

## INTRODUCTION

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### I. General Comments

#### 1. **Section A.6, Page A-14, Table A-2 (Permits that May Be Required for the DCP Steam Generator Replacement Project)**

Clean Water Act Permits: The SGRP will not include possible interaction with jurisdictional waters of the United States that would require a permit under § 404 of the Clean Water Act, or associated certifications under § 401 of the Clean Water Act.

Stormwater Pollution Prevention Plan (SWPPP): PG&E is not required to prepare a SWPPP in connection with the SGRP because the SGRP will require less than one acre of soil disturbance. State Water Resources Control Board, Division of Water Quality, National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction Activity (General Permit), Water Quality Order 99-08-DWQ. PG&E will employ best management practices and take all measures necessary to ensure that no stormwater impacts result from the SGRP. *See* Hydrology and Water Quality, Specific Comment 1.

CDFG § 1601 Streambed Alteration Permit: Similar to the discussion above with respect to Clean Water Act permits, the SGRP will not include possible interaction with Diablo Creek. Therefore, a § 1601 streambed permit will not be required.

PG&E recommends that the EIR include a more complete discussion of some of the key responsible agencies (e.g., County of San Luis Obispo and Port San Luis District) and their permitting/licensing processes either immediately before or after this table. These agencies will rely on this document to support the permits they will issue in connection with the Proposed Project. The following language should be added to this section of the EIR:

#### County of San Luis Obispo

*Conditional Use Permit: Old Steam Generator Storage Facility.* Pacific Gas and Electric Company (PG&E) filed a Conditional Use Permit (CUP) pursuant to San Luis Obispo County (County) Code Section 22.62.060 in order to accommodate a necessary accessory storage building. This accessory storage building, or Old Steam Generator Storage Facility (OSGSF), will have approximately 18,000 square feet of floor area and will store a total of eight steam generators with additional room to store the reactor vessel heads if necessary.

Table 2-2, Allowable Land Uses and Permit Requirements, of Title 22 of the County Code identifies Accessory Storage as permitted within the Public Facilities Land Use category, subject to a land use permit required by the specific use standards. Further, Section 22.30.040 states that a “land use permit is not required to establish accessory storage except when this Section requires a permit for a specific type of storage, or the storage involves construction of a new structure or alteration of an existing structure.”

A new structure with the necessary permit is required for this storage. Table 2-3, Permit Requirements Based on Project Characteristics, of Title 22 establishes that Site Plan Review is required for structures under 20,000 square feet (floor area) for manufacturing, processing, and/or outdoor storage land uses or uses with similar development characteristics. However, County Code Section 22.62.040.B.1.a (Site Plan Review) states the following:

If an Environmental Impact Report (EIR) is required, the project shall be processed and authorized only as a Conditional Use Permit (Section 22.62.060).

While this DEIR is being prepared for the SGRP by the CPUC that includes this accessory storage building, it is unclear from Title 22 whether this EIR would trigger the requirement for a CUP.

*Coastal Development Permit: Temporary Staging Area.* Pacific Gas and Electric Company (PG&E) filed a Coastal Development Permit (CDP) application pursuant to Section 23.02.034 of the San Luis Obispo County (County) Coastal Zone Land Use Ordinance (CZLUO) for the construction of certain temporary structures that are part of a larger project to replace the steam generators at the Diablo Canyon Power Plant (DCPP).

Section 23.03.04 of the County CZLUO exempts repair, replacement, and maintenance activities from the requirements of Title 23. Because the SGRP will also require the construction of a series of temporary structures within the Coastal Zone, PG&E filed the CDP application pursuant to Section 23.02.034 for these temporary structures (described below). All of these structures will be temporary and removed after the SGRP is completed. Approximately three years will be required to establish the

supporting facilities, replace the steam generators, and remove the supporting facilities.

Therefore, as a responsible agency the County of San Luis Obispo will use this EIR for the CUP and CDP applications pursuant to CEQA Guidelines Sections 15097(a), (f) and 15231.

