

4.12 Land Use, Planning, and Agriculture

This section addresses potential impacts from the Proposed Project related to existing and planned land uses that surround the DCPD site, the proposed rail sites, and the transport routes to each rail site. The environmental setting information provided in Section 4.12.1 and the significance criteria in Section 4.12.3 are used to analyze potential physical impacts related to land uses and agricultural resources in Section 4.12.4. Section 4.12.2 considers the Proposed Project's consistency with the current applicable planning and zoning regulations of affected jurisdictions.

Scoping Comments Received. During the scoping comment period for the EIR, written and verbal comments were received from agencies, organizations, and the public. These comments identified various substantive issues and concerns relevant to the EIR analysis. Appendix B includes all comments received during the scoping comment period. The following list provides a summary of scoping comments applicable to this issue area and considered in preparing this section:

- Assess the disruption to customary functions and uses of Port San Luis and the Harbor District during decommissioning.
- Assess the impact of using the Pismo Beach Railyard (PBR) for decommissioning activities on local community needs and given the residential nature of the area. Include measures to lessen impacts to the local area if the PBR is used during decommissioning including no storage, transport, or handling of hazardous or radioactive materials, restrictions on hours of lighting use, and significant restrictions on the hours of operation.
- Address impacts to the potential rail site located within the County of Santa Barbara's jurisdiction on the former Sugar Beet plant site (Assessor Parcel Number 113-210001).

4.12.1 Environmental Setting

The environmental setting for Land Use, Planning, and Agriculture identifies the existing land uses that surround the DCPD site and the proposed rail sites, and those that are located along the proposed transport routes to each rail site. This section also identifies the existing general plan land use and zoning designations applicable to the Project sites and transport routes. In addition, the section discusses consistency with the County's Local Coastal Program (LCP) related to coastal access. Lastly, notable land uses and sensitive receptors along the proposed transport routes were identified and mapped to support this evaluation.

The environmental setting includes State-designated agricultural resources (i.e., California Department of Conservation designated Important Farmland and Williamson Act lands), which constitute "agricultural land" for the purposes of environmental review under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21060.1).²⁸ Section 4.12.1 includes a description of these agricultural lands within the surrounding Project area.

²⁸ PRC Section 21060.1 defines "agricultural land", for the purposes of assessing CEQA environmental impacts, as the Farmland Mapping and Monitoring Program Important Farmland Series map categories, where applicable (DOC, 2022a).

DCPP Site

The Proposed Project site is an area defined by the NRC Part 50 License and is located within an unincorporated area of San Luis Obispo County and is situated along the County's coastline. The DCPP site is designated and zoned by the County as Public Facilities, and is subject to a Combining Designation overlay of Energy/Extractive (EX).^{29,30} The DCPP site is surrounded by approximately 12,000 acres of land owned by PG&E or Eureka Energy (i.e., existing Owner-Controlled Area [OCA]), which are designated and zoned as either Public Facilities, Agriculture, or Rural Lands.³¹

Approximately 610 acres of the DCPP Project site are within the coastal zone and approximately 140 acres are located outside of the coastal zone. For Project activities within the coastal zone, a coastal development permit (CDP) and Development Plan (DP) approval from the County must be obtained. For activities outside of the coastal zone, a conditional use permit (CUP) is required. Portions of the DCPP site are also located within tidelands or in areas below the mean high tide line, which is subject to the permitting authority of the California Coastal Commission (CCC). The CCC is a responsible agency for the Proposed Project. The area of the DCPP site within the coastal zone is also within the appeal jurisdiction of the CCC. Appendix C provides further information on the CCC's permitting authority within the coastal zone. Finally, the portion of the DCPP site in tidelands and submerged lands is also under the jurisdiction of the California State Lands Commission (CSLC); therefore, a new lease or lease amendment is required from this agency for Project activities within these areas.

The Pacific Ocean borders the DCPP site to the west and south. The following land uses are located north and east of the DCPP site:

- **North of the DCPP Site.** North Ranch is a PG&E-owned property that surrounds the northern side of the DCPP site. North Ranch includes areas zoned as Agriculture and Rural Lands. PG&E maintains a grazing license for the North Ranch area, and agricultural activities within this area consist primarily of rotational grazing for cattle (PG&E, 2021).³² Additional land uses further north (outside of the existing OCA) include Montaña de Oro State Park (approximately 1.2 miles north of the DCPP site) and the unincorporated residential community of Los Osos (approximately 8 miles north of the DCPP site).

²⁹ County of San Luis Obispo's Public Facilities (PF) Land Use designation applies to the 750-acre DCPP site defined by the NRC Part 50 license, and also includes an adjacent 420-acre parcel (APN 076-151-009) extending to the northeast (Parcel T on Figure 2-5 in Section 2, *Project Description*). This land use designation is not intended to be expanded beyond these present properties (San Luis Obispo, 2015).

³⁰ An EX Combining Designation is used to protect significant resource extraction and energy production areas identified by the Land Use Element from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production (San Luis Obispo, 2019).

³¹ PG&E estimates the size of the existing OCA (lands owned by PG&E or its wholly-owned subsidiary, Eureka Energy Company) including and surrounding the DCPP site, to be approximately 12,000 acres. Of these lands, approximately 1,170 acres (~10%) are designated/zoned Public Facilities. The remaining approximately 10,830 acres (~90%) are designated/zoned as Agriculture or Rural Lands (San Luis Obispo, 2022a).

³² Rotational grazing places an entire herd of livestock together in one relatively small pasture (referred to as paddock) for a short period of time (typically a few days) before the herd is moved to the next paddock, allowing the first paddock to rest.

■ **East of the DCP Site.** The eastern and southeastern sides of the DCP site are surrounded by South Ranch, which is owned by Eureka Energy. South Ranch is zoned as Agriculture (AG) east and southeast of the DCP site (APN 076-151-013 on Figure 2-5), with the exception of a 420-acre parcel along the northeast side of the DCP site that is zoned Public Facilities (PF) (APN 076-151-009, see Figure 2-5, Parcel T). PG&E maintains a grazing license for the South Ranch area, and agricultural activities within this area consist primarily of small-scale agricultural crops and cattle grazing (PG&E, 2021). Additional land uses further east include the Wild Cherry Canyon property, a 2,400-acre property zoned as Agriculture that has been targeted for conservation by local interest groups (within the existing OCA, approximately 3 miles southeast of the DCP site); Hibberd Preserve, a 1,400-acre conservation area owned by The Land Conservancy of San Luis Obispo County (outside of the OCA, approximately 2.7 miles east of the DCP site) (LCSLO, 2013); Port San Luis Harbor (outside of the OCA, approximately 5.3 miles southeast of the DCP site); and the unincorporated residential community of Avila Beach (outside of the existing OCA, approximately 6 miles southeast of the DCP site).³³

Rail Sites

Decommissioning waste from the DCP site would be transported by rail to out-of-state disposal facilities. A Santa Maria Valley Railroad (SMVR) site would be used to transfer Class A, B, and C radioactive decommissioning waste from trucks to rail cars. Additionally, as a contingency, non-radiological and non-hazardous waste may be trucked to the PBR site for transport out-of-state via rail for disposal.

■ **PBR Site.** The PBR site is a 25.5-acre material and equipment storage facility that is owned by PG&E and is currently used for storage and transportation needs in support of DCP operations. The site is located at 800 Price Canyon Road within the City of Pismo Beach, approximately 13 miles southeast of the DCP site. The PBR site is zoned as Service Commercial (CS) and is within the City of Pismo Beach Planning Area O (Industrial) (Pismo Beach, 1993 and 1998).³⁴ Approximately 1.8 acres of the PBR site are within the coastal zone and 23.7 acres are outside of the coastal zone.

The PBR site is located approximately 0.3 miles northeast of US-101 within Price Canyon and adjacent to Pismo Creek. The site is surrounded by a mix of uses including undeveloped land to the north with a scattering of residences along Price Canyon Road; a Union Pacific Railroad (UPRR) line and open space to the east, with residential development further east; a wastewater treatment facility and public sports complex to the south; residences to the southwest and west; and a middle school, church, police station, and fire station to the west (west of Price Canyon Road). See Table 4.12-1 for a list of notable land uses located along the Proposed Project transport route within the City of Pismo Beach.

³³ Organizations involved in efforts to conserve Wild Cherry Canyon include the Wildlands Conservancy, Friends of Wild Cherry Canyon, the Land Conservancy of San Luis Obispo County, and the Diablo Canyon Decommissioning Engagement Panel (DCDEP, 2022).

³⁴ The CS zoning district is applied to areas appropriate for more intensive commercial and non-polluting, light manufacturing and industrial uses. According to City of Pismo Beach Zoning Ordinance, the CS zoning district is consistent with the industrial land use classification of the City of Pismo Beach General Plan/Local Coastal Plan (Pismo Beach, 2021).

- **SMVR-SB Site.** The SMVR-SB site (known as Betteravia Industrial Park) is a 28.4-acre transload and rail facility operated by the SMVR. The site is located at 2820 W. Betteravia Road, in an unincorporated area of Santa Barbara County approximately 1.6 miles west of the City of Santa Maria and approximately 3.2 miles southeast of the City of Guadalupe. The SMVR-SB site has a General Plan designation of Industrial and is zoned as M-2 (General Industry) (Santa Barbara, 2022).³⁵

The SMVR-SB site is bordered to the north by Betteravia Road and agricultural processing uses (on the north side of Betteravia Road), and to the west, south, and east by agricultural fields. See Table 4.12-1 for a list of notable land uses located along the Proposed Project transport route within unincorporated Santa Barbara County.

Table 4.12-1 identifies notable land uses and sensitive receptors surrounding the Project sites (DCPP, PBR, and SMVR-SB) and along the proposed transport routes.³⁶ It should be noted that for the purpose of the Land Use, Planning, and Agricultural Resources analysis, a sensitive receptor is defined as a land use within 0.25 mile of Proposed Project activities that is particularly sensitive to nuisance effects from construction (e.g., noise, dust, traffic). Examples of sensitive receptors include residences, schools, hospitals, lodging and campgrounds, libraries, churches, nursing homes, auditoriums, and parks. Sensitive receptors are assigned an ID number in Table 4.12-1 corresponding to their location in Figures 4.12-1 through 4.12-4. As residential development is extensive along the proposed transport routes, residences within 0.25 mile of the Proposed Project are illustrated in Figures 4.12-1 through 4.12-4 by a residential land use/zoning designation and are not identified by a Sensitive Receptor ID number.

³⁵ The M-2 zone provides for all types of industrial uses that are determined to be compatible with surrounding properties. Public works or private service facilities (e.g., equipment and materials storage and corporation yards) are conditionally permitted (minor conditional use permit) within an M-2 zone (Santa Barbara, 2021a).

³⁶ Two proposed transport routes were evaluated and are illustrated through Table 4.12-1 and Figures 4.12-1, 4.12-2, 4.12-3, and 4.12-4. The “DCPP route” is the proposed transport route from the power plant to US-101. “PBR route” is the proposed transport route from US-101 to PBR. “SMVR-SB route” is the proposed transport route from US-101 to SMVR-SB.

Table 4.12-1. Land Uses Along Proposed Transport Routes

Notable Land Use	Sensitive Receptor ID: See Figures¹	Jurisdiction	Land Use & Zoning Designations	Distance from Project Route²
Port San Luis RV Campground	①	County of San Luis Obispo	Land Use/Zoning: Public Facilities	0.09 mile southwest of DCPP route (along Avila Beach Dr.)
Flying Flags Avila Beach RV Park	②	County of San Luis Obispo	Land Use/Zoning: Public Facilities	Adjacent to DCPP route along north side of Avila Beach Dr.
Commercial Recreation Services: Port San Luis Pier	N/A	County of San Luis Obispo	Land Use/Zoning: Public Facilities	0.16 mile southwest of DCPP route (along Avila Beach Dr.)
Port San Luis Lighthouse Trolley Tours	N/A	County of San Luis Obispo	Land Use/Zoning: Agriculture	Adjacent to DCPP route along north side of Avila Beach Dr.
San Luis Bay Inn and Golf Resort	③	County of San Luis Obispo	Land Use/Zoning: Recreation	Adjacent to DCPP route along north side of Avila Beach Dr.
Avila Beach Park	④	County of San Luis Obispo	Land Use/Zoning: Recreation	Adjacent to DCPP route along south side of Avila Beach Dr.
Residences	See residential zoning in Figure 4.12-2	County of San Luis Obispo	Land Use/Zoning: Residential Multi-Family	Adjacent to DCPP route along south side of Avila Beach Dr. and up to 0.25 mile south of route
			Land Use/Zoning: Residential Single-Family	0.13 mile south of DCPP route (along San Rafael St.)
Commercial Development	N/A	County of San Luis Obispo	Land Use/Zoning: Commercial Retail	Ranging from 0.02 mile and up to 0.22 mile southwest of DCPP route
Wastewater Treatment Facility	N/A	County of San Luis Obispo	Land Use/Zoning: Public Facilities	Adjacent to DCPP route along north side of Avila Beach Dr.
Unocal Oil Tank Farm	N/A	County of San Luis Obispo	Land Use/Zoning: Industrial	0.06 mile south of DCPP route (south of Avila Beach Dr.)
Sycamore Mineral Springs Resort & Spa	⑤	County of San Luis Obispo	Land Use/Zoning: Recreation	Adjacent to DCPP route along south side of Avila Beach Dr.
Residences	See residential zoning in Figure 4.12-2	County of San Luis Obispo	Land Use/Zoning: Rural Lands	Adjacent to DCPP route along south side of Avila Beach Dr.
Bellevue-Santa Fe Charter School	N/A	County of San Luis Obispo	Land Use/Zoning: Public Facilities	0.38 mile north of DCPP route (located along San Luis Bay Dr.)
Avila Valley Barn Market	N/A	County of San Luis Obispo	Land Use/Zoning: Recreation	Adjacent to DCPP route along north side of Avila Beach Dr.

