

**Valero Crude by Rail Project
Public Comments received
July 2 - 19, 2016**

Commenter	Date Received
Individual Comments	
Marilyn Bardet	6-Jul-16
Marilyn Bardet	6-Jul-16
Jan Cox Golovich	11-Jul-16
Roger Straw	14-Jul-16

Amy Million

From: Marilyn Bardet <mjbardet@comcast.net>
Sent: Tuesday, July 05, 2016 2:04 PM
To: Amy Million
Cc: Brad Kilger; Kate Gibbs
Subject: BATCH I: photos of Mosier OR derailment conditions of track and UPRR rail replacement debris in Benicia Industrial Park

Hello Amy,

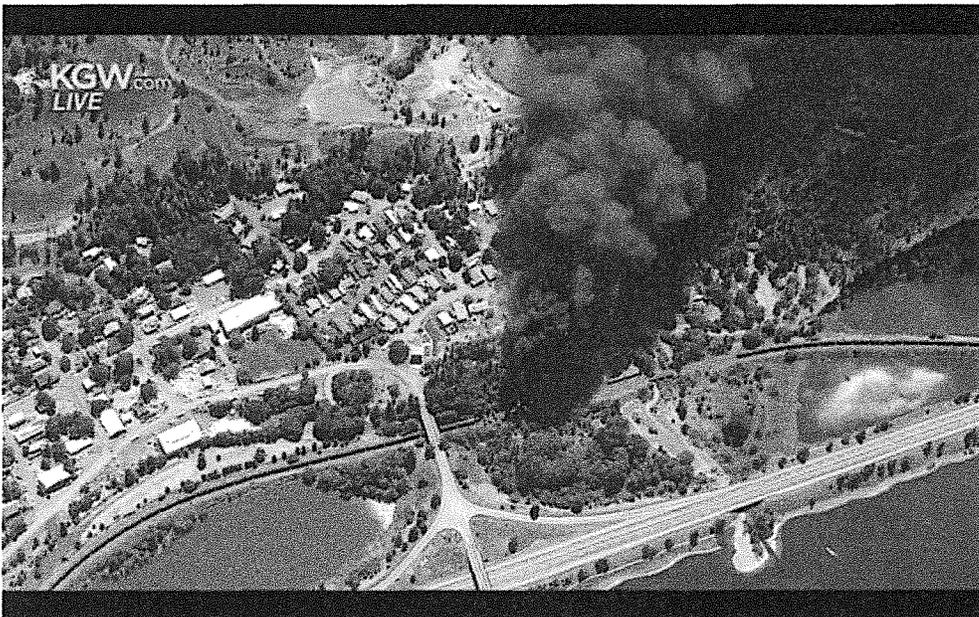
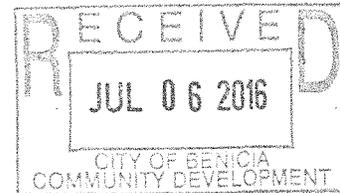
Please enter these photos into the public record on the Valero CBR Project Appeal. The first few pictures show aerial views of the June 3rd 2016 oil train derailment in Mosier OR along the Columbia River Gorge. What is of particular interest is the level of destruction of the trackage resulting from derailment.

I've also included photos of UPRR rail replacement debris – piles of old ties, rails and metal fasteners and bolts left along Industrial Way in the Benicia Industrial Park.s If UPRR is considered a good neighbor, I would hope the City would enforce the removal of this debris, which is not far from the City's Bus Hub project.

Given the limitations of how many megabytes I can send via email, I'll be sending a second batch of photos to be included with this message.

Thank you,

Marilyn Bardet

















Amy Million

From: Marilyn Bardet <mjbardet@comcast.net>
Sent: Tuesday, July 05, 2016 2:13 PM
To: Amy Million
Cc: Brad Kilger; Kate Gibbs
Subject: BATCH II: Photos of UPRR track replacement debris left in Industrial Park.

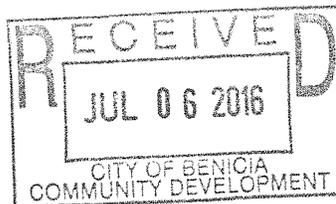
Hello Amy,

Please include the following photos with my previous message that contained photos identified as "BATCH I" that captured Mosier OR derailment conditions, and also track replacement debris left by UPRR in our Industrial Park along Industrial Way.

the last photo in this batch shows UPRR rail spur leading into Park Rd intersection. Visible on the tracks are piles of petcoke left by Valero hopper cars traveling to and from the Port of Benicia. Also please note the apparent "warp" in the rail on the left side of track in photo. This particular warp shows up in other photos I've taken as well. It is located at a spot adjacent to trestle towers, which rise up on both sides of the tracks to hold up the aerial trackage that heads south to the RR Bridge crossing the Strait.

