

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



June 22, 2010

Advice Letter 3630-E

Jane K. Yura
Vice President, Regulation and Rates
Pacific Gas and Electric Company
77 Beale Street, Mail Code B10B
P.O. Box 770000
San Francisco, CA 94177

**Subject: Deed Restriction Regarding PG&E Property in San Luis Obispo
for the Point Buchon Loop Trail – Request for Approval Under
Section 851**

Dear Ms. Yura:

Advice Letter 3630-E is effective June 11, 2010.

Sincerely,

A handwritten signature in blue ink that reads "Julie A. Fitch".

Julie A. Fitch, Director
Energy Division



Jane K. Yura
Vice President
Regulation and Rates

Mailing Address
Mail Code B10B
Pacific Gas and Electric Company
P.O. Box 770000
San Francisco, CA 94177

Fax: 415.973.7226

March 8, 2010

Advice 3630-E
(Pacific Gas and Electric Company ID U 39 E)

Public Utilities Commission of the State of California

Subject: Deed Restriction Regarding PG&E Property in San Luis Obispo for the Point Buchon Loop Trail – Request for Approval Under Section 851

Purpose

Pacific Gas and Electric Company (“PG&E”) respectfully requests an order from the California Public Utilities Commission (“CPUC”) authorizing PG&E under Public Utilities Code § 851 (“Section 851”) to place a deed restriction (“Deed Restriction”) over PG&E fee property, as required by certain special conditions referenced in the California Coastal Commission (“CCC”) coastal development permit (“CDP”) referenced below, to allow the improvement, maintenance and continued use of a public access trail located north of Diablo Canyon Power Plant in San Luis Obispo County (the “County”), California. A copy of the Deed Restriction is provided herein as Attachment 1. As discussed later in this advice letter, PG&E also requests that the CPUC concur with the County and the CCC that a CDP is not required in order to construct the public access trail, and find that the CCC’s CEQA review is adequate for purposes of granting this Section 851 request.

Background

PG&E owns or controls approximately 12,000 acres of land along coastal San Luis Obispo County. These lands extend along about twelve miles of coastline between Port San Luis on the south to Montana de Oro State Park on the north. Approximately 4,000 acres of these lands, commonly known as the North Ranch Property, are located within the coastal zone as defined by the California Coastal Act of 1976.¹ PG&E manages these lands as open space, as a security buffer for the Diablo Canyon Power Plant, for agricultural and grazing operations, and for

¹ For purposes of this report, the approximately 4,000 acres within the coastal zone are referred to as the “Diablo Canyon lands” or the “North Ranch” property.

habitat values. The County's certified LCP (Local Coastal Program) designates most of these lands as "Sensitive Resource Areas," including significant area of native habitat used by a variety of plant and animal species, including some considered endangered, threatened, or sensitive. Near the center of the shoreline in these lands is PG&E's Diablo Canyon power plant complex, consisting of approximately 760 acres of high-security area around the nuclear facilities, the power plant, and associated infrastructure.

On January 26, 2005, the CCC issued to PG&E Coastal Development Permit No. A-3-SLO-04-035 (the "Permit"), for the development and operation of an Independent Spent Fuel Storage Installation ("ISFSI") located within the high- security area of the Diablo Canyon Power Plant complex approximately six miles north of Avila Beach, San Luis Obispo County (the "Project").

The primary purpose of the Project is to store used nuclear fuel near the Diablo Canyon Power Plant until the fuel can be moved to an off-site permanent repository to be established by the federal government. The proposed Project is designed to provide storage capacity for spent fuel generated at the power plant during the remaining years of its operating licenses. The high security area includes about a mile-and-a-half of shoreline within the twelve miles of coastal property covered by PG&E's Diablo Canyon lands. A copy of the Permit is provided as Exhibit B to the Deed Restriction (Attachment 1).

The Project is located within the coastal zone, and thus it required a CDP from the County. On April 20, 2004, the County approved the Permit for the proposed Project. Several parties appealed, and on July 15, 2004, the CCC found that the appeals raised substantial issue with respect to the grounds on which they were filed, and opened and continued a public hearing for the de novo portion of the appeal.

In its Appeal Staff Report De Novo Review ("Staff Report"), dated November 23, 2004, the CCC staff recommended that the California Coastal Commission adopt findings and impose certain "Special Conditions" contained in the Permit so as to enable PG&E to undertake the development authorized by the Permit. The overarching goal of the Special Conditions are to achieve multiple public benefits, including managed public access to and along the North Ranch Property, natural resource conservation and restoration, and sustainable agricultural uses carried out in an environmentally sensitive manner. These conditions are more specifically described in Exhibit B to the Deed Restriction (Attachment 1). A copy of the Staff Report can be access at the CCC website at <http://www.coastal.ca.gov/energy/W11a-12-2004.pdf>.

Significant among the Special Conditions is the requirement that PG&E provide: (a) an Access Plan which addresses, among other things, the type and extent of public shoreline access PG&E will provide on the North Ranch Property and, (b) a deed

restriction on the relevant areas of the North Ranch Property (the "Access Property") that will ensure legal protection to the accessways in perpetuity. On July 14, 2009, the Executive Director of the CCC approved PG&E's Access Plan, including these Special Conditions. A copy of PG&E's Access Plan is provided as Attachment 2. A copy of the CCC approval is provided as Attachment 3.

Please note that although approval of the ISFSI project is not the subject of this advice letter, PG&E includes those key documents that best describe the features and specifications of the public access trail that area condition of approving the CDP for the ISFSI project.

PG&E's Access Plan proposes the development of a 1.8 mile loop (the "Point Buchon Loop Trail") at the north end of the Access Property (beyond the high-security zone). The most southern-most end of the loop is approximately 1.5 miles from the Project site. Maps of the public access trail are provided as Exhibit C to the Deed Restriction (Attachment 1). The Access Property consists of land to be traversed by a trail used for public recreation and access. The accessways shall conform to the requirements of the San Luis Obispo County Local Coastal Program regarding minimum widths, necessary improvements, and signage, and other supporting infrastructure. The Access Plan implements various management measures that would allow, at minimum, pedestrian access during daylight hours to these accessways, identifying the improvements necessary to provide at least the equivalent of the lost level of access, and protecting those accessways in perpetuity through a deed restriction.

The provision of a deed restriction will ensure legal protection to the accessways in perpetuity. A deed restriction will place limitations on the use of the property to the mutual benefit of the CCC and PG&E. Especially, in the case of the Point Buchon Loop Trail where coastal erosion could reduce or eliminate public use accessways, a deed restriction will serve as a legal mechanism to accommodate potential landward relocation of any affected accessway in the longer term to ensure that the required public use continues to be provided in perpetuity.

By this advice letter, PG&E seeks Commission approval under P.U. Code Section 851 to place a deed restriction over the Access Property to secure in perpetuity the Access Plan, as required by the CCC Permit. The Commission should approve the deed restriction as it is a secondary use of utility property that does not interfere with PG&E's provision of service and therefore is not adverse to the public interest.² For the same reasons, the Commission granted PG&E's Advice Letter 2844-E approving a similar deed restriction at PG&E's Humboldt Bay Power Plant site in 2006.³ In fact, this transaction will benefit the public interest through increased trails for

² "The Commission has long recognized that the public interest is served when utility property is used for other productive purposes without interfering with the utility's operations or the provision of utility services to the public." (D.06-07-023, mimeo, p. 1.)

³ Advice Letter 2844-E, dated June 15, 2006 was approved by Energy Division Director Approval Letter dated September 28, 2006.

appropriate open space access for recreational enjoyment of these beautiful coastal lands. PG&E's execution of the deed restriction is a condition for obtaining the CCC Permit that will allow PG&E to build and store its nuclear hazardous waste as part of its ISFSI project at North Ranch. In addition, the proposed transaction will serve the public interest by providing for safe public access on an existing public use trail.

In accordance with the format for 851 Advice Letters directed in Resolution ALJ-202 (Appendix A, Section IV.), PG&E provides the following information related to the proposed transaction:

(1) Identity and Addresses of All Parties to the Proposed Transaction:

Pacific Gas and Electric Company	California Coastal Commission
Lise H. Jordan	Attention: Energy and Ocean
Gail L. Slocum	Resources
Law Department	45 Fremont, Suite 2000
P.O. Box 7442	San Francisco, CA 94105-2219
San Francisco, CA 94120	Telephone: (415) 904-5200
Telephone: (415) 973-6583	
Facsimile: (415) 973-0516	
Email: GLSG@pge.com	

(2) Complete Description of the Property Including Present Location, Condition and Use:

The real property is situated in the County of San Luis Obispo, State of California, designated as Assessors Parcel Numbers ("APN") APN 076-011-006, -008, -026 & -028) (the "Deed Restriction Property"). A deed restriction to establish a public access trail shall apply to the portions of the Access Property more specifically described in Exhibit A of the Deed Restriction (Attachment 1).

The Access Property is currently vacant and undeveloped real property that serves as a security buffer zone in support of PG&E's electric generation production at the Diablo Canyon Nuclear Power Plant.

Under the proposed Deed Restriction, public access will be permitted only on the portion of the Access Property involved, and only to the extent such use is compatible with PG&E's use of the Access Trail Property for utility service. No PG&E property is being sold or disposed of.

(3) Intended Use of the Property:

The intended use of the Access Property is to develop the Point Buchon Loop Trail at the north end of the North Ranch property.

As stated earlier, the overarching goal of the Special Conditions is to achieve multiple benefits of the North Ranch Property including managed public access to and along PG&E lands near Diablo Canyon, natural resource conservation and restoration, and sustainable agricultural uses carried out in an environmentally sensitive manner. Another goal is to compile a comprehensive environmental baseline inventory that will provide information needed to inform decisions to further the identified public benefits in a mutually compatible manner.

Managed public access to the Point Buchon Loop Trail contemplates a level of public access to be at least roughly commensurate to the current value of access lost due to the ISFSI (i.e., providing access opportunities for up to 275 visitors per day). The time, place and manner of public recreational access use shall be reasonably managed to address security and safety needs and to avoid or minimize adverse impacts to sensitive habitats, environmentally sustainable agricultural operations, and other important natural coastal resources.

PG&E's Access Plan provides for managed access to the Diablo Canyon lands that include, among other things, certain improvements needed along the various accessways to provide the proposed level of access, including detailed description of improvements such as road and trail improvements, boardwalks, fencing, benches, interpretive and instructional signs, overlooks, garbage and sewage service facilities, or other similar improvements necessary to support the proposed level of visitations. None of these uses impairs PG&E's provision of utility service and thus this deed restriction is not adverse to the public interest. Rather, it will benefit the public interest through increased trails for appropriate open space access for recreational enjoyment of these beautiful coastal lands.

(4) Complete Description of Financial Terms of the Proposed Transaction:

No payment is involved in this transaction since PG&E is encumbering its own property by deed restriction as a condition to obtaining the Permit.

All costs associated with the improvements and on-going maintenance of the public accessway as directed in the Special Conditions will be borne by PG&E.

(5) Description of How Financial Proceeds of the Transaction Will Be Distributed:

No payment is involved in this transaction since PG&E is basically encumbering its own property by deed restriction per the CCC's requirements as a condition to its Permit approval. PG&E incurs all expense associated with construction and on-going maintenance of the public accessway

described in the Special Conditions. Finally, the transaction does not involve the transfer or change in ownership of facilities currently used in utility operations.

(6) Statement on the Impact of the Transaction on Ratebase and Any Effect on the Ability of the Utility to Serve Customers and the Public:

No PG&E property is being sold or disposed of, and as such, there are no changes to PG&E's rate base as a result of granting the proposed easement.

(7) The Original Cost, Present Book Value, and Present Fair Market Value for Sales of Real Property and Depreciable Assets, and a Detailed Description of How the Fair Market Value Was Determined (e.g., Appraisal):

Not applicable.

(8) The Fair Market Rental Value for Leases of Real Property, and a Detailed Description of How the Fair Market Rental Value Was Determined:

Not applicable.

(9) For Fair Market Rental Value of the Easement or Right-of-Way and a Detailed Description of How the Fair Market Rental Value Was Determined:

Not applicable.

(10) A Complete Description of any Recent Past (Within the Prior Two Years) or Anticipated Future Transactions that May Appear To Be Related to the Present Transaction⁴:

To PG&E's knowledge, there are no recent past transactions that appear to be related to the subject transaction.

(11) Sufficient Information and Documentation (Including Environmental Review Information) to Indicate that All Criteria Set Forth in Section II(A) of Resolution ALJ-202 Are Satisfied:

PG&E has provided information in this Advice Letter to meet the eligibility criteria under Resolution ALJ-202. On January 2004, an Environmental

⁴ During adoption of the Advice Letter pilot program in ALJ-186 (later followed by ALJ-202), this category of information was included to enable the CPUC to ensure that utilities were not seeking to circumvent the \$5 million Advice Letter threshold by dividing what is a single asset with a value of more than \$5 million into component parts each valued at less than \$5 million, which is clearly not the case here. (See CPUC Resolution ALJ-186, issued August 25, 2005, mimeo, p.5.)

Impact Report⁵ ("EIR") was prepared in accordance with the State of California and San Luis Obispo County administrative guidelines established to comply with CEQA. In compliance with CEQA guidelines, the County (Department of Planning and Building), as the Lead Agency, prepared a CEQA checklist for the proposed Project and solicited comments through distribution of a Notice of Preparation.

As stated earlier, the Project is located within the coastal zone, and therefore required a coastal development permit from the County. On April 20, 2004, the County certified the EIR and approved the Permit for the proposed Project. Several parties appealed, and on July 15, 2004, the CCC found that the appeals raised substantial issue with respect to the grounds on which they were filed, and opened and continued a public hearing for the de novo portion of the appeal.

The CCC's regulatory program is a certified regulatory program under the California Environmental Quality Act ("CEQA") (Pub. Resources Code § 21080.5; CEQA Guidelines § 15251(c)) and the CCC has conducted an environmental review and approval of the County's comprehensive environmental assessment as Lead Agency of the proposed Project.

The CCC in its Staff Report approved the Permit on the grounds that the development as conditions will be in conformity with the policies of the San Luis Obispo County Local Coastal Program and will be in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. Pursuant to the CCC's approval, the Permit complies with CEQA because either: (1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment; or, (2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse effects of the development on the environment.

On October 14, 2005, the CCC issued a letter to San Luis Obispo County indicating that the work associated with meeting the Point Buchon Trail conditions would not require a CDP to construct the trail. A copy of CCC's October 14, 2005 letter is provided herein as Attachment 4. The CCC states that a CDP is a discretionary permit issued by the County and by the Coastal Commission. Therefore, since the CCC asserts that a CDP is not required, then no accompanying discretionary review process or exercise of discretionary powers by any lead agency is necessary. CEQA Guidelines Section 15060(c)(1) states:

- (c) Once an application is deemed complete, a lead agency must first determine whether an activity is subject to CEQA before

⁵ A copy of the EIR (SCH # 2002031155) is available upon request.

conducting an initial study. An activity is not subject to CEQA if:

- (1) The activity does not involve the exercise of discretionary powers by a public agency.

Pursuant to the CEQA guidelines discussed above, no discretionary activity and no CEQA review is warranted.

The CCC's October 14, 2005, letter also makes reference to the potential need for building permits. Building, grading and other similar "over-the-counter" permits are ministerial actions. Again, CEQA Guidelines Section 15300.1 states the following:

Section 21080 of the Public Resources Code exempts from the application of CEQA those projects over which public agencies exercise only ministerial authority.

Therefore, even if building and grading permits were issued, they would have been exempt from CEQA. In the construction design of the access trail there will be no building/grading permits issued primarily because of the nature of the "construction." Signs, fences and portable buildings (restrooms and check-in stations) will be erected but without the need to excavate and use of below-grade foundations. Several steps will be installed to facilitate access to the beach and prevent erosion, but this is limited to several wooden steps placed on native soil. Finally, existing ranch roads and trails will be used for the "new" trail to the maximum extent possible, with hand tools used to level surfaces and clear brush.

In addition, certain minor improvements to the existing public trails, as required by the Special Conditions of the Permit, are categorically exempt from CEQA under Sections 15301, and 15302, and other aspects of the project are categorically exempt under Section 15304 (Minor Alterations to Land). (See Section (13) below.) Thus, the activity proposed in the transaction will not require environmental review by the CPUC as a lead agency.

The proposed transaction will not have an adverse effect on the public interest. PG&E's execution of the deed restriction is a condition for obtaining the Permit that will allow PG&E to build and store its nuclear hazardous waste as part of its ISFSI project at Diablo Canyon. In addition, the proposed transaction will serve the public interest by providing for safe public access on existing public use trails. No payment is involved in this transaction since PG&E is basically encumbering its own property by deed restriction as required by the CCC as a condition to its issuance of a necessary Permit. PG&E incurs all expense associated with the construction and on-going

maintenance of the public accessway described in the Special Conditions. Finally, the transaction does not involve the transfer or change in ownership of facilities currently used in utility operations.

(12) Additional Information to Assist in the Review of the Advice Letter:

PG&E does not know of any other additional information that is readily available, other than what is already included with this filing.

(13) Environmental Information

a. Exemption

i. Has the proposed transaction been found exempt from CEQA by a government agency?

1. If yes, please attach notice of exemption. Please provide name of agency, date of Notice of Exemption, and State Clearinghouse number.

Not Applicable.

2. If no, does the applicant contend that the project is exempt from CEQA? If yes, please identify the specific CEQA exemption or exemptions that apply to the transaction, citing to the applicable State CEQA Guideline(s) and/or Statute(s).

The CCC's permitting program is a certified regulatory program under CEQA (See Section (11) above), and the CCC has fulfilled CEQA by conducting a functionally equivalent CEQA review by approving PG&E's environmental assessments. In its letter to the County dated October 14, 2005, the CCC asserts that the work associated with the Point Buchon Trail conditions would not require a CDP to construct the trail. Pursuant to CEQA Guidelines Section 15060(c)(1), the CCC contends that because no CDP is required, no accompanying discretionary review process or exercise of discretionary powers by any lead agency is necessary.

Additionally, the CCC describes all other building, grading and other similar "over-the-counter" permits as ministerial actions that are exempt under CEQA Guidelines Section 15300.1. Development of the public access trail contemplates certain minor improvements,

as required by the Special Conditions of the Permit, as categorically exempt from CEQA under Sections 15301, and 15302, and other aspects of the project are categorically exempt under Section 15304 (Minor Alterations to Land). (See Section (13) below.) Thus, the activity proposed in the transaction does not require environmental review by the CPUC as a lead agency.

The CPUC should find that the CCC's CEQA review is adequate for purposes of granting this Section 851 request.

- b. Not a "Project" Under CEQA
- i. If the transaction is not a "project" under CEQA, please explain why.
- Not applicable.

Protests

Anyone wishing to protest this filing may do so by letter sent via U.S. mail by facsimile or electronically, any of which must be received no later than **March 29, 2010**⁶, which is 21 days after the date of this filing. Protests should be mailed to:

CPUC Energy Division
Attention: Tariff Unit, 4th Floor
505 Van Ness Avenue
San Francisco, CA 94102

Facsimile: (415) 703-2200
E-mail: mas@cpuc.ca.gov and jnj@cpuc.ca.gov

Copies of protests also should be mailed to the attention of the Director, Energy Division, Room 4004, at the address shown above.

The protest also should be sent via U.S. mail (and by facsimile and electronically, if possible) to PG&E at the address shown below on the same date it is mailed or delivered to the Commission:

⁶ The 20-day protest period concludes on a weekend. PG&E is hereby moving this date to the following business day.

Pacific Gas and Electric Company
Attention: Jane Yura
Vice President, Regulation and Rates
77 Beale Street, Mail Code B10B
P.O. Box 770000
San Francisco, CA 94177

Facsimile: (415) 973-7226
E-mail: PGETariffs@pge.com

Effective Date

Pursuant to the review process outlined in Resolution ALJ-202, PG&E requests that this advice filing become effective as soon as possible. PG&E agrees in advance to a shortened review and comment period and waiving its right to reply comments on a draft resolution approving this request, if the Energy Division deems a shortened period appropriate and/or necessary in order to expedite final approval. **PG&E submits this filing as a Tier 3.**

Notice

In accordance with General Order 96-B, Section IV, a copy of this advice letter is being served on the Energy Division and the Division of Ratepayer Advocates. In addition, in accordance with General Order 96-B, Section IV, a copy of this advice letter is being sent electronically and via U.S. mail to parties shown on the attached list. Address change requests and electronic approvals should be directed to e-mail PGETariffs@pge.com. Advice letter filings can also be accessed electronically at <http://www.pge.com/tariffs>.

Handwritten signature of Jane Yura in cursive script, followed by a forward slash and the initials 'lmt'.

Vice President, Regulation and Rates

Attachments

cc: Service List - Advice Letter 3630-E

***** SERVICE LIST Advice 3630-E *****
APPENDIX A

Karen Clopton
Administrative Law Judge Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2008
kvc@cpuc.ca.gov

Myra J. Prestidge
Administrative Law Judge Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2629
tom@cpuc.ca.gov

Jonathan Reiger
Legal Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 355-5596
jzr@cpuc.ca.gov

Kenneth Lewis
Energy Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-1090
kl1@cpuc.ca.gov

Julie Fitch
Energy Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 355-5552
Jf2@cpuc.ca.gov

Brewster Fong
Division of Ratepayer Advocates
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703- 2187
bfs@cpuc.ca.gov

Wendy Al Mukdad
Energy Division
505 Van Ness Avenue
San Francisco, CA 94102
(415) 703-2311
wmp@cpuc.ca.gov

***** AGENCIES *****

California Coastal Commission
Attention: Energy and Ocean Resources
Address: 45 Fremont, Suite 2000
San Francisco, CA 94105-2219
Telephone: (415) 904-5200

San Luis Obispo County Planning and Building
Department
County Government Center
Attention: John Euphrat, Principal Planner
Address: 976 Osos Street, Room 200
San Luis Obispo, CA 93408
Telephone: (805) 781-5600

CALIFORNIA PUBLIC UTILITIES COMMISSION

ADVICE LETTER FILING SUMMARY ENERGY UTILITY

MUST BE COMPLETED BY UTILITY (Attach additional pages as needed)

Company name/CPUC Utility No. **Pacific Gas and Electric Company (ID U39 M)**

Utility type:

ELC GAS
 PLC HEAT WATER

Contact Person: Linda Tom-Martinez

Phone #: (415) 973-4612

E-mail: lmt1@pge.com

EXPLANATION OF UTILITY TYPE

ELC = Electric GAS = Gas
PLC = Pipeline HEAT = Heat WATER = Water

(Date Filed/ Received Stamp by CPUC)

Advice Letter (AL) #: **3630-E**

Tier: 3

Subject of AL: Deed Restriction Regarding PG&E Property in San Luis Obispo for the Point Buchon Loop Trail – Request for Approval Under Section 851

Keywords (choose from CPUC listing): Section 851

AL filing type: Monthly Quarterly Annual One-Time Other _____

If AL filed in compliance with a Commission order, indicate relevant Decision/Resolution #:

Does AL replace a withdrawn or rejected AL? If so, identify the prior AL: No

Summarize differences between the AL and the prior withdrawn or rejected AL¹: _____

Is AL requesting confidential treatment? If so, what information is the utility seeking confidential treatment for:

Confidential information will be made available to those who have executed a nondisclosure agreement: Yes No

Name(s) and contact information of the person(s) who will provide the nondisclosure agreement and access to the confidential information: _____

Resolution Required? Yes No

Requested effective date: **Upon Commission Approval**

No. of tariff sheets: N/A

Estimated system annual revenue effect (%): N/A

Estimated system average rate effect (%): N/A

When rates are affected by AL, include attachment in AL showing average rate effects on customer classes (residential, small commercial, large C/I, agricultural, lighting).

Tariff schedules affected: N/A

Service affected and changes proposed¹: N/A

Pending advice letters that revise the same tariff sheets: N/A

Protests, dispositions, and all other correspondence regarding this AL are due no later than 20 days after the date of this filing, unless otherwise authorized by the Commission, and shall be sent to:

CPUC, Energy Division

Tariff Files, Room 4005

DMS Branch

505 Van Ness Ave.,

San Francisco, CA 94102

jnj@cpuc.ca.gov and mas@cpuc.ca.gov

Pacific Gas and Electric Company

Attn: Jane Yura

Vice President, Regulation and Rates

77 Beale Street, Mail Code B10B

P.O. Box 770000

San Francisco, CA 94177

E-mail: PGETariffs@pge.com

Advice 3630-E

Attachment 1

Deed Restriction

RECORDING REQUESTED BY AND

WHEN RECORDED RETURN TO:

CALIFORNIA COASTAL COMMISSION
725 Front Street; Suite 300
Santa Cruz, CA 95060-4508

ATTN: Legal Division

(SPACE ABOVE FOR RECORDER'S USE ONLY)

APN 076-011-006, 008,-026 &-028
PG&E Ref. No. LD 2231-10-0087
2009207 (22-09-092) 12 09 2

DEED RESTRICTION

I. WHEREAS, PACIFIC GAS AND ELECTRIC COMPANY, a California corporation (hereinafter referred to as "Owner"), is the record owner of the real property described in EXHIBIT "A", attached hereto and incorporated herein by reference (hereinafter referred to as the "Property"); and

II. WHEREAS, the California Coastal Commission (hereinafter referred to as the "Commission") is a public agency created and existing under the authority of section 30300 of the California Public Resources Code (hereinafter referred to as the "PRC"), a section of the California Coastal Act of 1976 (Division 20 of the PRC; hereinafter referred to as the "Act"); and

III. WHEREAS, the Property is located within the coastal zone as defined in the Act (PRC § 30103); and

IV. WHEREAS, pursuant to section 30600(a) of the PRC, Owner applied to the Commission for a coastal development permit to undertake development, as defined in the Act (PRC § 30106), on the Property; and

V. WHEREAS, on January 26, 2005, the Commission granted Coastal Development Permit Number A-3-SLO-04-035 (hereinafter referred to as the "Permit"), attached hereto as EXHIBIT "B" and incorporated herein by reference, subject to, among other conditions, the conditions listed under the

heading “Special Conditions” in the above referenced Permit (hereinafter referred to as the “Special Conditions”) which include the following:

(a) the creation of an Access Plan addressing, among other things, the type and extent of public shoreline access Owner will provide near the northern boundary of the Property. The parameters of the shoreline access condition are contained in the Type and Extent of Access section of Paragraph 3d of the Permit, which paragraph is entitled “Access Plan”, and which section reads as follows:

“Type and Extent of Access: The Access Plan shall provide, at a minimum, access to the shoreline at the following locations:

- Lateral bluff top access to approximately three miles of coastline along the northern portion of the Diablo Canyon lands between Montana de Oro State Park and Crowbar Creek. Precise routing of the bluff top accessway shall be identified in the Access Plan and shall include at least three opportunities for access to coastal viewing areas on projecting land promontories.
- Vertical access to at least one beach in the northern portion of the Diablo Canyon lands (e.g., Point Buchon beach, near the northern boundary) and lateral access along that beach.”

and

(b) the placement of a deed restriction on the Property as specified in the Management Considerations and Implementation section of Paragraph 3d of the Permit, and which section reads as follows:

- “Provide deed restrictions that will ensure legal protection to the accessways in perpetuity. In areas where coastal erosion could reduce or eliminate public use accessways, a legal mechanism to accommodate landward relocation of any affected accessway to ensure continued public use shall be provided. Deed restrictions proposed in the Access Plan shall be submitted to the Executive Director for recordation within 30 days of plan approval by the Executive Director. To the extent possible consistent with the environmental protections identified above, the accessways shall conform to the requirements of LCP Section 23.04.420 regarding minimum widths, necessary improvements, and signage, and other supporting infrastructure.”

and

VI. WHEREAS, the Commission found that, but for the imposition of the “Special Conditions” contained in the Permit, the proposed development could not be found consistent with the provisions of the Act and that a permit could therefore not have been granted; and

VII. WHEREAS, Owner has elected to comply with the “Special Conditions” which require, among other things, execution and recordation of this Deed Restriction, so as to enable Owner to undertake the development authorized by the Permit; and

VIII. WHEREAS, the Property consists of parcels to be traversed by a trail used for public recreation and access, and under the policy of section 30223 of the Public Resources Code, upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible; and

IX. WHEREAS, under the policies of sections 30210 and 30212 of the Public Resources Code, public access through the coastal zone is to be maximized.

NOW, THEREFORE, in consideration of the issuance of the Permit to Owner by the Commission, the undersigned Owner, for itself and for its assigns and successors-in-interest, hereby irrevocably covenants with the Commission that the Special Conditions shall at all times on and after the date on which this Deed Restriction is recorded constitute for all purposes covenants, conditions and restrictions on the use and enjoyment of the Property that are hereby attached to the deed to the Property as fully effective components thereof.

1. COVENANT, CONDITION AND RESTRICTION. The undersigned Owner, for itself and for its assigns and successors in interest, further covenants and agrees that it shall maintain a public use trail and associated public viewing areas on the Property as more particularly described on EXHIBIT “C” and depicted on EXHIBIT “C-1”, attached hereto and incorporated herein by reference.

2. DURATION.

(a) This Deed Restriction shall remain in full force and effect and shall bind Owner and all its assigns or successors-in-interest during the period that either the development authorized by the Permit, or any part or modification thereof, or the Permit, or any modification or amendment thereof, remains in existence on or with respect to, and thereby confers benefit upon, the Property.

(b) Furthermore, in the event of a termination or extinguishment of this Deed Restriction other than pursuant to a Commission-approved amendment to the Permit, the “Special Conditions” shall, notwithstanding any such termination or extinguishment, continue to restrict the use and enjoyment of the Property as they did prior to that termination or extinguishment and to bind Owner and its successors-

in-interest, so long as either or both of the conditions described in paragraph (a) continue to exist on or with respect to the Property.

3. TAXES AND ASSESSMENTS. It is intended that this Deed Restriction is irrevocable and shall constitute an enforceable restriction within the meaning of a) Article XIII, section 8, of the California Constitution; and b) section 402.1 of the California Revenue and Taxation Code or successor statute. Furthermore, this Deed Restriction shall be deemed to constitute a servitude upon and burden to the Property within the meaning of section 3712(d) of the California Revenue and Taxation Code, or successor statute, which survives a sale of tax-deeded property.

4. RIGHT OF ENTRY. The Commission or its agent may enter onto the Property at times reasonably acceptable to Owner, accompanied by Owner's designated representative, to ascertain whether the use restrictions set forth above are being observed.

5. REMEDIES. Any act, conveyance, contract, or authorization by Owner whether written or oral that uses or would cause to be used or would permit use of the Property contrary to the terms of this Deed Restriction and that is not cured within thirty (30) days after receipt of written notice thereof will be deemed a violation and a breach of this Deed Restriction. The Commission and Owner may pursue any and all available legal and/or equitable remedies to enforce the terms and conditions of this Deed Restriction. In the event of a breach, any forbearance on the part of either party to enforce the terms and provisions hereof shall not be deemed a waiver of enforcement rights regarding any subsequent breach.

6. NOTICES. All notices, demands, requests, consents, approvals, waivers, releases, modifications, terminations or other communications relating to this Deed Restriction shall be in writing and shall be deemed effective: 1) when delivered or upon refusal of delivery, if personally delivered to the person being served or official of a government agency being served, or 2) three business days after deposit in the mail if mailed by United States mail, postage paid certified, return receipt requested:

To Owner:
Pacific Gas and Electric Company
245 Market Street, 10th Floor
P.O. Box 770000, Mail Code N10A
San Francisco, California 94177
Attention: Land Rights Supervisor

With concurrent copies to:

Pacific Gas and Electric Company
P.O. Box 7442, Mail Code B30A
San Francisco, California 94120
Attention: Grant Guerra

and to:

Pacific Gas and Electric Company
Diablo Canyon Power Plant
P. O. Box 56
Avila Beach, California 93424
Attention: Plant Manager

To the Commission:
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219
Attention: Energy and Ocean Resources

7. GOVERNMENTAL APPROVAL. This Deed Restriction shall not become effective, notwithstanding that it may have been executed by the Owners and accepted by the California Coastal Commission, unless and until the California Public Utilities Commission (the "CPUC") approves this Deed Restriction by an order which is final, unconditional and unappealable (including exhaustion of all administrative appeals or remedies before the CPUC), and the terms and conditions of such CPUC approval are satisfactory to PG&E in its sole and absolute discretion. This Deed Restriction is made subject to all the provisions of such approval, as more particularly set forth in CPUC Decision _____ (Application No. _____), in like manner as though said provisions were set forth in full herein.

8. SEVERABILITY. If any provision of these restrictions is held to be invalid, or for any reason becomes unenforceable, no other provision shall be affected or impaired.

Dated: _____, 20__.

OWNER:

PACIFIC GAS AND ELECTRIC COMPANY,
a California corporation

By: _____

Name: Richard A. Gigliotti
Title: Manager, Land Survey and Acquisition
Land and Environmental Management

Attested _____

Approved as to form – PG&E Law Department:

Grant Guerra

Approved as to form:

Name: _____
Director and Plant Manager
Diablo Canyon Power Plant

STATE OF CALIFORNIA

COUNTY OF _____

On _____, before me, _____, a Notary Public personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

STATE OF CALIFORNIA

COUNTY OF _____

On _____, before me, _____, a Notary Public personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

This is to certify that the deed restriction set forth above is hereby acknowledged by the undersigned officer on behalf of the California Coastal Commission pursuant to authority conferred by the California Coastal Commission when it granted Coastal Development Permit No. A-3-SLO-04-035, on January 26, 2005, and the California Coastal Commission consents to recordation thereof by its duly authorized officer.

Dated: _____

CALIFORNIA COASTAL COMMISSION

JOHN BOWERS, Staff Counsel

STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

On _____, before me, _____, a Notary Public personally appeared JOHN BOWERS, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

LD 2231-10-0087

2009207 (22-09-092) 12 09 1

Point Buchon Trail Description

EXHIBIT "A"

(APN 076-011-006,-008,-026 &-028)

The parcels of land situate in the unincorporated area of the County of San Luis Obispo, State of California, described as follows:

PARCEL ONE

The parcel of land conveyed by Wells Fargo Bank and others, as trustees, to Pacific Gas and Electric Company by deed dated November 25, 1986 and recorded in Book 2927 of Official Records at page 154, San Luis Obispo County Records, and therein designated PARCEL 1 and described as follows:

“LOTS 4 AND 6 AND THOSE PORTIONS OF LOTS 8 AND 9 OF THE RANCHO PECHO Y ISLAY, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, AS SHOWN ON MAP FILED FOR RECORD IN BOOK B, PAGE 86 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THAT LIES NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A TRIANGULATION STATION MARKED BY A BRASS CAP MONUMENT REFERRED TO AS “CROWBAR” AS SHOWN ON PARCEL MAP COAL 75-65, FILED FOR RECORD IN BOOK 18, PAGE 26 OF PARCEL MAPS, RECORDS OF SAID COUNTY; THENCE SOUTH 39°09’42” WEST 360 FEET, MORE OR LESS, TO THE LINE OF ORDINARY HIGH WATER OF THE PACIFIC OCEAN, THE TRUE POINT OF BEGINNING;

THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 39°09’42” EAST, 360 FEET, MORE OR LESS, TO SAID TRIANGULATION STATION “CROWBAR”;

THENCE NORTH 51°46’57” EAST, 2429.57 FEET;

THENCE NORTH 86°05’20” EAST, 636.15 FEET;

THENCE SOUTH 72°30’08” EAST, 1316.91 FEET;

THENCE NORTH 38°40’13” EAST, 2363.93 FEET;

THENCE NORTH 43°08’40” EAST, 943.02 FEET;

THENCE NORTH 33°34’39” EAST, 1432.79 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 9.

EXCEPT FROM LOT 4 OF SAID RANCHO PECHO Y ISLAY, THAT PORTION THEREOF DESCRIBED IN PARCEL 1 OF THE DEED TO RANCHO MONTANA DE ORO, INC., A CALIFORNIA CORPORATION, RECORDED DECEMBER 18, 1952 IN BOOK 689, PAGE 20 OF OFFICIAL RECORDS.

ALSO EXCEPT FROM LOT 8 OF SAID RANCHO PECHO Y ISLAY, PARCEL A AS SHOWN ON PARCEL MAP CO-71-145, FILED IN BOOK 6, PAGE 88 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY”.

EXCEPTING THEREFROM the portion thereof lying within the boundary lines of Lot 9 of said Rancho Pecho Y Islay.

PARCEL TWO

The parcel of land described and designated PARCEL 3 in the deed from Virginia Field Bruno and Gordon E. Bruno, wife and husband, to Pacific Gas and Electric Company dated December 12, 1986 and recorded in Book 2927 of Official Records at page 159, San Luis Obispo County Records, and therein described as follows:

“PARCEL A OF PARCEL MAP CO-71-451, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, AS SHOWN ON PARCEL MAP FILED SEPTEMBER 28, 1971 IN BOOK 6, PAGE 88 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY”.

EXHIBIT "B"

**COASTAL DEVELOPMENT PERMIT NO. A-3-SLO-04-035
DATED JANUARY 26, 2005**

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



Page 1 of 10
January 26, 2005
Permit No. **A-3-SLO-04-035**

COASTAL DEVELOPMENT PERMIT

On December 8, 2004, by a vote of 11-0, the California Coastal Commission granted to Pacific Gas and Electric Company (PG&E) Coastal Development Permit No. A-3-SLO-04-035, subject to the attached standard and special conditions, for development consisting of:

Construction and operation of a radioactive waste storage facility known as an Independent Spent Fuel Storage Installation (ISFSI) within the high security area of the Diablo Canyon power plant complex.

The development is located approximately six miles north of Avila Beach, County of San Luis Obispo.

Issued on behalf of the Coastal Commission on January 26, 2005.

PETER DOUGLAS
Executive Director

A handwritten signature in blue ink, appearing to read "Alison Dettmer".

By: Alison Dettmer
Manager
Energy and Ocean Resources Unit

Acknowledgment:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

The undersigned permittee acknowledges that Government Code Section 818.4, which states in pertinent part, that: "A public entity is not liable for injury caused by the issuance...of any permit..." applies to the issuance of this permit.

IMPORTANT: THE PERMIT IS NOT VALID UNLESS AND UNTIL A COPY OF THE PERMIT WITH THE SIGNED ACKNOWLEDGMENT HAS BEEN RETURNED TO THE COMMISSION OFFICE. (14 Cal. Admin. Code Section 13158(a).)