Table 4.12-1. Land Uses Along Proposed Transport Routes

Notable Land Use	Sensitive Receptor ID: See Figures ¹	Jurisdiction	Land Use & Zoning Designations	Distance from Project Route ²
San Luis Obispo Buddhist Temple	6	County of San Luis Obispo	Land Use/Zoning: Open Space	0.18 mile northeast of DCPD route (located along Ontario Rd.)
Avila/Pismo Beach KOA Campground	7	County of San Luis Obispo	Land Use/Zoning: Recreation	0.13 mile north of DCPD route (located along Ontario Rd.)
Avila Hot Springs & RV Park	8	County of San Luis Obispo	Land Use/Zoning: Recreation	Adjacent to DCPD route along north side of Avila Beach Dr.
Kingdom Hall of Jehovah's Witnesses	N/A	County of San Luis Obispo	Land Use/Zoning: Residential Suburban	0.53 mile northeast of DCPD route (located along Ontario Rd.)
Williamson Act Contract lands	N/A	County of San Luis Obispo	Land Use/Zoning: Agriculture	<ul style="list-style-type: none"> ▪ 1.5 mile north of DCPD route (north of Wild Cherry Canyon) ▪ Ranging from 0.5 mile north to 0.8 mile north of DCPD route (along San Luis Bay Dr.) ▪ Located 0.7 mile east of PBR site (north of Ventana Dr.)
St. Paul's Catholic Church	9	City of Pismo Beach	<ul style="list-style-type: none"> ▪ Land Use: Public/Semi-Public ▪ Zoning: PF 	0.15 mile northwest of PBR route (located along Bello St.)
Pismo Beach Veteran's Hall	10	City of Pismo Beach	<ul style="list-style-type: none"> ▪ Land Use: Public/Semi-Public ▪ Zoning: PF (Public Facilities) 	0.09 mile northwest of PBR route (located along Bello St.)
Pismo Beach Fire and Police Departments	N/A	City of Pismo Beach	<ul style="list-style-type: none"> ▪ Land Use: Public/Semi-Public ▪ Zoning: PF 	0.19 mile northwest of PBR route (located along Bello St.)
Judkins Middle School	11	City of Pismo Beach	<ul style="list-style-type: none"> ▪ Land Use: Public/Semi-Public ▪ Zoning: PF 	0.1 mile west of PBR route (located along Wadsworth Ave.)
Residences	See residential zoning in Figure 4.12-3	City of Pismo Beach	<ul style="list-style-type: none"> ▪ Land Use: High Density Residential ▪ Zoning: RR-H (Resort Residential-High) 	Adjacent to PBR route along east side of Price Canyon Rd.
			<ul style="list-style-type: none"> ▪ Land Use: Low Density Residential ▪ Zoning: RSL (Single-Family Low Density Residential) 	Adjacent to PBR route along east and west side of Price Canyon Rd.

Table 4.12-1. Land Uses Along Proposed Transport Routes

Notable Land Use	Sensitive Receptor ID: See Figures ¹	Jurisdiction	Land Use & Zoning Designations	Distance from Project Route ²
Pismo Beach Sports Complex	12	City of Pismo Beach	<ul style="list-style-type: none"> ▪ Land Use: Open Space ▪ Zoning: OS (Open Space) 	0.18 mile southeast of PBR route (located along Frady Ln.)
Pismo Beach Wastewater Treatment Plant	N/A	City of Pismo Beach	<ul style="list-style-type: none"> ▪ Land Use: Public/Semi-Public ▪ Zoning: PF 	0.17 mile southeast of PBR route (located along Frady Ln.)
PG&E-owned storage facility	N/A	City of Pismo Beach	<ul style="list-style-type: none"> ▪ Land Use: Industrial ▪ Zoning: CS (Service Commercial) 	Proposed PBR site
Commercial Retail	N/A	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Commercial ▪ Zoning: C-2 	Adjacent to SMVR-SB route along north and south sides of Betteravia Rd.
Bill Libbon Elementary School	13	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Public ▪ Zoning: PF 	0.20 mile north of SMVR-SB route (located along S. College Dr.)
Fletcher Park	14	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Public ▪ Zoning: OS 	0.21 mile south of SMVR-SB route (located along S. College Dr.)
Town & Country Inn	15	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Commercial ▪ Zoning: C-2 	0.09 mile south of SMVR-SB route (located along S. Broadway)
Santa Maria Police Department	N/A	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Public ▪ Zoning: PF 	Adjacent to SMVR-SB route along north side
Roberto and Dr. Francisco Jiménez Elementary School	16	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Public ▪ Zoning: OS 	0.25 mile north of SMVR-SB route (located along Biscayne St.)
Residences	See residential zoning in Figure 4.12-4	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Residential ▪ Zoning: R-1; RSL-1; R-2; R-3 (High Density) 	Adjacent to SMVR-SB route along north side. Also ranging from 560 feet to 0.25 mile south of SMVR-SB route
Field crops	N/A	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Industrial ▪ Zoning: CM (Commercial Manufacturing) 	Adjacent to SMVR-SB route along south side
			<ul style="list-style-type: none"> ▪ Land Use: Public ▪ Zoning: OS 	0.08 mile south of SMVR-SB route (located along Berry Ln.)
Santa Maria Airport	N/A	City of Santa Maria	<ul style="list-style-type: none"> ▪ Land Use: Airport ▪ Zoning: AS-I (Service I); AS-II (Service II); CZ (Airport Clear Zone) 	0.67 mile south of SMVR-SB route (located along Skyway Dr.)

Table 4.12-1. Land Uses Along Proposed Transport Routes

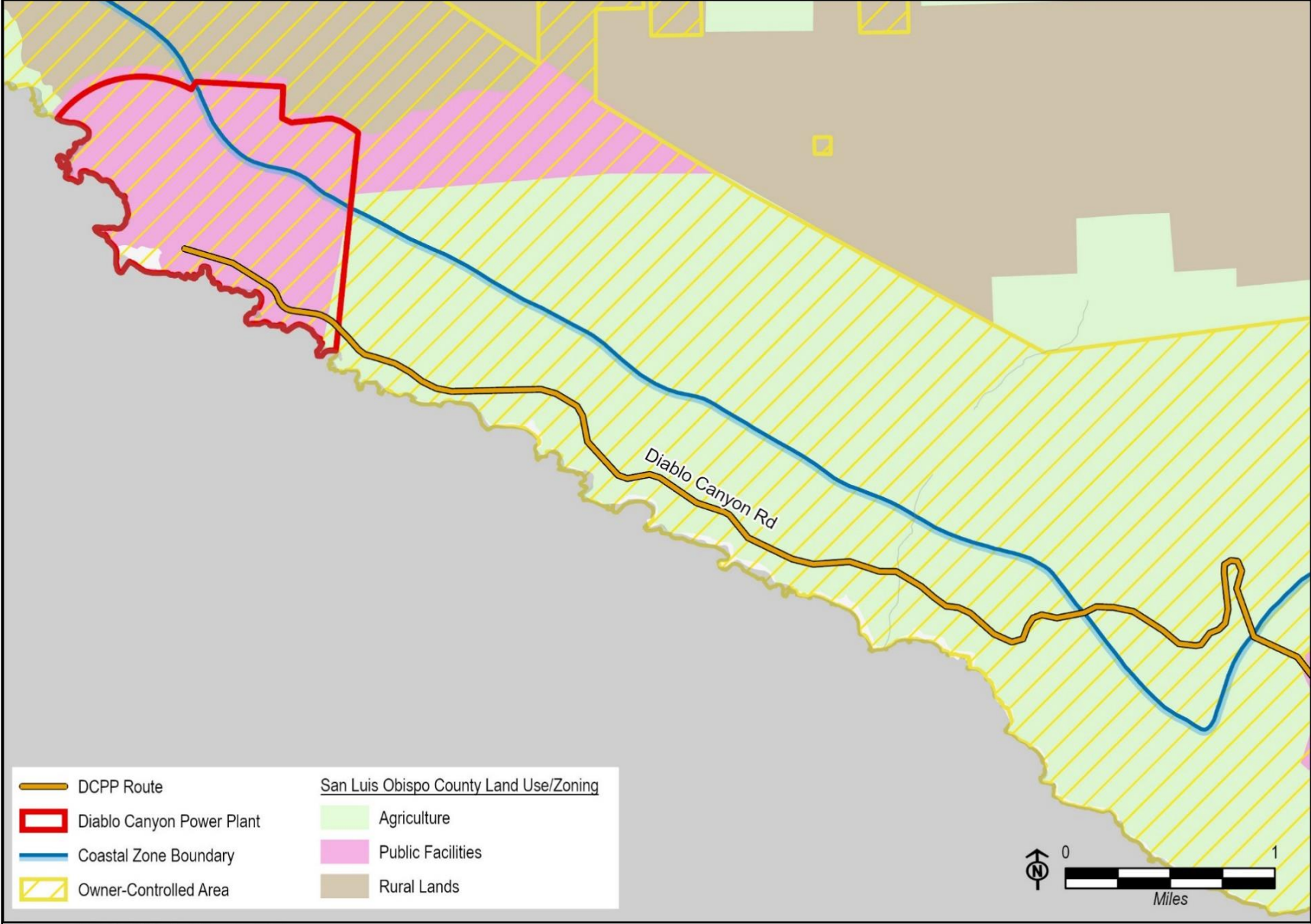
Notable Land Use	Sensitive Receptor ID: See Figures ¹	Jurisdiction	Land Use & Zoning Designations	Distance from Project Route ²
Manufacturing and Waste management services	N/A	County of Santa Barbara	<ul style="list-style-type: none"> ▪ Land Use: Industrial ▪ Zoning: M-2 (General Industry) 	Adjacent to SMVR-SB route along south side of Betteravia Rd.
Agricultural Preserve (Williamson Act)	N/A	County of Santa Barbara	<ul style="list-style-type: none"> ▪ Land Use: Agricultural ▪ Zoning: AG-II-100 (minimum gross lot of 100 acres) 	Adjacent to SMVR-SB route along north side of Betteravia Rd. Also ranging from 0.63 mile south of SMVR-SB route and 0.67 mile northwest of proposed SMVR-SB site
Field crops	N/A	County of Santa Barbara	<ul style="list-style-type: none"> ▪ Land Use: Industrial ▪ Zoning: M-2 	Adjacent to SMVR-SB route along south side of Betteravia Rd.
Agricultural Processing Uses	N/A	County of Santa Barbara	<ul style="list-style-type: none"> ▪ Land Use: Industrial ▪ Zoning: M-2 	Adjacent to SMVR-SB route along north side of Betteravia Rd.
Betteravia Industrial Park	N/A	County of Santa Barbara	<ul style="list-style-type: none"> ▪ Land Use: Industrial ▪ Zoning: M-2 	Proposed SMVR-SB site

Source: Pismo Beach, 1993 and 1998; Santa Maria, 2012 and 2019; San Luis Obispo, 2022a; Santa Barbara, 2022; Google Earth Pro, 2021; Santa Barbara County Conservation Blueprint (SBC) Atlas, 2015.

¹ Sensitive Receptor ID numbers correspond to Figures 4.12-1 through 4.12-4. N/A indicates the land use is not a sensitive receptor (i.e., either not particularly sensitive to nuisance effects from construction, or greater than 0.25 mile from Proposed Project activities).

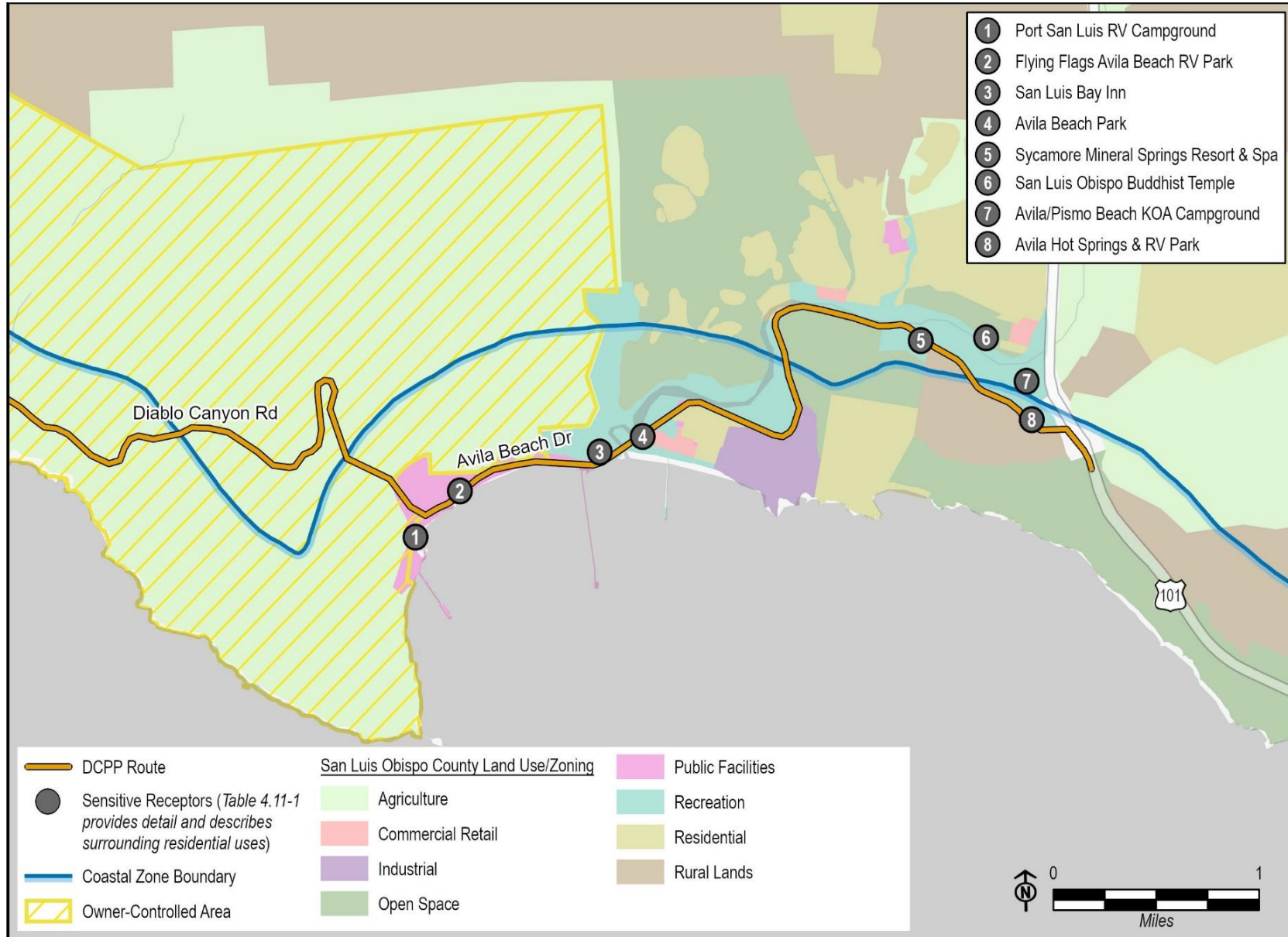
² “DCPP route” is the proposed transport route from DCPP to US-101. “PBR route” is the proposed transport route from US-101 to PBR. “SMVR-SB route” is the proposed transport route from US-101 to SMVR-SB.

