

**Thursday, February 04, 2016**

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. Hearings generally proceed in the order listed, unless changed by the Planning Commission at the meeting.

**ROLL CALL:**

**PRESENT:** Jim Irving; Kenneth Topping; Eric Meyer; James Harrison; and Don Campbell

**ABSENT:** None

**PUBLIC COMMENT PERIOD**

1. Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Mike Brown and Eric Greening: speak.

**PLANNING STAFF UPDATES**

2. This is the time set for Planning Staff updates.

Ellen Carroll, staff: provides information regarding the Order of The Day.

**HEARINGS: (Advertised for 9:00 a.m.)**

3. A request by the PHILLIPS 66 COMPANY for a Development Plan/Coastal Development Permit to allow the modification of the existing rail spur currently on the southwest side of the Santa Maria Refinery in order to allow for the import/unloading of crude oil at the refinery via train. The rail spur project includes a 6,915-foot long rail spur, an unloading facility, onsite pipelines, replacement of coke rail loading tracks, the construction of five parallel tracks with the capacity to hold a 5,190-foot-long unit train consisting of 80 tank cars (60 feet each), two buffer cars (60 feet each), and three locomotives (90 feet each), and accessory improvements outlined in more detail below in the staff report as well as the Final Environmental Impact Report (FEIR). The site is in the South County Coastal Planning Area, in the Industrial Land Use Category, and is located at 2555 Willow Road, approximately 3 miles west of the Nipomo Urban Reserve Line and approximately 3,300 feet from the nearest residence. Also being considered is the FEIR.

County File Number: DRC2012-00095

Assessor Parcel Numbers: 092-401-011, 092-401-013, 092-401-005, & 092-411-005  
 Supervisorial District: 4 Date Accepted: July 12, 2013  
 Project Manager: Ryan Hostetter Recommendation: Denial

Don Campbell: calls on Planning staff to explain the “Order of the Day”.

Ellen Carroll: addresses the public and explains the speaker slip order, and explains the Order of the Day.

Commissioners: disclose their ex-parte contacts.

Whitney McDonald, County Counsel: clarifies issues of preemption.

Commissioners: begin asking question of staff and County Counsel.

Francisco Castillo, Union Pacific Railroad: reads into the record information about rail transport for crude oil, and safety measures taken.

Ryan Hostetter, Project Manager: introduces team; Bill Henry (SWCA) the Assistant Project Manager, John Peirson, Marine Research Specialists (Project Manager who produced the EIR), Steve McMasters, Supervising Planner, and Ellen Carroll, Environmental Coordinator. Presents an overview of the presentation of the staff report.

Don Campbell: opens Public Comment.

Ray Yep (City of Berkeley), Jan Marx (Mayor of San Luis Obispo), Art Herbon (Chairman South County Advisory Council), Annie Aguiniga (Senator Monning representative), Helene Schneider, Gabby Davis (ASB Paso Robles High School), Michael Bennett, Rachel Stwert for Assembly member Das Williams, Lee Helber (for Senator Hannah Beth Jackson), Mark Buchman (San Luis Coastal School District Trustee), Hope Cahan (for Santa Clara County Supervisor Cindy Chavez), Stacie Shih (for Council Member Ash Kalral), David Tran, Bert E. Perello (Oxnard City Council member), Rabbi Linda Bertenthal, Jill Sardegna, Jack Sardegna, Claudia Antonacci, Rylee Kercher, Jennifer Williams, Gary McKible, Arlene Versaw, Dr. Richard P. Wishner, Vicki Bookless, Marguerite Bader, Richard B. Kuprewicz, Steve McHenry, Jeffrey S. Lewis, Carlyn Straub, Dr. Cynthia Lewis, Eric Greening, Martin Akel, Lara Horton, Alan Brown, Amy Hedges, Deborah Art, Andrew Christie, Elizabeth Lasensky, Jim Rallis, Jenna Driscoll, Donna Nisbet, Roger Lin, Kathleen Juvet, Andres Soto, Susan Ratty-Seeman, John Forney, Linda Krap, Madison gilmartin, Maggie Hall (Environmental Def. Center), Brian Trautwein, Cameron Goodman (Environmental Defense Center), Owen Bailey (Environmental Defense Center), Janice Schmidt, Katy Allen, Michele Schneiderman, Leah Hencier, Nancy G. Kraus, Robert Hencier, Sherri Stoddard, Istar Holliday, Jack Moyer, Cheryl Smelt, Steve Rubin, David Bernstein, John O’Connell, Janet Walde, Jeffrey J. Burgstahler, James VerWest M.D., Donald Gorth, Glenn Eineman, Milton E. Carrigan, Janet Nord, Tom Comar, John Hall, Rachelle Toti, Sandra Tiffany, Ethel Landers, J. Dnnis Steen M.D., Nancy Rieser, Rosemary Nelson, Richard Mathes,

Thereafter on **Motion by:** Jim Irving, **Second by:** Ken Topping, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	X			

Irving, Jim	X			
Campbell, Don	X			
Meyer, Eric	X			
Topping, Ken	X			

The Commission agrees to hold the meeting past 5:00 PM.

Don Campbell: asks for the last speakers to approach the podiums.

Michael S. Young, and Chris Brown: speak.

Thereafter on **Motion by:** James Harrison, **Second by:** Eric Meyer, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	X			
Irving, Jim	X			
Campbell, Don	X			
Meyer, Eric	X			
Topping, Ken	X			

The Commission continues this item to Friday, February 5, 2016.

Thereafter on **Motion by:** Ken Topping, **Second by** Jim Irving, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	X			
Irving, Jim	X			
Campbell, Don	X			
Meyer, Eric	X			
Topping, Ken	X			

The Commission accepts all testimony and correspondence entered into the record.

Thereafter on **Motion by:** Eric Meyer, **Second by:** Jim Irving, and on the following vote:

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	X			

Irving, Jim	X			
Campbell, Don	X			
Meyer, Eric	X			
Topping, Ken	X			

The Commission adjourns.

**ADJOURNMENT: 5:07 PM**

Respectfully submitted,  
Ramona Hedges, Secretary  
San Luis Obispo County Planning Commission

**Minutes approved at the 04/28/16 Planning Commission meeting.**