02/02/05
Date

[Signature]
Signature of Permittee or Representative REF

SPECIAL CONDITIONS

1. **Submittal of Other Permits:** Prior to starting project construction, the Permittee shall provide to the Executive Director a copy of other approved local and state permits, as applicable, from the following:
 - County of San Luis Obispo construction permit
 - California Department of Forestry/County Fire Department
 - California Regional Water Quality Control Board
 - California Department of Fish and Game
 - San Luis Obispo County Air Pollution Control District
 - Environmental Health Department

2. **Decommissioning or Changes to the ISFSI:** This permit does not authorize development activities associated with potential decommissioning of the ISFSI or changes to the ISFSI not described in permit submittals. The Permittee shall submit a new coastal development permit application or amendment to this permit if such activities are proposed.

3. **Managed Access to Diablo Canyon Lands:** The overarching goal of this condition is to achieve multiple public benefits, including managed public access to and along Diablo Canyon lands, natural resource conservation and restoration, and sustainable agricultural uses carried out in an environmentally sensitive manner. Another goal is to compile a comprehensive environmental baseline inventory that will provide information needed to inform decisions to further the identified public benefits in a mutually compatible manner. Diablo Canyon lands are those lands between Montana de Oro State Park and the Port San Luis Harbor District that are owned or controlled by the Permittee.
 - a) **Baseline Environmental Inventory:** The Permittee shall prepare and complete a comprehensive environmental assessment focused on the northern Diablo Canyon lands (i.e., those Diablo Canyon lands generally north of the power plant). This information will be used to develop a baseline environmental inventory of those lands that will provide a comprehensive and accurate information base to inform land use decisions that advance the public benefits envisioned by this condition. The baseline environmental inventory shall be completed no later than fifteen months after permit approval, shall be submitted to the Executive Director for review and approval, and shall thereafter serve as the baseline data needed to monitor and evaluate the environmental effects of public access.

Within three months of permit approval, the Permittee shall compile and submit to the Executive Director existing data and information in its possession about the environmental characteristics of the northern Diablo Canyon lands.

- b) **Task Force:** Within three months of permit approval, the Executive Director shall convene a task force to review existing baseline data and information and to recommend additional data collection, studies, and monitoring that may be necessary to ensure completion of a comprehensive environmental inventory to be used to inform the preparation, implementation and possible modification of an adaptive public access management plan.

The task force shall consist of representatives from appropriate public and non-governmental entities. The charge to the task force shall be to provide guidance and oversight for preparation of the environmental baseline inventory required by this condition and, based on that information, to provide recommendations for consideration in the preparation, review and approval of the Access Plan described below.

The Permittee shall fund the work of the task force, based on an annual budget jointly approved by the Permittee and the Executive Director. In the event of objection by the Permittee to the amount or purposes of budgeted functions or costs, the matter will be presented to the Commission for resolution. Upon approval of the task force budget, the Permittee shall make direct payments to service providers based on the approved budget.

The Executive Director will ensure that the work of the task force is completed in a timely manner not to exceed two years from its first meeting, unless by mutual agreement of the Permittee and the Commission it is determined that continuation of the task force for a limited additional period of time would be beneficial.

- c) **Completion of Baseline Environmental Inventory:** The Executive Director shall consider as part of the review and approval of the Access plan recommendations provided by the task force convened to provide advice and guidance to the Permittee and the Executive Director on developing a baseline environmental inventory of important natural resources and identification of feasible management measures relative to the provision of public access while protecting natural resources and environmentally sustainable agricultural practices. The overarching goal is to compile information necessary to achieve compatible multiple public benefits including managed public access as described below as part of the Access Plan, natural resource conservation and restoration, and sustainable agricultural uses carried out in an environmental sensitive manner. Additional data collection recommended by the task force and approved by the Executive Director shall be completed within fifteen months of permit approval and shall include necessary descriptions of habitat and ecosystems types and species present on the northern Diablo Canyon lands.

- d) **Access Plan:** Within eighteen months of permit approval, the Permittee shall provide an Access Plan for Executive Director review and approval that includes the provisions described below.

Goals and Objectives of Access Plan: The level of access provided shall be at least roughly commensurate to the current value of access lost due to the ISFSI (i.e., providing access opportunities for up to 275 visitors per day). The time, place and manner of public recreational access use shall be reasonably managed to address security and safety needs and to avoid or minimize adverse impacts to sensitive habitats, environmentally sustainable agricultural operations, and other important natural coastal resources. The Access Plan shall identify the annual level of visitation anticipated for each of its accessways and the basis for determining that level of visitation. No new public accessways in the northern portion of Diablo Canyon lands shall be required to be opened for public use prior to approval of the Access Plan, provided however, that the new public accessways required by this condition shall be opened for public use no later than twenty-four months after approval of this permit.

The Access Plan shall also conform, to the extent possible given the other provisions of this condition, with applicable policies and provisions of adopted local and state coastal access plans and programs, including those of the adjacent and nearby coastal areas at Montana de Oro State Park, Port San Luis Harbor District, and San Luis Obispo County. The plan shall include measures to implement applicable goals and principles of the California Coastal Trail, pursuant to the report and maps contained in *Completing the California Coastal Trail* (January 2003). The Access Plan shall specify how aspects of its access provisions are intended to support the goals, policies, and provisions of these other access plans and programs. The plan shall describe coordination efforts with adjacent property owners to determine the potential effects of access on those properties and to identify ways to avoid or minimize conflicts.

Type and Extent of Access: The Access Plan shall provide, at a minimum, access to the shoreline at the following locations:

- Lateral bluff top access to approximately three miles of coastline along the northern portion of the Diablo Canyon lands between Montana de Oro State Park and Crowbar Creek. Precise routing of the bluff top accessway shall be identified in the Access Plan and shall include at least three opportunities for access to coastal viewing areas on projecting land promontories.
- Vertical access to at least one beach in the northern portion of the Diablo Canyon lands (e.g., Point Buchon beach, near the northern boundary) and lateral access along that beach.
- Increased access to the Pecho Coast Trail on the southern portion of the Diablo Canyon lands, as allowed within the provisions of the *Pecho Coast Trail Accessway Management Plan* and the Memorandum of Understanding governing that Plan. As part of the Access Plan, the Permittee may request an amendment to the existing Pecho Coast Plan or MOU to allow additional access, if necessary.

Management Considerations and Implementation: The Access Plan shall specify provisions necessary to manage access in recognition of security, public safety, protection of existing environmentally sustainable agricultural uses, and environmental conservation and restoration needs. The Access Plan shall, at a minimum:

- Provide pedestrian access during daylight hours to the accessways identified in the plan.
- Identify the minimum provisions necessary to meet federal security and public health and safety requirements and their effect on meeting the goals of this condition.
- Identify the status of access to all public trust lands (i.e., below the mean high tide line) on Diablo Canyon lands, and the measures available to ensure access to those public trust lands as well as measures in place that prohibit or limit access to those areas.
- Provide deed restrictions that will ensure legal protection to the accessways in perpetuity. In areas where coastal erosion could reduce or eliminate public use accessways, a legal mechanism to accommodate landward relocation of any affected accessway to ensure continued public use shall be provided. Deed restrictions proposed in the Access Plan shall be submitted to the Executive Director for recordation within 30 days of plan approval by the Executive Director. To the extent possible consistent with the environmental protections identified above, the accessways shall conform to the requirements of LCP Section 23.04.420 regarding minimum widths, necessary improvements, and signage, and other supporting infrastructure.
- Identify specific improvements needed along the various accessways to provide the proposed level of access, including detailed descriptions of improvements such as parking, road and trail improvements, boardwalks, fencing, benches, interpretive and instructional signs, overlooks, garbage and sewage service facilities, or other similar improvements necessary to support the proposed level of visitation. Improvements described in the approved Access Plan shall be maintained for the life of the project.
- Identify specific measures that will be taken to ensure the accessways and improvements avoid or minimize conflicts with environmentally sustainable agriculture, sensitive natural resource areas, archaeological sites, and other significant coastal resources.
- Identify provisions for the management of the accessways that may include management by a non-profit organization approved by the Executive Director or an appropriate public recreational agency.
- Implement and fund an outreach program to inform the public of the access being provided through this Access Plan. The program is to focus on currently underserved communities, particularly inner city and disadvantaged, that are likely not aware of coastal access opportunities.

Reporting: For each of the five years after approval by the Executive Director of the Access Plan, the Permittee shall submit annual reports to the Executive Director describing implementation of the plan and the results of the above monitoring measures. The Executive Director shall convene the task force at least once per year during this five-year period to evaluate the monitoring results and to recommend modifications to the Access Plan, if necessary. After the first five years, the Permittee shall submit reports every five years describing experience implementing the Access Plan.

- e) **Access Plan Amendments:** Amendments to the approved Access Plan that are based on monitoring results and are consistent with the scope, intent, and purpose of this condition may be approved by the Executive Director.
4. **Monitoring Cut Slopes:** The Permittee shall monitor the cut slopes above the ISFSI storage area and the transport road for sliding, ground movement, or other motion using the measures and monitoring devices described in the project's *Safety Analysis Report*. Any protective devices such as rock bolts or tiebacks shall be monitored for signs of corrosion, distress, or failure and shall be replaced as necessary to maintain their effectiveness. No later than June 30 of each year, the Permittee shall submit annual reports, prepared by a licensed Civil Engineering Geologist and Civil Engineer, to the Executive Director describing the results of the monitoring. The Permittee shall notify County staff and the Executive Director immediately in the event of slope failure or movement that may indicate imminent slope failure. If monitoring results for any annual report indicate slope movement may require additional measures to protect the development, the Permittee shall submit a coastal development permit application or request for an amendment to this permit.
5. **Monitoring Shoreline Erosion:** The Permittee shall conduct annual surveys of the shoreline nearest the ISFSI transport road and Soil Disposal Site #2 (i.e., from the corner of Shore Cliff Road and Plant View Road on the west to the headland east of the soil disposal site). The surveys shall start during the first year of project construction and continue through the life of the project. Surveys shall be conducted by a licensed Surveyor or Civil Engineer. Each annual survey shall be performed in the early spring when the beach level is lowest and the lower bluff face is most exposed, or as close to that time as is feasible. Each survey shall record the position of the upper bluff edge and lower toe of the bluff using conventional survey techniques (total station, rod and level, plane table, etc.), differential Global Positioning System (GPS), photogrammetry (with current ortho-rectified aerial photographs), by ground Light Detection and Ranging (LIDAR), or other comparable technique. Survey techniques used shall be consistent throughout the survey period or shall allow consistent comparison of yearly data. Survey measurements shall be accurate within 0.5' horizontal and 1.0' vertical.

The Permittee shall report the results of each survey to the Executive Director by June 30 of each year. Each report shall include narrative and mapped analysis of the survey data, a determination of the average retreat rate for the full survey area, identification of any locations where the bluff change rate is more than two standard deviations from the average. Bluff change shall be calculated at 50' intervals (or smaller) to determine the average retreat, standard deviation and to identify areas of outlier retreat rates. The report shall also include monitoring data from the existing inclinometers installed to measure movement of the Patton Cove landslide area.

If monitoring results for any annual survey indicate the development may be threatened by coastal erosion in less than 75 years from the start of construction, the Permittee shall submit within sixty days of the annual survey report a coastal development permit application or request for an amendment to this permit to relocate the transport road and other project components as needed.

6. **Restoration Plan:** PRIOR TO PERMIT ISSUANCE, the Permittee shall submit for Executive Director review and approval a revision of the *Native Vegetation Restoration and Monitoring Plan* submitted in August 2004 that includes two additional provisions: (1), that reports identified in the plan (e.g., "as-built" report, annual monitoring reports, etc.) to be submitted to the County are also submitted to the Executive Director for review and approval; and (2), that seeds or propagules used to revegetate restore areas are collected or obtained from sources within 35 miles of the Diablo Canyon lands, and any vendor or collector shall certify the origin of these seeds or propagules.
7. **Protection of Archaeological Resources:** Prior to starting construction, the Permittee shall submit for Executive Director review and approval a plan describing the measures to be included as part of project activities to protect archaeological resources. The plan (known in the County's requirements as a *Construction Treatment Plan*) shall be developed by a County-qualified archaeologist and shall describe, at minimum:
 - Procedures for notifying the Executive Director and other involved or interested parties in the event of a discovery, including the procedures to stop project-related activities until an archaeologist can determine the status and significance of the discovery and the procedures for re-starting project activities;
 - Procedures that would be used to record, evaluate, and mitigate discoveries; and,
 - Procedures that would be followed in the event of discovery of disturbed as well as intact human burials and burial-associated artifacts.

The Permittee shall consider other measures to support the goals and requirements identified above, and may include in the Access Plan additional access provisions, including:

- Additional vertical and lateral access to other beaches if such access will not cause significant adverse environmental effects, or if access can be provided to those beaches subject to closure during critical or sensitive times (e.g., closure during seal pupping season).
- Improvements to adjoining or nearby properties that will support access to the shoreline of the Diablo Canyon lands, such as improving connecting trails on adjacent State Park lands, improvements to the Point San Luis lighthouse, funding support personnel to manage visitation, providing additional parking, bike lockers, or other public recreational use improvements, etc. Any such measures proposed for lands not owned or controlled by the Permittee shall be accompanied by property owner approval. Some proposed measures may require additional coastal development permit review and approval.
- Additional public access in connection with educational, research and habitat restoration programs or activities.

Timing of the Access Plan: All accessways and improvements in the Access Plan shall be constructed and made available for public use within two years of permit approval. The Access Plan shall include a schedule showing the anticipated dates of construction and implementation of the various plan components during this time period. Deadlines for submittals or for implementation of plan elements may be extended by the Executive Director for good cause.

Monitoring: The Access Plan shall include a monitoring and evaluation component to provide information documenting Access Plan implementation over the life of the project and that can be used as a basis for proposed adaptations, if any, to the Plan that may be warranted by experience. Elements to be included in the monitoring and evaluation component shall include those reasonably necessary to determine the following:

- A description of whether public use has resulted in any environmental effects, including possible negative and positive impacts, based on an evaluation using the baseline environmental inventory prepared pursuant to this condition.
- A discussion of what modifications to the Plan, if any, may be appropriate based on the evaluation described above.
- A description of whether public use has resulted in any effects, negative or positive, on the continuation of environmentally sustainable agricultural activities.
- A comparison of the levels of visitation anticipated in the plan with actual levels of visitation at the various accessways;
- A description of effects, if any, of visitation on security and public safety and on archaeological resources and any measures taken or proposed to avoid or reduce those effects.

STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment:** This permit is not valid until a copy of the permit is signed by the Permittee or authorized agent, acknowledging receipt of the permit and the acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration:** Construction activities for the proposed project must be initiated within two years of issuance of this permit. This permit will expire two years from the date on which the Commission approved the proposed project if development has not begun. Construction of the development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made at least six months prior to the expiration date.
3. **Interpretation:** Any questions of intent or interpretation of any condition will be resolved by the Executive Director of the Commission (hereinafter, "Executive Director") or the Commission.
4. **Assignment:** The permit may be assigned to any qualified person, provided the assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land:** These terms and conditions shall be perpetual, and it is the intention of the Commission and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXHIBIT “C”

LEGAL DESCRIPTION OF PUBLIC ACCESS TRAIL AND PUBLIC VIEWING AREAS

LD 2231-10-0087

2009207 (22-09-092) 12 09 2

Point Buchon Trail Description

EXHIBIT "C"

(APN 076-011-006,-008,-026 &-028)

The parcels of land situate in the unincorporated area of the County of San Luis Obispo, State of California, described as follows:

Parcel 1 (Trail and Overlook)

A strip of land of the uniform width of 10 feet extending in a general westerly, southerly and southeasterly direction from the general northeasterly boundary line of the parcel of land conveyed by Wells Fargo Bank and others, as trustees, to Pacific Gas and Electric Company by deed dated November 25, 1986 and recorded in Book 2927 of Official Records at page 154, San Luis Obispo County Records, and therein designated PARCEL 1, said general northeasterly boundary line being in part the southwesterly boundary line of the parcel of land described and designated PARCEL 11 in the final order of condemnation in which The State of California is plaintiff dated December 17, 1964 and recorded in Book 1333 of Official Records at page 111, San Luis Obispo County Records, and lying 5 feet on each side of the line described as follows:

Commencing at the found iron pipe tagged PE 6923 accepted as marking the southeasterly terminus of a course shown upon the Record of Survey filed for record April 6, 1967 in Book 16 of Licensed Surveys at page 1, San Luis Obispo County Records, which course as shown upon said Record of Survey has a bearing of N 64°51'29" W and a length of 157.49 feet, and which point is designated Point 15 on said Record of Survey, and running northwesterly along said course and its northwesterly prolongation

(a) north 64°51'29" west (north 66°30'30" west, geodetic) 157.61 feet to the TRUE POINT OF BEGINNING of said line; thence leaving said general northeasterly boundary line

- (1) southerly on a curve to the left with a radius of 150.00 feet, through a central angle of 38°49'44" and tangent at the southerly terminus thereof to the succeeding course, an arc distance of 101.65 feet; thence
- (2) south 17°17'28" east 78.84 feet; thence
- (3) southerly on a non-tangent curve to the right with a radius of 90.00 feet, through a central angle of 52°59'36" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 83.24 feet; thence
- (4) south 31°11'35" west 97.53 feet; thence
- (5) southwesterly on a non-tangent curve to the right with a radius of 150.00 feet, through a central angle of 33°55'20" and tangent at the

northeasterly terminus thereof to the preceding course, an arc distance of 88.81 feet; thence

- (6) south 59°08'42" west 41.95 feet; thence
- (7) south 65°47'26" west 70.81 feet; thence
- (8) south 76°01'03" west 54.63 feet; thence
- (9) south 83°38'38" west 154.72 feet; thence
- (10) south 86°09'04" west 40.25 feet; thence
- (11) north 74°04'13" west 22.01 feet; thence
- (12) north 61°30'18" west 38.10 feet; thence
- (13) north 71°28'29" west 21.65 feet; thence
- (14) north 85°11'38" west 26.40 feet; thence
- (15) south 87°42'58" west 235.79 feet; thence
- (16) northwesterly on a non-tangent curve to the right with a radius of 110.00 feet, through a central angle of 76°59'22" and tangent at the southeasterly terminus thereof to the preceding course, an arc distance of 147.81 feet; thence
- (17) north 18°23'57" west 104.90 feet; thence
- (18) north 10°30'08" west 52.74 feet; thence
- (19) north 3°30'59" west 146.33 feet; thence
- (20) northwesterly on a non-tangent curve to the left with a radius of 160.00 feet, through a central angle of 35°26'10" and tangent at the southeasterly terminus thereof to the preceding course, an arc distance of 98.96 feet; thence
- (21) north 36°08'19" west 77.54 feet; thence
- (22) north 44°00'29" west 50.04 feet; thence
- (23) north 52°00'07" west 104.69 feet; thence
- (24) northwesterly on a non-tangent curve to the right with a radius of 200.00 feet, through a central angle of 21°21'24" and tangent at the southeasterly terminus thereof to the preceding course, an arc distance of 74.55 feet; thence
- (25) north 33°31'01" west 121.98 feet; thence
- (26) northwesterly on a non-tangent curve to the left with a radius of 170.00 feet, through a central angle of 56°08'09" and tangent at the southeasterly terminus thereof to the preceding course, an arc distance of 166.56 feet; thence
- (27) north 85°01'47" west 223.06 feet; thence
- (28) north 89°47'48" west 135.52 feet; thence
- (29) northwesterly on a non-tangent curve to the right with a radius of 220.00 feet, through a central angle of 39°53'41" and tangent at the southeasterly terminus thereof to the preceding course, an arc distance of 153.19 feet

to a point herein for convenience called Point "D"; thence

- (30) north 53°26'24" west 158.26 feet; thence
- (31) north 56°07'21" west 90.58 feet; thence

- (32) northwesterly on a non-tangent curve to the left with a radius of 200.00 feet, through a central angle of 31°54'16" and tangent at the southeasterly terminus thereof to the preceding course, an arc distance of 111.37 feet; thence
 - (33) north 86°19'07" west 34.88 feet; thence
 - (34) southwesterly on a non-tangent curve to the left with a radius of 45.00 feet, through a central angle of 70°33'04" and tangent at the northeasterly terminus thereof to the preceding course, an arc distance of 55.41 feet; thence
 - (35) south 25°44'26" west 79.54 feet; thence
 - (36) south 39°53'34" west 286.64 feet; thence
 - (37) southwesterly on a non-tangent curve to the left with a radius of 485.00 feet, through a central angle of 22°13'32" and tangent at the northeasterly terminus thereof to the preceding course, an arc distance of 188.14 feet; thence
 - (38) south 20°34'56" west 86.81 feet; thence
 - (39) south 17°22'17" west 113.05 feet; thence
 - (40) south 25°34'14" west 28.35 feet; thence
 - (41) south 35°23'00" west 107.33 feet; thence
 - (42) south 31°14'43" west 141.47 feet; thence
 - (43) southwesterly on a non-tangent curve to the right with a radius of 340.00 feet, through a central angle of 15°16'06" and tangent at the northeasterly terminus thereof to the preceding course, an arc distance of 90.60 feet; thence
 - (44) south 55°45'23" west 147.85 feet; thence
 - (45) south 62°56'38" west 100.48 feet; thence
 - (46) south 51°50'27" west 51.37 feet; thence
 - (47) south 40°00'13" west 36.19 feet; thence
 - (48) southerly on a non-tangent curve to the left with a radius of 65.00 feet, through a central angle of 68°31'55" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 77.75 feet; thence
 - (49) south 30°23'15" east 28.96 feet; thence
 - (50) south 45°24'07" east 31.39 feet; thence
 - (51) south 62°10'27" east 36.54 feet; thence
 - (52) south 70°33'13" east 112.48 feet; thence
 - (53) south 72°52'42" east 134.78 feet; thence
 - (54) south 76°25'48" east 82.87 feet; thence
 - (55) south 66°29'24" east 70.42 feet; thence
 - (56) south 63°08'29" east 116.96 feet
- to a point herein for convenience called Point "A"; thence
- (57) south 60°34'55" east 172.41 feet; thence
 - (58) southeasterly on a non-tangent curve to the right with a radius of 180.00 feet, through a central angle of 29°27'45" and tangent at the

- northwesterly terminus thereof to the preceding course, an arc distance of 92.56 feet; thence
- (59) southerly on a non-tangent curve to the right with a radius of 60.00 feet, through a central angle of 47°33'11" and tangent at the northerly terminus thereof to a line which has a bearing of south 31°07'10" east, an arc distance of 49.80 feet; thence
 - (60) south 15°28'35" west 177.64 feet; thence
 - (61) south 12°24'29" west 72.95 feet; thence
 - (62) south 7°46'48" west 50.78 feet; thence
 - (63) south 1°18'22" east 59.80 feet; thence
 - (64) south 8°11'12" east 141.97 feet; thence
 - (65) southerly on a non-tangent curve to the right with a radius of 330.00 feet, through a central angle of 20°18'12" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 116.94 feet; thence
 - (66) south 21°26'21" west 156.98 feet; thence
 - (67) south 17°21'14" west 88.44 feet; thence
 - (68) south 10°52'06" west 94.16 feet; thence
 - (69) southerly on a non-tangent curve to the left with a radius of 102.00 feet, through a central angle of 48°04'01" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 85.57 feet; thence
 - (70) south 52°02'30" east 98.22 feet; thence
 - (71) south 37°23'43" east 200.84 feet; thence
 - (72) southerly on a non-tangent curve to the right with a radius of 255.00 feet, through a central angle of 33°11'34" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 147.73 feet; thence
 - (73) south 9°27'05" east 66.76 feet; thence
 - (74) south 14°02'49" east 92.29 feet; thence
 - (75) south 17°26'09" east 287.35 feet; thence
 - (76) southerly on a non-tangent curve to the right with a radius of 390.00 feet, through a central angle of 39°34'47" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 269.41 feet; thence
 - (77) south 21°42'31" west 262.82 feet; thence
 - (78) south 15°02'01" west 66.27 feet; thence
 - (79) south 5°45'09" west 37.36 feet; thence
 - (80) south 1°34'09" east 108.34 feet
- to a point herein for convenience called Point "B"; thence
- (81) south 7°32'46" west 34.31 feet; thence
 - (82) south 13°54'46" west 33.34 feet; thence
 - (83) south 14°08'53" west 64.30 feet; thence
 - (84) south 9°44'06" west 34.47 feet; thence
 - (85) south 4°26'18" west 134.98 feet; thence

- (86) south 12°01'00" west 116.49 feet; thence
- (87) southerly on a non-tangent curve to the left with a radius of 105.00 feet, through a central angle of 21°04'57" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 38.64 feet; thence
- (88) south 9°25'51" east 21.94 feet; thence
- (89) south 28°08'38" east 21.38 feet; thence
- (90) south 47°24'47" east 24.27 feet; thence
- (91) south 67°45'16" east 21.59 feet; thence
- (92) south 86°27'18" east 129.93 feet; thence
- (93) easterly on a non-tangent curve to the right with a radius of 285.00 feet, through a central angle of 28°10'21" and tangent at the westerly terminus thereof to the preceding course, an arc distance of 140.14 feet; thence
- (94) south 44°23'07" east 32.49 feet; thence
- (95) south 31°28'36" east 34.14 feet; thence
- (96) south 19°45'16" east 157.56 feet; thence
- (97) south 28°05'58" east 65.30 feet; thence
- (98) south 38°27'27" east 254.89 feet; thence
- (99) south 43°42'33" east 107.58 feet; thence
- (100) south 41°26'09" east 207.55 feet; thence
- (101) southeasterly on a non-tangent curve to the right with a radius of 235.00 feet, through a central angle of 25°14'07" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 103.50 feet; thence
- (102) south 21°32'42" east 82.92 feet; thence
- (103) south 27°20'20" east 78.69 feet; thence
- (104) south 39°15'30" east 61.02 feet; thence
- (105) south 44°48'12" east 168.56 feet; thence
- (106) south 50°55'13" east 55.47 feet; thence
- (107) south 59°29'34" east 298.24 feet; thence
- (108) south 67°30'43" east 81.68 feet; thence
- (109) south 74°59'10" east 171.64 feet; thence
- (110) south 80°40'35" east 87.51 feet; thence
- (111) south 86°11'06" east 146.01 feet; thence
- (112) southeasterly on a non-tangent curve to the right with a radius of 80.00 feet, through a central angle of 46°37'20" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 65.10 feet; thence
- (113) south 42°40'19" east 99.26 feet; thence
- (114) southeasterly on a non-tangent curve to the right with a radius of 200.00 feet, through a central angle of 28°58'57" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 101.17 feet; thence
- (115) south 15°22'24" east 107.60 feet; thence

- (116) southeasterly on a non-tangent curve to the left with a radius of 180.00 feet, through a central angle of 44°25'53" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 139.59 feet; thence
- (117) south 54°22'44" east 60.15 feet; thence
- (118) south 43°50'21" east 48.37 feet; thence
- (119) south 21°34'42" east 94.07 feet; thence
- (120) south 16°31'09" east 108.99 feet; thence
- (121) south 25°11'32" east 63.86 feet; thence
- (122) south 32°00'49" east 160.17 feet; thence
- (123) southeasterly on a non-tangent curve to the right with a radius of 680.00 feet, through a central angle of 14°05'20" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 167.21 feet; thence
- (124) south 30°02'52" east 178.82 feet; thence
- (125) south 28°05'59" east 136.79 feet; thence
- (126) south 40°19'02" east 86.75 feet; thence
- (127) south 49°14'15" east 47.20 feet; thence
- (128) south 66°05'58" east 46.36 feet; thence
- (129) south 70°52'42" east 135.59 feet; thence
- (130) south 78°05'49" east 151.68 feet; thence
- (131) south 84°06'55" east 86.22 feet; thence
- (132) south 73°42'50" east 32.36 feet; thence
- (133) south 82°54'57" east 7.85 feet; thence
- (134) north 87°33'54" east 27.17 feet; thence
- (135) south 83°48'36" east 25.32 feet; thence
- (136) south 76°15'27" east 58.70 feet; thence
- (137) south 64°43'05" east 40.76 feet; thence
- (138) south 73°38'41" east 37.94 feet; thence
- (139) southeasterly on a non-tangent curve to the right with a radius of 40.00 feet, through a central angle of 51°01'10" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 35.62 feet; thence
- (140) south 25°34'54" east 20.75 feet; thence
- (141) south 11°13'06" east 23.16 feet; thence
- (142) south 4°17'30" west 37.16 feet; thence
- (143) south 13°49'10" west 8.81 feet; thence
- (144) south 0°30'38" west 14.49 feet; thence
- (145) south 15°50'41" west 13.56 feet; thence
- (146) south 8°53'54" west 7.08 feet; thence
- (147) south 3°19'57" east 14.49 feet; thence
- (148) south 2°23'43" east 17.95 feet; thence
- (149) south 12°28'50" east 27.53 feet; thence
- (150) south 5°31'35" west 53.96 feet; thence
- (151) south 7°00'33" east 31.33 feet; thence

- (152) south 33°07'34" east 34.30 feet; thence
- (153) south 24°22'48" east 58.90 feet; thence
- (154) south 26°37'28" east 97.66 feet; thence
- (155) southerly on a non-tangent curve to the right with a radius of 100.00 feet, through a central angle of 28°02'56" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 48.95 feet; thence
- (156) south 6°01'09" east 68.04 feet; thence
- (157) south 7°03'02" west 41.70 feet; thence
- (158) south 24°35'45" west 38.21 feet; thence
- (159) south 39°26'29" west 84.67 feet; thence
- (160) south 26°51'53" west 4.62 feet; thence
- (161) south 7°26'16" west 18.11 feet; thence
- (162) south 14°29'41" east 20.79 feet; thence
- (163) south 39°49'31" east 50.93 feet; thence
- (164) south 36°33'02" east 92.37 feet

to a point herein for convenience called Point "C"; thence

- (165) south 39°45'26" east 23.55 feet; thence
- (166) on a non-tangent curve concave to the north with a radius of 8.00 feet, through a central angle of 162°08'23" and tangent at the westerly terminus thereof to a line which has a bearing of south 1°20'31" west, an arc distance of 22.64 feet; thence
- (167) north 27°41'56" east 61.36 feet; thence
- (168) north 21°56'35" east 34.06 feet; thence
- (169) north 6°27'21" east 34.13 feet; thence
- (170) north 34°24'52" east 35.32 feet; thence
- (171) north 52°23'58" east 26.99 feet; thence
- (172) north 61°48'33" east 28.94 feet; thence
- (173) north 77°08'10" east 36.71 feet; thence
- (174) north 89°58'04" east 39.16 feet; thence
- (175) north 75°10'40" east 24.74 feet; thence
- (176) north 63°02'05" east 17.80 feet; thence
- (177) south 72°43'01" east 27.06 feet; thence
- (178) north 80°05'57" east 27.21 feet; thence
- (179) south 61°03'24" east 13.93 feet; thence
- (180) south 77°40'48" east 37.46 feet; thence
- (181) south 67°59'14" east 211.36 feet; thence
- (182) south 63°46'23" east 90.77 feet; thence
- (183) south 68°42'06" east 76.23 feet; thence
- (184) south 60°38'26" east 51.08 feet; thence
- (185) south 66°20'00" east 334.61 feet; thence
- (186) south 69°45'15" east 128.23 feet; thence
- (187) south 62°40'15" east 32.68 feet; thence
- (188) south 65°31'45" east 170.80 feet; thence
- (189) south 58°30'18" east 91.94 feet; thence

- (190) southeasterly on a non-tangent curve to the right with a radius of 240.00 feet, through a central angle of 59°04'37" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 247.46 feet; thence
- (191) south 8°47'06" west 41.38 feet; thence
- (192) south 0°06'55" west 39.80 feet; thence
- (193) south 5°26'29" east 41.11 feet; thence
- (194) southeasterly on a non-tangent curve to the left with a radius of 50.00 feet through a central angle of 55°51'37" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 48.75 feet; thence
- (195) south 52°02'36" east 112.66 feet; thence
- (196) south 43°00'19" east 44.24 feet; thence
- (197) south 30°50'51" east 71.93 feet; thence
- (198) south 19°14'44" east 107.89 feet; thence
- (199) south 25°25'15" east 55.56 feet; thence
- (200) south 40°53'16" east 27.32 feet; thence
- (201) south 48°30'41" east 58.56 feet; thence
- (202) south 40°08'36" east 70.73 feet; thence
- (203) south 58°41'55" east 52.38 feet; thence
- (204) south 74°21'13" east 39.66 feet; thence
- (205) south 87°41'32" east 140.80 feet; thence
- (206) southeasterly on a non-tangent curve to the right with a radius of 85.00 feet, through a central angle of 49°25'54" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 73.33 feet; thence
- (207) south 14°07'42" east 88.85 feet; thence
- (208) south 22°46'52" east 30.49 feet; thence
- (209) south 38°16'20" east 52.55 feet; thence
- (210) south 48°23'05" east 60.22 feet; thence
- (211) southeasterly on a non-tangent curve to the right with a radius of 140.00 feet, through a central angle of 48°44'51" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 119.11 feet; thence
- (212) south 6°41'37" east 46.06 feet; thence
- (213) south 8°42'44" west 35.09 feet; thence
- (214) south 24°44'35" west 50.46 feet; thence
- (215) on a non-tangent curve to the left concave to the northeast with a radius of 23.00 feet, through a central angle of 128°18'06" and tangent at the northwesterly terminus thereof to the preceding course, an arc distance of 51.50 feet; thence
- (216) north 69°08'00" east 46.68 feet; thence
- (217) north 81°47'21" east 52.12 feet; thence
- (218) north 86°52'43" east 67.10 feet; thence
- (219) south 87°00'29" east 19.77 feet; thence

- (220) south 75°32'52" east 42.54 feet; thence
- (221) south 69°29'15" east 44.60 feet; thence
- (222) southerly on a non-tangent curve to the right with a radius of 75.00 feet, through a central angle of 96°25'48" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 126.23 feet; thence
- (223) south 24°46'06" west 28.29 feet; thence
- (224) south 45°55'38" west 18.76 feet; thence
- (225) south 70°05'37" west 16.87 feet; thence
- (226) north 88°45'20" west 57.79 feet; thence
- (227) south 74°09'11" west 30.10 feet; thence
- (228) south 52°31'48" west 64.46 feet; thence
- (229) south 43°40'13" west 75.29 feet; thence
- (230) south 25°44'43" west 38.91 feet; thence
- (231) south 1°24'40" east 71.30 feet; thence
- (232) south 6°20'19" west 39.44 feet; thence
- (233) south 0°52'23" east 18.65 feet; thence
- (234) south 12°00'03" east 107.22 feet; thence
- (235) south 12°50'54" east 117.22 feet; thence
- (236) south 18°14'11" east 197.33 feet; thence
- (237) south 26°29'40" east 223.92 feet; thence
- (238) south 22°09'19" east 117.99 feet; thence
- (239) south 14°13'22" east 45.88 feet; thence
- (240) south 3°02'51" east 166.43 feet

to a point within the boundary lines of said PARCEL 1, which point bears north 30°03'50" west 2,173.98 feet distant from National Geodetic Survey Triangulation Station "Crowbar"; being a portion of said PARCEL 1.

Parcel 2 (Overlook Trail)

A strip of land of the uniform width of 10 feet the termini of which are formed by the general westerly boundary line of the strip of land hereinbefore described and designated Parcel 1 and lying 5 feet on each side of the line described as follows:

- Commencing at said Point "A" and running
- (a) south 39°43'18" east 14.04 feet
- to a point in said general westerly boundary line, being the TRUE POINT OF BEGINNING of said line; thence
- (1) south 15°02'30" east 28.51 feet; thence
 - (2) south 29°29'20" east 20.53 feet; thence
 - (3) south 37°06'09" east 47.77 feet; thence
 - (4) southerly on a non-tangent curve to the right with a radius of 35.00 feet through a central angle of 24°24'18" and tangent at the northerly

terminus thereof to the preceding course, an arc distance of 14.91 feet;
thence

- (5) south 14°31'12" east 18.00 feet; thence
 - (6) south 3°35'41" east 27.62 feet; thence
 - (7) southerly on a curve to the right with a radius of 10.00 feet through a central angle of 57°33'41" and tangent at the northerly terminus thereof to the preceding course, an arc distance of 10.05 feet; thence
 - (8) on a non-tangent curve concave to the northeast with a radius of 7.00 feet through a central angle of 159°43'15" and tangent at the northerly terminus thereof to a line which has a bearing of south 53°58'00" west, an arc distance of 19.51 feet; thence
 - (9) north 86°13'53" east 57.01 feet; thence
 - (10) north 68°12'20" east 74.33 feet; thence
 - (11) north 59°00'35" east 8.57 feet, more or less,
- to a point in said general westerly boundary line; being a portion of said PARCEL 1.

Parcel 3 (Trail)

A strip of land of the uniform width of 10 feet extending from the general easterly boundary line of said strip of land designated Parcel 1 northeasterly to the general southerly boundary line of said strip of land designated Parcel 1 and lying 5 feet on each side of the line described as follows:

Commencing at said Point "A" and running

- (a) south 57°51'45" east 249.84 feet

to a point in said general easterly boundary line, being the TRUE POINT OF BEGINNING of said line; thence

- (1) north 59°00'35" east 30.91 feet; thence
- (2) northeasterly on a non-tangent curve to the right with a radius of 25.00 feet through a central angle of 32°33'20" and tangent at the southwesterly terminus thereof to the preceding course, an arc distance of 14.20 feet; thence
- (3) north 82°19'32" east 22.55 feet; thence
- (4) north 72°18'56" east 683.33 feet; thence
- (5) north 71°14'22" east 268.61 feet; thence
- (6) north 74°14'11" east 421.12 feet; thence
- (7) north 77°58'39" east 146.01 feet; thence
- (8) northeasterly on a curve to the left with a radius of 33.00 feet, through a central angle of 40°51'40" and tangent at the southwesterly terminus thereof to the preceding course, an arc distance of 23.53 feet; thence
- (9) northeasterly on a curve to the right with a radius of 50.00 feet through a central angle of 36°51'37" and tangent at the southwesterly terminus thereof to a line which has a bearing of north 37°06'59" east, an arc distance of 32.17 feet

to a point in said general southerly boundary line; being a portion of said PARCEL 1.