Figure 4.12-1. Land Uses along DCPD Route to Avila Beach



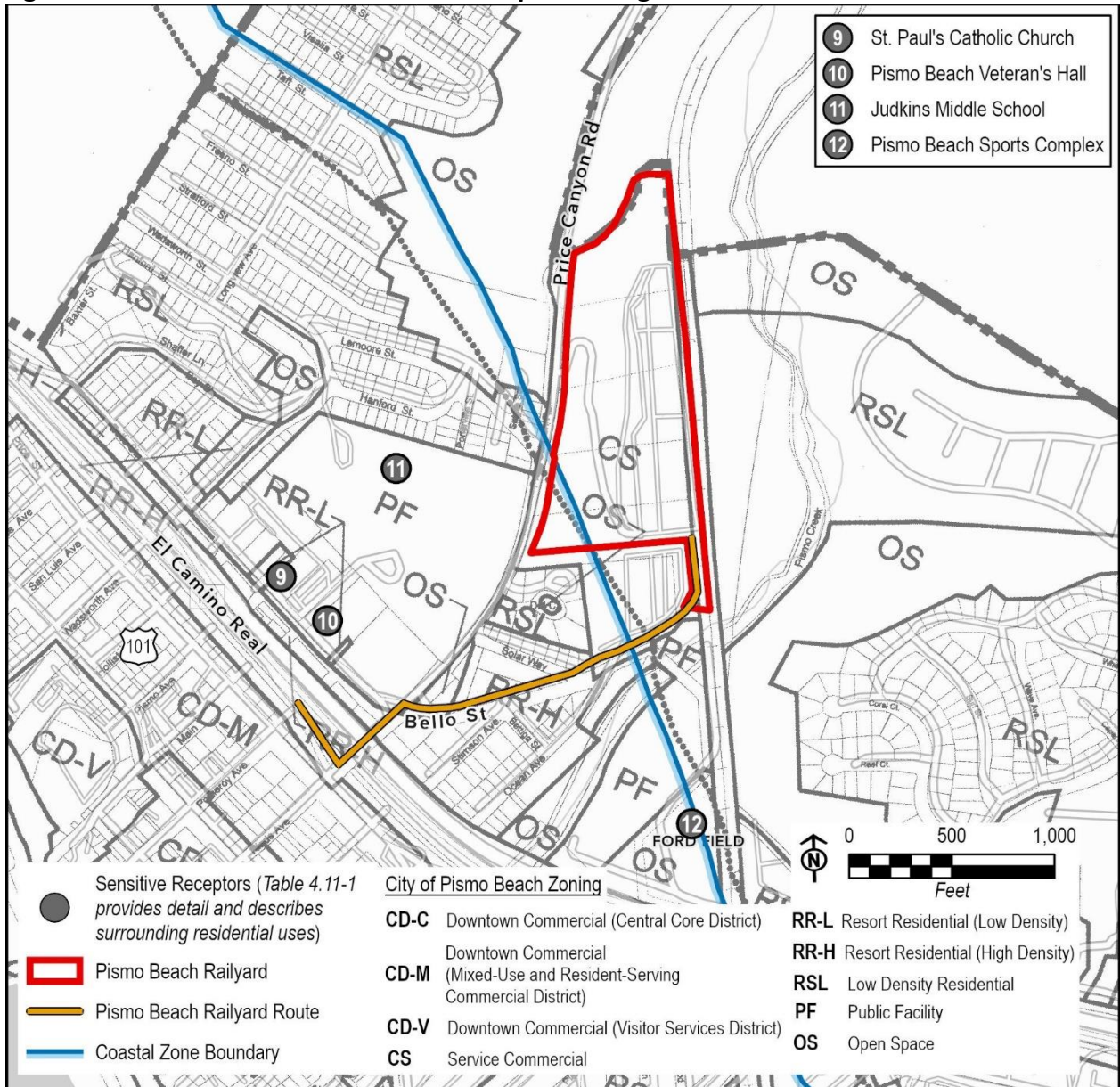
Source: PG&E, 2021; San Luis Obispo, 2021.

Figure 4.12-2. Land Uses and Sensitive Receptors along DCP Route - Avila Beach to US-101



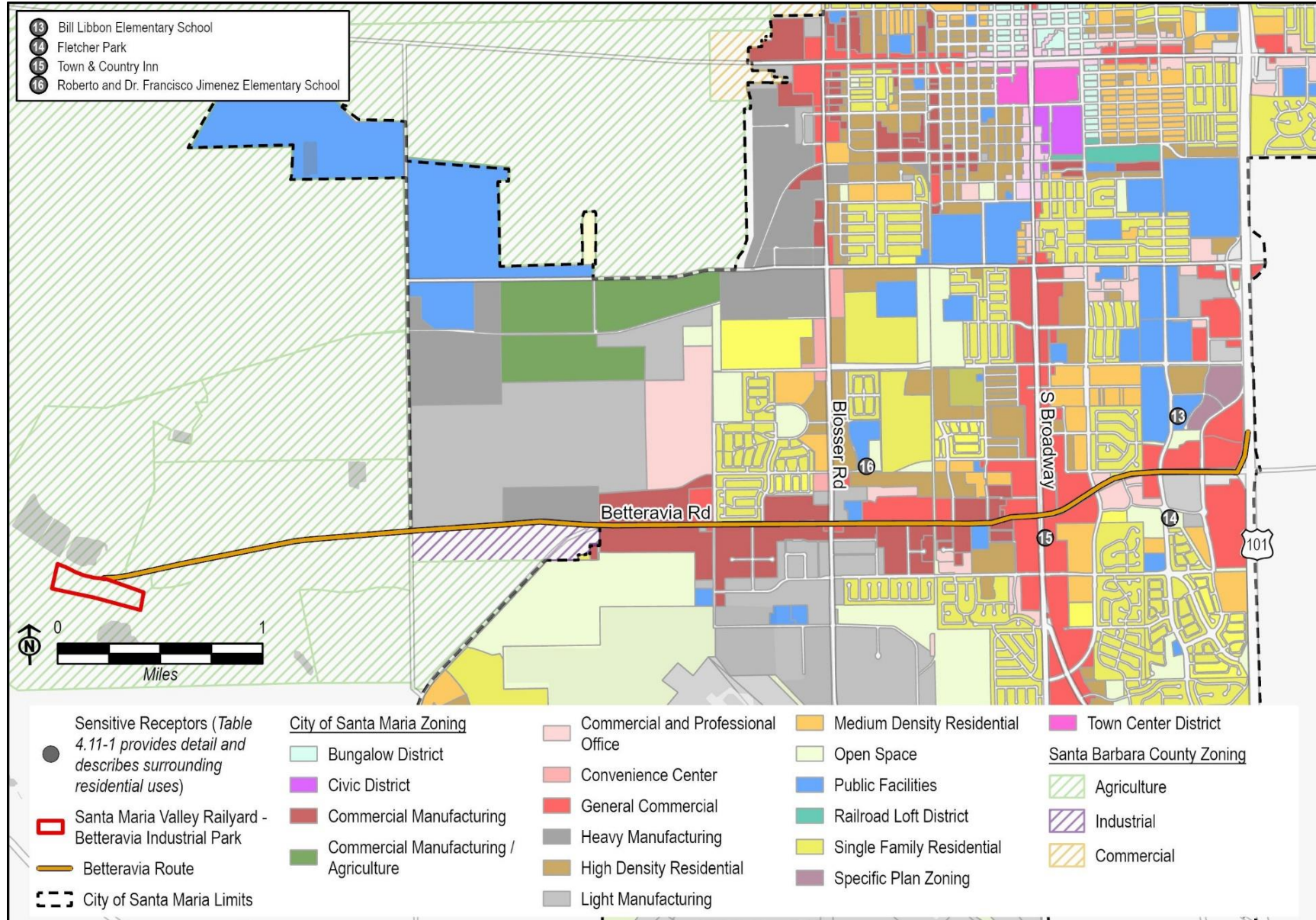
Source: PG&E, 2021; San Luis Obispo, 2021; Parcel Quest, 2021.

Figure 4.12-3. Land Uses and Sensitive Receptors along PBR Route



Source: PG&E, 2021; Pismo Beach, 1998.

Figure 4.12-4. Land Uses and Sensitive Receptors along SMVR-SB Route



Source: PG&E, 2021; Santa Barbara, 2021a; Santa Maria, 2019.

California Department of Conservation Important Farmland

The California Department of Conservation (DOC) provides designations for Important Farmland throughout the State through its Farmland Mapping and Monitoring Program. The categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land constitute “agricultural land” for the purposes of environmental review under CEQA (DOC, 2022b).

- **Prime Farmland.** Prime Farmland is characterized with the best combination of physical and chemical features able to sustain long-term agricultural production (DOC, 2022b). Prime Farmland is located adjacent to the following Proposed Project component:³⁷
 - DCPD Site and Route. Prime Farmland is located adjacent to the DCPD route along the northern side of Avila Beach Drive approximately 0.28 mile west of US-101. No Prime Farmland is located within the DCPD site (NRC Part 50 License boundary) or within the existing OCA properties that surround it.
- **Farmland of Statewide Importance.** Farmland of Statewide Importance is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture (DOC, 2022b). Farmland of Statewide Importance is located adjacent to the following Proposed Project component:
 - SMVR-SB Route. Farmland of Statewide Importance is scattered along the SMVR-SB route to the north and south of Betteravia Road, primarily west of Berry Lane.
- **Unique Farmland.** Unique Farmland is characterized as lesser quality soils used for the production of the state's leading agricultural crops (DOC, 2022b). Unique Farmland is located adjacent to the following Proposed Project component:
 - SMVR-SB Route. Unique Farmland is located adjacent to the SMVR-SB transport route, along the north and south sides of Betteravia Road, primarily west of Berry Lane.
- **Farmland of Local Importance.** This Important Farmland type is characterized as having importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee (DOC, 2022b). Farmland of Local Importance is located adjacent to the following Proposed Project component:
 - DCPD Site and Route. Approximately 157 acres of Farmland of Local Importance is located within the existing OCA and along Diablo Canyon Road.
- **Grazing Land.** Grazing Land is characterized as having vegetation that is suitable for the grazing of livestock (DOC, 2022b). Grazing Land is located adjacent to the following Proposed Project components:
 - DCPD Site and Route. Approximately 409 acres of Grazing Land are located within the DCPD site. The proposed SE Borrow Site would be located within a portion of this designated Grazing Land that is east of the 500-kV Switchyard. An additional 6,103 acres of Grazing Land

³⁷ “DCPD route” is defined as the proposed transport route from the DCPD site to US-101. “PBR route” is defined as the proposed transport route from US-101 to the PBR site. “SMVR-SB route” is defined as the proposed transport route from US-101 to the SMVR-SB site.

are located outside of the DCPD site within the existing OCA and include Grazing Land adjacent to the DCPD route along Diablo Canyon Road.

- PBR Site and Route. Grazing Land abuts the PBR site to the north.
- SMVR-SB Route. Grazing Land abuts the SMVR-SB site to the west, south, and east.

■ **Farmland of Local Potential.** Farmland of Local Potential identifies lands that have the potential for farmland, as they have Prime or Statewide characteristics but are not cultivated (DOC, 2018). Farmland of Local Potential is located adjacent to the following Proposed Project components:

- DCPD Site and Route. Approximately 3 acres of Farmland of Local Potential are located within the DCPD site, with another 547 acres located within the surrounding OCA. Farmland of Local Potential is also scattered along Avila Beach Drive adjacent to the DCPD route.
- PBR Site and Route. Approximately 61.9 acres of Farmland of Local Potential are located east of the PBR site, adjacent to the eastern side of the UPRR.

Williamson Act Lands

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments (e.g., County of San Luis Obispo) to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive a reduction of property taxes. During this contract period (i.e., 10- or 20-year agreement), this land cannot be developed or otherwise converted to another use (San Luis Obispo, 2022b).

Williamson Act lands are located outside of the existing OCA and north of Wild Cherry Canyon. None of the Proposed Project activities would occur on lands that are under a Williamson Act contract. Table 4.12-1 above identifies the location of Williamson Act lands relative to the proposed transport routes.

4.12.2 Regulatory Setting

This section identifies the plans and policies that are applicable to the Proposed Project and provides an evaluation of the Project’s consistency with those plans and policies. Relevant federal and State laws, regulations, and policies that pertain to the Proposed Project are summarized in Appendix C.

Local Plans

Local cities and counties within the coastal zone develop LCPs that are reviewed by the CCC for consistency with the Coastal Act requirements. Upon certification of an LCP, the CCC transfers coastal permitting authority to the local government, with the exception of proposed development on tidelands, submerged lands, and public trust lands for which permitting authority is retained by the CCC. As portions of the DCPD site are located within tidelands and submerged lands, proposed activities within these areas require a CDP from the CCC.

As discussed below, the County of San Luis Obispo and the City of Pismo Beach have certified LCPs that are applicable to the Proposed Project. These LCPs carry out the policies of the Coastal

Act while also addressing issues that are specific to the natural resources and land uses within their respective coastal planning areas.

County of San Luis Obispo

General Plan

The County's General Plan consists of nine separate elements that identify particular resources or issues within the County and provides guidance for future planning decisions. Two elements that are relevant to the Land Use, Planning, and Agricultural analysis include the Agriculture Element and the Land Use and Circulation Element, which includes an applicable policy specific to agricultural buffers. The Land Use and Circulation Element is the most extensive element within the County's General Plan and incorporates the components of the County's LCP, described below.

Local Coastal Program

The County's LCP was certified by the CCC on February 25, 1988. The County's LCP includes a combination of the County's Coastal Zone Land Use Ordinance, as well as the following coastal components from the Land Use and Circulation Element:

- **Coastal Plan Policies:** Identifies the County's policy commitments to implement the mandates of the California Coastal Act (CCA) and identifies uses that are principally permitted within the boundaries of the LCP. Applicable Coastal Plan Policies address the location of access and construction roads for energy development (San Luis Obispo, 2007).³⁸
- **Coastal Zone Framework for Planning:** Specifies the uses that are allowed within the coastal zone for each of the County's land use categories. Applicable Framework objectives identify requirements for site restoration within an Energy or Extractive Area (EX) combining designation overlay, which applies to the DCP site (San Luis Obispo, 2018).
- **Area Plans:** Establish planning area standards that set specific requirements within the coastal zone. The San Luis Bay Area Plan (Coastal) includes planning area standards for the DCP site as well as the surrounding canyon and coastal terrace (San Luis Obispo, 2009).

City of Pismo Beach

The City of Pismo Beach General Plan and LCP is a combined plan to regulate land use and development that meets both General Plan requirements and Coastal Plan requirements. The southern portion of the PBR site is located within the City's coastal zone boundary, while the northern portion of the site is outside of the coastal zone. A relevant policy from the Land Use Element addresses future use of the PBR site (Pismo Beach, 1993).

City of Santa Maria

The City of Santa Maria General Plan provides guidance for development within the City's jurisdictional boundaries. There are no specific policies from the Land Use Element or the Resource

³⁸ A principally permitted use does not require the issuance of a conditional use permit but may be subject to site plan and architectural approval, planned unit development approval, or planned development approval.

Management Element that apply to proposed truck transport activities through the City of Santa Maria along Betteravia Road (Santa Maria, 2011). However, Betteravia Road also serves as the southern boundary for the City's Area 9 Specific Plan, which includes goals and development standards to protect sensitive land uses from incompatible activities such as truck delivery within residential areas (Santa Maria, 2012).

