

## **Responses to Comment Set PG**

### **Latham & Watkins LLP, for Pacific Gas and Electric Company**

PG-1 PG&E concurs with most of the Draft EIR findings; however, this comment notes that the Proposed Project and alternatives for the RSG Staging and Preparation and OSG Storage Facility components are environmentally very similar. PG&E recommends that the options should be maintained by CPUC as viable options for PG&E to implement. The Draft EIR describes in Section C.1 that in order to present a clear environmental analysis, CPUC focused on PG&E's preferred option, with the intent that the approval, if any, would likely adopt only one of the various alternatives. This approach is not changed in the Final EIR. The CPUC recognizes that it may eventually become necessary for PG&E to change project components and initiate an alternative different from the one that may be approved by the CPUC. Depending on the proposed changes, the impact analysis may need to be revisited (see Section C.1 in the Draft EIR).

PG-2 This comment generically addresses major points that are described in further detail elsewhere in PG&E's May 10, 2005 comment letter to the CPUC. A summary of these issues is described below.

- The comment notes that radiological health and safety issues are regulated by the federal government and are therefore outside the jurisdiction of the State of California (and the CPUC). The CPUC believes that the measures recommended in the Final EIR are feasible and within the CPUC's authority provided that the measures include the revisions described in the Final EIR. Please see Master Response MR-3 (Jurisdiction) for more information on the CPUC jurisdiction of the Proposed Project relative to the NRC. Responses PG-3 through PG-12 address this issue in greater detail.
- The comment notes that the analysis of the OSG Offsite Disposal Alternative should be expanded to clarify the technical, economic, and environmental feasibility issues associated with this alternative. The adverse effects of this alternative, defined by Draft EIR Section C.4.5, are described throughout the Draft EIR, including the comparison in Section E.2.4 and a summary in the Executive Summary Table ES-5. The Draft EIR (Table ES-1) indicates that the OSG Offsite Disposal Alternative is not the Environmentally Superior Alternative. Responses to comments PG-13 through PG-18 responds to this issue in greater detail.
- The comment notes that the California Coastal Commission may not approve the necessary permits for temporary facilities within the project timelines, and that the Proposed Project might be revised by PG&E to eliminate the need for the temporary facilities. This EIR analyzed 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. PG&E has not provided any information to the CPUC regarding a project alternative or scenario where the temporary facilities would be eliminated from the Proposed Project. The consequences of this change to the Proposed Project have not been analyzed in the Draft EIR. As described in Response PG-1, if PG&E eventually needs to change project components, the impact analysis may need to be revisited. Responses PG-19 through PG-26 respond to this issue in greater detail.

- PG&E states that some mitigation measures should be modified to eliminate technical feasibility problems that will hinder the Proposed Project. More detailed responses below (PG-27 through PG-38) illustrate that CPUC believes that the measures recommended in the Final EIR, with revisions, are feasible and would not inhibit project implementation. Please see Master Response MR-3 (Jurisdiction) for more information on the jurisdiction of the CPUC versus the NRC.

- PG-3 The CPUC fully understands that the NRC has sole jurisdiction over the management of radioactive material, as well as design and operation of nuclear power plants, including their safety and security. However, for the CEQA purposes of public disclosure, these topics and the Proposed Project's related impacts are discussed in the Draft EIR. The CPUC believes that each of the recommended measures, as shown with revisions in the Final EIR, are legally feasible and enforceable. The CPUC has recommended only limited mitigation measures that relate to the manner in which PG&E carries out certain project activities. The mitigation does not impinge on NRC's authority over plant operations or radiological safety. The CPUC does not intend to adopt any mitigation measures that are beyond its authority to impose. Please see Master Response MR-3 (Jurisdiction) for more information on the jurisdiction of the CPUC versus the NRC.
- PG-4 Please see Response PG-3 above.
- PG-5 Please see Response PG-3 above.
- PG-6 Please see Response PG-3 above.
- PG-7 Please see Response PG-3 above. This Final EIR includes revisions to mitigation measures, where necessary, to clarify the CPUC's authority to prescribe them.
- PG-8 Please see Response PG-3 above. This Final EIR includes revisions to mitigation measures, where necessary, to clarify the CPUC's authority to prescribe them.
- PG-9 Please see Response PG-3 above. Mitigation Measure G-3a is intended to ensure that PG&E provides up-to-date seismic information to the NRC prior to final approval of the OSG Storage Facility design. The CPUC has the authority to require that PG&E develop this information; however, the CPUC cannot require the NRC to consider this information in its review of the OSG Storage Facility design. This Final EIR includes revisions to Mitigation Measure G-3a to clarify the roles of the agencies.
- PG-10 Please see Response PG-3 above. This Final EIR includes revisions to mitigation measures, where necessary, to clarify the CPUC's authority to prescribe them.
- PG-11 The Draft EIR (Executive Summary, page ES-5) clearly indicates that the NRC has exclusive authority to regulate the design and operation of nuclear power plants and the management of radioactive material. Therefore, the limitations of the CPUC's authority, as well as the County's, over these matters is already established. PG&E has not here identified specific measures it believes are beyond CPUC authority. The CPUC does not intend to require any mitigation measures that are beyond its authority to impose.
- PG-12 Please see Response PG-11 above.

- PG-13 PG&E supports the conclusion of the Draft EIR that onsite storage of the OSGs is preferred over offsite disposal (Draft EIR Executive Summary Table ES-1), and that offsite disposal would create system and transportation safety impacts as the OSGs are transported through communities to the disposal site (Draft EIR Section D.13.4.4). The comment notes that other potential impacts would be associated with offsite disposal of the OSGs. The Draft EIR summarizes these impacts in Sections E.2.4 (Original Steam Generator Offsite Disposal Alternatives) and ES.5 (Impact Summary Tables).
- PG-14 This comment asserts that the Draft EIR did not include costs, construction impacts and worker safety concerns in evaluating the OSG Offsite Disposal Alternative. Even though further discussion of these impacts would not change the conclusion that the OSG Offsite Disposal Alternative is not an Environmentally Superior Alternative, PG&E has asked that this information be presented in the Draft EIR. The cost of feasible alternatives is not analyzed in the CEQA process but is considered in the general proceeding for the Proposed Project. The Draft EIR summarizes the environmental impacts of this alternative in Executive Summary Table ES-5. Please see Responses PG-15 through PG-18 for more detail on the minor effects of installing another temporary facility at DCP, and the likely protection that would be provided to workers through compliance with NRC regulations.
- PG-15 PG&E notes that another temporary facility, an onsite radiologically controlled area, would be needed for the task of temporarily storing and preparing the OSGs for offsite disposal under the OSG Offsite Disposal Alternative. PG&E asserts that this temporary facility would need to be located in the same area proposed for the OSG Storage Facility and that it would be of a similar size. This Final EIR includes revisions to the text in Section C.4.5 to describe the need for a radiologically controlled area; however, it is not clear why PG&E believes that the temporary facility would be located in the area of the proposed OSG Storage Facility. It is likely that this temporary enclosure could be located anywhere within the DCP site and to simplify logistics, it would likely be located adjacent to the containment enclosures on previously developed surfaces. The Draft EIR notes that this approach would be similar to that proposed by Southern California Edison for the San Onofre Nuclear Generating Station (Section C.4.5). As shown in Table ES-5 of the Draft EIR, onsite storage is preferred based partially on the increased transport activity that would occur with the OSG Offsite Disposal Alternative.
- PG-16 PG&E notes that a higher level of worker exposure to radiation would occur during the task of preparing the OSGs for disposal under the OSG Offsite Disposal Alternative. The level of radiation exposure during OSG offsite disposal activities would be at safe levels and under the jurisdiction of the NRC (see Draft EIR Section A.4). These exposure levels would be similar to those levels for workers removing and transporting the OSGs under the Proposed Project with onsite storage because the Proposed Project would also require maneuvering the OSGs, under a similar level of NRC oversight. The same radiation protective processes employed for the removal of the OSGs, and described in Section D.12.3.4 of the Draft EIR, would be employed during preparation of the OSGs for offsite disposal. This Final EIR includes revisions (Section C.4.5) to identify that construction of a radiologically controlled area would need to occur; however, this facility could be fabricated during the staging and preparation activities that would occur for other temporary facilities, as in the Proposed Project.

PG-17 The comment notes that onsite storage of OSGs, as with the Proposed Project, would delay any impacts associated with disposal until decommissioning, when other decommissioning activities would cause similar impacts. As described in the Project Description of Draft EIR (Sections B.1.3 and B.3.3.3), decommissioning would involve removal of the proposed OSG Storage Facility.

The CPUC agrees with PG&E in their statement that the offsite disposal impacts would create additional impacts, especially increased transport activity, to the environment if this alternative was implemented now and not at the decommissioning phase. The details on this alternative are described in Section C.4.5 and throughout Section D of the Draft EIR.

PG-18 PG&E notes that there would be additional costs with the OSG Offsite Disposal Alternative. As described in the CPUC alternatives selection process, in Draft EIR Section C.3, the CEQA analysis considers this alternative to be economically feasible. However, cost issues are addressed separately by the CPUC in the general proceeding for the Proposed Project.

PG-19 The comment notes that PG&E needs to obtain a coastal development permit (CDP) from San Luis Obispo County prior to constructing any new facilities in the Coastal Zone. The temporary facilities needed for the RSG Staging and Preparation component, which include the temporary staging area and containment access facilities, lie within the Coastal Zone and would require a CDP. PG&E applied for a CDP for the temporary staging area and containment access facilities for the Proposed Project in February 2005. The Draft EIR (Sections A.6 and D.8.2) provides additional information on the CDP application process as related to the Proposed Project.

PG&E states in the comment that it may alter the Proposed Project and Project Description by rearranging existing facilities at DCPP to be used in place of the TSA and containment access facilities if PG&E is unable to secure a CDP. Depending on space constraints at DCPP, the utilization of existing DCPP facilities in lieu of constructing a TSA may force the relocation of some existing DCPP personnel to new offsite facilities, which would cause environmental impacts that were not analyzed in the Draft EIR. Any change to the Proposed Project that may cause additional impacts may require additional environmental review (Draft EIR, pages C-2 and H-1). The Final EIR remains unchanged. Please also see Response PG-2.

PG-20 Comment noted. PG&E states that reorganizing existing DCPP facilities for use as TSA and containment access facilities in lieu of construction of temporary facilities would make the Proposed Project more difficult to implement and more expensive, but would eliminate the need for a CDP. Please also see Response PG-19.

PG-21 It is noted that PG&E believes it may not be feasible to avoid construction of temporary facilities and containment access facilities within the Coastal Zone. The Draft EIR analyzed impacts of constructing the temporary facilities and containment access facilities in the Coastal Zone. Please also see Response PG-19.

PG-22 The comment notes that PG&E has previously stated that it “would attempt to use existing facilities whenever possible;” however, it is not clear that total avoidance of temporary facilities within the Coastal Zone is feasible. The relocation of some existing DCPP personnel off-site could cause impacts that were not analyzed in the Draft EIR. Any change to the Proposed Project that may cause additional impacts may require additional environmental review (Draft EIR, pages C-2 and H-1). Please refer to Responses PG-2 and PG-19.

