

Comment Set A
Port San Luis Harbor District

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April 29, 2005

Mr. Andrew Barnsdale, CPUC
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104

Via Certified Mail and e-mail

Subject: Draft EIR – Proposed Diablo Canyon Power Plant
Steam Generator Replacement Project
State Clearing House #2004101001
Harbor District's Comments and Recommendations

Dear Mr. Barnsdale:

We appreciate the opportunity to review and comment on the Draft Environmental Impact Report on the steam generator replacement project at PG&E's Diablo Canyon Nuclear power plant in San Luis Obispo, CA. Port San Luis Harbor is considered one of two locations to offload the heavy cargo and is generally supportive of the project, pending resolution of the following comments and questions. We look forward to working with the California Public Utilities Commission and PG&E on this project. Our comments and questions are:

Es-2 **Beyond the NRC License**
This DEIR does not evaluate the impacts that could occur if the DCPP facility is operated beyond the license expiration date. This Draft EIR states "Although it is true that implementation of the proposed project could provide an incentive for PG&E to apply to extend the licenses (to operate) and thus may increase, to some degree, the likelihood that PG&E will apply for license extension..."

Es-2 **No Project Alternative**
If the original steam generators (OSG's) are not replaced they would likely be taken out of service in 2013 or 2014.

Q1: This is a real possibility (license renewal) with the project and under the provisions of CEQA statutes it is required to be analyzed. Please do so.

Q2: The environmental impacts shall be studied if there is a possibility of a longer term operation due to the proposed project. Please include in the Final EIR.

Es-21
3.1 Environmental Assessment Methodology
3.1.1 Environmental Baseline

A-1

A-2

PORT OF ENTRY — U.S. CUSTOMS

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- Baseline includes an operating nuclear power plant, radioactive waste storage facilities, and current NRC licenses for Unit 1 (2021) and Unit 2 (2025). **A-2**
- Es-22 In the context of this pre-existing environment...this EIR analyzes only the incremental changes that would be caused by the steam generator replacement project. These incremental changes are mainly limited to the short-term effects of steam generator replacement activities and the long-term presence of the OSG Storage Facility.
- Q3:** The DEIR is required to consider the long term effects of the steam generator and the probability of the license extension. Although the current license may include storage facilities, the DEIR lacks full analysis of the storage of the original steam generators and the details and risks of doing so.
- B.1 Project Description** **A-3**
[Note: The Harbor District mainly focused on impacts to the Port facilities – offloading and transport across Harbor District and staging and storage on our properties.
- We did not consider other aspects of the project description such as replacement steam generator staging and preparation, original steam generator removal, transport and storage and replacement steam generator installation in any depth at all.]
- Q4:** The Project description or analysis did not identify or describe the requirement of a land use permit and a license to “offload cargo, parking lot staging area and road closures.” Even though we requested it to be included in communications with the PUC, PG&E, and Aspen Environmental, it was not (see scoping letter of October 2004). Please do so in the Final EIR by consulting the Harbor management in order to avoid additional CEQA processes should PG&E decided to use the Port for the operation.
- B-1 **B.1.1 Replacement Steam Generator Transport** **A-4**
Replacement steam generators (RSG) are to be manufactured outside of the United States, and then transported by heavy-load ship to a southern California Harbor (Port of Long Beach or Port of San Pedro).
- The RSGs would be transferred to one or two barges and then shipped to Port San Luis Harbor. Units 1 and 2 steam generators will be replaced at separate times so the barges would deliver the four steam generators for each unit at separate times.
- B-12 **B.3.1.1 Fabrication and Transport to Port San Luis**
Design, fabrication, testing and transport of the RSGs requires a lead time of 40 months. Delivery to Port San Luis/Diablo Cove is scheduled Sept. – Nov. 2008

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for Unit 1 and Sept. – Nov. 2007 Unit 2. “Traditional shipping methods would be used in compliance with applicable regulations such as...the Port San Luis Harbor District Code of Ordinances.”

A-4

Q5: This DEIR did not provide a full analysis of the transportation of the cargo from its point of origin to its final designation. Expand the analysis instead of referring to other regulations and documents that were not a part of the appendices.

Q6: The reference to the Harbor District’s Code of Ordinances does not comply with the CEQA mandates with regard to required analysis of the effects of the project (a portion of which is traveling through the San Luis Obispo Bay area and inter harbor activities). An expansion on the effects of new or different tug and barge traffic within the Harbor jurisdiction should be completed in the Final EIR. The Code of Ordinances also includes requirements of a Land Use Permit and License to perform this work. The DEIR failed to address this “Action” which is considered a “project” under the CEQA provisions. Please include a discussion on the requirements of a Land Use Permit and a License in the Final EIR to avoid it having to be completed at a future time (that is part of the project description).

A-5

B-12

B.3.1.2 Offloading Steam Generators at Port San Luis

Tug and tow (barge) will enter into Port – may have to move some vessels to allow access. Resident vessels may have to be temporarily relocated. The DEIR states that the offloading would occur just north of a small peninsula that currently acts as a small boat launch. (*That description is actually at Fisherman’s Beach*). A barge ramp would be delivered by truck and stored at the Port until assembled.

A-6

B-16

Option 1: Short-Term Storage of Steam Generators at Port San Luis.

All four RSGs offloaded from barges and “staged” in a nearby parking lot at the Port. The RSGs would then be moved one at a time to the power plant. Staging at the Port would be two to four days for each unit.

Q7: An expanded discussion on this is required. Please add that it would be preferable to have the two smaller barges used to transport the cargo from LA/LB, which will reduce the possibility of having to relocate resident vessels. If resident vessels are required to be relocated, that cost and responsibility would be borne by PG&E or its contractors. A provision of this requirement would be included in any license or permit issued for this project. The Final EIR also needs to address the impacts to those vessels owners who may be relocated due to the inconvenience of the move, and the distance farther away from the access points (skiff locations on Harford Pier).

Q8: Please correct the statement (B.3.1.2, page B-12) to say “west between the mobile hoist pier and Harford pier...” The Fisherman’s Beach alternative was eliminated in the

A-7

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Alternatives section (see page C-17) which we concur with, as it is very rocky and dangerous to vessels in that area. During future site visits we suggest that you meet with local land owners for a better understanding of the lay of the land.

A-7

Q9: A storage license (and other project approvals) is required under the Harbor District's Code of Ordinances for this project as these approvals are considered a Project under the provisions of CEQA; the approvals need to be addressed in the Final EIR. Storage would cause effects to our limited space on the Harford Land area and that would impact the existing operations and users of the Port. A discussion of project staff parking and staging area on Harbor Terrace (off site) is required as a mitigation consideration. Please add a discussion of this to conform to the mandates of CEQA in the final EIR or additional environmental work would be required before the work could be completed at Port San Luis.

A-8

B-16

Option 2: Direct Transport to DCPD Facility.

Offload one at a time and transport to power plant. This option would require barge(s) to be moored at the offload point for one or two additional days.

This option negates the need for a storage area at Port San Luis, but "clogs up" the facilities with barges and tugs.

A-9

Q10: We strongly suggest that a marine tug company be consulted prior to even considering the use of Diablo Cove as an offloading site, due to the narrow entrance and lack of turning area for tugs and barges. Even if the Diablo Cove site is used, a discussion is required on a diversion of the vessels to the nearest Port of Refuge in the event of an emergency such as weather, which would put the tug and tow into Port San Luis. This also requires a discussion on the possible effects of such equipment holding for a time in the anchorage and how that might affect the Port's daily operations, including traffic (vehicle and vessels) and parking. Please expand your discussion on this risk.

B-19

Fig. B8 Plan View of "Live Offload" Barge Docking at Port San Luis

Shows barge offload site between Harford Pier and mobile boat hoist.
(Plan by Bigge Power Constructors.)

A-10

Q11: See Q8 above regarding the description of the actual offloading site. This is different than what the DEIR text describes – "North" of boat launch basin. (see B-12).

B-20

Fig. B9 Barge and Ground Transporter Drawing

Shows a barge with two "units" on it. 200' long barge.
Would need two barges for four units; two units per barge.
Anything larger would not fit in the channel.

A-11

Q12: Again we suggest that the replacement generators be shipped on a smaller barge (two units at a time) due to the space restraints in both offloading locations.

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B-23	B.3.1.3 Replacement Steam Generator Transport on Land DEIR states “The RSGs would be transported from the Port San Luis area across Avila Beach Drive to the DCPD Access Gate...” “All land transportation activities would occur along existing paved roads that were designed and constructed for heavy loads.”	A-12
B-23	Total payload of RSG and Transporter is approximately 500 tons. Width is 11-16 ft., length is 68 ft. Q13: The Port San Luis parking lot and entrance road (portions of Avila Beach Drive) were <u>not</u> designed or constructed for heavy loads as stated in the DEIR. Please clarify this and address the impacts of possible damage to these roads. Then provide mitigation measures.	
B-25	Fig. B11 Proposed Replacement Steam Generator Offloading Location Figure shows the site of the PG&E barge landing at Fisherman’s Beach.	A-13
B-36	Q14: See Q8 above and correct.	
B-37	B.4.2 Equipment and Personnel Requirements Table B-3 shows number of units. Transport of RSGs from Port to DCPD would require 30 workers. Q15: Please correct the Final EIR to address the offsite parking of all project-related personnel to be either Harbor Terrace or elsewhere. Parking will not be allowed at any existing public parking spaces at the Harbor or in the Harbor District’s Avila Beach parking lot. The DEIR states that there would be an “industrial security force most likely hired for the proposed project...”	A-14
B-37	Q16: The Harbor District would require additional security be provided (on land and water as needed) if activity occurred on Harbor District properties, which are related to this project.	A-15
B-37	B.6 Measures or Activities to Prevent Environmental Impacts	A-16
B-39	Replacement Steam Generator Transport	

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- Ballast water would only be discharged from clean tanks on the barge, and only as necessary to stabilize the barge during offloading operations.

A-16

Q17: It is mandated that ballast water originates from California waters; not foreign. Provide criteria (mitigation measures) for this to be strictly controlled and checked by a third party. This is due to possibility of the introduction of invasive species into the San Luis Obispo Bay or nearby.

B-39

- To the extent practicable, RSG offloading would be conducted during the weekdays before or after the busy summer tourist season.

A-17

Q18: “To the extent practicable...during the busy tourist season” is not acceptable to the Harbor District. Please correct statement(s) by deleting the words “to the extent practicable...” The definition of tourist season is inconsistent throughout the document. Please correct (see mitigation measures L-2a and V-1a.)

- All transportation equipment would be fitted with appropriate mufflers and all engines would be maintained regularly according to manufacturer's specifications.

A-18

Q19: Who will enforce this? How will this be proved?

- Lighting (used to facilitate nighttime work) would be shielded and directed away from sensitive elements along the route.

A-19

Q20: Please add a statement that nighttime lighting shall also be mitigated to protect the operators of any vessels in the area from night blindness. This should be a mitigation measure.

- Mats and other ground reinforcing methods may be used at the offloading areas or some roadway portions to assist/facilitate transport (stabilize equipment, distribute weight) and minimize disturbance to sensitive areas (natural resources and subsurface utilities.)
- Steel plates may be used under the barge ramps to protect the underlying asphalt or soil.

A-20

Q21: It will be a requirement for the licensee to Bond for damages of the facilities including for a 12-month period after the activity, to insure long term damage has not been done.

- At the time of offloading, an underwater survey would be performed by a diver to ensure that there are no objects that could potentially damage the hull of the barge, and to ensure that the barge would not impact any sensitive marine life.

A-21

Q22: This should read “shall be done well in advance of project start.”

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- If the RSGs are staged at Port San Luis, PG&E would erect a cyclone fence enclosing the RSGs and place an industrial security force at the staging area. A-22
- B-39
- Q23:** The Project description lacks detail on this and we assume that a large amount of space (65 feet by 25 feet per unit) would be required in the main parking lot of the Port. This will cause a loss of parking spaces to our daily customers. If done on a weekend (or any high use day - September and October are high traffic months at the Harbor) it will have an economic effect on our lessees due to parking loss. This shall be mitigated by some type of compensation to the Port and lessees; parking loss should be identified as an impact of the project. Please provide mitigation to this alternative.
- A complete load path analysis would be performed by the transportation contractor and the rigging subcontractor prior to delivery of the RSGs. A-23
- Q24:** Please include a Port San Luis representative – maybe a contractor –with PG&E to pay for services in this mitigation measure (G-1).
- Monitoring of possible erosion and sediment along the transport route would be conducted to limit interaction with the existing natural drainage patterns. A-24
- Q25:** Expand mitigation measure to include a pre-project inspection – with a report & photos to be provided to agencies and landowners.
- In accordance with NRC regulations [10 CFR 50.59] a Nuclear Safety Related Structures, Systems and Components (SSCs) review would analyze the risk of using the Intake Cove Offloading Alternative to verify that DCPD operations would not be adversely affected. A-25
 - If the Intake Cove would be used for RSG offloading, a site-specific procedure would be written specifically to establish prerequisites, precautions, and instructions to control the movement of the barge in the Intake Cove.
- Q26:** In this scenario, a bad weather scenario may move barges to Port San Luis; make anchorage provisions (see Q#10 above). It is strongly recommended that PG&E obtain the services of a reputable tug boat captain (such as one who may actually do the work) to visit the site and provide advice and recommendations to the NRC and PG&E on the safety and feasibility of using the Cove for offloading.
- Some work activities would be performed during the non-peak tourist season and at night to reduce any visual impacts. A-26
- Q27:** There is a problem with this mitigation measure, as it puts the offloading schedule in the winter season, substantially increasing the safety risk factor at both offloading sites. (See mitigation L-2 and V-1a.)

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- A marine biologist would attend the offloading in the Intake Cove to monitor for marine mammals.

A-27

Q28: Please add to this mitigation measure that a marine biologist would also attend offloading at Port San Luis Harbor.

B-43

B.7 References List

A-28

Q29: It is interesting to note that Port San Luis Harbor District was not contacted to discuss the vessel logistics, operational and feasibility of the heavy offloading of the RSGs at the Harbor. Environmental effects may not be fully understood or identified due to this lack of communication.

C-1

C.1 Alternatives

A-29

C-6

C.4.2. Replacement Steam Generator Offloading Alternative

Use Diablo Canyon Intake Cove. Reduces impacts to Port San Luis.

Would require 2 barges of smaller size which could only carry 2 steam generators each, so two trips into cove would be required.

Q30: There is the same problem at the Port. A barge big enough to transport 4 steam generators would be too large to get into and near shore at Port San Luis. Please correct this throughout the entire document. We suggest that you discuss with a Tug and Barge company (tug boat captain) on site to get the actual safety (and feasibility) of the use of larger barges. (Also see mitigation V-1a.)