County of Santa Barbara

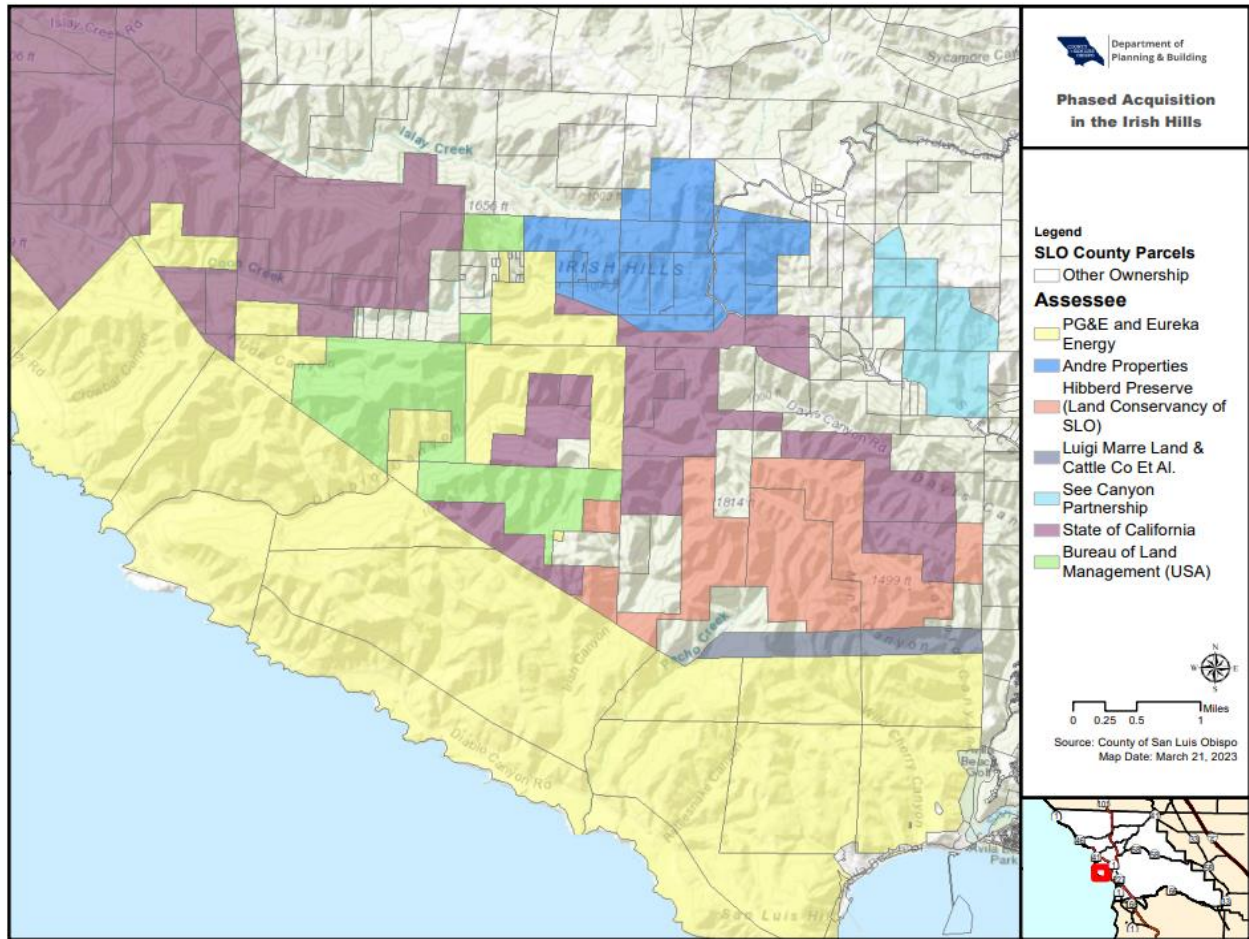
The Santa Barbara County Comprehensive Plan provides guidance for development within the coastal and non-coastal unincorporated areas of Santa Barbara County, which include the proposed SMVR-SB site. As the SMVR-SB site is outside of the County's coastal zone boundary, non-coastal elements such as the Agricultural Element and the Land Use Element would be relevant to this analysis, which includes a policy specific to the preservation of agricultural land (Santa Barbara, 2009). As described in Section 1.3.3.2, Surface Transportation Board, railroads are under the jurisdiction of the federal government such that local agencies are preempted from exercising jurisdiction over railyard sites (e.g., SMVR-SB).

State Plans

Montaña de Oro State Park General Plan

The Montaña de Oro State Park General Plan, approved in 1988, describes the long-term development plan for the state park (California State Parks, 1988). One of the goals identified in the plan is the creation of a trail right-of-way easement from the southern edge of Montaña de Oro State Park to the northern edge of lands overseen by Port San Luis, near Avila Beach. Prior to 1988, PG&E had acquired the Field Ranch property, located adjacent to the southern boundary of Montaña de Oro State Park, as a northern addition to PG&E's Diablo lands that lie north and south of the DCP. As described in the General Plan, California State Parks conducted a feasibility study of operating the lands owned by PG&E, with a joint goal of also opening portions of it to the public. The 1988 General Plan also considered developing a loop trail corridor across other sections of Field Ranch, which would expand public access in the area without interfering with DCP operations, as well as procuring additional lands within the Coon Creek watershed, and along the Point Buchon Marine terrace and its viewshed. The funding for these trails and land acquisition has not yet been secured, but continued efforts to expand the State Parks' oversight of lands in the Irish Hill and other parcels near DCP lands have been ongoing since the General Plan was issued in 1988, as illustrated in Figure 4.12-5.

Figure 4.12-5. Phased Acquisition in the Irish Hills



Source: San Luis Obispo, 2023.

Policy Consistency

Table 4.12-2 includes a list of local regulations and policies relevant to land use and agricultural resources. Tables 4.12-3 and 4.12-4 include a list of LCP regulations and policies pertaining to coastal access for new development, as defined under the CCA and County’s LCP, as well as a preliminary evaluation of the Proposed Project’s consistency with each of these regulations and policies.

Table 4.12-2. Consistency with Applicable Land Use and Agriculture Plans, Policies, and Standards

Plan/Policy	Consistent?	Discussion
County of San Luis Obispo General Plan		
Policy AGP17: Agricultural Buffers Protect land designated Agriculture and other lands in production agriculture by using natural or man-made buffers where adjacent to non-agricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisors (see Agricultural Element Appendix C).	Consistent	Phase 1 and Phase 2 activities would occur entirely within the 750-acre DCPD site, which is designated and zoned by the County as Public Facilities. No decommissioning or restoration activities would extend outside of this 750-acre area into designated agricultural lands. Transport activities from the DCPD site to the rail sites would utilize the existing road network and would not impact agricultural lands along the roadways.

Table 4.12-2. Consistency with Applicable Land Use and Agriculture Plans, Policies, and Standards

Plan/Policy	Consistent?	Discussion
County of San Luis Obispo Local Coastal Program, Coastal Plan Policies		
<p>Chapter 4: Energy & Industrial Development Policy 20: Access and Construction Roads Access and construction roads should be located to minimize landform alterations. road grades and alignments should follow the contour of the land where feasible.</p>	Consistent	<p>Decommissioning activities would utilize existing access roads within the OCA. Existing roadways that would not be required for ISFSI and GTCC Storage operations would be removed and restored to a natural condition.</p> <p>During Phase 2, a Blufftop Road Segment would be constructed to connect Diablo Canyon Road and North Ranch Road/Pecho Valley Road. This road would restore historic access through Diablo Canyon lands, although the road would remain a private road. Construction of the Blufftop Road Segment would be consistent with this policy as it would follow the contour of the land. It would also follow the alignment of the existing culverted road over Diablo Creek.</p>
County of San Luis Obispo Coastal Zone Framework for Planning		
<p>EX- Energy or Extractive Area General Objective 4 Applications for proposed extraction operations should include plans for preserving the long-term productivity of the site as well as site restoration after termination of extraction operations. In addition, riparian corridors and habitats shall be identified prior to the development and shall be restored and enhanced as a condition of the required land use permit.</p>	Consistent	<p>With the exception of the facilities identified in Figure 2-16, all DCPD structures would be removed following decommissioning. The Proposed Project would remediate and restore the DCPD site in accordance with County grading requirements during Phase 2. In addition, MM BIO-2 would implement a habitat restoration and revegetation plan, which is consistent with this policy. The activities that would occur under the Proposed Project support the requirements of this policy.</p>
County of San Luis Obispo, San Luis Bay Area Plan (Coastal)		
<p>Chapter 8: Planning Area Standards Agriculture 1. Minimum Parcel Size - Diablo Coastal Terrace The minimum parcel size for new land divisions is 80 acres unless the Coastal Zone Land Use Ordinance would require a larger parcel size. The agricultural parcels owned by Pacific Gas and Electric shall remain in a consolidated holding to maintain the low population zone surrounding the Diablo Canyon Nuclear Power Plant.</p>	Consistent	<p>The Proposed Project does not include new land divisions within the OCA, and therefore would not create a conflict with this planning standard.</p> <p>As described in Section 2.4.3, the DCPD site would remain under an NRC Part 50 facility operating license until the site meets radioactivity release criteria for unrestricted use, in accordance with NRC regulations. Thereafter, the ISFSI and GTCC Waste Storage Facility in the revised OCA would be under an NRC Part 72 license for storage of nuclear waste. Future reuse of the DCPD site could occur after decommissioning is complete and the Part 50 license is terminated. Future Site Reuse Concepts are addressed in Chapter 8 of this EIR (<i>Potential Site Reuse Concepts</i>).</p>

Table 4.12-2. Consistency with Applicable Land Use and Agriculture Plans, Policies, and Standards

Plan/Policy	Consistent?	Discussion
<p>Chapter 8: Planning Area Standards EX 5. Diablo Canyon Nuclear Power Plant Access Access to the power plant site is to remain in control of Pacific Gas and Electric Company. Development of adjacent land shall not provide access to the power plant site.</p>	Consistent	The Proposed Project does not include new land divisions within the existing OCA. Phase 1 and Phase 2 activities would continue to be managed by PG&E within a secure facility. There would be no conflict with this planning standard.
<p>Chapter 8: Planning Area Standards SRA 10. Upper Diablo Canyon-Access Limitation Further construction of access roads through upper Diablo Canyon (mapped in Area Plan Figure 8-1) is prohibited.</p>	Consistent	Decommissioning activities would utilize existing access roads within the DCPD site. During Phase 2, a Blufftop Road Segment would be constructed to connect Diablo Canyon Road and North Ranch Road/Pecho Valley Road. This road would restore historic access through Diablo Canyon lands. No new access roads are proposed within upper Diablo Canyon. There would be no conflict with this planning standard.
City of Pismo Beach General Plan and Local Coastal Program		
<p>LU-O-4: PG&E Lands The PG&E lands should be heavily landscaped, particularly to soften the view from Price Canyon Road. For the long-term, the PG&E site is too prominent and central a site to be used for this open storage use. PG&E should be encouraged to consider other more appropriate long-term uses of this site, such as for administrative offices. Any changes in use of the PG&E land shall require a specific plan. Alternative uses that may be considered without a change in the General Plan are: – Low and Moderate Income Housing – Resort Commercial</p>	Consistent	The proposed Phase 1 activities at the PBR site would occur in previously disturbed and actively used areas, and there would be no change in use of the site during Phase 1. Modifications at the PBR site would be limited to refurbishing approximately 1,100 feet of existing track, and no new structures or other permanent features would be constructed. The PBR site would continue to operate during normal business hours (7:00 a.m.-5:00 p.m. Monday-Friday), and any truck transport activity through the PBR site would avoid peak traffic periods (7:00-9:00 a.m. and 3:00-6:00 p.m.), including the morning and afternoon drop-off and pickup period for students at Judkins Middle School.
City of Santa Maria Area 9 Specific Plan		
<p>Development Standard #17 Truck Delivery Limitations Truck delivery areas shall be shielded from adjacent sensitive uses such as mixed-use residential units within the Plan area and residential uses east of A Street.</p>	Consistent	This development standard is intended to minimize noise impacts to residences adjacent to truck delivery areas. The Proposed Project includes self-adjusting backup beepers that use the lowest backup noise level and will disallow engine compression braking to reduce noise related to braking and backup beepers as well as use low noise design equipment (AC NOI-1, <i>Reduce Truck Traffic Noise</i> and AC NOI-2, <i>Reduce Construction Noise</i>) to avoid or substantially reduce noise along truck haul routes along Betteravia Road.

Table 4.12-2. Consistency with Applicable Land Use and Agriculture Plans, Policies, and Standards

Plan/Policy	Consistent?	Discussion
Santa Barbara County Comprehensive Plan		
Agricultural Element, Policy II.D Conversion of highly productive agricultural lands whether urban or rural, shall be discouraged. The County shall support programs which encourage the retention of highly productive agricultural lands.	Consistent ¹	Transport activities to the SMVR-SB site would utilize the existing road network and would not impact agricultural lands along the roadways. All modifications to the SMVR-SB site would remain entirely within the railyard property and would not extend into designated agricultural lands. There would be no conflict with this policy.
Santa Barbara County Land Use and Development Code		
Section 35.25- Industrial Zones M-2 (General Industry) zone. The M-2 zone is intended to provide areas for all types of industrial uses while providing the level of project review necessary to ensure that adverse impacts will be minimized and that these uses will be compatible with surrounding properties. Allowed Land Use and Permit Requirements for an M-2 zone. Truck or freight terminal is a permitted use (Land Use Permit required).	Consistent ¹	The SMVR-SB site is zoned M-2. The intent of the County of Santa Barbara’s M-2 zone is to provide for all types of industrial uses while also providing the necessary level of project review to ensure that adverse impacts will be minimized and that uses will be compatible with surrounding properties (Santa Barbara, 2021a). The County of Santa Barbara indicated that proposed SMVR-SB activities would be compatible with allowable uses in an M-2 zone (Santa Barbara, 2021b). The County further stated that it would require a revision to the site’s existing Development Plan based on the additional equipment, traffic, and expanded use of the SMVR-SB site, and that this Development Plan would be subject to approval by the Planning Commission (Santa Barbara, 2021b). Once the revised Development Plan is approved by the Planning Commission, a follow-up Zoning Clearance would be required to effectuate the Development Plan (Santa Barbara, 2021b).

Sources: Pismo Beach, 1993; Santa Maria, 2012; San Luis Obispo, 2007, 2009, 2010, 2018, and 2022c; Santa Barbara, 2009, 2021a, and 2021b.

¹ As described in Section 1.3.3, *Federal*, railroads are under the jurisdiction of the federal government such that local agencies are preempted from exercising jurisdiction over railyard sites (e.g., SMVR-SB).

