

STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION

SUPPLEMENTAL SHEET FOR REGULAR MEETING OF SEPTEMBER 9, 2005

Prepared on September 7, 2005

ITEM NUMBER: 15

SUBJECT: Pacific Gas and Electric Company Diablo Canyon Nuclear Power Plant, Status Report Regarding Resolution of Cooling Water Impacts

KEY  
INFORMATION:

Location: Seven miles West by Northwest of Avila Beach, San Luis Obispo County  
Discharge Type: Cooling Water, Industrial Process Wastewater  
Flow Limit: 2,760 MGD (maximum for all discharges)  
Disposal: Pacific Ocean  
Recycling: None  
Existing Order: WDR Order No. 90-09 (NPDES Permit No. CA0003751)

SUMMARY

This supplemental sheet transmits additional comments on item 15. Attachment 1 is an e-mail from Jim Martin, West Coast Regional Director, Recreational Fishing Alliance. Mr. Martin's main comments, and Water Board staff's responses, follow. Note that "MLPA" is the Marine Life Protection Act.

**Mr. Martin:** *The MLPA Initiative will only produce recommendations and advice to the CA Fish & Game Commission on changes to California's network of marine protected areas. The Commission is under no obligation to accept that advice. Advice to the Commission is not a mitigation for entrainment of larvae. These recommendations are scheduled to be delivered to the F&G Commission within the next three months; by the time any agreement is reached with PG&E, the regional MLPA public process will be complete.*

**Staff Response:** Staff agrees. We are not suggesting that mitigation funds be used to support the MLPA development process, which is well underway for the Central Coast.

Our position is that long-term funding to support marine reserves, once they are established, is the most ecologically beneficial option. State and federal funding is unpredictable and unstable. A permanent endowment for long-term support would guarantee implementation and oversight of marine reserve areas.

**Mr. Martin:** *Recreational fishing would lose twice: once when the cooling plant kills fish, and again when we are closed off our fishing grounds, if staff recommendations are followed.*

**Staff Response:** Staff is not making a recommendation at this time. However, the MLPA, like the Porter Cologne Water Quality Control Act, is a law designed to provide reasonable protection for resources. The MLPA calls for protecting a portion of California's marine habitat in various categories; the MLPA does not close down all fishing grounds. Also, data from several marine reserve areas around the world show that marine reserves provide benefits to

recreational fisheries in addition to ecological benefits (see Attachment 6 to the staff report for Item 15: *The Science of Marine Reserves*, PISCO, 2002). Water Board staff's perspective is that mitigation should be directed toward the greatest ecological benefit, not toward projects that benefit particular groups or agencies.

#### ATTACHMENTS

1. E-mail from Jim Martin, September 7, 2005.

S:\Seniors\Shared\NPDES\NPDES Facilities\San Luis Obispo Co\PG&E Diablo Cyn\New Permit\9-09-05 Board meeting files\9-9-05 dcpp staff report supplemental sheet 2.DOC