C-13

C.5.2.1 Port San Luis Vicinity

A-30

Q31: We find it odd that the consultant was on site did not discuss San Luis Obispo Bay alternatives with Harbor Management. Although we agree with the results of the findings and elimination of other sites, the consultant does not accurately show the offloading site in the DEIR (both in text description and in the figures). Please correct all.

C-14

Olde Port Beach

The DEIR states “The heavy weight of the steam generator and the transportation equipment may exacerbate the current instability of this area.”

A-31

Q32: Although Olde Port Beach was eliminated from EIR consideration, this statement is true at the proposed offloading site (Port San Luis) and should be added to the

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discussion (Harford Land Area and roadway to Diablo Canyon Road) and further detailed in the mitigation measure to include Harbor District property.

A-31

C-15

Fig. C-2 Potential Alternatives in the Port San Luis Vicinity
Port San Luis Harbor and offloading locations.

A-32

C-17

Fisherman’s Beach

This area “...has experienced substantial erosion... Therefore it would be technically infeasible to unload and stage the steam generators at this location.”

Q33: Previous text/Figures show that this is the “Proposed Unloading Area.” (See B-12; B.3.1.2. and Figure B-5.) It is not the correct location. Please correct throughout the document.

C-27

C.6 No Project Alternative

“The No Project Alternative assumes that, at the very least, 2,200 megawatts of power generation, the amount of capacity at DCPP, must be replaced through other methods when DCPP shuts down.”

A-33

D.1-1

D.1 Introduction to Environmental Analysis

D.1-2

D.1.2.2 Beyond the NRC License

“This assessment (DEIR) does not evaluate the impacts that could occur if the DCPP facility is operated beyond the license expiration dates.”

Q34: The detailed analysis of this subject is a requirement of CEQA, but the author states that they will not analyze the possible extension of the Plant’s license if the steam generators are replaced. The fact that the document discusses this in the “No Project Alternative” [C-6] (as required by CEQA) makes it in conflict with the justification of not addressing the possibility of license extension [D.1-.2.2]. This does not meet the minimum requirements of CEQA and further analysis on plant license extension is mandated.

D.2-6

D.2.3.2 Air Quality

Table D.2-6 Equipment and Vehicle Usage for RSG Transport

A-34

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Q35: Please make the statement that all vehicles and equipment shall be parked or stored off site on Harbor Terrace or elsewhere and that project personnel will be shuttled into the Port area.

A-34

D.3-2

Port San Luis Offload Location

Q36: Location is again misstated; described as Fisherman’s Beach.

A-35

D.3-29

Marine Biological Resources

Port San Luis Harbor; “Marine Mammals”

Q37: Please expand the biological discussion to include offshore of Port San Luis and Diablo Canyon and the proposed offloading sites and anchorage. Add sea otters to the Table (see D.3-38 – Table D3.6: Impact B-3.)

A-36

D.4-10

D.4.3.2 Replacement Steam Generator Transport

The offloading site was “visited by a project archaeologist on November 19, 2004. The visit confirmed that no cultural resources are present either at the offloading location or...”

Q38: We are sorry we were not contacted when the archaeologist visited the harbor site. Did he conduct an underwater review where the barge might dock (“hard landing”)?

A-37

D.5-14

D.5.3.2 Replacement Steam Generator Transport

The “route from Port San Luis to DCPD would cross over areas of potentially unstable earth materials.”

Q39: It is not clear that the mitigation G-1a covers the Port San Luis parking lot and/or roads. This needs to be clarified in the mitigation measure. Please correct.

A-38

D.6-15

D.6.3.2 Replacement Steam Generator Transport

Q40: There is no discussion or mitigations of the possibility of a release of hazardous materials into the marine environment (ocean water). Please add discussion and mitigation measures.

Q41: Coordination with Port San Luis during offloading, including applicability of DCPD’s environmental procedures and policies as relates to the harbor area (water and land) is not addressed. How do PG&E’s policies and employees relate to the transport

A-39

A-40

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while on Harbor District property? Please correct this error and amend mitigation measure to cover this activity on Harbor property.

A-40

“During transport of the RSGs, hazardous materials such as vehicle fuels, oils, and other vehicle maintenance fluids would be used and stored onsite.”

Q42: Would hazardous materials be stored on Harbor District property? If so, please add to the mitigation measures that PG&E would need a license and that an insurance policy or bond for clean-up would be required.

A-41

D.6-17

Table D.6-4 Hazardous Materials Associated with Proposed Transportation Equipment

A-42

D.7-6

D.7.3.2 Replacement Steam Generator Transport

Q43: With regards to the projects' tug boats, there is no mention of a mitigation measure for a possible spill at sea or in Port. Please provide details on clean-up and prevention program for project vessels and contractors while on Harbor District properties. Also see also D.7-6 – D.7.3.2. and Mitigation Measures H.

D.7-11

D.7.7 References

Does not include “DCPP Spill Response Procedures.”

A-43

Q44: Did DEIR author review these procedures? Please correct mitigation to include Harbor District protection in the event of a spill (on both land and at sea). PG&E procedures and employees are applicable only for their property but we have no assurances they will come onto our property to respond to any spills. Please correct this gap in the mitigation measure and procedures.

D.8-2

Land Use

Q45: Bullet 5 “...Mobile homes for part-time residents” is incorrect. There are some full-time residents here. Also note that this is the same as bullet 2 – “Port San Luis Trailer Park.” Also please note that tent camping is allowed at Port San Luis by issuance of special permit(s). Please correct text and mitigation measure to protect these persons.

A-44

D.8-3

Diablo Canyon Power Plant Property Map

Q46: Fig. D.8-1 does not accurately show Port San Luis property. (Harford Landing area and Harbor Terrace.) Please correct.

A-45

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D.8-7

Land Use Designations

Q47: Fig. D.8-3 does not accurately show Port San Luis properties as a Public Facility property (Harford Landing area and Harbor Terrace.). Please correct.

A-45

D.8-9

Recreational Facilities

Q48: Fig. D.8-4 does not accurately show Port San Luis as a recreational facility, including the port and beaches. Please correct.

D.8-18

D.8.2 Applicable Regulations, Plans and Standards

The DEIR fails to state in this section that approvals from the Harbor District are required, even though the document identifies the Harbor District has having jurisdiction.

Q49: Please include the requirements that a Land Use Permit and a License will be required for the project to occur at Port San Luis Harbor. The applicant will also be required to follow all rules, regulations and policies of the Harbor District. Please note that includes our May 2004 adopted Master Plan policies.

A-46

D.8-19

Coastal Plan Policies – SLO County

Consistency analysis. Shoreline Access; Protection of existing access.

Q50: The statement that "...offloading at Port San Luis would not conflict with this policy because Port San Luis is not a public point of access acquired through historic use or legislative action" is incorrect. This error is fascinating and reflects the consultants' lack of understanding of the Port San Luis Harbor District and calls into question the adequacy of the Draft EIR. Port San Luis Harbor is a major public point of coastal access through both historic (Cabrillo and Dana both visited the Harbor) and legislative action (1955 Legislative Grant of State Tide Lands to the Harbor District). We therefore demand that mitigation measure(s) be provided for this impact. Protection or offset measures for loss of access (road and space closures) are mandated.

A-47

D.8-20

Shoreline Access

DEIR identifies an impact to Pecho Coast Trail, but fails to address any impacts to Port San Luis or Avila Beach to or for shoreline access.

A-48

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Q51: With road, parking and storage area closures and additional barge and tug traffic, impacts to the Port and shoreline access will occur. This impact needs to be identified and mitigated.

A-48

D.8-22

Land Use, Recreation and Agriculture

A-49

Q52: There are other impacts that were completely overlooked such as Harbor Land Uses, businesses, etc. Please correct.

Q53: The Port's tenants will be impacted due to loss of recreational users caused by project's activities and road and parking lot closures, thus requiring mitigation measures to be implemented. Please develop adequate mitigation measures for this impact. Also, require project personnel to park offsite and be shuttled into project area (Port San Luis.)

A-50

Q54: Applicant shall give sufficient prior notice to all Harbor tenants via letter and oral communications to let them know the details of the project and who and how to contact in the case of any business problems. We suggest that the applicant provide an ombudsman for this project. Include notification of businesses and reporting to Harbor District in mitigation N-1b.

A-51

Q55: Applicant shall set up a meeting with Port tenants prior to each delivery or beginning of each phase of the work. Add to mitigation N-1b.

A-52

Q56: This chapter states that no coastal access improvements are recommended for this project. The Harbor District disagrees and suggests a financial contribution to a nearby recreational coastal access project. This is required due to a couple of reasons. First, the impacts to the recreation uses at the Harbor (camping, fishing, coastal access, parking, etc.) Secondly, the fact that this Draft EIR states that it does not consider the extension of the Plant's operation beyond the lease period (and that the NRC would do the review under a NEPA process) means we lose the ability to address that issue at the state level and should do so now. The community is losing its rights to gain improved coastal access through inadequate Land Use Consistency review by the author of this DEIR.

A-53

Improvements to the coastal access are required now because a coastal development (the Project) is occurring and the Power Plant has increased the probability of extending its licenses to continue generating power. PG&E should provide an improved road easement to the Harbor District and contribute financially to assist in the completion of improvements to the Lighthouse road. The road improvements project is currently permitted and is in need of a better easement document and funding to complete.

D.8-23

Lighthouse access
Open Water Area.

A-54

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D.8-24

Port San Luis Harbor District Harbor Master Plan

A-54

Q57: This EIR did not use or analyze the 2004 Harbor Master Plan policies. Please include a full discussion in the Final EIR, including any mitigation measures due to any identification of impacts or inconsistencies with the 2004 Harbor Master Plan.

D.8-25

D.8.3.2 Land Use Impacts – Physically divide an established community

A-55

Q58: DEIR states offload of cargo at Port would not create a physical barrier, when it in fact would, at least temporarily due to the road closures and storage areas fencing.

D.8-25

Impact L-1: Transport would disrupt an established land use

A-56

DEIR states offload “would affect Port San Luis for up to four days.”
“...vessels moored along the barge route may be temporarily relocated...”
“Temporary staging and storage of the RSGs at Port San Luis could temporarily disrupt commercial or recreational uses at Port San Luis.”
“...due to their temporary nature, potential staging and storage associated with RSG transport activities would have less than significant impacts to established land uses at Port San Luis (Class III).

Q59: The last statement is incorrect. The Harbor does not regularly offload commercial cargo such as that proposed in this DEIR. The tug and barge traffic is not a common occurrence at the harbor. Relocating some vessels along the fairway channel will cause a hardship to the vessel owner as access would be farther offshore, causing longer travel time to and from their vessels. Vessel owners would have to cooperate with the Harbor in order to relocate the vessels. This should be a Class II – Significant effect which can be mitigated to a less-than-significant level through the application of feasible mitigation measures as suggested below:

Mitigation

- * *PG&E and its contractors shall meet with both relocated vessel owners and Harbor officials to educate the parties on the need and duration of the vessel relocation due to this project.*
- * *PG&E shall provide some compensation to boaters whose vessels get relocated to help with the added burden of additional time to travel to and from their vessels.*

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** PG&E shall pay to the Harbor District the relocation costs including costs of labor, equipment and any new materials (such as anchor, chain and connectors) due to deeper water locations.*

A-56

** PG&E shall meet and confer with all Harbor District lessees, licensees and permitted businesses to discuss how the project might affect their commercial operations.*

D.8-26

Impact L-2: Transport would disrupt recreational activities

A-57

Q60: Peak times at Port San Luis are also the best ocean condition times to offload a barge. Calm water (low/no swell) is required to safely offload via a barge/bridge combination. This occurs on the Central Coast in the Fall: August – October. August – October is also the peak time for RV camping at Port San Luis. Therefore the proposed project “diminishes RV camping opportunities.” The recommended mitigation is not feasible, and the following is proposed:

***Applicant shall offset loss of revenue to the Harbor District due to displacement of RV camping space in the Staging and Storage area. Compensation shall also be due to the RV owners who lost the opportunity to camp during the time the space is used for storage and staging through some recreational mitigation measure.**

Traffic flow to the trailer boat launch would/may also be hindered and cause delays for commercial and recreational fishermen who launch their trailer boats at the trailer boat launch.

A-58

Q61: This impact needs to also be mitigated to address the diminished recreational opportunities and potential loss of revenue to the trailer boat launch operator (lessee). (Also see mitigation V-1a.)

D.9 Noise and Vibration
We have no comments.

A-59

D.10 Public Services and Utilities

Q62: Port San Luis Harbor may be an integral part of the proposed project. The Draft EIR does not address the Public Services and Utilities provided by the Harbor District and the effects of the proposed project. The Harbor District is a service provider. Please address this lack of information in the Final EIR.

The Port San Luis Harbor Patrol and Facilities Department would play key roles in the offloading of the RSGs at Port San Luis, taking these Harbor Crews away from their other duties.

Comment Set A, cont. Port San Luis Harbor District

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Q63: An expansion of the discussion on the Harbor District's services and utilities which would be overstressed needs to be included in this EIR. Mitigation measures should also be included to reduce the effects of the project.

A-59

D.10-6

D.10.3.2 Impact U-2: Project would impede emergency access

A-60

Q64: Mitigation measure U2a needs to be modified to include stationing Emergency Response vehicles and personnel at Port San Luis during Avila Beach Drive blockage, to respond to emergency at the Harbor District. Harbor District shall be provided a copy of the revised measure(s) for review and approval.

Q65: The current mitigation only addresses DCPD and neglects the needs of the Harbor District and its clients and businesses. Please include in the Final EIR.

D.10-7

D.10.3.2 Impact U-3: Project's utility and public service demands would exceed the capabilities of existing service providers.

A-61

Q66: This DEIR fails to address the need for additional public services provided by the Harbor District and the effects of the project on the Harbor District. Use of public facilities (restrooms, parking spaces, etc.), public personnel (Harbor Patrol, Public Works and Mooring Crew) and equipment/materials would cause an effect to the Harbor District which needs to be discussed and mitigated in the EIR.

D.11-1

D.11 Socioeconomics

A-62

Q67: This section discusses the Housing elements of the project and drastically fails to address the short-term effects to the businesses at Port San Luis, including the Lessees and Licensees as well as the commercial and sport fishing industry, which may be impacted economically. A full discussion and identified mitigations should be included in this EIR. A broader discussion on a full array of Social Economics should be completed to include the Harbor and Avila Valley. This section is terribly written, lacks substance, and does not meet the requirements of CEQA.

D.12-1

D.12 System and Transportation Safety

A-63

Q68: The Draft EIR in this chapter mainly focuses on radiation safety, including discussion on risk of upset. The authors clearly missed the mark on this chapter, as there are many other safety factors not addressed which are not specifically radioactive-related.

