

DOCKETED

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The Californians for Green Nuclear Power Advocates for Adoption of the "Appendix A" amendments for DCPD

During the Californians for Green Nuclear Power (CGNP) Board Meeting on 03 February 2015, our Board unanimously advocated for the adoption of the State Water Resources Control Board's (SWRCB's) "Appendix A" amendments regarding the continuing use of once-through-cooling at Diablo Canyon Power Plant (DCPP). The attached 44 page packet includes an extract of the relevant "Amendment A" passages applicable to DCPD in Part 2. This packet has already been emailed to the SWRCB Secretary and Associate Counsel. It was also emailed to the Diablo Canyon Independent Safety Committee (DCISC) and was discussed during the DCISC meeting in Avila Beach, CA on 04-05 February 2015. Alternative mitigation strategies should be utilized to compensate for the negligible harm to ocean life, comparable to the results from natural wave action of a few miles of coastline and the feeding behaviors of filter feeders in that environment.

The CEC should strongly urge the SWRCB to adopt their "Appendix A" amendments. In the event that the SWRCB fails to adopt this Appendix as policy for Diablo Canyon Power Plant (DCPP) there will be significant harms regarding the safety and reliability of DCPD, which provides Greenhouse Gas (GHG)-emission-free generation of about 10% of California's electric power as a baseload generation facility. There would also be multi-billion dollar costs borne by ratepayers, substantially increased GHG emissions, significant reductions in air quality, and likely diminutions in California electric grid reliability.

The forced premature closure of San Onofre Nuclear Generation Station (SONGS) near San Clemente, California in 2012 can be traced in part to the actions of a very vocal minority that are opposed to the use of nuclear power. Intervenors such as The Utility Reform Network (TURN) derived multi-million dollar financial benefits for their advocacy in favor of SONGS closure. Unfortunately, the ratepayers are facing \$3.3 BILLION in additional expenses as a consequence of the 2012 SONGS closure. Additional electrical transmission lines will need to be constructed and additional fossil-fueled generation capacity is being used to provide the needed electrical power. Wind and Solar will have the capacity to provide a negligible fraction of the power previously supplied by SONGS. The harms caused by the SONGS closure are illustrative of the likely harms that would occur if DCPD is forced by the SWRCB to employ cooling towers. PG&E would then likely NOT pursue license renewal of the twin nuclear reactors. Instead, a perfectly good, well-maintained nuclear power station would go dark in 2024 and 2025. (The electrical grid disruptions will be comparable to the problems that ENRON caused about a decade and a half ago.)

On the other hand, adoption of the SWRCB's "Appendix A" will remove a cloud of uncertainty regarding DCPD license renewal, increasing investor confidence in PG&E continuing to operate DCPD, a GHG-free power source that produces 18,000 gigawatt-hours of electricity annually, enough to power 3 million Northern and Central California homes.

Gene A. Nelson, Ph.D., Government Liaison
Californians for Green Nuclear Power <http://cgnp.org/>
San Luis Obispo, CA
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Additional submitted attachment is included below.

Californians for Green Nuclear Power (CGNP)

February 3, 2015 Board-Approved Packet

Executive Summary:

The CGNP Board endorses the SWRCB adoption of "Appendix A Proposed Amendment to the Water Quality Control Policy on the use of Coastal and Estuarine Waters for Power Plant Cooling" which appears to have a date of Mar 31, 2014 on the SWRCB website.

http://www.swrcb.ca.gov/water_issues/programs/ocean/cwa316/docs/otc_2014.pdf

(This Appendix appears to not yet be listed on the SWRCB's "Plans and Policies" webpage at http://www.swrcb.ca.gov/plans_policies/)

In the event that the SWRCB *fails* to adopt this Appendix as policy for Diablo Canyon Power Plant (DCPP) there will be significant harms regarding the safety and reliability of DCPP, which provides Greenhouse Gas (GHG)-emission-free generation of about 10% of California's electric power as a baseload generation facility. There would also be multi-billion dollar costs borne by ratepayers, substantially increased GHG emissions, significant reductions in air quality, and likely diminutions in California electric grid reliability. The index below provides the supporting documents.

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PART 1.

Californians for Green Nuclear Power strongly supports the SWRCB Appendix A OTC recommendations, as last amended on June 18, 2013

Extracts of the 19-page Appendix A amendment appear in
Part 2. DCCP-Specific extracts SWRCB OTC Policy Appendix A - Last
amended 06 18 13
beginning on page 9 of this packet

Appendix A URL:

http://www.swrcb.ca.gov/water_issues/programs/ocean/cwa316/docs/otc_2014.pdf

Key problems **avoided**:

- Complex, time-consuming, and expensive DCPP demolition to add cooling towers.
- Potential DCPP flooding by highly-conductive salt water
- Salt drift compromising DCPP reliability and safety
- Salt drift reducing local air quality

The recent changes regarding proposed SWRCB policies that affect DCPP are welcomed by CGNP. Our organization has strong concerns regarding policies that were proposed for DCPP in the SWRCB Final Substitute Environmental Document dated May 4, 2010.



Robust Construction of DCPD twin cooling water tunnels noted by Bechtel during Nov. 18, 2014 meeting

Note the massive foundations, thick rebar, and massive concrete walls, with the humans in the picture for scale. Many critical safety systems are either embedded in the walls or placed close by. Thus, demolition to add cooling towers will be much more lengthy and expensive. (Photo courtesy of PG&E)

The SWRCB Learned about these issues in a 2003 PG&E report

- Feasibility of Retrofitting Cooling Towers at Diablo Canyon Power Plant Units 1 & 2, Received by SWRCB 04 17 2003, Prepared by Burns Engineering Services, Topsfield, MA
- http://www.waterboards.ca.gov/rwqcb3/water_issues/programs/diablo_canyon/docs/07_10_03_hearing/testimony/att_6burnsengineeringalternativesrpt.pdf

Considerable additional detail was provided in the 238-page report supplied to the SWRCB by PG&E on September 30, 2009. See: http://www.waterboards.ca.gov/water_issues/programs/ocean/cwa316/docs/cwa316_2009sept/comments/mark_krausse_2.pdf

Complex to add cooling tower tunnels

Page 14: "Implementation of the cooling tower retrofit project would require modification of the CW lines and tunnels to handle the higher CW pressures of the closed-cycle system. New tunnels would have to be dug in order to direct the flow of water from the condensers to the new bank of cooling towers, with connections to the inlet and outlet water flows established in the area in front of the turbine building.

The underground section of that area has been heavily utilized with a labyrinth of service connections laid in below ground in layers that reach 50 feet under the surface. These include safety related systems, CW tunnels & electrical lines. The cooling water tunnels are substantial —12' X 12' and are underneath a nest of conduit and safety systems in front of the unit two turbine building. Connections to these would need to be made to provide service to the new proposed bank of cooling towers. This work would have the potential to damage safety related systems.