- PG-23 While Draft EIR Section B.3.2 of the Project Description, Replacement Steam Generator Staging and Preparation, states that “existing DCPP structures and facilities would be used or to otherwise support the RSG activities” to the “extent possible”, approximately 90,000 additional square feet would be required to perform project activities, making it unlikely that all project activities could occur within existing facilities. PG&E has not provided information for a project alternative or scenario in which no temporary facilities were necessary. In addition, the Draft EIR did not address the environmental effects of relocating existing DCPP employees offsite. Although by changing the project, PG&E may avoid the need for a CDP, the Draft EIR analyzes a Project Description and Alternatives that do involve temporary structures of some kind. As such, a CDP would be necessary under the current analysis.
- 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. Any formal change to the Proposed Project that may cause additional impacts may require additional environmental review (Draft EIR, pages C-2 and H-1). The Final EIR remains unchanged. Please see Responses PG-2 and PG-19.
- PG-24 Please see Response PG-23 regarding analysis of the potential use of existing DCPP structures and facilities.
- PG-25 Comment noted. Because the relocation of the DCPP employees is unknown, the reduction in traffic would be speculative. Furthermore, the destinations of the relocated employees are also unknown, and the traffic impacts of relocated employees may require additional environmental review. Therefore, no changes have been made to the Draft EIR. Please see Responses PG-19 and PG-23.
- PG-26 The comment notes that PG&E is confident that San Luis Obispo County and the California Coastal Commission (CCC) can grant a CDP within the time needed to meet the Proposed Project’s deadlines. However, “unforeseen circumstances” may extend the CDP approval process beyond the time when preparation must begin for the arrival of the RSGs. The Final EIR does not include additional analysis of the effects of avoiding construction of temporary facilities within the Coastal Zone, such as the effects of relocating permanent DCPP staff to offsite locations, because the need for relocation of employees and the destinations for those employees are not known and the information was not part of PG&E’s application or project description. Please see Responses PG-19 and PG-23.
- PG-27 This Final EIR includes revisions to air quality and traffic mitigation to improve the feasibility of implementation. Responses to Comment Set F, from SLOAPCD, also describe revisions to facilitate implementation, and revisions brought about by further responses to Comment Set PG, below, also clarify the methods by which impacts can be reduced.
- PG-28 The assumptions used in the air quality impact analysis take into account the fact that emissions would vary day-to-day, and that emissions must be presented on a “worst-case” basis (see also Response F-2). The equipment inventory is realistic and not overly conservative because it was provided by PG&E with the PEA. Response PG-76, below, addresses this issue further.
- PG-29 Worker vehicle emissions shown in the PEA and Draft EIR assume that PG&E can successfully achieve the vehicle-occupancy described by PG&E in the PEA. As it is part of PG&E’s PEA, a project worker vehicle occupancy rate of 2.0 and a 10 percent vanpool rider-

ship should be achievable (PEA, page 5-15). This Final EIR includes revisions to Mitigation Measures A-1a and T-3a to establish an overall vehicle-trip limitation that would provide equivalent reductions in emissions. Responses PG-79 and PG-80 address this issue further.

PG-30 This Final EIR includes updates to the air quality monitoring and reporting actions that require PG&E to prepare and implement a Construction Activity Management Plan (CAMP) addressing Mitigation Measures A-1a, A-1b, A-1c, and A-2a. Please see Responses PG-82 and PG-83 for more detail on how the CAMP can be integrated with the recommended mitigation.

PG-31 This Final EIR includes updates to the traffic baseline conditions and traffic mitigation to more effectively achieve the goal of PG&E and CPUC to minimize traffic impacts to the surrounding communities. Responses PG-35, PG-36, and PG-37 provide more information.

PG-32 This Final EIR includes PG&E's revised baseline information to accurately show the number of workers historically involved with refueling outages. The Final EIR also includes revisions to trip reduction measures to improve the effectiveness of the mitigation. Response PG-33 provides more information.

PG-33 The comment notes that the refueling outage periods and the associated traffic are part of the normal (baseline) operation of the DCP. Section D.13.1.2 of the Draft EIR clearly indicates that refueling outage personnel are not a part of the Proposed Project. However, due to overlapping timing, the presence of outage personnel is relevant in the assessment of project impacts. Outages are not a constant event and only occur every 18 to 21 months. The available roadways traffic counts in the Avila Beach area, used in the Draft EIR analysis, were collected outside of the outage periods. Therefore, these traffic counts do not include the traffic generated by the DCP worker vehicles during a fuel outage. For instance, the most recent traffic counts were collected in July 2002, May 2003, and July 2003. During those years, the scheduled refueling outages occurred, as per PG&E, in April 2001, April 2002, February 2003, March 2004, and October 2004. In fact, historically, since 1987, PG&E did not have refueling outage periods during the May through July time period. Within the time-frame of preparing the Draft EIR, there was no opportunity to measure actual traffic counts during a scheduled outage period.

As shown in the Project Description of the Draft EIR, a typical refueling outage lasts 30 to 40 days. The project-related outage would last 75 to 80 days, and thus is not typical. Because the traffic counts used for the analysis do not account for the outage traffic, and the project-related outage would be 2 to 2.5 times longer than a typical refueling outage at the DCP, to correctly represent the project-triggered worst-case traffic during the RSGs installation phase, the outage traffic has been added in the Final EIR to the baseline traffic counts collected during non-outage periods.

The Draft EIR also assumes that the worst-case traffic would occur if the steam generator replacement phase occurs during the peak-tourist season. Although the steam generator replacement is not proposed during the summer time, the worst case is considered. For instance, the project schedule could slip into the peak tourist season. Proposed Mitigation Measure T-2a deals specifically with the peak tourist season, and do not restrict the project traffic during the non-peak periods. This Final EIR includes revised text clarifying this reasoning in Section D.13.1.2 and the discussion for Impact T-2.

- The argument about the outage period traffic being part of the baseline is valid in the case of traffic counts on Highway 101. The traffic counts were adjusted to represent correct baseline with the outage traffic assumed accounted for in the available traffic counts data.
- PG-34 The number of outage employees has been revised to 1,285. However this does not necessarily change the number of one-way trips during an outage from the estimated 4,000 one-way trips per day. Please also see Response PG-33.
- PG-35 The effectiveness criteria have been changed in the Final EIR to establish a criterion that does not attempt to differentiate the vehicles of project activities separately from the vehicles of other ongoing DCPP activities. The Final EIR includes an overall vehicle-trip limitation in Mitigation Measure T-3a, which would be more successfully implemented.
- PG-36 The effectiveness criteria have been changed in the Final EIR to establish the vehicle-trip limitation (Mitigation Measure T-3a) that would be more successfully implemented, while ensuring that impacts remain below the thresholds of significance. Responses PG-211 through PG-218 discuss this issue further.
- PG-37 This Final EIR includes revisions to establish traffic control plan requirements similar to those recommended by PG&E, in order to ensure that the mitigation would be more successfully implemented. Mitigation Measures T-2a and T-2b have been revised to specify shift start times. The overall vehicle-trip goal for limiting overall volumes has been added to Mitigation Measure T-3a. As recommended, the trip limitation has been integrated with the air quality limitations in Mitigation Measure A-1a. These measures would provide PG&E flexibility in traffic control while ensuring that impacts to traffic and air quality remain below the thresholds of significance. These revised measures would not obstruct ongoing efforts to revise parking plans or improve shuttle or van ridership. Responses PG-211 through PG-218 also address this issue.
- PG-38 This Final EIR reflects the identified recommendations for revising traffic and air quality mitigation, which provides PG&E with flexibility in traffic control while ensuring that impacts remain below the thresholds of significance. Please also see Responses PG-31 through PG-37.
- PG-39 PG&E includes a technical appendix and additional comments that are addressed below.
- PG-40 This Final EIR includes revisions to ensure that the mitigation measures for air quality and traffic consistently limit overall vehicle trips, as described in Responses PG-29 and PG-37.
- PG-41 The duration of every stage/phase of the project is reflected in the project schedule in Table B-1. Also, each traffic impact contains the phrase: “would temporarily increase traffic”, signaling that the impact is short-term. This disclosure is sufficient to describe the short-term duration of the transportation impacts.
- PG-42 This comment is concerned with the visual assessment methodology used in the Draft EIR. Responses PG-237 through PG-243 address these points in detail.
- PG-43 It is noted that all references to page numbers in these comments refer to the page numbers in the hard copy version of the Draft EIR, and not the electronic version, since its page numbers differ from the hard copy version.

- PG-44 Responses PG-237 through PG 243 address comments on the visual assessment methodology in detail.
- PG-45 This Final EIR includes revisions to clarify the NRC role in the project. The CPUC believes that the measures recommended in the Final EIR, with revisions, are feasible and would not inhibit project implementation or impinge on NRC jurisdiction. Please see also Response PG-2.
- PG-46 The comment suggests three modifications to the Executive Summary. The use of the Final EIR by Responsible Agencies, which is the subject of the first comment, is adequately addressed in Section A.6 of the Draft EIR. However, the text in ES.1 of the Final EIR will be modified to include a reference to the use of this EIR by Responsible Agencies. Section D.1.2.2 of the Draft EIR accurately describes the CPUC position that NRC license renewal is not a reasonably foreseeable consequence of the Proposed Project [please also see Master Response MR-2 (License Renewal)]. As a result, the text in the Final EIR does not require revision as suggested by the second comment. With regard to the third comment, Section ES.1 of the Final EIR has been modified to include the partial sentence regarding offloading alternatives.
- PG-47 Text has been added to Section ES.2.1.5 of the Final EIR to indicate that the reference for the statement in question is the CEC report entitled, “2003 Integrated Energy Policy Report.” In addition, the suggested sentence has been added to Section ES.2.1.5 to further substantiate the statement.
- PG-48 The suggested text of the first comment has been added to Section ES.3.1.2 of the Final EIR. In addition, to address the second comment, the text in Section ES.3.12.1 under Replacement Steam Generator Transport has been changed from “harbor operations” to “Port San Luis Harbor District”, and a reference to consistency explanations in Section D.8, Land Use, Recreation, and Agriculture, has been added.
- PG-49 The comment notes that the phrase “the environmental advantages and disadvantages” should be revised to be consistent with the purpose of the alternative analysis as described in CEQA Guideline §15126.6, which states “. . . discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project . . . .” This statement is correct; however Section ES.4 is actually comparing the Proposed Project and alternatives by comparing the previously completed impact analyses, which are in Sections D.2 through D.14 of the Draft EIR. Thus it refers only to the advantages or disadvantages between the studied alternatives, including whether adverse effects could be avoided. CEQA does not provide specific direction regarding alternatives comparison. The comparison methodology employed in Section ES.4 and Section E evaluates the issues and impacts that are most important to the Proposed Project. Please refer to Sections ES.4.1 and E.1 for more information about the comparison methodology used for the Proposed Project. However, to prevent any confusion the phrase, environmental advantages and disadvantages, has been removed from the Final EIR.
- The sentence suggested in the second comment has been added to Sections ES.4.2 and E.2 under Environmentally Superior Alternative in the Final EIR.
- PG-50 The socioeconomics effects described in the Draft EIR Table ES-2 do not include the suggested revision because the scope of the socioeconomics assessment depends primarily on population growth, housing and labor demand, and population and housing displacement, which

are not affected by the different alternatives. Disruptions to established land uses are described further in Section D.8.4.1.