The transportation of heavy cargo by tug and tow into tight quarters, either the Port or Diablo Cove, has its risks of collision or capsizing, as well as issues of vessel movement

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Port San Luis Harbor District

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and mooring safety. There should be additional discussion on the seasonal (wind and swell) aspects of both of the landing/offloading locations.

A-63

Q69: Swell and wind conditions vary with the seasons. Mitigation Measure L-2a states “Avoid peak recreational usage.” This “peak recreational” season is usually when the seas and weather are calm (August, September and October; and sometimes into November.) The dry dock and trailer boat launch are at peak use, and the RV camping areas are also 100% full during this fall season. (This relates to mitigation V-1a.)

A-64

To offload heavy cargo at other times would be risky due to high swell at both sites. Offloading heavy cargo at night creates a high safety risk to the facilities as well as the labor personnel. None of this has been fully addressed in the Draft EIR. The recommendation to not offload during Peak recreational season creates a safety issue and is not recommended. Please correct.

D.12-20

D.12.3.2 Impact S-1: RSG barges would create a navigational hazard in Port San Luis

A-65

Q70: Mitigation Measure S-1a should be expanded to include safety plans for both the project labor personnel as well as the public during the offloading, storage and transportation operations while not on PG&E’s property. The Safety Plan should be reviewed and approved by both the Harbor District and CPUC. See our comments on mitigation measure U-2 with regards to access to the Port. Clarification on the Port closure needs to be addressed.

Q71: It is recommended that on onsite EMT or other medical personnel also be stationed on the Harbor site during the operation to provide immediate emergency care to any personnel who may be hurt during barge docking, bridge installation and/or transportation of each Generator. This mitigation measure would relieve the Harbor Patrol from possibly being taken away from their other duties.

A-66

Q72: We also recommend that the Applicant or their contractors provide additional Security personnel to assist the Harbor Patrol to manage parking lot and road closures, storage and crowd control during operations at the Port.

D.12-21

Fig. 12-3 Barge Transport in Port San Luis

A-67

Q73: The barge route, near shore at Harford Landing, incorrectly shows (arrow) loading spot. The actual location is 400’ south of arrow, between Harford Pier and mobile hoist piers. Please correct. The arrow currently points to Fisherman’s Beach, which was eliminated as an alternative (see page C-17).

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D.12-24

Q74: The Draft EIR fails to discuss the risk of upset during installation and removal of the Steam Generators. A discussion on the potential accident of mechanical failure or human error such as dropping or collision with the equipment during this phase of the operation is required. This is a non-radiation accident scenario and may endanger project workers or cause releases of hazardous materials.

A-68

Q75: As for the statement of federal preemption of radiation activities and operations, this EIR should provide mitigation measures for the NRC to implement in a detailed and complete NEPA analysis on the project safety elements, including all aspects of radiation exposures to the public, risks of upsets, etc. This is due to the installation of the replacement steam generators and the removal of the original steam generators. Failure of the authors to address this aspect is a critical gap in this CEQA process and should be corrected.

A-69

D.13-1

D.13 Traffic and Circulation

A-70

D.13-12

D.13.3.2 Impact T-1: RSG transport would temporarily increase local traffic

Q76: New mitigation measures are required here such as:

***T1-a: Project-related employees shall park offsite and where feasible be shuttled to the site (Port San Luis).**

***T1-b: Support equipment shall be delivered off peak times.**

Q77: The statement that “September through November” is non-peak tourist season is incorrect. August, September and October is peak tourist season, especially for Sportfishing and RV campers. Please correct the Project Description. Although this is in the traffic section, it reflects a conflict with the effects to the recreational users at the Port facilities during the project and requires mitigation measures. (This relates to mitigation V-1a.)

A-71

Q78: A new mitigation measure is required here such as:

***T1-c: A “pre” and “post” road and parking lot written and photo survey shall be completed to insure any load (or project) damage will be repaired and the facilities returned to pre-project conditions. The survey shall be done by a 3rd party engineer agreeable to the Harbor District.**

A-72

Q79: The Draft EIR fails to address the parking issues and impacts of the project on the local community (both at the Port and in Avila.) This element should be addressed and mitigated as necessary.

A-73

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Q80: We disagree that the T-1 impacts are Class III. They should be Class II and mitigated as discussed above. (C.13-13).

A-73

D.14-2

D.14 Visual Resources

We concur that the Port is a “special coastal community” and is an important recreational visitor destination of the region.

A-74

Q81: The Draft EIR also states: “During peak tourist periods, particularly weekends from May through October, the number of viewers would be considerably higher...” This is in conflict with previous statements as noted in Q77 above, but is factually correct.

D.14-22

D.14.3.2 Replacement Steam Generator Transport

Q82: Although the tourist season is high through October, mitigations for visual (KOP 1) V-1a require the project to occur from November through April. This is the high swell/high wind season and will not be feasible for the tug/barge operations due to high risk.

Q83: We believe that for the four days the operation will be in Port San Luis and due to the low profile of the barges, tugs and generators, the visual impacts would be less than significant. Once the generators are in the Harbor, they will blend with the other vessels, piers and dry docks. This would be considered a Class III impact and we find the mitigation measures to be excessive and create safety issues.

E-1

E. Comparison of Alternatives

Q84: We agree that the Transportation offloading alternative is superior to the proposed offloading at Port San Luis. However, the vessel(s) and Power Plant safety of this alternative is highly questionable and has not been fully analyzed in this Draft EIR.

A-75

F-1

F. Other CEQA Considerations

F-2

F.2 Significant Irreversible Changes

Q85: This section should include a discussion on the increase in plant operational capability (duration) due to the new steam generators.

A-76

Comment Set A, cont.
Port San Luis Harbor District

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G-1

G. NRC License Renewal

Q86: This Draft EIR should complete this chapter and fully identify what mitigation measures the NRC should implement based on environmental effects of increasing the power plant's longevity due to generator replacement.

A-77

H-1

H. Mitigation Monitoring and Reporting

H-4

H.3.2 Construction Personnel

Q87: Add:
"The Harbor District will also require a written summary of the mitigation monitoring measures." to this section.

A-78

I-1

I. Public Participation

Q88: The Harbor District requests publication in the Final EIR appendices a complete record of "Scoping comments."

Comment Set A, cont.
Port San Luis Harbor District

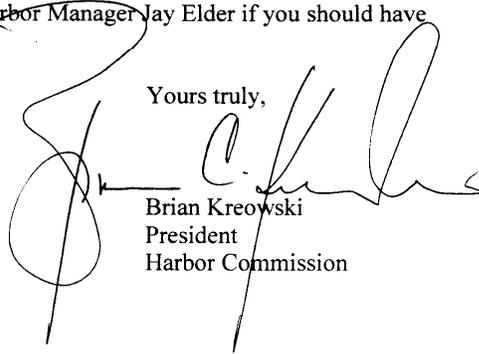
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The Port San Luis Harbor District appreciates the opportunity to provide these comments on the Draft EIR.

We look forward to discussing our comments with the CPUC and/or PG&E representatives. Please feel free to contact Harbor Manager Jay Elder if you should have any questions. Thank you.

Yours truly,

A handwritten signature in black ink, appearing to read 'B. Kreowski', is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

Brian Kreowski
President
Harbor Commission

Responses to Comment Set A

Port San Luis Harbor District

A-1 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). This EIR analyzes the potential impacts associated with PG&E's Proposed Project as described in the Application (A.04-01-009) submitted to the CPUC on January 9, 2004.

As described in Draft EIR Section G, PG&E has stated that it currently has no plans to apply to the NRC for renewal of the operating licenses at DCP. PG&E has taken a preliminary step towards gathering the information that would be needed to consider an NRC license renewal for DCP. Relicensing is only in the preliminary feasibility and planning stages at this time and thus not a reasonably foreseeable project. Also, since relicensing does not increase the scope or nature of the impacts of the Proposed Project, impacts of such relicensing should not be evaluated in the EIR. Even if relicensing were a reasonably foreseeable project, the general analysis of the impacts of possible relicensing included in Section G of the EIR complies with CEQA requirements.

As discussed in Master Response MR-2 (License Renewal), the Draft EIR is not required to analyze license renewal. However, the Draft EIR does generally identify and discuss the type of impacts that may occur should PG&E seek a license renewal. In addition, Section G has been revised to include additional detailed information on the NRC license renewal process and the potential impacts that may result from the continuation of DCP power plant operations after 2021 (Unit 1) and 2025 (Unit 2). The impacts of power plant operations beyond the current license expiration dates will be evaluated if and when PG&E submits a license renewal application to the NRC.

A-2 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). The Draft EIR fully analyzes both the short-term and long-term effects of steam generator replacement, including analysis of the storage of the original steam generators and associated risks. Section D.12.3.4 of the Draft EIR provides details on the risks associated with storing original steam generators at DCP. These risks include the potential for radiation exposure during removal and transport due to residual contamination on the OSGs (Impact S-3); release of radioactive material due to damage to the OSG Storage Facility from an aircraft accident or a terrorist attack (Impacts S-4 and S-6, respectively); and compromise of the integrity of the OSG Storage Facility due to seismic activity (Impact S-5).

A-3 The text has been changed in Table A-2 to incorporate the requirement of a land use permit and license to offload cargo, parking lot staging and road closures.

A-4 The Draft EIR evaluates the potential impacts associated with transport activities between the southern California port and Port San Luis or the Intake Cove. These potential impacts associated with transporting the steam generators to DCP were evaluated throughout Section D of the Draft EIR, including Section D.3.3.2 (Biological Resources), Section D.8.3.2 (Land Use, Recreation, and Agriculture), and Section D.13.3.2 (Traffic and Circulation), Section D.14.3.2 (Visual Resources). For example, Impact B-3 evaluates the potential impacts to protected marine mammals from vessel traffic associated with transporting the replacement steam generators to an offloading location near DCP. Transportation of cargo, namely the RSGs, would occur mainly outside the project area. For example, emissions caused by importing RSGs from overseas and along the coast to Port

San Luis would occur largely offshore, outside the 3-nautical mile boundary of State waters and outside of the San Luis Obispo County air basin, where no California Ambient Air Quality Standards would apply. Activities at the southern California port of entry would occur within the scope of routine port operations and would be part of the “baseline” conditions for regular port operations (see also Draft EIR p. B-12). These shipping and transport activities would not be unique to the Proposed Project.

- A-5 The Draft EIR contained an evaluation of potential impacts associated with barge traffic within Port San Luis Harbor District’s jurisdiction. Specifically, Section D.12.3.2 evaluated transportation safety issues associated with barge traffic within the Port, and Section D.3.3.2 evaluated potential impacts to marine biological resources. Other issues evaluated within the Harbor District’s jurisdiction include air quality (in Section D.2.3.2), geologic resources (in Section D.5.3.2), hazardous materials (in Section D.6.3.2), land use and recreation (in Section D.8.3.2), traffic (in Section D.13.3.2), and visual resources (in Section D.14.3.2).

Table A-2 in Section A.6 (page A-14) specifies that the Applicant would require a license and land use permit from the Port San Luis Harbor District for loading and staging activities at the Port. The Port San Luis Harbor District Master Plan discussion in Section D.8.2 has been revised to show that the most recent revisions to the Master Plan were approved in 2004. This discussion has also been revised to refer the reader to the discussion of permits and licenses for the Proposed Project required under the San Luis Bay Coastal Area Plan.

- A-6 Port San Luis has concerns about how the EIR addressed potential impacts associated with relocating resident vessels during RSG transport and offloading in Port San Luis. This issue was addressed in Section B.8.3.2 of the Final EIR. The text states that “while vessels moored along the barge route may be temporarily relocated within the Harbor, such relocation efforts would not substantially affect vessels’ use of the harbor.” Overall the potential impacts of relocating certain moored vessels were found to be less than significant because the relocation would be temporary (two to four days). Also it is anticipated that all vessels would be relocated within the Harbor and would be accessible to their owners via their personal skiffs or the existing water taxi service. As stated in the Port San Luis Harbor District Master Plan (2003), Harford Pier has six hoists (four public and two private) located along the length of the Pier to facilitate skiff access.

It is noted that the Port San Luis Harbor District may require PG&E to accept responsibility, including cost, for relocating resident vessels. This requirement would be part of a separate licensing and permitting process that PG&E and Port San Luis Harbor District would conduct prior to the start of the Proposed Project. A Harbor District license would include all provisions required for offloading and staging activities at Port San Luis. Please see Section D.8.2 under Port San Luis Harbor District Master Plan and San Luis Bay Coastal Area Plan for more information of required permits and licenses.

It is noted that the commenter would prefer that PG&E use two smaller barges, rather than one large barge, to transport the RSGs into Port San Luis in order to reduce the possibility of having to relocate any vessels.

A-7 The commenter's statement is noted. The change is reflected in Section B.3.1.2 of the Final EIR.

A-8 The commenter's statement regarding the need of a storage license under the Harbor District's Code of Ordinances is noted. If the project is approved, PG&E would be required to coordinate and obtain permits with the affected jurisdictions, including the Port San Luis Harbor District, as appropriate. Table A-2 on page A-14 of the Draft EIR presents a comprehensive list of permits that may be required for the Proposed Project. Port San Luis Harbor District has been added to Table A-2 in the Final EIR.

The second portion of the comment states that storage placed in the Harford Landing area would affect the limited space in the area. It is not anticipated that the project personnel would cause significant impacts to the parking capacity at the Port. The Applicant-proposed measures include use of car- and vanpooling. Mitigation Measure A-1a requires car pool occupancy of 2 for all project components, thus the estimated 30 workers would commute to the Port in 15 vehicles. Mitigation Measure L-2a requires offloading to be scheduled outside of peak use of the Port. This measure also requires the Applicant to coordinate with the Port on the specific unloading time. Mitigation Measure V-1a requires the Applicant to unload during November to April, which is outside of the peak tourist period, or requires the unloading to be conducted during week days if it has to be conducted during the May-October time frame. Because of the above-noted measures, significant impacts to parking at the Port are not anticipated.

The Applicant is required to obtain a permit from the Port for the unloading of the RSGs and transport operations on the Port's property. The Port can specify parking restrictions if it deems necessary.