*Building and Grading Permits.* Upon approval of the CUP and the CDP, the SLO County Building Department will issue the building and grading permits necessary to complete the SGRP. Issuance of these permits is a ministerial function and will rely on the analysis conducted by SLO County to issue the CUP and CDP.

#### Port San Luis Harbor District

Section 8.032 (District Permits Required) states that the Port San Luis Harbor District is recognized as a “land owner” and is vested by the State of California with authority to review and issue permits, licenses and/or contracts for activities occurring within the Port’s jurisdiction. Specifically this section of the Port’s Code of Ordinances grants the following authority:

- A. Approval of a land use permit pursuant to Sections 8.110 et seq. of this chapter (which is for the purpose of evaluating the appropriateness of a proposed use);
- B. The approval of an operating agreement, license, or lease by the Board of Commissioners, granting either limited or long-term right to occupy and use District property and establishing a business relationship between the applicant and the District with the applicant as a concessionaire;
- C. Issuance of a building or other construction permit pursuant to Chapter 12 of this code (Construction Codes) if proposed development is located on Harbor or Avila piers; or
- D. Issuance of a mooring permit pursuant to Chapter 16 of this Code.

**II. Specific Comments**

**2. Section A.1, Page A-1, Third Paragraph**

“Stress corrosion cracking” is the appropriate, complete term for the degradation occurring at the steam generators. All further references should be to this term.

**3. Section A.2.2, Page A-7, Paragraph 6, second to last sentence**

This sentence should be amended to read as follows:

“disrupted and measured as a change in voltage.”

**4. Section A.6, Page A-13, Third paragraph, Second sentence**

The CDP and CUP applications were submitted on February 4, 2005, and deemed complete by the County of San Luis Obispo on March 18, 2005.

**5. Section A.6, Page A-14, Fourth sentence**

The fourth sentence states that “it appears that the OSG Storage Facility is outside of the coastal zone.” It is more accurate to state that OSG Storage Facility *is* outside of the Coastal Zone, as indicated in an exhibit within the applicant’s CDP and CUP application packages.

# PROJECT DESCRIPTION

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## **I. General Comments**

### **1. Clarifications to Project Description**

Certain clarifications should be made to the Project Description in order to ensure that it presents the most accurate and up-to-date depiction of the SGRP. PG&E includes these suggested clarifications below. None of these proposed clarifications substantively revises the Project Description.

### **2. The Project Will Result In “Like for Like” Replacement, Section B.3, Page B-12**

Consistent with PG&E’s SGRP Application, and its testimony before the CPUC, the Final EIR should highlight that the SGRP calls for a “like for like” replacement of the original steam generators with the replacement steam generators. As set forth in the Draft Environmental Impact Report for the San Onofre Nuclear Generating Station (SONGS) Steam Generator Replacement Project, the Final EIR should include the following new paragraph at the beginning of Section B.3:

The replacement steam generators would be designed to match the specifications of the original steam generators. As such, the steam generator replacement project would not result in any change in the rated capacity output (MW) of the units, and it would not change the basic power plant operation in any other way. For example, the Proposed Project would not affect the fuel consumption rate, the cooling water intake rate, or the thermal discharge of DCP.

## **II. Specific Comments**

### **3. Pages B-16 through B-21**

Assign appropriate dates to any photographs.

### **4. Section B.3.1.2, Page B-12, Last Sentence**

The barge docking will be SOUTH of the small peninsula. All further narrative and graphic descriptions need to incorporate this change.

**5. Section B.1, Page B-1, Second Paragraph**

“Stress corrosion cracking” is the appropriate, complete term for the degradation occurring at the steam generators. All further references should be to this term.

**6. Section B.2.4, 1st Paragraph and Figure B-4**

The OSGs weigh 330 tons.