Thank you,

Marilyn Bardet





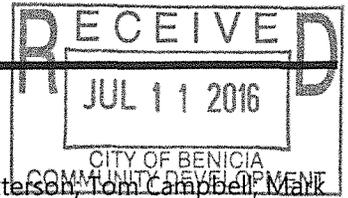








Amy Million



From: Jan Cox Golovich <janlcg@gmail.com>
Sent: Monday, July 11, 2016 10:47 AM
To: Amy Million; Brad Kilger; Heather McLaughlin; Elizabeth Patterson; Tom Campbell; Mark Hughes; Alan Schwartzman; Christina Strawbridge; Elizabeth Patterson
Subject: Coalition Opposing Valero's petition to STB

Dear Amy,
Please add this article from today's Davis Enterprise to the public record on the Valero Crude by Rail project.

<http://www.davisenterprise.com/local-news/davis-joins-regional-agencies-in-opposing-valero-oil-train-petition/>

Davis joins regional agencies in opposing Valero oil train petition

By Felicia Alvarez | July 10, 2016

In the latest addition to the turbulent saga of Valero Refining Company's proposal to expand a crude oil-by-rail train route through the Sacramento-Davis region to a refinery in Benicia, the City of Davis, Yolo County, and the Sacramento Area Council of Governments have submitted formal letters opposing the Valero's latest moves to approve the project.

The local agencies are joined by a formidable coalition opposing Valero's project, including State Attorney General Kamala Harris, the cities of Oakland and Berkeley, and a number of air quality management districts.

The letters oppose Valero's most recent steps to push through the crude-by-rail proposal and expansion of their Benicia refinery.

Last February saw the Benicia Planning Commission unanimously vote down the project's environmental impact report. Valero decided to take it to the federal level, petitioning the Surface Transportation board for a federal preemption of the railroads.

Preemption would allow the company expand its operations to transport oil through Davis along Interstate 80 toward the refinery in Benicia. It would also include routes that travel to San Luis Obispo, Bakersfield, and several other projects in Oregon and Washington.

The route of the most local concern would see 100-car trains travel through Old East Davis, downtown Davis, and the south end of UC Davis each day.

Last Friday, the Davis delivered its own letter to the Surface Transportation Board opposing Valero's proposal. The city signed alongside Yolo County, Oakland, Berkley and SACOG.

Fighting to maintain local control of planning and zoning management of the proposal in the interest of public safety, the letter states:

"Valero's complaints do not actually pertain to rail operations at all. They pertain to the operations of oil refineries within California, refineries that wish, for their own financial benefits, to be exempted from compliance with state and local environmental and planning laws."

The local agencies go on to argue that granting preemption is outside of the role of the board to rule on an oil refinery's obligations.

The Yolo Solano Air Quality Management District decried Valero's petition as well, drafting a letter alongside the Butte, Sutter, Placer, Sacramento, Shasta and Bay Area air quality management districts.

The letter points to the project's revised draft environmental impact report, which lists the additional air quality impacts that would be felt across multiple air districts if additional railcar trips were made across the region.

"... federal preemption prohibits the mitigation of project emissions either directly from locomotives or indirectly through the purchase of emission offsets," the letter states, adding that this is what prompted the air quality districts to oppose the petition.

Yolo Solano AQMD's letter goes on to echo the city's argument that Valero is not a rail carrier, and therefore is not eligible to receive a preemption on the railroads from the Surface Transportation Board.

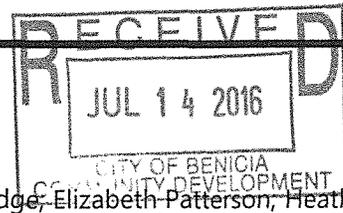
The Benicia City Council is slated to give the oil train proposal another hearing in September.

— Reach Felicia Alvarez at falvarez@davisenterprise.net or 530-747-8052. Follow her on Twitter at [@Felicia_A_](https://twitter.com/Felicia_A_)

Thank you,

Jan Cox Golovich
179 Harbor Vista Ct.
Benicia, CA 94510

Amy Million



From: rogrmail@gmail.com
Sent: Thursday, July 14, 2016 3:29 PM
To: Amy Million
Cc: Alan Schwartzman; Anne Cardwell; Christina Strawbridge; Elizabeth Patterson; Heather McLaughlin; Mark Hughes; Steve Salomon; Tom Campbell; Christina Ratcliffe
Subject: Massive Fracking Explosion in New Mexico, 36 Oil Tankers Catch Fire

Amy – please add the following to the public record on Valero Crude by Rail. This article is significant in that Valero’s proposed CBR project would be built too close to existing oil storage facilities. This accident illustrates what can happen when there is an explosion close to storage tanks.

Roger Straw
Benicia

<http://beniciaindependent.com/massive-fracking-explosion-in-new-mexico-36-oil-tanks-catch-fire/>

MASSIVE FRACKING EXPLOSION IN NEW MEXICO, 36 OIL TANKS CATCH FIRE

Repost from EcoWatch <http://www.ecowatch.com/massive-fracking-explosion-in-new-mexico-1919567359.html>

By Lorraine Chow, Jul 13, 2016

This week—as thousands of Americans urge awareness to the destruction caused by oil bomb trains—an oil field in San Juan County, New Mexico erupted in flames Monday night, highlighting the continued and increasing dangers of the fossil fuel industry.

