

CALIFORNIA COASTAL COMMISSION

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F9a

A-3-SLO-O4-035-A1

(PACIFIC GAS AND ELECTRIC COMPANY)

MAY 8, 2023

CORRESPONDENCE



SIERRA CLUB
SANTA LUCIA



May 5, 2023

To: Donne Brownsey, Chair, California Coastal Commission
Cc: Kate Huckelbridge, Executive Director, California Coastal Commission
Tom Luster, Senior Scientist, California Coastal Commission

Re: Item F9a, A-3-SLO-04-035-A1, Diablo Canyon ISFSI – Orano Storage

Dear Chair Brownsey and Commissioners,

The Surfrider Foundation San Luis Obispo chapter (Surfrider) is a grassroots organization dedicated to protecting and enjoying San Luis Obispo's 100 miles of coastline on behalf of our thousands of members and supporters. **Surfrider strongly supports Pacific Gas and Electric's (PG&E) proposal to install the Orano horizontal spent fuel storage system at the Diablo Canyon Nuclear Power Plant.** This comes at the urging of the local community and advocates. The new system will decrease the time needed to transfer spent fuel out of the cooling pools after decommissioning from 7 years down to 2 years. It will save ratepayer dollars and improve safety at the site by shortening the amount of time spent fuel is stored in more vulnerable cooling pools.

The permit amendment is appropriately limited to 2030 to allow the Commission to consider updated projections of coastal hazards and the status of offsite interim storage facilities if PG&E applies for an extended authorization beyond 2030. The 5-year permit duration is essential given the high level of uncertainty both with coastal hazards and with the future operation and decommissioning of the power plant.

While we support the proposed development, we are concerned that the independent spent fuel storage installation (ISFSI) impacts to coastal access are not adequately addressed in the permit amendment, as they were not sufficiently mitigated in the original 2005 coastal development permit.

Coastal Access Mitigation in the 2005 Coastal Development Permit

In 2005, the Coastal Commission approved a [coastal development permit](#) for PG&E to construct and operate an ISFSI to serve as a dry storage and cooling site for spent nuclear fuel. The Commission reviewed the ISFSI's impacts to coastal access separate from those of the existing Plant facility and found significant impacts. It was based on the impediment to coastal access created by the NRC high security zone (HSZ) for the ISFSI, which excludes the public from entering the area to protect from the risk of radiation. Beyond the HSZ, an additional Public Security Area (PSA) area covering the balance of the 10.5 miles of coastline remains inaccessible to the public and is designed to control terrorist attack and other threats. The January 8, 2005 Final Adopted Findings for the original ISFSI permit state:

Along with preventing access to the approximately two miles of shoreline within the ISFSI' s high security zone due to federal requirements, PG&E has largely prevented access to much of the public trust tidelands in the remaining 10.5 miles of the Diablo Canyon shoreline due to concerns about security. (Page 32)

The ISFSI is entirely located on Parcel P, but the PSA is necessary to protect it from the risks of terrorism, theft, and other destructive intrusions, which are likely to persist for decades as long as spent fuel is stored on the site. The PSA restricts public access throughout both the North and South Ranches.

The 2005 permit calculated coastal access impacts based on the 1.5-mile HSZ¹. The Final Adopted Findings used a detailed analysis to justify a rough proportionality of mitigation of 6 miles of provided by the Pt. Buchon Trail. The ratio of 4 to 1 (6 miles divided by 1.5 miles) is due to the fact that access to the Pt. Buchon access is very limited whereas the impediment created by the HSZ is full and complete. The same argument applies to the mitigation needed for the PSA. Therefore, the compensation in terms of trail access should be 4 times the remaining inaccessible coastline. Both the Pecho Coast Trail and the Pt. Buchon Trail now provide access to the Diablo coastline. The remaining inaccessible coastline outside of the HSZ is approximately 6 miles. This is the distance from the end of the Pt. Buchon and Pecho Coast trails to the boundaries of the 1.5 mile HSZ. Using the ratio of 4 to 1 to compensate for limited access, or 16 miles of additional coastal trail access should be provided as mitigation. Since there are only about 6 miles of Diablo coastline still available for coastal trails, an additional 11 miles of trail access would be necessary on the 4,000 acres of the Diablo Lands in the Coastal Zone (outside of the HSZ).

Coastal Access Mitigation for the Permit Amendment

The subject permit amendment effectively acts as a five-year extension for the ISFSI permit and limits "the presence of the ISFSI to a term no later than 2030." This limit is in special condition 2 and the staff recommendation also requires PG&E to return in 2029 with a permit amendment application to authorize continued operations beyond 2030. As such, we recommend that additional coastal access mitigation be provided as part of this permit amendment.

We suggest this access discrepancy be addressed in the present permit amendment rather than waiting until 2030 where future ISFSI impacts will need to be addressed. The suggested additional coastal access mitigation is needed to compensate for impacts for the permit going forward, but this does not compensate for the historic shortfalls in public access. Such shortfalls should be addressed through the grant of conservation easements on the entire Diablo Lands (excluding Parcel P due to the security zone) as suggested by the 2006 Staff report on the application for new steam generators, which were essential for continue operation of the Plant as is the ISFSI.