A sense of the complexity of the existing lines in this area is given in Figure 6. No less than 46 discrete electrical and plumbing systems converge here. The lines in this relatively small area in front of the turbine are so dense that one could only be able to follow the tangle of interwoven systems with an oversized 30"x40" drawing. Any construction here would be painstakingly difficult, to say the least. Carefully avoiding and selectively removing parts of the existing infrastructure is a far more difficult and expensive task than building everything new."

Salt Drift Problems

Page 21: "Assuming the plant operates on average at 90% capacity factor, the new cooling towers would spread over **6.8 million pounds of salt over the area per year**....As a figure for comparison, salt deposition along the ocean shoreline is only about **86 lb/acre per year**....The probability of **arcing** due to salt drift depositing itself on and **coating insulators of these nearby 500 (KV) transmission lines** is very real.

The Lucrative Business of Being an Intervenor

- “Nonprofit” organizations such as Friends of the Earth (FoE), The Utility Reform Network (TURN), and the Alliance for Nuclear Responsibility (A4NR) collect millions as intervenors from California ratepayers to oppose the use of nuclear power.
- The 2012 premature closure of SONGS, assisted by these organizations, resulted in \$3.3 BILLION in additional ratepayer costs.

CGNP is expressing concern regarding the large sums that California ratepayers are being forced to pay to "nonprofit" organizations utilizing the CPUC intervenor system that seem to be more interested in fundraising instead of environmental advocacy. As an example, FoE's 2012 IRS 990 shows line 8 revenue of \$7,316,381.00, up from \$5,960,936.00 in 2011.

A four-page extract from the hourly intervenor compensation rates from the October 29, 2014 CPUC tabulation showing rates from \$625.00 per hour to \$420.00 per hour is attached. TURN is listed many times. An article about the \$3.3 billion in additional ratepayer costs connected with the SONGS closure from the June 16, 2014 *San Diego Union Tribune* is attached. The attached May 13, 2014 *San Diego Union Tribune* article revealed that TURN collected \$6.2 million as a CPUC intervenor in 2013.

PART 2.

APPENDIX A - PROPOSED AMENDMENT TO THE WATER QUALITY CONTROL POLICY ON THE USE OF COASTAL AND ESTUARINE WATERS FOR POWER PLANT COOLING

As last amended June 18, 2013

Archived 02 02 15 by Gene A. Nelson, Ph.D. Government Liaison, Californians for Green Nuclear Power
http://www.swrcb.ca.gov/water_issues/programs/ocean/cwa316/docs/otc_2014.pdf

Page 1:

1. Introduction

G. The intent of this Policy is to ensure that the beneficial uses of the State's coastal and estuarine waters are protected **while also ensuring that the electrical power needs essential for the welfare of the citizens of the State are met.** The State Water Board recognizes it is necessary to develop replacement infrastructure to maintain electric reliability in order to implement this Policy and in **developing this policy considered costs, including costs of compliance, consistent with state and federal law.**

Pages 3 and 4:

L. The Global Warming Solutions Act of 2006 requires California to reduce greenhouse gas emissions to 1990 levels by 2020 and then to maintain those reductions. California presently has two nuclear-fueled power plants* that provide approximately 4,600 megawatts of baseload electricity and do not emit greenhouse gases during energy generation. Energy generation by facilities that do not emit greenhouse gases will be critical to meeting the mandates of the Global Warming Solutions Act and emerging national and international greenhouse gas reduction requirements. The nuclear-fueled power plants* are entering into United States Nuclear Regulatory Commission (Commission) license renewal proceedings unique to the nuclear power industry and relicensing may extend the plants operating lives to approximately 2045. Unlike older era fossil-fueled plants, if the nuclear-fueled power plants* undergo modernization as part of relicensing or cooling structure upgrades, that modernization will not reduce greenhouse gas emissions, and in fact, extended downtime during modernization may result in short-term increases in greenhouse gases as other greenhouse gas emitting facilities provide makeup power. In recognition of these considerations and others, this Policy requires special studies for the nuclear-fueled power plants* to address their unique issues, and to evaluate appropriate requirements for those plants.

Page 9:

2. Requirements for Existing Power Plants

D. Nuclear-Fueled Power Plants*

If the owner or operator of an existing nuclear-fueled power plant* **demonstrates that compliance with the requirements for existing power plants* in Section 2.A, above, of this Policy would result in a conflict with any safety requirement established by the Commission, with appropriate documentation or other substantiation from the Commission, the State Water Board will make a site-specific**

determination of best technology available for minimizing adverse environmental impact **that would not result in a conflict with the Commission's safety requirements**. The State Water Board may also establish alternative, site-specific requirements in accordance with Section 3.D (8).

Page 11:

3. Implementation Provisions

D. No later than January 1, 2011 the Executive Director of the State Water Board, using the authority under section 13267(f) of the Water Code, shall request that Southern California Edison (SCE) and Pacific Gas & Electric Company (PG&E) conduct special studies for submission to the State Water Board.

(1) The special studies shall investigate alternatives for the nuclear-fueled power plants* to meet the requirements of this Policy, including the costs for these alternatives.

(2) The special studies shall be conducted by an independent third party with engineering experience with nuclear power plants, selected by the Executive Director of the State Water Board.

(3) The special studies shall be overseen by a Review Committee, established by the Executive Director of the State Water Board no later than January 1, 2011, which shall include, at a minimum, representatives of SCE, PG&E, SACCWIS, the environmental community, and staffs of the State Water Board, Central Coast Regional Water Board, and the San Diego Regional Water Board.

(4) No later than October 1, 2011, the Review Committee, described above, shall provide a report for public comment detailing the scope of the special studies, including the degree to which existing, completed studies can be relied upon.

(5) No later than October 1, 2013 the Review Committee shall provide the final report and the Review Committee's comments for public comment detailing the results of the special studies and shall present the report to the State Water Board.

(6) Meetings of the Review Committee shall be open to the public and shall be noticed at least 10 days in advance of the meeting. All products of the Review Committee shall be made available to the public.

Page 12:

(7) The State Water Board shall consider the results of the special studies, and shall evaluate the need to modify this Policy with respect to the nuclear-fueled power plants*. In evaluating the need to modify this Policy, the State Water Board shall base its decision to modify this Policy with respect to the nuclear-fueled power plants* on the following factors:

(a) Costs of compliance in terms of total dollars and dollars per megawatt hour of electrical energy produced over an amortization period of 20 years;

(b) Ability to achieve compliance with Track 1 considering factors including, but not limited to, engineering constraints, space constraints, permitting constraints, and public safety considerations;

(c) Potential environmental impacts of compliance with Track 1, including, but not limited to, air emissions.