**7. Section B.1.3, Page B-2, Fourth Sentence**

The sentence should read as follows:

After the OSGs are removed, each OSG must be prepared in accordance with Nuclear Regulatory Commission (NRC) requirements in order to be stored in the OSG Storage Facility. The exterior of the OSGs would be decontaminated to the extent possible inside the containment structure (or potentially just outside the hatch, depending on space requirements) and a protective plastic coating would be applied to prevent the release of any potentially loose contaminated material.

**8. Section B.3.1.2, page B-16, First Paragraph, Fifth Sentence**

This sentence should be revised to read as follows:

The Proposed method to dock and stabilize the barge at Port San Luis would be to “pin” the nose of the barge to the harbor bottom (PG&E, 2004d). The barge would be pulled as close to the shore as possible and positioned directly on the harbor bottom.

**9. Section B.3.1.1, Page B-12, Second Paragraph, Last Sentence:**

This sentence should read as follows:

At the California port, the RSGs would be offloaded onto one or two barges (2 or 4 steam generators per barge) and shipped to San Luis Obispo.

**10. Section B.3.1.3, B-23, Second Paragraph, Third Sentence:**

The sentence should read as follows:

The OSGs were delivered along approximately the same route during construction of DCPD in the 1970s, as were the reactor vessels, main bank transformers, main electrical generators, and other equipment of similar or larger size.

The DEIR addresses the stability of the ground along the transport route and proposes mitigation to ensure that the roads are capable of carrying the Project loads. *See* Geology, Soils and Paleontology Section at D.5-14 to D.5-15 and Comment 2 to the Geology Section, below.

**11. Section B.3.2, Page B-24, First Paragraph, Fifth Sentence**

The sentence should read:

PG&E considers it important to locate all project staging areas in close proximity, so space may be combined or connected with other existing facilities.

**12. Section B.3.2.3, Page B-27, Third Paragraph, First Sentence**

The space will be a maximum of 10,000 square feet with approximately 25 feet in total height and approximately 167 feet by 60 feet in exterior dimensions.

**13. Section B.3.2.5, B-27, First Paragraph, Fourth Sentence**

The dimensions of a one-story building would be approximately 167 feet by 60 feet. Also a two story building will have a maximum height of 30 feet from grade.

**14. Section 3.3.2, Page B-33, First Paragraph, First Sentence**

The OSGs will be treated in the containment facility prior to transport to the OSG Storage Facility. The phrase "at the proposed OSG Storage Facility" should be deleted.

**15. Section 3.3.2, Page B-33, Second Bullet Item, Last Sentence**

The sentence should read:

PG&E will implement procedures and work practices to maintain dose levels as low as reasonably achievable (ALARA), in compliance with NRC regulation 10 CFR 20.1101(b), Radiation Protection Programs.

**16. Section 3.3.3, Page B-34, Second Paragraph**

The DEIR describes one possible location for the disposal of excavated material, namely the previously-approved disposal site for the Independent Spent Fuel Storage Installation (ISFSI) project. In addition to the use of the ISFSI disposal area, PG&E may decide to simply dispose of any excavated material in close proximity of the selected OSGSF site itself. This approach would provide a more straightforward option and would reduce vehicle trips to the ISFSI disposal site. Any onsite disposal would be limited to previously disturbed portions of the man-camp area; PG&E would implement all required BMPs to control soil erosion and protect the creek; and PG&E would perform all required compaction and soils engineering to allow the area to qualify as “engineered fill.” The excavation and disposition of any extra material will be governed/addressed by the grading permit required for the OSGSF.

In addition, PG&E’s installation contractor has indicated that up to 5000 cubic yards of excavated materials could result from OSGSF construction, as opposed to the 2300 cubic yards originally anticipated. Both the ISFSI disposal site and the on-site disposal option within the man-camp area would be able to accommodate this additional amount of excavated materials.