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>Shoreline Access Policy 2 – New Development states, in relevant part: <i>Maximum public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development. Exceptions may occur where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby, or; (3) agriculture would be adversely affected. Such access can be lateral and/or vertical. Lateral access is defined as those accessways that provide for public access and use along the shoreline. Vertical access is defined as those accessways which extend to the shore, or perpendicular to the shore in order to provide access from the first public road to the shoreline.</i></p>	<p>Consistent</p>	<p>The public has not had the right of access to the ocean near or from the 750-acre Project site because of federal regulations related to the safety and security of radioactive materials. In addition, after the September 11, 2001 terrorist attacks, the US Coast Guard established a 2,000-yard offshore security exclusion zone that prohibits vessels near the DCPD. Decommissioning activities, which constitute new development pursuant to the LCP and CCA, would continue to preclude the public from the right of access to the shoreline and sea.</p> <p>The closest public roadways to the DCPD site are Avila Beach Drive, approximately 7 miles to the south, and North Ranch Road/Pecho Valley Road about 4.5 miles to the north within Montaña de Oro State Park. Limited public coastal access along the shoreline is provided by PG&E in perpetuity north and south of the DCPD site. These existing trails operate under managed programs.</p> <p>Permit conditions for the DP/CDP/CUP would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR and would be recommended by staff to require the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail. The trail would be consistent with security and public safety requirements and protective of fragile coastal resources and agriculture. These permit conditions would address compliance with the CCA and LCP requirements for coastal access as a result of new development and given that the public has been precluded from accessing the DCPD shoreline since construction of the plant began in 1968.</p> <p>The Project is consistent with this policy because a new Diablo Lands Connector Trail would be developed and managed in perpetuity to provide additional public access to coastline.</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>Shoreline Access Policy 3 – Access Acquisition states, in relevant part: <i>In implementing the above policies, purchase in fee (simple) is to be used only after all other less costly alternatives have been studied and rejected as inappropriate or infeasible. In addition to fee simple purchase and offers of dedication or deed restriction for public access as a condition of development approval, other alternatives may include the purchase of easements, or the establishment of in-lieu fees where access is not appropriate. Offers-to-dedicate and deed restrictions to allow for public access are the most frequently used means of guaranteeing public access. Deed restrictions are most appropriate for large projects which are in single ownership and where continuity can be maintained over time.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address the Project’s compliance with the CCA and LCP requirements for coastal access.</p> <p>The permit conditions would require an Offer to Dedicate that will generally connect the area south of the DCPP site to the area north of the site. The Offer to Dedicate would be temporarily undefined until the final location of the public access easement is determined based on a comprehensive environmental assessment. Therefore, with implementation of the permit conditions, the Proposed Project is consistent with this policy.</p>
<p>Shoreline Access Policy 4 – Provision of Support Facilities and Improvements states, in relevant part: <i>Facilities necessary for public access shall be provided. This may include parking areas, restroom facilities, picnic tables or other such improvements. The level of these facilities and improvements should be consistent with the existing and proposed intensity and level of access use and provisions for on-going maintenance...</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>The permit conditions would require the Applicant to study, define, and record an Offer to Dedicate for a new connecting public trail linking the area north of the DCPP site with the area south of the site. A permit condition would require preparation of a Trail Design Plan for County entitlement that identifies the route selected and all improvements, parking, and services necessary for full compliance with the identified goals and policies for coastal access. The entitlement process would ensure the amenities and facilities are consistent with applicable policies and appropriate for the intensity of use. Another permit condition would require a Trails Operations and Management Plan outlining the management of all trail features, amenities, and public access support facilities necessary for the new trail. The Proposed Project would be consistent</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>Shoreline Access Policy 5 – Acceptance of Offers to Dedicate states, in relevant part:</p> <p><i>Dedicated accessways shall not be required to be opened to public use until a public agency or private association agrees to accept the responsibility for maintenance and liability of the accessway. New offers to dedicate public access shall include an interim deed restriction that restricts the property owner from interfering with the present use by the public of the areas subject to the easement prior to acceptance of the offer. Existing offers for dedication having such an interim deed restriction, shall remain open and unobstructed during the period when the offer is outstanding. Once a public agency or private association agrees to accept the responsibility for maintenance and liability of the access, the property owner's responsibility under the interim deed restriction may be relinquished.</i></p>	<p>Consistent</p>	<p>with this policy with implementation of the permit conditions.</p> <p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access.</p> <p>The permit conditions would require the Applicant to record an Offer to Dedicate a Diablo Lands Connector Trail. The Offer to Dedicate would require the Applicant to be responsible for trail management and operations of the entire trail system until/unless a management entity (i.e., public agency or private association) agrees to accept full responsibility for maintenance and liability associated with the Diablo Lands Connector Trail when, or following, completion of connector trail construction.</p> <p>Permit conditions would also require the Applicant to conduct a comprehensive environmental assessment to determine the trail route, and process a county entitlement application for the trail and supporting facilities followed by building permits for construction. The conditions would require that the Diablo Lands Connector Trail be completed and open to the public following termination of the Part 50 license, and prior to completion (permit signoff) of final DCPP site restoration or release of County bond. With implementation of the permit conditions, the Proposed Project is consistent with this policy.</p>
<p>Shoreline Access Policy 6 – Public Safety states:</p> <p><i>The level of intensity of shoreline access is to be consistent with public safety concerns related to bluff stability, trail improvements as well as the provision of adequate facilities such as signs, fences and stairways.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR requiring the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access.</p> <p>The permit conditions would require the Applicant to study, define, and record an Offer to Dedicate a new connecting public trail linking the area north of the DCPP site to the area to the south of</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
		<p>the site. A design team would evaluate the Diablo lands and/or other property, if appropriate, and identify a route that best meets Coastal policy requirements and specified goals for the connecting trail. Goals include inclusion of lateral shoreline access and a trail designed for connectivity, feasibility, resource protection, and public safety. Signage, fencing and other means would be developed with the Trail Design Plan for County entitlement.</p> <p>Another permit condition would require a Trail Operations and Management Plan, which would address intensity of use and carrying capacity of the trail and support facilities, and would specify the supporting signs, fences, stairways, bridges, and other elements for public safety and resource protection. With implementation of the permit conditions, the Proposed Project is consistent with this policy.</p>
<p>Shoreline Access Policy 7 – Development of Uniform Access Signs states: <i>A uniform signing system program should be developed. Such signs would assist the public in locating and recognizing access points. Where agriculture and sensitive habitats are located, signs may be posted indicating the permitted level of access, the restrictions on access and a description of the sensitive habitat resource.</i></p> <p><i>Once accessways are accepted by a public agency, they shall be signed and posted to indicate any restrictions or presence of sensitive habitats or hazards.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access.</p> <p>The permit conditions would require the Applicant to study, define, and record an Offer to Dedicate a new connecting public trail linking the area north of the DCPD site to the area south of the site. The permit conditions call for a Trail Design Plan (for entitlement) and a Trail Operations and Management Plan (with construction) incorporating the existing and proposed trails into comprehensive oversight, which would include discussion of access points and signage as part of the design and management.</p> <p>With implementation of the permit conditions, the Proposed Project is consistent with this policy.</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>Shoreline Access Policy 8 – Minimizing Conflicts with Adjacent Uses states: <i>Maximum access shall be provided in a manner which minimizes conflicts with adjacent uses. Where a proposed project would increase the burdens on access to the shoreline at the present time or in the future, additional access areas may be required to balance the impact of heavier use resulting from the construction of the proposed project.</i></p>	<p>Consistent</p>	<p>The 750-acre DCPD site does not currently provide public shoreline access.</p> <p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail, maximizing access to the area. The permit conditions would require the development of a comprehensive environmental assessment, which would study and ensure that the selected route would minimize conflicts with adjacent uses.</p> <p>With implementation of the permit conditions, the Proposed Project is consistent with this policy.</p>
<p>Shoreline Access Policy 10 – Protection of Property Rights and Privacy states, in part: <i>The acquisition of rights for access and view purposes and other uses by the public should be consistent with the protection of the property and use rights of property owners. Access routes should be selected and designed so as to minimize the public impact on private property.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access as a result of new development and given that the public has been precluded from accessing the DCPD shoreline since construction of the plant began in 1968. In addition, in January 2003, following the September 11, 2001 terrorist attacks, the US Coast Guard established a security exclusion zone preventing access to coastal waters within 2,000 yards (1 nautical mile) of the DCPD, along an approximately 1.7-mile length of coastline.</p> <p>The permit conditions would require the Applicant to record an Offer to Dedicate for a new trail connecting the area north of the DCPD site to the area south of the site. The conditions would outline the process to locate, design, permit, and construct the new trail, which would be designed to protect existing agricultural uses, private property, public safety, and sensitive resources. The conditions would include detailed management requirements for the trail that would ensure public access would not adversely impact private property or sensitive resources. With these permit conditions applied, the Proposed Project is consistent with this policy.</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>Shoreline Access Policy 11 – Taking of Private Property states:</p> <p><i>In meeting the foregoing policies for ensuring public access to the shoreline, careful consideration must be given to the requirements of Section 30010 which declares that no local governments may "... exercise their power to grant or deny a permit in a manner which would take or damage private property for public use, without the payment of just compensation..."</i></p>	<p>Consistent</p>	<p>The public has been and would continue to be precluded from accessing the shoreline within and adjacent to the DCPD site since construction of the DCPD began in 1968, continuing for an additional 15 years through decommissioning (2024-2039). In addition, in January 2003, following the September 11, 2001 terrorist attacks, the US Coast Guard established a security exclusion zone preventing access to coastal waters within 2,000 yards (1 nautical mile) of the DCPD, along an approximately 1.7-mile length of coastline.</p> <p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, identification, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development. The permit conditions would include the requirements to identify, study, permit, construct, operate and manage a Diablo Lands Connector Trail to address the coastal access impacts associated with the Project. With the permit conditions, the Proposed Project is consistent with this policy.</p>
<p>Recreation and Visitor-Serving Facilities Policy 2 – Priority for Visitor-Serving Facilities states:</p> <p><i>Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but not over agriculture or coastal dependent industry in accordance with PRC 30222. All uses shall be consistent with protection of significant coastal resources. The Land Use Plan shall incorporate provisions for areas appropriate for visitor-serving facilities that are adequate for foreseeable demand. Visitor-serving commercial developments that involve construction of major facilities should generally be located within urban areas. Provisions for new facilities or expansion of existing facilities within rural areas shall be confined to selected points of attraction.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>The conditions would result in an Offer to Dedicate a public access trail through the Diablo Lands in a location based on intensive study, with entitlement, permitting, and construction conditioned to ensure sensitive resources are protected. With the permit conditions, the Proposed Project is consistent with this policy.</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>Recreation and Visitor-Serving Facilities Policy 4 – Visitor-Serving Uses in Agricultural Areas states:</p> <p><i>Where visitor-serving facilities are proposed within areas designated as agriculture on the LUE, the findings specified in agriculture Policy 3 as implemented in the CZLUO in the Agriculture chapter shall be met.</i></p>	<p>Consistent</p>	<p>The lands adjacent to the DCPD site are designated for agricultural use; however, the Proposed Project is not a visitor-serving facility and is consistent with this policy because it would not impact the existing agricultural uses along the existing recreational trails and adjacent Diablo Lands. Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development. The Diablo Land Connector Trail would not be a visitor-serving facility. Nevertheless, the conditions would require the consideration of agricultural areas when developing the new Diablo Lands Connector Trail and require County approval prior to implementation and construction of the new public accessway.</p>
<p>Land Use Ordinance Section 23.04.420 states, in relevant part:</p> <p><i>Development within the Coastal Zone between the first public road and the tidelands shall protect and/or provide coastal access as required by this section. The intent of these standards is to assure public rights of access to the coast are protected as guaranteed by the California Constitution. Coastal access standards are also established by this section to satisfy the intent of the California Coastal Act.</i></p>	<p>Consistent</p>	<p>Due to safety and security regulations, the public currently does not have right of access to or along the ocean at/from the DCPD site. These access restrictions would continue throughout decommissioning. Limited coastal trail access along the shoreline has been provided by PG&E for public use in perpetuity north and south of the DCPD site. The existing Point Buchon Trail and Pecho Coast/Rattlesnake Canyon Trails, which were implemented pursuant to requirements of prior permit conditions and are outside of the Project site, would continue to remain open to the public during and after the Proposed Project. In addition, permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR, would require an Offer to Dedicate a Diablo Lands Connector Trail to connect the area north of the DCPD to the area south of the DCPD. Conditions would also require the identification, study, permitting, construction, and management of the Diablo Lands Connector Trail. With these permit conditions, the Proposed Project is consistent with this section.</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>Land Use Ordinance Section 23.04.420(c) states, in relevant part: <i>Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) Access would be inconsistent with public safety, military security needs or the protection of fragile coastal resources; or (2) The site already satisfies the provisions of subsection (d) of this section.</i></p>	<p>Consistent</p>	<p>Due to safety and security regulations, the public currently does not have right of access to or along the ocean at/from the DCPD site. These access restrictions would continue throughout decommissioning. Limited coastal trail access along the shoreline has been provided by PG&E for public use in perpetuity north and south of the Project site, as required by prior CCC CDP conditions. The existing Point Buchon Trail and Pecho Coast/Rattlesnake Canyon trails are outside of the Project site and would continue to remain open to the public during and after the Project.</p> <p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR, to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>Permit conditions would require an Offer to Dedicate a Diablo Lands Connector Trail to connect the area north of the DCPD site to the area south of the site. Conditions would also require the development of the Diablo Lands Connector Trail route, avoiding the post-decommissioning revised Owner Controlled Area, and the preparation of a comprehensive environmental assessment to ensure the route protects fragile coastal resources. With these permit conditions, the Proposed Project is consistent with this section.</p>
<p>Land Use Ordinance Section 23.04.420(d) states, in relevant part: <i>(1)(ii): In rural areas where no dedicated or public access exists within one mile, or if the site has more than one mile of coastal frontage, an accessway shall be provided for each mile of frontage; (iii) An accessway shall be provided on any site where prescriptive rights of public access have been determined by a court to exist;</i> <i>(iv): The applicable approval body may require accessways in addition to those required by this section where the approval body finds that a proposed development would, at the time of</i></p>	<p>Consistent</p>	<p>The shoreline along the 750-acre DCPD site has been excluded from public access since construction of the DCPD began. This exclusion would continue during implementation of the proposed Project. Prior CCC CDPs provided limited coastal access to the south and north of the site. However, these trails both end more than one mile from the Project site. In addition, the DCPD site includes more than one mile of coastal frontage.</p> <p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p><i>approval or at a future date, increase pedestrian use of any adjacent access-way beyond its capacity.</i></p> <p><i>(2) Accessways shall be a minimum width of five feet in urban areas and ten feet in rural areas.</i></p> <p><i>(3) All new development shall provide a lateral access dedication of twenty-five feet of dry sandy beach available at all times during the year. Where topography limits the dry sandy beach to less than twenty-five feet, lateral access shall extend from the mean high tide to the toe of the bluff.</i></p>		<p>the CCA and LCP requirements for coastal access for new development.</p> <p>The permit conditions would require an Offer to Dedicate a Diablo Lands Connector Trail to connect the area north of the DCPD site to the area south of the site. Other conditions would require development of the Diablo Lands Connector Trail route and development of a Trail Design Plan that would ensure the trail would be consistent with applicable County policies and plans, and would address vertical access, if appropriate. With these permit conditions, the Proposed Project is consistent with this section.</p>
<p>Land Use Ordinance Section 23.04.420(e) states:</p> <p><i>The type and extent of access to be dedicated, and/or constructed and maintained, as well as the method by which its continuing availability for public use is to be guaranteed, shall be established at the time of land use permit approval, as provided by this section.</i></p> <p><i>(1) Dedication: Shall occur before issuance of construction permits or the start of any construction activity not requiring a permit;</i></p> <p><i>(2) Construction of improvements: Shall occur at the same time as construction of the approved development, unless another time is established through conditions of land use permit approval;</i></p> <p><i>(3) Opening access for public use: No new coastal access required by this section shall be opened or otherwise made available for public use until a public agency or private association approved by the county agrees to accept responsibility for maintenance of the accessway and any liability resulting from public use of the accessway;</i></p> <p><i>(4) Interference with public use prohibited: Following an offer to dedicate public access pursuant to subsection (e)(1) of this section, the property owner shall not interfere with use by the public of the areas subject to the offer before acceptance by the responsible entity.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>The permit conditions would require the Applicant to record an Offer to Dedicate a Diablo Lands Connector Trail to connect the area north of the DCPD site to the area south of the site, prior to the submittal of any decommissioning related demolition, grading, building, or other construction related permits. Permit conditions would also require development of the Diablo Lands Connector Trail route and the creation and implementation of a Trail Operations and Management Plan to ensure the trail is operated and maintained appropriately. Permit conditions would require the study and identification of a trail route, and the permitting and development of plans associated with the identification, construction, and management of the trail. Lastly, a permit condition would require the Applicant to submit building permits for trail construction within 180 days following the termination of the DCPD's Part 50 license by the NRC. With these permit conditions, the Proposed Project is consistent with this section.</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>Land Use Ordinance Section 23.04.420(g.) states: <i>Where public coastal accessways are required by this section, approval of a land division, or land use permit for new development shall require guarantee of such access through deed restriction, or dedication of right-of-way or easement. Before approval of a land use permit or land division, the method and form of such access guarantee shall be approved by County Counsel, and shall be recorded in the office of the County Recorder, identifying the precise location and area to be set aside for public access. The recorded document shall include the mapped location of the access area prepared by a licensed professional, as well as legal descriptions of the access area and the affected properties. Criteria. The method of access guarantee shall be chosen according to the following criteria: (1) Deed restriction: Shall be used only where an owner, association or corporation agrees to assume responsibility for maintenance of and liability for the public access area, subject to approval by the Planning Director; (2) Grant of fee interest or easement: Shall be used when a public agency, private organization, or individual is willing to assume ownership, maintenance and liability for the access; (3) Offer of dedication: Shall be used when no public agency, private organization or individual is willing to accept fee interest or easement for accessway maintenance and liability. Such offers shall not be accepted until maintenance responsibility and liability is established.</i></p>	<p>Consistent</p>	<p>The Proposed Project would occur between the coastline and the nearest public road and constitute new development, thereby requiring coastal access consistent with the County LCP. Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. The permit conditions would address compliance with the CCA and LCP requirements for coastal access. The permit conditions would require the Applicant to record an Offer to Dedicate a public access easement prior to the application submittal for any County demolition, grading, building, or any other construction permit associated with DCPP decommissioning. The permit conditions would also require the study and identification of a trail route and the permitting and development of plans associated with the identification, construction, and management of the trail. Lastly, a permit condition would require the Applicant to submit building permits for trail construction within 180 days following the termination of the DCPP’s Part 50 license by the NRC. It would also require completion of a Final Trail Operations and Management Plan to ensure the trail is appropriately operated and maintained. With these permit conditions, the Proposed Project is consistent with this section.</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>LCP Section 23.04.420(h) states: <i>Coastal accessways required by this section or by planning area standards of the Land Use Element shall be physically improved as provided by this subsection. The need for improvements to any accessway shall be considered as part of land use permit approval, and responsibility for constructing the improvement shall be borne by the developer or consenting public agency. After construction, maintenance and repair may be accomplished by a public agency or by a private entity approved by the applicable review body taking action on the project land use permit. (1) Typical improvements that may be required. The extent and type of improvements and support facilities that may be required may include but are not limited to drainage and erosion control measures, planting, surfacing, structures such as steps, stairways, handrails, barriers, fences or walls, benches, tables, lighting, parking spaces for the disabled, safety vehicles or general public use, as well as structures such as restrooms or overlooks. (2) Type and extent of improvements - required findings. The improvements described in subsection (h)(1) of this section shall be required to an extent where such improvements: (i) Are necessary to either assure reasonable public access, protect the health and safety of access users, assure and provide for proper long-term maintenance of the accessway, or protect the privacy of adjacent residents; (2) Are adequate to accommodate the expected level and intensity of public use that may occur; (3) Can be properly maintained by the approved maintenance entity; (4) Incorporate adequate measures to protect the privacy and property rights of adjoining property owners and residents.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>The permit conditions would require the Applicant to record an Offer to Dedicate for the new access prior to application submittal for any County demolition, grading, building, or any other construction permit associated with decommissioning. The conditions would also require the development of a Trail Design Plan, which must identify the improvement necessary for completion of the trail. In addition, the permit conditions would require that a land use permit application be submitted for development of the trail. Lastly, the permit conditions would require that a Final Trail Operations and Management Plan be prepared addressing the long-term operation and maintenance of the trail. With these permit conditions, the Proposed Project is consistent with this section.</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
<p>LCP Section 23.04.420(k) states: <i>In reviewing a proposed accessway, the applicable review body shall consider the effects that a public accessway may have on adjoining land uses in the location and design of the accessway. When new development is proposed, it shall be located so as not to restrict access or to create possible privacy problems. Where feasible, the following general criteria shall be used in reviewing new access locations, or the location of new development where coastal access considerations are involved: (1) Accessway locations and routes should avoid agricultural areas, sensitive habitats and existing or proposed residential areas by locating near the edge of project sites; (2) The size and location of vertical accessways should be based upon the level and intensity of existing and proposed access; (3) Review of the accessway shall consider: safety hazards, adequate parking provisions, privacy needs of adjacent residences, adequate signing, and levels of improvements necessary to provide for access; (4) Limiting access to pass and repass should be considered where there are nearby residences, where topographic constraints make the use of the beach dangerous, where there are habitat values that can be disturbed by active use.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>There are currently agricultural uses on both the north and south portions of the Diablo Lands. The permit conditions would require the Applicant to develop a route for a new Diablo Lands Connector Trail after the preparation of a comprehensive environmental assessment. The route would be required to ensure that any access to and use of any associated beaches is safe for the public while still protecting existing habitats. It also acknowledges that vertical access to beaches may not be appropriate given the sensitivity of the Diablo Lands shoreline. The permit conditions would also require the Applicant to develop and implement a Final Trail Operations and Management Plan to ensure the trail is maintained, and operated in a manner that protects public safety, existing agricultural usage, and nearby sensitive ecological, biological, and cultural resources. With these permit conditions, the Proposed Project is consistent with this section.</p>
<p>LCP Section 23.07.178(c) states, in relevant part: <i>Coastal access shall be monitored and regulated to minimize impacts on marine resources. If negative impacts are demonstrated, then the appropriate agency shall take steps to mitigate these impacts, including limitations of the use of the coastal access.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions are recommended to address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>The conditions would require the Applicant to record an Offer to Dedicate a public access easement linking the area north of the DCPD site to the area south of the site. The conditions would also require the Applicant to prepare a comprehensive environmental assessment to determine</p>