PG-51 Please refer to Master Response MR-3 (Jurisdiction). Sections A.4.1 and A.4.3 of the Draft EIR correctly explains NRC's jurisdiction over the Proposed Project, and specifically over the transport of radioactive waste materials offsite. Section A.5 describes the CPUC's authority to regulate investor-owned public utilities, such as PG&E and to act as the Lead Agency for CEQA compliance in evaluation of the Proposed Project. Section A.5 also acknowledges that the CPUC's jurisdiction of DCPP is limited by federal regulations. Further, Section D.1.2.5 explicitly states that DCPP is regulated by the NRC as dictated by the Atomic Energy Act. Therefore those issues that are regulated by the NRC, including the handling, storage, and transport of radioactive materials, are presented for informational purposes only in the Draft EIR. Table ES-5 shows that onsite storage of the OSGs would be preferred over offsite disposal for most environmental issue areas. The Draft EIR text is correct as written and remains unchanged.

PG-52 The comment suggests that the Clean Water Act Permits, Stormwater Pollution Prevention Plan (SWPPP), and CDFG §1601 Streambed Alteration Agreement are unnecessary for the Proposed Project. While these permits will most likely not be needed, this is uncertain at this time. Table A-2 of the Draft EIR states only that these are permits that may be required for the DCPP Steam Generator Replacement Project.

Comment PG-139 states that San Luis Obispo County routinely requires a SWPPP as part of the County's land use permitting process and thus may be required for the Proposed Project. In the Final EIR, Table A-2 remains unchanged and Mitigation Measure W-2a (A SWPP shall be Prepared for Construction Activities) has been added to Section D.7.3.3 of the Final EIR to clarify the permitting requirements. According to the Project Description, construction would involve 0.9 to 1.1 acres of land, therefore in order to account for this range of potential acreage disturbance Mitigation Measure W-2a has been added. Response PG-67 also addresses this issue.

In addition, a permit may be necessary under Section 10 of the Rivers and Harbors Act in order to perform the RSG offloading activities at Port San Luis, and a Section 404 permit may be necessary if matting is laid on the ocean floor during offloading activities at the Port. Text has been added to Table A-2 and Section D.7.2 to reflect these additional changes.

PG-53 It is noted that PG&E suggests that the Final EIR include additional information regarding the Responsible Agencies and their permitting and licensing processes. The suggested text has not been added to the Final EIR because the Draft EIR adequately describes the Conditional Use Permit (CUP) application process for San Luis Obispo County and its applicability to the Proposed Project. Sections A.6 and D.8.2 under Local Ordinances and Policies describe PG&E's actions to date in applying for a CUP, and its specific application to the OSG Storage Facility. Therefore Draft EIR text remains unchanged.

PG-54 Similar to Response PG-53, the suggested text regarding the CDP application process for San Luis Obispo County will not be added to the Final EIR because the Draft EIR contains a sufficient description of the process and its applicability to the Proposed Project. Draft EIR Sections A.6 and D.8.2 under Local Ordinances and Policies describe PG&E's actions to date in applying for a CDP for the TSA and containment access facilities.

- PG-55 A condensed version of suggested text was added to Table A-2 of the Draft EIR to describe the application process for the San Luis Obispo building and grading permits necessary for the Proposed Project.
- PG-56 A condensed version of the suggested text was added to Table A-2 of the Draft EIR to describe Port San Luis Harbor District's License and Land Use Permit requirements.
- PG-57 All references to "stress and corrosion cracking" in the Draft EIR will be revised to read "stress corrosion cracking" in the Final EIR. The suggested text from the second and third comments has been added to the Final EIR in Sections A.2.2 and A.6 respectively. In addition, the modification suggested in the fourth comment has been made to the text in Section A.6 of the Final EIR to indicate that the OSG Storage Facility may be outside of the Coastal Zone.
- PG-58 PG&E recommends making certain revisions to the Project Description to achieve a more accurate depiction of the Proposed Project. Responses to Project Description changes are included in PG-59 through PG-72 below.
- PG-59 The comment notes that the Proposed Project is a "like for like" replacement of the OSGs with the RSGs, meaning that the RSGs will have the same operating characteristics as the OSGs. In order to emphasize this factor of the Proposed Project, the suggested sentences have been added to the beginning of Section B.3 of the Final EIR.
- PG-60 These specific comments suggest various text modifications or additions to clarify certain issues of the Proposed Project. All suggested text revisions have been made in appropriate sections of the Final EIR. The following list of text changes were corrected in the Final EIR.
- The appropriate dates of the photographs in Figure B-7 of the Draft EIR have been added to the Final EIR. The date of the top photograph in Figure B-10 of the Draft EIR was requested from PG&E; however the information has not yet been received.
  - The barge offloading location at Port San Luis has been revised in all text and graphic references in the Final EIR to indicate that it will occur in between the mobile hoist launch and Harford Pier, which is south of the original offloading location.
  - All references to "stress and corrosion cracking" in the Draft EIR will be revised to read "stress corrosion cracking" in the Final EIR.
  - The weight of the each OSG (330 tons) will be corrected in the text of the Final EIR.
  - The sentences suggested in the final three comments have been added to the appropriate sections in the Final EIR.
- PG-61 The comment notes that other large, heavy pieces of equipment have been transported over the Access Road since the construction of DCPP. The Access Road was designed and constructed to support heavy loads such as RSGs, and has successfully performed this role as demonstrated by these previous examples of heavy loads transported over the Access Road. The suggested sentence has been added to Section B.3.1.3 of the Final EIR.
- PG-62 "TSAs" has been revised, as suggested, in Section B.3.2 of the Final EIR to read "facilities."

- PG-63 The text revisions suggested in the first two comments reflect corrections to building dimensions referenced in Sections B.3.2.3 and B.3.2.5 of the Draft EIR. The text in the Final EIR has been revised to reflect the correct measurements. The text modifications suggested in the final two comments will also be incorporated into the Final EIR in the appropriate sections.
- PG-64 Section B.3.3.3 of the Draft EIR identifies an onsite disposal facility previously approved for the Independent Spent Fuel Storage Installation (ISFSI) project as the disposal location for excavated materials removed during the construction of the OSG Storage Facility. This site is located in an existing storage yard approximately 200 feet west of the 500 kV switchyard. However, in Comment PG-64, PG&E now suggests that it may dispose of excavated materials in the “man-camp area” close to the site of the selected OSG Storage Facility in a previously disturbed area. PG&E states that this method would be more straightforward and would reduce vehicle trips to the ISFSI site. However, this information was not presented by PG&E as part of its original application for the Proposed Project. It is noted by Comment PG-64 that PG&E would employ all required Best Management Practices (BMPs) to control soil erosion and protect Diablo Creek, and would complete all compaction and soils engineering required to qualify the area as “engineered fill.”
- A change in the disposal location of materials excavated from the OSG Storage Facility construction site may cause additional environmental impacts that were not analyzed in the Draft EIR. Therefore, any change to the disposal location for excavated materials would require PG&E to obtain an addendum, or conduct additional environmental review, prior to disposal activities.
- PG-65 Section B.3.3.3 of the Draft EIR states that the amount of excavated soil from the construction of the OSG Storage Facility would be 2,300 cubic yards. However, this comment states that PG&E’s contractor has indicated that up to 5,000 cubic yards of materials may need to be excavated from the construction site. Comment PG-65 does not indicate why the excavation amount could increase. This increase in the volume of material that may need to be excavated may cause environmental impacts that were not analyzed in the Draft EIR. Therefore, similar to Response PG-64, any substantial change to the amount of materials that would be excavated during the construction of the OSG Storage Facility may require additional environmental review prior to any excavation activities.
- PG-66 The comment addresses an item that was in Section 4.4.1.3 of the Landing Site Options section in the May 28, 2004 deficiency response provided by PG&E. It states that PG&E “has in the past provided for a trained marine biologist to attend major activities in the cove areas and will ensure that such a trained marine biologist is present in the event that this delivery option is selected.” The presence of a marine biologist to monitor for marine mammals at the barge offloading at Port San Luis was not referenced in any of the aforementioned materials, however it is noted that PG&E is willing to provide a marine biologist for any offloading activities that occur at Port San Luis. The suggested 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. Mitigation Measure B-3a requires PG&E to provide a minimum of two marine mammal observers to be onboard all support vessels traveling during the spring and fall gray-whale migration seasons.

- PG-67 According to the Project Description, construction could involve approximately 0.9 to 1.1 acres of land. The text of the EIR has been modified to reflect the first and third points suggested by PG&E. This Final EIR also includes the new Mitigation Measure W-2a, which requires a SWPPP. Please also see Response PG-52.
- PG-68 Please refer to Response PG-30. The requirement that PG&E produce a Construction Activity Management Plan (CAMP) has been inserted into the Final EIR as part of the air quality mitigation monitoring program in Section D.2.6. Because this plan would be required by the air quality mitigation measures and does not represent a change in the activities proposed by PG&E, the text in Section B.6 does not need to be revised.
- PG-69 Please refer to Master Response MR-3 (Jurisdiction) and Response PG-51.
- PG-70 Please see Response PG-68.
- PG-71 Figures B-6 and B-11 have been revised in the Final EIR to show the new offloading location for the RSGs at Port San Luis, which is between the mobile boat hoist launch and Harford Pier. The text in the Final EIR has also been revised to reflect this change. This offloading location does not change the impact analysis or the environmental conclusion that was presented in the Draft EIR.
- PG-72 The clerical and typographical errors referenced in this comment have been corrected in the Final EIR.
- PG-73 The text revision suggested in the first comment has been modified to read “. . . while meeting most of the Proposed Project’s objectives,” and added to Section C of the Final EIR. CEQA Guidelines §15126.6 state that an EIR shall describe alternatives “which would feasibly attain most of the basic objectives of the project . . .”
- The text addition referenced in the second comment regarding past deliveries to Intake Cove has been added to Section C.4.2 of the Final EIR. The third comment suggests that a discussion regarding Patton Cove could be added to the first paragraph in Section C.5.2.3 of the Draft EIR; however, the unsuitability of Patton Cove as a RSG offloading alternative is adequately described in the same section. It is therefore unnecessary to insert additional text regarding the unsuitability of Patton Cove in the section.
- PG-74 The clerical and typographical errors referenced in this comment have been corrected in the Final EIR.
- PG-75 Section D.1.2.2 of the Draft EIR accurately describes that NRC license renewal is not a reasonably foreseeable consequence of the Proposed Project, and therefore does not require revision in the Final EIR as suggested by the comment.
- PG-76 This comment states that the air quality assessment uses overly conservative assumptions. The emissions must be presented on a worst-case basis in order to conservatively define the impacts (see also Response F-2). It is assumed that emissions would vary day-to-day, and a worst-case approach assumes that some simultaneous operation of equipment must occur. Emissions are based on equipment and vehicle usage provided by PG&E with the PEA and in responses to the CPUC Deficiency Notice. Although PG&E supplied emissions results in the PEA, the Applicant did not provide emission calculations supporting the results. As a result, the EIR pre-

parers used the equipment inventory, equipment specifications, and emission factors, all supplied by PG&E, to arrive at conservative emissions. Please also refer to Response PG-79.