**17. Section B. 6, Page B-39, Second-to-Last Bullet Item**

The phrase should read as follows:

“Marine biologist to monitor at both Intake Cove and PSL”

**18. Section B.6, Page B-40, 2nd bullet point**

As described further later in these comments, a SWPPP would not be required under the state water quality control board guidelines because less than an acre of land will be disturbed by the Project. Moreover, PG&E has a substantial stormwater drainage system that will accommodate any runoff associated with the SGRP. Nonetheless, the County of San Luis Obispo routinely requires the submittal of a Storm Water Pollution Prevention Plan (SWPPP) as part of its land use permitting process. These three points should be noted in the Final EIR.

**19. Section B. 6, Page B-40, 3rd bullet item**

The San Luis Obispo Air Pollution Control District frequently requires that a Construction Activity Management Plan (CAMP) be submitted that addresses air quality issues, including all of the sub-bullet points listed on this page. This should be reflected in this section.



**20. Section B. 6, Page B-40, 1st, 2nd and 4th bullet points (Original Steam Generator Removal, Transport and Storage)**

These items are pre-empted from state and local agency review, falling under the exclusive jurisdiction of the NRC.

**21. Section B. 6, Page B-41, 2nd, 3rd, 5th, 6th, 8th, 9th, 10th and 15th bullet items**

These items are pre-empted from state and local agency review, falling under the exclusive jurisdiction of the NRC.

**22. Section B. 6, Page B-42, 7th bullet item**

The San Luis Obispo Air Pollution Control District frequently requires that a Construction Activity Management Plan (CAMP) be submitted that addresses air quality issues, including all of the sub-bullet points listed on this page. This should be reflected in this section.

**23. Figure B-6 and Figure B-11**

Figure B-6 and Figure B-11 show an incorrect barge route and landing locations for the Port San Luis off-loading option. Corrected Figure B-6 and Figure B-11 are provided as Attachment 8 and Attachment 9.

**III. Clerical/Typographical Comments**

**24. Section B.2.1 Page B-9 Paragraph 3, Line 4**

Please amend as follows:

“Montana *de* Oro State Park”

**25. Section B.3.1.2 , Page B-16 Second Paragraph, Sixth Sentence**

A new paragraph should begin after line 6.

**26. Section B.6 Page B-39, First Paragraph, Third line**

This phrase should read as follows:

“...significance *of* the finds...”

**27. Section B.6 , Page B-42, Bullet 13**

This phrase should read as follows:

“Depending *on* the extent...”

## ALTERNATIVES

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### I. Specific Comments

#### 1. Page C-1, Second Paragraph, Fourth Sentence

The following phrase should be added at the end of this sentence:

“ . while meeting the Proposed Project’s objectives.”

#### 2. Section C.4.2, Page C-6, Fifth Paragraph, New Last Sentence

A new sentence should be added at the end of this paragraph as follows:

In 1995, four main bank transporters, each weighing approximately the same as an RSG, were brought in by barge to the Intake Structure. The load path would be identical for the RSGs if the Intake Cove delivery option is used. Medium size loads (15-25 tons) have been routinely transported along this road to the intake structure to support replacement of various plant equipment. In addition, three main bank transformers, were transported along the Access Road to DCPD in 1998.

The DEIR addresses the stability of the ground along the transport route and proposes mitigation to ensure that the roads are capable of carrying the Project loads. *See* Geology, Soils and Paleontology Section at D.5-14 to D.5-15 and Comment 2 to the Geology Section, below.

#### 3. Section C.5.2.3 , Page C-18 First Paragraph, First and Second Sentences

This discussion may include a reference for the landslides in 1996-97. Patton Cove, as with all other coves near DCPD, and are unsuitable because of many offshore wash rocks that could block barge transport.

### III. Clerical/Typographical Comments

#### 4. Section C.6.1 Page C-27, First Paragraph, Second Sentence

Eliminate period after “2013.”

**5. Section C.6.3.4, Page C-33, First Paragraph, Last Sentence**

Change Counties to counties.