The fire broke out around 10:15 p.m. Monday at a fracking site owned and operated by WPX Energy, setting off several explosions and temporarily closing the nearby Highway 550. Fifty-five local residents were forced out of their homes.



A photo of the fire before emergency response arrived on site. Kendra Pinto

The site—located in the Mancos shale deposit area and known as the 550 Corridor and a part of Greater Chaco Canyon—contains six new oil wells and 30 temporary oil storage tanks holding either oil or produced water. All 36 storage tanks caught fire and burned, the Tulsa, Oklahoma-based energy company said.

The site was still smoldering last night and, now, “only 7 of 36 tanks at production site on fire this morning,” the company tweeted.

“The fire is being allowed to burn itself out due to the intensity of the heat, the number of oil tanks involved and to contain petroleum fluids on WPX’s five-acre site, predominantly in the storage tankage,” WPX said.

According to Albuquerque news station KOAT, WPX stopped drilling for natural gas and oil in the area last May. The company had been producing for about a week before the fire broke out.

The cause of the fire is currently unclear. “We think that in the next couple of weeks to months, we will have that information and will be able to share that with the public,” WPX San Juan Asset Team manager, Heather Riley, told the news station.

There were no reported injuries or damage to nearby property. Most of the evacuees have returned home but 10 families are still lodged in a hotel, The Farmington Daily Times reported.

Environmental advocates are speaking out about the explosion.

“The site that exploded is a brand new facility that consists of six wells drilled to shale formations that have never been adequately analyzed for impacts and safety concerns.” Mike Eisenfeld, the Energy and Climate Program manager at the San Juan Citizens Alliance, told EcoWatch in an email.

WPX was given approval to develop the site from the New Mexico Oil Conservation Division in September. The U.S. Bureau of Land Management (BLM) Farmington Field Office gave final approval to drill the land in December.

“In a leap before looking scenario, the federal Bureau of Land Management in Farmington, New Mexico has allowed WPX to proceed with these shale facilities discounting the inherent danger that has now become clear with the explosion,” Eisenfeld said.

“This highlights the failure to have adequate safeguards in place to protect local communities and also raises serious questions about chemicals and toxicity associated with the explosion. Emergency response for this explosion was hours away. A thorough investigation is necessary. There should be a moratorium on these new wells until BLM completes a legally proficient Resource Management Plan Amendment/Environmental Impact Statement for the Mancos Shale/Gallup formations.”

The New Mexico environmental non-profit WildEarth Guardians noted in a statement to EcoWatch that the BLM Farmington Field Office has leased more than 90 percent of the lands it oversees to oil and gas companies and plans to auction off additional acres for fracking during the January 2017 lease sale. The office manages a total of 1.8 million acres of public land.

“Enough is enough,” Kendra Pinto, counselor chapter outreach intern, said. “It seems like every month we see more wells here, and things are going to get worse if the drilling doesn’t stop. At this rate, what will be left here for our children? The land has changed.”

WPX Energy has invested millions to drill into the tight shale formations in the San Juan Basin. The company has put in at least \$160 million in developing oil plays in 2014 on its 60,000 leased acres, the Santa Fe New Mexican reported.

The rise of hydraulic fracturing has aided a U.S. energy boom but the environmental impact of the technology is under intense dispute, from polluting drinking water to earthquakes. Last year, WPX Energy itself came under scrutiny for failing to disclose how it is managing its impacts on communities and the local environment with its fracking operations. “WPX Energy scored near the bottom of the industry in a recent scorecard report published by investors benchmarking 35 companies on their disclosed efforts to mitigate key impacts, and has faced controversy in the past over allegations that it irreparably contaminated local drinking water in Pennsylvania,” the advisory firm Green Century Funds wrote. WPX Energy has defended its operations and even helped produce a glossy 26-minute documentary, *Down Deep*, as a way of “spreading the message that fracking is safe and necessary for the U.S. energy future,” Tulsa World wrote of the film.

Still, as WildEarth Guardians pointed out, the recent oil field explosion in San Juan serves as a sobering reminder of the urgent need to build safe, clean renewable energy in place of fossil fuels.

“I know people want jobs,” Samuel Sage, Wildlife Guardians counselor chapter community services coordinator, said. “But why must they come at the expense of our air, water, and climate? Many other places are building clean energy generation and creating well-paying jobs in the process. That is our future, not this dirty industry.”

“Unfortunately, this may be the tip of the iceberg,” Rebecca Sobel, senior climate and energy campaigner at WildEarth Guardians, said. “The Obama Administration has already leased more than 10 million acres of public land to oil and gas drilling, and BLM continues to lease more land in New Mexico to fracking interests without studying these impacts. How many more explosions and evacuations will it take before we seriously consider the cost of these dirty fossil fuel industries and simply end this leasing program?”