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**Th-4.d**

Energy and Ocean Resources Unit  
Staff: JJJ, SMH—SF  
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**STATUS REPORT ON SONGS MITIGATION PROGRAM**

Following is a brief status report for the mitigation projects required in Southern California Edison Company's (SCE) coastal development permit for the San Onofre Nuclear Generating Station (SONGS) Units 2 and 3 (permit no. 6-81-330, formerly 183-73). The conditions originally were adopted by the Commission in 1991 to mitigate the adverse impacts of the power plant on the marine environment. In 1993, the Commission added a requirement for the permittee to partially fund construction of an experimental fish hatchery. The Commission has since approved amendments to the conditions in April 1997 and October 1998.

**WETLAND RESTORATION MITIGATION****The Project**

Condition A of the permit requires the permittee to create or substantially restore a minimum of 150 acres of wetlands to mitigate for impacts to fishes caused by the operation of SONGS. In April 1997, the Commission reaffirmed its 1992 approval of the permittee's choice of the San Dieguito River Valley as the site for the wetland restoration project.

**Progress Report**

The wetland restoration mitigation project is undergoing a planning and environmental review process which incorporates the mitigation project into the overall San Dieguito River Valley Regional Open Space Park project, and which also includes additional wetland restoration required under the permittee's settlement agreement with the Earth Island Institute.

The CEQA/NEPA documentation is currently being prepared by the lead agencies, the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA) and U.S. Fish and Wildlife Service. An administrative draft was circulated in June to the involved local, state and federal agencies. To address issues raised in response to the administrative draft, the release of the public draft EIR/EIS is now scheduled for July 23, 1999. The additional time is needed to address changes in the grading plans, as

well as revise the document to include further discussion of the potential benefits of the project. There will be a 45-day comment period, and a public meeting will be held during the comment period. The final EIR/S is expected to be released in early October. Following the 30-day review required under NEPA, the final EIR/S is expected to be certified by early November 1999.

The permit conditions contain due dates for SCE's submittal of the final restoration plan and coastal development permit application based on an earlier completion of the EIR/S review process. In amending the permit conditions in October 1998, the Commission authorized the Executive Director to change those due dates provided that such changes would not extend the deadline for submitting the final restoration plan or the permit application by more than three months. The deadlines for the final plan and permit application are October 23, 1999 and March 15, 2000, respectively. If SCE is able to submit its final plan and permit application within three months of those deadlines, i.e., by January 23, 2000 and June 15, 2000, respectively, and thus stay on the current schedule, then no further amendments to the mitigation permit conditions will be needed.

Once the draft EIR/S is released, the staff will work with SCE to ensure that these submittal dates are achieved. SCE has reiterated its commitment to do everything it can to fulfill its permit obligations in a timely manner.

The staff expects that some of the remaining issues essential to completing the final restoration plan and subsequent permitting processes will be resolved in the environmental analyses. Please refer to previous status reports for summary discussions of the issues, which include inlet maintenance, trail alignment, berm design, and disposal sites. The staff is continuing to work with the JPA, Edison, and the 22nd District Agricultural Association (District) on these issues.

## **KELP REEF MITIGATION**

### **The Project**

Condition C of the permit requires construction of an artificial reef that will consist of an experimental reef and a larger mitigation reef. The experimental reef must be a minimum of 16.8 acres and the mitigation reef must be of sufficient size to sustain 150 acres of medium to high density kelp bed community. The purpose of the experimental reef is to determine what combination of substrate type and substrate coverage will best achieve the performance standards specified in the permit. The design of the mitigation reef will be contingent on the results of the experimental reef.

In April 1997, the Commission added the requirement for a payment of \$3.6 million to the State's Ocean Resource Enhancement and Hatchery Program (OREHP) to fund a mariculture/marine fish hatchery to provide compensation for resources not replaced by the artificial mitigation reef. SCE has fully satisfied this requirement.

## **Progress Report**

The State Lands Commission, lead agency for CEQA, released the final PEIR on May 24, 1999. The PEIR concludes that for the experimental reef phase the environmentally preferred project would be the proposed project because it involves less construction and less impacts initially than the other alternatives (other than the No Project alternative). The State Lands Commission certified the final PEIR and issued the offshore lease for the experimental reef on June 14, 1999.

The staff plans to bring the coastal development permit for the experimental reef before the Commission in July 1999 and the Army Corps expects to issue its permit following the Commission's action. SCE has indicated it will be ready to begin construction by August 1, 1999 so that it can be completed by October 1, 1999 to avoid conflicts with the commercial lobster fishing season.

The staff produced a proposed monitoring plan for the experimental reef which has been reviewed by SCE, resource agencies and other technical specialists and also was included in the draft PEIR for general public review. The staff plans to bring the proposed monitoring plan for the experimental reef before the Commission in July 1999.

## **FISH BEHAVIORAL MITIGATION**

### **The Project**

Condition B requires the permittee to install and maintain behavioral barrier devices at SONGS to reduce fish impingement losses.

### **Progress Report**

Following the permittee's experiments on light and sound devices, the permittee considered fish guidance lights to be more effective in preventing fish from being trapped and killed. In October 1998, the Executive Director approved the permittee's installation plan for the lights and the lights were installed in December 1998.

Monitoring to evaluate the effectiveness of the fish guidance lights was begun in March 1999. The first set of data has been collected and provided to the staff for analysis. The staff will examine this data and data generated from continuing monitoring to determine the effectiveness of the light system.