## INTRODUCTION TO ENVIRONMENTAL ANALYSIS

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### I. Specific Comments

#### 1. Section D.1.2.2, Page D.1-3, Second Full Sentence

This sentence should read as follows:

In addition, NRC license renewal is not considered to be a reasonably foreseeable project for the purpose of a cumulative environmental analysis because PG&E has not decided to pursue license renewal or applied to the NRC for formal license renewal.

# AIR QUALITY

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## I. General Comments

### 1. Section D.2, Entire Section

The DEIR's air quality analysis is based on overly conservative assumptions of impacts. In addition, the proposed mitigation measures include effectiveness criteria that are not linked to the reduction of emission levels below the significance thresholds set by the County Air Pollution Control District. For these reasons, PG&E suggests modifications to the mitigation measures in this section to take into account actual Project emissions levels, to take advantage of the expertise of the San Luis Obispo Air Pollution Control District (SLOAPCD) and to provide a comprehensive plan to address air quality emissions from the Project that can be integrated with the traffic reduction measures set forth in Section D.13 of the DEIR.

#### *Worst Case Emissions Levels*

Section D.2 (Air Quality) assesses the "worst case" scenario for air emissions from the Proposed Project and establishes mitigation measures accordingly. Specifically, the mitigation measures are based on the following overly conservative assumptions:

- (1) The number and types of construction equipment, including tugboats, prime movers, transporters, forklifts, cranes. For example, the analysis assumes use of two tugboats when it is possible that only one tugboat will be used. Also, prime movers may not be necessary because self-propelled modular transporters may be sufficient to perform all heavy load transport activities.
- (2) The number of SGRP project workers. The number included in the DEIR is based on PG&E's assumptions prior to awarding the installation contract. The installation contractor has now provided PG&E new manpower curves indicating that fewer project workers will be required than PG&E assumed.
- (3) The location of SGRP project workers. The DEIR is based on the assumption that all of the project workers will be on site. In fact, many employees, such as engineering staff, will not be on site.

These assumptions largely result in an overstatement of air quality impacts from the Project and therefore set overly high emissions levels that must be reduced through mitigation measures.

### *Unsupported Effectiveness Criteria*

In addition to using overly conservative assumptions that result in higher than necessary emissions levels, some mitigation measures suggested in this section use effectiveness criteria that are tailored to reducing air quality impacts below the required significance level. As a result, the suggested mitigation measures may not appropriately address the actual air quality impacts of the SGRP. For example, achieving a project worker vehicle occupancy rate of 2.0, or van pool rider-ship participation of 10 percent, as required by Mitigation Measure A-1a, may be more or less than what is required.

### *Construction Activity Management Plan*

In order to ensure that the project's mitigation measures address actual project impacts and set meaningful effectiveness standards, PG&E proposes that air quality impacts currently addressed in Mitigation Measures A-1a, A-1b, A-1c and A-2a, be addressed through the preparation of a Construction Activity Management Plan (CAMP). A CAMP offers the following benefits:

- **Meaningful Significance Criteria:** In order to be effective, the CAMP would have to ensure that SGRP emission levels remain under SLOAPCD air emissions standards through either project design features or off-site mitigation measures.
- **Accurate Project Specifications:** The CAMP would have to be based on the installation contractors' final construction plan, so that it will address actual project equipment and personnel levels.
- **SLOAPCD Expertise:** The CAMP would be subject to approval by the SLOAPCD, which has significant expertise on off-site mitigation programs, diesel combustion emission controls, and the registration of portable equipment.
- **Integrated Plan:** The CAMP approach will allow PG&E and SLOAPCD to develop an integrated plan for addressing air quality emissions rather than three different plans addressing air quality. This plan could also integrate the traffic control measures required under the Traffic and Transportation section of the EIR.