Parcel 4 (Overlook Trail)

Commencing at said Point "B" and running

(a) south 45°29'31" west 8.13 feet

to a point in the general westerly boundary line of said strip of land designated Parcel 1, being the TRUE POINT OF BEGINNING of this description, and running thence

(1) south 56°21'39" west 24.26 feet; thence

(2) south 82°50'56" west 34.65 feet; thence

(3) south 81°36'58" west 25.80 feet; thence

(4) south 88°21'49" west 27.01 feet; thence

(5) south 85°14'41" west 18.52 feet; thence

(6) south 4°45'19" east 10.00 feet; thence

(7) north 85°14'41" east 18.24 feet; thence

(8) north 88°21'49" east 27.33 feet; thence

(9) north 81°48'34" east 31.16 feet; thence

(10) south 64°56'45" east 24.87 feet; thence

(11) south 54°35'24" east 8.57 feet; thence

(12) south 40°54'39" east 13.64 feet

to a point in said general westerly boundary line; thence running along said general westerly boundary line

(13) north 13°54'46" east 26.24 feet; thence

(14) north 7°32'46" east 27.62 feet, more or less,

to the True Point of Beginning; being a portion of said PARCEL 1.

Parcel 5 (Trail)

A strip of land of the uniform width of 10 feet extending from the general easterly boundary line of said strip of land designated Parcel 1 northerly to the general westerly boundary line of an existing gravel road and lying 5 feet on each side of the line described as follows:

Commencing at said Point "C" and running

(a) south 53°51'45" east 20.52 feet

to a point in said general easterly boundary line, being the TRUE POINT OF BEGINNING of said line; thence

(1) north 63°36'23" east 3.62 feet; thence

(2) north 37°34'04" east 5.36 feet; thence

(3) north 20°27'47" east 6.28 feet; thence

(4) north 3°28'43" east 11.41 feet; thence

(5) north 13°53'36" west 19.56 feet; thence

(6) north 32°23'29" west 12.50 feet; thence

(7) north 5°09'10" west 24.60 feet; thence
(8) north 12°25'29" west 28.85 feet; thence
(9) north 33°37'22" west 12.77 feet; thence
(10) northerly on a non-tangent curve to the right with a radius of 12.00 feet, through a central angle of 46°10'50" and tangent at the southerly terminus thereof to the preceding course, an arc distance of 9.67 feet; thence
(11) north 27°45'33" east 7.32 feet; thence
(12) north 3°22'46" west 25.11 feet; thence
(13) north 31°36'11" east 56.39 feet; thence
(14) north 16°34'52" east 40.87 feet; thence
(15) north 50°02'08" east 38.45 feet, more or less,
to a point in the general westerly boundary line of said existing gravel road; being a portion of said PARCEL 1.

Parcel 6 (Beach Access Trail)

A strip of land of the uniform width of 10 feet extending from the general northerly boundary line of said strip of land designated Parcel 1 in a general northerly direction to Coon Creek Beach and lying 5 feet on each side of the line described as follows:

Commencing at said Point "D" and running
(a) north 48°10'04" west 54.41 feet
to a point in said general northerly boundary line, being the TRUE POINT OF BEGINNING of said line; thence
(1) north 31°22'25" east 38.08 feet; thence
(2) north 35°35'10" east 19.22 feet; thence
(3) north 42°54'06" east 56.00 feet; thence
(4) northeasterly on a non-tangent curve to the left with a radius of 50.00 feet, through a central angle of 23°54'25" and tangent at the southwesterly terminus thereof to the preceding course, an arc distance of 33.15 feet; thence
(5) north 4°54'44" east 50.00 feet; thence
(6) northwesterly on a non-tangent curve to the left with a radius of 25.00 feet, through a central angle of 24°15'31" and tangent at the southeasterly terminus thereof to the preceding course, and arc distance of 25.46 feet; thence
(7) south 48°21'36" west 12.17 feet; thence
(8) north 68°19'15" west approximately 36 feet
to Coon Creek Beach; being a portion of said PARCEL 1.

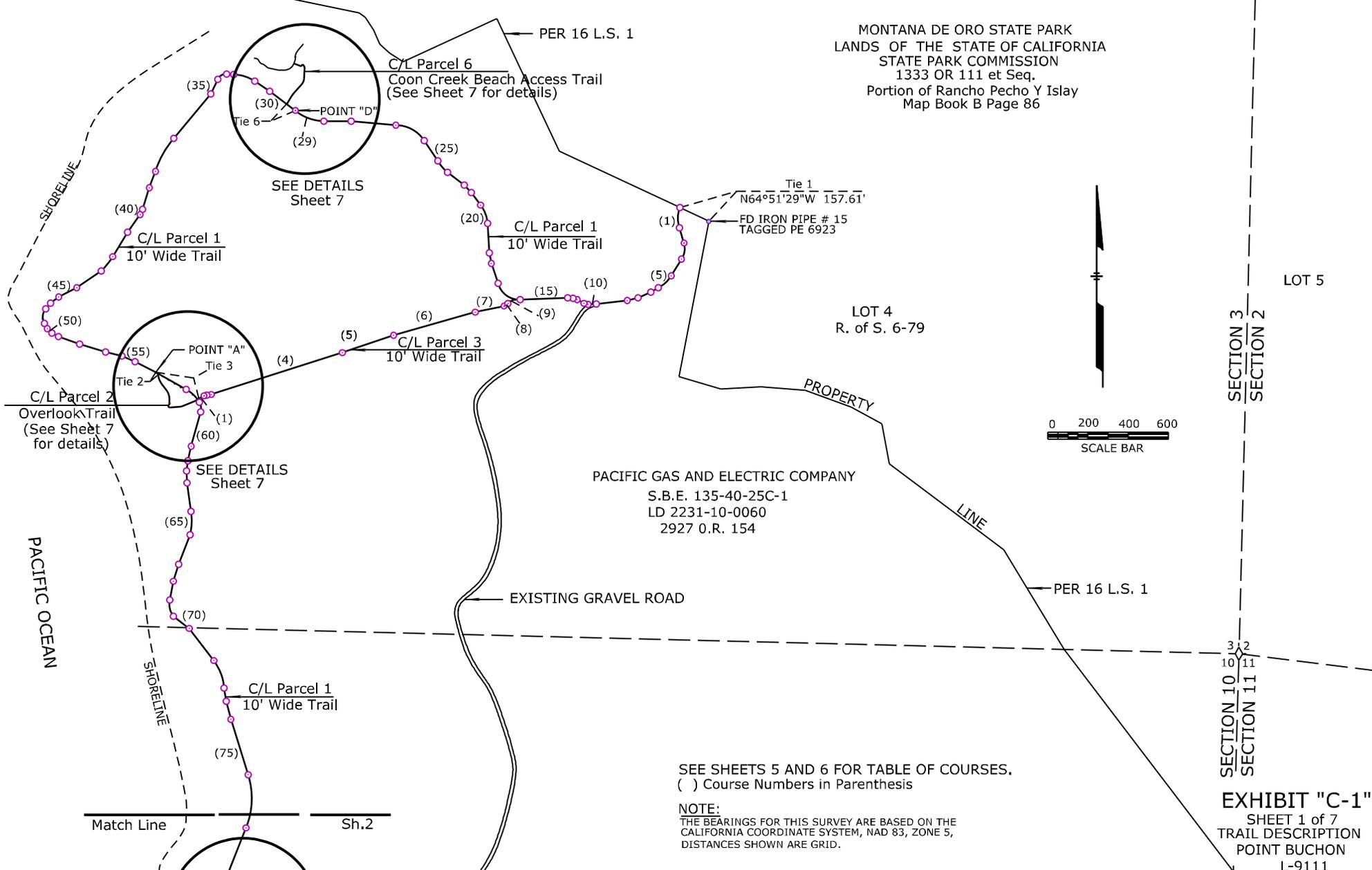
The foregoing descriptions are based on surveys made by Pacific Gas and Electric Company in December 2009 and January 2010. Bearings are on the California Coordinate System (CCS83), Zone 5 and are based on Global Positioning System (GPS) observations. The distances used in the foregoing descriptions are grid distances.

EXHIBIT "C-1"

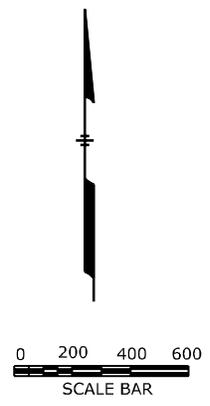
GRAPHIC DEPICTION OF PUBLIC ACCESS TRAIL AND PUBLIC VIEWING AREAS

T.31S., R.10E., M.D.B. & M.

MONTANA DE ORO STATE PARK
LANDS OF THE STATE OF CALIFORNIA
STATE PARK COMMISSION
1333 OR 111 et Seq.
Portion of Rancho Pecho Y Islay
Map Book B Page 86



PACIFIC GAS AND ELECTRIC COMPANY
S.B.E. 135-40-25C-1
LD 2231-10-0060
2927 O.R. 154



SEE SHEETS 5 AND 6 FOR TABLE OF COURSES.
() Course Numbers in Parenthesis

NOTE:
THE BEARINGS FOR THIS SURVEY ARE BASED ON THE
CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5,
DISTANCES SHOWN ARE GRID.

EXHIBIT "C-1"
SHEET 1 of 7
TRAIL DESCRIPTION
POINT BUCHON
L-9111

T.31S., R.10E., M.D.B. & M.

MONTANA DE ORO STATE PARK
LANDS OF THE STATE OF CALIFORNIA
STATE PARK COMMISSION
1333 OR 111 et Seq.
Portion of Rancho Pecho Y Islay

Match Line Sh.1

Parcel 4
Overlook Trail
(See Sheet 7
for details)

SEE DETAILS
Sheet 7

PACIFIC GAS AND ELECTRIC COMPANY
S.B.E. 135-40-25C-1
LD 2231-10-0060
2927 O.R. 154

PER 16 L.S. 1

PROPERTY LINE

SECTION 10
SECTION 11



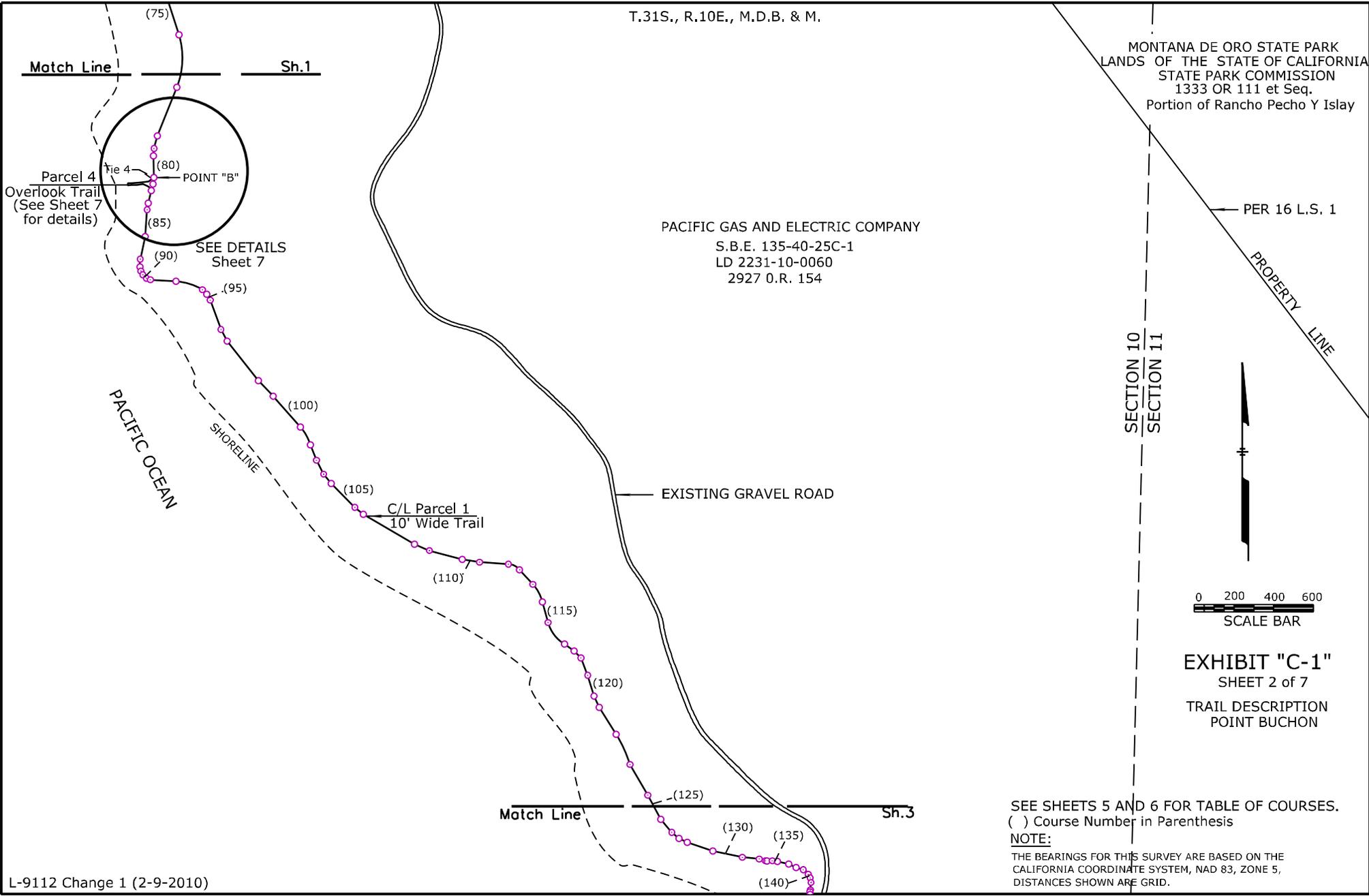
0 200 400 600
SCALE BAR

EXHIBIT "C-1"
SHEET 2 of 7
TRAIL DESCRIPTION
POINT BUCHON

SEE SHEETS 5 AND 6 FOR TABLE OF COURSES.
() Course Number in Parenthesis

NOTE:

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE
CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5,
DISTANCES SHOWN ARE GRID.



T.31S., R.10E., M.D.B. & M.

MONTANA DE ORO STATE PARK
LANDS OF THE STATE OF CALIFORNIA
STATE PARK COMMISSION
1333 OR 111 et Seq.
Portion of Ranch Pecho Y Islay
Map Book B Page 86

PER 16 L.S. 1

PROPERTY LINE

Match Line

Sh. 2

(125)
(130)
(135)
(140)
(145)
(150)

EXISTING GRAVEL ROAD

PACIFIC GAS AND ELECTRIC COMPANY
S.B.E. 135-40-25C-1
LD 2231-10-0060
2927 O.R. 154

C/L Parcel 5
10' Wide Trail
(See Sheet 7 for details)

POINT "C"
T. 5

SEE DETAILS
Sheet 7

SHORELINE

EXISTING GRAVEL ROAD

PACIFIC OCEAN

C/L Parcel 1
10' Wide Trail

(181)
(170)
(175)
(167)
(185)
(190)
(195)
(200)
(205)
(210)
(215)
(220)
(225)
(230)
(235)

EXISTING GRAVEL ROAD

Match Line

Sh. 4

SECTION 15
SECTION 14

SHORELINE

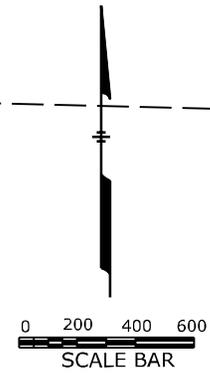


EXHIBIT "C-1"
SHEET 3 OF 7
TRAIL DESCRIPTION
POINT BUCHON

SEE SHEETS 5 AND 6 FOR TABLE OF COURSES.

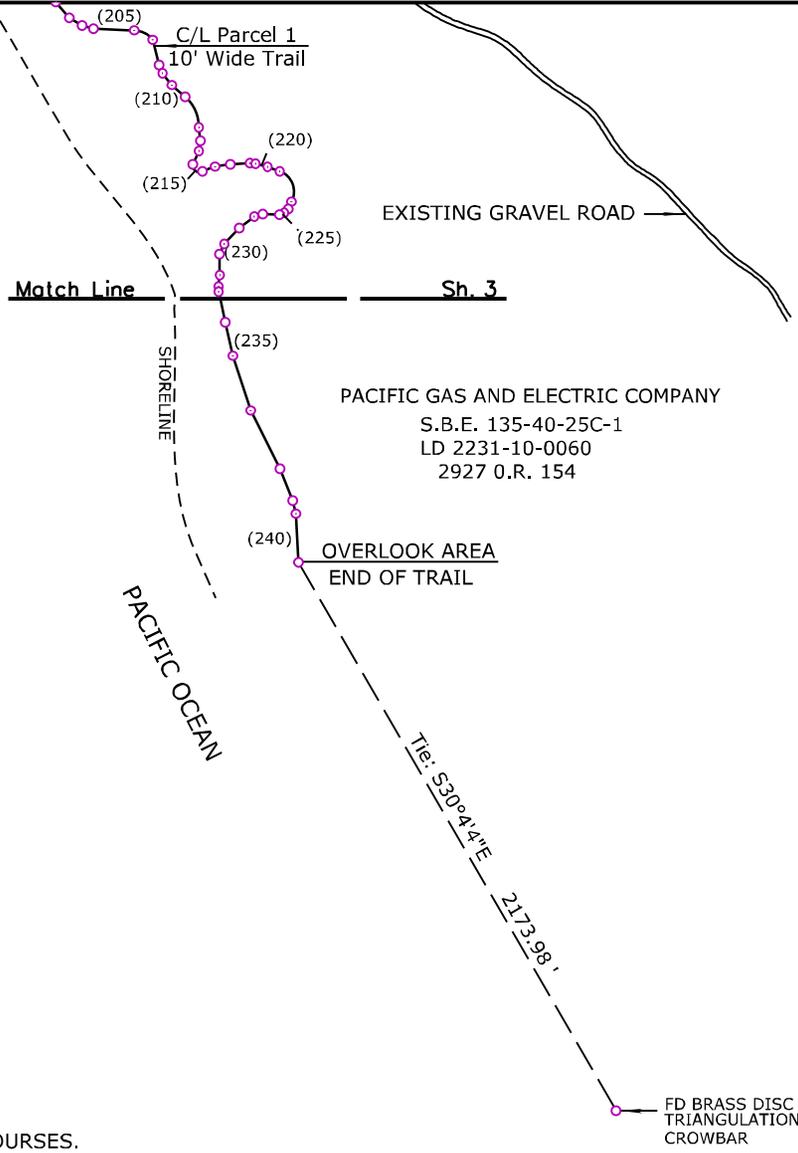
NOTE:

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5, DISTANCES SHOWN ARE GRID.

L-9113

T.13S., R.10E., M.D.B. & M.

SECTION 15
SECTION 14

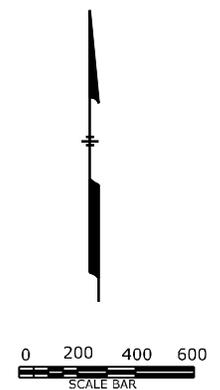


PACIFIC GAS AND ELECTRIC COMPANY
S.B.E. 135-40-25C-1
LD 2231-10-0060
2927 O.R. 154

SEE SHEETS 5 AND 6 FOR TABLE OF COURSES.

EXHIBIT "C-1"
SHEET 4 OF 7

TRAIL DESCRIPTION
POINT BUCHON
L-9114



NOTE:
THE BEARINGS FOR THIS SURVEY ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5, DISTANCES SHOWN ARE GRID.

POINT BUCHON TRAIL DESCRIPTION
Table of courses for Parcel 1 (Trail and Overlook)

LINE		
Course	Length	Direction
(2)	78.84	S 17°17'28" E
(4)	97.53	S 31°11'35" W
(6)	41.95	S 59°08'42" W
(7)	70.81	S 65°47'26" W
(8)	54.63	S 76°01'03" W
(9)	154.72	S 83°38'38" W
(10)	40.25	S 86°09'04" W
(11)	22.01	N 74°04'13" W
(12)	38.10	N 61°30'18" W
(13)	21.65	N 71°28'29" W
(14)	26.40	N 85°11'38" W
(15)	235.79	S 87°42'58" W
(17)	104.90	N 18°23'57" W
(18)	52.74	N 10°30'08" W
(19)	146.33	N 3°30'59" W
(21)	77.54	N 36°08'19" W
(22)	50.04	N 44°00'29" W
(23)	104.69	N 52°00'07" W
(25)	121.98	N 33°31'01" W
(27)	223.06	N 85°01'47" W
(28)	135.52	N 89°47'48" W
(30)	158.26	N 53°26'24" W
(31)	90.58	N 56°07'21" W
(33)	34.88	N 86°19'07" W
(35)	79.54	S 25°44'26" W
(36)	286.64	S 39°53'34" W
(38)	86.81	S 20°34'56" W
(39)	113.05	S 17°22'17" W
(40)	28.35	S 25°34'14" W
(41)	107.33	S 35°23'00" W
(42)	141.47	S 31°14'43" W
(44)	147.85	S 55°45'23" W
(45)	100.48	S 62°56'38" W
(46)	51.37	S 51°50'27" W
(47)	36.19	S 40°00'13" W
(49)	28.96	S 30°23'15" E
(50)	31.39	S 45°24'07" E
(51)	36.54	S 62°10'27" E
(52)	112.48	S 70°33'13" E
(53)	134.78	S 72°52'42" E
(54)	82.87	S 76°25'48" E
(55)	70.42	S 66°29'24" E
(56)	116.96	S 63°08'29" E
(57)	172.41	S 60°34'55" E
(60)	177.64	S 15°28'35" W
(61)	72.95	S 12°24'29" W
(62)	50.78	S 7°46'48" W
(63)	59.80	S 1°18'22" E
(64)	141.97	S 8°11'12" E

(66)	156.98	S 21°26'21" W
(67)	88.44	S 17°21'14" W
(68)	94.16	S 10°52'06" W
(70)	98.22	S 52°02'30" E
(71)	200.84	S 37°23'43" E
(73)	66.76	S 9°27'05" E
(74)	92.29	S 14°02'49" E
(75)	287.35	S 17°26'09" E
(77)	262.82	S 21°42'31" W
(78)	66.27	S 15°02'01" W
(79)	37.36	S 5°45'09" W
(80)	108.34	S 1°34'09" E
(81)	34.31	S 7°32'46" W
(82)	33.34	S 13°54'46" W
(83)	64.30	S 14°08'53" W
(84)	34.47	S 9°44'06" W
(85)	134.98	S 4°26'18" W
(86)	116.49	S 12°01'00" W
(88)	21.94	S 9°25'51" E
(89)	21.38	S 28°08'38" E
(90)	24.27	S 47°24'47" E
(91)	21.59	S 67°45'16" E
(92)	129.93	S 86°27'18" E
(94)	32.49	S 44°23'07" E
(95)	34.14	S 31°28'36" E
(96)	157.56	S 19°45'16" E
(97)	65.30	S 28°05'58" E
(98)	254.89	S 38°27'27" E
(99)	107.58	S 43°42'33" E
(100)	207.55	S 41°26'09" E
(102)	82.92	S 21°32'42" E
(103)	78.69	S 27°20'20" E
(104)	61.02	S 39°15'30" E
(105)	168.56	S 44°48'12" E
(106)	55.47	S 50°55'13" E
(107)	298.24	S 58°29'34" E
(108)	81.68	S 67°30'43" E
(109)	171.64	S 74°59'10" E
(110)	87.51	S 80°40'35" E
(111)	146.01	S 86°11'06" E
(113)	99.26	S 42°40'19" E
(115)	107.60	S 15°22'24" E
(117)	60.15	S 54°22'44" E
(118)	48.37	S 43°50'21" E
(119)	94.07	S 21°34'42" E
(120)	108.99	S 16°31'09" E
(121)	63.86	S 25°11'32" E
(122)	160.17	S 32°00'49" E
(124)	178.82	S 30°02'52" E
(125)	136.79	S 28°05'59" E
(126)	86.75	S 40°19'02" E
(127)	47.20	S 49°14'15" E
(128)	46.36	S 66°05'58" E
(129)	135.59	S 70°52'42" E

(130)	151.68	S 78°05'49" E
(131)	83.22	S 84°06'55" E
(132)	32.36	S 73°42'50" E
(133)	7.85	S 82°54'57" E
(134)	27.17	N 87°33'54" E
(135)	25.32	S 83°48'36" E
(136)	53.70	S 76°15'27" E
(137)	40.76	S 64°43'05" E
(138)	37.94	S 73°38'41" E
(140)	23.75	S 25°34'54" E
(141)	23.16	S 11°13'06" E
(142)	37.16	S 4°17'30" W
(143)	3.81	S 13°49'10" W
(144)	14.49	S 0°30'38" W
(145)	13.56	S 15°50'41" W
(146)	7.08	S 8°53'54" W
(147)	14.49	S 3°19'57" E
(148)	17.95	S 2°23'43" E
(149)	27.53	S 12°28'50" E
(150)	53.96	S 5°31'35" W
(151)	31.33	S 7°00'33" E
(152)	34.30	S 33°07'34" E
(153)	53.90	S 24°22'48" E
(155)	97.66	S 26°37'28" E
(156)	63.04	S 6°01'09" E
(157)	41.70	S 7°03'02" W
(158)	33.21	S 24°35'45" W
(159)	84.67	S 39°26'29" W
(160)	4.62	S 26°51'53" W
(161)	13.11	S 7°26'16" W
(162)	23.79	S 14°29'41" E
(163)	53.93	S 39°49'31" E
(164)	92.37	S 36°33'02" E
(165)	23.55	S 39°45'26" E
(167)	61.36	N 27°41'56" E
(168)	34.06	N 21°56'35" E
(169)	34.13	N 6°27'21" E
(170)	35.32	N 34°24'52" E
(171)	25.99	N 52°23'58" E
(172)	23.94	N 61°48'33" E
(173)	33.71	N 77°08'10" E
(174)	39.16	N 88°58'04" E
(175)	24.74	N 75°10'40" E

(176)	17.80	N 63°02'05" E
(177)	27.06	S 72°43'01" E
(178)	27.21	N 80°05'57" E
(179)	13.93	S 61°03'24" E
(180)	37.46	S 77°40'48" E
(181)	211.36	S 67°59'14" E
(182)	90.77	S 63°46'23" E
(183)	76.23	S 68°42'06" E
(184)	51.08	S 60°38'26" E
(185)	334.61	S 66°20'00" E
(186)	128.23	S 69°45'15" E
(187)	32.68	S 62°40'15" E
(188)	170.80	S 65°31'45" E
(189)	91.94	S 58°30'18" E
(191)	41.38	S 8°47'06" W
(192)	39.80	S 0°06'55" W
(193)	41.11	S 5°26'29" E
(195)	112.66	S 52°02'36" E
(196)	44.24	S 43°00'19" E
(197)	71.93	S 30°50'51" E
(198)	107.89	S 19°14'44" E
(199)	55.56	S 25°25'15" E
(200)	27.32	S 40°53'16" E
(201)	58.56	S 48°30'41" E
(202)	70.73	S 40°08'36" E
(203)	52.38	S 58°41'55" E
(204)	39.66	S 74°21'13" E
(205)	140.80	S 87°41'32" E
(207)	88.85	S 14°07'42" E
(208)	30.49	S 22°46'52" E
(209)	52.55	S 38°16'20" E
(210)	60.22	S 48°23'05" E
(212)	46.06	S 6°41'37" E
(213)	35.09	S 8°42'44" W
(214)	50.46	S 24°44'35" W
(216)	46.68	N 69°08'00" E
(217)	52.12	N 81°47'21" E
(218)	67.10	N 86°52'43" E
(219)	19.77	S 87°00'29" E
(220)	42.54	S 75°32'52" E
(221)	44.60	S 69°29'15" E
(223)	28.29	S 24°46'06" W
(224)	18.76	S 45°55'38" W
(225)	16.87	S 70°05'37" W
(226)	57.79	N 88°45'20" W
(227)	30.10	S 74°09'11" W
(228)	64.46	S 52°31'48" W
(229)	75.29	S 43°40'13" W
(230)	38.91	S 25°44'43" W
(231)	71.30	S 1°24'40" E
(232)	39.44	S 6°20'19" W
(233)	18.65	S 0°52'23" E
(234)	107.22	S 12°00'03" E
(235)	117.22	S 12°50'54" E
(236)	197.33	S 18°14'11" E
(237)	223.92	S 26°29'40" E
(238)	117.99	S 22°09'19" E
(239)	45.88	S 14°13'22" E
(240)	166.43	S 3°02'51" E

Curve Table			
Course	Radius	Arc	Delta
		Length	Angle
(1)	150.00	101.65	38°49'44"
(3)	90.00	83.24	52°59'36"
(5)	150.00	88.81	33°55'20"
(16)	110.00	147.81	76°59'22"
(20)	160.00	98.96	35°26'10"
(24)	200.00	74.55	21°21'24"
(26)	170.00	166.56	56°08'09"
(29)	220.00	153.19	39°53'41"
(32)	200.00	111.37	31°54'16"
(34)	45.00	55.41	70°33'04"
(37)	485.00	188.14	22°13'32"
(43)	340.00	90.60	15°16'06"
(48)	65.00	77.75	68°31'55"
(58)	180.00	92.56	29°27'45"
(59)	60.00	49.80	47°33'11"
(65)	330.00	116.94	20°18'12"
(69)	102.00	85.57	48°04'01"
(72)	255.00	147.73	33°11'34"
(76)	390.00	269.41	39°34'47"
(87)	105.00	38.64	21°04'57"
(93)	285.00	140.14	28°10'21"
(101)	235.00	103.50	25°14'07"
(112)	80.00	65.10	46°37'20"
(114)	200.00	101.17	28°58'57"
(116)	180.00	139.59	44°25'53"
(123)	680.00	167.21	14°05'20"
(139)	40.00	35.62	51°01'10"
(154)	100.00	48.95	28°02'56"
(166)	8.00	22.64	162°08'23"
(190)	240.00	247.46	59°04'37"
(194)	50.00	48.75	55°51'37"
(206)	85.00	73.33	49°25'54"
(211)	140.00	119.11	48°44'51"
(215)	23.00	51.50	128°18'06"
(222)	75.00	126.23	96°25'48"

NOTE:
 THE BEARINGS FOR THIS SURVEY ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5
 DISTANCES SHOWN ARE GRID.

EXHIBIT "C-1"
 SHEET 5 OF 7

POINT BUCHON TRAIL DESCRIPTION Table of Courses

Parcel 2 (Overlook Trail)

Line Table		
Name	Length	Direction
Tie 2	14.04	S 39°43'18" E
(1)	28.51	S 15°02'30" E
(2)	20.53	S 29°29'20" E
(3)	47.77	S 37°06'09" E
(5)	18.00	S 14°31'12" E
(6)	27.62	S 3°35'41" E
(9)	57.01	N 86°13'53" E
(10)	74.33	N 68°12'20" E
(11)	8.57	N 59°00'35" E

Curve Table			
Name	Radius	Arc Length	Delta Angle
(4)	35.00	14.91	24°24'18"
(7)	10.00	10.05	57°33'41"
(8)	7.00	19.51	159°43'15"

Parcel 3 (Trail)

Line Table		
Course	Length	Direction
Tie 3	249.84	S 57°51'45" E
(1)	30.91	N 59°00'35" E
(3)	22.55	N 82°19'32" E
(4)	683.33	N 72°18'56" E
(5)	268.61	N 71°14'22" E
(6)	421.12	N 74°14'11" E
(7)	146.01	N 77°58'39" E

Curve Table			
Course	Radius	Arc Length	Delta Angle
(2)	25.00	14.20	32°33'20"
(8)	33.00	23.53	40°51'40"
(9)	50.00	32.17	36°51'37"

Parcel 4 (Overlook Trail)

Line Table		
Course	Length	Direction
Tie 4	8.13	S 45°29'31" W
(1)	24.26	S 56°21'39" W
(2)	34.65	S 82°50'56" W
(3)	25.80	S 81°36'58" W
(4)	27.01	S 88°21'49" W
(5)	18.52	S 85°14'41" W
(6)	10.00	S 4°45'19" E
(7)	18.24	N 85°14'41" E
(8)	27.33	N 88°21'49" E
(9)	31.16	N 81°48'34" E
(10)	24.87	S 64°56'45" E
(11)	8.57	S 54°35'24" E
(12)	13.64	S 40°54'39" E
(13)	26.24	N 13°54'46" E
(14)	27.62	N 7°32'46" E

Parcel 5 (Trail)

Line Table		
Name	Length	Direction
Tie 5	20.52	N 53°51'45" E
(1)	3.62	N 63°36'23" E
(2)	5.36	N 37°34'04" E
(3)	6.28	N 20°27'47" E
(4)	11.41	N 3°28'43" E
(5)	19.56	N 13°53'36" W
(6)	12.50	N 32°23'29" W
(7)	24.60	N 5°09'10" W
(8)	28.85	N 12°25'29" W
(9)	12.77	N 33°37'22" W
(11)	7.32	N 27°45'33" E
(12)	25.11	N 3°22'46" W
(13)	56.39	N 31°36'11" E
(14)	40.87	N 16°34'52" E
(15)	38.45	N 50°02'08" E

Curve Table			
Name	Radius	Arc Length	Delta Angle
(10)	12.00	9.67	46°10'50"

Parcel 6 (Coon Creek Beach Access Trail)

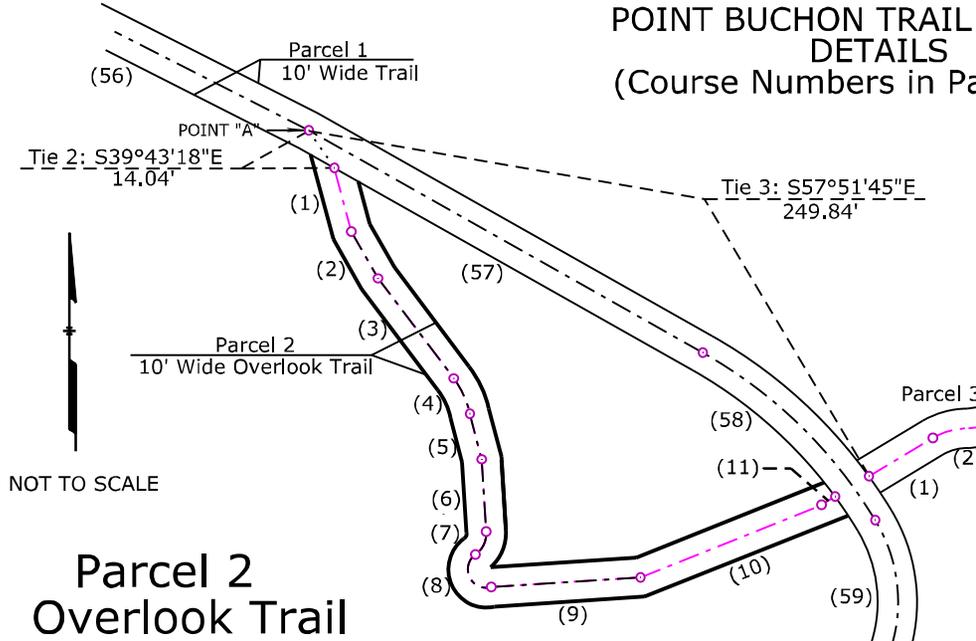
Line Table		
Course	Length	Direction
Tie 6	54.41	N 48°10'04" W
(1)	38.08	N 31°22'25" E
(2)	19.22	N 35°35'10" E
(3)	56.00	N 42°54'06" E
(5)	50.00	N 4°54'44" E
(7)	12.17	S 48°21'36" W
(8)	36	N 68°19'15" W

Curve Table			
Name	Radius	Arc Length	Delta Angle
(4)	50.00	33.15	37°59'22"
(6)	25.00	25.46	58°20'31"

EXHIBIT "C-1" SHEET 6 OF 7

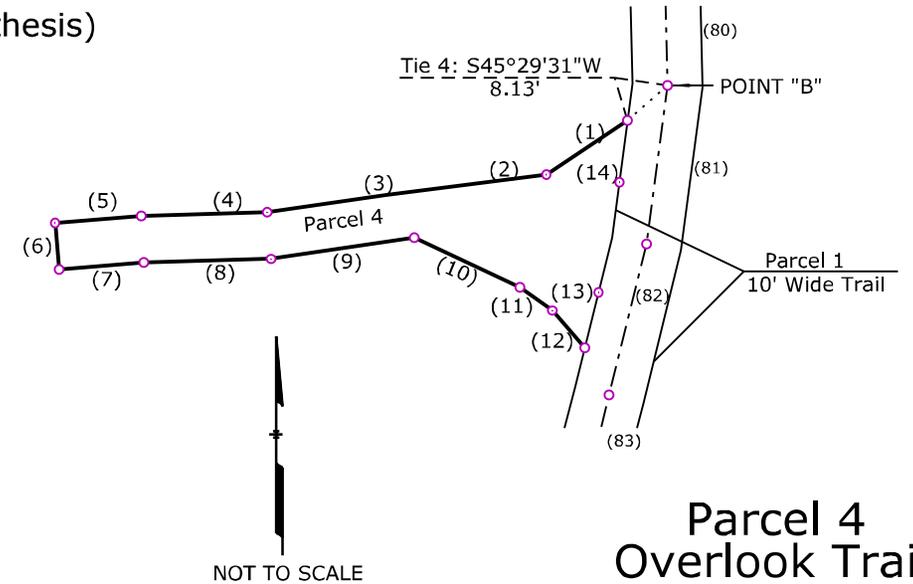
NOTE:
THE BEARINGS FOR THIS SURVEY ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5 DISTANCES SHOWN ARE GRID.