(8) If the State Water Board finds that for a specific nuclear-fueled power plant* to implement Track 1, either (1) the costs are wholly out of proportion to the costs identified in Tetra Tech, Inc., California's Coastal Power Plants: Alternative Cooling System Analysis, February 2008 (see pages ES-10 [summary], C-1 - C-2 and C-23 - C-40 [Diablo Canyon Power Plant] and N-1 - N-2 and N-25 - N-42 [San Onofre Nuclear Generating Station]) and considered by the State Water Board in establishing Track 1, or **(2) that compliance is wholly unreasonable based on the factors in paragraphs 7(b) and (c), then the State Water Board shall establish alternate requirements for that nuclear-fueled power plant***. The State

Water Board shall establish alternative requirements no less stringent than justified by the wholly out of proportion (i) cost and (ii) factor(s) of paragraph (7). The burden is on the person requesting the alternative requirement to demonstrate that alternative requirements should be authorized.

(9) In the event the State Water Board establishes alternate requirements for nuclear-fueled power plants*, the difference in impacts to marine life resulting from any alternative, less stringent requirements shall be fully mitigated. Mitigation required pursuant to this paragraph shall be a mitigation project* directed toward the increase in marine life associated with the State's Marine Protected Areas in the geographic region of the facility. Funding for the mitigation project* shall be provided to the California Coastal Conservancy, working with the Ocean Protection Council to fund an appropriate mitigation project*.

Page 15:

E. Table 1. Implementation Schedule

(Item) 33 Diablo Canyon Power Plant in compliance with implementation provisions resulting from State Water Board action on special studies from Section 3.D (By) Owner/operator (Due Date) 12/31/2024

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5. Definition of Terms

Mitigation project – Projects to restore marine life lost through impingement mortality and entrainment. Restoration of marine life may include projects to restore and/or enhance coastal marine or estuarine habitat, and may also include protection of marine life in existing marine habitat, for example through the funding of implementation and/or management of Marine Protected Areas.

PART 3.

Intervenor Hourly Rate Chart Excerpt - Descending sort by Hourly Rate showing rates from \$625 to \$420 per hour

http://www.cpuc.ca.gov/NR/rdonlyres/67D5008A-C75C-445F-AFCE-6AFF4BBA6A00/0/CopyofEdited_Oct28RateChart.xls

Last Update: 10.29.2014; for edits or questions please email: icompcoordinator@cpuc.ca.gov						
Intervenor Hourly Rates						
Last Name	First Name	Type	Intervenor	Rate	Year	Decision #
Nahigian	Jeffrey	Expert	Utility Consumers' Action Network (UCAN)	None	2013	D1408025
Pennington	Nicole	Expert	Utility Consumers' Action Network (UCAN)	None	2012	D1408025
Sugar	John	Expert	Utility Consumers' Action Network (UCAN)	None	2013	D1408025
Ward	Donald	Expert	Orcutt Area Advisory Group	No rate set	2000	D0106078
O'Neill	Edward	Attorney	Felton Friends of Locally Owned Water (Felton FLOW)	435; \$485	2006	D0608019; D0710031
Schilberg	Gayatri	Expert	Various	\$185, \$175	2007	D0808024/D0903045
Strumwasser	Michael	Attorney	The Utility Reform Network (TURN)	\$625	2007	D1004023
Strumwasser	Michael	Attorney	The Utility Reform Network (TURN)	\$625	2008	D1004023
Woocher	Frederic	Attorney	The Utility Reform Network (TURN)	\$625	2008	D1004023
Strumwasser	Michael	Attorney	The Utility Reform Network (TURN)	\$575	2005	D1004023
Strumwasser	Michael	Attorney	The Utility Reform Network (TURN)	\$575	2006	D1004023
Woocher	Frederic	Attorney	The Utility Reform Network (TURN)	\$575	2005	D1004023
Gnaizda	Robert	Attorney	Black Economic Council, Latino Business Chamber of Greater Los Angeles, National Asian American Coalition (NAAC) (Joint Parties)	\$555	2013	D1408021;D1408056
Gnaizda	Robert	Attorney	National Asian American Coalition (NAAC)	\$555	2013	D1407025; D1407023;D1408024
Gnaizda	Robert	Attorney	National Asian American Coalition (NAAC)	\$555	2014	D1407025
Long	Thomas	Attorney	The Utility Reform Network (TURN)	\$555	2013	D1406027;D1409012
Long	Thomas	Attorney	The Utility Reform Network (TURN)	\$555	2014	D1408052
Strumwasser	Michael	Attorney	The Utility Reform Network (TURN)	\$550	2004	D1004023

Geesman	Josh	Attorney	Alliance For Nuclear Responsibility (A4NR)	\$545	2012	D1312024; D1401030
Gnaizda	Robert	Attorney	Black Economic Council, Latino Business Chamber of Greater Los Angeles, National Asian American Coalition (NAAC) (Joint Parties)	\$545	2012	D1408021;D1408056; D1409013
Gnaizda	Robert	Attorney	National Asian American Coalition (NAAC)	\$545	2012	D1407025; D1407023;D1408024
Geesman	John	Attorney	Alliance For Nuclear Responsibility (A4NR)	\$535	2011	D1312024
Gnaizda	Robert	Attorney	Black Economic Council, Latino Business Chamber of Greater Los Angeles, National Asian American Coalition (NAAC) (Joint Parties)	\$535	2009	D1207015
Gnaizda	Robert	Attorney	Black Economic Council, Latino Business Chamber of Greater Los Angeles, National Asian American Coalition (NAAC) (Joint Parties)	\$535	2010	D1207015;D1408021
Gnaizda	Robert	Attorney	Black Economic Council, Latino Business Chamber of Greater Los Angeles, National Asian American Coalition (NAAC) (Joint Parties)	\$535	2011	D1207015;D1408021; D1408020;D1409013
Gnaizda	Robert	Attorney	The Greenlining Institute (Greenlining)	\$535	2008	D0906016
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$535	2008	D0807043
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$535	2009	D0908025
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$535	2010	D1005012; D1311022
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$535	2011	D1308021
Long	Thomas	Attorney	The Utility Reform Network (TURN)	\$530	2012	D1311022
Thomas	Tina	Attorney	Avondale Glen Elder Neighborhood Association (AGENA)	\$525	2012	D1311018
Gnaizda	Robert	Attorney	The Greenlining Institute (Greenlining)	\$520	2007	D0711013
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$520	2007	D0803012
Long	Thomas	Attorney	The Utility Reform Network (TURN)	\$520	2011	D1312028