A CAMP would specifically define the air quality mitigation measures to be employed as the project moves forward and will directly address the concerns addressed by mitigation measures A-1a, A-1b, A-1c. A CAMP for this type of project would include specific requirements in connection with:

- (1) Sensitive Receptors

- (2) Mitigation Monitoring
- (3) Dust Control
- (4) Permitting Requirements
- (5) Construction Equipment Emission Reductions
- (6) Construction Worker Trips
- (7) Complaint Response

Encompassed in these sections will be requirements to control diesel emissions (as currently described in Measure A-1b), to restrict and/or offset NOx emissions (as currently described in A-1c), and trip reduction requirements (as currently described in Measures A-1a, and T-3a). As the agency responsible for registration of portable construction equipment, the CAMP would also be a vehicle for addressing the concerns in Measure A-2a.

Consistent with these suggestions, we recommend that current Mitigation Measures A-1a, A-1b, A-1c and A-2a be replaced with the following:

**Mitigation Measure A-1a: Develop and Implement a Construction Activity Management Plan (CAMP).** PG&E shall develop and implement a CAMP in cooperation with the SLOAPCD and the CPUC that will --

1) provide emission and congestion benefits through a trip reduction plan; 2) address any necessary offsite mitigation program for NOx emissions; 3) address diesel combustion emissions; 4) ensure that all portable equipment is properly registered or permitted by SLOAPCD; and 5) take other measures required by SLOAPCD to ensure that project emissions are reduced below the relevant significance criteria published by SLOAPCD.

**Effectiveness Criteria:** Evidence of plan approval by SLOAPCD

**Responsible Agency:** SLOAPCD, CPUC

PG&E is developing a CAMP with SLOAPCD for the ISFSI project. It has served as an effective mechanism for addressing air quality impacts in that context and would be a more effective approach in this project as well.

## **II. Specific Comments**

### **2. Pages D.2-10 through D.2-13**

Page D.2-8 states that “The potentially significant emissions shown above are based on use of newer, or lower-emitting, transport equipment as part of a Diesel Combustion Emission Control Plan and use of double occupancy vehicles or a vanpool by all commuters in worker vehicles.” The Final EIR should clarify whether these emissions levels take into account the application of diesel control measures and the imposition of traffic control requirements or would those levels be further reduced through the imposition of these types of measures.



In addition, emissions from the portable concrete batch plant should be included as part of project-related emissions even if they are already included in the inventory used for attainment planning.

**3. Section D.2.1, Page D.2-2, Table D.-1 (Local Ambient Air Quality Monitoring Data)**

The 2004 ambient air quality data is available on the Air Resources Board (ARB) Website. The maximum 1-hour and 8-hour ozone levels do not match the data listed on the ARB Website.

Based on PG&E's research these levels should be modified as follows:

- Under maximum 1-hour ozone, the levels I have are 0.073 ppm for 2002 (instead of 0.067 ppm) and 0.070 ppm for 2003 (instead of 0.074 ppm). The level for 2004 is 0.073 ppm.
- Under maximum 8-hour ozone, the levels I have are 0.062 ppm for 2002 (instead of 0.058 ppm) and 0.063 ppm for 2003 (instead of 0.062 ppm). The level for 2004 is 0.070 ppm.
- The level for 2004 under maximum 24-hour PM10 is 30 ug/m<sup>3</sup> and under maximum 24-hour PM2.5 is 8.8 ug/m<sup>3</sup>.

# **BIOLOGICAL RESOURCES**

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## **I. General Comments**

### **1. Baseline Environmental Condition: Cooling Water Discharge and Fish Entrainment:**

The DEIR includes an extensive description of the DCPD cooling water system and impacts related to fish entrainment and impingement. As described in the specific comments below, some of this analysis is factually inaccurate or misleading. As a foundational matter, however, the discussion of the cooling water system and its impacts on the marine environment near DCPD is completely irrelevant to the SGRP and so represents an unnecessary analysis in the DEIR. This system and any impacts from it are encompassed within the environmental baseline against which the impacts from the SGRP are to be measured. The Final EIR should make absolutely clear that the SGRP will in no way affect the cooling water system at DCPD or alter its impacts on the marine environment.