¹ Based on the calculation used in the 2005 Final Adopted Findings, the lost coastal access opportunities for six miles of Diablo coastline would be over 400,000 per year. This is based on actual visits to adjacent beach areas in 2005. Adjusted for the estimated 2%/year growth estimate, that would be over 594,000 in 2025,

Given the extent of the ISFSI's access impacts, PG&E should, at a minimum, be obligated to provide extended lateral bluff access and additional vertical accessways as detailed below. This will improve coastal trail connectivity and provide an important piece of the California Coastal Trail. Sustainable docent led access to the balance of the Diablo coastline (beyond the 1.5-mile HSZ and existing trails) should be provided, including:

1. Extending the Pt. Buchon Trail to the northern boundary of the HSZ;
2. Extending the Pecho Coast Trail between Rattlesnake Canyon Creek (the end Trail) to the southern border of the HAS
3. Establishing at least 6 vertical accessways – 3 from the Pecho Valley Road to the Buchon trail and 3 from the Diablo Canyon Road to the Pecho Coast Trail (as extended).
4. Providing van and trolley transportation for docented groups to the intersections of the Roads and these vertical accessways.

The 2005 permit required lateral blufftop access to three miles of coast along the northern portion of the Diablo Canyon lands but vertical access only to Point Buchon Beach. This mitigation also falls short of the County's vision for shoreline accessibility. The County's local coastal program requires one accessway per mile. Section 23.04.420(4),(A)(ii) requires:

"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."

The Diablo Canyon Road and the Pecho Valley Road and their shoulders (up to the HAS) should be open to docented hiker groups to access the vertical pedestrian accessways and to enable movement from one accessway to another. In addition, both roads, but especially Diablo Canyon Road should be open to shuttle vans or trolleys for docented groups of hikers for weekly hikes and pre-arranged group hikes. It will be too far for most hikers to hike all the way from the main gate to South Ranch and then 3 more miles on the ranch.

The shuttles should be wheelchair accessible vans and at least the vertical accessways should be wheelchair accessible and positioned so they go to blufftop overlooks that may extend beyond the lateral bluff trail. PG&E provides tours of their facility, so we do not feel that hiking group tours accompanied by docents familiar with PG&E visitor rules would be inconsistent with public safety or plant security.

Traffic Mitigation

Special condition 11 requires a Traffic Control and Mitigation Plan to compensate for access closures. This may result in impeding access to camping, fishing, trails and other recreational opportunities. The staff report also expects 338 truck trips for project construction, which will include wide loads and slow-moving vehicles carry Orano storage canisters. Mitigation is needed for this burdensome and dangerous construction traffic along the 4+ miles of narrow, winding two-lane road from Highway 101 to the entrance to Diablo Canyon Road. Traffic will deter beach goers from going to Avila Beach to enjoy the many coastal-dependent recreation opportunities along the 2+ miles of Avila Beach and Port San Luis.

PG&E should compensate for traffic nuisances and historic impediments to coastal access that are not mitigated by the forward-looking trail access mitigations discussed above. For example, PG&E could provide a community benefit to Avila Beach that would increase coastal access to a critical, overlooked, and historically abused area. Public access to the San Luis Obispo (SLO) Creek Estuary is currently illegally inhibited by the Avila Beach Golf Course. The Estuary has been progressively filled in by farmers and developers and cut in half by a weir designed to protect groundwater for use by the San Luis Bay Estates master planned community, which includes the Golf Course. The riparian habitat has been denuded along much of the Golf Course. The Estuary has been harmed by two different (but related) oil tank farms. The 1926 San Luis Obispo Tank Farm Fire is the worst environmental disaster to hit the Central Coast. A river of fire burned down San Luis Creek to Avila for up to 2 weeks. In addition, over many decades, corroded pipes that ran under the Estuary from the adjacent Avila hilltop tank farm to the Union Oil pier leaked over 400,000 gallons of toxic petroleum. Partial remediation was done for both tank fires, but nothing was done for the Estuary. By comparison to the amount of protection given to the Morro Bay National Estuary, the SLO Creek Estuary has been ignored and downtrodden. Given that it provides estuary ecological services for the only year-round watershed in SLO County and feeds into one of the County's most popular coastal recreation areas, it is long overdue for some love.

PG&E should establish a fund with to acquire accessways for kayaking, fishing, and walking along the Estuary and environmental restoration. Estuaries are included in the definition of "sea" for purposes of the Coastal Act. A conservation easement should be added to the existing open space easement on Fairways 10 and 18 (adjacent to Avila Beach Drive at First Street) to exclude development activities and allow for a Chumash Heritage Interpretive Trail and appropriate landmarks to commemorate the fact that this area was the ancestral capital of the Northern Chumash. This would also serve the purpose of protecting key cultural sites of the Northern Chumash, which include two villages that comprised the capital. The proposed fund should be co-managed by the Northern Chumash Tribal Council and one or more appropriate land conservancies such as the The Nature Conservancy and Creek Lands Conservation, which is currently conducting a resiliency and restoration study for the SLO Creek Estuary.

Thank you for your consideration in addressing these important coastal access shortfalls. This is a vibrant and scenic portion of the California Coast that has been inaccessible to local communities and visitors for far too long. We urge the Commission to use their authority to maximize coastal access to the Diablo Lands.

Sincerely,

Jim Miers
Chair, San Luis Obispo Chapter
Surfrider Foundation

Susan Harvey
Chair, Conservation Committee
Santa Lucia Chapter, Sierra Club

Mandy Sackett
Senior California Policy Coordinator
Surfrider Foundation