Gnaizda	Robert	Attorney	The Greenlining Institute (Greenlining)	\$505	2006	D0707017
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$500	2007	D0705043
Thomas	Tina	Attorney	Avondale Glen Elder Neighborhood Association (AGENA)	\$490	2010	D1311018
Thomas	Tina	Attorney	Avondale Glen Elder Neighborhood Association (AGENA)	\$490	2011	D1311018
Gnaizda	Robert	Attorney	The Greenlining Institute (Greenlining)	\$490	2004	D0508015
Gnaizda	Robert	Attorney	The Greenlining Institute (Greenlining)	\$490	2005	D0609008
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$490	2013	D1408022;D1409012
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$490	2014	D1409012
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$485	2006	D0611032
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$480	2011	D1407021;D1408053
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$480	2012	D1311022;D1408022
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$480	2013	D1406027
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$480	2006	D0809037
Julian	Bill	Attorney	Utility Workers Union of America (UWUA)	\$480	2013	D1407020
O'Neill	Edward	Attorney	Felton Friends of Locally Owned Water (Felton FLOW)	\$470	2005	D0710031
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$470	2008	D0808027
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$470	2009	D0908025
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$470	2010	D1006046
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$470	2011	D1109037;D1408053
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$470	2012	D1208042
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$470	2004	D0501029
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$470	2005	D0607011
Julian	Bill	Attorney	Utility Workers Union of America (UWUA)	\$470	2012	D1407020
O'Neill	Edward	Attorney	Various	\$470	2004	D0604018

Thomas	Tina	Attorney	Avondale Glen Elder Neighborhood Association (AGENA)	\$465	2008	D1311018
Thomas	Tina	Attorney	Avondale Glen Elder Neighborhood Association (AGENA)	\$465	2009	D1311018
Julian	Bill	Attorney	Utility Workers Union of America (UWUA)	\$460	2011	D1407020
Nusbaum	William	Attorney	The Utility Reform Network (TURN)	\$455	2013	D1310065
Nusbaum	William	Attorney	The Utility Reform Network (TURN)	\$455	2014	D1408052
Thomas	Tina	Attorney	Avondale Glen Elder Neighborhood Association (AGENA)	\$450	2007	D1311018
Marshall	Phyllis	Attorney	California Black Chamber of Commerce (CBCC)	\$450	2011	D1406045
Gnaizda	Robert	Attorney	The Greenlining Institute (Greenlining)	\$450	2003	D0508015
Buse	John	Attorney	Center for Biological Diversity (CBD)	\$445	2011	D1304028
Nusbaum	William	Attorney	The Utility Reform Network (TURN)	\$445	2012	D1312051
Kasnitz	Melissa	Attorney	Center for Accessible Technology (CforAT)	\$440	2013	D1312026
Harak	Charles	Attorney	National Consumer Law Center (NCLC)	\$435	2005	D0611009
Harak	Charles	Attorney	National Consumer Law Center (NCLC)	\$435	2006	D0611009
Harak	Charles	Attorney	National Consumer Law Center (NCLC)	\$435	2007	D0904028
Finkelstein	Robert	Attorney	The Utility Reform Network (TURN)	\$435	2007	D0711033
Florio	Michel	Attorney	The Utility Reform Network (TURN)	\$435	2003	D0605037
Nusbaum	William	Attorney	The Utility Reform Network (TURN)	\$435	2008	D0902024
Nusbaum	William	Attorney	The Utility Reform Network (TURN)	\$435	2009	D0908020
Nusbaum	William	Attorney	The Utility Reform Network (TURN)	\$435	2010	D1007012
Nusbaum	William	Attorney	The Utility Reform Network (TURN)	\$435	2011	D1312051
O'Neill	Edward	Attorney	Various	\$435	2003	D0604018
Kasnitz	Melissa	Attorney	Center for Accessible Technology (CforAT)	\$430	2012	D1312026
Siegel	Steven	Attorney	Center for Biological Diversity (CBD)	\$430	2008	D0910054
Siegel	Steven	Attorney	Center for Biological Diversity (CBD)	\$430	2009	D0910054
Mailloux	Christine	Attorney	The Utility Reform Network	\$430	2013	D1404021;D1408053

			(TURN)			
Buse	John	Attorney	Center for Biological Diversity (CBD)	\$425	2010	D1304028
Maloney-Bellomo	Kathleen	Attorney	Inland Aquaculture Group, L.L.C.	\$425	2008	D1004020
Maloney-Bellomo	Kathleen	Attorney	Inland Aquaculture Group, L.L.C.	\$425	2009	D1004020
Goldberg	Stephen	Attorney	Avondale Glen Elder Neighborhood Association (AGENA)	\$420	2012	D1311018
Elsberry	Ronald	Attorney	Disability Rights Advocates (DisabRA)	\$420	2009	D0910025
Elsberry	Ronald	Attorney	Disability Rights Advocates (DisabRA)	\$420	2010	D1203051
Kasnitz	Melissa	Attorney	Disability Rights Advocates (DisabRA)	\$420	2008	D0903018
Kasnitz	Melissa	Attorney	Disability Rights Advocates (DisabRA)	\$420	2009	D0907017
Kasnitz	Melissa	Attorney	Disability Rights Advocates (DisabRA)	\$420	2009	D1106035
Kasnitz	Melissa	Attorney	Disability Rights Advocates (DisabRA)	\$420	2010	D1007013
Kasnitz	Melissa	Attorney	Disability Rights Advocates (DisabRA)	\$420	2010	D1106035
Kasnitz	Melissa	Attorney	Disability Rights Advocates (DisabRA)	\$420	2011	D1110012
Kasnitz	Melissa	Attorney	Disability Rights Advocates (DisabRA)	\$420	2011	D1106035
Kasnitz	Melissa	Attorney	Disability Rights Advocates (DisabRA)	\$420	2012	D1302014
Mailloux	Christine	Attorney	The Utility Reform Network (TURN)	\$420	2012	D1312051; D1311020;D1408053

PART 4. *San Diego Union Tribune* June 16, 2014

Nuclear settlement gets mixed reception

By [Morgan Lee \(/staff/morgan-lee/\)](/staff/morgan-lee/) 8:39 p.m. June 16, 2014

<http://www.utsandiego.com/news/2014/jun/16/public-courted-nuclear-settlement/all/?print>



Commission president Michael Peevey, center, makes it unanimous that the commissioners voted to not approve the proposed power plants at this time. — Peggy Peattie

The public weighed in Monday on a proposal to charge ratepayers \$3.3 billion in the shutdown and early retirement of the San Onofre nuclear plant with sharply divided opinions.

Todd Madison of Oceanside traveled to Costa Mesa, where the public meeting was held, to urge the California Public Utilities Commission to demand greater financial concessions from utility investors.

"All the decisions were made by the companies involved and not by the ratepayers. In my business, management has to live with the consequences of those decisions," said the 53-year-old manager at a major electronics company.

Several chambers of commerce groups praised the settlement negotiated by two consumer groups and plant owners Southern California Edison and San Diego Gas & Electric, calling it time to move on.

"We think that the agreement here represents the best deal available and one that will serve the interest of small business," said David Ahern, president of the Garden Grove Chamber of

Commerce. "We would suggest that we give the attorneys a break and get back to producing energy that's reliable and affordable and move forward."

Owners of the plant made a brief plea for public support.