### **2. Section D.3.3.1, pages D.3-2 through D.3-3**

The section lacks a description of the botanical resources associated with the Intake Cove alternative off-loading site and the haul route that would be utilized under this alternative. The information in the figure, provided as Attachment 4, should be incorporated into the FEIR to further describe these botanical resources.

### **3. D.3.1.4.2 Threatened or Endangered Wildlife, beginning on Page D.3-9.**

- The section opens with the finding that no state or federally listed threatened or endangered species are expected to occur in the project zone of potential effect, but that listed species (terrestrial) are known to occur in the project vicinity. While this statement is true, certain of the information that follows should be clarified in the final EIR.
- Red-legged frogs are discussed at length, although there are no records of red-legged frog occurring within many miles of DCPD. Surveys conducted for this species on DCPD lands, in potentially suitable habitat areas, both in the past and very recently have found none.
- Not mentioned but known to occur in the vicinity of DCPD are the brown pelican and the golden eagle. Another species for which surveys have been conducted within the project area recently, but no individuals have been found, is the federally listed Morro Bay shoulderband snail.

- The peregrine falcon is discussed but no mention is made of the two active nest sites within the project vicinity (Diablo Rock Site and North Ranch Coastal Bluffs Site).

All of these species should be discussed in this section, though no impacts to these species would occur from the SGRP.

The following language adapted from the ISFSI project is suitable for a general discussion of these species:

### **PEREGRINE FALCON**

*Falco peregrinus anatum*

**Regional And Local Distribution.** The peregrine falcon occupies breeding territories at select sites along the California coast north of Santa Barbara, in the Sierra Nevada Mountains, and in other mountains of northern California. In winter, this species is found throughout the Central Valley, and occasionally on the Channel Islands. Migrants occur along the coast and in the western Sierra Nevada in Spring and Fall. Breeding occurs mostly in woodland, forest and coastal habitats. Riparian areas and coastal and inland wetlands are important habitats yearlong. Two active peregrine falcon nesting territories occur within the project vicinity, one on an off-shore rock near the power plant, and a second to the north of the power plant on the coastal bluffs of the North Property.

**Conservation Status.** The peregrine falcon is currently listed as endangered under the California Endangered Species Act, and has been removed from the federal Endangered Species list.

**Status On Diablo Canyon Lands.** The peregrine falcon is a year-round resident in the vicinity of Diablo Canyon.

**Habitat Suitability.** Suitable nesting habitat occurs in the form of isolated off-shore rocks and cliffs. Foraging habitat includes the air space above coastal terraces, coastal bluffs and near shore areas where prey (birds up to the size of ducks) are hunted on the wing.

**Mapping Criteria.** Peregrine falcon habitat has not been mapped on the Diablo Canyon Lands.

**Local Endangerment Factors.** Continuing exposure to toxic pesticides, primarily from migrant prey species, is the most

important endangerment factor. Peregrine falcon populations have rebounded significantly since restrictions were placed on use of DDT in the United States.

## **BROWN PELICAN**

*Pelicanus occidentalis californicus*

**Regional And Local Distribution.** The brown pelican is found in estuarine, marine subtidal, and marine pelagic waters along the entire California coastline. Brown pelicans breed on the Channel Islands (Anacapa, Santa Barbara, and Santa Cruz) from March to early August. In southern California the brown pelican is common along the coast from June to October, especially within 20 miles of shore, but can be found as far as 100 miles out to sea (Granholm et al., In: Reference 21).

**Conservation Status.** The brown pelican is currently listed as endangered under both the state and federal Endangered Species Acts.

**Status On Diablo Canyon Lands.** Brown pelicans are frequently observed, outside the breeding season, along the Pecho Coast where they feed in open water areas off-shore and rest on off-shore rocks and along the outer edges of the coastal bluffs.

**Habitat Suitability.** Off-shore rocks and coastal bluffs overlooking the water are used for roosting. No nesting by this species occurs along the Pecho Coast. Foraging is limited to off-shore open water areas.