PG-77 The recommended mitigation measures focus on achieving two goals to ensure that all project activities would occur below the significance thresholds. The first goal, which would be fulfilled by Mitigation Measures A-1a (trip reduction), A-1b (diesel combustion emission control), and A-2a (use registered portable equipment), is to ensure that all non-tugboat emission sources are reduced to levels below the daily significance thresholds (see Table D.2-7). The effectiveness of these measures depends not on quantification of emission levels, but on consistency with SLOAPCD recommendations, which would be ensured with agency participation. The second goal, which would be fulfilled by Mitigation Measure A-1c (offsite mitigation program), is to ensure that tugboat emissions would be fully offset. This approach would provide enough offsets to reduce tugboat emissions to a net increase of zero while providing assurance that all non-tugboat activities would cause less than significant emissions and would be mitigated in a manner consistent with SLOAPCD recommendations.

PG-78 Involvement of SLOAPCD would be required by the recommended mitigation measures, and the measures including the revisions proposed in the Final EIR. Revisions to measures and the monitoring/reporting actions described below (see Responses PG-81 to PG-84) would require PG&E to provide a comprehensive plan that can be integrated with traffic reduction measures in Mitigation Measure T-3a.

PG-79 As noted by the comment, the assumptions used in the air quality analysis provide a worst-case estimate of impacts. The assumptions used in the Draft EIR reflect activity levels provided by PG&E in the PEA. The EIR preparers believe that by following PG&E's forecasts of activity levels, with the realistic assumption that some simultaneous operation of equipment could occur, the emission rates in the Draft EIR are not overly conservative.

- With regard sub-comment (1), this comment notes that one tugboat may be used, instead of two, but the PEA (Table 5.3-1) identified that two tugboats would be used, and Attachment 12 to PG&E's Deficiency Response dated May 10, 2004 lists two tugboats, one at 1700 hp and one at 2300 hp. Assuming the possible use of two tugboats is consistent with PG&E's PEA.
- With regard to sub-comment (2), emissions from worker vehicles are based on manpower estimates provided at the time of the PEA, assuming that PG&E can successfully achieve the vehicle-occupancy illustrated in the PEA.
- Sub-comment (3) states that not all workers would be on site, but the PEA did not identify any offsite worker locations. It would not be appropriate to change emission estimates for offsite workers unless PG&E proposes a project change and identifies potential traffic and transportation impacts of placing workers at another location.

PG-80 As noted in Response PG-79, the emissions from worker vehicles are based on data shown in the PEA. The Draft EIR assumes that PG&E can successfully achieve the vehicle-occupancy expected in the PEA. The mitigation for trip reduction is also based on data provided by PG&E, and so should accurately address actual project impacts. Implementation of Mitigation Measure A-1a (trip reduction) would ensure that the trip reduction plan would reduce vehicle activity sufficiently to reflect SLOAPCD recommendations, which would be consistent with the impacts identified in the Draft EIR.

- PG-81 PG&E proposes to prepare and implement a Construction Activity Management Plan (CAMP). The purpose of the CAMP would be to more-specifically define the air quality performance standards that the project must meet. Please see Responses PG-82 and PG-83 for more detail on how the CAMP is integrated with the recommended mitigation in the Final EIR.
- PG-82 This Final EIR includes revisions to Mitigation Measures A-1a, A-1b, A-1c, and A-2a to ensure that the CAMP achieves the performance standards set forth in the Draft EIR. The monitoring/reporting actions for these measures in the Final EIR now refer to the CAMP.
- PG-83 This Final EIR includes revisions to Mitigation Measures A-1a, A-1b, A-1c, and A-2a to ensure that the CAMP effectively implements the mitigation with the cooperation of SLOAPCD.
- PG-84 As noted by the comment and on Draft EIR page D.2-8, impacts portrayed in the Draft EIR assume successful diesel control and traffic control measures (namely Mitigation Measures A-1a and A-1b, respectively). The Trip Reduction Program and traffic control requirements identified in Mitigation Measures A-1a and T-3a would ensure that the worker vehicle activity is reduced according to SLOAPCD recommendations, which would be consistent with the impacts identified in the Draft EIR.
- PG-85 Emissions for the concrete batch facility are described under Impact A-2 (Draft EIR, page D.2-13). Revisions included in the Final EIR illustrate the quantity of emissions expected from this source. However, there would be no change the impact conclusion or mitigation because mitigation depends on achieving consistency with SLOAPCD recommendations. Proper control and maintenance of the portable facility, which would be required by Mitigation Measure A-2a, may include water sprays, enclosures, hoods, curtains, shrouds, and movable and telescoping chutes.
- PG-86 Ozone air quality data presented in Table D.2-1 of the Draft EIR is derived from the Historical Air Quality Data Statistics for Grover Beach (as noted in the footnote of the table), while the ozone data in the comment appear to be taken from San Luis Obispo. Both data sets accurately depict the conditions of the different locales. Data for the year 2004 were not available at the time the Draft EIR was published. No revisions to the Draft EIR are necessary because the recent availability of 2004 data would not change the existing attainment status or the baseline of the analysis.
- PG-87 The responses below address the specific comments regarding the assertion that analyses are considered to be factually inaccurate or misleading.
- PG-88 Please refer to Master Response MR-1 (Baseline). Much of the discussion regarding the existing baseline is in response to comments received on the Notice of Preparation for the Proposed Project. Although the project may not affect the cooling water system at the DCP, the No Project Alternative would likely result in cessation of DCP operations before the end of the current license periods. Therefore, the evaluation of the No Project Alternative necessitated the establishment of baseline conditions for the marine environment as they would relate to the early shutdown of the DCP cooling water system (see Section D.3.5).
- PG-89 For a description of botanical resources and potential impacts associated with the Intake Cove alternative offloading site and haul route, please refer to Section D.3.4.1 on page D.3-34 of the Draft EIR. As described by Section D.3.1.4.1 of the Draft EIR, No federal- or State-listed endangered or threatened plants, or other sensitive plant species, are present in

the Intake Cove area. Additionally, Section C.4.2 of the Draft EIR describes the past uses of the Intake Cove offloading area and the availability of existing roads for hauling. This Final EIR includes PG&E's recommended figure as stated in Response PG-265 below.

PG-90 PG&E requests clarification or the addition of text regarding certain listed species in the project area. Although some species of concern were unintentionally omitted from the Draft EIR, some of the species identified as omitted from the document by PG&E were discussed. For those species that were actually omitted from the analysis, text has been added to Section D.3.1.4.2 of the Final EIR to include the potential for Morro Bay shoulderband snail and the presence of peregrine falcon nest sites.

The Draft EIR clearly states on page D.3-14 of Section D.3.1.4.2 that the red-legged frog has not been reported or observed within the project area. Please refer to Table D.3-3 for a discussion of golden eagle occurrence information and habitat description. There is a general discussion of the federally- and State-listed endangered California brown pelican in Section D.3.1.4.5.

PG-91 Portions of PG&E's suggested text have been incorporated into Table D.3-3 for Morro Bay shoulderband snail and California brown pelican. Although California brown pelican was thoroughly discussed in Section D.3.1.4.5, the species was omitted from Table D.3-3 in the Draft EIR. The suggested text for the following species was not incorporated into the Final EIR because it was previously included in Section D.3.1.4: peregrine falcon, California red-legged frog and golden eagle.

PG-92 Per PG&E's comment, "Terrestrial" has been deleted from the title of Table D.3-3. Table D.3-3 of the Final EIR includes tidewater goby and California brown pelican.

PG-93 A description of the federally endangered tidewater goby has been added to Table D.3-3 in the Final EIR. Please see also Response PG-92.

PG-94 This Final EIR has been revised to clarify the description of offloading, which would involve spanning the riprap along the shore in an effort to minimize contacting the intertidal zone. Please see also Responses PG-60 and PG-71.

PG-95 This Final EIR has been revised to clarify potential impacts to marine mammals. Potential impacts to marine mammals associated with barge operations within Port San Luis are considered by Impact B-3 to be a less than significant impact.

PG-96 Text has been added to this Final EIR to reflect marine mammal populations at the Intake Cove. As described in Draft EIR Section D.3.4.1, potential impacts to marine mammals associated with barge operations at the Intake Cove are considered to be a less than significant impact with implementation of Mitigation Measure B-3a (Marine Mammal Observer Training).

PG-97 The Project Description information originally supplied by PG&E implied that potential impacts could occur to both intertidal and subtidal communities. However, Comment PG-94 clarifies that the barge would not be pinned against the shore or riprap in an area within the intertidal zone. Given this change in the description of the proposed barge offloading procedures, the Final EIR includes revisions to the discussion of potential impacts to intertidal communities to focus the discussion on potential impacts to subtidal communities.

- PG-98 The Draft EIR analysis of potential impacts to subtidal marine biological resources concurs with this comment that potential impacts would be less than significant.
- PG-99 This comment provides information on sand dollar beds and seagrass beds which may be present in the area, although these resources would be identified and avoided through an underwater survey. Information has been added to the Final EIR to clarify that the Proposed Project would avoid potential impacts to these species.
- PG-100 This comment indicates that landing at the Intake Cove would avoid contact with the sea-floor and the revetment along the shore of the cove. As such, information has been added to the Final EIR to clarify potential impacts associated with RSG offloading at the Intake Cove.
- PG-101 The Final EIR has been revised to state that PG&E will conduct underwater surveys prior to RSG barge landing in Port San Luis.
- PG-102 Please see Response PG-97.
- PG-103 Please see Response PG-97.
- PG-104 This information regarding the presence of seagrasses at Intake Cove has been added to the Final EIR to clarify potential impacts for the offloading alternative.
- PG-105 This information regarding the presence of giant kelp at Intake Cove has been added to the Final EIR to clarify potential impacts for the offloading alternative.
- PG-106 As stated in Draft EIR Section D.3.3.2, there would be no impacts to vegetation during transport of the RSGs because transport would take place exclusively on paved roads. As such, a thorough description of the vegetation communities in the vicinity of the haul route is not necessary.
- The suggested additional language provided by PG&E has been incorporated into Section D.3.1.1 of the Final EIR to distinguish between the presence of hydrophytic vegetation and the delineation of a wetland.
- PG-107 The sentence in Section D.3.1.4, page D.3-6 of the Draft EIR referred to in PG&E's comment has been changed to reflect that the BioSystems Analysis citation only includes sensitive terrestrial biological resources. There is no other discussion of sensitive marine resources in the project area besides marine mammals in Tables Ap.2-5 and Ap.2-7.
- PG-108 The suggested text changes are described below.
- Please see Response PG-90 above regarding peregrine falcon.
  - Refer to Responses PG-92 and PG-93 for treatment of the tidewater goby in the Final EIR.
  - The Thermal Effects Monitoring Program (TEMP) is known by a variety of names including: 316(a) demonstration, Marine Environmental Monitoring Program (MEMP), Ecological Monitoring Program (EMP) and Receiving Water Monitoring Program (RWMP). This information has been added to Section D.3.1.5 of the Final EIR with an indication that RWMP is the preferred term.