A-9 The RSG Offloading Alternative would offload the replacement steam generators at the Intake Cove, which the commenter names Diablo Cove. Although there is a narrow entrance to the cove, this alternative is technically feasible. Mitigation Measure S-1a has been revised in the Final EIR to address the hazards of wind and swell conditions and the need for establishing procedures for adverse weather if RSG delivery occurs at Port San Luis. This would apply to both of the two offloading options discussed in Section B.3.1.2 of the EIR. If the RSG Offloading Alternative at the Intake Cove is chosen, the barges may also seek shelter behind Point San Luis, but not in the mooring area of the Port San Luis Harbor District. PG&E would be required to develop a barge navigational safety plan to minimize the impact on existing Port operations. It should be noted that the reference to "direct transport to DCPP facility" in this instance represents avoiding temporary storage and staging of the RSGs at Port San Luis in the parking lot. Under this option, RSGs would be held on the barge and offloaded and immediately transported to the DCPP from Port San Luis, minimizing impacts to Port vehicle traffic and parking.

A-10 The comment regarding the description of the actual offloading site is noted. The requested change has been made and is reflected in Section B.3.1.2 in the Final EIR.

A-11 Comment noted. Please refer to Section B.3.1.2 of the Draft EIR for details on using smaller barges. The Draft EIR states that it is possible that the contractor would use two small barges (each containing two steam generators) to transport the steam generators for each unit rather than one large barge (containing all four steam generators).

- A-12 Impact T-1 remains less than significant (Class III). Damage to the Port's parking lot pavement is unlikely but certainly could occur due to an accident (e.g., dropping of a heavy piece of machinery) or if the pavement is in poor condition already. PG&E has identified a number of measures to reduce the potential for impacting roadways in the project area, including mats and steel plates (see Draft EIR p. B-39). Although the impact of potential damage would not be significant with the PG&E measures, Mitigation Measure T-1a has been added to the Final EIR to clarify the procedures that PG&E should follow to further reduce any potential issues associated with Impact T-1. The measure accounts for mitigation of any damage to the pavement in Port San Luis by stating that the Applicant shall pay for any necessary repairs of any significant damage to pavement (e.g., road or parking lots) that results from the transportation of the RSGs.
- A-13 The comment regarding the barge landing is noted. The offloading location has been changed from Fisherman's beach to just south of the mobile hoist pier (between the mobile hoist and Harford pier). Section B.3.1.2 and Figure B-11 of the Final EIR reflect the change and depict the new offloading location.
- A-14 Please see Response A-8.
- A-15 Per the Supplemental Response of Pacific Gas and Electric Company to June 16, 2005 and June 22, 2005 Data Requests, either PG&E's transportation contractor or PG&E would hire an offsite contractor to provide additional security for the Proposed Project at Port San Luis. This additional security would consist of approximately two people and one or two passenger vehicles on a 24-hour basis.
- A-16 The barge that would deliver the RSGs would originate and be ballasted in California using California seawater, most likely from the Port of Los Angeles/Long Beach complex. Therefore, ballast water would originate in California waters and no foreign ballast water would be brought into the San Luis Obispo Bay or the Intake Cove, and additional monitoring of ballast water would not be necessary.
- A-17 The commenter's request to delete the words "to the extent practicable" in Section B.6 of the Draft EIR is noted; however, because the Draft EIR considers the possibility that offloading may occur during tourist season or on weekends, it is not necessary to delete the phrase. We concur that the tourist season is from May through October, and these changes are made throughout the Final EIR. The Applicant's PEA states that the RSGs would be offloading between September and November 2007 (for Unit 2) and September through November 2008 (for Unit 1). The PG&E Data Request Response dated July 1, 2005 states that the RSG delivery and offloading activities must occur during the months of September and October because (1) delaying delivery would negatively impact the project schedule, and (2) ocean transport of the RSGs must be completed prior to the winter months, beginning in November, so as to avoid storms and heavy seas. The Draft EIR, in Mitigation Measures L-2a (Avoid peak recreational usage), V-1a (Offloading and transport activities during off-season time periods), and T-2a (Avoid travel during peak season on Avila Beach Drive and other local surface roads), requires that RSG offloading occur on weekdays and outside of the peak tourist season, which is May through October. In order to mitigate the potential safety impacts due to conducting offloading activities in November, during which stormy or winter weather is common, Mitigation Measures S-1a (Barge Navigational Safety Plan) would be required. The Barge Navigational Safety Plan requires that hazardous wind

and swell conditions that would create safety hazards during barge transport within Port San Luis and during barge unloading be identified. The Plan would also require the development of written procedures to avoid barge transport and unloading during conditions that would increase the risk of barge collision or capsizing, and conditions that could contribute to an accident during barge unloading. These measures adequately address potential impacts during tourist season or on weekends.

A-18 Proper maintenance of the transportation equipment would be visually verified by CPUC monitors. Visible plumes would be one possible indicator of inappropriate maintenance. The SLOAPCD would also have oversight because that agency would be involved in developing the diesel combustion emission control plan required by Mitigation Measure A-1b. SLOAPCD is a Responsible Agency for Mitigation Measure A-1b.

A-19 The comment is noted. Mitigation Measure V-1b has been added to the Final EIR under Impact V-1 in response to Port San Luis Harbor District's concerns about nighttime lighting. PG&E provided a measure that would reduce night lighting in the vicinity of Harford Pier and San Luis Obispo (Draft EIR p. B-39). However, the addition of Mitigation Measure V-1b provides further guidance and procedures for reducing potential impacts associated with night lighting near Harford Pier.

A-20 This Final EIR includes a revision to Mitigation Measure H-2a that clarifies the need for a license and policy or bond for clean-up or damages.

A-21 PG&E has previously offloaded other heavy equipment, including reactor vessels, main bank transformers, main electrical generators, and other equipment of similar or larger size than the RSGs, from barges in the same Port San Luis location. Therefore, it is not anticipated that any issues would arise from offloading activities in the Port San Luis area, and it is not necessary to perform underwater surveys well in advance of the start of the Proposed Project. However, PG&E's PEA provides that an underwater survey would be performed by a diver at the time of offloading to ensure that there are no objects that could potentially damage the hull of the barge, and to ensure that the barge would not impact any sensitive marine life. Underwater surveys would not need to be conducted at an earlier time.

In addition, as stated in Section D.3.3.2 in the Draft EIR, the damage to the marine invertebrate community from physical disturbance of habitat would be adverse but not significant for three reasons. First, the beach area impacted by habitat disturbance will be limited to the region surrounding the barge offloading area. Second, the number and biomass of invertebrate organisms lost would be comparatively low and represent only a few species, which are not considered rare or endangered. Third, these organisms and invertebrate community would fully recover within a few months after the completion of the project. Therefore, potential impacts are considered adverse but less than significant, and no mitigation is necessary. No additional underwater surveys would be necessary.

A-22 The Applicant would be required to obtain a license and land use permit from the Port San Luis to conduct its operations to unload and transport the RSGs on the Port's property. The Draft EIR considers that there could be instances of economic loss to the Port San Luis including that of the temporary parking space loss, such as damages to mooring facilities, damage due to unloading of the RSGs, damage to other facilities within the Port's jurisdic-

- tion, etc. It is assumed that mitigation or compensation of any such economic losses is handled through the local permitting process, insurance, etc. Mitigation Measure V-1a would limit offloading activities to the times of least impact to the Port and lessees, and the Project Description (Draft EIR p. B-16) notes that direct transport from the barge to DCPD could occur as an option for minimizing the parking loss. In addition, the loss of parking is not an environmental impact per se, unless it results in secondary air quality or traffic impacts. Please also see Responses A-8 and A-17 in regard to the mitigations restricting the time of unloading outside of the peak tourist period.
- A-23 Comment noted. CEQA does not address cost evaluation of the Proposed Project, alternatives, or mitigation measures. Generally, cost of the project is addressed by the CPUC in the General Proceeding for the DCPD project. With respect to implementation of specific mitigation measures, the Draft EIR assumes costs are assumed by the project Applicant unless other agreements are reached between the Applicant and local or other entities.
- A-24 The pre-project inspection and report would occur as part of the load path analysis that would be conducted by PG&E in addition to the monitoring for erosion and sediment proposed by PG&E (Section B.6 of the Draft EIR), Mitigation Measure G-1a would require PG&E to ensure that no areas previously undermined by erosion are overloaded. This will be conducted by reviewing existing geotechnical reports to establish that the load-bearing capacity of soils and geologic features at the offloading area and along the transport route would support the loads of the RSGs and transporter. If the information in these studies is not sufficient, new studies would be completed not less than ten months prior to commencement of the Proposed Project. The reports would identify all unstable portions of the transport route, and develop plans for any necessary road improvements that would ensure ground stability of roads and that there would be no additional environmental impacts. The reports would be completed not less than six months prior to the start of the project, and all road improvements would be completed at least 60 days prior to the scheduled start of the transportation activities. Please also see Comment PG-128, which provides more information on how PG&E's transport contractors would study the entire load path prior to shipment. These three steps should ensure that the transport, which would be exclusively on paved areas (Section B.3.1.3 of the Draft EIR), would not adversely affect drainages. In the Final EIR, the Harbor District has been added as a responsible agency in the Mitigation Monitoring Program for Mitigation Measure G-1a.
- A-25 As described in Section C.4.2, PG&E will be required to evaluate the risk of using the Intake Cove Offloading Alternative to verify that DCPD operations would not be adversely affected. PG&E would also be required to prepare site-specific procedures for barge movement and RSG offloading in the Intake Cove. PG&E regularly monitors and forecasts weather and oceanographic conditions as part of its normal operations and should have little difficulty in scheduling barge transport and offloading during calm weather conditions. Thus, it is unlikely that a bad weather scenario may move barges to Port San Luis. However, in order to plan for a possible bad weather event, PG&E should implement Mitigation Measure S-1a to provide for a contingency in the event that Port facilities need to be used for shelter or as a backup offloading site. Please also see Response A-9.
- A-26 Even though Mitigation Measures L-2a (Avoid peak recreational usage) and V-1a (Offloading and transport activities during off-season time periods) require that RSG offloading occurs outside of the May through October peak tourist season, Mitigation Measure S-1a (Barge

Navigational Safety Plan) would mitigate the potential safety impacts that could occur due to offloading during the winter (most likely November) when stormy weather is more common. The Barge Navigational Safety Plan required under Mitigation Measure S-1a, includes a provision to identify hazardous wind and swell conditions that would create safety hazards during barge transport within Port San Luis and during barge unloading. In addition, the Plan requires the Applicant to develop written procedures to avoid barge transport and unloading during conditions that would increase the risk of barge collision or capsizing, and conditions that could contribute to an accident during barge offloading. As a result, RSG deliveries would be scheduled to minimize potential increased risk associated with severe weather or wave conditions.

A-27 Please see Response PG-66. Comment PG-66 and its response note that PG&E is willing to provide a marine biologist for any offloading activities that occur at Port San Luis. A text modification will be added to Section B.6 of the Final EIR to indicate that PG&E will also provide a marine biologist at Port San Luis if the Proposed Project is selected. Also as described in the Mitigation Measure B-3a, under Section D.3.3.2 of the Draft EIR, PG&E would provide a minimum of two marine mammal observers on all support vessels during the spring and fall gray whale migration periods and during periods/seasons having high concentrations of marine mammals in the project area. This would include the time at which the offloading would take place. As described in Section B.3.1.1 of the Draft EIR, shipment of Unit 2 is expected to occur between September and November of 2007, while shipment for Unit 1 would occur between September and November of 2008. See Response A-17 for details on offloading schedules at Port San Luis.

A-28 As noted in the Final Response (dated May 28, 2004) to the CPUC Deficiency Notice, the Port San Luis Harbor District was contacted by the project Applicant (PG&E) and a meeting was held on April 1, 2004. Scott Maze and Pat Kelly from PG&E, and Loch Dreizler from the Port San Luis Harbor District attended the meeting.

In addition, the CPUC met with a number of local agencies on September 9, 2004 regarding the Proposed Project. Jay Elder from Port San Luis attended the meeting. The meeting was an informational meeting where agencies could express their concerns and ask questions about the Proposed Project. Port San Luis Harbor District had concerns regarding the permitting and licensing process for offloading the RSGs at Port San Luis. These concerns were addressed in the Draft EIR in Section D.8.2.

A-29 Please refer to Response A-11.

A-30 Please refer to Responses A-10 and A-28.

A-31 The Draft EIR acknowledges that heavy transport loads and equipment would add an unusual load to the roads along the RSG transport route, including the Harford Landing Area and the roadway to Diablo Canyon Road, within the Harbor District property. In Section B.6 of the Draft EIR, PG&E identified informal measures that could protect and prevent damage to the pavement of the parking lot and roadway at Port San Luis. These measures include the placement of steel plates under the transporter to protect the underlying asphalt and soil, and the completion of a load path analysis to determine potentially unstable areas. These precautions would eliminate the potential for a significant impact to occur,

and Section D.13.3.2 under Impact T-1 addresses the potential for damage to the roadway from transport activities and determines that damage is not anticipated.

In order to ensure that the pavement at Port San Luis would not be damaged, or would be repaired if damage does occur, an additional measure, Mitigation Measure T-1a (Repair any damage to pavement from the transporter), has been suggested in the Final EIR. The measure accounts for mitigation of any damage to the pavement in Port San Luis by stating that the Applicant shall pay for any necessary repairs of any significant damage to pavement (e.g., road or parking lots) that results from the transportation of the RSGs.

In addition, Mitigation Measure G-1a, under Section D.5.3.2 of the Draft EIR, would reduce impacts of instabilities to less than significant levels. Mitigation Measure G-1a would require PG&E/CPUC to review existing geotechnical reports not less than one year prior to schedule transport of the RSGs. PG&E/CPUC would then determine if the existing reports provide sufficient information regarding the load-bearing capacity of soils and geologic features along the transport route to support the loads. If new studies are necessary, they would have to be completed not less than ten months prior to commencement of the Proposed Project.

- A-32 The comment's description of the offloading area is correct. The offloading location has been changed from Fisherman's Beach to just south of the mobile hoist pier (between the mobile hoist and Harford pier). Section B.3.1.2 and Figure B-5 of the Final EIR reflects the change and depicts the new offloading location.
- A-33 Please refer to Master Response MR-1 (Baseline) and MR-2 (License Renewal).
- A-34 PG&E expects to require storage of some vehicles and equipment in the Port area, especially depending upon how the RSGs are transported from the barge (see Section B.3.1.2 of the Draft EIR). This Final EIR includes revisions to Mitigation Measure T-3a to ensure that coordination of the trip reduction plan involves the Port San Luis Harbor District. Specifically, the revisions establish an overall vehicle-trip limit that would provide reductions in emissions, require that San Luis Obispo County approve any offsite parking arrangements, require a shuttle available to all DCPD employees and incentives that would encourage its use, require that administrative measures be instituted to prevent project workers from parking in local communities, and develop a public notification program that informs area residents of the traffic issues associated with the Proposed Project. In addition, the trip reduction plan must be developed in coordination with and approved by San Luis Obispo County and San Luis Harbor District.
- A-35 Please refer to Responses A-10, A-13, and A-32 above.
- A-36 Appendix 2 of the EIR contains detailed information on marine biological resources offshore of Port San Luis and Diablo Canyon. Please refer to this appendix for specific information for the project area. Also, Table D.3-6 inherently included sea otters under the category of marine mammals. The following text has been added to the discussion of Impact B-3 in the EIR to clarify potential impacts to marine mammals and sea otters.