Table 4.12-3. San Luis Obispo County Local Coastal Program Consistency – Coastal Access for New Development

San Luis Obispo County Local Coastal Program Standards	Consistent?	Discussion
		<p>a route that would be protective of marine resources among other sensitive resources. In addition, the permit conditions would require the Applicant to develop and implement a Final Trail Operations and Management Plan to ensure the trail is maintained and nearby sensitive resources, including marine resources, are protected and that measures are taken to avoid or reduce any negative impacts. With these permit conditions, the Proposed Project is consistent with this policy.</p>

Source: San Luis Obispo, 2007; 2019.

Table 4.12-4. San Luis Obispo County General Plan Consistency – Coastal Access for New Development, Recreation Element

Recreation Policies	Consistent?	Discussion
<p>Policy 3.8 states: <i>To protect the interests of adjacent land uses (both public and private) and the environment, trail projects shall:</i></p> <ol style="list-style-type: none"> <i>1. Be consistent with the standards in the General Plan including the County’s Agriculture and Open Space Element.</i> <i>2. Stay as far away as reasonable from production agriculture, commercial activities and residences.</i> <i>3. Be built to minimize impacts to sensitive resources.</i> <i>4. Provide signs that identify permitted trail uses; directions to relevant public areas; and, provide for safety and protection of trail users and adjacent private property.</i> <i>5. Provide trail fencing where necessary to discourage trespass onto neighboring land and to protect sensitive resources.</i> <i>6. Impose enforceable limitations on the trail use, as appropriate. Be designed and constructed consistent with the trails standards contained in Appendix B of this document.</i> 	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>The permit conditions would require the Applicant to develop a route for a Diablo Lands Connector Trail linking the area north of the DCPD site to the area south of the site. The conditions also would require that a comprehensive environmental assessment be prepared to ensure sensitive environmental resources are protected. In addition, the conditions require that a Trail Design Plan be prepared documenting consistency with County plans and policies. The design plan must also identify trail improvements such as signage and fencing. Lastly, the carrying capacity for the trail would be determined as part of the trail studies. With the implementation of the permit conditions, the Proposed Project is consistent with this policy.</p>

Table 4.12-4. San Luis Obispo County General Plan Consistency – Coastal Access for New Development, Recreation Element

Recreation Policies	Consistent?	Discussion
<p>Policy 3.10 states: <i>Extensive trail systems, such as the California Coastal Trail, the Juan Bautista de Anza and the Salinas River Trails, will generally be developed in a series of shorter, but viable, segments. Such segments shall not be constructed until a viable link can be established connecting residential communities, parks, staging areas, or other public points of interest.</i></p>	<p>Consistent</p>	<p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>The permit conditions would require the Applicant to develop a route for a Diablo Lands Connector Trail linking the area north of the DCPD site to the area south of the site. With implementation of the permit conditions, the Proposed Project is consistent with this policy.</p>
<p>Policy 3.13 states: <i>When a trail dedication is required as a condition of a discretionary permit, the required trail dedication must:</i></p> <ol style="list-style-type: none"> <i>1. Be proportional to the level of development being proposed;</i> <i>2. Have an appropriate nexus to the effects of the permit; ...</i> <i>4. Result in no long term, unmitigable environmental impacts; and</i> <i>5. Comply with all applicable local, state and federal laws and regulations.</i> 	<p>Consistent</p>	<p>The public has been and would continue to be precluded from accessing the shoreline within and adjacent to the DCPD site since construction of the DCPD began in 1968, continuing for an additional 15 years through decommissioning (2024 – 2039). In addition, in January 2003, following the September 11, 2001 terrorist attacks, the US Coast Guard established a security exclusion zone preventing access to coastal waters within 2,000 yards (1 nautical mile) of the DCPD, along an approximately 1.7-mile length of coastline.</p> <p>Permit conditions would be presented to the County Planning Commission for Project consideration along with certification of the Final EIR and would be recommended by staff to require the careful and detailed study, development, construction, implementation, and management of a Diablo Lands Connector Trail. These permit conditions would address compliance with the CCA and LCP requirements for coastal access for new development.</p> <p>The permit conditions would require that a comprehensive environmental assessment be prepared to help determine the trail route. In addition, a separate land use permit would be required for development of the trail, thus further ensuring that any impacts associated with trail development would be mitigated in compliance with applicable local, state, and federal laws and regulations. With the permit conditions, the Proposed Project is consistent with this policy.</p>

Source: San Luis Obispo, 2006.

4.12.3 Significance Criteria

The significance criterion used to evaluate the Proposed Project's impacts to Land Use, Planning, and Agriculture are based on Appendix G of the State CEQA Guidelines. A significant impact would occur if the Proposed Project would contribute to:

- Disruption or displacement of existing land uses (e.g., agricultural, residential, commercial).
- Conflict with any applicable land use policy or regulation of any agency with jurisdiction over the Project (including the LCP) related to coastal access.

4.12.4 Environmental Impact Analysis and Mitigation

Impact LUP-1: Disrupt or displace an existing land use (Class II: Less than Significant with Mitigation).

Phase 1

DCPP Project Site

Phase 1 activities would not disrupt or displace an existing land use within the DCPP site. The Proposed Project is designed to decontaminate, dismantle, and remove electrical generating equipment and supporting infrastructure, and to shift part of the DCPP site into an operational ISFSI and GTCC Waste Storage Facility. There are no land uses within the existing OCA surrounding the DCPP that would be disrupted or displaced by decommissioning activities.

The transport activities (e.g., decommissioning equipment and waste) to and from the DCPP site would utilize public roads that serve as the only access routes to particular land uses. Transport activities would involve oversize loads and the use of specialty heavy-haul transport vehicles which could temporarily limit public access along the proposed routes. Transportation access issues are discussed in Section 4.16, *Transportation*. Mitigation Measure (MM) TRA-2 (*Specialty Heavy-Haul Transport Vehicle Transportation Management Plan*) requires the Applicant to implement a Traffic Management Plan (TMP) that would include requirements restricting when road and lane closures may occur and would provide a point of contact for local residents to communicate any Project-related issues or concerns during decommissioning.

Land uses that would be affected by temporary access restrictions include the commercial and recreational uses located along Avila Beach Drive (i.e., RV campgrounds, hotels, commercial uses at Port San Luis Pier), as well as the residential and commercial development within the central Avila Beach community (see Table 4.12-1 and Figures 4.12-1 and 4.12-2). Lane and/or road closures could create access restrictions that would disrupt normal activities at the land uses located along the transport routes. Depending on the duration and intensity of these transport activities, the land use disruptions could be significant but mitigable (Class II) with the application of the mitigation measures presented in Section 4.16, *Transportation*. These mitigation measures include MM TRA-1 (*Truck Transportation Outside of Peak Hours*), MM TRA-2 (*Specialty Heavy-Haul Transport Vehicle Transportation Management Plan*), MM TRA-3 (*Decommissioning Liaison*), MM TRA-4 (*Advance Notification of Decommissioning*), MM TRA-5 (*Quarterly Decommissioning Updates*), and EM-2 (*Project Plan, Updating, Tracking, and Reporting*, specifically for

the TMP required under MM TRA-2). Refer to Section 4.16, *Transportation*, for a full discussion of the ways in which Proposed Project construction-related traffic would be managed to avoid or substantially reduce effects on land uses along transport routes.

Railyards

Pismo Beach Railyard. Phase 1 activities would not disrupt or displace current operations within the PBR site. The site is an operational PG&E-owned storage facility and railyard, and waste transport would not create a conflict with the site's existing use. Transport activities to the PBR site would utilize Price Canyon Road and Bello Street, which are primary access routes for adjacent residences (see Table 4.12-1 and Figure 4.12-3). An increase in haul truck activity during peak traffic hours for the adjacent residences and other sensitive land uses (e.g., Judkins Middle School) could disrupt normal activities for these land uses located along the transport routes. Depending on the duration and intensity of transport activities, the land use disruptions would be significant but mitigable (Class II) with the application of MM TRA-1 (*Truck Transportation Outside of Peak Hours*) presented in Section 4.16, *Transportation*, which requires the preparation and implementation of a plan specifying hours for truck traffic outside of peak hours.