- The coastline distances in the Draft EIR are derived from the Regional Water Quality Control Board staff testimony for the 2003 regular meeting of PG&E’s DCPP renewal of NPDES permit. This RWQCB data is consistent with the agency testimony, and thus, is considered to be more appropriate for the purposes of the analysis than the data provided by PG&E.
  - The Final EIR includes the area northward of Field’s Cove as a control area, and the suggested edit is included with the Final EIR.
  - The changes suggested for Biological Resources are included in the Final EIR.
- PG-109 The Final EIR includes revised text stating that the biological community has been impacted by ongoing DCPP operations in the baseline, rather than stressed. The Draft EIR avoided use of the word “impact” in its description of the environmental setting to avoid confusion with project-related impacts, which are discussed separately from the setting.
- PG-110 The suggested text changes are described below.
- The requested text changes summarizing previous studies of the thermal effects may be factual, but this information is not contained in the cited reference (Schiel et al., 2004), and the Tenera reference (Tenera, 1997) is not contained in the comment letter reference list and thus cannot be verified.
  - PG&E’s suggested change to Section D.3.1.5.1 is identical to the text as written in the Draft EIR. No change will be made to the Final EIR.
  - Section D.3.1.5.2 has been revised to reflect that adult and juvenile fish are impinged on traveling screens “within” and not “in front of” the DCPP cooling system intake structure.
  - The text clarifying cooling water system intake velocities has been added to the EIR.
  - The specific information on species impingement has been added to the EIR.
- PG-111 The text in the Final EIR has been modified to clarify the comparison of impingement at the DCPP to the Huntington Beach and El Segundo Power Plants.
- PG-112 The specific characteristics of the Huntington Beach and El Segundo Power Plant intake structures have been added to the Final EIR.
- PG-113 The text in the Final EIR has been modified to clarify the comparison of impingement at the DCPP to the Huntington Beach and El Segundo Power Plants.
- PG-114 The suggested change to include California halibut in the entrainment discussion has been incorporated into the Final EIR.
- PG-115 The suggested change has been made to clarify the relative entrainment values.
- PG-116 The word “limited” has been deleted to generalize the statement on population trend information.
- PG-117 The suggested changes to clarify the thermal plume and impingement/entrainment benefits of the No Project Alternative have been made in the Final EIR.

- PG-118 The suggested text changes and clarifications regarding the consequences of the No Project Alternative on marine biological resources have been made.
- PG-119 Clerical and typographical errors throughout Section D.3 have been corrected in the Final EIR.
- PG-120 Reference to the additional cultural resources sites provided in this comment has been incorporated into Section D.4.3.3 of the Final EIR. The comment's conclusion that no adverse impacts to these sites would be anticipated to occur is considered appropriate because: (1) all project-related activities are anticipated to remain on the existing asphalted surface of the Access Road; (2) no physical expansion of the road is proposed; and, (3) the locations of the sites are not publicly available.
- PG-121 It is recognized that the likelihood of encountering cultural resources in previously disturbed, developed areas is low; however, it cannot be ruled out completely. The text of Draft EIR Sections D.4.3.3 and D.4.4.2 does not imply that the likelihood of such discoveries is high or significant; the language in the Draft EIR is considered appropriate.
- PG-122 The text of Draft EIR Section 4.3.3 for Mitigation Measure C-1a was found to be inconsistent with the language presented in Table D.4-4. Draft EIR Section H.2.1 states, "any mitigation measure study or plan that requires the approval of the CPUC must allow at least 60 days for adequate review time. When a mitigation measure requires that a mitigation program be developed during the design phase of the project, the Applicant must submit the final program to CPUC for review and approval at least 60 days before construction begins." Pursuant to this requirement, the Cultural Resources Treatment Plan (CRTP) shall be submitted to the CPUC for review and approval no less than 60 days prior to the start of construction. The text of Section D.4.3.3, Mitigation Measure C-1a, has been revised in the Final EIR to reflect the 60-day timeframe.
- PG-123 The intent of Mitigation Measure C-1b is to ensure that the CPUC, acting as the Lead Agency for adoption of the Mitigation Monitoring, Compliance, and Reporting Program (MMCRP), has the authority to review and approve the professional qualifications of all persons responsible for cultural resources monitoring and protection. Should the CPUC choose to delegate approval of either the professional qualifications of the cultural resources monitors, or the timing/activity-specific need for cultural resources monitoring, to the PG&E archaeologist, it may do so through the procedures and protocols that will be stipulated in the project's CRTP. For the purposes of this EIR, however, it is appropriate for the CPUC to maintain its authority over such issues. Therefore, the requested modification to the language of the "Monitoring/Reporting Action" for Mitigation Measure C-1b has not been incorporated into the Final EIR.
- PG-124 The comment asserts that the NRC requirements in 10 CFR 50.59 preempt Mitigation Measure G-3a. The measure requires revisiting the relevant information in the Long Term Seismic Program and consideration of the updated information by PG&E during its design of the OSG Storage Facility. Deciding the suitability of OSG Storage Facility design remains fully within the jurisdiction of the NRC and would not be regulated by CPUC. This Final EIR includes revisions to Mitigation Measure G-3a to clarify the role of the NRC in implementing the measure. Please see also Response PG-9 and Master Response MR-3 (Jurisdiction).

- It is within CPUC jurisdiction to require PG&E to submit relevant updated information because NRC regulations (10 CFR 50.59) do not clearly establish whether recent seismic information should be used for a modification such as the OSG Storage Facility. NRC regulations state that all seismic factors must normally be considered during the siting process for power reactors (10 CFR 100.23), but PG&E has not provided assurance that this same level of consideration would also apply to the siting process for the OSG Storage Facility. Mitigation Measure G-3a includes revisions in the Final EIR to ensure that the OSG Storage Facility design as determined by NRC is based on consideration of all recent seismic information.
- PG-125 This Final EIR includes revisions to Mitigation Measure G-3a to clarify the role of PG&E and the NRC in implementing the measure. The CPUC believes that the measure is enforceable and feasible. Please see also Response PG-124.
- PG-126 Significance criteria for geologic hazards (Draft EIR Section D.5.3.1) are used to characterize the impact of ground shaking on the integrity of structures. The criteria used in the conclusion to Impact G-3 are consistent with those of Appendix G of the CEQA Guidelines, which examine whether the project would “expose people or structures to potential substantial adverse effects, including the risk of loss. . .”
- PG-127 The environmental effects of seismic hazards are two-fold. Significance criteria for System Safety (Draft EIR Section D.12.3.1) are used to characterize the impact of the release of radioactive material, while the impacts of geologic hazards, including compromising the integrity of structures, are characterized using criteria from Draft EIR Section D.5.3.1. Because the ground shaking could adversely affect the integrity of the OSG Storage Facility, the characterization of Impact G-3 is accurate. Please see also Response PG-126.
- PG-128 This Final EIR includes a revision to Section D.5.4.1 that notes that the path from the Intake Cove to DCPD was used in 1995 to deliver massive transformers but that potentially unstable portions could exist along the path. The comment also notes that the contractor would perform a study of the entire load path prior to shipment. This study would likely satisfy the initial requirements of Mitigation Measure G-1a (for studies to be completed at least ten months prior to the Proposed Project). Please see also Response PG-73.
- PG-129 The comment notes that Mitigation Measure G-1a requires any improvements to be made, should they be necessary, within “the footprint of the proposed route” and states that this restriction is unnecessary. This restriction is necessary because the CEQA process has not been applied to the environmental effects of altering the travel path and transporting the RSGs outside of the proposed route. While it may be possible to alter the travel path, and confine the rerouted path to areas with minimal environmental consequences, these alterations are not addressed in the Draft EIR, and subsequent environmental review could be necessary. The need for supplemental CEQA review of project changes is described in Draft EIR Section H.2.1.
- PG-130 This Final EIR includes revisions to Mitigation Measure G-2a to clarify that the CPUC would review the safety plan for consistency with California Occupational Safety and Health Standards and to eliminate inconsistent presentation of the timing of the requirement.
- PG-131 The comment notes that the route has previously been surveyed for falling rock hazards after large storm events in 1996 and 1997 and also for the ISFSI project. Given the possibility of

storm events occurring before the anticipated RSG transport date in 2007 or 2008, it would be appropriate to update the survey for the Proposed Project. Because there is a high potential for earthquake-induced falling rock hazards, the impact is characterized as potentially significant, and Mitigation Measure G-2b has been retained in the Final EIR.

- PG-132 The CPUC recognizes that the version of Mitigation Measure G-4a requiring use of the 2003 San Simeon earthquake data, as presented in the Draft EIR, would be overly prescriptive given NRC oversight of design. It is the goal of the CPUC to ensure that OSG Storage Facility design is based on consideration of all recent seismic information, which would be consistent with NRC regulations, as described in Response PG-124. This Final EIR includes revisions to Mitigation Measure G-4a to clarify this goal without obstructing NRC oversight. The revisions specify consideration of all relevant earthquake data (gathered as required by Mitigation Measure G-3a) instead of requiring exclusive use of data from the single 2003 San Simeon event.
- PG-133 This Final EIR includes the suggested revisions to Mitigation Measure G-4a with a clarification that new seismic information developed for Mitigation Measure G-3a should be taken into consideration by PG&E. The revised measure does not regulate facility design, which is within the jurisdiction of the NRC, but it does ensure that PG&E studies relevant data and that PG&E's design is based on consideration of all recent seismic information. The decision on whether the facility has been designed safely remains solely within the jurisdiction of the NRC.
- PG-134 This Final EIR includes the revision to note that fossilized remains of marine animals may be categorized as paleontologic resources. The geologic formations are identified in Draft EIR Table D.5-1 and Figure D.5-2.
- PG-135 This Final EIR includes the suggested revisions to Mitigation Measure G-1a to verify that road improvements have been implemented.
- PG-136 This Final EIR includes the suggested spelling revisions to Figure D.5-2.
- PG-137 This Final EIR includes the suggested revision. As noted by the comment, adding continual inspection and a method of spill response according to the established procedures results in a measure that is more likely to be successfully implemented. The CPUC expects that with continual inspection, spills should be identified immediately.
- PG-138 According to the Project Description, construction could involve approximately 0.9 to 1.1 acres of land. Please see also Responses PG-52 and PG-67, which describe the requirements for a SWPPP.
- PG-139 Please see Responses PG-52 and PG-67.
- PG-140 This Final EIR includes the recommended requirement for submittal of a SWPPP in Mitigation Measure W-2a. Please see also Responses PG-52 and PG-67.
- PG-141 The reference to Diablo Creek has been removed in the Final EIR.