"Marine mammals are present at both Port San Luis and the DCPD Intake Cove and are habituated to vessel traffic and human activity. The area surrounding the mobile crane and Port Side Marine recreational boat launch is a hub of boating activity in

Port San Luis and results in a considerable volume of vessel traffic in the immediate vicinity of the RSG landing site. Vessel traffic is also common in the Intake Cove as a result of the operation of the DCPP dive boats and kelp harvester. Therefore, introducing a barge and tug boat into either area would not constitute a new impact to marine mammals.

There is a greater potential to encounter and disturb marine mammals at the Intake Cove landing site because of the usage of areas within the Cove as a year-round harbor seal haul out site and the persistent presence of sea otters rafting in the kelp beds inside of the breakwater. The presence of a barge and maneuvering vessels in the Intake Cove has the potential to result in a temporary displacement of otters from the Cove, however the displaced animals would more than likely move only a short distance to bull kelp located along the breakwater at the entrance of the Cove. The proposed marine mammal observer training and use of marine mammal observers (Mitigation Measure B-3a) are adequate mitigation measures to reduce the potential for impacts to marine mammals to less than significant levels.”

- A-37 An underwater cultural resources survey was not conducted. Please refer to the 1977 Underwater and On-land Culture Resource Survey, conducted by Environmental Research Archaeologists, as shown in Table D.4-1 of Draft EIR. PG&E has previously offloaded other heavy equipment, including reactor vessels, main bank transformers, main electrical generators, and other equipment of similar or larger size than the RSGs, from barges in the same Port San Luis location. Therefore, it is not anticipated that any issues would arise from offloading activities in the Port San Luis area. Please also see Response A-21.
- A-38 This Final EIR includes a revision that states that the condition of paved areas in the Port San Luis Harbor District is unknown, and that Mitigation Measure G-1a applies to the off-loading area, as well as the transport route.
- A-39 Sections D.6.3.2 and D.7.3.2 deal with the potential impact from a release of hazardous materials onshore and in the marine environment, including ocean water. The risks identified include a potential hazardous materials release due to heavy equipment fuel, oil, or hydraulic line leak or rupture, or heavy equipment maintenance procedures. Mitigation Measures H-1a (Implement DCPP Spill Response Procedures), H-1b (Conduct Routine Inspections and Maintenance of Transporter), and H-2a (Properly Handle Maintenance Waste) address these impacts. This Final EIR includes additional text that demonstrates that the marine environment is addressed. The revisions also require that the Port San Luis Harbor District and the Central Coast RWQCB be notified and corrective actions taken if a spill occurs on Harbor District property or in ocean water. In addition, storage of hazardous material on property outside of DCPP (e.g., Port San Luis Harbor District) shall be prohibited unless a license from the property owner and an insurance policy or bond for clean-up are obtained.
- A-40 The hazardous materials procedures and policies identified for the Proposed Project in the Draft EIR apply to all activities, regardless of property owner. This Final EIR includes a clarification to Mitigation Measure H-1a that ensures immediate notification of the Port San Luis Harbor District personnel in the event of a spill. This Final EIR also includes revisions to Mitigation Measures N-1a and N-1b to improve coordination with the Harbor District.

A-41 There is a possibility that small quantities of hazardous materials may be located on Harbor District property. This Final EIR includes a revision to Mitigation Measure H-2a that clarifies the need for a license and policy or bond for clean-up.

A-42 Impact W-1 of the Draft EIR evaluates the potential impacts to the marine environment from an accidental spill of contaminants from offloading and transport equipment. Although this would be an unlikely occurrence and spills would likely be of small quantities, Mitigation Measures H-1a (Implement DCPP Spill Response Procedures), H-1b (Conduct Routine Inspections and Maintenance of Transporter), and H-2a (Properly Handle Maintenance Waste) proposed in Section D.6 would ensure that this impact remains less than significant (Class II). It should be noted that this Final EIR includes revisions to Mitigation Measure H-1a to clarify that the measure applies to spills in the marine environment and that DCPP procedures, such as the DCPP Spill Prevention Control and Countermeasure Plan, must be followed.

A-43 The spill response procedures for DCPP and all Proposed Project activities are outlined in the DCPP Spill Prevention Control and Countermeasure Plan (DCPP, 2001), which was reviewed by the EIR preparers. See Section D.6.2 for a description of the DCPP Spill Prevention Control and Countermeasure Plan. As described in Section D.6.3, a copy of the DCPP Spill Prevention Control and Countermeasure Plan shall remain with the contractor at all times. In addition, all appropriate personnel will be trained on location-specific environmental concerns and appropriate work practices, including spill prevention and response measures, as well as site-specific physical conditions to lessen the impact of potential spills.

Mitigation Measure H-1a has been modified to require PG&E to coordinate with the Harbor District on plans and procedures for spill response. This requirement is in addition to the requirements described in the DCPP Spill Prevention Control and Countermeasure Plan. Please also see Response A-42.

A-44 In the bullet list located in Section D.8.1, Land Use, bullets 2 and 5 have been revised to read:

- *“The Port San Luis Trailer Park for full-time and part-time residents;*
- *Mobile homes for full-time and part-time residents, located approximately 1,200 feet east of the waterfront at Port San Luis; and”*

As discussed in EIR Section D.11, Socioeconomics, the project would not require the removal or relocation of any residential units or business uses, and no people or businesses would be displaced.

A-45 Figures D.8-1 and D.8-3 have been modified, according to San Luis Obispo County’s San Luis Bay Planning Area (LCP) and the Port San Luis Master Plan, to show Harford Pier, Harford Landing, Harbor Terrace, Beach and Bluffs, and the Lighthouse at Port San Luis properties as public facilities.

Figure D.8-4 has been modified to show Avila Beach, Avila Pier, and the Parking Lot as recreational facilities according to San Luis Obispo County’s San Luis Bay Planning Area (LCP) and Port San Luis Master Plan.

A-46 Please see Response A-5 regarding required licenses and permits under the San Luis Bay Coastal Area Plan.

A-47 The second-to-last sentence in the consistency discussion for Chapter 2, Shoreline Access, Policy 1: Protection of Existing Access in Section D.8.2 has been replaced with the following:

“Although Port San Luis is a public point of access, offloading of the RSGs at this location would be a maritime use consistent with the use and legislative grant of the Port. Project activities during offloading may temporarily disrupt access to or within the Port. Due to the short-term and temporary nature of these activities, however, these disruptions would not substantially interfere with public access.”

A-48 Section D.13, Traffic and Circulation, of the Draft EIR fully addresses potential access impacts and includes mitigation that reduce potentially significant impacts to less than significant levels. Revisions in the Final EIR clarify that parking within the Harbor District would be prohibited and employees would need to use shuttles, as in Mitigation Measure T-3a (Develop a trip reduction program). Impacts L-1 (Transport would disrupt an established land use) and L-2 (Transport would disrupt recreational activities) both address shoreline access. Impact L-1, in Section D.8.3.2 of the Draft EIR, states that offloading activities for the Proposed Project would transport RSGs across or adjacent to public facilities, recreation, and agriculture. Due to the temporary nature (two to four days) of these activities it is anticipated that RSG transport activities would have a less than significant impact to established land uses. Impact L-2 does acknowledge that RSG offloading activities could temporarily preclude some recreational activities, and this would be considered potentially significant (Class II). However, Impact L-2 would be reduced to less than significant levels with the implementation of Mitigation Measures N-1a (Provide advance notice of transport), and L-2a (Avoid peak recreational usage).

A-49 *CEQA Guidelines* Article 9 Section 15126.2 discusses “Consideration and Discussion of Significant Environmental Impacts” and states that in analyzing the direct and indirect effects of a project:

The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services.

CEQA Guidelines Article 9 Section 15131(a), which considers “Economic and Social Effects,” states, “Economic or social effects of a project shall not be treated as significant effects on the environment The focus of the analysis shall be on the physical changes.” Sections 15131(b) and 15131(c) also discuss how economic and social effects may be used to determine the significance of physical changes and how economic, social, and housing factors shall be considered in determining the feasibility of a project or how the project's impacts may be reduced or avoided.

Impacts to Harbor District land uses and businesses are addressed jointly as part of the Socioeconomics analysis in the Draft EIR as specified by the *CEQA Guidelines*. The Population and Housing Displacement subsection of Section D.11.3.2, Replacement Steam

- Generator Transport, references a discussion of potential disruptions to recreation or tourism in Section D.8, Land Use and Recreation. The paragraph in the Population and Housing Displacement discussion under Section D.11.3.2 has been revised to clarify that impacts to land uses and businesses would be mitigated to less than significant levels. Please also see Response A-48.
- A-50 Please see Responses A-48 and A-49 regarding the analysis of road and parking lot closures and the consideration and analysis of social and economic impacts to Port tenants.
- A-51 This Final EIR includes revisions to Mitigation Measures N-1a and N-1b, which would provide a liaison for the Harbor District, to include notification and meetings with Harbor District tenants before each phase of RSG delivery.
- A-52 See Response A-51.
- A-53 As analyzed in Draft EIR Section D.8.3.2, Replacement Steam Generator Transport, Impacts L-1 and L-2, impacts associated with coastal access would be short-term and temporary, lasting two to four days. It is not expected that Proposed Project activities would substantially disrupt coastal access in a manner that would result in significant impacts. Although impacts to recreational facilities would be considered significant, implementation of Mitigation Measures N-1a (Provide advance notice of transport), L-2a (Avoid peak recreational usage), and L-2b (Schedule Pecho Coast Trail hikes around RSG transport) would reduce impacts to less than significant levels. Please see also Master Responses MR-2 (License Renewal) and MR-3 (Jurisdiction) for information on State authority regarding plant operations beyond the lease period and license renewal.
- A-54 Section D.8.2 has been revised to indicate that the policies of Chapter 3 (Priorities and Policies) of the Port San Luis Harbor District Master Plan have been incorporated into the San Luis Bay Coastal Area Plan, and as such, are discussed under the policies for the San Luis Bay Coastal Area Plan in Section D.8.2 of the Draft EIR. The Draft EIR addresses two Port San Luis policies under the San Luis Bay Coastal Area Plan; these are Lighthouse Point Goals and Policies and Open Water Area. The Proposed Project would not conflict with managed public access and use of the Pecho Coast Trail and the Port San Luis Lighthouse. Any temporary impacts to the trail during RSG transport activities would be less than significant after implementation of Mitigation Measure L-2b (Schedule Pecho Coast Trail hikes around RSG transport). It would also not be inconsistent with the Harbor District Master Plan to allow mooring and anchoring of commercial and governmental vessels, subject to a case-by-case Harbor District regulation. Therefore, with Harbor District approval, the Proposed Project would be consistent with this policy. The inclusion of this data does not change the outcome of the impact assessment in Section D.8.
- A-55 Please see Response A-48 regarding the analysis of parking and traffic impacts.
- A-56 Mitigation Measure S-1a (Barge Navigational Safety Plan) would require PG&E to provide facilities or funding for temporary relocation of vessels to reduce the hardship on vessel owners. Also, as analyzed in Draft EIR Section D.8.3.2, Replacement Steam Generator Transport, Impact L-1, the short-term and temporary nature of Proposed Project activities, lasting two to four days, would be considered a less than significant impact with regard to vessels' use of the harbor. However, Mitigation Measures N-1a (Provide advance notice of offloading and transport) and N-1b (Provide liaison for nuisance complaints) will provide advance noti-

- fication to Harbor District tenants of the offloading activities, and will require that PG&E hold a meeting for Harbor District tenants between two and four weeks prior to offloading the RSGs. In addition, PG&E will provide a liaison to address any complaints due to offloading activities.
- A-57 As defined in Mitigation Measure L-2a, PG&E shall not schedule RSG offloading during times of peak recreational usage of Port San Luis (as defined by and coordinated with the Port San Luis Harbor District). Per this mitigation measure, PG&E is required to coordinate the offloading activities with the Port San Luis Harbor District to minimize recreation impacts. With coordination between PG&E and the Port San Luis Harbor District, it will be possible to develop a feasible schedule such that compensation to recreation users should not be necessary.
- A-58 Please see Response A-57 regarding the scheduling of RSG offloading activities outside of peak recreational usage periods.
- A-59 The Final EIR includes revisions to Section D.10.1, Environmental Setting for the Proposed Project, that clarifies and expands the discussion of the Port facilities as they exist. As the proponent of the Proposed Project, PG&E or its contractors would be fully responsible for providing all oversight of the offloading work so that it does not unnecessarily involve Harbor District employees or overstress Harbor District services. The discussion in Impact U-3 (Project's utility and public service demands would exceed the capabilities of existing service providers) under Section D.10.3.2, Replacement Steam Generator Transport, has been modified in the Final EIR to clarify the involvement of Harbor District staff and demonstrate that the impacts on service demands, although adverse, would be less than significant.
- A-60 Mitigation Measure U-2a (Pre-position emergency responders during road blockages) has been revised to clarify that it applies to potential emergencies at the Harbor District, not only to emergencies at DCPP. The mitigation has also been revised to include coordination with the Harbor District as well as County emergency service providers to determine the appropriate resources to be pre-positioned in case of an emergency.
- A-61 Modifications made to the text of the Draft EIR as described above for Response A-59 address the public services provided by the Port San Luis Harbor District and the effects of the Proposed Project on the District. As the Proposed Project is anticipated to result in less than significant impacts to the Port San Luis Harbor District, no mitigation measures are necessary.
- A-62 Please see Response A-49 regarding the consideration and analysis of social and economic effects. It is anticipated that there will be no significant impacts to the commercial and sport fishing industry because the Proposed Project RSG offloading activities would be temporary in nature (two to four days). Implementation of Mitigation Measures N-1a (Provide advance notice of offloading and transport), N-1b (Provide liaison for nuisance complaints), and L-2a (Avoid peak recreational usage) would mitigate any potential impacts to these industries.
- A-63 Additional information has been added to Section D.12 to address wind and wave conditions that could adversely affect barge navigational safety. Mitigation Measure S-1a requires PG&E to submit a Barge Navigational Safety Plan to Port San Luis. This measure has been modified to require identification of wind and wave conditions that would increase the risk

of barge collision or capsizing, and conditions that could contribute to an accident during barge unloading. The measure requires the development of written procedures to avoid these hazardous conditions. Similar to the whole Barge Navigational Safety Plan, these procedures would be approved by the CPUC and the San Luis Harbor District prior to RSG delivery and offloading.