**Mapping Criteria.** Brown pelican habitat has not been mapped on the Diablo Canyon Lands.

**Local Endangerment Factors.** No local endangerment factors have been identified for this species.

## **MORRO BAY SHOULDERBAND SNAIL**

*Helminthoglypta walkeriana*

**Conservation Status:** Federally endangered

**Status on Diablo Canyon Lands:** Not known from Diablo Canyon Lands. Surveys have been conducted within the project area recently, but no individuals have been found.

**CALIFORNIA RED-LEGGED FROG**

*Rana aurora draytonii*

**Conservation Status:** Federally threatened,

**Status on Diablo Canyon Lands:** Not known to occur on  
Diablo Canyon Lands

**GOLDEN EAGLE**

*Aquila chrysaetos*

**Conservation Status:** Protected by provisions of the Bald  
Eagle Protection Act and the federal Migratory Bird Treaty  
Act.

**Status on Diablo Canyon Lands:** Known to forage over  
Diablo Canyon Lands, nesting status unknown

**4. Table D.3-3, Page D.3-14.**

The table should be re-titled “Sensitive Wildlife Species Potentially Occurring on Diablo Canyon Lands,” to reflect that it includes fish. In addition to the fish currently included in the table, it should also include tidewater goby, a listed species known to occur in the vicinity of the project. The table does not include the brown pelican, another listed species known to occur in the vicinity of the project. Please see discussion of brown pelican above.

The following language, adapted from the ISFSI Environmental Assessment, could be used for a discussion of the tidewater goby:

**TIDEWATER GOBY**

*Eucyclobius newberryi*

**Regional And Local Distribution.**

Tidewater gobies are discontinuously distributed throughout California, ranging from Tillas Slough (mouth of the Smith River) in Del Norte County south to Agua Hedionda Lagoon in San Diego County. Areas of precipitous coastlines that preclude the formation of lagoons at stream mouths have created natural gaps in the distribution of the goby. Local populations have been documented within San Luis Obispo Creek, and the Santa Maria River. No populations are known to occur within Diablo Canyon Lands

**Conservation Status.**

The tidewater goby was officially listed as endangered by the U.S. Fish and Wildlife Service in March of 1994. A proposed rule to de-list the species in all portions of its range north of Orange County was submitted in June of 1999. Critical habitat was designated for 10 coastal stream segments in San Diego and Orange Counties in December, 2000.

**Status on Diablo Canyon Lands.**

No tidewater gobies have been documented in or around the mouth of either Diablo Creek or Coon Creek.

**Habitat Suitability.**

No suitable habitat is available in Diablo Creek. The creek has no estuary and ascends steeply over rocky substrate from the mouth upstream, precluding the occurrence of gobies. Coon Creek presents limited and marginal habitat for the tidewater goby at the very mouth of the stream. A small bar forms and creates a pool when the mouth of the stream is closed off, but this is seasonal and limited in extent. When the mouth of the stream is open, the pool drains significantly and the habitat is characterized by swift moving water.

**Mapping Criteria.**

All life stages are known to utilize the upper end of lagoons, marshes, and slow moving estuaries with salinities of less than 10 parts per thousand and depths generally less than 1 meter. Only Coon Creek presents any potential habitat and this just within the vicinity of the stream mouth. It is marginal at best because of its limited extent and temporal nature.

**Local Endangerment Factors.**

Extended breaches of the bar at the stream mouth are likely to preclude the occurrence of the species within Coon Creek. No other habitat is available.

**5. Corrected Off-Loading Description**

The DEIR describes the method that will be used to dock and stabilize the barge at Port San Luis (PSL) as “to ‘pin’ the nose of the barge to the harbor bottom, or to the riprap at the edge of the shore (PG&E, 2004d). The barge would be pulled tight against the shore and positioned directly on the harbor bottom.” DEIR at B-16. This statement suggests that some contact between the barge and riprap along the shore is anticipated. As indicated in the