needs pre-school children at Grover Beach Elementary school
- Project opponents have talked about a lot of theoretical issues related to the Rail Extension
- I'm here to share what I know:
 - Phillips 66 SMR is a safe facility, recognized nationally for its safety record
 - Trains carrying crude oil like that which Phillips 66 wants to offload is currently being transported safely through San Luis Obispo county
 - Trains have been operating safely for nearly 20 years
 - Approximately 200 head of household jobs are dependent on us securing a steady supply of crude oil
 - Local businesses benefit from these high-quality jobs
 - Local nonprofit organizations depend on contributions and volunteer support from Phillips 66 and those that work here
 - All of us present in this room depend on fuels like those Phillips 66 refines for transportation, food and materials
 - Phillips 66 revised plan uses 3 trains per week, eliminating all class one impacts identified in the EIR
- Introduced myself saying "currently" Superintendent of Turnaround and Capital Planning
 - Because of the lack of feedstock, I am being assigned to work at a different refinery for an indefinite period of time
 - I am concerned others may be similarly impacted
 - My wife and I are unsure where we will be able to reside, but remain hopeful that we can maintain our home here in Nipomo
- I ask that you approve the Phillips 66 Rail Extension Project, it's really about people and jobs
- Thank you for your time and have a good day!

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PLANNING COMMISSION

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NAME (print): CHRISTINE DEMING

SIGNATURE: Christine Deming DATE: 2/25/16

IMPORTANT INFORMATION:

- If the Hearing Chambers are full, and if your number is not within approximately 20 of the current speaker, we ask that you wait outside of the Chambers in our overflow areas where the hearing will be streaming for you to view. Staff will be available 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.
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- If you need assistance with a language translator (Spanish) please notify one of our staff with your speaker number handy.

Speaker Number 153

401
6#

My Name is Christine Deming, I'm so very ⁽¹⁾ concerned with the Phillips 66 oil train project.

I am concerned the tracks are not safe due to fact on any given day, one can find hundreds if not thousands of train spikes are laying on the ground and others are coming up more and more along the tracks. (I have a photo)

As a former Haz Mat first responder for close to 20 years, I feel an accident with the trains is not a question of "IF" but "when"!!!

I live on the mesa and watch the trains, and don't see maintenance being done, I have worked for Rocketdyne in (SSFL) in Santa Susanna Field Lab. I can tell you our record was poor in safety, and we had accidents w/ loss of life, along with major ground water pollution. I learned first hand that major corporations are more concerned with profits, not safety!!!

Not only that, many "facts" are hidden from the public, hence, Integrity and honesty are in short supply in this day and age - I'm concerned also of the dust pollution resulting from oil manufacturing and the like which cause breathing problems, I am concerned with Increase in Cancers, also, the fact that what the surrounding Community in Simi Valley is and has experienced in ~~the~~ Extremely high Cancer Rates! Safety is job #1!

I have so many doubts regarding Phillips 66 and the safety of the Train Tracks due to so many missing Spikes!

(I have about 30 at Home)

Thanks for your time
Feel free to Contact me - 805 444-5164
Christine Deming



PLANNING COMMISSION APPEARANCE REQUEST FORM ELECTED OFFICIALS

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. Please keep apprised of the speakers 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): _____

SIGNATURE: _____ DATE: _____

Additional 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. 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>
- If you need assistance with a language translator (Spanish) please notify one of our staff with your speaker number handy.

Speaker Number 2

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6th