San Onofre was shut down by a January 2012 radiation leak traced to rapid degradation of giant steam generators that were replaced in 2010 and 2011. Edison gave up on efforts to restart the plant and announced its retirement in June 2013.

Russell Worden, a director at Edison overseeing San Onofre matters, described the settlement fair and reasonable, while downplaying the future impact on utility customers.

"Most of the investment costs that the settlement would permit the utilities to recover have already been collected in rates since the outage began on Feb. 1, 2012. "At the end of 2014, if the settlement is approved, Edison will have collected 60 percent of the estimated cost of the settlement."

Under the agreement, plant owners Southern California Edison and San Diego Gas & Electric would forgo most of the costs of the stream generator replacement project that would have costs customers \$769 million.

The pact was negotiated between owners of the plant and two groups representing consumers, **The Utility Reform Network, or TURN**, and the state's Office of Ratepayer Advocates.

The Utility Reform Network said it talked the utilities out of collecting an additional \$1.4 billion. The group's executive director, Mark Toney, said utility customers would be wise to lock in a degree of savings now rather than risk paying more after protracted litigation against investor-owned utilities.

The settlement, if approved by regulators, would ensure investors are not punished for any further revelations about what went wrong at the plant.

Federal nuclear safety regulators have cited both Edison, for failing to ensure that an adequate design of the generators, and manufacturer Mitsubishi Heavy Industries, for faulty computer codes used the design. No sanctions were attached to the citations. Edison and Mitsubishi are engaged in binding arbitration efforts over who pays for the faulty generators.

The Nuclear Regulatory Commission continues to investigate whether Edison supplied it with complete and accurate information.

Edison estimates the settlement will cost its investors \$461 million in after-tax profits. SDG&E has set aside \$128 million in after tax profits to pay for the deal.

Any decision on whether to adopt, reject or request modifications to the settlement are made by the governor-appointed members of the California Public Utilities Commission. The commission has indicated it intends to decide the matter sometime this summer.

The settlement includes provisions that prevent any modifications and scuttle the deal if a decision has not been reached by regulators by late-November.

Mitsubishi, the generator manufacturer, contends it couldn't have anticipated the unprecedented type of tube vibrations that occurred in the exceptionally large generators commissioned by Edison.

Warnings emerged as early as 1983 in research showing tube supports might not guard against the type of vibrations that turned up at San Onofre. Faults in Mitsubishi's design code were applied at four other plants, with none showing the problems seen at San Onofre.

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PART 5. *San Diego Union Tribune* May 13, 2014

<http://www.utsandiego.com/news/2014/may/13/bay-area-group-took-lead-on-san-onofre/all/?print>

Ratepayer rep's role questioned

Consumer advocates say group fell short on San Onofre settlement

By Jeff McDonald (/staff/jeff-mcdonald/)6:12 p.m.May 13, 2014

As regulators and utility companies sought an answer to the tricky question of who would pay \$4.7 billion to mothball the San Onofre nuclear power plant in San Diego County, a consumer advocacy group was at the table.

It wasn't one from San Diego.

Now, with the resulting settlement on the agenda for discussion at the Public Utilities Commission today, some local advocates are wishing the ratepayer representation had been stronger.

The primary advocate — deemed an “intervenor” under state regulations — was The Utility Reform Network or TURN, a Bay Area nonprofit that considers itself statewide in reach.

TURN reached a settlement deal in March with the two owners of San Onofre, Southern California Edison and San Diego Gas & Electric. **The agreement calls for ratepayers to pick up \$3.3 billion of closure costs for the faulty power plant**, which is \$1.4 billion less than the utilities sought.

TURN staff attorney Matthew Freedman said the group worked closely with the state's Office of Ratepayer Advocates to enter settlement negotiations, saying utilities have superior resources and there is no precedent for making Edison and SDG&E absorb the entire cost of closing the plant.

“It was about having a small number of parties representing the largest amount of ratepayers,” Freedman said. “We thought we'd get a better deal through settlement than litigation.”

TURN was founded in 1973 by consumer activist Sylvia Siegel after she learned that no one regularly challenged rate-hike applications being submitted to the state utilities commission.

The San Onofre proposal the group hashed out over 18 months has yet to be approved. In addition to the Wednesday hearing in San Francisco, regulators have scheduled a community meeting in June in Costa Mesa to discuss the agreement.

The settlement is expected to be considered by the full commission later this year.

TURN and the utilities are urging state regulators to approve the plan as proposed.

Some local consumer advocates who were not welcomed to the negotiating table say they want a better deal.

“I'm really disappointed in TURN,” said Ray Lutz of the Coalition to Decommission San Onofre. “They didn't represent the ratepayers very well at all. It makes me wonder what's behind it.”

One theory suggested by critics is that the state's intervenor system — which gives payments to approved advocacy groups based on their successes — rewards consumer groups that go along with regulators and utilities more than those who do not.

"The reason TURN was able to go to the table is because they were willing to play ball," said Mike Aguirre, a former San Diego city attorney who also has intervenor status in the San Onofre case. "TURN has made a strategic move that will make them fabulously wealthy."

Aguirre is bothered that the proposed settlement closes a San Onofre investigation announced in October 2012 without a public review of what went wrong. He noted that Edison shares moved up after the settlement was announced.

"What's unusual about this is how TURN sold it," he said. "They embraced not even having a hearing and they asked for it not to be changed in any way. It was a fait accompli."

TURN's finances suggest it has benefitted from intervenor payments, especially of late.

The group had expenses that exceeded its revenues for five straight years before 2013, when its fortunes improved. The nonprofit reported receiving \$6.2 million in revenue that year, most of it from the intervenor system.

The \$5.7 million in payments were approved by the California Public Utilities Commission for work TURN completed defending ratepayers against power companies.

Freedman, the group's staff attorney, said none of its decisions are driven by the payments that might be forthcoming from the state.

"We used our best professional judgment to figure out the best achievable outcome," Freedman said of the San Onofre settlement. "We don't make any deals around compensation ... If we wanted to run up the tab, we would have kept litigating."

Other stakeholders support the settlement agreement as well.

"We think it's a good balance between ratepayers making sure Edison has to eat the costs of this failed system on the one hand, and also making sure Edison isn't compromised in its ability to provide reliable electrical service," said Laurence Chaset, an attorney for Friends of the Earth, an environmental group involved in settlement negotiations.

Donald Kelly of the San Diego-based Utility Consumers' Action Network has not taken a position on the settlement plan, and has generally stayed out of San Onofre issues.

Although he hasn't done the research TURN has committed to San Onofre, Kelly said, he is not convinced the deal is the best possible outcome for customers.

"Do I think they might have left a lot of money on the table that another lawyer may not have? Maybe," Kelly said. "Right now it's an open process."

The UCAN executive said he has nothing but respect for the work TURN performs and has no doubt Freedman got the toughest deal he could muster.

“It’s disingenuous to say they agreed because they were going to get paid,” Kelly said. “There is no financial incentive for TURN to agree to a settlement that’s not in the ratepayers’ best interest.”

