



STAFF REPORT

TO: Board of Commissioners

FROM: John D'Ornellas, Interim Harbor Manager

DATE: November 16, 2021

SUBJECT: **Diablo Canyon Power Plant Decommissioning EIR Scoping**

Recommendation / Proposed Motion

- **Recommendation:** Provide Direction to staff on the District's participation on the scoping of the EIR for the Diablo Canyon Power Plant decommissioning project.

Policy Implications

Port San Luis Harbor District – Port Master Plan

Port San Luis Harbor District Handbook, Policy No. 6020 Environmental Review Guidelines

Fiscal Implications / Budget Status

There is no specific budget line item to hire a consultant for any Diablo Canyon Power Plant (DCPP) land use or environmental impact review or study. Staff can dedicate limited time to this project.

Alternatives Considered

- Staff prepare and submit written comments based on past Commission action on the DCPP decommissioning project (Project).
- Appoint a Committee to review the scope of the EIR for the DCPP Project.
- Do nothing on the scope of the EIR for the DCPP Project.

Background

The District has participated, to some degree, in the DCPP decommissioning project. The District involvement has been limited to potential new uses of land/facilities within the DCPP. The Board reviewed and approved the District's interest in land/facilities within the DCPP at the August 18, and August 28, 2018, meetings. The District's interest in land/facilities has been provided to the DCPP decommissioning panel at public meetings and in written communication.

Discussion

The decommissioning of DCPP is an enormous project with many procedural steps. The item under discussion at tonight's meeting is consideration of any District comments regarding the scope of the Environmental Impact Report (EIR) of the decommissioning project. The project is

broadly defined as the decommissioning of the DCP. This project will occur in two phases including:

Phase 1: (2024 – 2031) Pre-planning and decommissioning activities.

Phase 2 (2032 - 2039) Completion of soil removal, final status surveys, and final site restoration.

Under the California Environmental Quality Act (CEQA) guidelines, determination of the “scope” of an EIR requires consultation with public agencies and the public. The lead agency is required to publish a Notice of Preparation (NOP) stating that an EIR will be prepared and request comments on the scope of the EIR. San Luis Obispo County is the lead agency. The District received the NOP of the EIR and notice of scoping meetings on November 1. Written or verbal comments on the scope of the EIR are due by December 6, 2021. There are several virtual meetings to receive information on the project and provide comments on the scope of the EIR.

The County has not produced an Initial Study of the Project but will move directly to an EIR. This EIR will focus on both phases of the project. The EIR will also review future reuse of the DCP lands. This reuse of PG&E owned land/facilities has been the District’s focus. Possible environmental impacts of reuse will be reviewed in a big picture context. This reuse of land has a date of 2040 and beyond. There has been no approved reuse of the land at this point thus the EIR will only review potential uses. The County is developing reuse ideas and has specified the EIR may compare future uses of the land around the DCP. These uses include everything from a university campus, an offshore wind port, and day use recreation. There likely will be a mix of many uses on the available land around the DCP.

The EIR will not only review the Project’s environmental impact to lands associated directly with the DCP. The review will also include the transportation routes and railyard facilities in Pismo Beach and Santa Maria.

The attached Notice of Preparation (NOP) of the EIR and requesting comments on its scope is the first step in the Project. An eventual Draft EIR will be published for review and comment followed by a Final EIR. Scoping is designed to examine a proposed project early in the EIR process and identify the range of issues applicable to the project. The scoping process focuses on early consultation with public agencies (local, state, and federal), tribal governments, organizations, and the public. Scoping is considered an effective way to bring together and resolve the concerns of other agencies potentially affected by the project as well as the public.

CEQA Guidelines Section 15082(b) specifies that a responsible agency may provide the lead agency with specific detail about the scope and content of the environmental information related to the agency’s area of statutory responsibility. The comments on the scope should be specific to the project and the environmental impacts. A generalized list of concerns not related to the specific project do not meet the requirements of Section 15082(b).

Attachment: Notice of Preparation and Notice of Scoping Meeting DCP Decommissioning Project