**POINT BUCHON TRAIL DESCRIPTION
DETAILS
(Course Numbers in Parenthesis)**



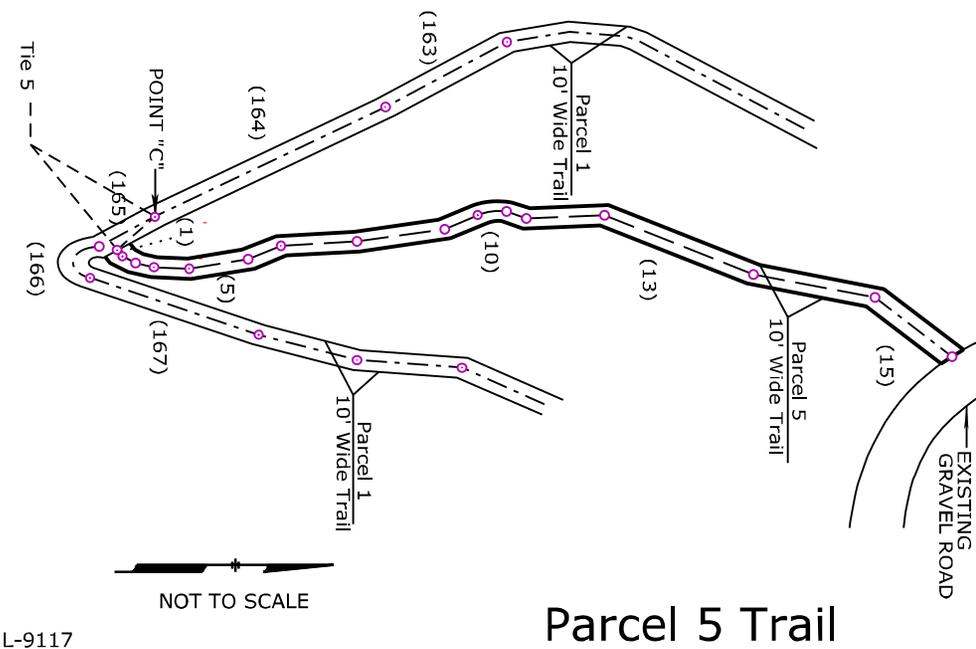
**Parcel 2
Overlook Trail**

NOT TO SCALE



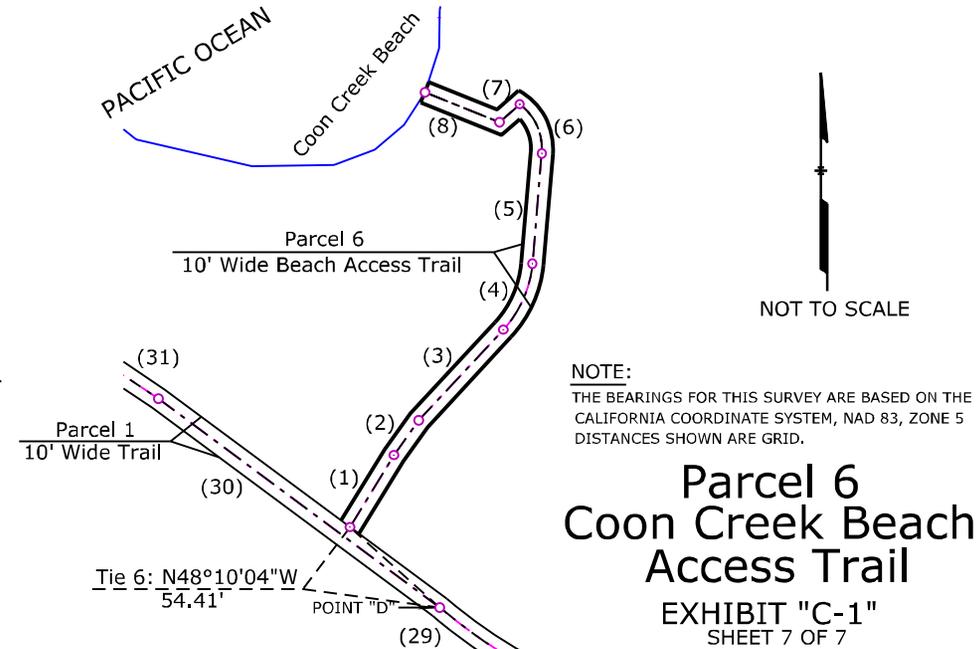
**Parcel 4
Overlook Trail**

NOT TO SCALE



Parcel 5 Trail

NOT TO SCALE



**Parcel 6
Coon Creek Beach
Access Trail**

NOT TO SCALE

NOTE:
THE BEARINGS FOR THIS SURVEY ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, NAD 83, ZONE 5 DISTANCES SHOWN ARE GRID.

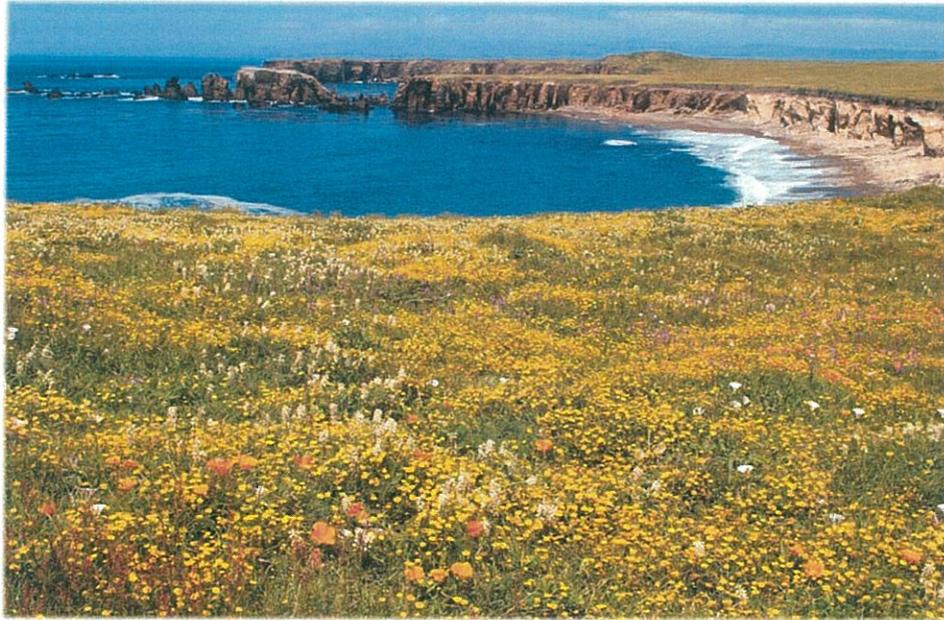
**EXHIBIT "C-1"
SHEET 7 OF 7**

Advice 3630-E

Attachment 2

North Ranch Managed Access Plan

NORTH RANCH MANAGED ACCESS PLAN



Prepared by
Pacific Gas and Electric
Diablo Canyon Power Plant



July, 2006

Report Number: 001.3.06.15

NORTH RANCH MANAGED ACCESS PLAN

PACIFIC GAS AND ELECTRIC COMPANY
DIABLO CANYON POWER PLANT

INDEPENDENT SPENT FUEL STORAGE INSTALLATION PROJECT
CDP A-3-SLO-04-035 SPECIAL CONDITION NO. 3

SAN LUIS OBISPO COUNTY
CALIFORNIA

Submitted to:

PG&E
Diablo Canyon Power Plant
Avila Beach, California 93424

Prepared by:

LSA Associates, Inc.
20 Executive Park, Suite 200
Irvine, California 92614-4731
(949) 553-0666

LSA Project No. PGE534

LSA

July 2006

EXECUTIVE SUMMARY

The Pacific Gas and Electric Company (PG&E) has been assessed with the responsibility of developing a managed public access plan onto an area that previously has been reserved for a privately owned and managed open space buffer and closely controlled agricultural operation. Resources exist within the Diablo Canyon North Ranch Study Area in their current conditions because, in part, of limited exposure to human activity. Potential conflicts may occur while pursuing the individual objectives of public access, cultural resource protection, natural resource protection, public safety and security, and sustainable agriculture that are part of the overall goal. Balancing the public benefits of coastal area access and resource protection is the goal, and challenge, of the North Ranch Managed Access Plan.

In realizing the goal of Special Condition No. 3 (SC-3) of Coastal Development Permit No. A3-SLO-04-035, PG&E has sought to balance all of these objectives so that the public will have an optimal experience by enjoying the resources as they remain in their current state. During the multi-step process that has culminated in the recommended Plan, PG&E developed a rational methodology to arrive at the recommended trail alignment and managed access program. PG&E engaged in a comprehensive analysis of the many resource considerations inherent in identifying an appropriate managed access program, and identified what it considers the trail alignment and management principles best suited to meet the intent and purpose of SC-3.

TABLE OF CONTENTS

I. INTRODUCTION/BACKGROUND	1
A. INTRODUCTION	1
B. ISFSI CDP/BACKGROUND	4
II. MANAGED ACCESS GOAL AND OBJECTIVES: POLICY AND REGULATORY FRAMEWORK	5
A. INTRODUCTION	5
III. MANAGED ACCESS/TRAIL ROUTING DESIGN GUIDELINES	13
A. INTRODUCTION	13
B. PUBLIC ACCESS/RESOURCE PROTECTION ISSUES.....	13
C. PUBLIC ACCESS/RESOURCE PROTECTION GUIDELINES	16
IV. RESOURCE PROTECTION/TRAIL ROUTING METHODOLOGY	20
A. INTRODUCTION	20
B. DETERMINING EXISTING CONDITIONS	20
C. INDIVIDUAL RESOURCES MAPPING	21
D. INDIVIDUAL RESOURCES RANKING	29
E. CUMULATIVE RESOURCE RANKING/MAPPING	33
F. MANAGED ACCESS PLAN ALIGNMENT.....	35
V. TRAIL ALIGNMENT/ROUTE	37
VI. STUDY AREA EXISTING CONDITIONS	53
A. HISTORIC USE.....	53
B. TOPOGRAPHY/SOILS/ASPECT	57
C. NATURAL RESOURCES.....	57
D. CULTURAL RESOURCES	58
E. AGRICULTURAL USE	58
F. GEOLOGY/SEA CAVES	59
VII. TRAIL FEATURES/SPECIFICATIONS.....	60
A. APPROACH	60
B. ACCESS THROUGH STATE PARK	60
C. STAGING AREA AND PARKING	60
D. ENTRY GATE.....	60
E. TRAIL/ROAD IMPROVEMENTS	60
F. SIGNAGE.....	62
G. TRAIL MAPS.....	62
H. SANITARY FACILITIES	62
I. ACCESSIBILITY.....	63
J. TRAIL AMENITIES.....	63
VIII. MANAGED ACCESS STAKEHOLDERS/PARTICIPANTS	65
A. CALIFORNIA COASTAL COMMISSION.....	65

B. PACIFIC GAS AND ELECTRIC COMPANY	67
C. SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING	67
D. SAN LUIS OBISPO COUNTY OFFICE OF EMERGENCY SERVICES	67
E. CALIFORNIA STATE PARKS.....	68
F. CENTRAL COAST REGIONAL WATER RESOURCES CONTROL BOARD	69
G. CALIFORNIA DEPARTMENT OF FISH AND GAME.....	70
H. OBISPENO CHUMASH	70
I. DIABLO TASK FORCE.....	71
IX. OPERATIONAL PROGRAM	73
A. INTRODUCTION	73
B. PUBLIC ACCESS MANAGEMENT.....	73
C. TRAIL USER.....	73
D. TRAINED DOCENTS.....	73
E. HOURS OF OPERATION.....	75
F. DCPD SECURITY MEASURES	76
G. ANIMALS	76
H. EMERGENCY SERVICE PROTOCOL	76
X. RELATIONSHIP WITH STATE COASTAL ACCESS PLANS AND OTHER ADOPTED PROGRAMS.....	78
A. INTRODUCTION	78
B. MONTANA DE ORO STATE PARK.....	78
C. PORT SAN LUIS HARBOR DISTRICT	80
D. SAN LUIS OBISPO COUNTY	80
E. CALIFORNIA COASTAL TRAIL.....	81
XI. THRESHOLD MONITORING AND ADAPTIVE MANAGEMENT	84

APPENDIX

A: PRELIMINARY ENVIRONMENTAL BASELINE: ANNOTATED BIBLIOGRAPHY

FIGURES AND TABLES

FIGURES

Figure 1: Study Area Location Map	2
Figure 2: Study Area	3
Figure 3: Siren Locations and Coverage	11
Figure 4: Existing Roads and Landmarks	22
Figure 5: Existing Livestock Management.....	24
Figure 6: Sensitive Marine Birds.....	25
Figure 7: Sensitive Marine Mammals	26
Figure 8: Sensitive Terrestrial Mammals/Birds.....	27
Figure 9: Unique and Sensitive Terrestrial Habitat	28
Figure 10: Noxious Weeds	30
Figure 11: Cultural Resources (Confidential)	31
Figure 12: Coastal Caves.....	32
Figure 13: Combined Sensitivity.....	34
Figure 14: Combined Sensitivity with Proposed Trail System	36
Figure 15: Photo Survey.....	38
Figure 16: Proposed Trail System.....	39
Figure 17: Mile Marker View 1.....	40
Figure 18: Mile Marker View 2.....	41
Figure 19: Mile Marker View 3.....	42
Figure 20: Mile Marker View 4.....	43
Figure 21: Mile Marker View 5.....	44
Figure 22: Mile Marker View 6.....	45
Figure 23: Mile Marker View 7.....	46
Figure 24: Mile Marker View 8.....	47
Figure 25: Mile Marker View 9.....	48
Figure 26: Mile Marker View 10.....	49
Figure 27: Mile Marker View 11.....	50
Figure 28: Mile Marker View 12.....	51
Figure 29: View of Parking Area and Entrance Gate.....	61
Figure 30: Conceptual Amenities.....	64

TABLE

Table A: Potential Impacts of Managed Access (from Thresholds Workshop, November 5, 2005) ...	14
---	----

I. INTRODUCTION/BACKGROUND

A. INTRODUCTION

The North Ranch Managed Access Plan (Access Plan) has been designed in accordance with Coastal Development Permit (CDP) No. A-3-SLO-04-035 as approved by the California Coastal Commission. This report provides the necessary background and steps that led to the design of the managed public access, or trail, to be located in the northern portion of the Diablo Canyon Power Plant (DCPP) property owned and operated by the Pacific Gas and Electric Company (PG&E).

This report is organized in a sequential format allowing the reader to understand the process leading to, and the justification for, the managed access route and operation.

Chapter I: Introduction/Background, states the reason for the Coastal Commission's requirement of the managed access plan, including a brief history of the need to store spent fuel and the associated permitting requirements.

Chapter II: Managed Access Goal and Objectives: Policy and Regulatory Framework, provides the legal parameters in which the managed access plan was developed. In addition to the directives contained in the CDP special condition of approval, other relevant and effective state and local planning objectives and policies are clearly stated for a regulatory point of reference.

Chapter III: Managed Access/Alignment and Operational Guidelines, connects the policy and regulatory framework (as described in Chapter II) to the methodology used to implement the resource protection objectives of the CDP and consequently arrive at an acceptable trail alignment.

Chapter IV: Resources Protection/Trail Routing Methodology, lays out the approach for determining resource protection and the trail's alignment. This chapter summarizes the individual resources and the cumulative analysis of these resources and then establishes the rationale for the preferred trail alignment.

Chapter V: Preferred Trail Alignment, describes in both narrative and photographic means the anticipated user experiences as the North Ranch Study Area (Study Area) is accessed. The Study Area's regional location and boundaries are depicted in Figures 1 and 2.

Chapter VI: Study Area Existing Conditions, provides greater detail of the natural, historic, and agricultural resources of the Study Area.

Chapter VII: Trail Features and Specifications, depicts the signage, trail markings, and other logistical elements to assist the trail user.

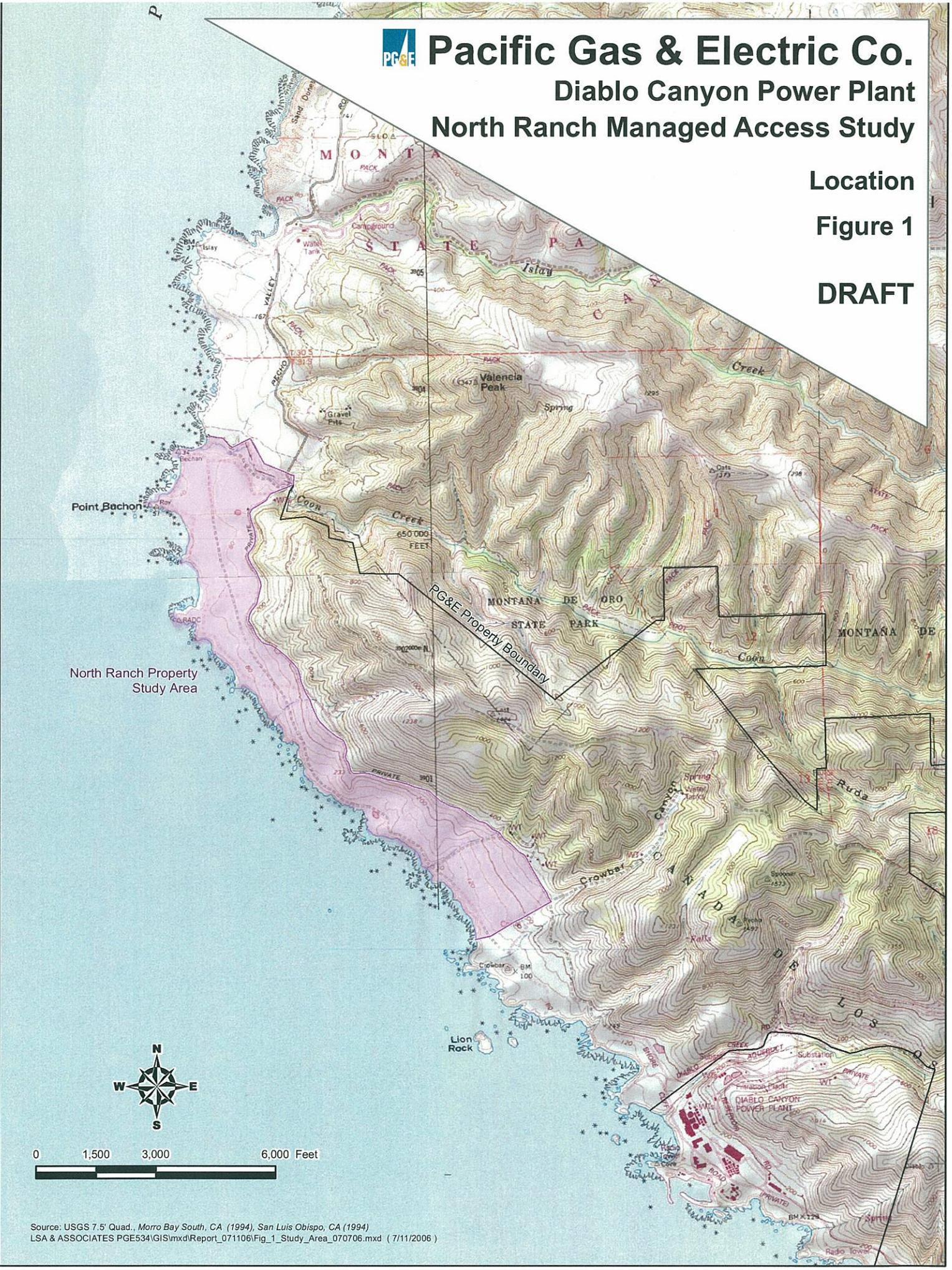
Chapter VIII: Managed Access Stakeholders/Participants, identifies the key participants and their regulatory authority and operational responsibilities.



Pacific Gas & Electric Co.

Diablo Canyon Power Plant North Ranch Managed Access Study

Location
Figure 1
DRAFT





Pacific Gas & Electric Co.

Diablo Canyon Power Plant North Ranch Managed Access Study

Study Area

Figure 2

DRAFT



North Ranch Property
Study Area

PG&E Property Boundary



0 725 1,450 2,900 Feet

Chapter IX: Relationship to Other Programs/Policies, discusses the managed access plan in terms of its relationship to other existing programs and plans.

Chapter X: Operational Program, outlines the day-to-day operational framework for the management of the access program.

Chapter XI: Environmental Thresholds/Monitoring and Adaptive Management Protocol, summarizes the procedures to observe and monitor the impact of the introduced use, public access, to the Study Area. Should an undesirable change in the ecological state of the area become apparent, then the adaptive management steps will be implemented to reverse the potential impact to the existing resources.

B. ISFSI CDP/BACKGROUND

The Nuclear Waste Policy Act (NWPA) of 1982 mandated that the Department of Energy (DOE) assume responsibility for the permanent disposal of spent nuclear fuel from the nation's commercial nuclear power plants. The permanent DOE repository was expected to be in operation and accepting spent fuel by 1998. However, no permanent DOE repository exists. Pending the availability of a permanent DOE repository, nuclear power plant operators such as PG&E have been assigned the responsibility under NWPA to provide interim on-site storage of spent fuel until it is accepted by the DOE. Therefore, PG&E proceeded with the design and construction of the DCPPI Independent Spent Fuel Storage Facility Installation (ISFSI) project to maintain adequate on-site capacity for the storage of spent fuel.

The ISFSI consists of several elements, including a series of concrete storage pads on which concrete casks containing the spent fuel will be bolted. Built over two phases, eventually there will be seven concrete pads approximately 68 feet wide by 105 feet long and 7.5 feet thick. Phase I will consist of two storage pads, while the remaining five pads will be constructed during Phase II. The storage casks will be approximately 20 feet in height and 12 feet in diameter. Each pad will accommodate 20 casks. The casks and pads will remain in place until the power plant is decommissioned.

The storage pads will be in an area approximately 700 feet northeast (inland) from the DCPPI power block and within the Coastal Zone. Construction of the ISFSI required the approval of a Coastal Development Permit (CDP) pursuant to Section 23.03.040 of the San Luis Obispo County Coastal Zone Land Use Ordinance. The County of San Luis Obispo Board of Supervisors approved CDP No. D010153D on April 20, 2004. The County CDP was appealed to the Coastal Commission. On December 8, 2004, the California Coastal Commission conditionally approved CDP No. A-3-SLO-04-035 for the ISFSI project.

CDP No. A-3-SLO-04-035 added seven separate "Special Conditions" to the project. Special Condition No. 3 (SC-3) specifically addressed the issue of managed public access. SC-3 established a goal, a series of objectives, a data-gathering process, and management considerations to arrive at a managed access program.

II. MANAGED ACCESS GOAL AND OBJECTIVES: POLICY AND REGULATORY FRAMEWORK

A. INTRODUCTION

1. SC-3 Goal

SC-3 established the following goal for the development of the managed access program:

The overarching goal of this condition is to achieve multiple public benefits, including managed public access to and along Diablo Canyon lands, natural resource conservation and restoration, and sustainable agricultural uses carried out in an environmentally sensitive manner.

Specifically, the design and operation of the managed access plan is further conditioned as follows:

The time, place and manner of public recreational access use shall be reasonably managed to address security and safety needs and to minimize adverse impacts to sensitive habitats, environmentally sustainable agricultural operations and other important natural coastal resources.

“Multiple public benefits” embraces a series of elements that must be balanced in order to successfully realize SC-3’s goal, including managed public access, natural resource protection, cultural resource protection, and the recognition and preservation of the existing, sustainable agricultural operation. In addition, and of equal importance, is the incorporation of security and safety needs directly related to the operation and maintenance of a nuclear power plant on private property.

Of note is that the North Ranch has been private property, without any public access, for several hundred years. Therefore, public access, even in a managed program, is the introduction of a new use to an area with special and unique natural, cultural, and scientific resources. The attractiveness and uniqueness of these resources and their existing condition are directly related to the fact that the public has not been allowed to intrude and create any direct or indirect adverse impacts. Introducing a new use (public access) to this area will warrant a clear understanding of the resources, a managed program to preserve and avoid negative impacts on these resources, and a clear, decisive protocol to amend the management of the new use should the existing condition of these resources become jeopardized by this new use.

2. Competing Objectives/Potential Conflict Resolution

As mentioned above, public access will be a new and introduced use. Undoubtedly this use will have an impact on the existing resources; hence, the need for this Access Plan to identify the potential for these impacts and the means to avoid them. Balancing public access with resource protection and restoration could raise a potential conflict among these objectives. In this case, it is only environmentally responsible for the objectives of resources protection to take precedence over granting public access. The public is being granted access to view and experience resources that have

not been subjected to any significant human intrusion. Avoidance of potential impacts and adequate buffers must be observed in order to preserve the primary purpose and intent of those accessing this area.

However, the property is privately owned and accommodates a use demanding strict security measures often mandated by federal agencies. Therefore, public safety and plant security will remain the preeminent guiding objectives in the design, development, and operation of the access program.

3. Managed Public Access Objectives

This chapter attempts to integrate the goals and objectives of SC-3 with other germane goals, objectives, policies, and regulations that currently govern the use of the Study Area. The sources for these goals, objectives, policies, and regulations are the California Coastal Act, the County of San Luis Obispo Land Use Element/Local Coastal Plan (LUE/LCP) and Coastal Zone Land Use Ordinance (CZLUO), and the Diablo Canyon Land Stewardship Program (LSP).

SC-3 states that the managed access plan shall provide the following:

- *Lateral blufftop access to approximately three miles of coastline along the northern portion of the Diablo Canyon lands between Montana de Oro State Park and Crowbar Creek. Precise routing of the blufftop accessway shall be identified in the Access Plan and shall include at least three opportunities for access to coastal viewing areas on projecting land promontories.*
- *Vertical access to at least one beach in the northern portion of the Diablo Canyon lands (e.g., Point Buchon Beach, near the northern boundary) and lateral access along that beach.*
- *Increased access to the Pecho Coast Trail on the southern portion of the Diablo Canyon lands, as allowed within the provisions of the Pecho Coast Trail Accessway Management Plan (Pecho Coast Plan) and the Memorandum of Understanding (MOU) governing that Plan. As part of the Access Plan, the Permittee may request an amendment to the existing Pecho Coast Plan or MOU to allow additional access, if necessary. (It should be noted that this objective will be addressed within the context of the existing Pecho Coast Trail Accessway Management Plan and accompanying MOU under a separate cover.)*
- *Access opportunities for up to 275 visitors per day.*
- *Identification of the minimum provisions necessary to meet federal security and public health and safety requirements and their effects on meeting the goals of this condition.*
- *Identification of specific measures that will be taken to ensure accessways and improvements avoid or minimize conflicts with environmentally sustainable agriculture areas, sensitive natural resource areas, archaeological sites, and other significant coastal resources.*

PG&E recognizes that access must be managed in a manner that will continue to conserve the relatively undisturbed and natural conditions of the Study Area. The LSP establishes the following applicable Best Management Practices (BMPs), which are roughly equivalent to policies, regarding managed access:

- *A program of scheduled tours will offer opportunities for visitors to learn about power plant operations and environmental resources.*
- *Knowledge of the Diablo Canyon Lands and its resources will expand through cooperative partnerships with colleges and universities, consulting firms, and government agencies.*
- *Groups will be escorted by PG&E technical experts or appropriately trained docents.*
- *Visitor security and safety will be a primary objective.*

4. Natural Resources Conservation and Restoration

SC-3 provides the general goal of conserving and restoring natural resources. The primary natural resource objective is to “avoid or minimize adverse impacts to sensitive habitats.” Other germane objectives are provided within the County’s LCP and CZLUO. The entire Study Area is within the County’s Sensitive Resource Area (SRA) Combined Designation. Applicable policies for implementing the SC-3 goal of conserving and restoring natural resources are found in the following CZLUO sections.

- ***Section 23.07.160:** The SRA combining designation is applied by the Official Map (Part III) of the Land Use Element to identify areas with special environmental qualities, or areas containing unique or endangered vegetation or habitat resources. The purpose of these combining designation standards is to require that proposed uses be designed with consideration of the identified sensitive resources, and the need for their protection, and, where applicable, to satisfy the requirements of the California Coastal Act (CCA).*
- ***Section 23.07.164.e (Required Findings):** 1) The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through site design.*
- ***Section 23.07.176: (Terrestrial Habitat Protection):** The provisions of this section are intended to preserve and protect rare and endangered species of terrestrial plants and animals by preserving their habitats. Emphasis for protection is on the entire ecological community rather than only the identified plant or animal.*

The aforementioned LSP provides the additional applicable BMPs regarding terrestrial habitat resources:

- Vegetation management techniques will be used to enhance watershed values for wildlife and livestock, limit the potential for catastrophic fire, and improve water yield;
- Riparian and wetland areas will be protected from significant impact;
- Vegetation management will emphasize the conservation and enhancement of native California flora;
- Native Habitat Preservation Areas will be established for each of the native vegetation types found on the North Ranch. These areas will be protected from surface-disturbing activities except for those benefiting the health and vigor of the plant community (e.g., prescribed fire or managed grazing); and

- Management practices will encourage the conservation of biological diversity; emphasis will be placed on the preservation of threatened, endangered, and sensitive species.

It should be noted that additional BMPs are located within the Preliminary Environmental Baseline (Vol. 2; Folder 7; PGE 1993) and the Comprehensive Baseline Inventory (PGE 2006), and are hereby incorporated by reference.

5. Cultural Resources

Significant historic and prehistoric resources characterize the Study Area. Protection of these resources is of the highest priority. Again, from a policy and regulatory perspective, the County's CZLUO provides the following direction:

- *Section 23.07.104.d: A land use or construction permit may be approved for a project within an archaeologically sensitive area only where the applicable approval body first finds that the project design and development incorporates adequate measures to ensure protection of significant archaeological resources.*

In addition, the LSP provides the following applicable cultural resources guidelines:

- Important cultural resources on the Diablo Canyon Lands will continue to be documented and preserved;
- Land use activities will be reviewed for possible impact on known cultural resources; and
- When a land use activity has the potential to disturb a cultural resource, alternatives to avoid or minimize the disturbance will be developed and implemented.

6. Sustainable Agriculture

The Study Area has a history of livestock grazing. The current operation is characterized by high-intensity, short-duration (HISD) grazing with multiple species of livestock. The CCA provides direct policies and regulatory guidance for prime agricultural lands.

- *Section 30241: The maximum amount of prime agricultural land¹ shall be maintained in agricultural production to ensure the protection of the area's agricultural economy, and conflicts shall be minimized between agricultural and urban land uses.*

In addition, the County designates this area for Agricultural use on its General Plan Map. Therefore, the following policies apply:

- *Policy 1: Prime agricultural land shall be maintained, in or available for, agricultural production unless: (1) agricultural use is already severely limited by conflicts with urban uses; or (2) adequate public services are available to serve the expanded urban uses, and the conversion would preserve prime agricultural land or would complete a logical and viable neighborhood,*

¹ As defined by CA Government Code Section 51201(c)(3).

thus contributing to the establishment of a stable urban/rural boundary; and (3) development on converted agricultural land will not diminish the productivity of adjacent prime agricultural land...

- *Policy 3: In agriculturally designated areas, all non-agricultural development which is proposed to supplement the agricultural use permitted in areas designated as agriculture shall be compatible with preserving a maximum amount of agricultural use.*

The LSP, the Preliminary Environmental Baseline, and the Comprehensive Baseline Inventory, establish the following applicable guidelines regarding the existing agricultural practices:

- Cattle grazing and related activities will be conducted in a manner minimizing degradation of sensitive biological resources, such as streams and riparian areas;
- Grazing practices that establish required levels of residual dry matter to protect the soil surface from erosion while optimizing conditions for forage production will be implemented. Annual monitoring will be practiced to ensure compliance;
- Grazing capacity, as reflected in the standing crop of available forage, will be evaluated annually and used to adjust stocking rates; and
- Land use practices encouraging establishment and spread of undesirable plants will not be allowed.

7. Security Requirements

Security requirements and protocols for nuclear power plants have been evolving over the past several years. These requirements and protocols are normally mandated by the U.S. Nuclear Regulatory Commission (NRC). It must be understood that although this Access Plan is being designed and developed within the current security requirements and protocols, potential changes mandated by the NRC may affect the Access Plan, both in terms of design and operation.

There are specific regulatory requirements mandated by the NRC for the implementation of the security program at DCP. Although there are no specific prohibitions for managed public access to the North Ranch during normal conditions, Title 10 of the Federal Code of Regulations Part 73.55 for Nuclear Power Reactors states:

“The licensee shall establish and maintain an onsite physical protection system and security organization which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.”

Since the acquisition of the North Ranch, PG&E’s ability to prohibit public access and monitor for unauthorized activity in this area has been an integral part of the DCP security program. The Diablo Canyon Physical Security Plan is part of the plant operating license mandated by the NRC. This Security Plan clearly establishes a regulatory obligation that public access must be managed and controlled. In addition to the commitments set forth in the Security Plan, the NRC has issued numerous Orders and Directives following the events of 9/11. The NRC has established an

expectation that during periods of increased threat levels as defined by the U.S. Department of Homeland Security (DHS) and by the Diablo Canyon Security Contingency Plan, additional security measures and controls will be implemented consistent with the threat level. Such measures include increased controls and surveillance of the lands surrounding the plant, including the lands within the North Ranch. These measures are implemented in cooperation and with the assistance of local, State and federal law enforcement agencies.

Currently, the DHS is circulating a draft document containing a national response plan for nuclear facilities within the United States. One of the implementation actions contained in the document involves *“developing by December 2007 buffer zone protection plans outside of licensees’ property for the purpose of identifying and determining potential threats.”* This presents a new security consideration regarding the extent of southward access on the North Ranch that was not present when SC-3 was included as part of the CDP.

In order to ensure compliance with future NRC and DHS directives, PG&E shall maintain the authority to close down public access within the North Ranch for, but not limited to, emergency, security, or operational purposes pertaining to the DCP. This is consistent with the provisions within the existing MOU between the CCC and PG&E for the Pecho Coast Trail Accessway Management Plan.

8. Safety Requirements

DCPP Event/Early Warning Sirens. The NRC and NUREG-0654 (“Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants”) require that PG&E provide for the safety and well-being of people in the “Owner Controlled Area” (OCA) in the event of an emergency situation (defined by the DCP Emergency Plan). For emergency planning purposes, the OCA is considered that property in and around the Diablo Canyon Nuclear Facility to which access is strictly controlled and, for the most part, limited to plant employees and contractors.

Outside of the OCA, of which the Study Area is a part, responsibility for protection of health and safety of the public rests with the San Luis Obispo County Office of Emergency Services (County OES). The County OES is an emergency management agency with responsibilities that include coordination of emergency and disaster preparedness planning, response, and recovery with and between local, State, and federal agencies. The County OES manages an Early Siren Warning System, which includes several strategically-placed sirens located throughout the County. The County OES is responsible for sounding the sirens in the event of a regional emergency (i.e., nuclear emergency) or natural disaster (e.g., tsunami or earthquake). Because the Study Area is remote and for the most part uninhabited, and because historically, access to the area south of Montana de Oro has been restricted, there is only one early warning siren in that area, in accordance with the Federal Emergency Management Agency (FEMA) approved early warning system (consistent with national standards required by REP-14, or Radiological Emergency Preparedness 14). There is also a siren in the south end of Montana de Oro Park. Between these two sirens, the area bounded by the road and the ocean is in the siren coverage area, which means that if the siren goes off, it should be heard throughout most of the Study Area (refer to Figure 3).

Figure 3: Siren Locations and Coverage

Note: Sirens are currently being updated; a new Figure will be provided at a later date.

NUREG-0654 requires that in the event of an emergency at DCP, plant staff make Protective Action Recommendations to the County OES, based on the severity of the event, status of any radiological release, and wind direction. The County OES is then responsible for making "Protective Action Decisions," which may or may not involve sounding of the Early Siren Warning System. Additional actions may need to be taken by the County Sheriff to physically warn residents or others by car or helicopter if they are aware that there are people in remote areas.

The purpose of the sirens is to notify people to turn on a radio and listen to the Emergency Alert System (EAS) broadcast messages. Once people are warned by the siren or by the County Sheriff, they must immediately get back to the trail head, or parking area, get into their cars and turn on the radio, and follow those instructions, and comply with all applicable federal and State statutory and regulatory requirements. It is important to understand that DCP staff is not directly responsible for providing notification or direction to people outside of the OCA.

Emergency Services Response. Isolated emergencies such as medical, trauma, and crime-related incidents within the Study Area would be handled by the California Department of Forestry and Fire Protection (CDF)/County Fire Department, the County Sheriff's Department, and/or local emergency medical responders. Docents of the North Ranch Trail would likely dial 9-1-1 in the event of an isolated incident. Dispatch of 911 calls is done by the California Highway Patrol, who would then alert the appropriate emergency responder. Within Montana de Oro State Park, Park Rangers are the primary responder for medical, trauma, and crime-related incidents. Although Park Rangers are not responsible for emergencies outside of State Park property, they would likely be called on to assist as the initial responders to emergencies within the Study Area because of the close proximity of the Study Area to Montana de Oro State Park.

The remoteness of the Study Area presents challenges to providing an acceptable degree of emergency response. Access to this area for emergency responses will be through Montana de Oro State Park, if not by helicopter. Knowing and understanding the precise location of users as soon as possible is imperative in order to ensure adequate emergency response.

Goals, Objectives, and Policies Summary. It is clear that SC-3, along with other existing resource goals, objectives, and policies, emphasizes the need to preserve existing natural, cultural, and agricultural resources to the greatest extent possible. In addition, unique security and safety/emergency response requirements warrant strict adherence. Introducing a new use (public access) to the Study Area could present a challenge to these goals, objectives, policies, and requirements.

SC-3 does not recommend any changes or amendments to the existing natural, cultural, and agricultural resources goals, objectives, and policies, nor does SC-3 challenge the need to abide by applicable security and safety/emergency response requirements. Therefore, in an effort to resolve any potential conflicts inherent within SC-3, design of the new use will be guided by these existing goals, objectives, and policies by avoiding impacts on existing natural, cultural, and agricultural resources to the greatest extent feasible and will comply with requisite security and safety/emergency response standards while attempting to accommodate the overall mandate of public access.

III. MANAGED ACCESS/TRAIL ROUTING DESIGN GUIDELINES

A. INTRODUCTION

Developing a managed access program, specifically a trail route, consistent with SC-3 and within the above-referenced policy and regulatory framework, requires workable guidelines ultimately influencing the route of the trail in the Study Area. These guidelines connect the proposed trail route to the above-referenced policy and regulatory framework.

To assist in identifying key design issues and corresponding appropriate and feasible guidelines, PG&E conducted a workshop on November 5, 2005, to examine potential public access impacts as well as possible indicators of ecological change (thresholds) directly resulting from public access. The workshop participants included the scientists who had conducted the 2005 field studies. Dr. Richard Ambrose, biology department, University of California, Los Angeles, was an invited speaker and made a presentation on the concept of thresholds as applied to environmental monitoring.

These efforts resulted in identification of potentially significant impacts from public access and the need to identify approaches for mitigating those impacts. This chapter discusses guidelines and approaches for accommodating public access while protecting natural, cultural, and agricultural resources. Workshop participants concluded that managed access using trained docents is key to avoiding significant natural and cultural resources impacts and providing adequate public safety within the Study Area. Therefore, the Access Plan and accompanying Monitoring Plan assumes the use of trained docents.

