

To: Rent Stabilization Board Commissioners

From: Commissioner Alejandro Soto-Vigil  
Commissioner James Chang  
Commissioner Paola Laverde-Levine  
Vice-Chair Katherine Harr

Date: December 15, 2014

Subject: Oppose Santa Maria Crude-By-Rail Project in San Luis Obispo and Send  
a Letter to the San Luis Obispo Planning Commission

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**Recommendation:**

That the Board oppose the Santa Maria crude-by-rail project in San Luis Obispo and send the attached letter to the San Luis Obispo Planning Commission and their Board of Supervisors.

**Jurisdictional Statement:**

The Rent Board has jurisdiction on the proposed letter to the San Luis Obispo Planning Commission. In June 1980, Berkeley residents passed the City's comprehensive rent stabilization law, known as the Rent Stabilization and Eviction for Good Cause Ordinance. (Berkeley Municipal Code Chapter 13.76.) The Ordinance regulates most residential rents in Berkeley, provides tenants with increased protection against unwarranted evictions and is intended to maintain affordable housing and preserve community diversity. This proposal preempts the possible destruction of affordable housing in Berkeley from an explosive and destructive derailment of the proposed Santa Maria crude-by-rail project as the trains pass through Berkeley.

**Background:**

The San Luis Obispo Board of Supervisors is scheduled to make a decision on the crude-by-rail proposal in early 2015. In January 2015, the San Luis Obispo Planning Commission will hold a hearing to consider comments on the Environmental Impact Review (EIR) process, which is required under the California Environmental Quality Act.

If the crude-by-rail project is approved, these dangerous "bomb trains" will roll through many California communities each day, including northern and western shorelines of Alameda and Contra Costa Counties. This project will put many communities at risk of accidents and spills, threatening our air, water, health and Berkeley's Rent Controlled housing stock. A derailment in Berkeley will cause severe damage to the San Francisco Bay, West Berkeley manufacturing zone, residential communities, and schools. If a derailment occurs, anyone within a mile of the rail lines is in the dangerous blast zone. (Please see attached hyperlinks)

Phillip 66, part of the ConocoPhillips oil conglomerate energy company, has admitted in the project EIR that the proposed oil-train facility will create “significant and unavoidable” levels of air pollution, including sulfur dioxide and cancer causing chemicals. Each oil train will carry more than three million gallons of explosive, toxic crude oil.

### **Conclusion:**

The Rent Board must oppose this project for two specific reasons. First, the proposed project will send explosive crude through West Berkeley, threatening our precious rent controlled housing stock. Second, the Rent Board must join many other elected governing bodies to support protecting our community’s health and safety and California’s precious coastal lands.

### **Attachments:**

1. Wikipedia page on Lac-Mégantic rail disaster: [http://en.wikipedia.org/wiki/Lac-M%C3%A9gantic\\_rail\\_disaster](http://en.wikipedia.org/wiki/Lac-M%C3%A9gantic_rail_disaster)
2. The Canadian Press - Some evacuees in Lac-Megantic may never be able to return to their homes: <http://www.macleans.ca/news/canada/some-evacuees-in-lac-megantic-may-never-be-able-to-return-to-their-homes/>
3. Red Zone Map: <https://www.google.com/maps/d/viewer?ll=45.576832,-70.883703&t=m&source=embed&ie=UTF8&msa=0&spn=0.010514,0.019741&z=15&mid=zRKUD5WIJmWI.kJ2xbitkKlus>
4. Letter to the San Luis Obispo Planning Commission and Board of Supervisors

To: San Luis Obispo Planning Commission and Board of Supervisors

From: Berkeley Rent Stabilization Board Commission

Date: December 15, 2014

Subject: Opposition to the Proposed Santa Maria Crude-By-Rail Project in San Luis Obispo

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The Berkeley Rent Stabilization Board opposes the proposed Santa Maria crude-by-rail project being considered by the San Luis Obispo Planning Commission and San Luis Obispo Board of Supervisors.

Our Board is charged with the purpose to maintain affordable housing and preserve community diversity in Berkeley. We firmly believe that the proposed project threatens our precious rent controlled housing stock. We know that the proposed Phillips 66 crude-by-rail project will transport multiple trains per week filled with explosive oil through Berkeley. If this project is approved, many residents and businesses in Berkeley will be constantly threatened with a potential explosion if derailment or accident occurs within a one-mile radius of our City.

As you know, if the crude-by-rail project is approved, these dangerous "bomb trains" will roll through many California communities each day, including northern and western shorelines of Alameda and Contra Costa Counties. This project will put many communities at risk of accidents and spills, threatening our air, water, health and Berkeley's Rent Controlled housing stock. A derailment in Berkeley will cause severe damage to the San Francisco Bay, West Berkeley manufacturing zone, residential communities, and schools.

We respectfully request that you oppose this project.

Sincerely,

Berkeley Rent Stabilization Board Commissioners