The San Onofre Nuclear Generating Station was closed in January 2012 after radiation leaked from one of the reactors, a problem later traced to faulty steam generators.

Utility executives sought approval for more than a year to repair and restart the plant but abandoned that effort in June. By then, Edison and SDG&E were already months into private settlement talks with TURN and the state Office of Ratepayer Advocates.

Mark Pocta, a program manager with the Office of Ratepayer Advocates, said his office and TURN built legal cases against the San Onofre owners but entered settlement talks after examining potential outcomes.

“It’s preferred when you can achieve what’s called an all-parties settlement, but in these large cases that’s pretty tough,” he said. “The opposition is almost as if the utility shouldn’t get anything. That’s not a credible approach to the case.”

Pocta said intervenor fees are awarded based on the quality of work that is contributed to a particular case — not on the final decisions of regulators.

“Whether a cases settles or doesn’t settle, the code spells it out what intervenors need to do in order to be compensated,” he said.

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PART 6.

Gene Nelson, Ph.D.'s annotated 11 18 14 SWRCB Presentation Slides

Here are the slides that Dr. Nelson used when he presented these (lightly edited) comments to the SWRCB Board on 18 November 2014 at their Sacramento, California headquarters.

Good Afternoon, er, evening Madam Chair Marcus, Board members and Staff. My name is Gene Nelson, Ph.D. I have a Ph.D. in radiation biophysics. I currently serve as a professor teaching natural science at Cuesta College. I previously served in the College of Engineering, California Polytechnic State University at San Luis Obispo. I'm on the board of Californians for Green Nuclear Power as their government liaison.

I arranged for a substitute for today's class because presenting to the Board is so important. I live ten miles from DCPD with my wife. I wish DCPD to remain safe and to continue to produce about 10 % of California's electrical power with essentially no greenhouse gases. This is the title of my talk:

Adverse Safety Impacts of Proposed DCPD Cooling Towers

Gene Nelson, Ph.D.

Californians For Green Nuclear Power

In this photograph of DCPD from 2002, I'd like you to note two key elevations: The first is 135 feet, which would be the lowest elevation for the installation of proposed cooling towers. The second elevation is 310 feet, the elevation of two large pools of purified water. (Shown as aqua color in this photograph.) Currently, critical safety systems are at the safe elevation of 85 feet or higher above sea level, which protects them from inundation by the Pacific Ocean. Gravity keeps the ocean away.



DCPP (2002) Critical Safety Systems
currently at least 85 feet above sea water.

Californians For Green Nuclear Power

I'd like to draw the Board's attention to Section 3.3 of the the Final Substitute Environmental Document. (SED) (Dated May 4, 2010) (copy shown to Board) Quoting from language in Alternative 3: "includes and explicit provision that defer to NRC requirements if compliance with the

proposed policy compromises safety. 40 CFR §125.94(f)." (At page 50.)
I recommend the alternative 1 exemption.

**Example DCP
Critical Safety Systems that can
be destroyed by salt water
inundation.**

Think Fukushima dai-ichi....

Californians For Green Nuclear Power

Salt water is highly conductive relative to purified water.

Here are some critical safety systems that are destroyed by sea water inundation....

FAIRBANKS MORSE / ALCO 251F



Emergency Diesel Generator

Californians For Green Nuclear Power

(Photo courtesy of Fairbanks Morse. Six of these locomotive-sized Emergency Diesel Generators [EDGs] are installed at DCPD.) The EDGs were below sea level at Fukushima dai-ichi. Their EDGs were destroyed by the tsunami-induced inundation on March 11, 2011 in Japan.



DCPP Emergency Batteries

(Photo courtesy PG&E)

Californians For Green Nuclear Power

With no means to recharge them after the Japanese March 11, 2011 earthquake and tsunami, the emergency batteries at Fukushima dai-ichi were quickly exhausted.

**To create an inundation hazard
for these systems, just retrofit
DCPP with cooling towers at 135
(or 300) feet elevations.**

Water flows downhill.

Californians For Green Nuclear Power

The massive volumes of highly conductive sea water that would be required for the operation of the proposed cooling towers constitute an inundation hazard for DCPP.

18 million gallons of concentrated sea water.

Californians For Green Nuclear Power

Based on the published operational parameters for the Hope Creek Nuclear Power Station in New Jersey, which uses a cooling tower, an estimated 18 million gallons of concentrated sea water would be required for the proposed DCPD cooling towers for their two reactors. Since evaporation of water is required for operation of the proposed cooling towers, the circulating water would become more concentrated than sea water. Thus, it would be more conductive than sea water.



**An Olympic-Sized Swimming pool
contains 660,000 Gallons of water**

Californians For Green Nuclear Power

18 million gallons of water is a difficult concept to visualize for most people. Here's a comparison. An Olympic-sized swimming pool contains 660,000 gallons of water...

**= More than 27
Olympic – Sized
Swimming Pools.**

Californians For Green Nuclear Power

18 million gallons of highly conductive salt water is more than the volume of 27 Olympic-sized swimming pools.

Another issue is raised on page 14 of the Friends of the Earth (FoE) SWRCB submission dated 11 03 14. While the acronym "TPY" is NOT defined in the body of the report, it means "tons per year." I calculated that the **total salt drift** (from the operation of proposed cooling towers) was ~1.8 million pounds/year in the 10 14 14 FoE presentation to the DCISC. It was reduced to ~1.7 million pounds/year in the subsequent FoE document. Still, this is about a **thousand-fold increase in salt deposition** at DCPD relative to present conditions.

In the moist coastal environment of DCPD with complex topography, this salt drift will compromise high voltage insulators, causing many flashovers. Plant safety and reliability will be **significantly downgraded** by a thousand fold increase in annual salt drift in the vicinity of the plant. This salt drift will also contaminate the two pools of purified water at 310 feet elevation, further compromising plant safety.



500 kV Insulator

Californians For Green Nuclear Power

The insulators shown in the author's photograph (taken at DCPD) are about twenty-five feet long. Increased salt drift endangers these DCPD insulators.

I request an alternative 1 variance for DCPD. I believe that if this variance is NOT granted, CEQA requires a full analysis of all project-specific impacts (by the SWRCB) before requiring a retrofit of cooling towers, as explained in the last sentence of section 1.3.6 in the final

SED. (See the first paragraph of page 11 of the final SED dated 05 04 10.)

(In addition, there are regulatory requirements for California Coastal Commission (CCC) approval and amendment of the SLO County Local Coastal Program (LCP), before the SWRCB can require cooling towers on scenic coastal bluffs.)



Salt causes exposed metal corrosion

Californians For Green Nuclear Power

(Author's photograph at DCPD taken 10 29 14 during a plant tour.)

PART 7.

William Gloege Testimony to SWRCB - Nov. 18, 2014 - OTC

State Water Resources Control Board, my name is William Gloege, I'm a resident of Orcutt, CA and a member of a new organization, Californians for Green Nuclear Power based in the Central Coast of California.

