


[EXT]Comment on the DEIR for decommissioning of the Diablo Canyon Power Plant

Santa Lucia Sierra Club <sierraclub8@gmail.com>

Mon 9/11/2023 1:37 PM

To:PL_Diablo <PL_Diablo@co.slo.ca.us>

 1 attachments (950 KB)

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Dear Ms. Strachan,

Please enter the attached into the administrative record for this item.

Thank you,

Andrew Christie, Director

Santa Lucia Chapter of the Sierra Club

P.O. Box 15755

San Luis Obispo, CA 93406

(805) 543-8717

he/him/his



North County Watch

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diablo@co.slo.ca.us

Susan Strachan
San Luis Obispo County Department of Planning & Building
976 Osos St., Rm 300
San Luis Obispo, CA 93408.

Dear Ms. Strachan,

We, the undersigned broad-based local and statewide organizations, respectfully request your consideration of our comments on the draft Environmental Impact Report (DEIR) for the decommissioning of the Diablo Canyon Power Plant.

1. The Diablo Canyon Lands - Coastal Trails and Conservation Easement

Pages 4.12.38-4.12.46 of the DEIR addresses the County's permit condition, entitled "Diablo Lands Coastal Access," which requires PG&E to record an irrevocable offer to dedicate a "Diablo Lands Connector Trail."

While the creation of this trail is a welcome public benefit, and we applaud its inclusion in the DEIR, this may not be a sufficient permit condition under the Coastal Act, given other activities being undertaken by the state. Specifically, this year the California legislature allocated \$5 million dollars to the State Coastal Conservancy (SCC) to complete some of the tasks outlined in this section -- including mapping recommended coastal trail locations on the Diablo Canyon Lands. The work of the SCC to create trail recommendations overlaps with much of the same work that PG&E and the County would have to do prior to implementing the trail. (The \$5 million funding is also provided to SCC to create the terms of a conservation easement that would limit future development and otherwise protect all 12,000 acres of the Diablo Canyon Lands.)

As the proposed mitigation measure would be provided in large part by a public agency using public funds, *additional* permit conditions should be required of PG&E in order to satisfy the utility's responsibility under the Coastal Act as explained in the DEIR. Specifically, PG&E should also be required to record a conservation easement on all unprotected lands surrounding the power plant.

If the permit conditions were so modified, the efforts of the State Coastal Conservancy and PG&E would be aligned. SCC would do the front-end planning, including public outreach and baseline studies necessary to recommend trail locations and to establish the terms of a conservation easement across all Diablo Canyon Lands. The DEIR permit condition would then require PG&E to dedicate and manage the trail, as well as require PG&E to record the conservation easement that would be developed through the SCC work.

The model for this mitigation is also to be found in a Dec. 14, 2006, staff report of the California Coastal Commission for the hearing on an appeal of a coastal development permit application for the removal and replacement of Diablo Canyon's steam generators – a project that generated far fewer impacts, over a shorter span of time, than will the decommissioning of the nuclear power plant.

Staff recommended approval of the permit if it was conditioned to be in conformity with the Coastal Act, conformity to be achieved when it is determined that “mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment.”

That recommendation was followed by six pages of mitigation measures, with a seventh and final measure listed under the heading Conservation Easement as Mitigation for Marine Biology and Water Quality Impacts. In sum, “PG&E shall record an Offer To Dedicate for a conservation easement over approximately 9,130 acres as described below as mitigation for the Steam Generator Replacement Project's adverse effects on marine biology and water quality.” This was to include a Stewardship Plan: A description of the allowable and prohibited uses of the easement, the primary purpose of which would be to provide conservation benefits through

protection over intertidal habitat and native terrestrial habitat. “The easement would allow for continuation and enhancement of other existing types of land uses on these lands, including open space, public access, and sustainable coastal agriculture, where these uses could be implemented consistent with the easement’s primary purpose. The easement would also allow for restoration of native habitat and measures that may be needed to improve water quality. . . . Further details and description and the required submission of a management plan, funding mechanism, and an irrevocable Offer to Dedicate the easement to a public agency or private association approved by the Executive Director.”

In sum, we urge your thoughtful consideration of adequate permit conditions (to include the implementation of coastal trails and a conservation easement) for PG&E, in light of the significant overlap of duties contained in the DEIR of what is already to be undertaken by the State Coastal Conservancy.

2. 4.10.4.2 Removal of Radiological Materials upon Decommissioning

The DEIR cites the Nuclear Regulatory Commission’s 25 mrem standard as the level of compliance PG&E should adhere to, to establish proof that the DCPD site is acceptable for unrestricted release, with no mention of an alternative standard currently in use across the United States. Contaminated soil at the plant site should be remediated to the 10 mrem annual standard adopted by New York, Vermont, Massachusetts and Maine, which rejected the 25 mrem standard of the Nuclear Regulatory Commission.

Even if the difference in the exposure levels of 10 mrem and 25 mrem were insignificant – which is not the case, as radiation dosage is cumulative – the people of California granted permission to the utility to use this land to generate electricity and profits for its board and investors over a period of forty years, with the understanding that the site would be fully restored upon decommissioning.

The soil of Diablo Canyon was not emitting 25 mrem of radiation prior to the construction of the Diablo Canyon Nuclear Power Plant. There is no reason why the people of California do not deserve the same nuclear cleanup standards required in New York, Vermont, Massachusetts, and Maine. The EIR should require the standard that achieves the lowest dose-based levels, and protect the health of the workers, community, and future generations.

Thank you for this opportunity to comment,

American Woodland Conservancy
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Friends of Oso Flaco Lake
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