- A-64 While there is a higher likelihood of adverse weather and wave conditions during the recreational off-season, there is still a high frequency of calm days that would facilitate safe barge transport and offloading within Port San Luis. Mitigation Measure S-1a has been expanded to specifically require identification of adverse conditions and written procedures to avoid barge transport and offloading within Port San Luis during adverse conditions. Since PG&E regularly monitors and forecasts weather and oceanographic conditions as part of its normal operations, there should be little difficulty in scheduling barge transport and offloading during calm weather conditions.
- A-65 Mitigation Measure S-1a has been clarified to address both project personnel and public safety. Port San Luis has been identified as an agency responsible for approval of the Barge Navigational Safety Plan (Mitigation Measure S-1a).
- A-66 It is not anticipated that activities occurring during RSG offloading would pose such a safety risk that emergency medical personnel would need to be available onsite. As long as access for emergency vehicles remains unhindered, impacts would be less than significant and would require no mitigation. As described in Section D.10.3.2, Replacement Steam Generator Transport, access disruptions would be potentially significant, but would be reduced to a less than significant level with the implementation of Mitigation Measure U-2a (Pre-position emergency responders during road blockages). In a Data Request Response dated July 1, 2005, PG&E stated that an offsite contractor would be hired by either PG&E's transportation contractor or PG&E itself to handle security at Port San Luis. The contractor would be a local company and the security activities at the Port would likely require approximately two people and one or two passenger vehicles (standard truck or passenger car) on a 24-hour basis. No additional mitigation is necessary at this time.
- A-67 Please refer to Responses A-10, A-13, and A-32 above. Figure D.12-3 of the Final EIR reflects the change and depicts the new barge route.
- A-68 The likelihood of potential worker error would be minimized through NRC oversight of the steam generator installation and removal activities so that mechanical failure or human error would be unlikely. To address potential accidental releases of non-radioactive hazardous materials, the EIR includes Mitigation Measures W-2a (A SWPPP Shall be Prepared for Construction Activities), H-1a (Implement DCPP Spill Response Procedures) and H-2a (Properly Handle Maintenance Waste). No conditions were identified that would result in the release of hazardous materials or pose a threat to worker or public safety during installation and removal of the steam generators. Additionally, as noted in the Draft EIR, all nuclear fuel will be removed from the reactors prior to steam generator removal and installation. Therefore, there should be no nuclear or radiological risk to the public resulting from steam generator removal or installation.
- A-69 The EIR provided a comprehensive evaluation of potential risk of upset and radiological exposure scenarios associated with the Proposed Project. DCPP Units 1 and 2 have current

operating licenses until September 2021 and April 2025, respectively, and are considered part of the environmental baseline. The operation of DCPP under these licenses is considered part of the environmental setting (i.e., the baseline), and is not subject to review as part of this EIR process. However, under the discussion of the environmental setting, the EIR summarizes potential public risk and radiation exposure scenarios associated with the continued operation of the DCPP. Please also see Master Responses MR-2 (License Renewal) and MR-3 (Jurisdiction). Master Response MR-3 (Jurisdiction) describes the lack of CPUC authority to regulate potential radiation exposures to the public or mitigate impacts from operations regulated by the NRC.

A-70 Deliveries of the RSGs would occur during non-peak tourist season as stated by the Applicant and as required by Mitigation Measures L-2a and V-1a (please also see Response A-8). Equipment to support the unloading and transporting the RSGs would be delivered immediately before the deliveries of the RSGs to the Port. Mitigation Measure T-2a would additionally require the development of an alternative project schedule that would restrict project-related personnel from traveling through the area during peak season. Mitigation Measure T-3a would require workers to be shuttled where feasible and would prohibit workers from parking at the Harbor District. Thus all impacts to traffic would be reduced to less than significant levels.

A-71 The peak tourist season has been changed to May through October throughout the Final EIR.

Please also see Response A-8. Also, PG&E refers to various informal measures or activities within the Project Description of the Proposed Environmental Assessment, and the responses to the Proposed Project's deficiency notice and data requests that may reduce potential environmental impacts of the Proposed Project. Some of the measures pertinent to the transportation discussion are as follows (please also see Section B.6 in the Project Description):

“To the extent practicable, RSG offloading would be conducted during the weekdays before or after the busy summer tourist season.”

“Some work activities would be performed during the non-peak tourist season and at night . . .”

“Implementation of a carpool program.”

“Implementation of public transit incentives.”

“Delivery of construction materials during off-peak hours.”

Mitigation Measure L-2a already requires the offloading of the RSGs to be conducted outside of the peak recreational use time. Mitigation Measure V-1a also provides for reduction of activities during the peak tourist periods. Mitigation Measure T-1a requires that PG&E be responsible for the repair and cost of damage to pavement at Port San Luis. Adverse effects to recreational use of Port facilities would also be minimized by traffic control requirements in Mitigation Measures T-2a (Avoid travel during peak season on Avila Beach Drive and other local surface roads) and T-3a (Develop a trip reduction program) Implementation of these measures will ensure that the Applicant will coordinate with Port San Luis to schedule the RSGs deliveries, and that the deliveries would be done during off-peak

time. No further mitigation should be needed to limit the traffic to the Port San Luis area during the deliveries of the RSGs. With the carpooling and small workforce (30 workers at maximum) for the delivery of the RSGs phase of the project, impacts to parking availability would not be significant.

A-72 Please see Responses A-12 and A-71.

A-73 Circulation Impact T-1 is considered less than significant due to the temporary nature of the impact (eight transporter trips, with a maximum of 30 workers at the Port), and the type of Applicant-proposed measures listed in Section B.6 of the Draft EIR, and the measures that are already identified in other sections. The informal measures proposed by PG&E include conducting RSG offloading during the weekdays or at night after the busy summer tourist season, the use of mat, steel plates, and other ground reinforcing methods, and the implementation of several BMPs to mitigate potential traffic impacts. Some measures identified in other sections include Mitigation Measures A-1a (Develop and implement a trip reduction plan), L-2a (Avoid peak recreational usage), V-1a (Offloading and transport activities during off-season time periods), as well as traffic Mitigation Measures T-1a (Repair any damage to pavement from the transporter), T-2a (Avoid travel during peak season on Avila Beach Drive and other local surface roads), and T-3a (Develop a trip reduction program). These measures would prohibit workers from parking in Harbor District lots and would require PG&E to establish a shuttle service to avoid traffic impacts to the community. Please see Responses A-8, A-12, and A-71 for more information regarding these mitigation measures.

A-74 Response A-71 states that the peak tourist season has been changed in the Final EIR to be May through October. The first portion of the comment states that the November to April time period cited in Mitigation Measure V-1a is high swell/high wind season, and that tug or barge operations in that season are infeasible due to high risk. Mitigation Measure V-1a allows for RSG offloading and transport to occur during the peak recreational season (May through October) if it is unavoidable due to potential health or safety issues regarding offloading or transport activities. The measure also states if avoidance of peak season is infeasible, that these activities should occur during weekdays and be limited to the shortest feasible time. The potential safety impacts of offloading the RSGs during the non-peak tourist season would be mitigated by Mitigation Measures S-1a (Barge Navigational Safety Plan), which would require that hazardous weather and sea conditions be identified and procedures developed that would avoid RSG offloading during these conditions. Please also see Response A-17.

The Draft EIR notes that the RSGs and accompanying transport equipment represent very large scale industrial equipment that would be highly contrastive in form, scale and character with the typical, largely recreation-oriented activities of the Port, and would be viewed at immediate foreground viewing distance over a period of up to four days. Therefore, Port users, visitors and businesses in the immediate vicinity could be expected to experience some substantial, though temporary, level of disturbance if these activities occur during peak visitor hours. Such disturbances warrant an effort to minimize impacts to the extent feasible. If peak season operations are unavoidable for safety reasons, weekends would need to be avoided as stated in Mitigation Measure V-1a.

A-75 The main issue associated with vessel and power plant safety during barge unloading at the Intake Cove is associated with risk of power plant interruption. In the event of a barge

accident at the Intake Cove, increased turbidity could result in the need to decrease power plant load in a manner similar to large swell events that cause foreign matter to foul the intake structure. This is not considered an environmental or safety impact of the Proposed Project. Section D.12.4.1 of the Final EIR includes revisions to address marine vessel safety of the Intake Cove offloading alternative.

A-76 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). The Proposed Project involves the replacement of existing components with new components of the same capability, size, and capacity. Therefore, the operational capabilities of the plant would not change with the implementation of the Proposed Project. The Draft EIR is only required to evaluate changes in the environment compared to current conditions.

A-77 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal). Additional information on typical impacts associated with renewal of licenses for nuclear power plants has been added to Section G. However, the CPUC has no authority to impose mitigation for impacts related to license renewal (please refer to Master Response MR-3 (Jurisdiction)).

A-78 The commenter's request is noted.

A summary of the scoping comments can be found in Section I of the Draft EIR. In addition, the Scoping Report is posted on the Project's website at <http://www.cpuc.ca.gov/environment/info/aspens/diablo/canyon/toc-scoping.htm>.

Comment Set B
CDF/San Luis Obispo County Fire Department



May 4, 2005

Andrew Barnsdale, CPUC
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104

Subject: Draft EIR - DCPD Steam Generator Replacement Project

Dear Mr. Barnsdale,

We have reviewed the Draft Environmental Impact Report on the Diablo Canyon Power Plant Steam Generator Replacement project. The CDF/San Luis Obispo County Fire Department advocates some changes be made to the EIR before the publication of the Final draft.

The executive Summary of the EIR accurately states on Page ES-1 under "PG&E stated objectives for the Proposed Project" that this project "ensures continued supply of low-cost power." "...to ensure that this supply of power remains available to California users until the end of the two current U.S. NRC licenses for Unit 1 and Unit 2 (2021 and 2025, respectively)." Further, on page ES-2 under "No Project Alternative" that if this project is not approved then the plant will shut down as a result of having to take the steam generators out of service in approximately in 2013 or 2014.

This shows there is a nexus between this project and the length of time the power plant will operate. Therefore we have listed mitigations not only specifically for the steam generator replacement portion of the project but also mitigations we require to adequately protect DCPD for a longer period than was first realized when the plant was originally permitted.

The OSG Facility project is a significant project that will require a large number of workers and major construction processes. With this type of construction project fire protection and rescue problems will occur that must be mitigated.

B-1

Comment Set B, cont. CDF/San Luis Obispo County Fire Department

Many of the mitigations listed were also conditioned as part of the ISFSI project and are reiterated here, but are only required once for both projects.

Mitigations for impacts:

- a. A policy and procedure will be written and approved giving an exemption to the “No Flight Zone” over the DCNPP allowing over flights for Fire Protection, Medical and Law Enforcement Agencies’ Fixed and Rotary Wing Aircraft. This will include privately owned emergency contract aircraft assigned to the emergency. Especially during the events of a wildland fire, rescue or law enforcement activity. This procedure will be shared with Diablo Canyon Security Forces, California Highway Patrol, San Luis Obispo County Sheriffs Department, Medical Helicopter Companies, CDF, United States Forest Service, Coast Guard and other emergency responders. This condition will be met prior to the signing of the annual MOU between CDF and PG&E.
- b. A fire hydrant system will be installed at the OSG facility and the facilities in proximity. The fire hydrant system must meet the requirements of the California Fire Code as adopted by the County of San Luis Obispo. This system will be installed prior to the movement of the OSG to the OSG facility. The design of this system, and any other fire suppression system, shall be approved by CDF/San Luis Obispo County Fire Department. The systems shall be designed by a licensed Fire Protection Engineer qualified in the design of systems of this nature. The Fire Protection Engineer must be approved by the CDF/San Luis Obispo County Fire Chief. This condition must be met prior to construction of the project.
- c. PG&E will maintain the vegetation in the area identified in the PG&E Wildlands Fuel Management Plan dated February 1999 to a Fuel Model 1 or 5 (Anderson, 1982) with a live/dead fuel load of less than 3.5 tons per acre. The plan and implementation of the plan will be reviewed and approved by CDF/San Luis Obispo County Fire Department annually at the time of the signing of the annual MOU.
- d. Emergency Response and Planning.

Emergency fire and life safety response plans commensurate with those responsibilities and authority consistent with the risks of the power plant will be reviewed, approved and verified for efficacy annually prior to the signing of the annual MOU. These risks will include fire protection, radiological emergencies, rescues, hazardous materials and or medical emergencies. Technical assistance required by the agencies to review the plans will be funded by PG&E.

- i. PG&E will write a policy and procedure that will alert offsite responders to the radiation levels or to other hazardous plumes as they respond to or are at scene of an emergency at the DCPP. This condition will be met prior to occupancy of the project.
- ii. The fire life safety response plans for onsite and offsite responders will continue to be evaluated by a subject matter expert provided by PG&E who is approved by CDF/San Luis Obispo County Fire

B-1

B-2

Comment Set B, cont.
 CDF/San Luis Obispo County Fire Department

Department when either the Fire Chief or PG&E determine a need because of a substantive change in policies, procedure or requirements. PG&E will provide this expert for no more than 80 hours each year. This condition will be met prior to the signing of the annual MOU.

B-2

- iii. A clearly established jurisdictional responsibility and authority matrix will be created that delineates the authority and boundary of that authority for NRC and local public protection agencies. The jurisdictional authority for fire protection related to the OSG Storage Facility, ISFSI, the power block, and the areas outside the power block must be clearly established for both fire prevention and fire protection. This condition will be met prior to occupancy of the OSG facility.
- iv. Radio communication by offsite responders must be constant throughout the access routes into the plant and at the plant site. This communication must include contact with onsite personnel and offsite emergency dispatch centers, both law enforcement and fire. This condition will be met prior to occupancy of project.
- v. PG&E will develop an emergency medical and rescue component for onsite at DCPP as part of the Emergency Plan. CDF/San Luis Obispo County Fire will review and approve emergency medical and rescue plans. This condition will be met prior to the signing of the annual MOU.

- e. PG&E will develop a policy and procedure for training requirements for its Industrial Fire Brigade.

