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P.O. BOX 249 · AVILA BEACH
CALIFORNIA 93424
(805) 595-5400 · Fax 595-5404
www.portsanluis.com

JAY K. ELDER Harbor Manager
THOMAS D. GREEN Legal Counsel
PHILLIP J. SEXTON, CPA Treasurer

April 29, 2005

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

Via Certified Mail and e-mail

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

Dear Mr. Barnsdale:

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

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

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

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

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

Es-21
3.1 Environmental Assessment Methodology
3.1.1 Environmental Baseline

Baseline includes an operating nuclear power plant, radioactive waste storage facilities, and current NRC licenses for Unit 1 (2021) and Unit 2 (2025).

Es-22 In the context of this pre-existing environment...this EIR analyzes only the incremental changes that would be caused by the steam generator replacement project. These incremental changes are mainly limited to the short-term effects of steam generator replacement activities and the long-term presence of the OSG Storage Facility.

Q3: The DEIR is required to consider the long term effects of the steam generator and the probability of the license extension. Although the current license may include storage facilities, the DEIR lacks full analysis of the storage of the original steam generators and the details and risks of doing so.

B.1 Project Description

[Note: The Harbor District mainly focused on impacts to the Port facilities – offloading and transport across Harbor District and staging and storage on our properties.

We did not consider other aspects of the project description such as replacement steam generator staging and preparation, original steam generator removal, transport and storage and replacement steam generator installation in any depth at all.]

Q4: The Project description or analysis did not identify or describe the requirement of a land use permit and a license to “offload cargo, parking lot staging area and road closures.” Even though we requested it to be included in communications with the PUC, PG&E, and Aspen Environmental, it was not (see scoping letter of October 2004). Please do so in the Final EIR by consulting the Harbor management in order to avoid additional CEQA processes should PG&E decided to use the Port for the operation.

B-1

B.1.1 Replacement Steam Generator Transport

Replacement steam generators (RSG) are to be manufactured outside of the United States, and then transported by heavy-load ship to a southern California Harbor (Port of Long Beach or Port of San Pedro).

The RSGs would be transferred to one or two barges and then shipped to Port San Luis Harbor. Units 1 and 2 steam generators will be replaced at separate times so the barges would deliver the four steam generators for each unit at separate times.

B-12

B.3.1.1 Fabrication and Transport to Port San Luis

Design, fabrication, testing and transport of the RSGs requires a lead time of 40 months. Delivery to Port San Luis/Diablo Cove is scheduled Sept. – Nov. 2008

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

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

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

B-12

B.3.1.2 Offloading Steam Generators at Port San Luis

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

B-16

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

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

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

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

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

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

B-16

Option 2: Direct Transport to DCPD Facility.

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

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

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

B-19

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

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

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

B-20

Fig. B9 Barge and Ground Transporter Drawing

Shows a barge with two "units" on it. 200' long barge.

Would need two barges for four units; two units per barge.

Anything larger would not fit in the channel.

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

B-23

B.3.1.3 Replacement Steam Generator Transport on Land

DEIR states “The RSGs would be transported from the Port San Luis area across Avila Beach Drive to the DCPD Access Gate...” “All land transportation activities would occur along existing paved roads that were designed and constructed for heavy loads.”

B-23

Total payload of RSG and Transporter is approximately 500 tons.
Width is 11-16 ft., length is 68 ft.

Q13: The Port San Luis parking lot and entrance road (portions of Avila Beach Drive) were not designed or constructed for heavy loads as stated in the DEIR. Please clarify this and address the impacts of possible damage to these roads. Then provide mitigation measures.

B-25

Fig. B11 Proposed Replacement Steam Generator Offloading Location

Figure shows the site of the PG&E barge landing at Fisherman’s Beach.

Q14: See Q8 above and correct.

B-36

B.4.2 Equipment and Personnel Requirements

Table B-3 shows number of units.

B-37

Transport of RSGs from Port to DCPD would require 30 workers.

Q15: Please correct the Final EIR to address the offsite parking of all project-related personnel to be either Harbor Terrace or elsewhere. Parking will not be allowed at any existing public parking spaces at the Harbor or in the Harbor District’s Avila Beach parking lot.

The DEIR states that there would be an “industrial security force most likely hired for the proposed project...”

Q16: The Harbor District would require additional security be provided (on land and water as needed) if activity occurred on Harbor District properties, which are related to this project.

B-37

B.6 Measures or Activities to Prevent Environmental Impacts

B-39

Replacement Steam Generator Transport

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

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

B-39

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

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

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

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

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

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

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

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

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

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

- If the RSGs are staged at Port San Luis, PG&E would erect a cyclone fence enclosing the RSGs and place an industrial security force at the staging area.

B-39

Q23: The Project description lacks detail on this and we assume that a large amount of space (65 feet by 25 feet per unit) would be required in the main parking lot of the Port. This will cause a loss of parking spaces to our daily customers. If done on a weekend (or any high use day - September and October are high traffic months at the Harbor) it will have an economic effect on our lessees due to parking loss. This shall be mitigated by some type of compensation to the Port and lessees; parking loss should be identified as an impact of the project. Please provide mitigation to this alternative.

- A complete load path analysis would be performed by the transportation contractor and the rigging subcontractor prior to delivery of the RSGs.

Q24: Please include a Port San Luis representative – maybe a contractor –with PG&E to pay for services in this mitigation measure (G-1).

- Monitoring of possible erosion and sediment along the transport route would be conducted to limit interaction with the existing natural drainage patterns.

Q25: Expand mitigation measure to include a pre-project inspection – with a report & photos to be provided to agencies and landowners.