Table A presents potential impacts from public access as identified during the November 5, 2005, workshop. Each impact is shown as potentially affecting one or more of the resource categories for which baseline data has been gathered.

B. PUBLIC ACCESS/RESOURCE PROTECTION ISSUES

Below, in an outline format, key design issues are identified by category. Then, separate trail routing/design guidelines are provided under each category.

High-Priority Design Issues

- Public safety
- Plant security
- Protection of sensitive natural and cultural resources
- Preserving a program of sustainable agriculture (livestock grazing)

Table A: Potential Impacts of Managed Access (from Thresholds Workshop, November 5, 2005)

Impacts	Resource Categories							
	AG	BOT	TW	FWW	MW	MIT	GS	CR
Increase in nonnative species		X	X	X				
Avoidable impacts to nesting birds (MBTA/ESA)			X	X	X			
Conflict between humans and livestock	X							
Forced reduction in livestock grazing area	X	X	X					
Declining area/condition of sensitive habitats		X	X	X	X	X		
Increased sources of fire ignition							X	X
Handling, collection, disturbance of native species		X	X	X	X	X		
Increase in area of bare ground	X	X	X	X			X	X
Increased erosion/sedimentation	X	X	X	X	X	X	X	X
Presence of people on coastal bluff			X	X	X			X
Trampling		X	X	X		X	X	X
Disturbance/collection of cultural objects								X
Vandalism/graffiti								X
Native American cultural concerns								X
Disturbing micro-habitat elements (rocks, down wood, etc.)		X	X	X		X	X	X
Compromise of long-term scientific baseline	X					X	X	

KEY:

AG: Agriculture; **BOT:** Botanical; **TW:** Terrestrial Wildlife; **FWW:** Fresh Water Wetlands; **MW:** Marine Wildlife (mammals and colonial seabirds); **MIT:** Marine Intertidal (plants and inverts); **GS:** Geology and Soils; **CR:** Cultural Resources

1. Public Safety

- The coastal bluff and adjacent intertidal zone are inherently dangerous environments for people.
- Any direct access to intertidal areas greatly increases the risk of injury or loss of life resulting from accidents (e.g., falls, drowning, and other risk factors).
- Unmanaged access would expose hikers to a variety of potential human/animal conflicts (e.g., grazing animals, guard dogs, predatory animals).

2. Natural Resource Protection

- Marine mammals that utilize haulout areas within the intertidal zone for resting and bearing their young (Federal Marine Mammal Protection Act).
- Colonial nesting sea birds occupy nesting territories on off-shore rocks, bluff cliffs, and headlands within the Study Area (Federal Migratory Bird Treaty Act).
- A new nesting territory of peregrine falcons on an off-shore rock located in the central portion of the Study Area (State Endangered Species Act [ESA]) confirmed by 2005 surveys.
- Significant foraging areas for both sea and terrestrial birds.
- Numerous marine invertebrates and plants within the intertidal zone that are susceptible to access-related impacts are part of a long-term marine intertidal baseline developed over the last 30 years as part of PG&E's thermal effects monitoring program (unique scientific value).
- Uninterrupted record of data collection in a natural setting within a regionally populated area.

3. Cultural Resource Protection

- The Study Area contains many prehistoric as well as historic sites of record, including some of the oldest known Native American sites in California.
- These sites are of significant scientific, educational, cultural, and religious value and must be protected (State Historic Preservation Act).
- Safe access to beach areas has been identified at only two locations in the Study Area, and both locations have high cultural resource significance.
- Cultural sites may be contemporaneous with SLO-2; SLO-2 dates back over 9,000 years.
- Potential "village" site may have a current connection to local Chumash.
- A significant portion of the Study Area, particularly the bluff edge and prominent headlands, appear to be eligible for inclusion into the existing on-site District, which is listed on the National Register of Historic Places.

4. Sustainable Agriculture

- SC-3 specifically stipulates that public access not impact sustainable agriculture.
- The majority of the Study Area (coastal terrace) historically has been grazed.

- The ecology of the Study Area has benefited from a HISD grazing program since 1991.
- This grazing program has gained significant local and national recognition.
- The lessee (rancher) annually hosts field days and other scheduled outings for professional livestock groups, students, and agency groups interested in grazing management and rangeland ecology.
- PG&E believes that uncontrolled public access would impact the grazing program and adversely affect public safety on the property.

5. Homeland and Power Plant Security

- Uncontrolled access to the Study Area increases the risk of unlawful acts against DCPD and associated facilities and undermines the level of security around DCPD.
- Uncontrolled access invites unwise use of open flames (e.g., smoking, camp fires) and could lead to large fires that impact switch yard and electric transmission facilities.

6. Scientific Research/Control Data Collection

- The coastal area has been a scientific data collection zone that has had no human interference or disruption for nearly 30 years, which is unique along the California Central Coast.
- This scientific database benefits others by providing control data useful in assessing environmental impacts.

C. PUBLIC ACCESS/RESOURCE PROTECTION GUIDELINES

1. Managed Access

- PG&E believes that a docent-led program of managed public access, similar to the successful Pecho Coast Trail south of the power plant, would minimize a variety of risk factors and ensure satisfactory compliance with SC-3 objectives of protecting natural, cultural, and agricultural resources while providing public access for up to 275 users.
- In addition, docents provide interpretive information and answer questions that raise the public's level of enjoyment, increase safety, and protect sensitive resources.
- Pedestrian access would be restricted only in order to maintain an acceptable degree of resource protection, user safety, and plant security.

2. Use of Existing Roads

- Creating a surfaced or bare-earth trail invites serious erosion issues and exposes natural/cultural resources to potential impacts.
- Use of existing roads (main and secondary ranch roads) will minimize erosion, protect sensitive species and habitats, preserve cultural resources, and reduce conflicts with sustainable agriculture.
- Reduces need to construct new fences, gates, and water sources.

- Complete avoidance of new grading within the Study Area for trails or roads.

3. Avoid/Minimize Grazing Conflicts

- Avoid creating a narrowly fenced trail route that could lead to increase in bare ground area, surface compaction, and potential erosion problems.
- Move livestock (sheep and/or goats) through corridor seasonally for short periods, keeping animal impact low to moderate.
- Design fencing to reduce potential conflicts between people and livestock.
- Seasonal subarea restrictions: for livestock use only; no public access.

4. Avoid/Minimize Impacts to Cultural Sites

- PG&E believes that controlled access is critical to protecting important cultural sites on the property.
- PG&E has a legal obligation to the state and a moral obligation to the Chumash to protect/preserve cultural resources.
- Closely supervised docent-led hikes would prevent unlawful removal of artifacts or other impacts to cultural sites.

5. Avoid/Minimize Impacts to Sensitive Species and Habitats

- Implement limited operating periods (temporary trail closures) to minimize human disturbance during seasons critical to sensitive wildlife.
- The peregrine falcon nest site and nearby foraging area, seabird nesting colonies, seal pupping beaches, and haulout locations require protection from human disturbance.
- Use of alternate trail routing seasonally to avoid sensitive habitat areas (coastal bluff scrub, willow riparian scrub, and intertidal communities), and docent supervision would allow the public to visit the property without impacting sensitive species.
- Restrict access to pedestrians only to avoid introduction and spread of noxious plant species often associated with other means of trail travel (e.g., equestrian), and to avoid erosion of fragile soil types caused by equestrian and/or mountain bike uses.

6. Beach Access

- The distribution of cultural sites along the bluff is not coincidentally correlated with sites affording access to beach and intertidal areas.
- Beach access would result in a variety of physical impacts on marine intertidal species, potentially compromising a long-term and unique regional scientific baseline important to marine resource management in the central coast region.

- PG&E believes that only two sites offer potentially safe public access; yet these areas are occupied by very sensitive cultural resources.
- Prohibiting beach access ensures a greater degree of cultural resource protection.
- Maintain existing integrity of the bluff's geologic structure and aesthetic value by avoiding the construction of any facilities on the bluff's edge and face

7. Loop Routing and Path Shifting (Adaptive Management)

- Use of loop routing to reduce potential physical impacts associated with repeated use of the same portion of trail, to provide a diversity of experiences, and to allow for shorter hike durations, depending on user preference.
- Within the bluff trail corridor paddock (see Avoid/Minimize Grazing Conflicts), the path could be shifted to distribute the impact and minimize soil disturbance.
- Use of the main ranch road along the base of the foothills for main trail with out and back "spoke" trails connecting to the bluff edge.
- Seasonal/annual closure of subareas allowing for protection of nesting/breeding species, habitat rest and restoration.

8. Educational Experience and Monitoring

- Docents would enhance the educational experience by informing trail users of history, biology, and other points of interest otherwise not known.
- Docents could provide environmental monitoring by looking for threshold indicators.
- Docents would be aware of day-to-day changes (e.g., coastal cave creating a sinkhole) and act on behalf of public safety.

9. Scientific Research/Control Data Collection

- Avoid general public intrusion into scientific data collection and monitoring program control areas in order to maintain the integrity of the data.

10. Bluff Overlook Locations

- Select sites away from high-value habitat areas like those on Disney Point, Point Buchon, and the Crowbar headland.
- Overlooks must also avoid impacting culturally sensitive sites and may have further seasonal restrictions imposed in the interest of protecting sensitive species.

11. Constraints Mapping

- Trail route selection (including primary and alternate trails) will utilize a process of constraint mapping that identifies sensitive areas and ranks these according to their relative sensitivity.
- Map layouts will display the constraints issues along with color-coded sensitivity rankings against the project orthophoto layer to identify possible low-impact routing scenarios.

IV. RESOURCE PROTECTION/TRAIL ROUTING METHODOLOGY

A. INTRODUCTION

In order to arrive at an acceptable trail alignment within the Study Area, several sequential steps were taken.

- **Preliminary Environmental Baseline and Resource Maps:** Baseline conditions were documented from existing sources augmented by new field studies. A series of maps describing the existing physical conditions and the resource characteristics of the Study Area were created.
- **Resource Sensitivity Weighting:** Values were assigned within each resource category as to a degree of sensitivity to a new use within the Study Area.
- **Cumulative Resource Constraints Analysis:** A geographic information system (GIS) was used to combine resource maps with the weighted values to arrive at one cumulative resource constraints map.
- **Security Overlay Analysis:** Using a GIS viewshed analytical tool, a security overlay zone was created for the Study Area.
- **Managed Access Plan Alignment:** Using ArcGIS, a routing plan was developed.

B. DETERMINING EXISTING CONDITIONS

In accordance with SC-3 directives, three sequential tasks were conducted to develop an environmental baseline to adequately understand the environmental context and agricultural use of the North Ranch lands prior to developing a routing plan for an accessway in this area.

The first task was assembling existing environmental and land use documentation regarding the Study Area. The Preliminary Environmental Baseline – Natural and Cultural Resources and Land Use: An Annotated Bibliography of References Pertaining to the North Property Access Plan at Diablo Canyon (March 2005) was completed and submitted to the Coastal Commission staff. This annotated bibliography as well as copies of the selected references (entire or in part) comprised eight resource categories. The annotated bibliography is contained in Appendix A.

The second task involved the formation of the Diablo Task Force (DTF), appointed by the Coastal Commission Executive Director. The DTF consisted of representatives from public and nongovernmental entities representing a range of environmental and cultural backgrounds. The role of the DTF was defined in a charter document prepared by the CCC. Per the DTF charter, DTF's main role has been to provide input during preparation of the Comprehensive Baseline Inventory. The DTF convened in March 2005 (via telephone conference), April 2005, June 2005, and February 2006.

The third task in completing the baseline was to augment the existing data sources with additional field work and primary source data collection. Information was gathered by a team of consulting

scientists specializing in natural and cultural resources. Data was recorded in the field using a ruggedized notebook computer and mobile GIS software (ArcPad) to facilitate the required monitoring of these resources as described in the Access Monitoring Plan (PGE 2006). Resource categories were then mapped individually using data from the existing sources and collected directly in the field. These maps represent the environmental baseline inventory as required by SC-3.

C. INDIVIDUAL RESOURCES MAPPING

The existing physical conditions and environmental baseline inventory are expressed in a series of ortho-rectified air photo bases (2003 images). Montana de Oro State Park is located to the north and east of the Study Area, while the DCPD is located approximately 1.5 miles to the south of the Study Area's southern boundary.

Figure 2 depicts the Study Area on an air photo base. The Study Area is approximately 500 acres and is confined to the coastal terrace. The northern extent of the Study Area is the property line boundary between Montana de Oro State Park and the PG&E property. Pecho Valley Road forms the eastern boundary of the Study Area. Pecho Valley Road lies at the base of the Irish Hills, separating the Hills from the westerly coastal terrace. The mean high tide line creates the western boundary of the Study Area. The Study Area is variously referred to as the Pecho Coast, Pecho Hills, and/or Irish Hills. These physical features are at the southern end of the Santa Lucia Range, one of the southern Coast Ranges that extend south from San Francisco Bay to the Santa Ynez River and lie west of the San Andreas Fault zone (Norris and Webb 1990). Long valleys parallel the coast, with faults and folds controlling the direction of drainage throughout the region (Norris and Webb 1990). The coastal terrace lies between the hills and ocean and consists of uplifted bedrock overlain with successive layers of ancient marine deposits and more recent alluvial sediments (Greenwood 1972). The Study Area lies on a 2,100-acre swath of this coastal plain that extends for approximately 3 miles between Coon Creek and Crowbar Canyon at elevations that range from 40 feet to 320 feet. Coon Creek, the major drainage in the study area, is a perennial stream that originates in the hills and flows through a narrow canyon to the sea. Natural springs occur near Tom's Pond, a dammed reservoir that impounds the flow of subterranean water.

The Study Area is relatively flat until approximately 1.5 miles south of the northern boundary, where the coastal terrace begins to increase in elevation toward the Irish Hills at a greater degree, resulting in steeper slopes from Pecho Valley Road to the bluff edge. Natural beach access is physically restrictive throughout the Study Area because of steep, rocky bluffs at the water's edge. These lands are the property of PG&E and are part of a more extensive security buffer surrounding the Diablo Canyon Power Plant.²

Figure 4 illustrates several landmarks and existing roads within the Study Area. The primary point of entry and exit is the existing gate that separates the State Park and PG&E property. There is an existing parking area just north of the gate on State Park property. This parking area serves as the staging area for the Coon Creek Trail, an existing State Park trail route. To preserve the existing biological, cultural, and agricultural resources within the Study Area, it is recommended that this existing parking area be utilized for the staging area for the North Ranch Trail.

² Pacific Gas and Electric. North Ranch Managed Access: Comprehensive Baseline Inventory. July 2006.



Pacific Gas & Electric Co.

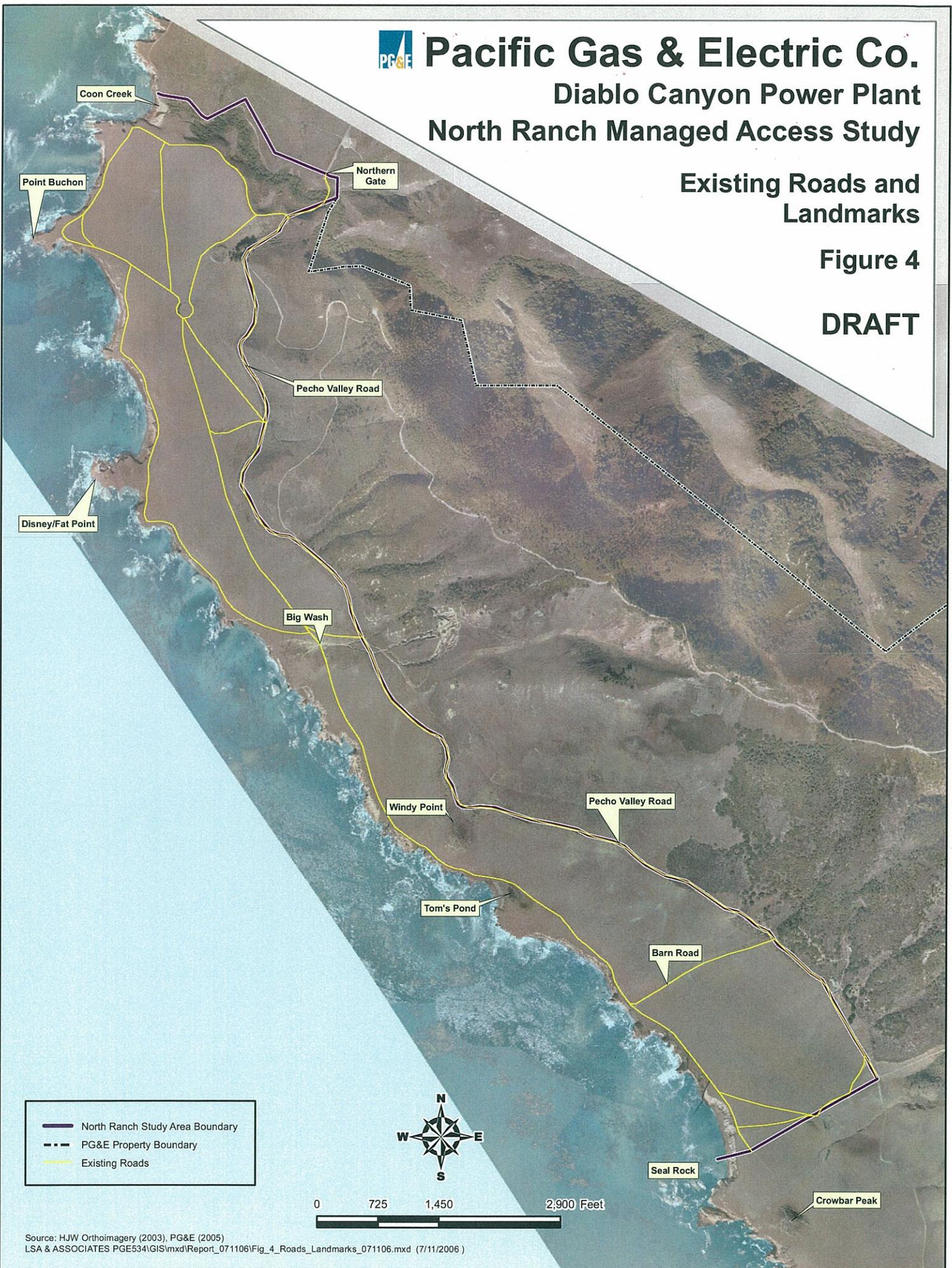
Diablo Canyon Power Plant

North Ranch Managed Access Study

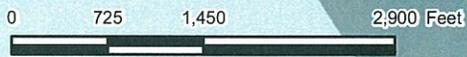
Existing Roads and Landmarks

Figure 4

DRAFT



- North Ranch Study Area Boundary
- PG&E Property Boundary
- Existing Roads



As previously noted, Pecho Valley Road is the primary road. It is an unpaved ranch road with an intermittent gravel surface. Pecho Valley Road provides access to several structures, including a residence in the northern portion of the Study Area and the other residence structures and associated accessory buildings at the southern end of the Study Area. The roads that traverse the terrace are rarely used and exist only to serve the existing livestock operation. There are several prominent topographic points including Point Buchon, Disney/Fat Point, and Windy Point. Point Buchon and Disney/Fat Point have significant cultural and natural resources warranting complete protection and avoidance consistent with SC-3 objectives. Windy Point provides a wide panoramic view of the coast and Pacific Ocean from an elevated position.

Figure 5 shows the existing livestock management infrastructure for the Study Area. The entire Study Area has historically been used for livestock grazing. The current grazing management represents an HISD rotational grazing system with dual use (cattle, sheep and goats).

Figure 6 depicts the location of marine birds. The Study Area has not been exposed to any human recreational use, let alone the potential intensity represented by 275 people per day. Therefore, the Study Area has historically accommodated large nesting colonies with little disturbance by people. Hence, these areas are extremely sensitive to any change in land use, particularly a recreational use, and thereby warrant complete avoidance in order to comply with SC-3's objectives. Birds include pigeon guillemot, western gull, black oystercatcher, pelagic cormorant, and Brandt's cormorant.

The California Central Coast is renowned for its marine mammal populations. The Study Area epitomizes this fact with several prominent areas of marine mammal haulout and rafting areas. Figure 7 depicts the various locations of marine mammal haulout/rafting sites (more sensitive ranking) and general sightings and feeding areas (less sensitive). Marine mammals include harbor seals and sea otters. As with the marine birds, these marine mammals historically have been exposed to low levels of human interference, and therefore should be considered extremely sensitive to any change in land use.

Figure 8 depicts the location of several terrestrial mammals and birds within the Study Area. Of note is the Coon Creek drainage, which accommodates willow flycatchers and yellow warblers and a sloping terrace area near the mouth of Crowbar Canyon, which hosts a large number of badger burrows. In the center of the Study Area, located on an offshore rock, is a peregrine falcon nest pair that produced two young in 2005. This location makes the nest very susceptible to human interference and disturbance. In addition, field scientists were subjected to "dives" by the occupants of the nest and established a 0.25-mile avoidance radius during the 2005 field study. Other species include bobcat, San Diego desert woodrat, and burrowing owl.

Figure 9 indicates the location of unique and sensitive terrestrial habitats. The bluff edge is occupied by a continuous band of coastal bluff scrub habitat. This habitat is occupied by the San Diego desert woodrat, Nuttall's milkvetch and *Lasthenia macrantha* (goldfield). A freshwater pond (Tom's Pond) is located nearby and fed by an existing spring. Both of these sensitive areas would be susceptible to unacceptable change due to steady recreational use and therefore warrant complete avoidance.



Pacific Gas & Electric Co.

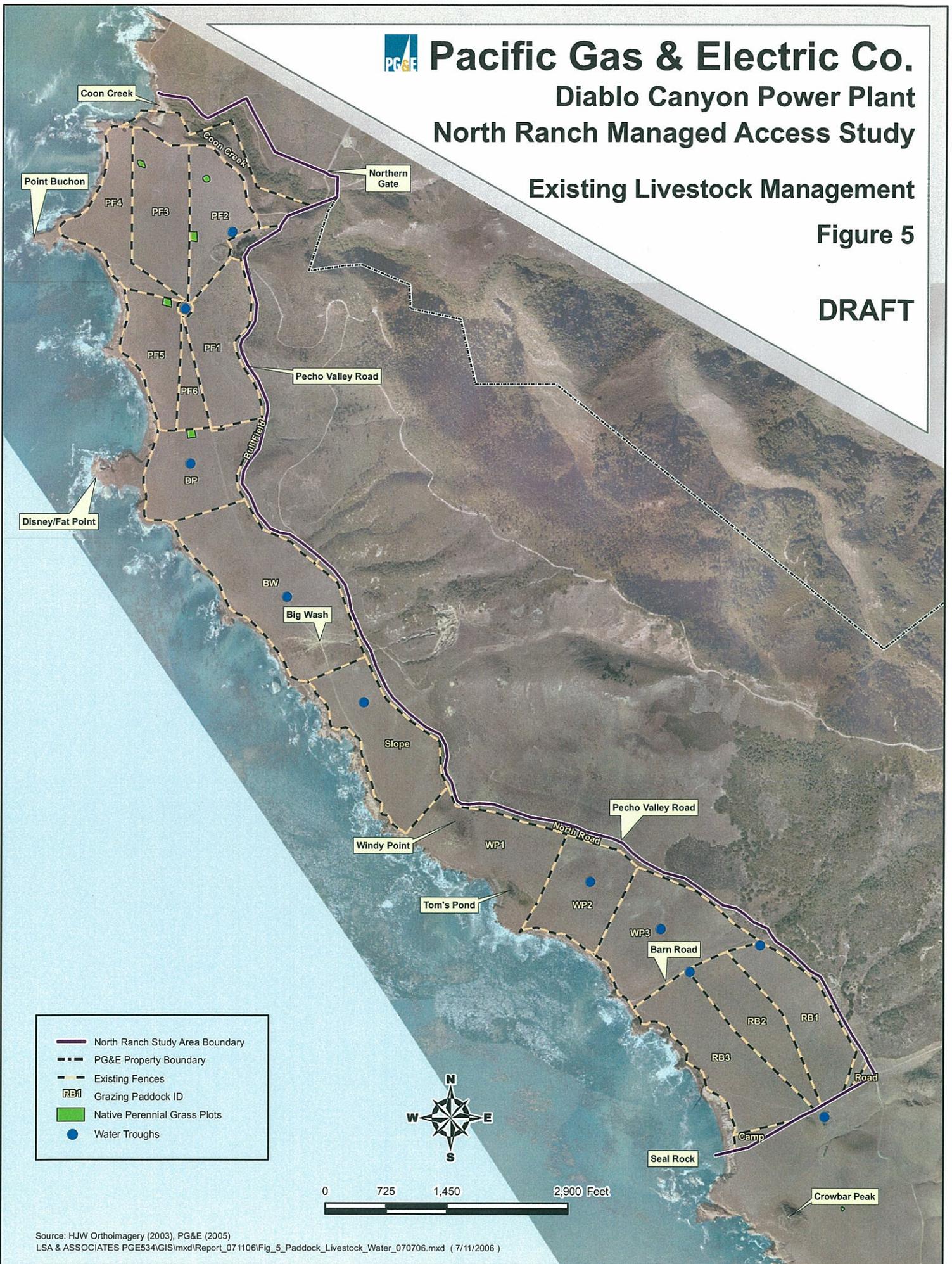
Diablo Canyon Power Plant

North Ranch Managed Access Study

Existing Livestock Management

Figure 5

DRAFT



- North Ranch Study Area Boundary
- PG&E Property Boundary
- Existing Fences
- RB1 Grazing Paddock ID
- Native Perennial Grass Plots
- Water Troughs



0 725 1,450 2,900 Feet



Pacific Gas & Electric Co.

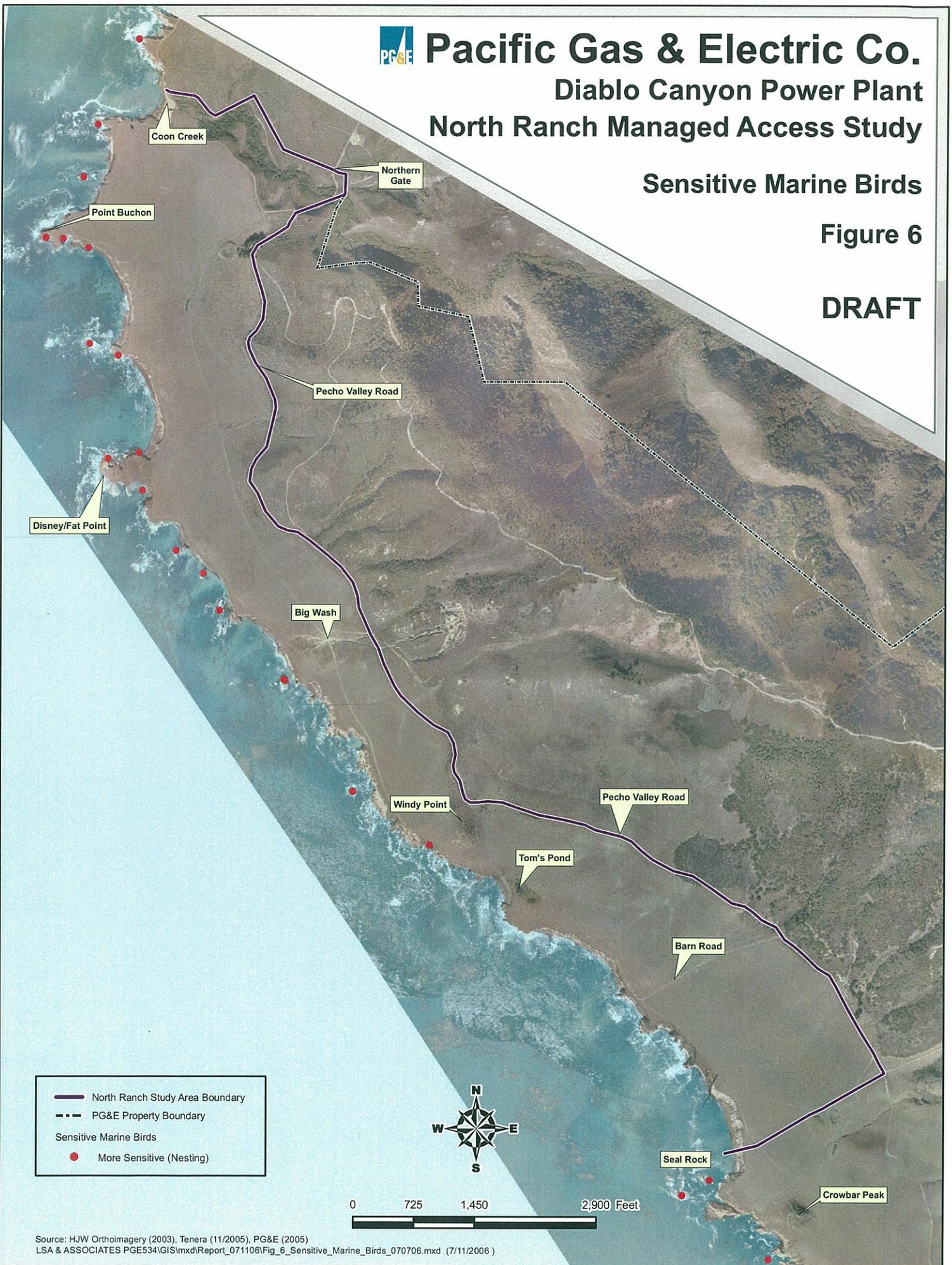
Diablo Canyon Power Plant

North Ranch Managed Access Study

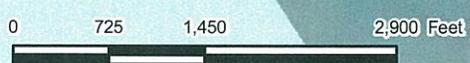
Sensitive Marine Birds

Figure 6

DRAFT



	North Ranch Study Area Boundary
	PG&E Property Boundary
Sensitive Marine Birds	
	More Sensitive (Nesting)



Source: HJW Orthoimagery (2003), Tenera (11/2005), PG&E (2005)
 LSA & ASSOCIATES PGE534\GIS\mxd\Report_071106\Fig_6_Sensitive_Marine_Birds_070706.mxd (7/11/2006)



Pacific Gas & Electric Co.

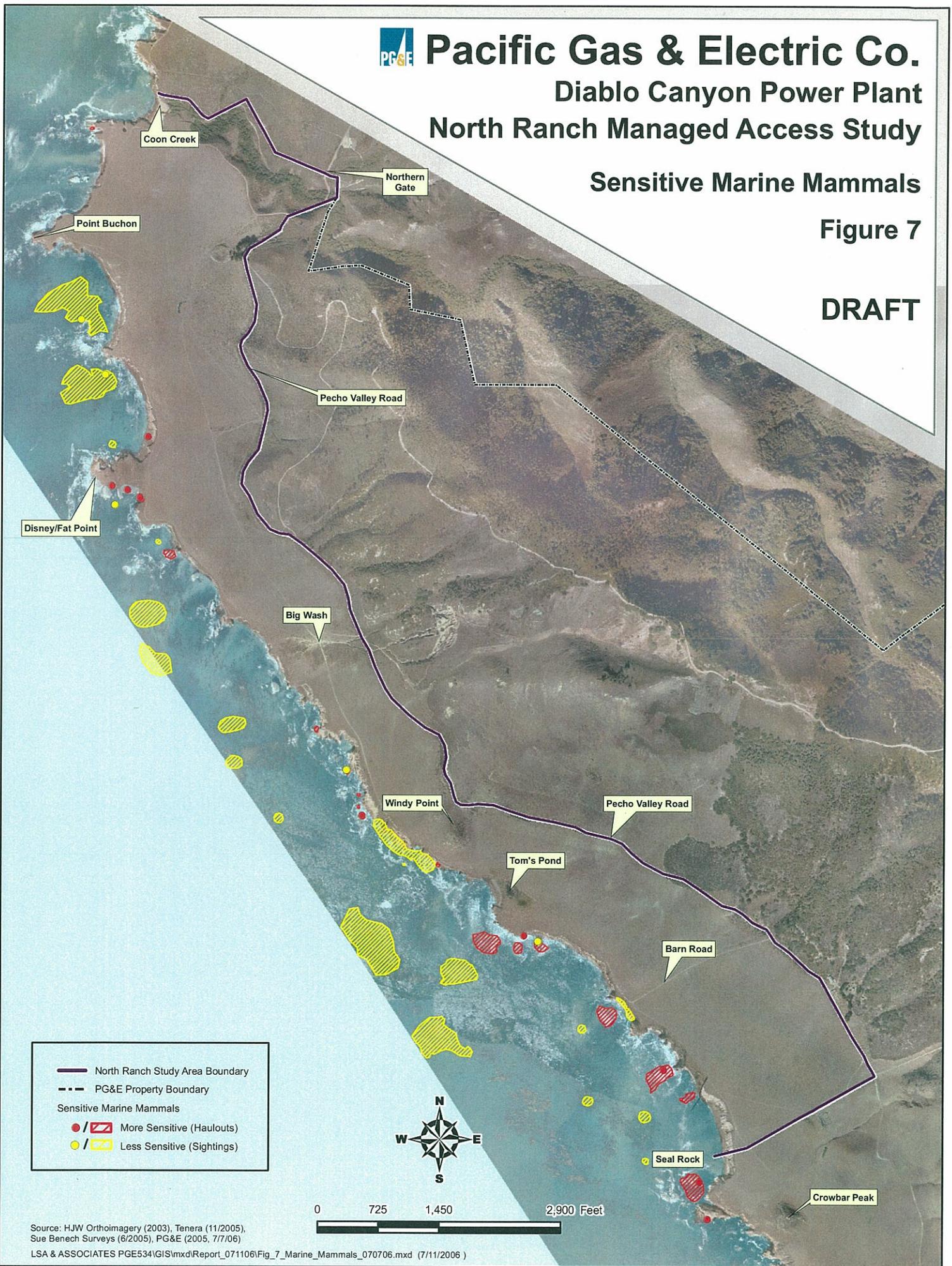
Diablo Canyon Power Plant

North Ranch Managed Access Study

Sensitive Marine Mammals

Figure 7

DRAFT





Pacific Gas & Electric Co.

Diablo Canyon Power Plant

North Ranch Managed Access Study

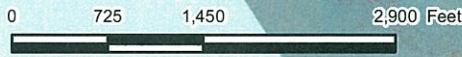
Sensitive Terrestrial Mammals/Birds

Figure 8

DRAFT



— North Ranch Study Area Boundary
 - - - PG&E Property Boundary
 Sensitive Mammals/Birds
 Bird
 Mammal



Source: HJW Orthoimagery (2003), Tenera (11/2005), PG&E (2005)
 LSA & ASSOCIATES PGE534/GIS/mxd/Report_071106/fig_8a_PeregrineFalcon_Avoidance_area_070706.mxd (7/11/2006)



Pacific Gas & Electric Co.

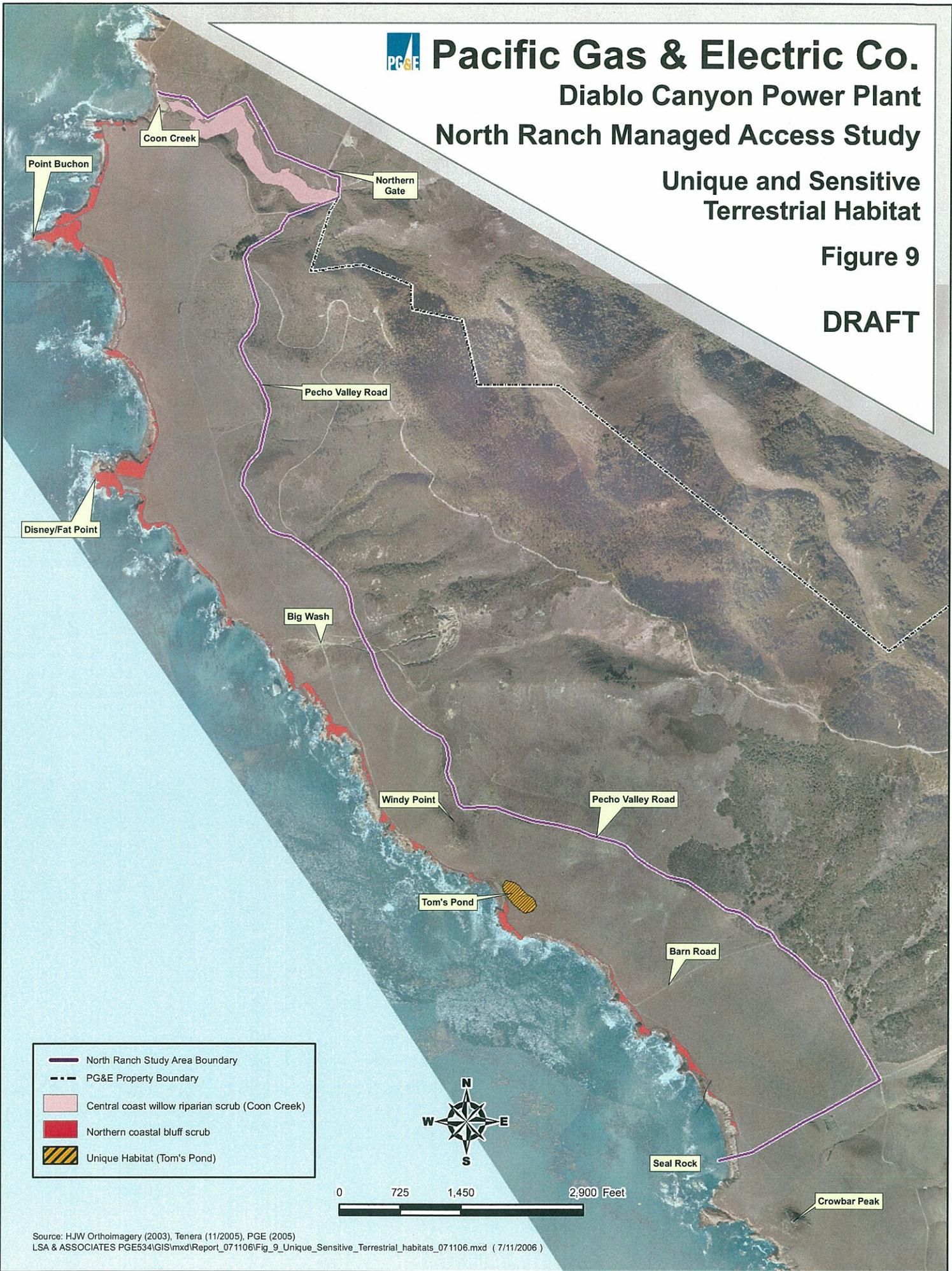
Diablo Canyon Power Plant

North Ranch Managed Access Study

Unique and Sensitive Terrestrial Habitat

Figure 9

DRAFT



- North Ranch Study Area Boundary
- PG&E Property Boundary
- Central coast willow riparian scrub (Coon Creek)
- Northern coastal bluff scrub
- Unique Habitat (Tom's Pond)



Source: HJW Orthoimagery (2003), Tenera (11/2005), PGE (2005)
 LSA & ASSOCIATES PGE534\GIS\mxd\Report_071106\Fig_9_Unique_Sensitive_Terrestrial_habitats_071106.mxd (7/11/2006)

Figure 10 depicts the location of noxious weeds. The State of California Food and Agriculture Code defines noxious weeds as “any species of plant which is, or is liable to be, detrimental or destructive and difficult to control or eradicate, which the director, by regulation, designates to be a noxious weed.” Through implementation of BMPs established by its Land Stewardship Program, PG&E has attempted to isolate and halt the spread of noxious weeds consistent with the Noxious Weed Information Program as administered by the State of California Department of Food and Agriculture. These areas should be avoided by any users to prevent the spread of noxious weeds into other portions of the Study Area and beyond.