B-3

- i. The required level of training for the Industrial Fire Brigade will be set at a minimum outlined in Table 1 or to a level approved by the County Fire Chief:

Table 1. Required Level of Training for the Diablo Power Plant Industrial Fire Brigade should meet any established regulations of the Nuclear Regulatory Commission and National Fire Protection Association, and should include:

Brigade Personnel	Minimum Training Requirements
Reserve Brigade Personnel	1. Certified Volunteer Firefighter 2. Basic First Aid and CPR 3. First Responder Hazardous Materials 4. Radio Communications Training 5. Radiological Emergency Training commensurate with NRC requirements and potential risks associated with this power plant.
Entry Level Brigade Personnel	1. State Certified Firefighter 1 2. Emergency Medical Technician 1D 3. Hazardous Material Specialist

Comment Set B, cont.
 CDF/San Luis Obispo County Fire Department

B-3

	<ol style="list-style-type: none"> 4. Confined Space Rescue Operations 5. Incident Command System 200 6. Basic Wildland Firefighter 7. Rescue Systems 1 8. Flammable Liquids Fire Protection (Fire Control IV) 9. Structural Firefighting (Fire Control III) 10. Radio Communications Training 11. Radiological Emergency Training commensurate with NRC requirements and potential risks associated with this power plant.
Brigade Pump Operator	<ol style="list-style-type: none"> 1. Above requirements plus; 2. State Certified Driver/Operator (Driver/Operator 1A & 1B)
Brigade Company Officer	<ol style="list-style-type: none"> 1. Above requirements plus; 2. State Certified Firefighter II 3. State Certified Fire Officer <ol style="list-style-type: none"> a. Command 1 A & 1 B b. Instructor 1A & 1B c. Prevention 1A & 1B d. Investigation 1A e. Management 1A 4. Incident Commander Type 3 5. Incident Command System 300 6. High Angle Cliff Rescue Training 7. State Fire Marshal Command 2A 8. Hazardous Materials Incident Commander 9. ICS Safety Officer 10. Hazardous Materials Safety Officer
Brigade Chief Officer	<ol style="list-style-type: none"> 1. Above requirements plus; 2. State Certified Chief Officer <ol style="list-style-type: none"> a. Management 2A , 2B, 2C, 2D, 2E b. Command 2A, 2B, 2C, 2D, 2E 3. Incident Command System 400 4. Incident Command System- Operations Chief 5. Incident Command System- Incident Commander

- ii. Proficiency exercises for the Industrial Fire Brigade will include the following and be reviewed by CDF/San Luis Obispo County Fire Department prior to signing of the annual MOU:
 1. Demonstrate annually that the firefighters can perform single engine company evolutions that include, interior fire attack, high-rise initial fire attack, hazardous material spill, confine space rescue, wildland fire initial attack, vehicle accident extrication, emergency medical response, ladder evolutions,

Comment Set B, cont.
CDF/San Luis Obispo County Fire Department

and high angle rescue operations. This will be recorded in training task books for all brigade employees and signed by a certified instructor for the subject.

2. Through drills, demonstrate annually the ability to coordinate an offsite fire response for a major emergency that would augment the Industrial Fire Brigade, including the effective use of the Incident Command System (ICS) and strategic and tactical evolutions. This drill will be consistent with the emergency response plan and include initial and secondary onsite and offsite responders as identified in the plan. This may be done through both table top and field exercises. The cost for overtime incurred by offsite agencies and extraordinary expenditures will be borne by PG&E.
 3. Define the NRC requirements and industry standards for an Industrial Fire Brigade assigned to a Nuclear Power Generating Facility. The above exercises must fully meet or exceed these standards.
- iii. PG&E will provide annual training to fire agency responders, CDF and other agencies, who respond to an initial and secondary response plan to DCPD as identified in the Emergency Plan. This training will be on aspects of the Emergency Plan and be conducted by a PG&E identified subject expert approved by the Fire Chief. The cost for preparation and delivery for this annual training will be borne by PG&E.
 - iv. The fire brigade will conduct and document a minimum of one drill in the protected area a month for all fire personnel.
 - v. Training films or other similar media will be produced by PG&E with coordination from the County OES on the subject of both onsite and offsite response to a radiological emergency and to an onsite emergency of any type consistent with the Emergency Plan. The films will be produced, or the funds encumbered and a bond issued, prior to the issuance of a clearance letter for the Old Steam Generator Storage Project or the ISFSI project whichever is completed first. The films will be approved by the Fire Chief.
- f. With the construction of the new fire station at DCPD, the PG&E Industrial Fire Brigade will meet the requirements of the National Fire Protection Association (NFPA) 1710 response time criteria that the first engine arrive at scene time within 4 minutes 90% of the time and that there be a sufficient number of trained personnel to initiate an interior fire attack consistent with NFPA, OSHA (2 in 2 out) and NRC guidelines.

B-3

B-4

PG&E has in place several mitigation measures that improve fire protection and help mitigate the long response times for the full alarm. These include, sprinklered buildings, a 5 person staffed fire engine, a fire protection maintenance program and class 2 standpipes (hose reel stations). However, in

Comment Set B, cont. CDF/San Luis Obispo County Fire Department

order to mitigate the requirement that the initial full alarm must arrive within 8 minutes 90% of the time for a fire in a large building on the plant site PG&E will meet **one** of the following requirements to satisfy the **intent** of NFPA 1710 and OSHA requirements (2 in 2 out from 2 separate locations):

B-4

- Adequately staff and train the PG&E Reserve Industrial Fire Brigade so that a minimum of 9 personnel (professional and reserve) are able to respond to an emergency at the plant within 8 minutes.

Or

- Provide a total of 9 on duty PG&E professional Industrial Fire Brigade personnel who are fully trained.

Or

- Provide funding to CDF/San Luis Obispo County Fire Department to augment by 2 additional on duty personnel at the Avila Valley Fire Station 62.

- g. A building evacuation plan will be developed that is exercised annually for each building with an occupancy over 49 people. A log will be kept onsite documenting the evacuation drills for review by CDF. This condition will be met prior to the signing of the annual MOU.
- h. The Industrial Fire Brigade will have a fire engine in full working condition at the DCPD at all times that meets NFPA requirements commensurate with the risks associated with this plant. This equipment needs to be in top working order with provisions for systematic replacement and access to reserve equipment while down for maintenance. A policy and procedure will be developed with a replacement plan for the fire engine that will not exceed 20 years. If the current engine is over 20 years old it will be replaced prior to occupancy of this project. This condition will be met prior to the signing of the annual MOU.
- i. The fire hose and all other equipment on the fire engine must be in full working condition according to NFPA standards. The current fire hose is reported by a third party review to be in poor condition and must be replaced prior to occupancy of the OSG facility. A full complement of hose is required along with a back-up supply.
- j. If it is determined through the review of the emergency plans that a deficiency exists in specialized equipment requirements, PG&E will provide that specialized equipment either for their Industrial Fire Brigade or for offsite emergency responders. This includes fire protection, radiological emergencies, rescues, hazardous materials and or medical emergencies. This condition will be met prior to the signing of the annual MOU.
- k. PG&E will provide current industry standard personal radiation monitoring devices for off site responders prior to occupancy of project.
- l. When required CDF/San Luis Obispo County Fire Department will be included in the planning and implementation of the Public Education Program either directly or

B-5

B-6

B-7

B-8

Comment Set B, cont.
CDF/San Luis Obispo County Fire Department

through the County Office of Emergency Services. This condition will be met prior to the signing of the annual MOU.

B-8

m. Access and egress to DCPD will be by two access roads that are not blocked other than by a security gate that is accessible to CDF/San Luis Obispo County Fire Department. The roads will meet the minimum CDF/San Luis Obispo County Fire Department standards for two way roads. When the primary access road is blocked during construction or during the transportation of the OSG, then the secondary access road must be clear of all obstructions. Provisions for access and egress must be maintained at all times or a citation could be issued.

B-9

n. Provide reimbursement fees to CDF/San Luis Obispo County Fire Department for a qualified fire inspector to conduct an annual fire inspection of the Diablo Canyon Power Plant Facility including power block, and support facilities consistent with authority and jurisdiction. The rate will be according to the fee schedule adopted by the San Luis Obispo County Board of Supervisors (currently \$62.00 per hour) not to exceed 40 hours per year. This condition will be met prior to the signing of the annual MOU.

B-10

If I can provide additional information or assistance on this mater please call me at (805)543-4244.

Sincerely,

Dan Turner, Fire Chief

By:



Robert Lewin, Fire Marshal
Battalion Chief

Cc: Jude Fledderman, PG&E
Greg Pisano, Division Chief
Ben Parker, Division Chief
Mike Harkness, Battalion Chief

Responses to Comment Set B

CDF/San Luis County Fire Department

B-1 The proposed Steam Generator Replacement Project does not increase the time period that the DCPP was originally licensed (i.e., DCPP Units 1 and 2 have current operating licenses until September 2021 and April 2025, respectively), but instead allows it to continue to operate to the end of the licensed period. Therefore, DCPP operational emergency response and fire safety impacts would not be increased as a result of the Proposed Project.

There is no nexus in the EIR to require implementation of mitigation measure “a”, which would modify a “No Flight Zone” to allow for an exemption for Fire Protection, Medical and Law Enforcement Agencies. However, since this mitigation measure was never adopted for the ISFSI Independent Spent Fuel Storage Installation (ISFSI) project, there is currently no prohibition for overflights by public safety personnel.

There is no need to require mitigation measure “b” as proposed by the CDF/San Luis Obispo County Fire Department since the OSG Storage Facility fire hydrant requirement is required by law, as noted in the comment. CEQA does not consider compliance with existing regulatory requirements to be mitigation.

With regard to mitigation measure “c”, in a Data Request Response dated July 1, 2005, PG&E stated that PG&E will continue to implement the Wildlands Fuel Management Plan (dated February 1999) from 2005 and beyond. The 5-year plan was a partnership involving PG&E’s onsite fire safety staff, the Land Stewardship Committee, and the California Department of Forestry and Fire Safety (“CDF”). The plan was developed to implement new techniques and tools proposed for assessing fuel status in the watershed east of the two switch yards, and for developing program-area monitoring protocols. These techniques and protocols have been refined during the implementation of the plan but the program remains essentially unchanged.

The ISFSI project was a completely different project that consisted of different activities and potential impacts. Therefore, it would not be appropriate to simply adopt mitigation measures recommended for the ISFSI project where analysis has not identified the same potential impacts for the Proposed Project. In addition, the CPUC has no authority to impose mitigation measures for plant safety and operations. See also Master Response MR-3 (Jurisdiction) for more information on the NRC’s jurisdiction. These issues also apply to Responses B-2 through B-10.

B-2 CDF/San Luis Obispo County Fire Department mitigation measure “d” would require additional Emergency Response and Planning for the existing DCPP operations. DCPP Units 1 and 2 have current operating licenses until September 2021 and April 2025, respectively, and are considered part of the environmental baseline. The operation of DCPP under these licenses is considered part of the environmental setting (i.e., the baseline), and is not subject to review as part of this EIR process. The Proposed Project would not directly increase the operating life of the DCPP and would not change DCPP operations in any manner that would impact fire protection or emergency response. Therefore, there is no nexus under CEQA to require additional Emergency Response and Planning for the existing DCPP operations. Please see Master Response MR-1 (Baseline).

- B-3 Please see Response B-2 as it directly applies to implementation of CDF/San Luis Obispo County Fire Department mitigation measure "e".

- B-4 Please see Response B-2 as it directly applies to implementation of CDF/San Luis Obispo County Fire Department mitigation measure "f".

- B-5 Please see Response B-2 as it directly applies to implementation of CDF/San Luis Obispo County Fire Department mitigation measure "g".

- B-6 Please see Response B-2 as it directly applies to implementation of CDF/San Luis Obispo County Fire Department mitigation measure "h".

- B-7 Please see Response B-2 as it directly applies to implementation of CDF/San Luis Obispo County Fire Department mitigation measures "i, j, and k".

- B-8 Please see Response B-2 as it directly applies to implementation of CDF/San Luis Obispo County Fire Department mitigation measure "l".

- B-9 Mitigation Measure U-2a required PG&E to submit an access plan to the CDF/San Luis Obispo County Fire Department that covers facility access and the potential need for pre-positioning of emergency response personnel in the event that the access road will be impassable by CDF/San Luis Obispo County Fire Department personnel.

- B-10 Please see Response B-2 as it directly applies to implementation of CDF/San Luis Obispo County Fire Department mitigation measure "n".

Comment Set C
San Luis Obispo County Department of Planning & Building



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING
VICTOR HOLANDA, AICP
DIRECTOR

May 5, 2005

Andrew Barnsdale, CPUC
c/o Aspen Environmental Group
235 Montgomery St; Suite 935
San Francisco, CA 94104

Dear Mr Barnsdale:

**SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED
DIABLO CANYON POWER PLANT STEAM GENERATOR
REPLACEMENT PROJECT**

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for this project. As we have mentioned in the past, the Diablo Canyon Nuclear Power Plant is a very important facility located in San Luis Obispo County. The County is a Responsible Agency pursuant to the provisions of the California Environmental Quality Act (CEQA). As such, the County will use the Final EIR, once it is certified by the Commission, during the public hearing process that will consider the project's Coastal Development Permit (CDP) application. We offer the following comments on the DEIR:

- 1. Project Baseline:** Page D.1-1 of the DEIR states the project baseline condition includes two operating nuclear reactor units and accessory facilities. This section also states that the environmental baseline condition includes the plants' NRC operating licenses through the years 2021 and 2025. This does not appear to be correct. The Steam Generator Replacement Project will allow the two reactors to continue operating past the years 2013 and 2014, to the end of their license periods. Without the proposed project, the two reactors would cease operations in the year 2013 and 2014. Also, the physical baseline for the project should reflect the degraded condition of the steam generators, not the status of the "paper" licenses.