My testimony is on "environment" issues related to today's topic.

I started Californians for Green Nuclear Power late last year out of a deep love of the environment, the earth and the world's oceans. My wife and I sailed starting from San Francisco Bay, May 31, 1996 to see some of the ocean environment.

We've sailed the Pacific down the coasts of California, Mexico and Central America, then transited the Panama Canal in 1999-2000.

Following that, we circumnavigated the Caribbean Sea, west to east, north to south. Our journeys also included the Bahamas and east coast of the United States.

In those years we saw first hand damage global warming is doing to the environment, especially corals of the Caribbean. We swam over large zones of dead coral, killed by excessive heat and ocean acidification caused by burning fossil fuels.

I believe we must greatly curb burning of fossil fuels if we are to preserve a livable planet for seven billion human beings. To do that and maintain a modern standard of living in America and achieve one in the developing world, we must switch to a form of power generation not emitting carbon.

I firmly believe Nuclear power is that proven power source, for its lack of pollution, its safety, and its low fuel cost.

The US Navy arrived at the same conclusion over sixty years ago and has had great success with nuclear reactors powering one hundred of their most important ships like air craft carriers and subs. They had no safety problems, injuries from radiation, nor fatalities. Tens of thousands

of crew have slept, eaten and worked right next to reactors for years with no evidence whatsoever of the injury and death anti nuclear groups work constantly to convince the public are inevitable. The US Navy has thoroughly disproved those false claims.

Navy ships using this miracle fuel that draws power from the nucleus of the atom can go without refueling for up to 33 years.

As well as deterring the ominous threat of global warming, we must switch to a power source that does not harm sea life, such as fish and fish larvae. Coal reefs can be included.

Burning fossil fuels is acidifying the vast oceans of the world by ever increasing emissions of carbon dioxide. This kills the world's fish, reefs and phytoplankton that contribute 50-85% of the oxygen we need to breathe.

My research finds Diablo Canyon, contrary to claims of groups like Mothers for Peace and Friends of the Earth, has not damaged fishing in the Diablo Canyon area. In fact in recent years income from fishing as greatly increased, according to articles in *The San Luis Obispo Tribune*, "Fishing Industry back from Brink in Morro Bay." (11/07/14)

The Tribune reported Lisa Wise Consulting Inc. compiled a study which showed commercial fishing income rose 300% to \$7.1 million in 2013, the latest year reported. The study documents a rise in total catch of nearly 6.8 million pounds in 2013 from a low of 668,866 pounds in 2007. The report relies on figures documented under government regulations, including information provided by fishing industry to the Marine Fisheries Statistical Unit at the California Department of Fish and Wildlife.

The latest data show a steady trend of increased earnings and landings. Dungeness crab catches reached a 20 year high in 2013, climbing to 300,000 pounds and accounted for 17% of earnings. Squid catches have also boomed with over million pounds of squid caught in 2013

according to *The Tribune*. That total hasn't been matched since 1993.

A fisherman renting the house next to me tells me fishing in the Diablo Canyon coast area is great. Not one of his fellow fishermen, he said, has mentioned any problem associated with Diablo Canyon, nor a reduction in the catch.

There seems to be no evidence of a negative impact from Diablo Canyon on the fishing industry as is claimed by the Diablo Canyon Power Plant detractors.

Cooling towers using salt water will damage ecology in the area

A Purdue University Study pointed out common salt's toxic effects on plants have been known since ancient times when it was used for biological warfare to destroy an enemy's fields and crops. It is widely known that road salt, which like sea salt is sodium chloride, damages plants far from roadways. The salt kills by various means, one of which is leaching into the soil and absorbing water and depriving the plants and trees of fresh water, already scarce with the devastating drought.

It is anticipated that large salt-water cooled towers would spread a large amount of airborne salt throughout a wide area around the plant.

Electrical shorts are an occasional, minor problem now at Diablo, simply from sea mist getting onto electrical conductors. Cooling towers using salt water would increase this safety impact many times over to truly dangerous levels.

What are the reasons for this investigation into requiring cooling towers if there is no real damage to the fishing industry as claimed?

It is because protest groups who claim to be environmentalists know a requirement for multi-billion dollar cooling towers would likely close Diablo Canyon. That is their goal, not environmental protection.

The cost cannot be borne by the public utility, putting it's rate payers, and probably also taxpayers, on the hook for billions of dollars. In addition, other, yet unknown billions in costs like building transmission lines to bring in replacement fossil fuel power, would surface, as happened in Southern California due to closure of the San Onofre Nuclear Generating Station.

The Board wants to protect the environment. The required switch to fossil fuel to produce electricity would produce a large net loss in environmental protection in terms of climate change, and more deadly pollution by soot, smoke and ozone as happened with the SONGS closing.

The action you are being asked to take is NOT an environmental protection action. It is a political action by so-called environmental groups that has been occurring for decades because they claim nuclear power is dangerous.

But if it is, where are the sick, injured and dead people in SLO County from this danger? We certainly can find victims of fossil fuel generated electricity. On the other hand, closing a reactor immediately threatens human health and the environment, and further enriches fossil fuel companies. Thirteen thousand people die each year in the United States from burning fossil fuels in the US according to the International Energy Agency, who stated,

“...nuclear power kills far fewer people than other energy sources.

"There is no question," says energy expert Dr. Joseph Romm at the Center for American Progress in Washington DC. "Nothing is worse than fossil fuels for killing people."

Groups claiming to be “environmentalists” bring their credentials into severe question when they try one thing after another to shut Diablo Canyon and don't seem to really care about the obvious environmental and human harm and human suffering that will bring

when fossil fuels must take over producing electricity. .

I've not seen one statement from them recognizing the real harm, for example, closing of San Onofre is causing. Estimates are that **15 million pounds of carbon** have gone into the earth's atmosphere because San Onofre was closed. Added to this are the smoke, soot and ozone that causes lung cancer, heart disease and other illnesses according to many sources such as the American Lung Association, the American Cancer Society, the World Health Organization and many others.

Where are the law suits, petitions and protest marches of the so-called environmental organizations like Mothers for Peace and Friends of the Earth over that impact of closing a nuclear plant? There are none.

I urge you to treat this complaint and their charges for what they are. Not concerns over the environment but more political attempts to shut Diablo Canyon that has for nearly 30 years made our air cleaner than it would have been and reduced warming of Mother Earth to less than it would have been.

We Californians for Green Nuclear Power, <http://www.CGNP.org> on the other hand, come to Sacramento to fight for *real* environmental protection.

We are not doing it to attract grants or new dues paying memberships through sensational headlines.

We are volunteers and our organization collects no money as organizations do on the other side. We would not take a penny from the fossil fuel industry, directly or indirectly as some environmental organizations do. For example, *The Washington Examiner* reported that the Sierra Club takes millions from the gas industry.