**DCPP Steam Generator Replacement Project**  
**COMMENTS RECEIVED FROM THE APPLICANT**

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- PG-142 The Draft EIR states that the Probable Maximum Flood would be conveyed around the OSG Storage Facility in a channel. References to flooding from Diablo Creek have been removed. This revision does not change the impact classification in the Final EIR.
- PG-143 The Final EIR section referred to in Comment PG-143 has been modified to clarify that there is no flood risk.
- PG-144 The Draft EIR states that the Probable Maximum Flood would overtop the fill but would be conveyed around the storage facility in a channel designed for this purpose. The Final EIR includes revisions in response to this comment by stating that no flooding impacts are expected.
- PG-145 The statement regarding shallow and infrequent flooding has been removed to correct the misstatement. The Final EIR has been revised to state that there is no flood impact.
- PG-146 As discussed in Response C-9 from the San Luis Obispo County Department of Planning and Building, the County is required to consider the effects of the Project as shown in the EIR, but is not bound by the conclusions made in the EIR in its own CUP and CDP application review and approval process.
- PG-147 Please refer to Response C-9 from the San Luis Obispo County Department of Planning and Building and Response PG-146, above, that reiterate the County's role in determining ordinance and policy consistency through the land use permit process.
- PG-148 The Local Ordinances and Policies discussion in Draft EIR Section D.8.2 (page D.8-18) recognizes that the construction of the OSG Storage Facility is outside of the coastal zone and would be governed by Title 22 of the County Code (Land Use Ordinances or LUO) rather than the LCP and CDP process. The last paragraph of the Local Ordinances and Policies discussion in Section D.8.2 (page D.8-19) has been revised to indicate that detailed analysis of Proposed Project, consistency with the County's LCP as well as the LUO, would occur as part of the County's own review of PG&E's CDP and CUP application processes.
- PG-149 Please see Response CC6-106 from San Luis Obispo Mothers for Peace, Sierra Club, Public Citizen, and Environmental California and Response PG-146, above. Further detailed review of local policies requested by PG&E should not be conducted by CPUC because the local agencies have declared that they are responsible for their implementation. For example, the County of San Luis Obispo, as a Responsible Agency under CEQA, indicated that detailed analysis of the project consistency with the County's plans and ordinances would occur as a part of the CDP and the CUP application review and approval processes. The analyses of local ordinances and policies, as written, are sufficient to comply with CEQA requirements. No additional analyses of local ordinances and policies are necessary.
- PG-150 Please see Response PG-23 regarding the use of existing facilities.
- PG-151 Please see Response PG-23 regarding the use of existing facilities.
- PG-152 Please see Response PG-23 regarding the use of existing facilities.
- PG-153 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-154 Please see Response PG-149 regarding the analysis of local ordinances and policies.

- PG-155 Please see Response C-9 from the San Luis Obispo County Department of Planning and Building, which states the County and the Coastal Commission both required coastal access to be granted for the ISFSI project, and such access dedications will be required for the Proposed Project pursuant to the LCP's Shoreline Access policies.
- PG-156 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-157 A brief discussion of Chapter 2, Policy 4 from the County of San Luis Obispo's Coastal Plan Policies (see page D.8-19) has been included as a clarification to both this comment and Comment C-9 from the San Luis Obispo County Department of Planning and Building.
- PG-158 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-159 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-160 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-161 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-162 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-163 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-164 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-165 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-166 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-167 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-168 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-169 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-170 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-171 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-172 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-173 The discussion of Port San Luis Harbor District Master Plan in Section D.8.2 (page D.8-24) has been revised in the Final EIR to clarify that the policies of Chapter 3 of the Port San Luis Harbor District Master Plan have been incorporated into the San Luis Bay Coastal Area Plan, and are listed under the policies for this area plan. The revisions in the Final EIR indicate that the project may require approval of a Harbor District land use permit or license, as noted by this comment. Please see Response A-5 regarding Harbor District land use permits and licenses.
- PG-174 Please see Response PG-149 regarding the analysis of local ordinances and policies.
- PG-175 Please see Response PG-149 regarding the analysis of local ordinances and policies.

- PG-176 The project “Study Area” defines the area in which potential land use impacts could occur as a result of project implementation. As indicated in Draft EIR Section D.8.1, Study Area Definition, first paragraph, the Land Use, Recreation, and Agriculture Study Area (Study Area) is defined as lands encompassing the DCPD facility, the RSG transport route, and Port San Luis. This term is defined at the beginning of the section to reduce repetitive listings of the locations discussed in analyses within the section. As discussions in the section frequently refer to all of the areas affected by the project, the term “Study Area” is used to streamline the discussion and avoid confusion. The Study Area is not a binding or planned use proposed in this document, it is only terminology used to describe areas of interest being analyzed in the document. Consequently, there is no reason under CEQA to eliminate its use in the document.
- PG-177 The last sentence of the fifth paragraph of the Land Use discussion in Section D.8.1 (page D.8-2) has been deleted to remove the unnecessary mention of the Nipomo Dunes.
- PG-178 The Final EIR includes a revision to the first sentence of the first paragraph of the Recreation discussion in Section D.8.1 to clarify which recreational resources and activities are located within or near the Study Area.
- PG-179 Figure D.8-5 has been revised in the Final EIR to increase the color contrast between “Other Land” and “Farmland of Local Potential.”
- PG-180 The Agricultural Resources Impacts analyses in Section D.8.3.2 of the Draft EIR provides analysis of the potential impacts to agricultural lands. This section specifically concludes that no impacts to Farmland are expected.
- PG-181 NRC regulations regarding site design and construction standards in relation to radiological safety and hazards are addressed in Section D.12, System and Transportation Safety. It is unnecessary, and unrelated to the topic, to include such regulations for analysis in the Land Use, Recreation, and Agriculture analysis.
- PG-182 The suggested text changes are described below.
- Section D.8.2, page D.8-18, second paragraph, has been revised to state that portions of the project would be within California Coastal zone lands.
  - Section D.8.2, page D.8-18, fifth paragraph, has been revised to identify the CDP and CUP application dates suggested by this comment.
  - The discussion of the Proposed Project's exemption from the requirements of Title 23 of the San Luis Obispo County Code in Section D.8.2, page D.8-18, does not include a discussion of Public Resources Code Section 30610(d) because this section does not apply to the Proposed Project. Public Resources Code Section 30610(d) states that a CDP would not be required for a project for “[r]epair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities . . .” Although the addition of the OSG Storage Facility would be outside the coastal zone area, because it is a part of the Proposed Project, the construction of the OSG Storage Facility would be an addition to DCPD. The addition of the OSG Storage Facility would not allow the Proposed Project to be exempt under Public Resources Code Section 30610(d).

- The second paragraph of the discussion of Coastal Plan Policies in Section D.8.2 on page D.8-19 has been revised in the Final EIR to clarify that only applicable policies are addressed.
- PG-183 Please see Response A-47 regarding the status of Port San Luis as a public point of access.
- PG-184 The County’s Chapter 2, Shoreline Access, Policy 1: Protection of Existing Access, speaks only to the public's right of access and does not address public safety. Public safety and security issues are addressed in Draft EIR Section D.12, System and Transportation Safety, which includes mitigation for maintaining navigational safety for maritime use. Other access limitations are recommended with Mitigation Measures A-1d (health hazard screening analysis) and U-2a (for preserving access for emergency responders).
- PG-185 The consistency discussion for Chapter 2, Shoreline Access, Policy 8: Minimizing Conflicts with Adjacent Uses, does not differentiate between public and private access because the policy does not make this differentiation. No additional text is necessary.
- PG-186 The paragraph describing Chapter 4, Energy and Industrial Development, Policy 14: Request for Coastal Commission Designation, in Section D.8.2, has been revised in the Final EIR to correct the misstated policy language and reflect the consistency of the project with the County’s designation.
- PG-187 The consistency discussion for Chapter 7, Agriculture, Policy 1: Maintaining Agricultural Lands, has been revised to clarify the impact to Farmland. The consistency discussion in the Draft EIR states that “no Farmlands would be affected” and the analysis of Agricultural Resource Impacts – Conversion of Farmland to non-agricultural use also states that “no impacts to Farmlands are expected.”
- PG-188 The analysis of policies and ordinances in Section D.8.2 is limited to analyses of applicable policies. As the Proposed Project does not include the construction of new access routes, it would be consistent with Chapter 4, Section 23.04.420: Coastal Access Required of the Coastal Zone Land Use Ordinance. The exceptions to the coastal access requirements are not applicable to the Project and consequently, not analyzed.
- PG-189 Policies related to oak stands are considered as a part of the biological resources analysis performed for the Proposed Project (Section D.3.1.1 of the Draft EIR), and potential impacts would be reduced with implementation of Mitigation Measure B-5a (Delineation of Disturbance Limits). Policies associated with scenic resources, such as waterfalls, fall under the analytical purview of the visual resources analysis (Section D.14.2). It is unnecessary, and unrelated to the topic area, to include such policies for analysis in the Land Use, Recreation, and Agriculture analysis.
- PG-190 Draft EIR Section D.8.3.1, Definition and use of Significance Criteria, specifically addresses conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as requested by the comment.
- PG-191 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). This coordination effort is preferred over specifically defining the peak recreational usage times, in order to provide the Port San Luis Harbor District opportunity to balance other concerns such as noise (Mitigation Measure N-1a) and navigational hazards (Mitigation Measure S-1a).

- PG-192 The significance criteria in Draft EIR Section D.9.3.1 are adapted from Appendix G of the CEQA Guidelines. The guidelines show that “substantial” levels of noise or vibration or levels over established standards are normally considered significant. This Final EIR includes revisions to clarify that where local ordinances or policies fail to establish standards, the generic goal of avoiding public nuisances or annoyances is assumed to apply.
- PG-193 As noted in Response PG-192, avoiding public nuisances is considered to be a generic goal of local agencies, and as lead agency, the CPUC aims to minimize nuisances when local ordinances or policies fail to establish specific standards or thresholds of significance for noise. The variable noise from multiple heavy-duty pieces of equipment and other worker activity would cause a potential nuisance. Mitigation Measures N-1a and N-1b, which provide receptors with advance notice of the activity and provide an avenue for complaint resolution, aim to minimize the short-term disturbance in a way that would be consistent with construction-type mitigation established by past CEQA documents prepared by CPUC.
- PG-194 The Draft EIR (p. D.9-6) characterizes temporary pass-by noise (L<sub>max</sub>) over 73 dBA and up to 90 dBA, depending on the location of the receptor relative to the pass-by. The 7 to 10 dBA increase along Avila Beach Drive is an estimate of hourly Leq, assuming the transporters and crews move slowly.
- PG-195 The May 28, 2004 PG&E Data Deficiency Response indicates that PG&E maintains emergency plans complying with NRC's regulations in Title 10 CFR Parts 40.31, 70.22, and 76.91 as well as with the NRC's Regulatory Guide 3.67, entitled “Standard Format and Content for Emergency Plans for Fuel Cycle and Materials Facilities.” Other programs at DCPD address employee training requirements, fire control procedures, and emergency response procedures. As Comment PG-195 states, PG&E is required to ensure that none of the Proposed Project's activities block emergency access into or out of the plant. However, the emergency plans cited here refer only to emergencies occurring within DCPD site boundaries. Per the NRC's Regulatory Guide 3.67, a discussion of offsite assistance to the facility is required, but there are no requirements for the emergency response plans to address emergencies offsite, such as could occur during transport of the RSGs. While the NRC does require emergency plans for transportation of radioactive materials, there are no such required plans for the transportation of non-radioactive products, such as the RSGs. Mitigation Measure U-2a (Pre-position emergency responders during road blockages) from the Draft EIR aimed to require such a plan for RSG transport.