Figure 11, which is not included in this document for confidentiality reasons, indicates the location of known cultural sites. As previously mentioned, the entire Study Area possesses prehistoric and historic value and meaning for the local Native American representatives.

PG&E has a long and successful relationship with local Native American representatives by establishing strict controls over these areas so that the cultural integrity of these sites is protected. While the entire Study Area may represent traditional cultural value to the Chumash and others, there are specific sites within the Study Area that have, in addition, great scientific importance. All drainages and nearly all prominent headlands and topographic features contain cultural artifacts and value. These areas must be completely avoided in order to preserve the integrity of the sites. Consistent with established protocol, Figure 11 will not be published in a public document.

Figure 12 indicates the location of coastal caves. The combined geology, coastline angle, and wave/tidal characteristics have resulted in numerous coastal caves along the bluff edge. The presence of coastal caves represents a significant public safety liability. The possibility of a surface failure above a cave increases as the size of a cave increases, resulting in a sinkhole that may not be perceptible to hikers until they are immediately upon it. A large sinkhole is located in the northern portion of the Study Area adjacent to the bluff overlooking the mouth of Coon Creek. The surface area above these caves represents an unacceptable public safety liability, and any trail alignment will need to avoid them.

D. INDIVIDUAL RESOURCES RANKING

Sensitive resources were mapped either as points or polygons using GIS, and a simplified weighting system based on sensitivity was created. A value of 4 was assigned to the most sensitive resources, while a value of 2 was assigned to mapped resources considered less sensitive. Areas lacking sensitive resources were assigned a value of 0. This weighting system was applied to both natural and cultural resources. Although coastal caves are not considered sensitive natural or cultural resources in the Study Area, they were included because potential trail alignments are needed to avoid these areas for reasons of public safety (refer to Figure 12).

Figure 7 separates marine mammal records into the more sensitive and less sensitive rankings. The “more sensitive” indicates areas noted for haulout and pupping. The “less sensitive” rafting areas ranking was reserved for general sightings and feeding areas.

Figure 8 identified sensitive terrestrial birds and mammals for which protocol-level surveys were performed. Because these species are either state or federally listed, they are ranked as “more



Pacific Gas & Electric Co.

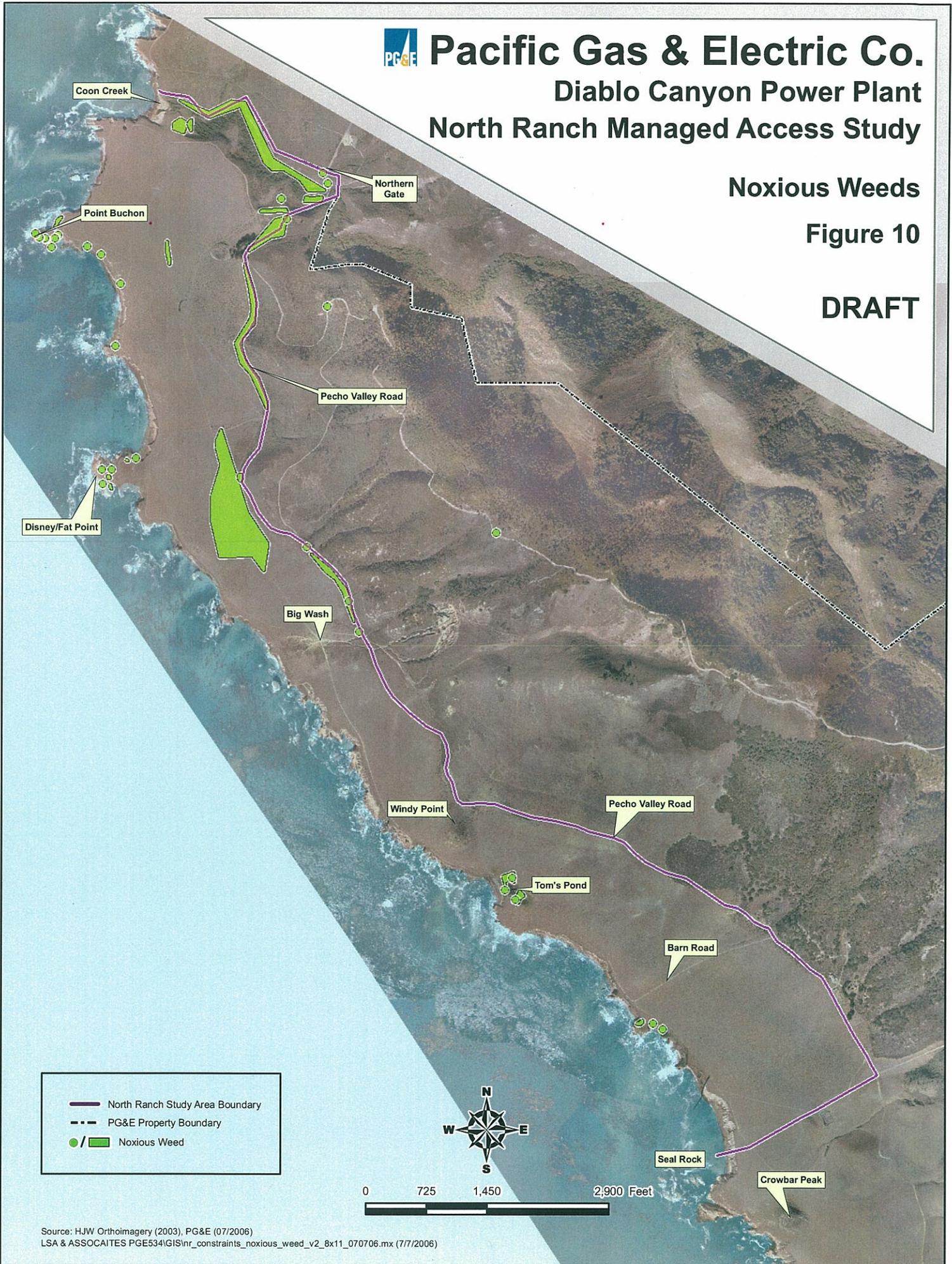
Diablo Canyon Power Plant

North Ranch Managed Access Study

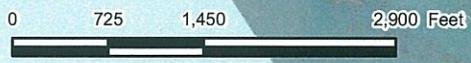
Noxious Weeds

Figure 10

DRAFT



	North Ranch Study Area Boundary
	PG&E Property Boundary
	Noxious Weed



Source: HJW Orthoimagery (2003), PG&E (07/2006)
 LSA & ASSOCAITES PGE5341GISInr_constraints_noxious_weed_v2_8x11_070706.mx (7/7/2006)

Figure 11: Cultural Resources (Confidential)

Not for public distribution per:
Archeological Resources Protection Act of 1979, as amended (16 USC 470-aa-mm).



Pacific Gas & Electric Co.

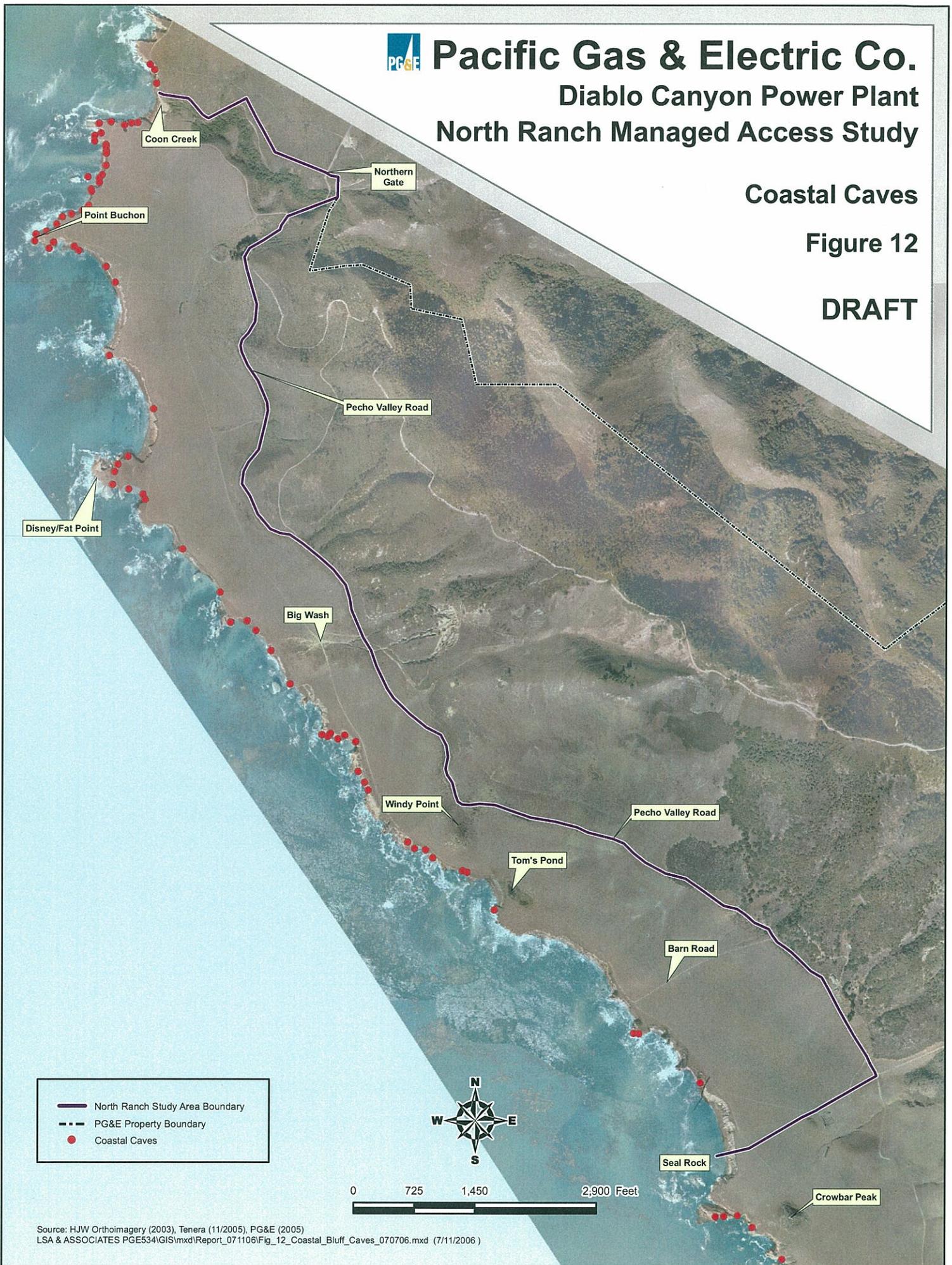
Diablo Canyon Power Plant

North Ranch Managed Access Study

Coastal Caves

Figure 12

DRAFT



-  North Ranch Study Area Boundary
-  PG&E Property Boundary
-  Coastal Caves



0 725 1,450 2,900 Feet

Source: HJW Orthoimagery (2003), Tenera (11/2005), PG&E (2005)
 LSA & ASSOCIATES PGE534:GIS\mxd\Report_071106\Fig_12_Coastal_Bluff_Caves_070706.mxd (7/11/2006)

sensitive.” The introduction of a new public recreational use is anticipated to have a significant effect on these species.

The two habitats noted within Figure 9 are the coastal bluff scrub and central coast willow riparian scrub. Since it is habitat to the San Diego desert woodrat, a state species of special concern, any harm to this habitat would be considered a significant effect, and therefore potential trail alignments should avoid this area. These habitats collectively support populations of several vertebrate species that are currently classified as either state endangered or species of special concern. Please refer to the Comprehensive Baseline Inventory for a complete listing of potential and surveyed plant, vertebrate, and invertebrate species and their protection status.

E. CUMULATIVE RESOURCE RANKING/MAPPING

In order to understand the comprehensive environmental assessment, all mapped resources with their assigned weights were combined using a GIS. Specifically, Figures 6 through 12 were combined into one figure (Figure 13, Combined Sensitivity).

Since the majority of the data collected by the field scientists was recorded as points (as opposed to polygons), a Kernel Density Model (Silverman 1986; pg. 76, equation 4.5) was applied to arrive at a cartographic depiction of cumulative resource constraints. This model is based upon the quadratic kernel function described in Silverman (1986,) and is incorporated into Environmental Systems Research Institute, Inc. (ESRI) software. The Kernel Density Model is used to model point data and specifically to indicate concentration or density where multiple points are depicted in the same geographical area.

Points, themselves, are dimensionless but are used to represent the location of resources that occupy space and may also exert influence on area beyond their mapped location (e.g., a nesting colony, marine mammal haulout, or cultural site). The polygon features shown in Figure 13 are presented exactly as they were mapped in the field, but their “zone” of influence may extend beyond that mapped perimeter.

The primary purpose of this cumulative constraints analysis was to identify areas characterized by high sensitivity and those characterized by lower sensitivity. As such, it is of a more "generalized" nature and is not intended to imply specific biological relationships among mapped resources.

Cumulative sensitivity was distributed throughout a geographic area and a density value was calculated in the case of multiple features occurring in the same area. A smooth-curved surface was fitted over each point using a radius of 100 meters. This radius was established for cartographic representation of the resources. The surface value is shown highest at the location of the point and diminishes with increasing distance from the point.

Figure 13 is a direct output of the GIS application of the Kernel Density Model, representing the combined resource sensitivity for the Study Area. From Figure 13 it is apparent that much of the bluff area within the Study Area contains significant concentrations of highly sensitive natural and cultural resources.



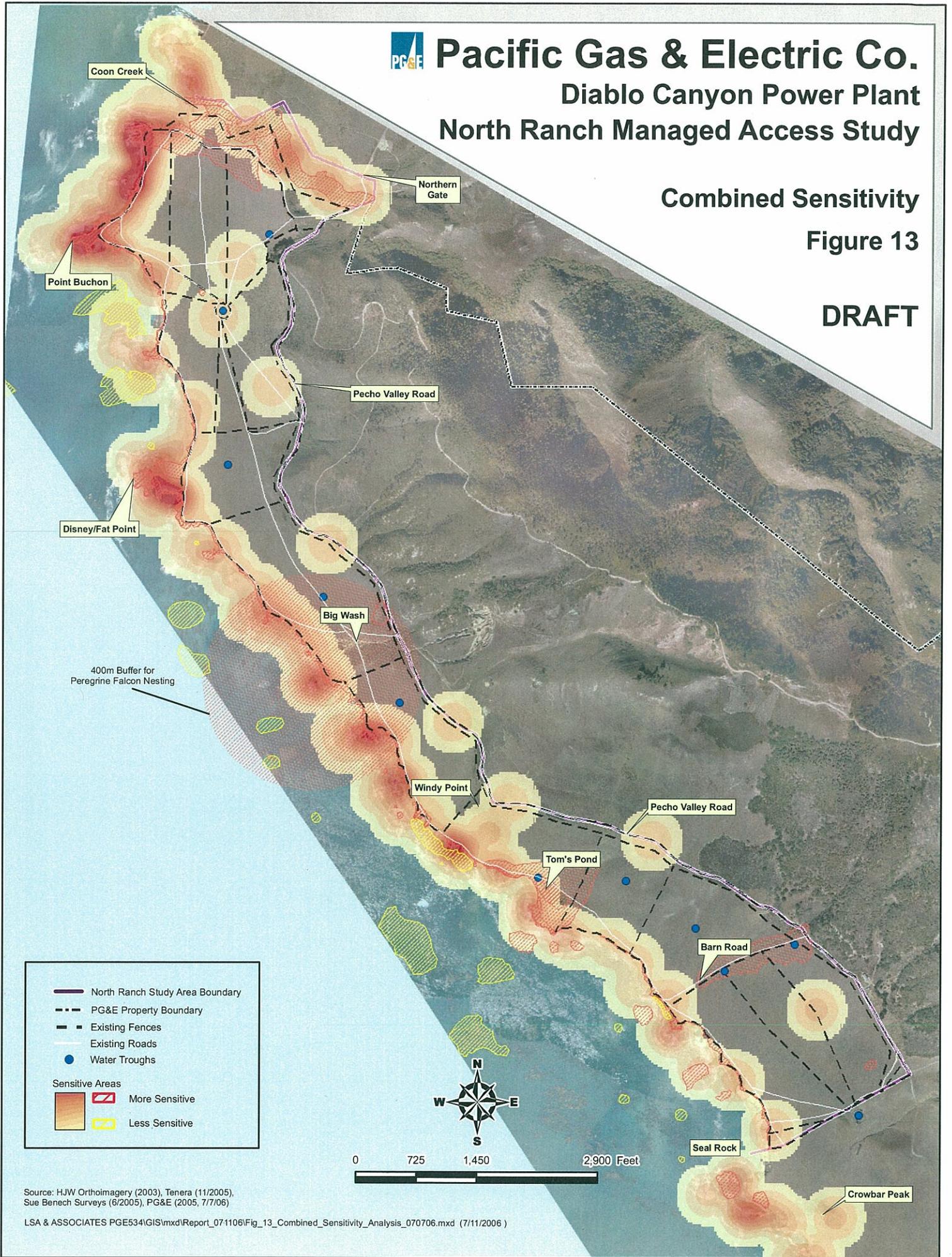
Pacific Gas & Electric Co.

Diablo Canyon Power Plant

North Ranch Managed Access Study

Combined Sensitivity
Figure 13

DRAFT



	North Ranch Study Area Boundary
	PG&E Property Boundary
	Existing Fences
	Existing Roads
	Water Troughs
Sensitive Areas	
	More Sensitive
	Less Sensitive

Source: HJW Orthoimagery (2003), Tenora (11/2005), Sue Benech Surveys (6/2005), PG&E (2005, 7/7/06)

F. MANAGED ACCESS PLAN ALIGNMENT

ArcGIS was used in selecting an alignment designed to direct routing along existing roadways and fence lines and to seek paths to identify bluff overlook sites that avoid known sensitive resources. Figure 14 is the resulting preferred trail alignment.

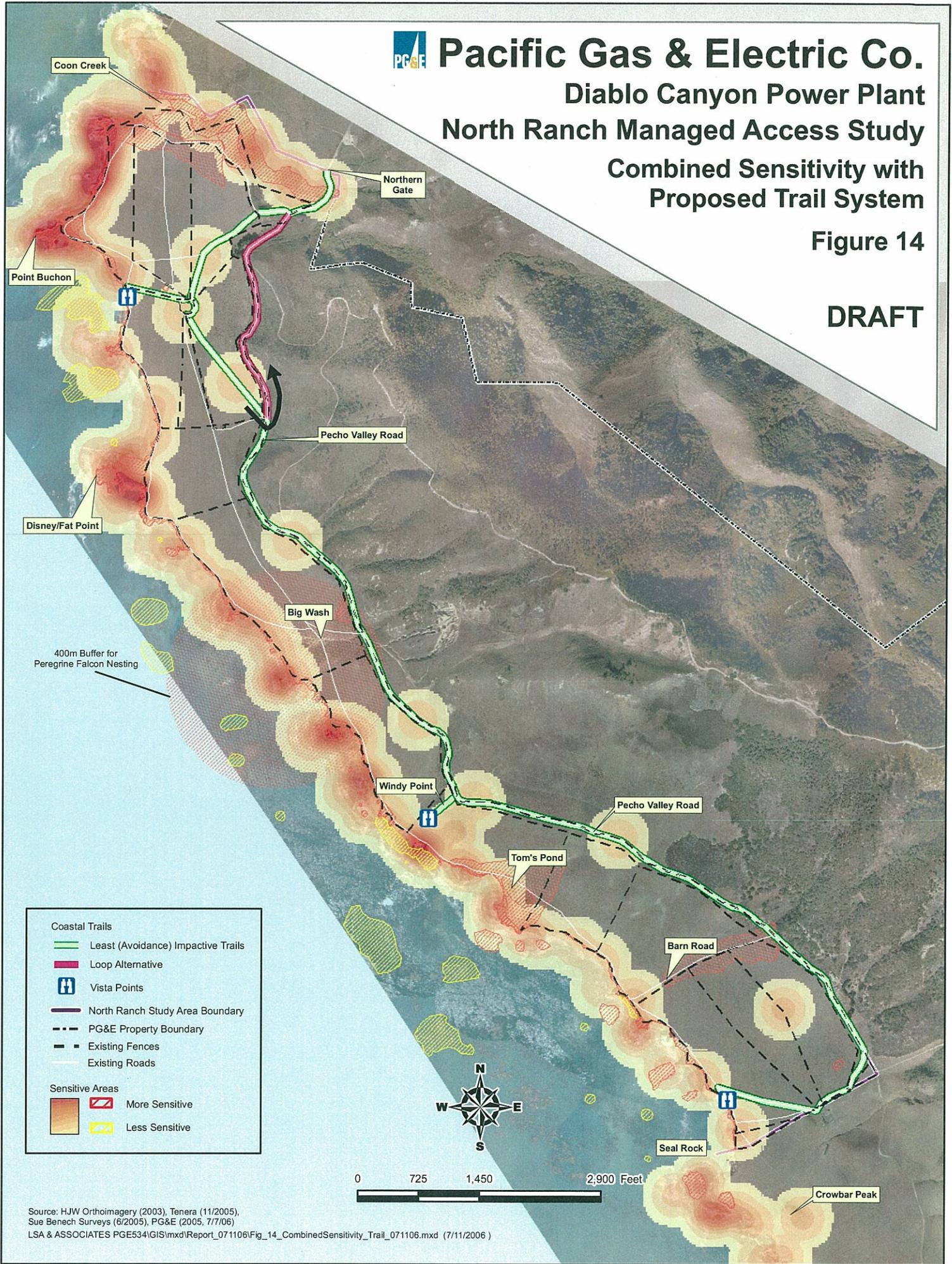


Pacific Gas & Electric Co.

Diablo Canyon Power Plant North Ranch Managed Access Study Combined Sensitivity with Proposed Trail System

Figure 14

DRAFT



Coastal Trails	
	Least (Avoidance) Impactive Trails
	Loop Alternative
	Vista Points
	North Ranch Study Area Boundary
	PG&E Property Boundary
	Existing Fences
	Existing Roads
Sensitive Areas	
	More Sensitive
	Less Sensitive



Source: HJW Orthoimagery (2003), Tenera (11/2005), Sue Benech Surveys (6/2005), PG&E (2005, 7/7/06)
LSA & ASSOCIATES PGE534\GIS\mxd\Report_071106\Fig_14_CombinedSensitivity_Trail_071106.mxd (7/11/2006)

V. TRAIL ALIGNMENT/ROUTE

The trail begins at the existing north gate at the current boundary between Montana de Oro State Park and PG&E property. Staging for the trail would occur at the existing parking area north of the gate. Currently, this parking area serves as a staging area for the Coon Creek trail within the State Park. Figure 15 provides a photo orientation map with photo location markers. And Figure 16 shows the trail alignment with mile markers (MM). Views from the photo location markers along the trail are depicted in Figures 17 through 28.

MM 0.00: The security gate is the starting point for this trail. Hikers meet designated docents at the staging/parking area, walk down the improved road to the gate, and begin their hikes.

MM 0.06: From the bridge crossing over Coon Creek, hikers are able to view a successful collaboration between PG&E and regulatory agencies in restoring steelhead trout habitat in the creek.

MM 0.16: Hikers continue along the improved road in a southerly direction and reach a secondary ranch road (unpaved) that turns in a westerly direction. At this point, trail users ascend to the coastal terrace parallel to Coon Creek and are adjacent to the northern extent of the managed livestock grazing area.

MM 0.24: Hikers transfer to another secondary road across the coastal terrace as they continue in a southwest direction.

MM 0.40: Hikers continue on the road across the coastal terrace toward the wagon wheel paddocks, also called the Peafield.

MM 0.50: Hikers reach the hub of wagon wheel paddocks, a central water point for several livestock paddocks. At this point, the trail would turn to the west.

MM 0.65: Hikers access the bluff edge and enjoy panoramic views of the Pacific Ocean. They also have short-range views of the immediate, unspoiled intertidal zones, kelp beds, and tidal-dependent beaches (e.g., beaches would disappear under the water during high tides). This bluff edge vista point also provides mid-range views to the north of Point Buchon and to the south of Disney/Fat Point. Looking east, hikers view the junction between the coastal terrace and the Irish Hills.

MM 1.20: Hikers retrace their steps back to MM 0.5 and then traverse in a southeasterly direction, following a ranch road to its junction with Pecho Valley Road. At this point, hikers have the option of continuing south or returning to the security gate (MM 0.00) along Pecho Valley Road.



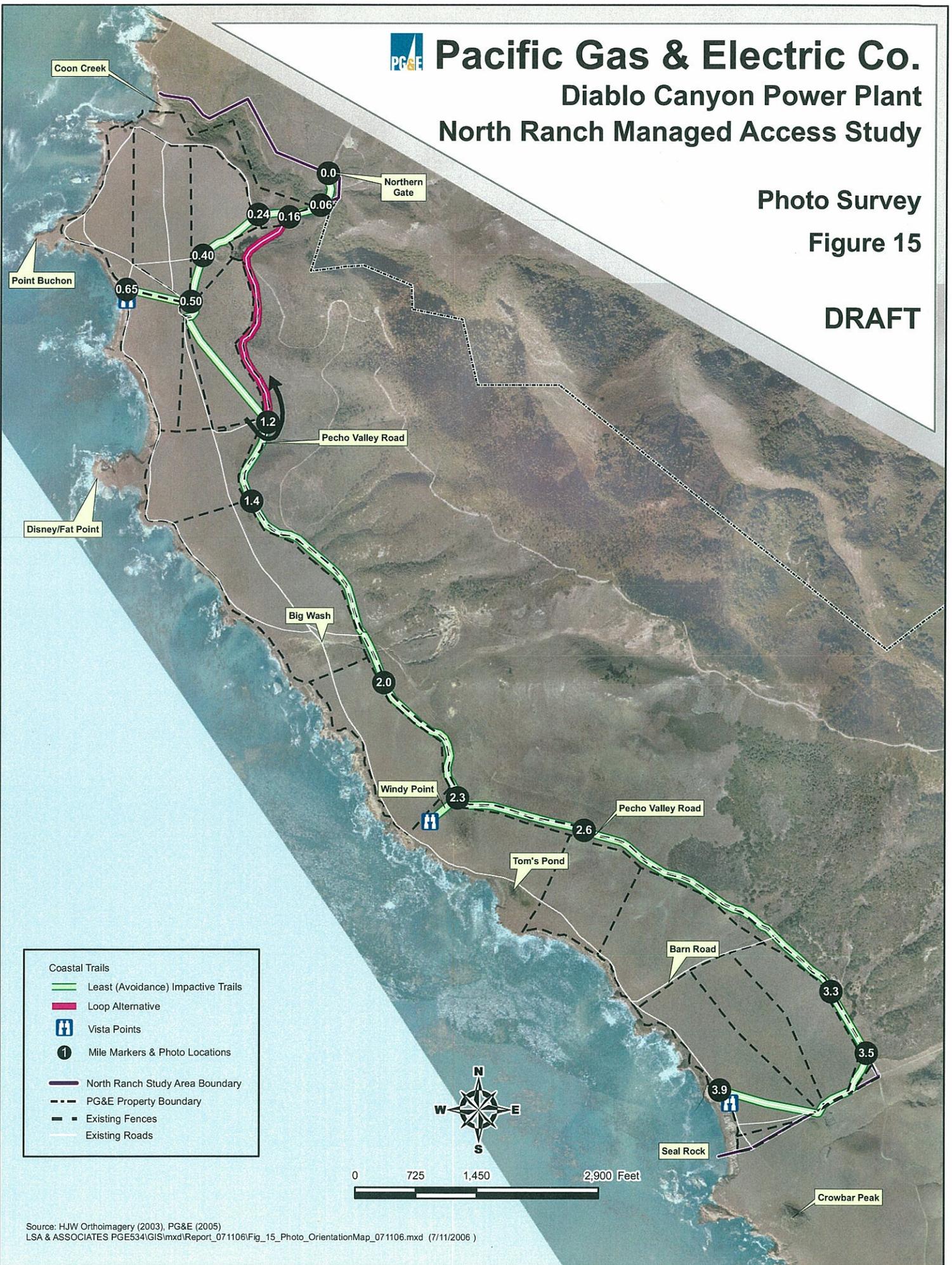
Pacific Gas & Electric Co.

Diablo Canyon Power Plant

North Ranch Managed Access Study

Photo Survey
Figure 15

DRAFT



Coastal Trails

- Least (Avoidance) Impactive Trails
- Loop Alternative
- Vista Points
- Mile Markers & Photo Locations
- North Ranch Study Area Boundary
- PG&E Property Boundary
- Existing Fences
- Existing Roads



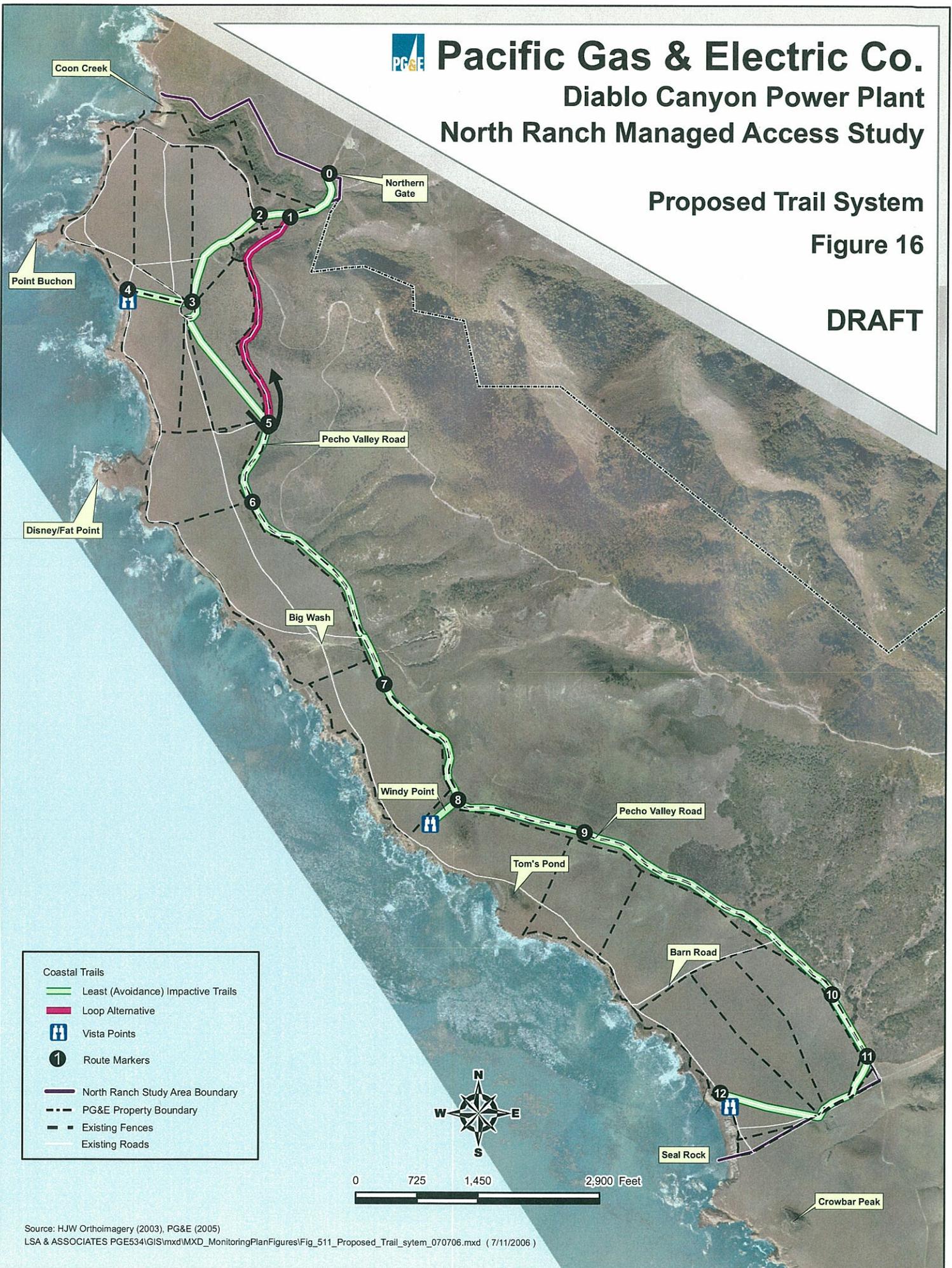
Pacific Gas & Electric Co.

Diablo Canyon Power Plant North Ranch Managed Access Study

Proposed Trail System

Figure 16

DRAFT



- Coastal Trails**
- Least (Avoidance) Impactive Trails
 - Loop Alternative
 - 11 Vista Points
 - 1 Route Markers
 - North Ranch Study Area Boundary
 - PG&E Property Boundary
 - Existing Fences
 - Existing Roads





A. South view from Parking/Staging Area to Security gate. (mile 0.0)



B. North view from Parking/Staging Area.



C. Upstream view of Coon Creek from bridge at mile 0.6.



D. Southwest view at mile 0.16.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

Figure 18



E. Southwest view at mile 0.24.



F. West view at mile 0.4.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

Figure 19



G. South view at mile 0.5.



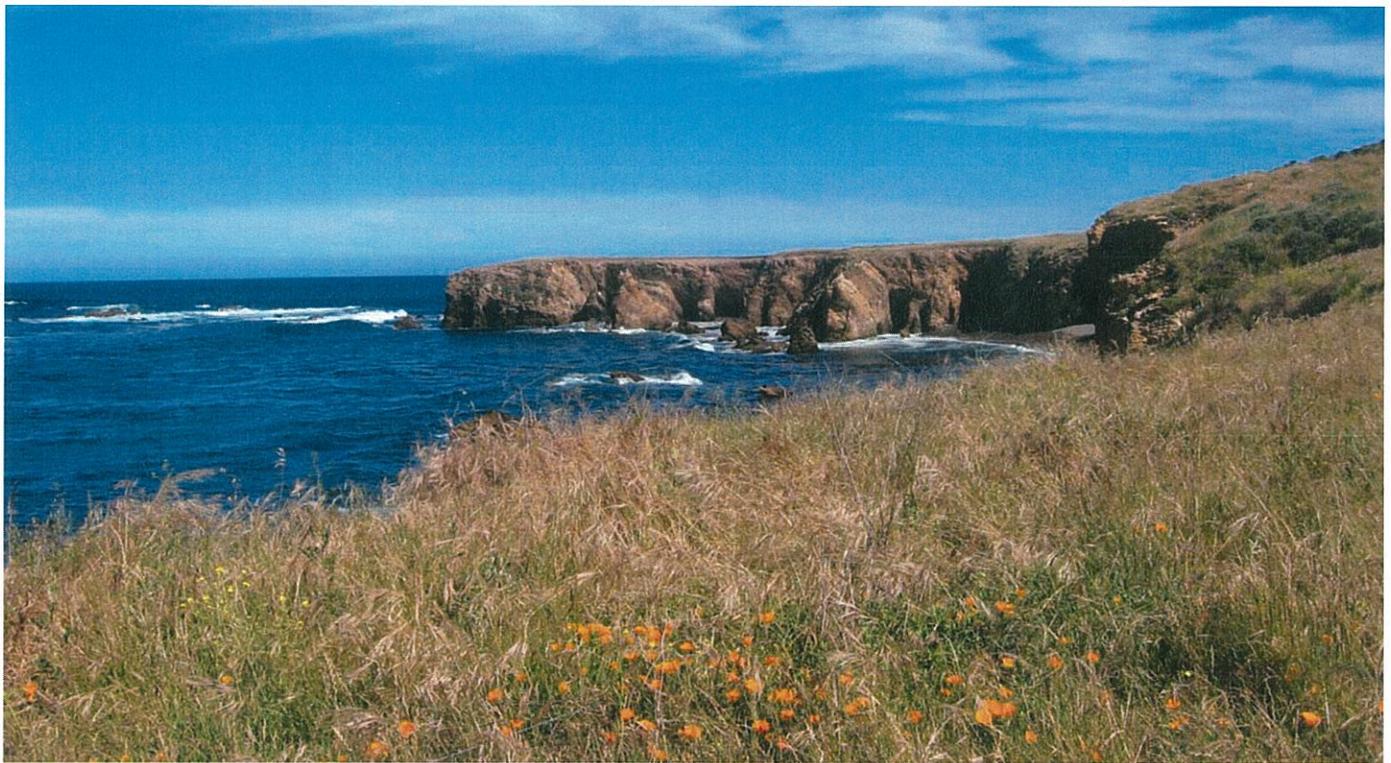
H. North view at mile 0.5.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

Figure 20



I. South view at mile 0.65.



J. North view at mile 0.65.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

Figure 21



L. West view at mile 1.2.



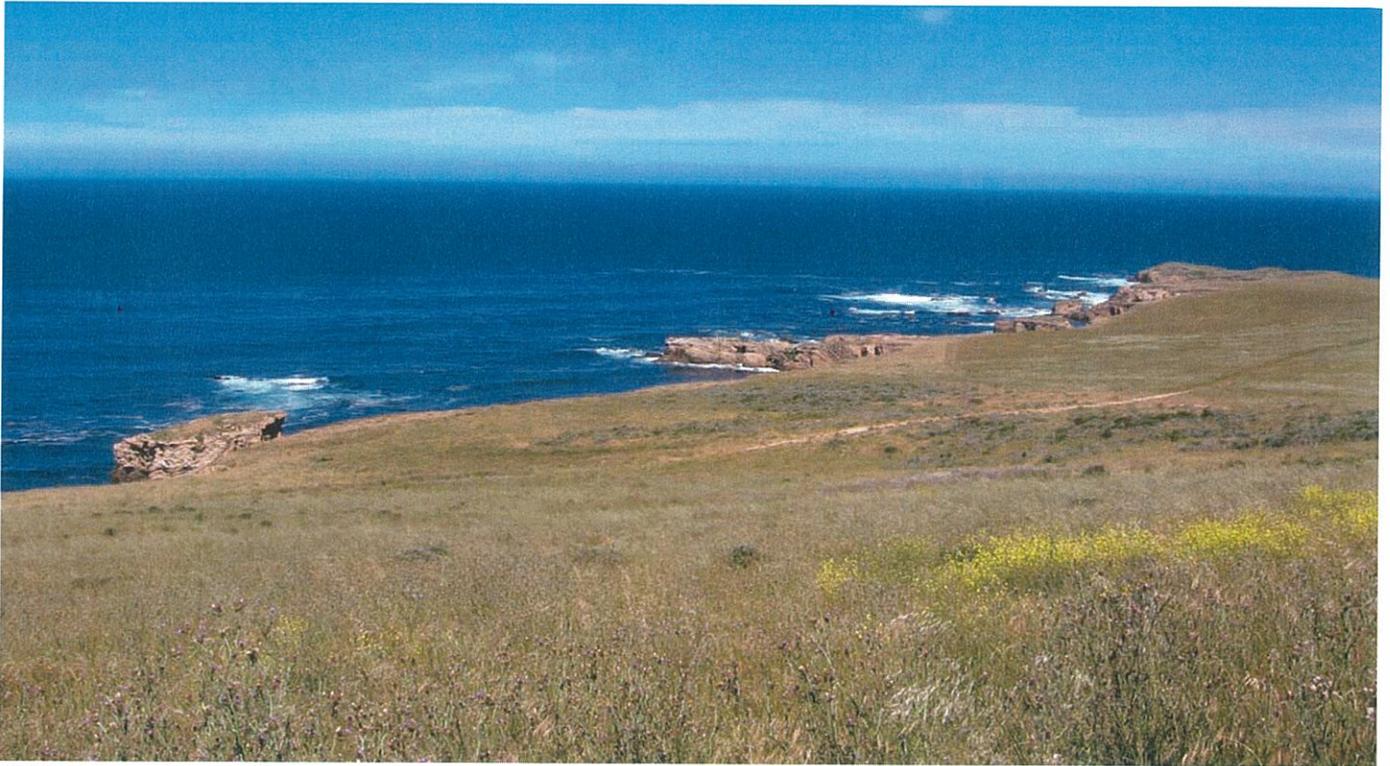
M. West view at mile 1.4.