We speak solely on behalf of the environment, the planet and the humans, plants and animals inhabiting it.

Thank you.

William Gloege, Orcutt, California

PART 8.

November 7, 2014 *San Luis Obispo Tribune* article cited by William Gloege in his comments

http://www.sanluisobispo.com/2014/11/06/3337295_morro-bays-fishing-industry-reels.html

Morro Bay's fishing industry reels in largest catch in 20 years

6.8 million pounds of fish landings were reported in 2013 in Morro Bay, up from low of 668,866 pounds in 2007, study of data from Department of Fish and Wildlife reveals



Jeremiah O'Brien, a member and past president of the Morro Bay Commercial Fishermen's Organization, aboard his 48-foot fishing boat Aguro in Morro Bay. DAVID MIDDLECAMP — dmiddlecamp@thetribunenews.com

By Nick Wilson *San Luis Obispo Tribune*

nwilson@thetribunenews.com Friday, November 6, 2014 Page 1, above the fold.

The fishing industry in Morro Bay has regained its sea legs, bouncing back from a 20-year low in 2007 to post its largest catch by volume since 1993, according to an economic impact report released this week.

[Lisa Wise Consulting Inc.](#) compiled the study, which showed a boost in earnings of more than 300 percent from about \$2 million in 2007 to about \$7.1 million in 2013 — the latest year of data accumulated.

The report documents a rise in fish landings from a low of 668,866 pounds in 2007 to **nearly 6.8 million pounds in 2013, the highest single-year landing total since the boom times of the early '90s.**

The report relies on figures documented under government regulations, including information provided by the fishing industry to the Marine Fisheries Statistical Unit at the [California Department of Fish and Wildlife](#).

This is the fourth consecutive year of the report, which was produced this year with \$6,000 in funding provided by the [Central California Joint Cable/Fisheries Liaison Committee](#). The [Morro Bay Commercial Fishermen's Organization](#) also partners in the project. "As fishermen, we have an understanding of the industry, but others often don't," said Jeremiah O'Brien, a member and past president of the Morro Bay Commercial Fishermen's Organization. "We do those reports to show people what's happening."

Lots of good news

The latest data shows a steady trend of increased earnings and landings, although the figures haven't yet matched peak years of the 1990s, which topped 9 million pounds of landings in 1990 and eclipsed 10 million in 1993.

In 2008, the city of Morro Bay paid for an economic study that predicted a change from a once-thriving fishing industry to a primarily recreational fishing and boating area.

However, the city has since recognized the recovery of the commercial fishing industry, which "should continue to play a significant role in the social and economic future of Morro Bay," staff members wrote in a recent report.

One of the factors that contributed to the decade-long decline in Morro Bay's fishing industry — in addition to environmental closures and restrictions of fishing in certain ocean areas — occurred in 2006 with the purchase of Morro Bay's fishing quota.

The [Nature Conservancy](#) bought out Morro Bay's entire trawl fishing industry in 2006 with the goal of protecting and growing fish populations while limiting fishing.

About eight trawlers left the business, which exacerbated the decline in landings in those years, O'Brien said.

Since that time, the local industry has steadily improved, and earlier this year, the Conservancy transferred the quotas to the [Morro Bay Community Quota Fund](#), which manages the fishing quota and leases fishing permits to local fishermen, who may trawl under specified environmental restrictions such as avoiding trawling in coral reef areas.

How the catch evolved

While the overall catch and earnings have climbed in recent years, landings of certain species have declined along with closures and regulations on uses of fishing equipment.

The salmon catch, for example, dropped to 45,000 pounds in 2013, from around 200,000 pounds per year in much of the 1990s.

And halibut, which must be fished outside of three miles from shore, has remained low for the past decade with a total of about 10,328 pounds landed in 2013 compared with takes of more than 40,000 pounds in the early 1990s.

But other species — including Dungeness crab and squid — have spiked.

Crab accounted for 17 percent of 2013 earnings in Morro Bay, climbing to a 20-year high of more than 300,000 pounds in landings.

There were 170,000 pounds of crab caught in 2006, which was the previous high in the past two decades. There was little to no crab caught between 2008 and 2011.

“The last couple of years we’ve seen a lot more crab,” O’Brien said. “Crab is typically cyclical, and we’ll have bigger catches usually about every six years. But they’ve been spawning in big numbers the past three in a row.”

The squid catch has also swelled, with landings of more than 4 million pounds in 2013.

That total hasn’t been matched since 1993, the only other year in the past two decades to top 4 million pounds of squid.

O’Brien said that a couple of fishing boats have made the investment in catching large numbers of squid along the Central Coast, which has kept squid processing companies from Watsonville and San Pedro, the closest around, returning to Morro Bay because it’s worth their while.

Another factor in the boom in local crab and squid fishing has been a trending preference for the seafood in China, where local buyers are shipping their products.

Local fishermen including Bill Blue have seen their sales of live crab, transported to China, significantly boost income over the past few years.

Like fellow anglers, Blue fishes for a variety of species, including black cod, but the high price that crab fetches in China is too lucrative to pass up.

“It’s good for business, but sad in some ways because you don’t see as many local restaurants buying crab because of the high price (driven by the Chinese market),” Blue said. “That means local people can’t go and get them as easily.”

PART 9.

Joseph Ivora November 18, 2014 Citizen Testimony to the California State Water Resources Control Board in Sacramento:

Good Afternoon:

Please excuse my anxiety; public speaking is difficult for me. I drove up from Northern San Barbara County this morning to speak to you because I really value Diablo Canyon Power Plant.

My name is Joe Ivora; I am a retired Civil Engineer from the State of California and Diablo Canyon Power Plant. Diablo Canyon has provided enough clean, low-cost, and reliable energy for 3 million Central and Northern Californians for the past 30 years. The proposed change is prohibitively expensive! Diablo Canyon is California's largest, cleanest, safest and most reliable plant with the capacity factor over 90%. No other plant can claim that. It does not pollute the air or water. It prevents approximately 6.5 million tons annually of greenhouse gases that would be emitted by fossil fuel plants.

I really value what it provides for San Luis Obispo and Northern Santa Barbara Counties. It provides around 1,500 permanent, great, local jobs with health care, 401ks, sick leave, vacation and other benefits. It also provides opportunities for many different professions and trades, such as: nuclear, mechanical, electrical, civil engineers, biologists, etc., and trades such as operators, pipe fitters, electricians, painters, labors, firemen and security officers. It is the largest, private employer in San Luis Obispo County and pays more than 25 million in property taxes and about 5.3 million in local sales taxes.

I read The Bechtel report saying it would cost 4.8 billion dollars to build cooling towers. As a local tax payer and rate payer, it would raise the rates so high that Diablo Canyon would be forced to shut down. I am requesting that the State Water Resources Control Board grant the variance to allow continued use of OTC at Diablo Canyon. Thank You!