Outside of the DCPD's site boundaries, the requirements of Mitigation Measure U-2a are both legally feasible and enforceable. Within the DCPD's site boundaries, impacts associated with emergency access would be adverse, but less than significant (Impact U-2, Class III) with the implementation of DCPD's emergency response plan. Emergency access impacts beyond the DCPD's site boundaries, however, would be considered potentially significant, but could be reduced to less than significant levels (Impact U-2, Class II) with the implementation of Mitigation Measure U-2a. The discussion of Impact U-2 in Section D.10.3.2, Replacement Steam Generator Transport has been revised in the Final EIR to reflect where impacts will be reduced to less than significant levels by DCPD emergency plans and where Impact U-2 will require Mitigation Measure U-2a to reduce impacts from potentially significant to less than significant levels. Additionally, Mitigation Measure U-2a has been revised to clarify that it does not apply only to emergencies at DCPD. The measure has also been revised such that the Applicant must coordinate with both the County emergency service providers as well as the Port San Luis Harbor District to determine emergency resources to be pre-positioned.

Because implementation of DCP's emergency response plan within the boundaries of the site would reduce impacts to less than significant levels, Impact U-2 has been revised to reflect this and the requirement for Mitigation Measure U-2a has been removed from the following sections:

- Section D.10.3.4, Original Steam Generator Removal, Transport, and Storage;
- Section D.10.3.5, Replacement Steam Generator Installation; and
- Section D.10.4.3, Original Steam Generator Storage Facility Location Alternatives.

PG-196 Please see Response PG-195 regarding the area covered by DCP's emergency response plans.

PG-197 Please see Response C-5 regarding fire standard requirements for the OSG Storage Facility.

PG-198 Please see Master Response MR-3 (Jurisdiction). The CEQA Guidelines clearly limit the ability of an agency to require mitigation measures consistent with expressed or implied limitation provided by other laws (CEQA Guideline Section 15040(e)). This provision of CEQA limits the ability of the CPUC to impose any mitigation measures on the Proposed Project that would affect nuclear safety and radiological health, as the CPUC is preempted by federal law. It is clear that the NRC has sole jurisdiction over all aspects of nuclear safety, radiological health issues. All State and local agencies are preempted by federal law from any regulation in these areas. However, this does not preclude full disclosure of potential environmental impacts associated with the Proposed Project.

CEQA Guidelines 15002(a) clearly state the purposes of the Act are to:

- (1) Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify the ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Thus, CEQA requires the CPUC to fully disclose potential environmental effects associated with the Proposed Project, identify mitigation measures to avoid or lessen potential impacts and to disclose this information to the public. In areas where the CPUC does not have jurisdiction to specifically require or implement a mitigation measure, the information is provided so that the agency with responsibility can take the measure under consideration.

PG-199 Please see Master Response MR-3 (Jurisdiction) and Response PG-198. It is clear that the NRC has sole jurisdiction over all aspects of nuclear safety, radiological health issues. However, this jurisdiction does not alleviate the CPUC of its responsibility under CEQA to provide full disclosure of potential environmental impacts associated with the Proposed Project and alternatives. As also noted by Response PG-2, the CPUC believes that the measures recommended in the Final EIR, with revisions, can feasibly be implemented by CPUC and would not inhibit project implementation.

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- PG-200 Please see Response PG-198. The comment does not include any rationale as to why radiological impacts associated with the No Project Alternative should be removed. Given the CEQA requirements for full disclosure of potential environmental impacts associated with the Proposed Project and alternatives, the discussion of those aspects of radiological impacts that would be avoided by the No Project Alternative is an integral part of the evaluation of alternatives.
- PG-201 The comment is noted, and the responses below provide details on how the recommended revisions have been included in the Final EIR.
- PG-202 The comment is noted, and revisions are included with the Final EIR to clarify that baseline conditions include normal plant operations and operations during normal refueling outages.
- PG-203 Please see Master Response MR-1 (Baseline) and Response PG-33. Numerous revisions are included in the Final EIR to clarify baseline conditions.
- PG-204 Please see Master Response MR-1 (Baseline) and Response PG-33.
- PG-205 Please see Master Response MR-1 (Baseline) and Response PG-33.
- PG-206 The value for the DCPP traffic volume during outages has been corrected to respond to this comment. Including the traffic volumes in the baseline does not change the conclusions of the analysis, although this Final EIR does include changes to mitigation measures in response to other comments on traffic. Please also see Response PG-33 for information on outage traffic and Response PG-37, which describes the changes to mitigation.
- PG-207 The comment is noted. Please see Master Response MR-1 (Baseline) and Response PG-33.
- PG-208 The comment is noted. Please see Master Response MR-1 (Baseline) and Response PG-33.
- PG-209 The comment is noted. Please see Master Response MR-1 (Baseline) and Response PG-33.
- PG-210 Please also see Response PG-33. The number of outage employees has been updated to 1,285, as specified by this comment.
- PG-211 Please also see Response PG-37. This Final EIR includes revisions to the mitigation measures and their effectiveness criteria in an effort to ensure successful implementation of the mitigation. Mitigation Measures T-2a and T-2b have been revised to specify shift start times. An overall vehicle-trip goal for limiting overall volumes has been added to Mitigation Measure T-3a, and as recommended, the trip limitation has been integrated with the air quality limitations in Mitigation Measure A-1a. These changes would establish traffic control requirements, while providing flexibility in implementation. The revisions are described in more detail below.
- PG-212 The effectiveness criteria have been revised in the Final EIR so that there is no need to attempt to differentiate the vehicles of project activities separately from the vehicles of other ongoing DCPP activities. This should improve the practicality of the criteria and the likelihood of successful mitigation implementation.
- PG-213 Characterization of significance is based on the thresholds identified in Table D.13-5, as typical for projects in San Luis Obispo County. Response PG-214 also discusses the criteria.

The mitigation measures and their effectiveness criteria have been updated to eliminate the need to differentiate between project vehicles and other DCPD vehicles, and for consistency, Mitigation Measure A-1a for air quality benefits of trip reduction has also been revised accommodate the recommended overall vehicle-trip limitation.

- PG-214 Table D.13-5 specifies the significance criteria used in determination of the impact class for the project. The table specifies that that if the project adds 10 or more trips per hour to the roadway with the peak-hour LOS E, or 15 of more trips per hour to the roadway with the peak-hour LOS D, then the impact is significant. These criteria are consistent with past analyses conducted in San Luis Obispo County for peak hour impacts to local roads, and this Final EIR includes revisions to clarify how the analysis is focused on peak hour impacts. Rather than limit the number of project trips per peak hour, Mitigation Measures T-2a and T-2b include revisions to ensure that project shift changes do not occur during peak hours. The former requirements of Mitigation Measure T-3b, as it was in the Draft EIR, have been merged into Mitigation Measure T-2a to simplify implementation of the peak hour restrictions. Please also see Responses PG-213 and PG-215 through PG-218.
- PG-215 Establishing a limit on the overall number of trips has been incorporated into Mitigation Measure T-3a and its effectiveness criteria, as recommended by this comment. This would avoid the need to differentiate project workers from workers for other DCPD activities. The peak hour restrictions formerly of Mitigation Measure T-3b have been merged into Mitigation Measure T-2a to simplify the measures for peak hour impacts. Response PG-220 also discusses this issue.
- PG-216 Please see Response PG-33. This Final EIR includes revisions to the discussion of Impact T-3 to clarify the cause of impact to local roadways and Highway 101 and applicability of mitigation. The target of achieving shuttle use by 50 percent of the project-related employees has been retained in this Final EIR in the revisions to Mitigation Measure T-3a.
- PG-217 This comment suggests a plant-wide limitation be implemented, and the Final EIR includes revisions to Mitigation Measure T-3a to incorporate this recommendation. Please also see Response PG-220.
- PG-218 Please see Response PG-33 in regard to the baseline and outage-related traffic. The analysis has been revised to establish a limit on traffic on the plant-wide basis rather than targeting only the project-related traffic, in the effort to ensure successful implementation of the intended mitigation. This suggestion has been incorporated into Mitigation Measure T-3a in the Final EIR.
- PG-219 Please see Response PG-33.
- PG-220 The CPUC agrees that the intended mitigation could be best implemented with a measure that applies to all employees, normal DCPD employees as well as employees related to the refueling outages, other projects (e.g., ISFSI), and the Proposed Project traffic. Because the Applicant is voluntarily agreeing through this comment to review traffic mitigation measures and schedule assignments for the whole plant, rather than for only project-related personnel, Mitigation Measure T-3a has been revised to incorporate many of the listed suggestions. The measure targets a 50 percent reduction in project-worker trips while providing PG&E the flexibility to achieve this by controlling traffic of other DCPD activities.

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- PG-221 Most of the suggested measures have been added to the description of the trip reduction and traffic control program in Mitigation Measure T-3a. The effectiveness criteria have been revised to ensure they are quantifiable. Also please see Response PG-220.
- PG-222 The comment is noted.
- PG-223 The comment is noted, and Mitigation Measure A-1a for air quality has been revised in the Final EIR to accommodate the changes to traffic mitigation.
- PG-224 Mitigation Measures T-2a and T-3a have been changed to reflect the proposed language.
- PG-225 Mitigation Measures T-2a and T-3a have been changed to reflect the proposed language.
- PG-226 The tables have been revised to clarify that peak-hour LOS and V/C values typically shown for the surface streets. The Final EIR includes numerous revisions to text and Tables D.13-3, D.13-5, D.13-6, and D.13-7 to reflect the use of V/C ratios for peak-hour traffic. Clarifications have also been made in the discussion of the impacts.
- PG-227 Please see Response PG-226.
- PG-228 Please see Response PG-226.
- PG-229 Comment noted. Please see Response PG-221.
- PG-230 Please see Response PG-33.
- PG-231 The future traffic data for Diablo Canyon Road has been revised in the Final EIR to reflect the fact that it would not follow the regional population growth trends and that its operation is under the sole discretion of DCP. The road remains in the tables for informational purposes.
- PG-232 In addition to describing the worst-case traffic scenario, which would occur during OSG removal, transport, and storage activities, information was provided to demonstrate the increase of traffic caused during RSGs staging and preparation activities (142 peak-hour trips). The additional table is now numbered as Table D.13-6, and worst-case scenario traffic, during OSG replacement, now appears as Table D.13-8.
- PG-233 The project peak-hour column was added to Tables D.13-6 and D.13-8. The combined project peak-hour consists of: (1) the baseline peak hour; (2) the added outage hourly traffic (explained in Response PG-33); and (3) the Proposed Project peak-hour traffic.
- PG-234 Please see Responses PG-218, PG-221, and PG-226.
- PG-235 Additional options for parking and shuttle arrangements for inclusion with the trip reduction program are identified in revisions to Mitigation Measure T-3a in the Final EIR. Mitigation Measures T-2a and T-2b have also been furnished with further clarification and effectiveness criteria to facilitate implementation. These revisions should ensure that the effectiveness of the trip reduction program is quantifiable.
- PG-236 The clarification of when specific peak-hours occur and the differentiation of weekend peak hours have been added to Mitigation Measure T-2a in the Final EIR.