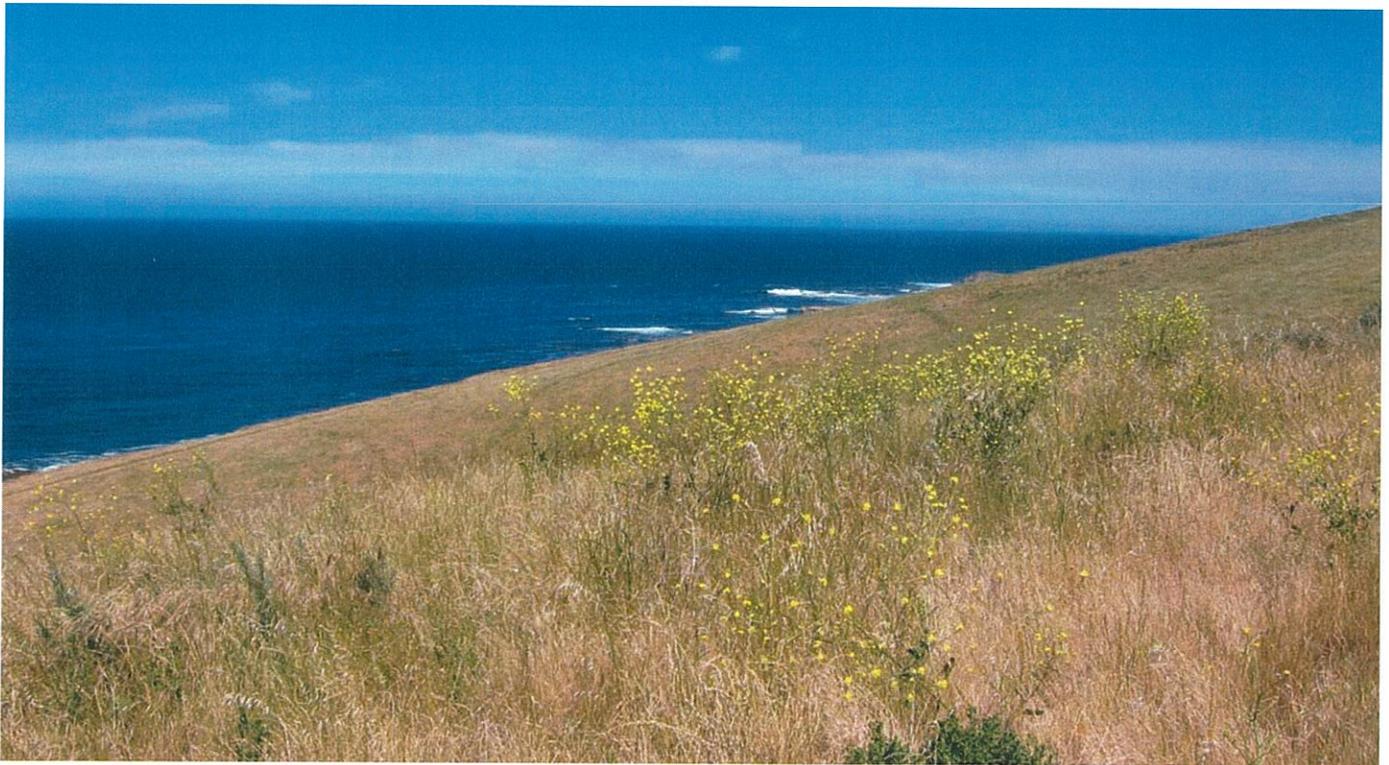
N. South view at mile 1.4.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

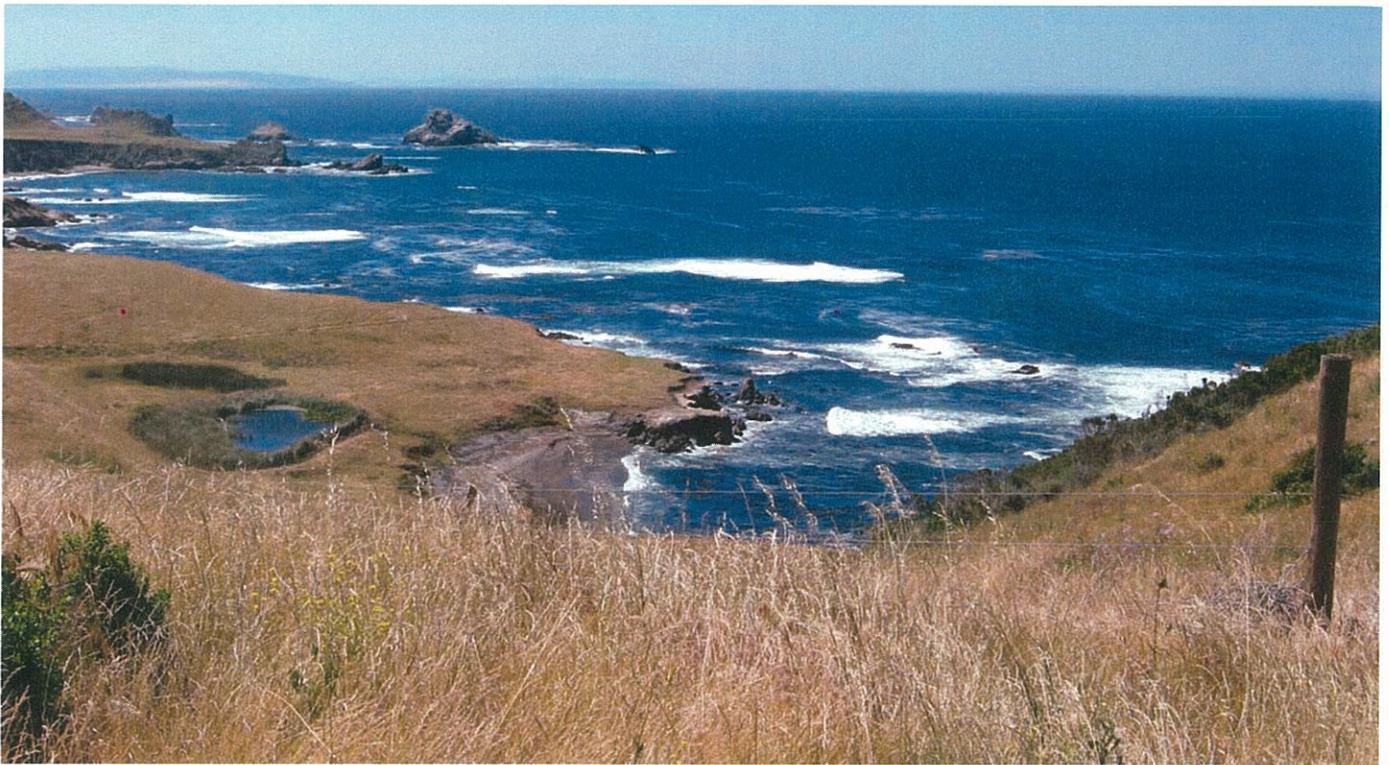
Figure 23



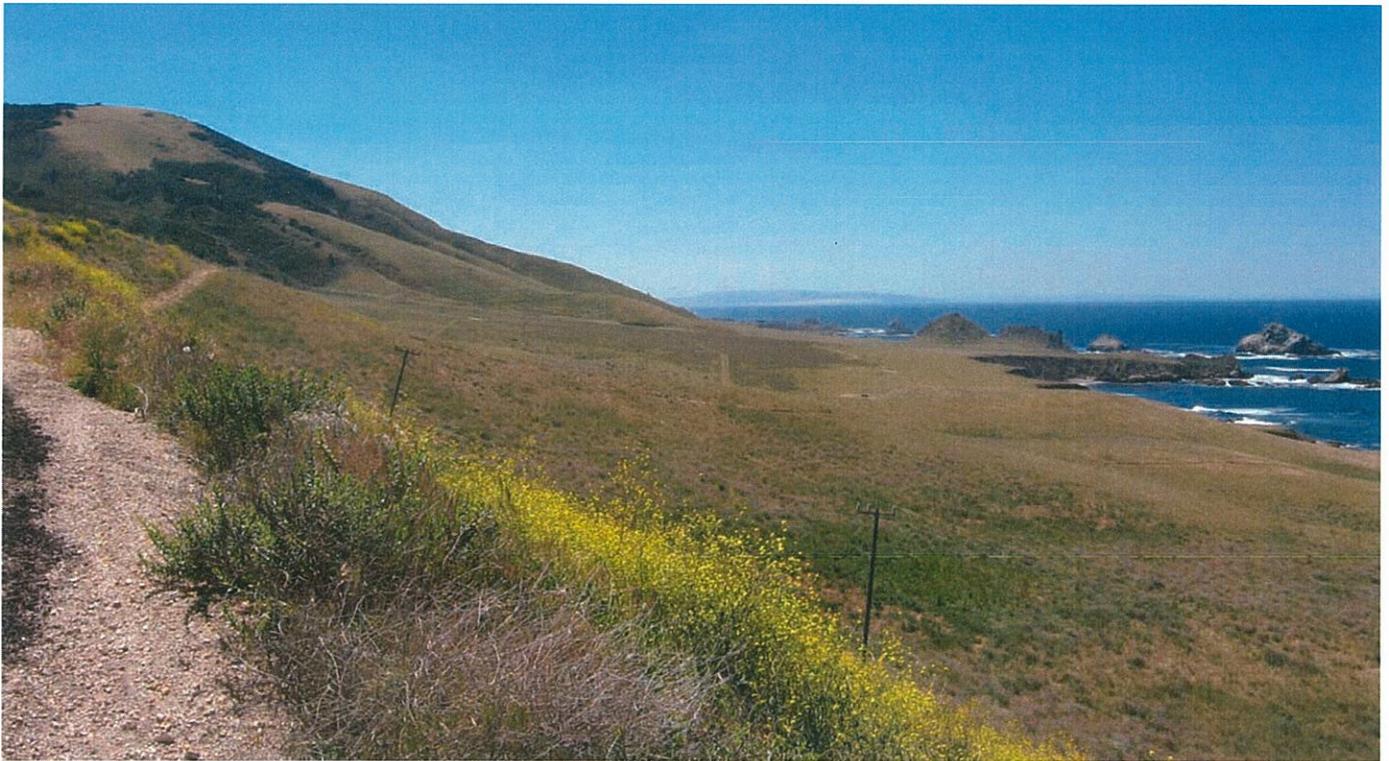
O. Northwest view at mile 2.0.



P. North view at mile 2.3.



Q. South view at mile 2.3.



R. North view at mile 2.6.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

Figure 25



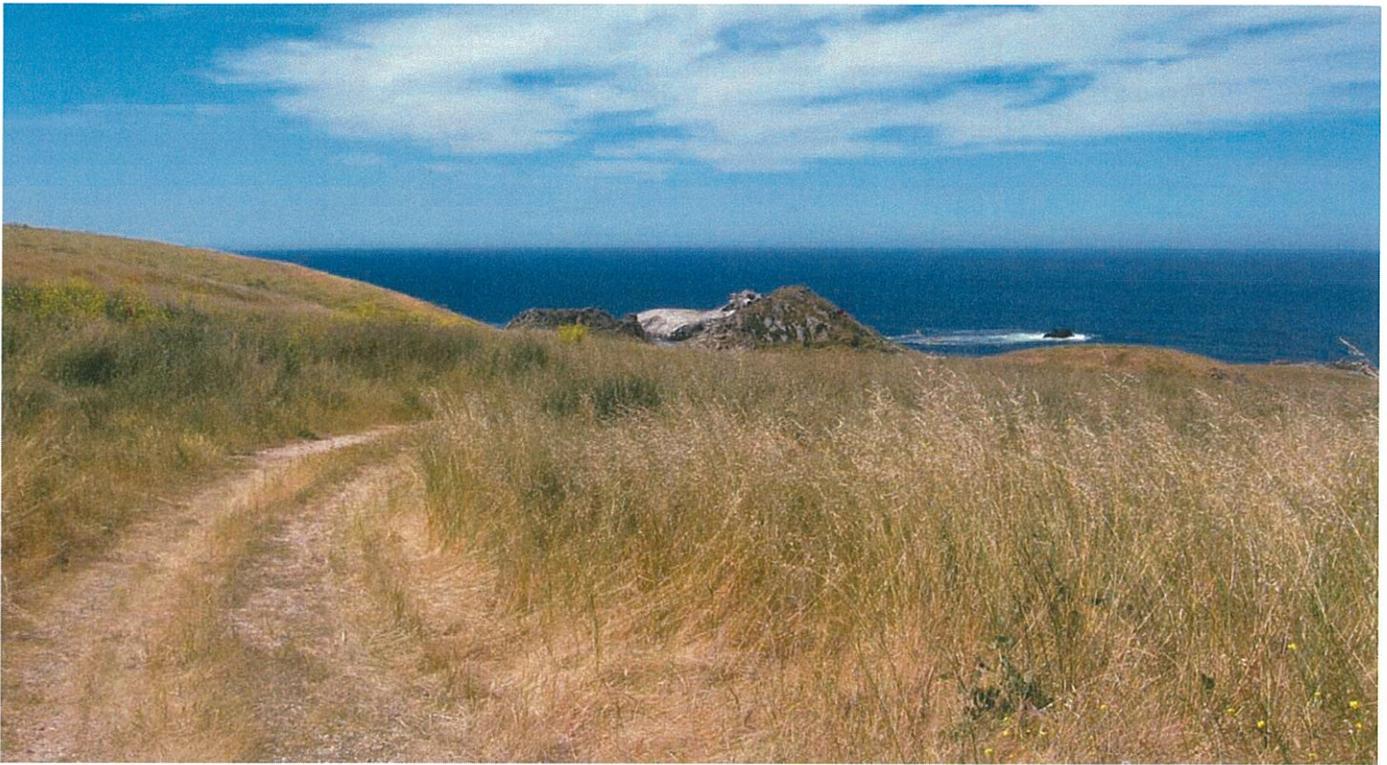
S. Southwest view at mile 3.3.



T. South view at mile 3.5.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

Figure 26



U. Southwest view at mile 3.5.



V. North view at mile 3.9.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

Figure 27



W. Southwest view at mile 3.9.

 **Pacific Gas & Electric Co.**
Diablo Canyon Power Plant
North Ranch Managed Access Study

Figure 28

The total distance for the loop option is approximately 2 miles. This option represents a leisurely walk that can accommodate most hikers. The availability of a shorter option has proven successful within the Pecho Coast Trail program, located at the south end of the DCPD property. Although the total Pecho Coast Trail round-trip is approximately 6 miles (i.e., from the staging area to Rattlesnake Canyon and back), approximately 85 percent of the trail users walk to the lighthouse and return to the staging area for a total hike of approximately 3 miles.

MM 1.4: Hikers begin to gain elevation at a gentle rate as they continue south along the Pecho Valley Road. This vista provides wide, sweeping views to the south, west, and north of the Pacific Ocean and coastal terrace.

MM 2.00: Hikers experience an undulating trail, but primarily gaining elevation at a steady rate as they continue south along Pecho Valley Road.

MM 2.30: Hikers experience a steeper grade as they approach Windy Point. Windy Point is one of the most significant topographic features in the Study Area. It provides dramatic, wide panoramic views of the entire coast in the mid- and long-range distance and the coastal terrace in the short-range distance. Windy Point provides an excellent rest area for the trail user.

MM 2.60: Hikers will descend down from Windy Point as they continue south on Pecho Valley Road. The coastal terrace slopes in a gentle to moderate degree from the road to the bluff edge.

MM 3.30: Hikers are able to view drainages and watersheds, with stands of oaks and bishop pines in the short- to mid-range distances to the east.

MM 3.50: At this point, the hikers reach the mouth of Crowbar Canyon, the southern extent of the North Ranch Managed Access Study Area. Hikers turn west and continue along a ranch road to the bluff edge.

MM: 3.90: Hikers reach the bluff edge and enjoy short-, mid-, and long-range views of the coastline and intertidal habitat to the south and north, the Pacific Ocean to the west, and the coastal terrace, Crowbar Canyon, and Irish Hills to the west.

Hikers retrace their steps to Pecho Valley Road and remain on this road back to MM 0.00. The potential distance of an entire round-trip on the trail would range from approximately 6 to 8 miles, which includes several inclines. Pedestrian hikers could cover this distance in approximately 4 to 7 hours.

VI. STUDY AREA EXISTING CONDITIONS

A. HISTORIC USE

1. Setting³

The Study Area is owned by Pacific Gas and Electric Company (PG&E), and stretches approximately four miles from Crowbar Canyon in the south to Coon Creek at the southern border of Montana de Oro State Park. North Ranch is bounded on the west by coastal bluffs overlooking the Pacific Ocean and on the east by steep hills rising to more than 1,500 feet above sea level. The North Ranch encompasses 3,358 acres of land consisting of open grassland, willow riparian scrub, coastal sage scrub, chaparral, oak woodland, coastal bluff scrub, and close-cone pine forest vegetation. Wetland and riparian habitats are found along Coon Creek and, to a lesser degree, in association with several developed and natural springs throughout the property.⁴

Archaeological sites occurring throughout the North Ranch attest to human presence on the land for greater than 9,000 years. Wooded canyons, fertile headlands, and lush shoreline tide pools have provided dependable sustenance for human populations (Chumash Indians; Spanish and Mexican missionaries and soldiers; and modern-day farmers, ranchers, and commercial fisherman).

Current land use and resource interactions within the Study Area are associated with ranching and power plant operations. While farming and ranching are historical land uses along the North Ranch coastline, the introduction of managed public access as a result of this Access Plan will represent a new land use in an area that includes some of the most secluded and undisturbed natural areas in central California. All PG&E lands surrounding DCPP are currently managed by the Diablo Canyon Land Stewardship Program, which operates under the following objectives:⁵

- Identification, management, and protection of natural and cultural resources;
- Conservation of biological diversity;
- Proper care in the management of agricultural crops and livestock production;
- Development of managed access programs to promote environmental education, encourage greater appreciation and understanding for natural and cultural resources, and strengthen community relations; and,
- Continued commitment to operate the DCPP in a safe, reliable, and environmentally sensitive manner.

³ Land Conservancy of San Luis Obispo County. *Draft Easement Documentation Report: Field Ranch*. February 19, 2003.

⁴ Pacific Gas and Electric Company, Technical and Ecological Services. *Diablo Canyon Land Stewardship Program: Pecho Ranch Grazing Capacity Report 1991*. July 13, 1992.

⁵ Pacific Gas and Electric Company. *Diablo Canyon Land Stewardship Program*. 1993.

2. Pre-History⁶

Archaeological evidence suggests that Native American use of this central coast region began during the late Pleistocene, as early as 9000 BC. A scant but growing body of evidence from this earliest period of occupation includes two fluted projectile points: one is a basal fragment discovered near Santa Margarita (Gibson 1995), and one is a complete point found near Nipomo (Mills et al. 2005). More conclusive evidence of human occupation has been found at a few coastal sites dating to the early Holocene, prior to 6500 BC, including four deep shell middens dating from 7000–8000 BC. The paucity of sites and materials from this time, termed the Paleo-coastal Period by Moratto (1984), suggests that population density was low and settlements were impermanent. People used relatively simple technology to procure plant foods, shellfish, and a limited array of vertebrate species (Breschini and Haversat 1982; Greenwood 1972; Jones and Waugh 1993; Jones et al. 1994; King 1990).

Well-developed shell middens, numerous milling implements, and fishing tools provide the evidence for more intensive and settled human occupation after 6500 BC. Although the period is best defined by the predominance of handstones and milling slabs, indicating a reliance on hard seeds and other plant foods, flaked stone tools include leaf-shaped bifaces, oval bifacial knives, choppers, and scrapers. Hammerstones, fishing equipment (grooved net sinkers and bipointed gorges), and *Olivella* beads are also included in the artifact assemblage.

Cultural changes after 3500 BC are thought to be a response to environmental shifts, rising sea levels, and an increase in population. Diagnostic artifacts of this period include large side-notched, square-stem, and contracting-stem projectile points as well as *Olivella* beads. Although milling slabs and handstones continued as the primary plant processing tools, mortars and pestles were added to the artifact inventory, probably indicating systematic use of acorns (Glassow and Wilcoxon 1988). In response to climatic changes, local residential sites appear more settled but not permanent, with an increase in logistical organization of economic activities (Jones et al. 1994). The greater diversity of site types during this period reflects an increasing number of short-term stays near labor-intensive resources. Trade and exchange also increased in importance as population mobility decreased, evidenced by exotic shell beads and obsidian materials in midden deposits (Jones et al. 1994).

Prehistoric technology and economy became markedly more complex after 600 BC. The artifact assemblage contains shell fishhooks and other fishing gear, saucer-type *Olivella* beads, and contracting-stem projectile points. The use of handstones and milling slabs continued during this period, but pestles and mortars occur in greater proportions (Jones and Waugh 1995). After AD 500, the bow and arrow was adopted and the *tomol*, or plank canoe, was developed on the coast (King 1990). Along the Santa Barbara Channel, the *tomol* became the basis of an extensive maritime fishing industry and helped link the mainland to the Channel Islands; it is unclear, however, to what extent the *tomol* was used north of Point Conception, although local residents used tule balsas and dugouts.

Subsistence practices during late prehistory emphasized fish and acorns, with greater use of seasonal resources and the first attempts at food storage (Glassow and Wilcoxon 1988; King 1990).

⁶ Greenwood, Roberta S. *9,000 Years of Prehistory at Diablo Canyon, San Luis Obispo County, California*, San Luis Obispo County Archaeological Society Occasional Paper No. 7, San Luis Obispo, California.

Continuation of trade relationships is evident in the increased number and diversity of obsidian items and beads associated with this period. Settlement practices were similar to those of the prior period. Sites were occupied on an extensive basis but not as permanent settlements. These residential bases functioned in conjunction with smaller short-term occupations at specialized resource processing areas.

The period after AD 1000 was a time of emergent political complexity, development of social ranking, and the rapid development of craft specialization along the Santa Barbara Channel. Similar evidence is lacking, however, in San Luis Obispo County. In this area settlement appears to have shifted away from the coast, perhaps reflecting adaptations to warmer temperatures and changes in available resources on the coast (Jones et al. 1994). Artifact assemblages contain a mixture of earlier artifact types such as stemmed projectile points, milling slabs, handstones, bowl mortars, and *Olivella* beads. Moreover, the absence of imported obsidian after AD 1000 suggests a change in trade relationships that is likely associated with the shift in settlement patterns (Jones et al. 1994). Native populations in San Luis Obispo County may have decreased during this time as villages became temporary hunting camps and native inhabitants increasingly relied on terrestrial mammals for subsistence.

No subsurface investigations have occurred in the North Ranch project area, but in the late 1960s, prior to the construction of the DCP, Roberta Greenwood excavated six sites: CA-SLO-2, -51, -52, -61, -584, and -585 between Diablo Canyon Creek and Pecho Creek. These investigations produced a wealth of material remains, including flaked and ground stone tools, bone and shell artifacts, and deeply stratified shell midden deposits containing numerous human remains. CA-SLO-2 produced radiocarbon dates indicating that occupation began more than 9000 years ago (Greenwood 1972). In addition, the upper levels of the site yielded several types of small triangular and lanceolate projectile points typically associated with late prehistoric and historic Chumash groups. CA-SLO-2 contains ample evidence that the occupants of this site were fishermen, but the level of technology suggests that fishing was limited to the immediate seashore and apparently represented an important but not central part of the subsistence strategy (Greenwood 1972).

More recently, Gary Breschini and Trudy Haversat performed limited test excavations at CA-SLO-7 and -8, two smaller sites immediately north of CA-SLO-2 (Breschini and Haversat 1988). They concluded that CA-SLO-7 contained two occupational components, one representing Phase I of the Late Period and the second representing either Early or early Middle Period occupation. CA-SLO-8 appeared to be a single component site associated with Late Period Phase I. The Late Period components at both sites appeared to be from seasonally occupied fishing camps related to the village at CA-SLO-2, while the Early/Middle Period component at CA-SLO-7 was more difficult to interpret because of its very sparse assemblage. Both sites were judged to be significant historical resources according to CEQA criteria (Breschini and Haversat 1988). Additionally, the California Department of Parks and Recreation has sponsored a field school at CA-SLO-9 for the students of California State Polytechnic University in San Luis Obispo. The results of two seasons of excavation are not yet published, but a suite of radiocarbon dates indicates that the portion of the site investigated dates exclusively to the Late Period (Terry Jones pers. comm. 2005).⁷

⁷ Pacific Gas and Electric. North Ranch Managed Access: Comprehensive Baseline Inventory. July 2006.

Little information is known about the earliest inhabitants of the historic Pecho Coast, which includes the coastline abutting the North Ranch. As a result of excavations at an archeological site immediately north of Diablo Canyon, it is believed that a group of hunters and gatherers entered the region prior to 7000 BC. Archeological records indicate that by 6500 BC the milling stone was introduced to the area, possibly by early Californian desert inhabitants, making the processing of new food sources possible. Cultural diversification and economic specialization intensified on the coast after 3000 BC, bringing new fishing and marine mammal hunting techniques to the early coastal inhabitants. Around 500 AD, the Chumash Indians were living in large villages with dense populations along the central coast of California. The Pecho Coast is located in the territory of the Obispeño, the northernmost Chumash group, who occupied the area for approximately 500 years.

3. Land Ownership⁸

In 1542, Juan Rodriquez Cabrillo, an explorer sailing under the Spanish flag, claimed much of the California coast for the King of Spain. In 1821, Mexico gained independence from Spain and ownership of upper and lower California. To encourage the colonization and development of California, Mexico would issue land grants to applicants of Mexican decent and members of the Catholic Church. Petitions for land grants were more favorably considered if the applicant was married to a Mexican; thus, individuals from other countries who applied for Mexican land grants had to become Mexican citizens, convert to Catholicism, and marry a Mexican partner. In 1845, Captain John Wilson and his wife, Ramona Carrillo de Wilson, acquired the largest Mexican land grant in San Luis Obispo County. This was the Canada de Los Osos y Pecho y Islay land grant, which consisted of over 32,400 acres, including the North Ranch (then known as the Pecho Ranch). Captain Wilson remained the owner of the Canada de Los Osos y Pecho y Islay through California statehood until his death in 1861. As a result of his unusually elaborate will and subsequent litigation, title to his land was transferred to different relatives and, parcel by parcel, to new owners. In 1882, the Pecho Ranch was purchased by financial interests from San Francisco.

In 1892, Alden Spooner leased 6,500 acres of the Pecho Ranch to raise cattle and horses and to develop a milk and cheese dairy. In 1902, Spooner purchased the land that he had previously been leasing. Following Alden Spooner's death in 1920, his heirs incorporated the land under the Pecho Ranch and Stock Company, eventually increasing its holdings to approximately 9,000 acres of land. In 1942, O.C. Field and his wife Ruby Hale Field purchased the property. In 1952, the northern half of the property was sold by the Fields to Rancho Montana de Oro, Incorporated. In the early 1960s, Rancho Montana de Oro went into bankruptcy, and in 1965 sold 4,500 acres to the State of California, forming what is now Montana de Oro State Park.

In the early 1980s DCPD and surrounding lands were infiltrated by thousands of protesters opposing the beginning of the DCPD's commercial operation. Many of these demonstrators entered through the Field Ranch property. After the plant began commercial operations in 1985, PG&E decided to purchase the remaining Field property to provide a buffer that would ensure public safety and plant security.⁹ The Field property north of DCPD was acquired by PG&E in 1986 from the Field family's heirs.

⁸ Pacific Gas and Electric Company. *Diablo Canyon Land Stewardship Program: Toward Conserving Biological Diversity*. 1993.

⁹ Todaro, Ronald. Personal Communications. March 2006.

PG&E continues to encourage managed livestock grazing on the North Ranch under a license agreement. PG&E's Land Stewardship Committee, in cooperation with licensee rancher Bob Blanchard, has implemented a managed grazing system to protect the land and promote rangeland health.

B. TOPOGRAPHY/SOILS/ASPECT¹⁰

The primary importance of geology and soils information as a component of the environmental baseline is to inform planning and monitoring functions regarding the potential for erosion issues. Erosion (coastal bluff erosion or sheet erosion across the marine terrace) could affect human safety as well as natural and cultural resource values in the project area. A secondary interpretive value is recognized, providing information on the geologic origin of coastal rock formations and landforms for the enjoyment of the public.

The Preliminary Environmental Baseline contains several references relevant to this theme, with each theme containing data specific to the North Ranch (Vol. 2: Folder 6; Erickson 1990, PG&E 1991, Schwalbach 1992. Vol. 2: Folder 7; Dames and Moore 1975, Belknap 2003).

Based on existing information, the topography slopes gently from east to west except for the general vicinity of Windy Point where the slope increases considerably and the width of the marine terrace narrows. Immediately east of the project area in the Irish Hills, the predominant soil type is the Lopez very shaly clay loam, on slopes of 30 to 75 percent. This soil formed in residual material weathered from hard shale. In contrast, there are two predominant soils within the project area: Santa Lucia very shaly clay loam, and Still gravely sandy clay loam. These soils typically lie on slopes of 5 to 9 percent but locally (e.g., the Windy Point area) may increase to 30 to 50 percent. They formed in residual material weathered from sandstone or shale and within the project area are associated with the Monterey formation.

The Monterey formation leads to the development of loose, very coarse-textured soils of low to moderate fertility and water-holding capacity. With the exception of a narrow band of coastal bluff scrub vegetation and occasional intrusions of coastal sage scrub (e.g., on Windy Point and Big Slide) these soils are predominantly occupied by grassland vegetation. The stratigraphy of the Monterey formation has been described in detail from field studies conducted at Point Buchon, located within the project area on the coast south of Coon Creek (Vol. 2: Folder 6; Schwalbach 1992).

No ultramafic rocks (e.g., serpentine) are found within the project area (Kruckeberg 1984).

C. NATURAL RESOURCES

The natural resources of the North Ranch can be categorized within several broad areas: topography and soils, streams and watersheds, fish and wildlife, and vegetation. Much of the land is considered wildlands and closely resembles other undisturbed areas of the central coast. A coastal terrace varying

¹⁰ Pacific Gas and Electric. North Ranch Managed Access: Comprehensive Baseline Inventory. July 2006.

one-eighth to one-half mile in width gives way to steeply sloping hills rising to an elevation of 1,200 feet above sea level within one mile of the ocean. There are abrupt headlands, offshore sea stacks, small pocket beaches, and submerged rocks and tidepools, creating a diversity of land and life forms.

Streams on the North Ranch are fed by springs and have intermittent surface flow, except for Coon Creek, which flows yearlong.

There are seven naturally occurring and widely distributed vegetation types throughout the North Ranch. Coastal sage scrub occurs primarily on the coastal terrace and lower slopes of the nearby coastal hills. Coastal bluff scrub occurs in a narrow band at the edge of the bluff cliffs. Chaparral is commonly found on rocky soils, ridge tops, and high ravines, inland from the coastal scrub. Grassland vegetation is found throughout the coastal terrace. Oak woodland is widely distributed throughout the property and is found largely on north and east-facing slopes and shaded ravines. Closed-cone pine forest occurs most extensively on the higher ridges. Riparian vegetation occurs along Coon Creek, the principal stream of the North Ranch.

A manmade freshwater marsh occurs on the North Ranch near Windy Point and derives its water from a nearby spring.

Vegetation types found on the North Ranch are rich in animal species diversity and provide habitat for numerous species of wildlife including several threatened, endangered, and protected species. Adjacent marine habitats support an even greater abundance of diversity of plant and animal species.

D. CULTURAL RESOURCES

A total of 22 archeological sites are located within the study area (due to site confidentiality, site locations will not be shown on maps, nor will any reference location be made for protection of these sensitive resources). Of these 22 sites, one site is historic, 13 are prehistoric, and 8 have both historic and prehistoric components present within the same boundary. Of particular import are two of the prehistoric sites. Two radiocarbon dates were taken at one of the prehistoric sites that appeared to have an older deposit. Dates of 3,300 and 5,000 years before present were returned from the submitted samples from the one site. Additionally, based on published sources, one of the archaeological sites within the Study Area may have been an ethnographic village, a village occupied by the Obispeño in more recent times. A significant portion of the Study Area, particularly the bluff edge and prominent headlands, appears to be eligible for inclusion into the existing on-site District, which is listed on the National Register of Historic Places.

E. AGRICULTURAL USE

Farming has been practiced along the Pecho Coast for more than 100 years.¹¹ Grain, beans, peas, flowers, sugar beets, and lettuce have been successfully grown along the flat to gently sloping marine terrace. At times, when demand for these commodities increased, cultivation spread to the steeper hillsides.

¹¹ Diablo Canyon Land Stewardship Program. Toward Conserving Biological Diversity. PG&E.

Cattle grazing has been practiced along the Pecho Coast for more than 100 years. The North Ranch is now used for livestock grazing under a PG&E-managed license. PG&E's Land Stewardship Committee oversees and monitors the HISD program of managed grazing that mimics the grazing behavior exhibited by wild, free ranging ungulate herds.¹²

F. GEOLOGY/SEA CAVES¹³

The North Ranch shoreline is mostly rock bordered by sheer vertical cliffs, with the offshore continental shelf dropping rapidly within a short distance of shore. The subtidal area is highly irregular, with many small washrocks throughout the rugged nearshore area. Because of the remote location and difficult access from land or sea, the tidal pool communities are relatively untouched. These rocky tidepool communities are richly carpeted with seaweeds and numerous animal species. This marine environment supports a diverse assemblage of algae, invertebrates, fish, and marine mammals.

As one aspect of the continuous process of coastal bluff erosion, coastal bluff caves (sea caves) can suddenly collapse, as occurred recently near the mouth of Coon Creek. A large sea cave occurs near Coon Creek and penetrates horizontally deep into the coastal bluff. The top of the cave suddenly collapsed, resulting in a sink-hole on the coastal terrace that was approximately 70 feet by 50 feet. The large hole drops vertically into the sea cave, which is still open to the ocean. Also, an arch rock near Disney Point that was crossed to access a Receiving Water Monitoring Program (RWMP) intertidal station collapsed, preventing further access to sample that station. Clearly, a coastal bluff trail routed over an arch rock or near a sea cave could be a potentially dangerous area of the trail.

Based on the lack of more complete information on sea caves in the study area, PG&E acquired additional information on the locations of sea caves from mapping surveys. Sea caves were considered as any indentation in the face of the shore cliff, headland, or bluff that appeared sufficiently large for a person to fit inside. Sea caves included arch rocks where a tunnel through the headland had been created from sea erosion. Except for the mapping of coastal bluff caves, no other field studies pertaining to geology or soil stability in the project area were performed in 2005.

Seventy-six sea caves were identified along the North Ranch coast. This included arch rocks. Some sea caves were likely not included in this survey because they were not revealed in the photos, due to being on hidden sides of headlands.

There were more sea caves along the northern than the southern half of the North Ranch coast. Although cave dimensions were not cataloged, sea caves were taller, wider, and deeper along the northern than the southern half of the North Ranch coast. Also, all arch rocks were along the northern half of the North Ranch coast, mainly at Point Buchon and Disney Point.

¹² Pacific Gas and Electric. North Ranch Managed Access: Preliminary Environmental Baseline. July 2006.

¹³ Ibid.

VII. TRAIL FEATURES/SPECIFICATIONS

A. APPROACH

The approach to trail development includes minimization of “built” features (if any) and maximum avoidance of direct impacts to sensitive resources. One of the greatest attributes of the North Ranch is its unspoiled natural beauty. Trail features have been designed to harmonize with these surroundings to the greatest extent feasible while ensuring safe public access in accordance with the spirit of SC-3.