- In accordance with NRC regulations [10 CFR 50.59] a Nuclear Safety Related Structures, Systems and Components (SSCs) review would analyze the risk of using the Intake Cove Offloading Alternative to verify that DCP operations would not be adversely affected.
- If the Intake Cove would be used for RSG offloading, a site-specific procedure would be written specifically to establish prerequisites, precautions, and instructions to control the movement of the barge in the Intake Cove.

Q26: In this scenario, a bad weather scenario may move barges to Port San Luis; make anchorage provisions (see Q#10 above). It is strongly recommended that PG&E obtain the services of a reputable tug boat captain (such as one who may actually do the work) to visit the site and provide advice and recommendations to the NRC and PG&E on the safety and feasibility of using the Cove for offloading.

- Some work activities would be performed during the non-peak tourist season and at night to reduce any visual impacts.

Q27: There is a problem with this mitigation measure, as it puts the offloading schedule in the winter season, substantially increasing the safety risk factor at both offloading sites. (See mitigation L-2 and V-1a.)

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

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

B-43

B.7 References List

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

C-1

C.1 Alternatives

C-6

C.4.2. Replacement Steam Generator Offloading Alternative

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

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

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

C-13

C.5.2.1 Port San Luis Vicinity

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

C-14

Olde Port Beach

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

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

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

C-15

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

C-17

Fisherman's Beach

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

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

C-27

C.6 No Project Alternative

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

D.1-1

D.1 Introduction to Environmental Analysis

D.1-2

D.1.2.2 Beyond the NRC License

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

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

D.2-6

D.2.3.2 Air Quality

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

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

D.3-2

Port San Luis Offload Location

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

D.3-29

Marine Biological Resources

Port San Luis Harbor; “Marine Mammals”

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

D.4-10

D.4.3.2 Replacement Steam Generator Transport

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

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

D.5-14

D.5.3.2 Replacement Steam Generator Transport

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

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

D.6-15

D.6.3.2 Replacement Steam Generator Transport

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

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

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

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

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

D.6-17

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

D.7-6

D.7.3.2 Replacement Steam Generator Transport

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

D.7-11

D.7.7 References

Does not include “DCPP Spill Response Procedures.”

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

D.8-2

Land Use

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

D.8-3

Diablo Canyon Power Plant Property Map

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

D.8-7

Land Use Designations

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

D.8-9

Recreational Facilities

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

D.8-18

D.8.2 Applicable Regulations, Plans and Standards

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

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

D.8-19

Coastal Plan Policies – SLO County

Consistency analysis. Shoreline Access; Protection of existing access.

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

D.8-20

Shoreline Access

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

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

D.8-22

Land Use, Recreation and Agriculture

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

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

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

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

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

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

D.8-23

Lighthouse access Open Water Area.

D.8-24

Port San Luis Harbor District Harbor Master Plan

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

D.8-25

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

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

D.8-25

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

DEIR states offload “would affect Port San Luis for up to four days.”

“...vessels moored along the barge route may be temporarily relocated...”

“Temporary staging and storage of the RSGs at Port San Luis could temporarily disrupt commercial or recreational uses at Port San Luis.”

“...due to their temporary nature, potential staging and storage associated with RSG transport activities would have less than significant impacts to established land uses at Port San Luis (Class III).

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

Mitigation

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

- * PG&E shall pay to the Harbor District the relocation costs including costs of labor, equipment and any new materials (such as anchor, chain and connectors) due to deeper water locations.*
- * PG&E shall meet and confer with all Harbor District lessees, licensees and permitted businesses to discuss how the project might affect their commercial operations.*

D.8-26

Impact L-2: Transport would disrupt recreational activities

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

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

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

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

D.9 Noise and Vibration

We have no comments.

D.10 Public Services and Utilities

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

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

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

D.10-6

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

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

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

D.10-7

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

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

D.11-1

D.11 Socioeconomics

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

D.12-1

D.12 System and Transportation Safety

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

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

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

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

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

D.12-20

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

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

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

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

D.12-21

Fig. 12-3 Barge Transport in Port San Luis

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

D.12-24

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

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

D.13-1

D.13 Traffic and Circulation

D.13-12

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

Q76: New mitigation measures are required here such as:

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

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

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

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

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

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

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

D.14-2

D.14 Visual Resources

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

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

D.14-22

D.14.3.2 Replacement Steam Generator Transport

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

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

E-1

E. Comparison of Alternatives

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

F-1

F. Other CEQA Considerations

F-2

F.2 Significant Irreversible Changes

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

G-1

G. NRC License Renewal

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

H-1

H. Mitigation Monitoring and Reporting

H-4

H.3.2 Construction Personnel

Q87: Add:

“The Harbor District will also require a written summary of the mitigation monitoring measures.” to this section.

I-1

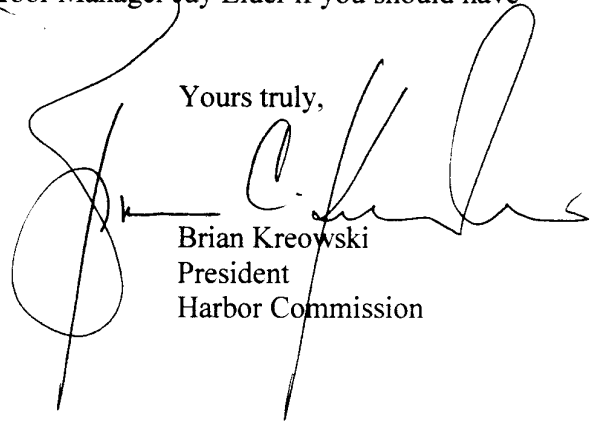
I. Public Participation

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

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

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

Yours truly,

A handwritten signature in black ink, appearing to read "B. Kreowski", written over a horizontal line. The signature is fluid and cursive.

Brian Kreowski
President
Harbor Commission