- PG-237 The application of methodologies based upon adopted federal visual impact analysis techniques for CEQA analyses has been standard professional practice for decades and is entirely consistent with the Appendix G of the CEQA Guidelines. Appendix G states the criteria for significant impact, but does not specify how the threshold of “substantial adverse effect” or degradation is to be determined. The standard professional practice of applying methodologies such as the federal agency techniques has historically been done to establish a definable, explicit nexus for identifying a threshold of “substantial (adverse) effect.” Specifically, in this case the methodology is being applied to identify a threshold for “degradation of the existing character or quality of the site and its surroundings” (CEQA Criterion 3). By following these established techniques, the use of terminology like “viewer exposure,” “visual sensitivity,” and “levels of concern” can reliably be interpreted for CEQA analyses, as shown in Draft EIR Table D.14-1. This approach is consistent with analyses presented in past CEQA documents prepared by CPUC.
- PG-238 Please refer to Response PG-237. As stated above, the methodology is being applied to identify a threshold for “degradation of the existing character or quality of the site and its surroundings” (CEQA Criterion 3). Impact V-1 in the Draft EIR clearly illustrates that the short-term visibility of equipment in Port San Luis could substantially degrade the visual character of this coastal community, warranting a need for Mitigation Measure V-1a (for off-season offloading and transport).
- PG-239 Please refer to Response PG-237, regarding use of the CEQA criteria, with additional clarification in Response PG-242 below.
- PG-240 The commenter is correct that the effects cited under Impact V-1 would be temporary. However, not all temporary impacts are insignificant. Because of the moderate to high level of viewer sensitivity identified at Harford Pier and the vicinity, a moderate level of visual change or, with regards to the RSG offloading and transport, a short-term but strong level of visual change is potentially significant under the thresholds described under Table D.14-1 of the Draft EIR (p. D.14-21). The Proposed Project could (temporarily) substantially degrade the existing visual character and quality of the site (transport route) and surroundings (CEQA Criterion 3). The high sensitivity of the affected surroundings, based in part upon the potential commercial impacts, is such that some attempt at mitigation is warranted, if feasible.
- PG-241 The commenter is incorrect in stating that by using the four CEQA visual criteria from Appendix G, there would be no significant visual impacts and no need for mitigation measures. As described in Section D.14.3.2, the Draft EIR finds that the Proposed Project could (temporarily) substantially degrade the existing visual character or quality of the site (transport route) and surroundings (Criterion 3), and could (temporarily) create a new source of substantial light or glare (Criterion 4).
- PG-242 The arguments presented in Comment PG-242 do not all agree with the conclusions of the analysis presented in the Draft EIR. However, in order to clarify the relationship of the four CEQA criteria to the conclusions of the Draft EIR analysis, the following responses are presented:
- **Regarding CEQA Criterion 1 (Substantial Adverse Effect on a Scenic Vista):** The Proposed Project would not adversely affect any designated scenic vista. However, as described in Section D.14.1 under Landscape Unit 1: San Luis Obispo Bay (p. D.14-1), Harford Pier and Port San Luis are recreation and tourist destinations from which scenic views of high visual quality are seen and for which such scenic views are a primary attrac-

tion. The commenter states that the proposed activities are completely consistent with other activities occurring in the area on a daily basis. However, the RSGs and associated transporters and support equipment would constitute a major, large-scale industrial operation for the period in which they occupy the Port area. The transporters and equipment would introduce this visually dominant, highly intrusive industrial presence into the immediate foreground views of various recreational viewers in and around Harford Pier, albeit for a temporary period of time. The scale, extent, and industrial character of the RSGs, transporters, and related operations and equipment would most likely be perceived as highly contrastive and intrusive by most recreational viewers. Thus, to the extent that the Port and vicinity is regarded as a scenic vista point, this effect could be construed as a substantial (temporary) adverse effect on a scenic vista, as described under Impact V-1 (p. D.14-22).

- **Regarding CEQA Criterion 2 (Substantially Damage Scenic Resources):** The comment is correct that the Proposed Project would not substantially affect any designated or eligible state scenic highway corridors, as discussed in Section D.14.2 (p. D.14-19), and would not damage any scenic resources.
- **Regarding CEQA Criterion 3 (Substantially Degrade the Existing Visual Character or Quality of the Site):** Please also refer to Responses PG-238 and PG-240, which illustrate how Impact V-1 (for offloading and transport activity) adversely affects the existing visual character of Port San Luis the Harford Pier area.
- **Regarding CEQA Criterion 4 (Create a New Source of Substantial Light or Glare):** This Final EIR includes revisions to illustrate how light and glare may affect the Port San Luis area, and Mitigation Measure V-1b has been added to the Final EIR to address the potential impact. The comment is correct that if project lighting can be shielded and directed such that it is comparable in brightness and extent to existing site lighting, then the project activities may comply with the minimum requirements of Mitigation Measure V-1b. Please refer to Response A-19 for more information on Mitigation Measure V-1b. In addition, care must also be taken to shield lights to avoid glare effects on boat operators in the vicinity.

PG-243 Please refer to Responses PG-238 and PG-242.

PG-244 Comment noted. Implementation of the project will occur over several years, and it is anticipated that there will be periods during which construction-related activities are minor. As such, full-time environmental monitoring may not be warranted. However, to ensure that resource/issue-specific environmental monitoring is undertaken at appropriate times, and that the objectives of prescribed mitigation measures are met, the definition of what constitutes “significant” “construction” and/or “project” activities shall be made at the discretion of the CPUC. Resource/issue-specific protocols and procedures for appropriate levels of environmental monitoring will be established in the project’s detailed MMCRP, as referenced in the first paragraph of Section H. Because there will be subsequent opportunities to further define “significant” project activities and the level of monitoring required in the detailed MMCRP, the text to Section H.3.1 has not been modified.

PG-245 The mitigation monitoring reporting frequencies referenced in Section H.3.3 are standard for implementation of Mitigation Monitoring and Reporting Programs. However, as noted in Response PG-244, environmental monitoring may not be necessary at all times. During periods when infrequent or no environmental monitoring is required by the project’s detailed

MMCRP, only minor reporting for the purposes of the project's administrative record would be warranted. Specific protocols and procedures for the frequency of mitigation monitoring reporting will be defined in the project's detailed MMCRP. Until specific reporting requirements are established in the detailed MMCRP, the language of Section H.3.3 is considered appropriate and has not, therefore, been modified.

- PG-246 Comment noted. The CPUC will review all mitigation monitoring reports prior to making them publicly available. Should the CPUC, in its reviews, identify potential disclosures of sensitive information, including proprietary financial and facility security information, it will contact PG&E to discuss the information of concern before allowing it to be posted for public review. Because some reports would be submitted directly by PG&E, it is presumed that PG&E would notify CPUC of any confidentiality concerns regarding those submittals.
- PG-247 There are no Mitigation Measures numbered S-2 through S-6 in the Draft EIR. Presumably, the comment refers to the mitigation measures associated with Impacts S-2 through S-6. These would be Mitigation Measures U-2a and G-3a. Mitigation Measure U-2a requires that PG&E's transportation contractor make provisions for emergency vehicle access during transport of the RSGs. Since this mitigation measure is directly related to an impact associated with RSG transport and it is not associated with plant operations or security, it does not appear to be outside the CPUC's authority to impose this mitigation measure (please see Response PG-2 and Responses PG-3 through PG-12 above). Implementation of Mitigation Measure G-3a is also within the CPUC's authority (see Response PG-9 above).
- PG-248 While the CPUC may not have the authority to regulate the offsite transport of the low-level radioactive OSGs, the CPUC must disclose the environmental effects of this issue in evaluating alternatives. Please also see Response PG-198 regarding NRC jurisdiction and the CEQA requirements for disclosure.
- PG-249 The referenced bullet points in Section B of the Draft EIR are simply descriptions of the activities associated with the Proposed Project. Regulation of these activities may be preempted by NRC jurisdiction, but the activities may be disclosed in the EIR. Please also see Response PG-198.
- PG-250 Please see Responses PG-124 and PG-125.
- PG-251 Please see Responses PG-124 and PG-125.
- PG-252 Please see Responses PG-124 and PG-125.
- PG-253 Please see Responses PG-132 and PG-133.
- PG-254 Please see Responses PG-132 and PG-133.
- PG-255 Please see Responses PG-132 and PG-133.
- PG-256 Please see Responses PG-132 and PG-133.
- PG-257 Please see Responses PG-132 and PG-133.
- PG-258 Please see Response PG-149 regarding the analysis of local ordinances and policies.

- PG-259 Please see Response PG-181 regarding the analysis of radiological safety and hazard regulations.
- PG-260 Please see Response PG-195 regarding the area covered by DCPD emergency response plans.
- PG-261 Please see Response PG-195 regarding the area covered by DCPD emergency response plans.
- PG-262 Please see Response C-5 regarding fire standard requirements for the OSG Storage Facility.
- PG-263 Please see Response PG-198. In most cases the CEQA Guidelines do not provide explicit significance criteria. This is why many state and local agencies see the need to prepare CEQA Guidelines and significance criteria for projects within their jurisdiction (e.g., Santa Barbara County, San Luis Obispo County Air Pollution Control District, South Coast Air Quality Management District, etc.). The Santa Barbara County CEQA Guidelines go as far as specifying the methodology and significance criteria required to evaluate risk. The fact that specific CEQA guidelines have not been developed to address safety impacts associated nuclear power plants does not relieve the CPUC from disclosing potential safety impacts associated with the Proposed Project.

Public safety is a CEQA issue and has been evaluated in countless EIRs. CEQA Guidelines Section 15126.2(a) clearly states that:

*An EIR shall identify and focus on the significant environmental effects of the proposed 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 . . . [emphasis added]*

Given the CEQA requirement to evaluate health and safety issues, the System and Transportation Safety section, impacts and mitigation measures have been retained in the Final EIR.

- PG-264 This comment is PG&E's response to a data request that was received by CPUC on October 21, 2004. It identifies PG&E's opinion that the OSG Offsite Disposal Alternative is likely infeasible, but CPUC believes that it could be implemented, if necessary based on a similar proposal by Southern California Edison (SCE) for San Onofre Nuclear Generating Station (SONGS). The Draft EIR does not identify this alternative as an Environmentally Superior Alternative (Executive Summary Table ES-1). Please see also Responses PG-14 through PG-18.
- PG-265 PG&E submitted a map of native and introduced vegetation adjacent to the alternative haul route (Intake Cove), and states that the vegetation consists of disturbed coastal scrub and coastal bluff scrub with annual and some perennial grasses. This map has been received and acknowledged. Refer to Section D.3.4.1 for more information on the vegetation in this area.
- PG-266 This comment is a summary of previous landslide and falling rock surveys conducted after 1996 and 1997 and for the ISFSI project. Please see Response PG-131.
- PG-267 Please see Response A-47 regarding the status of Port San Luis as a public point of access.
- PG-268 PG&E submitted a refueling outage peak headcount detailing the total DCPD additional personnel, including temporary PG&E employees and contractors that are present at DCPD during refueling outages. This information has been used to revise the traffic impact assessment in the Final EIR as illustrated in Response PG-210.

- PG-269 This comment is an edited copy of Figure B-11 from the Draft EIR showing a revised barge route. Please refer to Response PG-71.
- PG-270 This comment is an edited copy of Figure B-6 from the Draft EIR showing a revised barge route. Please refer to Response PG-71.