Pursuant to CEQA section 15125, the environmental baseline shall include conditions that may exist at the time of the Notice of Preparation. Based on the statements in the DEIR and in the supporting materials developed by the applicant, the reactors would not operate past the years 2013 and 2014 without implementation of the proposed project. Therefore, operations of the nuclear reactors between the years 2013 and 2025 (the end of the NRC license period)

C-1

Comment Set C, cont.
San Luis Obispo County Department of Planning & Building

California Public Utilities Commission
DCCP Steam Generator Replacement Project
Page No. 2

- should be made a part of the DEIR analysis. Please revise the document accordingly. **C-1**
2. **Beyond the NRC License:** This section of the DEIR contains the rationale for ending the analysis of the project's environmental impacts at the year 2025. The DEIR states that PG&E currently has no plans for license renewal and has not yet decided whether to apply for such renewal. These two statements appear at odds with one another. On one hand, the first statement leads the reader to assume that PG&E will not apply for license renewal while the second statement's connotation is that PG&E is weighing whether to apply or not. As an EIR is supposed to be an informational document helpful to the public and decision-makers, an analysis of the continued operation of the plant past 2021 and 2025 is necessary. **C-2**
- Secondly, given the cost of this project at approximately \$800,000,000, the reader must assume that such a project would lead to continued operation of the plant past 2021 and 2025. Otherwise, the \$800,000,000 project would lead to the operation of the plant for just an additional 8 to 11 years. While economic factors are not generally within the scope of an EIR, the reader cannot help but question the financial feasibility of such a project. Most readers would be left with the assumption that there is a direct causal relationship between the proposed project and the continued operation of the plant past 2021 and 2025. Also, the life expectancy of the RSG's is 40 years. Please revise the document accordingly. **C-3**
3. **No Project Alternative (Section D.1.2.3):** The DEIR states that power generated by DCCP would need to be replaced if the plant shuts down. The document further states that the DEIR does not analyze any specific scenarios for providing replacement power. However, without more than a cursory analysis of alternative power sources, the document lacks the information needed by decision-makers to make informed decisions. Recent proposals for liquefied natural gas terminals to provide fuel for power plants have been mentioned in the media. Please provide some analysis of this alternative power source. **C-4**
4. **Limit of NRC Authority:** The DEIR should acknowledge the limit of NRC authority. This Department was Lead Agency for the ISFSI project recently approved by the Board of Supervisors and California Coastal Commission. That process made it clear that the NRC does not have the responsibility to provide building and fire safety checks for new construction outside of the radiological area of the plant. In the case of the subject steam generator project, all buildings constructed for the project must be subject to review, approval and inspection by the local fire authority; CDF/County Fire in this case. Please revise the document's Public Services and Utilities accordingly. Please also insure that all fire requirements and recommendations of CDF/County Fire Dept are implemented through the Mitigation Monitoring Program. **C-5**

Comment Set C, cont. San Luis Obispo County Department of Planning & Building

California Public Utilities Commission
DCCP Steam Generator Replacement Project
Page No. 3

5. **Original Steam Generator Offsite Disposal Alternative:** Little information is provided for this alternative. Please revise this section of the document so that some level of analysis is available to decision makers regarding off site disposal of the OSGs. The San Onofre Steam Generator Replacement project includes a description of the activities required to ship the OSG's off site for disposal. This description appears generic enough to give DEIR readers an idea of what an OSG disposal alternative would entail. Please revise this section accordingly and re-analyze the environmentally superior alternative. C-6
6. **RSG Offloading:** The RSG unloading alternative was determined to be the environmentally superior alternative. In the Comparison of Alternative section, this alternative was judged superior to the project's proposal to off load the RSG at the Port. The analysis does not include two important points. First, the offshore conditions at the intake cove have not been taken into account. Adverse sea conditions including wind and fog occur frequently in this area. The Port however, is often sheltered from these conditions making it a safer location to conduct barge operations. C-7
- Secondly, staff believes that marine mammals use the rocks at the intake cove for haul out areas. The presence of these mammals should be included in the project's environmental review and alternatives analysis. The EIR preparers should contact PG&E to learn whether marine mammals inhabit the intake cove area. C-8
7. **Local Ordinances and Policies:** Please note in this section starting on page D.8-18, that the project's consistency with local ordinances and policies will be determined by the County of San Luis Obispo. The CPUC should acknowledge in the document, that the Land Use portion of the DEIR is included only for CEQA purposes. The County will make determinations of ordinance and policy consistency through the land use permit process. The CPUC's analysis in this area has no affect on future County determinations. C-9
- For example, the DEIR states that coastal access does not need to be provided with the proposed project. The analysis in the DEIR is incorrect. The County and the Coastal Commission both required coastal access be granted for the ISFSI project. Such access dedications will be required for the subject project pursuant to the LCP's Shoreline Access policies.
8. **OSG Storage Locations:** The locations for OSG storage seem to be arbitrarily limited to sites outside the Coastal Zone. According to the DEIR, the proposed and alternative sites all require extensive geotechnical testing and review. The document has included this work as required mitigation prior to construction. This work should be accomplished now, prior to finaling the EIR. Otherwise, the mitigation measure for Impact G-4 represents delayed mitigation (See Sunstrom v. Mendocino County). Other sites near parking lots 7 and 8 for example, will not C-10

Comment Set C, cont.
San Luis Obispo County Department of Planning & Building

California Public Utilities Commission
DCCP Steam Generator Replacement Project
Page No. 4

require the extensive geotechnical review required for the proposed and alternative sites outside the Coastal Zone. Please include alternative sites in the Coastal Zone for OSG storage.

C-10

9. **Monitoring:** The mitigation monitoring plan should reflect the need for the applicant to submit grading, drainage and construction permits applications to the County for review and approval. For instance, mitigation measure B-6a requires revegetation of soil disposal area. The County's grading plan will also require revegetation along with approval of a SWEPP.

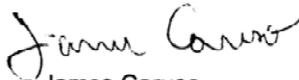
C-11

10. **Traffic and Circulation:** Mitigation measure T-3a requires development of a trip reduction program. This measure should be revised to include a required trip reduction threshold such as 50% reduced traffic from the unmitigated condition. Please also identify the possible locations of off site parking and shuttle stops. In order to be effective in reducing traffic where it counts, the parking areas should be located outside the Avila Valley. Possible locations could include the Five Cities area and the City of San Luis Obispo.

C-12

Please contact me at (805) 781-5702 if you wish to discuss these comments.

Sincerely,



James Caruso
Senior Planner

cc: Shirley Bianchi, Chair Board of Supervisors
Port San Luis Harbor District
Ellen Carroll, Environmental Coordinator

Responses to Comment Set C

San Luis Obispo County Department of Planning & Building

- C-1 Please refer to Master Responses MR-1 (Baseline) and MR-2 (License Renewal).
- C-2 Please refer to Master Response MR-2 (License Renewal). The intent of the referenced statements in the Draft EIR was to indicate that PG&E has not made a decision to apply for a renewal of the licenses for either unit. Relicensing is only in the preliminary feasibility and planning stages at this time and thus not a reasonably foreseeable project. Therefore, it is not known whether license renewal will occur and whether the units will operate beyond 2021 and 2025. The impacts of plant operation beyond the current license expiration dates will be evaluated if and when PG&E submits a license renewal application to the NRC. Section G has been revised to include additional information on the NRC license renewal process and a general discussion of possible impacts that may result from the relicensing of power plant operations after 2021 and 2025.
- C-3 PG&E proposes to recover the costs of steam generator replacement by the end of the current license periods 2021 and 2025. As explained in Master Response MR-2 (License Renewal), there is no direct causal relationship between the Proposed Project and operation beyond the current license expiration dates. The CPUC decision is limited to the determination of the cost recovery allowed for replacement of the steam generators during the period for which the power plant is licensed. Cost recovery would be completed during the remaining period of the license, and therefore, the EIR does not address any post-license period cost recovery issues.
- C-4 Please refer to Master Response MR-1 (Baseline). No one knows how the power generated from the Diablo Canyon Power Plant would be replaced if the plant were to shut down under the No Project Alternative. There are numerous potential means or combination of means to generate the power that would be lost from the shutdown of the Diablo Canyon Power Plant, including natural gas-fired facilities that may be served by liquefied natural gas. Any number of other energy sources could similarly be used. Therefore, any detailed analysis of how replacement power would be generated would be extremely speculative and, therefore, not meaningful. The EIR provides adequate analysis to inform decision-makers and the public about the significant effects of the Proposed Project and alternatives on the physical environment and possible ways to minimize these effects.
- C-5 The OSG Storage Facility would need to comply with NRC standards because of its function as a waste storage facility, and Section D.10.3.4 of the Final EIR includes revisions to clarify the requirements for the OSG Storage Facility and note the scope of NRC authority. The temporary facilities for staging and preparation would be subject to local standards as noted by the comment, and Section D.10.3.3 of the Draft EIR notes that the changed demand for fire protection services would be less than significant.

It is not anticipated that construction and operation of the OSG Storage Facility, which would be subject to CDF/SLO County Fire Department standards, would result in any significant impacts to public services. With the implementation of DCP's emergency response plan, Impact U-2 (Obstruction of Emergency Access) would be reduced to a less than significant level and Mitigation Measure U-2a (Pre-position emergency responders during road blockages) would no longer be necessary for this impact. As there is no significant impact

associated with the construction and operation of the OSG Storage Facility, no mitigation measures are necessary for this issue, and, consequently, the monitoring of CDF/SLO County Fire Department standards should not be included in the mitigation monitoring plan.

- C-6 The comment requesting additional information about the OSG Offsite Disposal Alternative is noted. The comment references the description of OSG disposal in Southern California Edison's San Onofre Nuclear Generating Station (SONGS) Draft EIR, and suggests that a portion of this text be used to supplement and clarify the OSG Offsite Disposal Alternative in the Final EIR for the DCPP Steam Generator Replacement Project. It is unclear which section of the Draft EIR that the commenter believes is deficient. Section C.4.5 of the Draft EIR describes the general process for OSG offsite disposal, including the major components that comprise the SONGS OSG disposal process from Section B.3.4.5 of the SONGS Draft EIR. In addition, the OSG Offsite Disposal Alternative may be performed differently from the methodology proposed by the SONGS Draft EIR due to unique site-specific and geographic characteristics at DCPP. However, the text in Section C.4.5 of the Final EIR has been revised to provide more information on the OSG Offsite Disposal Alternative. This information does not change the conclusion of the analysis that the OSG Offsite Disposal Alternative is not the Environmentally Superior Alternative. Section E.2.4 of the Draft EIR notes that the Proposed Project would be preferred when compared to the additional impacts that would occur with transport activities associated with offsite disposal. Please also refer to Response PG-14.
- C-7 The commenter supports offloading the RSGs at Port San Luis due to its sheltered location, rather than the Intake Cove where potential adverse offshore conditions may exist. Section 3.4.1.2 of the Proponent's Environmental Assessment (PEA) states that prior to the transport of the RSGs, the PG&E project manager and transportation contractor will track the weather using the National Oceanic and Atmospheric Administration (NOAA) National Weather Service website, Coast Guard Marine Forecast, or similar primary data sources. PG&E will also use the Scripps Institution of Oceanography Sea Swell Forecast Model or similar models to confirm that unusually high tides or sea swell levels are not forecasted. These precautions would ensure that adverse weather conditions do not substantially increase safety hazards with the Intake Cove alternative. Text has been added to Section C.4.2 to indicate that weather and offshore conditions will be checked prior to RSG transport in order to ensure that RSG delivery and offloading would not occur during adverse conditions.
- C-8 The following text has been added to the Final EIR in Section D.3.3.2 to clarify potential issues with the short-term effects of Impact B-3 (Vessel traffic would increase the likelihood of collisions with protected marine mammals):

Marine mammals are present at both Port San Luis and the DCPP Intake Cove and are accustomed to vessel traffic and human activity. The area surrounding the mobile crane and Port Side Marine recreational boat launch is a hub of boating activity in Port San Luis and results in a considerable volume of vessel traffic in the immediate vicinity of the RSG landing site. Vessel traffic is also common in the Intake Cove as a result of the operation of the DCPP dive boats and kelp harvester. Therefore, introducing a barge and tug boat into either area would not constitute a new impact to marine mammals.

There is a greater potential to encounter and disturb marine mammals at the Intake Cove landing site because of the usage of areas within the Intake Cove as a year-round harbor seal haul out site and the persistent presence of sea otters rafting in the kelp beds inside of the breakwater. The presence of a barge and maneuvering vessels in the Intake Cove has the potential to result in a temporary displacement of otters from the Cove, however, the displaced animals would more than likely move only a short distance to bull kelp located along the breakwater at the entrance of the Cove. The proposed marine mammal observer training and use of marine mammal observers (Mitigation Measure B-3a) are adequate measures to reduce the potential for impacts to marine mammals to less than significant levels.

C-9 Section D.8.2 states that the CUP and the CDP application review and approval processes conducted by the County of San Luis Obispo are wholly independent of the CPUC's approval process for the Proposed Project. As described in Section D.8.2, information from the EIR could be used in processing the CUP and the CDP applications, but no claim is made that the conclusions reached in the EIR must be carried over into application review and approval process. A Responsible Agency, in this case, the County of San Luis Obispo, must consider the environmental effects of the project as shown in the EIR [CEQA Section 15096(f)]. The County will likely rely on the Final EIR, but will conduct its own determination of project consistency with County plans and ordinances.

C-10 Section 15126.6(a) of the *CEQA Guidelines* states that an EIR shall describe a range of reasonable alternatives to the project or to the location of the project, which would feasibly attain most of the basic objectives of the project. Section 15126.6(a) further states that “[t]he lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives.” The EIR fully complies with CEQA's requirements to describe a range of reasonable alternatives and to disclose its reasoning for eliminating other alternatives from consideration. The screening methodology described in Section C.3 of the EIR establishes that the alternative sites for project facilities must meet project objectives and be feasible. Section C.3.1 discusses specific criteria which are used as guidance to determine whether a potential alternative would meet basic project objectives and Section C.3.2 discusses factors used to determine project location feasibility. In Section C.4.4, the EIR explains why the selected OSG Storage Facility locations meet the EIR's screening criteria. CEQA Guidelines Section 15126.6(c) identifies those factors that may be used to eliminate alternatives from consideration, including, failure to meet project objectives, infeasibility, and inability to avoid significant environmental effects. Section C.5.4 includes a discussion of why other alternative sites, including off-site locations and other DPCC on-site locations, were eliminated from consideration per the criteria identified in Section 15126.6(c).

Mitigation Measure G-4a includes both: (1) a requirement for completion of future studies needed to determine future design regarding slope instability identified under Impact G-4, and (2) a clear and enforceable measure to mitigate potential impacts. The studies included in Mitigation Measure G-4a will be used to tailor the engineering design required under the measure to fit the actual future conditions. Such use of studies in mitigation measures has been approved in *National Parks and Conservation Assn v. County of Riverside*, 71 Cal.App.4th 1341 (1999). Also, mitigation measures need not specify precise details of design and can leave exact design details to the technical personnel designing the structure. *Ocean View Estates Homeowners Association v. Montecito Water District*, 116 Cal.App.4th 396, 400-

- 401(2004). The second part of Mitigation Measure G-4a commits the lead agency to requiring that the project applicant develop an “engineering design of the structure to withstand postulated landslide loads.” This mitigation for engineering design development is an enforceable mitigation measure that is clearly distinguishable from the general measures for future hydrological studies that were rejected in *Sundstrom v. County of Mendocino*, 202 Cal.App.3d 296, 309-310 (1988).
- C-11 As outlined in Draft EIR Section D.7, Hydrology, BMPs implemented within the Proposed Project for grading, drainage, and construction will require coordination with all applicable County agencies.
- C-12 Text has been added to Mitigation Measure T-3a requiring coordination and approval by the County of parking locations for the van and car pools for the DCPP workers, and the 50 percent trip reduction level has also been incorporated. The County approval requirement would ensure that appropriate locations are used.