SMVR-SB. Phase 1 activities would not disrupt or displace current operations within the SMVR-SB site. The site is an operational transload and rail facility, and waste transport would not create a conflict with the site's existing use. The use of modular transporters or other oversize vehicles could temporarily limit public access along Betteravia Road. Table 4.12-1 and Figure 4.12-4 identify the land uses that are located along this route, which include residences, commercial uses, schools, and a police department. Depending on the duration and intensity of these transport activities, the land use disruptions could be significant but mitigable (Class II) with the application of the mitigation measures presented in Section 4.16, *Transportation*. These mitigation measures include MM TRA-1 (*Truck Transportation Outside of Peak Hours*), MM TRA-2 (*Specialty Heavy-Haul Transport Vehicle Transportation Management Plan*), MM TRA-3 (*Decommissioning Liaison*), MM TRA-4 (*Advance Notification of Decommissioning*), MM TRA-5 (*Quarterly Decommissioning Updates*), and EM-2 (*Project Plan, Updating, Tracking, and Reporting*, specifically for the TMP required under MM TRA-2). Refer to Section 4.16, *Transportation*, for a full discussion of the ways in which Proposed Project construction-related traffic would be managed to avoid or substantially reduce effects on land uses along transport routes.

Phase 2

Phase 2 activities include remediation, final site restoration, and the continuation of Discharge Structure removal and restoration, which would require equipment for the demolition of remaining utilities and structures, soil grading, and landscaping. Up to 1,760 dump-trailer truckloads would import topsoil to the Project Site during Phase 2. Depending on the duration and intensity of these transport activities, the land use disruptions would be significant but mitigable (Class II) with the application of the mitigation measures presented in Section 4.16, *Transportation*. These mitigation measures include MM TRA-1 (*Truck Transportation Outside of Peak Hours*), MM TRA-2 (*Specialty Heavy-Haul Transport Vehicle Transportation Management Plan*), MM TRA-3 (*Decommissioning Liaison*), MM TRA-4 (*Advance Notification of Decommissioning*), MM TRA-5 (*Quarterly*

Decommissioning Updates), and EM-2 (*Project Plan, Updating, Tracking, and Reporting*, specifically for the TMP required under MM TRA-2). Refer to Section 4.16, *Transportation*, for a full discussion of the ways in which Proposed Project construction-related traffic would be managed to avoid or substantially reduce effects on land uses along transport routes.

As there would be no Phase 2 activities at the railyards, no impact would occur at those sites.

Post-Decommissioning Operations

New Facility Operations. Following Phase 2, activities at the DCPP site associated with the Proposed Project include operation of the new GTCC Storage Facility, Security Building, indoor Firing Range, and Storage Buildings. These activities would not disrupt or displace an established land use outside of the DCPP site. Furthermore, the use of public roadways to access these activities would not interfere or temporarily limit public access within the adjacent communities. There would be no impact to adjacent land uses during post-decommissioning operational activities within the DCPP site.

Future Actions. Marina operations would not disrupt or displace an established land use outside of the DCPP site, nor would it temporarily limit public access within adjacent communities. There would be no impact to adjacent land uses during future marina use.

Mitigation Measures for Impact LUP-1. See Section 4.16 for full text of measures.

- EM-2 Project Plan, Updating, Tracking, and Reporting.** See Section 3. For Impact LUP-1, MM EM-2 will be implemented to track the compliance activities and reporting of the TMP required under MM TRA-2.
- TRA-1 Truck Transportation Outside of Peak Hours**
- TRA-2 Specialty Heavy-Haul Transport Vehicle Transportation Management Plan**
- TRA-3 Decommissioning Liaison**
- TRA-4 Advance Notification of Decommissioning**
- TRA-5 Quarterly Decommissioning Updates**

Impact LUP-2: Disrupt or convert surrounding agricultural uses (No Impact).

Phase 1

DCPP Project Site

Phase 1 activities would occur entirely within the 750-acre DCPP site, which is designated and zoned by the County as Public Facilities. No decommissioning activities would extend into adjacent agricultural lands within the existing OCA. Transport activities from the DCPP site along Diablo Canyon Road and Avila Beach Drive would utilize the existing road network and would not disrupt grazing activities or otherwise impact agricultural lands along the roadways. The Proposed Project would not disrupt or convert surrounding agricultural uses. No impact to agricultural uses would occur.

Railyards

Pismo Beach Railyard. Waste transport activities would utilize existing roads and would not extend outside of the current boundaries of the PBR site. The Proposed Project would not require an expansion of the PBR property. No activities would occur on agricultural lands to the north and east of the PBR site. The Proposed Project would not disrupt or convert surrounding agricultural uses, and no impact would occur.

SMVR-SB. Waste transport activities would utilize existing roads and would not extend outside of the current boundaries of the SMVR-SB site. The Proposed Project would not require an expansion of the SMVR-SB property, and no activities would occur on adjacent agricultural lands. The Proposed Project would not disrupt or convert surrounding agricultural uses, and no impact would occur.

Phase 2

Phase 2 activities would include final site restoration and remediation and the continuation of Discharge Structure removal and restoration activities within the 750-acre DCPD site. No restoration activities would extend outside of this 750-acre site in a manner that could disrupt or convert adjacent agricultural lands. No impact to agricultural uses would occur during Phase 2. As there would be no Phase 2 activities at the railyards, no impact would occur at those sites.

Post-Decommissioning Operations

New Facility Operations. Post-decommissioning activities (i.e., operation of the GTCC Storage Facility, Security Building, indoor Firing Range, and Storage Buildings) would occur within the DCPD site and would not extend into adjacent agricultural lands within the existing OCA. Access to the DCPD site along Diablo Canyon Road and Avila Beach Drive would utilize the existing road network and would not disrupt grazing activities or otherwise impact agricultural lands along the roadways. New facility operations following Phase 2 would not disrupt or convert surrounding agricultural uses. No impact to agricultural uses would occur.

Future Actions. Marina operations would not extend into adjacent agricultural lands within the existing OCA. There would be no impact to agriculture during future marina use.

Mitigation Measures for Impact LUP-2. No mitigation measures are required.

Impact LUP-3: Conflict with any applicable land use policy or regulation of an agency with jurisdiction over the project (including the local coastal program) related to coastal access (Class III: Less than Significant).

Phase 1

DCPP Project Site

The DCPD Project site is located within a pristine portion of the California coastline that was home to Native American Tribes for centuries before it was legally transferred to Miguel Avila via a land patent, which basically erased any prior "ownership" of the land. The transfer was part of a more than 14,000-acre land patent that was recorded in 1887 (Willey, 1886). Between that initial land

patent and the start of construction of the DCP, the coastal property was used as ranch land, and had limited public access routes, other than fire roads and private trails used to access private homes (Muatz, 1965). Most recently, the property was owned by the Marre family, which initially leased the property to PG&E and Eureka for construction and operation of the DCP under a 99-year lease. After construction on Unit 1 began in 1968, PG&E and Eureka started procuring acres surrounding and including the DCP site. PG&E and Eureka now own or control approximately 12,000 acres in and around the DCP, with about 4,000 acres of those lands within the coastal zone (CCC, 2004). These coastal zone acres cover about 14 miles of coastline.

PG&E constructed new amenities to support the development and operation of DCP. Prior to the development of Diablo Canyon Road, there were few ways for on-road vehicles to easily access the DCP site or Port San Luis. More than 7,000 workers were needed to construct the two reactor units and the necessary support buildings for the plant, so the road and parking infrastructure was scaled to support their commutes.

During construction, and since Unit 1 began operating in 1984, public access at the DCP site in the coastal zone has been limited, not due to ownership and private property rights, but to meet federal security and safety requirements. However, several recreational resources are available in the vicinity, including pedestrian hiking and equestrian opportunities, camping in Montaña de Oro State Park, and largely blufftop pedestrian hiking trails located north and south of the DCP site that were previously required and permitted by the CCC and require public access in perpetuity. As discussed in more detail below, no recreational access exists along the shoreline, within, or through the 750-acre DCP Project site or within the 2,000-yard (one nautical mile) security exclusion zone established off the coast of the power plant (see Figure 2-6).

Consistency with Coastal Act Policies and Local Coastal Plan Provisions

As stated in the San Luis Obispo County LCP Policies, which were approved by the CCC, the right of public access to all coastal tidelands is guaranteed by the CCA (Section 30210), which has been upheld by court decisions. The CCA contains policies that require existing legal rights of public access to the coast to be protected, and reasonable requirements for public access to be established in new developments along the coast (San Luis Obispo, 2007).

Chapter 3 of the CCA includes public access and public recreation policies with which any development in the coastal zone must be in conformity. To implement the provisions of the CCA, the County developed coastal access policies contained in its Coastal Plan Policies document, which represent the commitment of the County to preserving, protecting, and providing access to the coast. The policies are then implemented through Title 23, the County's Coastal Zone Land Use Ordinance (CZLUO) provisions pertaining to coastal access. These documents along with several others comprise the County's LCP.

Table 4.12-3 identifies each of the applicable CCA and LCP sections pertaining to coastal access and the Proposed Project's compliance with these sections. For this analysis, some of the sections are repeated below to further discuss the Proposed Project's compliance with them.

CCA Sections 30210 – 30214 pertain to the requirements for coastal access for development projects. Section 30210 requires that maximum public access opportunities “be provided for all the people consistent with public safety needs and the need to protect public rights, rights of

private property owners, and natural resource areas from overuse.” The section also cites Section 4 of Article X of the California Constitution, which provides the public’s constitutional right of access. This section states in relevant part:

No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this State, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water.

Section 30211 further documents the public’s right to access to the sea including the use of dry sand and rocky coastal beaches to the first line of vegetation. This provision is also included in CZLUO Section 23.04.420(b).

CCA Section 30211 and CZLUO Section 23.04.420(b) state:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

CCA Section 30212 and CZLUO Section 23.04.420(c) identify when a new development project is required to provide access. The CCA Section 30601 and CZLUO Title 23 Chapter 23.11 have the same definition of development.³⁹

CCA Section 30212 and CZLUO Section 23.04.420 (c) state in relevant part:

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected.

The County’s LCP also contains coastal access policies and requirements for new development based on the CCA policies. For instance, CZLUO Section 23.04.420 states:

Development within the Coastal Zone between the first public road and the tide-lands shall protect and/or provide coastal access as required by this section. The

³⁹ Under LCP Title 23 Chapter 23.11 and California Coastal Act Section 30601, “Development” is defined as follows: "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511). As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

intent of these standards is to assure public rights of access to the coast are protected as guaranteed by the California Constitution. Coastal access standards are also established by this section to satisfy the intent of the California Coastal Act.

As with the CCA, this section cites the public's constitutional right of access to the coast.

CZLUO Section 23.04.420(d)(ii) specifies the type of access required for new development projects in rural areas. It states:

In rural areas where no dedicated or public access exists within one mile, or if the site has more than one mile of coastal frontage, an accessway shall be provided for each mile of frontage.

Lastly, CCA Section 30604 (c) requires, for a CDP issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone, that a specific finding must be made that the development is in conformity with the public access and public recreation policies of Chapter 3 of the CCA.

The DCPP site is within the nearest public road and the sea. However, neither the CCA nor the County's LCP were in effect at the time construction of the DCPP began in 1968. Otherwise, coastal access would have been required at that time, especially since the security zone encompassing the 750-acre site boundary precludes the public its right to access the shoreline as provided under the California Constitution. In addition, in January 2003, following the September 11, 2001 terrorist attacks, the US Coast Guard and US Department of Transportation established a security exclusion zone preventing access to coastal waters within 2,000 yards (1 nautical mile) of the DCPP (USCG and USDOT, 2002). These access restrictions to and along the shoreline would continue to be precluded for another 15 years (2024 – 2039), as part of the Proposed Project.

As stated in Recreation and Public Access Section 4.15.1.2, limited coastal access has been required in previous DCPP development projects within the approximately 12,000 acres owned by PG&E and Eureka Energy Company (Eureka) that surround the DCPP (hereinafter referred to as the "Diablo Lands"). The access includes the Pecho Coast Trail that was required as a result of the Simulator Training Building project (CCC CDP A-4-82-593). The Point Buchon Trail was required to mitigate the impacts of the ISFSI project (CCC CDP A-3-SLO-04-035). In addition, access enhancements to the Pecho Coast Trail were required by the Steam Generator Replacement Project (CCC CDP E-06-011/A-3-SLO-06-017). Due to the security zone surrounding the DCPP, these coastal access trails are not in close proximity to the NRC-defined 750-acre DCPP security boundary. The end of the Pecho Coast Trail at Rattlesnake Canyon is approximately 3.6 miles from the southern DCPP 750-acre site boundary and the southern end of the Point Buchon Trail is approximately 1.1 miles from the northern DCPP site boundary. Once the NRC terminates the Part 50 operating licenses for the reactors, the restrictions on public access would be lessened, except there would still be protection necessary for the revised owner-controlled area (OCA).

As specified in CCA Section 30212 and CZLUO Section 23.04.420(c), public access might not be required if it is: "1) inconsistent with public safety, military security needs, or the protection of fragile coastal resources; 2) adequate access exists nearby; or 3) agriculture would be adversely affected." Below is a discussion regarding why these exemptions do not apply to the Proposed Project.

With regard to public safety, access within and adjacent to the shoreline and coastal waters has been precluded due to NRC and US Coast Guard/US Department of Transportation security requirements. However, these requirements would be modified, or in some instances, eliminated, after decommissioning. Before the NRC terminates PG&E's Part 50 operating licenses, a new or amended license for the ISFSI and GTCC waste storage facility would be issued with a substantially smaller security boundary compared to the existing NRC boundary (see Figure 2-17). The US Coast Guard/US Department of Transportation can eliminate the existing 2,000-yard security buffer that restricts offshore access once the SNF is transferred to the ISFSI (PG&E, 2023).

The Diablo Lands and areas along the shoreline of the DCPD site contain sensitive, fragile coastal resources. The Diablo Lands shoreline is unspoiled and has been protected for many years. However, as shown by the Pecho Coast/Rattlesnake Canyon and Point Buchon trails, access is possible if it is managed, sited after careful study, and establishes a maximum threshold of visitors that can be accommodated (i.e., carrying capacity). Before any trail route could be identified on the Diablo Lands, a comprehensive, detailed study of the area would be required, in consultation with affiliated Tribes, to ensure that the trail is sited in a manner that would protect sensitive resources. This could include siting the trail farther inland, away from the shoreline. It could also preclude vertical access to beaches. The carrying capacity could then be determined based on the route selected.

Adequate public access is not located nearby. Limited access is provided by the Pecho Coast/Rattlesnake Canyon and Point Buchon trails; however, the Rattlesnake Canyon Trail ends approximately 3.6 miles from the current DCPD southern security boundary and the Point Buchon Trail ends approximately 1.1 miles from the DCPD northern security boundary. With these trails, access is provided on approximately 7.3 miles of the approximately 15-mile shoreline of the Diablo Lands.⁴⁰ However, the NRC and US Coast Guard/US Department of Transportation security requirements for the site have precluded access to nearly all of the remaining 7.9 miles of shoreline, and approximately 1 nautical mile (2,000 yards) of the coastal waters offshore (see Table 4.15-5).⁴¹

Cattle grazing currently occurs along the existing Pecho Coast/Rattlesnake Canyon and Point Buchon Trails, and throughout Diablo Canyon Lands, demonstrating that siting trails through existing grazing land would not adversely affect agricultural use.

Lastly, CZLUO Section 23.04.420(d)(ii) states that access must be provided "where no dedicated public access exists within one mile, or if the site has more than one mile of coastal frontage..." Both provisions apply to the Project. As shown in Table 4.12-5, the inaccessible shoreline south of Point Buchon Trail, and north of Rattlesnake Canyon Trail, plus the approximately 3.2 miles of DCPD coastal frontage within the NRC boundary, totals approximately 7.9 miles. The Pecho Coast/Rattlesnake Canyon Trail northern extension terminates approximately 3.6 miles from the 750-acre DCPD site boundary. The southern end of the Point Buchon Trail is approximately 1.1

⁴⁰ The Pecho Coast Trail is approximately 1.9 miles (3.75 miles roundtrip) to the Point San Luis Lighthouse and approximately 4 miles one-way (8 miles roundtrip) to Rattlesnake Canyon. The Rattlesnake Canyon trail includes the hike to the Point San Luis Lighthouse. The Point Buchon Trail is approximately 3.3 miles one-way (6.6 miles roundtrip).

⁴¹ Measurements are based on satellite imagery generally following the coastline.

miles from the 750-acre DCPD site boundary. In addition, the 750-acre DCPD site has approximately 3.2 miles of coastal frontage, and approximately 1 nautical mile of coastal waters offshore, which are all currently inaccessible to the public.

Table 4.12-5. Diablo Lands Coastal Access and Exclusion Areas Summary:

Segments of coastline from North (Montana de Oro) to South (Port San Luis/Avila Beach) in miles¹

PUBLIC ACCESS	EXCLUSION	EXCLUSION	EXCLUSION	PUBLIC ACCESS
Point Buchon Trail, from north (MDO) property line to southern-most point of trail	Coastline from Pt. Buchon Trail at southern end, south to NRC Boundary (north limit)	Coastline between 750-acre NRC Boundaries, north to south	Coastline from southern NRC Boundary south to northernmost Rattlesnake Canyon Trail	Coastline from Rattlesnake Canyon Trail south to Pecho Coast Trailhead (at Port San Luis/Avila)
Public Access: 3.3 miles				4.0 miles
No Access:	1.1 miles	3.2 miles	3.6 miles	
Estimated Length of DCPD Coastline with Existing Coastal Public Access:²				7.3
Estimated Length of DCPD Coastline Without Access (Public Excluded):²				7.9
Estimated Total DCPD (PG&E & EUREKA ENERGY) Property Coastline:²				15.2
Coast Guard Exclusion Zone – Coastal Shoreline Length (land miles):³				4.3

¹ Measurements are approximate and based on satellite imagery, generally following the coastline.

² Coastline distances were conservatively measured using Geographic Information Systems (GIS) mapping. Other sources referenced for coastline length included County APN maps (16.2 miles), San Luis Obispo County Boundary in GIS (17.5 miles) and the National Oceanic and Atmospheric Administration’s (NOAA) Mean High Tide Line (18.7 miles).

³ The US Coast Guard 2,000-yard exclusion zone extends north and south of the NRC Boundary (4.3 miles vs. 3.2 miles, respectively) and also extends offshore 1 nautical mile (~6,000 feet). See Figure 2-6.

The lack of access to and along the shoreline of the DCPD site is an existing condition and public access restrictions would continue until the NRC Part 50 operating license is terminated and the US Coast Guard/US Department of Transportation remove the security boundary offshore of the Project site. Nevertheless, the proposed Project constitutes new development under the CCA and LCP. The proposed Project includes the demolition of multiple buildings and structures; the placement of structures on land and in water to facilitate structure removal; the grading of the majority of the Project site; and the construction of new facilities in the revised OCA. Given this and given the history of prior Coastal Development Permits associated with the site which likewise required coastal access, in order for the Project to be consistent with the CCA, applicable LCP policies, and the CZLUO, the associated requirement(s) for coastal access must be addressed.

As part of the Project permitting, the project will be conditioned to require the study, development, construction, implementation, and management of a Diablo Lands Connector Trail, that would generally connect the area south of the DCPD site to the area north of the site. The conditions would be presented at the time of Project consideration, along with the certification of the Final EIR. A summary of the conditions is included below.

A summary of the conditions is included below.

Permit Condition 1

- *Diablo Lands Coastal Access:* PG&E would be required to record an Irrevocable Offer to Dedicate a Public Access Easement (Offer to Dedicate) through PG&E and Eureka Energy Company-owned lands that would generally connect the area south of the Diablo Canyon Power Plant site to the area north of the site or another alignment determined through the trail alignment Identification process. The Offer to Dedicate would be temporarily undefined and would “float” across the entirety of the PG&E and/or Eureka-owned land. The future public access easement would be referred to herein as the “Diablo Lands Connector Trail.”

Permit Condition 2

- *Trail Alignment Identification Plan:* The Trail Alignment Identification Plan would establish the team, methodology, and process to locate an optimal route or routes for a public access trail through the PG&E and/or Eureka Energy Company-owned lands and/or other property if appropriate, based on the following goals:
 - I. Identification of lateral access (northwest to southeast) over PG&E- and/or Eureka Energy Company-owned lands and/or other nearby public property, if appropriate, for the Diablo Lands Connector Trail alignment;
 - II. Identification of vertical access to the coastal bluff and beaches, unless this access could result in impacts to sensitive cultural and coastal resources;
 - III. Avoids impacts to sensitive cultural and coastal resources and is based upon the results of the comprehensive environmental assessment;
 - IV. Avoids the post-decommissioning PG&E revised Owner Controlled Area by a sufficient safety margin for a public trail to bypass the NRC-designated protected area; and
 - V. Balances protection of sensitive coastal and cultural resources with coastal public access and other public recreation policies.
 - VI. Alignment with the CPUC Tribal Land Transfer Policy (TLTP) and Public Resources Code §25548(g), acknowledging that public access pursuant to this permit condition is subordinate to transactions associated with the Diablo Lands pursuant to the TLTP and PRC §25548(g).

The Diablo Lands Connector Trail route(s) shall be identified through topographic desk-top analysis supported with ground-truthing fieldwork and identified after completion of a comprehensive Environmental Assessment to ensure that the goals above are met and sensitive coastal and cultural resources are protected.

The trail design team tasked with identifying the appropriate trail route(s) would include County-approved engineers, biologists, and archeologists, as well as representatives from the Tribes that participated in the AB 52 consultation process for the decommissioning Project, the California Coastal Commission, California State Parks, PG&E/Eureka Energy Company, and the County.

- *Trail Access Plan:* Once the Trail Alignment Identification Plan has been approved, the Applicant, in conjunction with the trail design team, would prepare and submit a Trail Access Plan

which includes the completed Environmental Assessment for the selected trail route(s). This document would also establish the carrying capacity and managed access requirements for the selected route(s). Based on the Trail Access Plan and completed Environmental Assessment, the County would identify the type of County Land Use Permit and level of CEQA review required for the trail.

Permit Condition 3

- *Diablo Lands Connector Trail Entitlement Permitting:* Within 90 days of approval of the Trail Access Plan, an application for the appropriate land use permit would be required to be submitted to the County. Along with the permit application, preliminary trail construction plans, including grading and drainage, would be required. Included with the application, a Trail Design Plan would also be required. This Trail Design Plan would address:
 - Consistency with County and state policies, plans, and programs pertaining to coastal access;
 - A cost estimate for construction of the trail and appurtenant facilities such as parking, boardwalks, benches, signs, etc. A preliminary annual maintenance budget would also be required.
 - Draft Operations and Management Plan for post-construction trail operations to address management of the trail including public safety and protection of biological and cultural resources. The draft Operations and Maintenance Plan would also address the following:
 - Identify minimum standards and provisions necessary to meet federal security and public health and safety requirements and required implementation measures such as signage, fencing, and personnel.
 - Provide for management of potential vertical access locations to tidelands (if identified in the Trail Access Plan and Environmental Assessment).
 - Demonstrate that the proposed Diablo Lands Connector Trail will conform with County requirements regarding minimum widths, necessary improvements, signage, etc.).
 - Identify management access measures, such as docent managed trail areas.
 - Include the estimated budget necessary to construct, maintain, and manage the Diablo Lands Connector Trail.
 - Identify a trail management entity, if it is not the Applicant.

Permit Condition 4

- *Trail Construction and Implementation:* This permit condition would require that within 180 days following termination of the NRC Part 50 license for the power plant, the Applicant would submit a building permit application for construction of the permitted trail. With the building permit application, a Final Trail Operations and Management Plan would be submitted. The plan would include monitoring and evaluation measures to determine the success in implementing the plan such as:
 - An annual summary of trail use and a five-year budget for maintenance and cost projections.
 - A description of the effects, if any of visitation on security and public safety, agriculture, and biological and cultural resources, and the measures taken to avoid or reduce those effects.

Prior to the issuance of the Final Occupancy/Certification for public use of the trail or the release of the bond for DCPP restoration monitoring, the County would approve the Final Trail Operations and Management Plan for implementation. The Offer of Dedication for the specific trail route would then be accepted by the County or other public agency based on the map and legal description for the specific route for the Diablo Lands Connector Trail.

With these permit conditions, the Project would be consistent with land use policies and regulations (including the LCP) related to coastal access because a new Diablo Lands Connector Trail would be developed and managed in perpetuity to provide additional public access to the coastline, while minimizing impacts on sensitive resources. Therefore, impacts would be less than significant (Class III).

Railyards

Activities at the railyards would not preclude coastal access. Therefore, no impact would occur.

Phase 2

As discussed for Phase 1, the Project is consistent with land use policies and regulations (including the LCP) related to coastal access because a new Diablo Lands Connector Trail would be developed and managed in perpetuity to provide additional public access to the coastline, while minimizing impacts on sensitive resources. Therefore, impacts would be less than significant (Class III).

Post-Decommissioning Operations

New Facility Operations. As discussed for Phase 1, the Project is consistent with land use policies and regulations (including the local coastal program) related to coastal access because a new Diablo Lands Connector Trail would be developed and managed in perpetuity to provide additional public access to the coastline, while minimizing impacts on sensitive resources. Therefore, impacts would be less than significant (Class III).

Future Actions. As discussed for Phase 1, the Project is consistent with land use policies and regulations (including the local coastal program) related to coastal access because a new Diablo Lands Connector Trail would be developed and managed in perpetuity to provide additional public access to the coastline, while minimizing impacts on sensitive resources. Therefore, impacts would be less than significant (Class III).

Mitigation Measures for Impact LUP-3. No mitigation measures are required.

4.12.5 Cumulative Impact Analysis

Geographic Extent Context

A cumulative impact related to land use and planning has the potential to occur from construction activities associated with other projects that may be located within the same sites or along the same transport routes as the Proposed Project. Construction of multiple projects along the same public roads could affect public access to a degree that the combined impact could be cumulatively considerable. Cumulative projects that would be applicable to this analysis include projects that are located at the DCPP site, within the Avila Beach community, and along the

proposed transport routes to the DCPD site and rail sites. However, with the exception of the Orano System ISFSI Modifications (#1), many of the projects listed in Table 3-1 are already completed or will be complete prior to the Proposed Project's decommissioning activities. Therefore, the Orano System ISFSI Modifications is considered for potential cumulative impacts related to land use and planning.

As neither Phase 1 nor Phase 2 activities would have an impact on agricultural resources, the Proposed Project would not contribute to an agricultural-related effect that is cumulatively considerable.

Cumulative Impact Analysis

Phase 1 and Phase 2

The Orano System ISFSI Modifications would be scheduled to occur during the Proposed Project's Phase 1 activities and would require approximately 384 truck trips to haul the construction materials, equipment, and precast components for the Orano System to the DCPD site. As discussed under Impact LUP-1, transport activities during Phase 1 and Phase 2 could temporarily limit public access along the proposed routes, and MM TRA-1 through MM TRA-5 would be implemented to land use impacts through the restriction of the hours of truck transport, the preparation and implementation of a TMP, and ongoing notifications to affected land uses. Similarly, any combined land use effect of the Proposed Project with the Orano System ISFSI Modifications would be effectively mitigated through MM TRA-1 through MM TRA-5 to a level that is less than significant. With implementation of MM TRA-1 through MM TRA-5 during Phase 1, the Proposed Project's contribution to a land use and planning conflict would not be cumulatively considerable. No additional mitigation is required.

Post-Decommissioning Operations

New facility operations, including future marina use, would not disrupt or displace an established land uses outside of the DCPD site. In addition, the use of public roadways to access these activities would not interfere with or temporarily limit public access within the adjacent communities. Post-decommissioning operations would not contribute to a land use and planning conflict that is cumulatively considerable.

4.12.6 Summary of Significance Findings

Table 4.12-6 presents a summary of the environmental impacts, significance determinations, and mitigation measures for the Proposed Project.

Table 4.12-6. Summary of Impacts and Mitigation Measures – Land Use and Planning

Impact Statement	Impact Significance Class				Mitigation Measures
	Phase 1		Phase 2	Post-Decom	
	<i>DCPP</i>	<i>PBR/SB</i>	<i>DCPP</i>	<i>Ops/Marina</i>	
LUP-1: Disrupt or displace an existing land use	II	II/II	II	NI/NI	EM-2: Project Plan, Updating, Tracking, and Reporting TRA-1: Truck Transportation Outside of Peak Hours TRA-2: Specialty Heavy-Haul Transport Vehicle Transportation Management Plan TRA-3: Decommissioning Liaison TRA-4: Advance Notification of Decommissioning TRA-5: Quarterly Decommissioning Updates
LUP-2: Disrupt or convert surrounding agricultural uses	NI	NI/NI	NI	NI/NI	None required
LUP-3: Conflict with any applicable land use policy or regulation of an agency with jurisdiction over the project (including the local coastal program) related to coastal access	III	NI/NI	III	III/III	None required
Cumulative Impact	Not cumulatively considerable		Not cumulatively considerable		None required

Acronyms: PBR = Pismo Beach Railyard, SB = Betteravia Industrial Park (Santa Barbara County), Post-Decom = Post-Decommissioning, Ops = Long-Term Operations, Class I = Significant and Unavoidable, Class II = Less than Significant with Mitigation, Class III = Less than Significant, Class IV = Beneficial, NI = No Impact.