B. ACCESS THROUGH STATE PARK

The North Ranch trailhead will be accessed from Pecho Valley Road, a paved road that connects to the community of Los Osos to Montana de Oro State Park. Pecho Valley Road currently operates at an acceptable level of service, accommodating all vehicles that travel to the State Park. No improvements to Pecho Valley Road are proposed as part of this access plan.

C. STAGING AREA AND PARKING

The staging area for the North Ranch Trail will be located near the Coon Creek trailhead on State Park property. An unimproved parking area currently exists at the trailhead with space for approximately 40 vehicles (refer to Figure 29). Improvements are needed in the parking area to accommodate up to 275 visitors per day, required by SC-3. Any parking lot or trailhead improvements will need to be consistent with the policies and programs identified in the Montana de Oro State Park General Plan.

D. ENTRY GATE

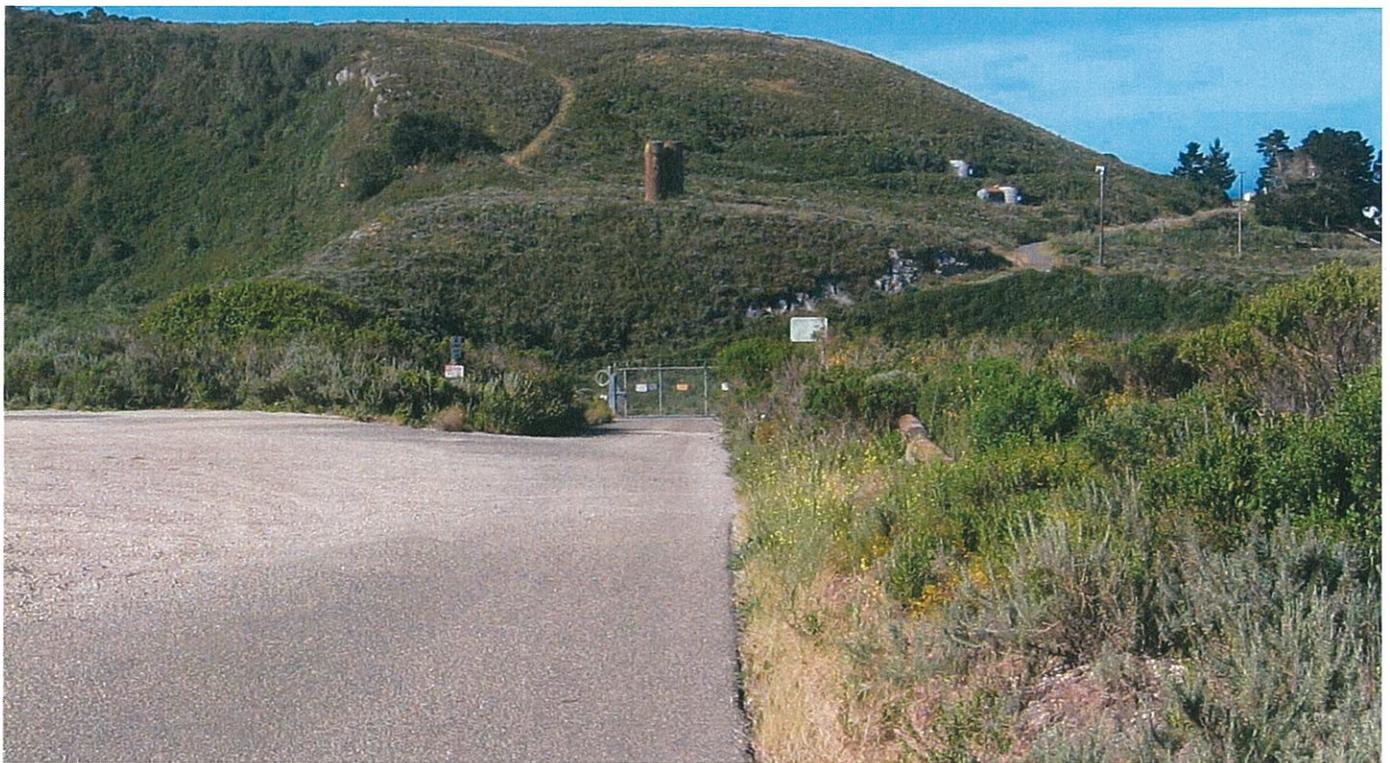
All North Ranch Trail users will enter PG&E property via the existing security gate south of the staging area (refer to Figure 29). Docents will be provided with the lock combination and will be responsible for opening and closing the gate behind users. Entry will be coordinated with the DCCP Security Watch Commander so that all persons entering North Ranch are accounted for, both for power plant security and emergency preparedness response purposes. No unauthorized vehicular or pedestrian access will be allowed. Emergency response personnel have the combination to this lock and will be available to access North Ranch, as necessary.

E. TRAIL/ROAD IMPROVEMENTS

The trail has been designed to take advantage of existing ranch roads to minimize or avoid erosion, protect sensitive species and habitats, preserve cultural resources, maintain public safety, and reduce conflicts with sustainable agriculture. In many instances, fences already along these roads will provide separation between the user and grazing livestock. No new fences are proposed.



X. View of existing State Park parking area.



Y. View of existing PG&E entry gate.

F. SIGNAGE

Trail signing is one of the most important parts of a trail system. There are two parts to the sign program: markers to indicate the location of the trail itself and directional signs (or route markers) that indicate the user's location on the trail and distance and direction to other points.

Uniform route markers will be erected at appropriate points along the entire length of the trail at periodic intervals to ensure that users are aware of which trail they are hiking and to provide good visibility. Installation of trail route markers will assist emergency response efforts by allowing users to accurately describe their exact location to emergency responders.

Regulatory, warning, information and interpretive signs will be erected along the trail where necessary to ensure the safety of users and to add to their enjoyment. Signs will be erected in accordance with the LCP policies identified in Section 23.04.420, summarized below:

- Accessway signs shall use white letters on a brown background;
- Identification signs shall contain the words "COASTAL ACCESS" in three-inch letters at the top of the sign, as well as the name of the accessway, if any, and indicate whether there are any hazards and/or rare or endangered species.
- No Trespass signs shall contain the words, "RESPECT PRIVATE PROPERTY-NO TRESPASSING"
- Hazard signs shall be located at the tops of bluff or cliffs.
- Parking Area signs shall be posted in a location visible from the public road with a sign that is between 2 and 4 square feet in area, stating: "PARKING FOR PUBLIC COASTAL ACCESS." Lettering shall be a minimum of two inches high and clearly legible.

In addition, property signs will contain the words, "YOU ARE NOW LEAVING STATE PARK PROPERTY AND ENTERING PRIVATE PROPERTY," when entering the North Ranch.

G. TRAIL MAPS

Trail maps serve multiple purposes, including providing location information to orient the users, warning users of potential on-site hazards, informing users of restricted access or "no trespass" areas, and educating users on what to do in emergency situations. All published trail maps will give basic information, distances, expected time of travel, and relative difficulty. Other useful information will include major landmark features, trail route markers, sanitary facilities, and special rules and regulations. Docents will provide maps to trail users at the start of the guided tour.

H. SANITARY FACILITIES

To reduce the potential for human waste in sensitive resource areas, designated sanitary facilities will be placed in two locations along the trail route. Sanitary facilities will consist of portable chemical toilets. No water will be available at these locations.

I. ACCESSIBILITY

To comply with the Americans with Disabilities Act of 1990, the Access Plan will, whenever feasible, incorporate the Final Report (1999) of the Regulatory Negotiation Committee on Accessibility Guidelines for Outdoor Developed Areas. This document lists the technical provisions for accessible trails, including surface specifications, trail dimensions, and signage. Four conditions will permit departures from the specific technical provisions: (1) Where compliance would cause substantial harm to cultural, historic, religious, or significant natural features or characteristics; (2) Where compliance would substantially alter the nature of the setting or the purpose of the facility, or portion of the facility; (3) Where compliance would require construction methods or materials that are prohibited by federal, State, or local regulations or statutes; or (4) Where compliance would not be feasible due to terrain or prevailing construction practices.

J. TRAIL AMENITIES

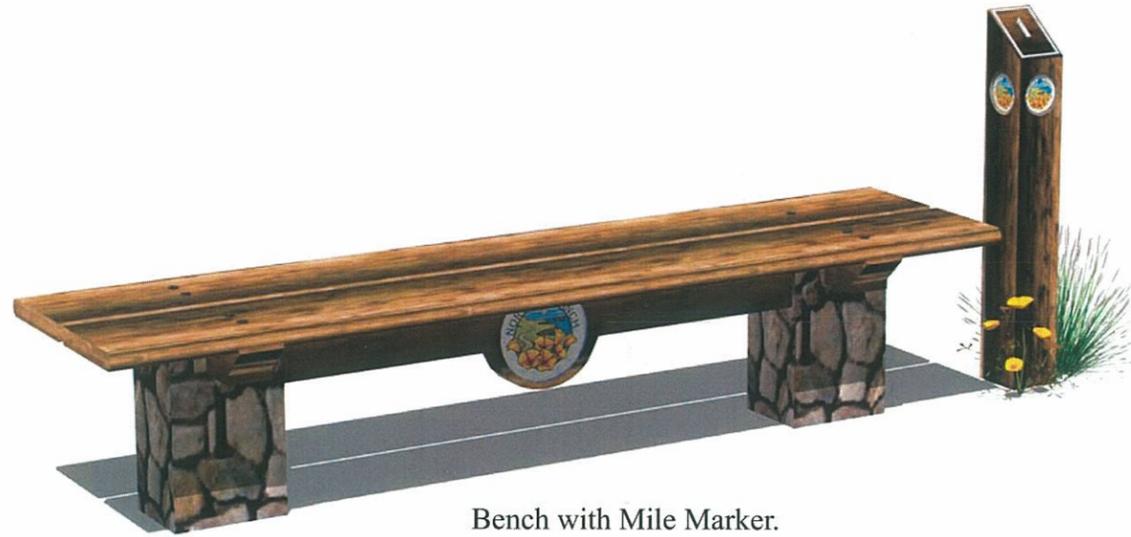
Simple wooden benches will be located at strategic intervals to provide North Ranch trail users a place to rest. Benches can be an invitation to sit and enjoy the sights, sounds, and smells of a particularly pleasing vista. Benches will be located to take advantage of scenic vistas and shade spots. Figure 30 shows a graphic representation of proposed trail amenities.



Conceptual Amenities

Figure 30

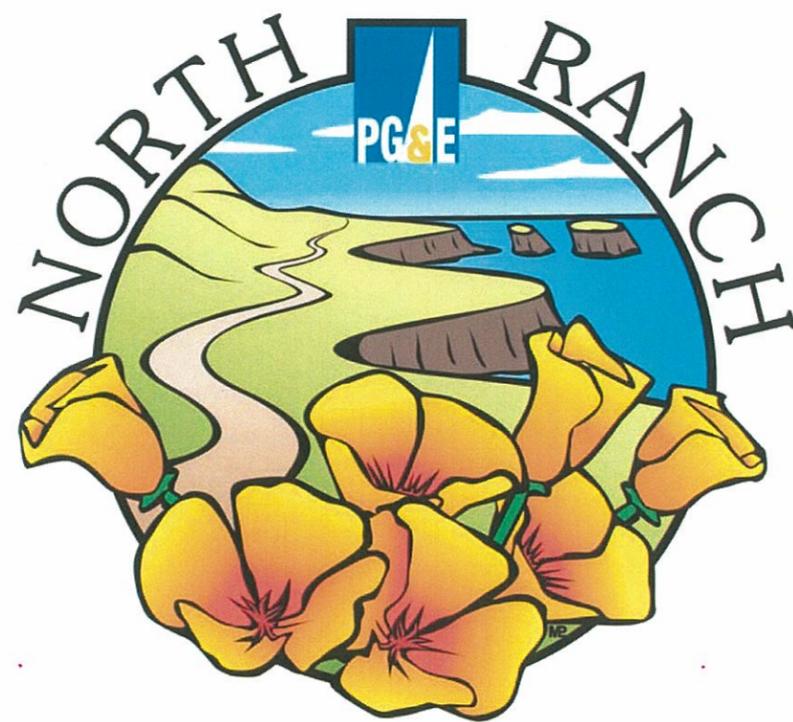
DRAFT



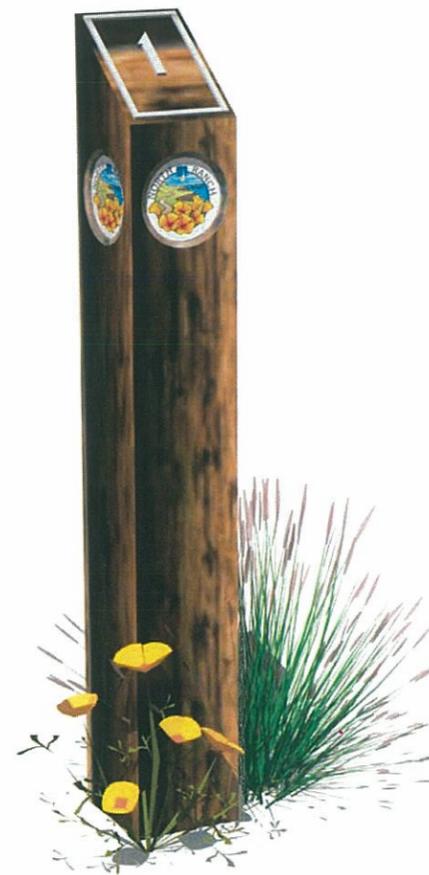
Bench with Mile Marker.



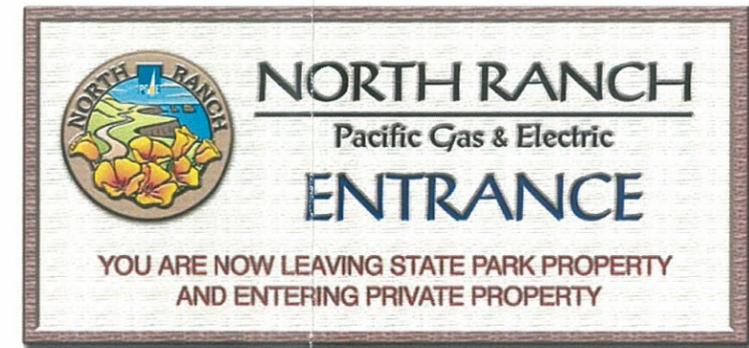
Bench Design.



Brand or Logo Design.



Mile Marker.



North Ranch Property "Entrance" Sign.



Accessway Signs

VIII. MANAGED ACCESS STAKEHOLDERS/PARTICIPANTS

The following paragraphs discuss the stakeholders and their roles in developing and managing the North Ranch Managed Access Plan.

A. CALIFORNIA COASTAL COMMISSION

PG&E's ISFSI project is located within the Coastal Zone and required a CDP from the County of San Luis Obispo (County). On April 20, 2004, the County approved a CDP for the ISFSI project. Several parties appealed, and on July 15, 2004, the California Coastal Commission (Commission) found that the appeals raised substantial issue with respect to the grounds on which they were filed and the Commission opened and continued a public hearing for the de novo portion of the appeal.

On December 8, 2004, the Commission approved CDP No. A-3-SLO-04-035 with conditions. The Commission's approval included a revised SC-3, which requires public recreational access to the North Ranch that is "managed to address security and safety needs and to avoid or minimize adverse impacts to sensitive habitats, environmentally sustainable agricultural operations, and other important natural coastal resources." The Commission is responsible for review and approval of the Managed Access Plan in accordance with the provisions of SC-3 and consistent with the requirements of the Local Coastal Plan (LCP) and the Coastal Act. The following LCP provisions and Coastal Act policies apply to public access and recreation within the Coastal Zone:

- *Section 23.04.420(4)(B): Accessways shall be a minimum width of five feet in urban areas and ten feet in rural areas.*
- *Section 23.04.420(4)(C): All new development shall provide a lateral access dedication of twenty-five feet of dry sandy beach available at all times of the year. Where topography limits the dry sandy beach to less than twenty-five feet, lateral access shall extend from the mean high tide to the toe of the bluff.*
- *Section 23.04.420(5)(C): Opening access for public use: no new coastal access required by this section shall be opened or otherwise made available for public use until a public agency or private association approved by the county agrees to accept responsibility for maintenance of the accessway and any liability resulting from public use of the accessway.*
- *Section 23.04.420(8): Coastal accessways required by this section or by planning area standards of the land use element shall be physically improved as provided by this subsection. The need for improvements to any accessway shall be considered as part of land use permit approval, and responsibility for constructing the improvement shall be borne by the developer or consenting public agency. After construction, maintenance and repair may be accomplished by a public agency or by a private entity approved by the applicable review body taking action on the project land use permit.*
- *Section 23.04.420(8)(A): Typical Improvements That May Be Required. The extent and type of improvements and support facilities that may be required may include but are not limited to*

drainage and erosion control measures, planting, surfacing, structures such as steps, stairways, handrails, barriers, fences or walls, benches, tables, lighting, parking spaces for the disabled, safety vehicles or general public use, as wells as structures such as restrooms or overlooks.

- *Section 23.04.420(8)(B): Type and Extent of Improvements – Required Findings. The improvements described in subsection (8)(A) of this section shall be required to an extent where such improvements:*
 - a. *Are necessary to either ensure reasonable public access, protect the health and safety of access users, ensure and provide for proper long-term maintenance of the accessway, or protect the privacy of adjacent residents;*
 - b. *Are adequate to accommodate the expected level and intensity of the public use that may occur;*
 - c. *Can be properly maintained by the approved maintenance entity;*
 - d. *Incorporate adequate measures to protect the privacy and property rights of adjoining property owners and residents.*
- *Section 23.04.420(9): Where required through land use permit or tentative subdivision map approval, signs installed in conjunction with accessways shall conform to the following standards*
 - *Section 23.04.420(9)(A): Sign Design. Accessway signs shall use white letters on a brown background. The number and dimensions of signs are to be determined through land use permit review*
 - *Section 23.04.420(9)(B): Identification Signs. Shall contain the words “COASTAL ACCESS” in three-inch letters at the top of the sign, as well as the name of the accessway, if any, and indicate if there are any hazards or rare or endangered species.*
 - *Section 23.04.420(9)(C): No Trespass Signs. Shall contain the words, “RESPECT PRIVATE PROPERTY- NO TRESPASSING”*
 - *Section 23.04.420(9)(D): Hazard Signs. Shall be located at the tops of bluff or cliffs.*
 - *Section 23.04.420(9)(E): Parking Area Signing. Each parking area shall be posted in a location visible from the public road with a sign that is between two and four square feet in area, stating: “PARKING FOR PUBLIC COASTAL ACCESS”. Lettering shall be a minimum of two inches high and clearly legible.*
- *Section 23.04.420(11): In reviewing a proposed accessway, the applicable review body shall consider the effects that a public accessway may have on adjoining land uses in the location and design of the accessway. When new development is proposed, it shall be located so as not to restrict access or to create possible privacy problems. Where feasible, the following general criteria shall be used in reviewing new access locations, or the location of new development where coastal access considerations are involved:*
 - *Section 23.04.420(11)(A): Access locations and routes should avoid agricultural areas, sensitive habitats and existing or proposed residential areas by locating near the edge of project sites;*
 - *Section 23.04.420(11)(B): The size and location of vertical accessways should be based upon the level and intensity of exiting and proposed access;*

- *Section 23.04.420(11)(C): Review of the accessway shall consider: safety hazards, adequate parking provisions, privacy needs of adjacent residences, adequate signing, and levels of improvements necessary to provide for access;*
- *Section 23.04.420(11)(D): Limiting access to pass and repass should be considered where there are nearby residences, where topographic constraints make the use of the beach dangerous, where there are habitat values that can be disturbed by active use.*

B. PACIFIC GAS AND ELECTRIC COMPANY

PG&E has owned the property known as the North Ranch since 1986 and continues to manage the land for livestock grazing operations and as a buffer for DCPD operations to ensure both the safety of the public and the security of plant operations. The NRC and NUREG-0654 ("Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants") require that PG&E provide for the safety and well-being of people in the DCPD "Owner-Controlled Area," or OCA, in the event of an emergency situation. For emergency planning purposes, the OCA is considered that property in and around the DCPD facility to which access is strictly controlled. To the south of DCPD, the OCA extends from the plant site to the Avila Gate. To the north the OCA has been defined as the area just to the north of the plant bounded by "Gate A." The North Ranch is located outside of PG&E's OCA.

This Managed Access Plan has been developed by PG&E to meet the intent of SC-3. PG&E's primary role regarding the plan includes ensuring that public safety and the security of DCPD are not compromised through increased access to the North Ranch, and that natural and cultural resources associated with these lands are protected, in keeping with established BMPs.

C. SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

The County is the local reviewing agency responsible for permitting activities within the unincorporated areas of San Luis Obispo. Any proposed trail improvements need to be consistent with the policies and programs identified in applicable County land use plans, including County Coastal Zone Land Use Ordinance (Title 23), the Agricultural and Open Space Element, and the San Luis Bay Coastal Area Plan.

D. SAN LUIS OBISPO COUNTY OFFICE OF EMERGENCY SERVICES

Because the North Ranch is located outside of PG&E's OCA, the responsibility for the protection of public health and safety in this area rests with the County Office of Emergency Services (County OES). NUREG-0654 required that in the event of an emergency at DCPD, plant staff make "Protective Action Recommendations" to the County OES based on the severity of the event, status of any radiological release, and wind direction. The County OES is then responsible for making "Protective Action Decisions," which may or may not involve sounding of the early warning system sirens. Additional actions may need to be taken by the County Sheriff to physically warn residents or others by car or helicopter if they are aware that there are people in remote areas (such as the North Ranch area).

E. CALIFORNIA STATE PARKS

PG&E's North Ranch property is immediately south of and adjacent to Montana de Oro State Park. Park policies including public access and recreation policies are documented in and guided by a general plan (Montana de Oro General Plan 1988). The general plan also directs the long-range development and management of the Park by defining broad policy

The access point for the North Ranch Trail will be located near the Coon Creek trailhead on State Park property. An unimproved parking area currently exists at the trailhead with space for approximately 40 vehicles. Improvements would need to be made to the parking area in order to accommodate up to 275 visitors per day required by SC-3. Any parking lot or trailhead improvements would need to be consistent with the policies and programs identified in the Montana de Oro General Plan as summarized below:

Land Use Objectives:

1. *Preserve the integrity and natural beauty of the park's landscape.*
2. *Continue to provide opportunities for diverse recreational uses of low to moderate intensity.*
3. *Minimize environmental damage caused by recreation use and development.*
4. *Solve operational problems and resource damage related to uncontrolled vehicle access to the park and illegal off-highway vehicle use.*
5. *Upgrade the quality of existing recreation use areas and solve physical problems in these areas.*
6. *Increase overnight camping and day-use picnicking to accommodate increasing demand.*
7. *Link Montana de Oro with the State Coastal Trail*
8. *Interpret the site's significant cultural and natural resources.*
9. *Monitor recreation use and periodically reassess the ability of the resources to absorb the use they are receiving, and adjust use as necessary to adequately protect resource values.*

General Land Use:

To preserve the integrity and beauty of the landscape and the park's quiet primitive character:

- *Maximize open space.*
 - e. *Allow no new development on the coastal terraces.*
 - f. *Leave existing primitive roadless area, upper canyons, peaks, and ridges undisturbed.*
 - g. *Whenever possible, locate new development adjacent to existing development or along margins of scenic or open areas where existing vegetation, landforms, or screening will minimize visual impacts.*
- *Emphasize recreation uses that are compatible with natural values (generally low density, nonintensive, low noise, and low technology) such as horseback riding and hiking, camping, picnicking, natural and cultural interpretation, sunning, surfing, and skin/scuba diving.*

To encourage alternative modes of circulation to and within the park:

- *Encourage local government agencies to plan and implement hiking, bicycle, and equestrian trail systems connecting to the park.*
- *Develop new park trails where necessary to connect park use areas.*
- *Enhance visitor use of trails by proper trail maintenance, the use of sand ladders or elevated boardwalks in sensitive dune areas, or special construction where appropriate; making trails accessible for the disabled where feasible; and separation of conflicting trail use by designating hiking, riding, and biking trails.*
- *Provide a connection for the State Coastal Trail through the park.*

Trail Recommendations:

- *Improve the existing trail system and develop additional hiking and equestrian trails (consider trails to lands south of the park if public access becomes available).*
- *Develop a continuous coastal trail through the park for future connection with the State Coastal Trail Corridor.*

Direct secondary acquisition efforts to expansion for recreation development or other purposes, the department should:

- *Obtain a trail right-of-way easement extending from the park to Port San Luis across PG&E lands to complete a necessary link in the proposed California Coastal Trail.*
- *Obtain loop trail right-of-way/access rights easements across portions of the Field Ranch from PG&E to extend long-distance and coastal hiking opportunities from the park.*
- *Acquire any remaining Field Ranch properties (not required for safety/security of the nuclear power plan or for intensive agricultural use) to provide additional nonintensive recreational uses, such as long-distance hiking and back-country camping, and to protect resource values.*

F. CENTRAL COAST REGIONAL WATER RESOURCES CONTROL BOARD

The Central Coast Regional Water Quality Control Board (RWQCB) is the agency responsible for maintaining and improving water quality in the central coast portion of California from southern San Mateo County to Santa Barbara County. Under this jurisdiction, the RWQCB is responsible for using the Clean Water Act National Pollution Discharge Elimination System (NPDES) permit for DCP's cooling water system and other discharges. The facility is authorized under this permit to take in and discharge up to 2.7 billion gallons of sea water per day. PG&E has performed ongoing studies to monitor for any changes to the marine environment in the vicinity of DCP that might arise from the thermal discharge, and it prepared a comprehensive thermal assessment in 1997. Additionally, as required under section 316(b) of the Clean Water Act, PG&E has performed a detailed assessment of DCP's cooling water intake structure, including the effects of the intake structure's entrainment (larvae, eggs, and other small organisms pulled through the cooling system) and impingement mortality (larger organisms caught on the traveling screens).

Although the thermal discharge has never exceeded the permit's numeric temperature standard, the RWQCB staff alleged in early 2000 that the discharge violates the permit's narrative standards related to the thermal discharge, namely, that the discharge be protective of beneficial water uses in the area, including marine habitat. PG&E denied these allegations and defended against the action. A tentative settlement reached in 2000 resolved all issues associated with the cooling water system. This settlement included renewal of the DCPD NPDES permit on its existing terms, placement of a conservation easement on approximately 2,000 acres of the North Ranch, and a contribution of approximately \$6 million for various environmental projects. However, the permit has not yet been renewed, and the RWQCB more recently requested evaluation of additional mitigation measures for DCPD's cooling system such as marine protected areas and artificial reefs.

At this time, the permit reissuance and the settlement agreement are still pending. The RWQCB and PG&E are awaiting the resolution of federal litigation involving U.S. Environmental Protection Agency (EPA) July 2004 Phase II regulations, which implement section 316(b) of the Clean Water Act at major electrical power plants. The RWQCB and PG&E are also awaiting a more detailed understanding of how the North Ranch Access Plan would affect the settlement agreement's conservation easement as originally proposed. Furthermore, the RWQCB is interested in any potential water quality issues associated with the development of managed access on the North Ranch.

G. CALIFORNIA DEPARTMENT OF FISH AND GAME

The California Department of Fish and Game (CDFG) has a history of involvement with the natural resources on the North Ranch, most recently as a member of the DTF. Its mission in marine regions is to protect, maintain, enhance, and restore California's marine ecosystems for their ecological values and their use and enjoyment by the public.¹⁴ Currently, CDFG is considering a proposal to create several marine protected areas in San Luis Obispo County. As part of this proposal, CDFG is considering designating the area surrounding Point Buchon as a State Marine Reserve and/or State Marine Conservation Area.

H. OBISPENO CHUMASH

In January 2006, the Santa Ynez Band of Chumash Indians (a federally recognized tribe) and four local individual Chumash were notified by PG&E of the proposed Access Plan. Concerns and comments on the proposed project were solicited. In response to PG&E's solicitation, the Santa Ynez Band requested studies conducted for the proposed project. In February 2006, the Santa Ynez Band and the four Chumash individuals were sent a map showing the site locations within the project. Subsequently, three of the four Chumash individuals have contacted PG&E by phone and left messages indicating their concern for unrestricted use of the Study Area, citing potential resource damage. Consultation with the Santa Ynez Band and other Chumash individuals is ongoing.

¹⁴ California Department of Fish and Game. <http://www.dfg.ca.gov/mrd/>. June 30 2006.

I. DIABLO TASK FORCE

SC-3 required the establishment of a task force to “review existing baseline data and information to recommend additional data collection, studies, and monitoring that may be necessary to ensure completion of a comprehensive environmental inventory to be used to inform the preparation, implementation, and possible modification of an adaptive public access management plan.” Listed in the table below are the agencies/persons who are members of the DTF:

Name	Title	Agency
Douglas, Peter	Executive Director	California Coastal Commission
Lester, Charles	Deputy Director	California Coastal Commission
Bishop, Jonathon	Coastal Program Analyst	California Coastal Commission
Johnsson, Mark. J.	Staff Geologist	California Coastal Commission
Dixon, John	Staff Biologist	California Coastal Commission
Fry, Mike	Senior Consulting Scientist	Pacific Gas and Electric Company
Walgren, Michael	Associate State Park Resource Ecologist	California State Parks
Raimondi, Pete	Professor and Chair Department of Ecology and Evolutionary Biology	University of California Center for Ocean Health
Hallock, Brent	Chair Earth and Soil Sciences Department	Cal Poly State University San Luis Obispo
Eliason, Julie	Environmental Resource Specialist	County of San Luis Obispo
Hayes, Grey	Coordinator Coastal Training Program	Elkhorn Slough National Estuarine Research Reserve
Von Langen, Peter		Central Coast Regional Water Quality Control Board
Blanchard, Bob	North Ranch Licensee	Old Creek Ranch
Hillyard, Deborah	Staff Environmental Scientist	California Department of Fish and Game
Jones, Terry	Archaeologist	Cal Poly State University San Luis Obispo

According to the Charter for the DTF prepared by the Executive Director of the Coastal Commission, the mission of the DTF is to “provide technical input and oversight, in the manner of a peer review, to ensure that the baseline environmental inventory of natural and cultural resources on northern Diablo Canyon lands is comprehensive and covers all cultural, habitat, species, and ecosystem resources, and is appropriate for: (1) use in the preparation, review, and approval of the Public Access Plan and for the monitoring program associated with implementation of that Plan as required by the CDP; and (2) evaluation of change and thereby avoid or minimize adverse environmental impacts, if any, that could result from public use.” The DTF’s primary duties are to:

- Review existing data and information that has been compiled by PG&E, the RWQCB, and other sources regarding the environmental conditions of the northern Diablo Canyon lands;

- Identify whether this information is adequate for purposes of monitoring and determining environmental changes that may result from public access; and,
- Where this information is inadequate, recommend additional data collection or studies that would be useful to provide a comprehensive environmental inventory.

The DTF is not responsible for or involved with the preparation, review, or approval of the North Ranch Managed Access Plan.

IX. OPERATIONAL PROGRAM

A. INTRODUCTION

As previously mentioned, there are several objectives in establishing a managed access program for the Study Area. Essentially, introducing a new use—public access—to an area that has existed with nominal human intrusion presents challenges to protecting and preserving the very resources that the public desires to see and experience in an unchanged condition. To maximize the user's experience and still maintain SC-3's objectives of preserving and even restoring the natural resources, protecting cultural resources and maintaining the existing sustainable agricultural use, an operational element that closely manages the new use of public access is absolutely warranted. In the interest of protecting natural, cultural, and agricultural values, while also ensuring public safety, plant security, and homeland security interests are adequately addressed, free and uncontrolled access cannot be risked in this area.

B. PUBLIC ACCESS MANAGEMENT

SC-3 calls for the managed access program to "identify provisions for the management of the accessways that may include management by a non-profit organization approved by the Executive Director or an appropriate public recreational agency." This Chapter establishes the operational components for the management of this program. Ultimately, the entity selected to manage the access program must implement the measures established within this Chapter.

C. TRAIL USER

Public access will be limited to pedestrian use only. In addition to causing ground disturbance and increased erosion potential, motorized vehicles present too great a security risk and jeopardize the existing coastal outdoor experience offered by this area.

Equestrian use causes environmental concerns regarding the potential in transporting noxious plant species and trail erosions, particularly where the trail coincides with a seasonal ranch road on soft soil. Also, equestrian uses demand large, expansive parking and staging areas, a component that is not and will not be available. Bicyclists (mountain bikers) present a challenge to maintaining sensitive trails, particularly as they traverse the coastal terrace, and therefore cannot be allowed within the Study Area.

D. TRAINED DOCENTS

Trained docents are an effective means to ensure compliance with all of the objectives stated in SC-3. The use of trained docents has proven successful in DCP's other managed access program, the Pecho Coast Trail. Docents will guide trail users throughout the Study Area, staying on the trails. Docents will enhance the user experience by providing cultural, historical, and natural resource

education. The trail user's safety will be greatly enhanced by the docent's presence and ability to coordinate with emergency responders in the event of an accident. The security of the DCPD will be advanced by having trained docents in the field at all times. Finally, docents will be trained to detect potential changes in the landscape directly related to the new use of public access, acting as environmental monitors.

1. Background

All hikes on the North Ranch Trail shall be docent-led, with no hike conducted without at least two trained docents. The Management Agency is responsible for all docent activities pertaining to the North Ranch Trail and associated facilities.

It is the responsibility of the Management Agency to recruit and train docents for the North Ranch Trail. Duties include:

- Providing interpretive information on the Pecho Coast
- Ensuring that all visitors avoid hazardous areas
- Minimizing conflicts between visitors and ongoing agricultural operations
- Ensuring protection of natural and cultural resources
- Ensuring hikers remain within the boundaries specified for the North Ranch Trail
- Ensuring compliance with PG&E's security and emergency response requirements

2. Recruitment

Docents will be recruited by the Management Agency. Docents will be carefully screened and selected for training based on the following:

- Physical fitness
- Interest and commitment to SC-3 goals and objectives
- Ability to communicate, encourage, and ensure trail users of their safety
- Understanding of DCPD's security needs and protocol
- Ability to recognize changes in the landscape due to public use

3. Training

Before leading group hikes, each docent will be required to complete a training and introductory program, as well as complete a Red Cross-approved First Aid training course, including CPR certification, as well as other safety programs deemed necessary by PG&E.

In addition, docent candidates will complete the following:

- A two-hour classroom introduction to the natural history of the area. In addition, this introductory material will explain all aspects of the managed access program including protection of the area's biological resources, including seasonal restrictions, prohibition on beach access, etc.
- A two-hour classroom introduction to the cultural and human history of the area including Chumash occupation of the area and their current perspective.
- A day in the field with Management Agency staff who will, in essence, function as the docent leaders on this trip with the docents-in-training assuming the role of the visiting public.
- Accompany an experienced docent on at least two hikes, covering the entire North Ranch Trail.
- A final follow-up two-hour classroom session with the Management Agency to focus on safety; emergencies and emergency response; security issues, rules, and regulations; and any other operational details not covered in previous sessions. The Management Agency shall conduct drills with the docents to be sure they can safely respond in an emergency situation.
- Demonstrate knowledge of the Management Agency's coordination plan with local law enforcement and Diablo Security regarding how to inform the appropriate authorities of suspicious persons or activities.

Materials and handouts provided during the training sessions will be developed so that the information can be placed into a binder and create, by the completion of training, a training manual and reference resource for the docents.

4. Additional or New Docents to the Docent Program

New docents will need to be continuously incorporated into the program. As appropriate, training for new docents will be scheduled to accommodate a group large enough to justify the training efforts discussed above. The Management Agency is responsible for training new docents.

Also, before functioning as a docent, each new docent-in-training must accompany experienced docents on at least two hikes, covering the entire North Ranch Trail route as an assistant, demonstrating familiarity with the overall North Ranch Trail program and the personal capability to assume full docent responsibilities.

All hikes require at least two trained docents; this requirement cannot be met by having a docent-in-training accompany a hike.

In the event the managed access program is amended, the Management Agency is responsible for providing information and training on these changes to both new and experienced docents. All amendments to the Managed Access Program will be reviewed by the Management Agency, PG&E, and the Coastal Commission.

E. HOURS OF OPERATION

The North Ranch Managed Access program will operate only during daylight hours. Nighttime access and activities are strictly prohibited.

F. DCPD SECURITY MEASURES

The following security measures must be understood and observed at all times. Users must remember that they are traversing private property and pursuant to the CCA, must respect private property rights. In this case, PG&E possesses unique rights, along with security responsibilities that are often federally administered. PG&E maintains the authority to close down public access within the North Ranch for, but not limited to, emergency, security, or operational purposes pertaining to the DCPD. The management entity will ensure the enforcement of the following:

- Maintain a photo log of all docents at the DCPD Security Watch Commander's office.
- Require each hiker to sign a waiver of liability prior to access to the Trail. Hikers under the age of 18 must have the waiver signed by the hiker's parent or guardian.
- Prepare a roster for all hikes. This roster will include the names and social security numbers of all hikers in the group. Docents will confirm the identity of each hiker.
- Notify the DCPD Security Watch Commander prior to accessing the North Ranch.
- Contact the DCPD Security Watch Commander and affirm that all hikers have left the North Ranch area upon completion of a hike.
- Report to the DCPD Security Watch Commander any observation of person or persons and/or activities suspicious in nature that may be encountered while conducting hikes or performing maintenance on the North Ranch premises and adjacent properties.
- Ensure that hikers do not take photographs or video of the plant while on the Trail.

G. ANIMALS

Hikers are not allowed to bring animals onto the North Ranch Managed Access area.

H. EMERGENCY SERVICE PROTOCOL

Various types of potential emergencies could occur within the study area, ranging from regional emergencies such as an earthquake, tsunami, wildfire, or nuclear accident to localized emergencies such as trauma or medical events. In the event of a regional emergency, established plans and protocols would be implemented by the appropriate County emergency response agencies. These plans include a Tsunami Emergency Response Plan, Nuclear Emergency Response Plan, and a County Fire Management Plan. In order to respond to county-wide emergencies and disasters, County Office of Emergency Services (OES) manages an Early Siren Warning System, which includes several strategically-placed sirens located throughout the County. The County OES is responsible for sounding the sirens in the event of a regional emergency (e.g., nuclear emergency) or natural disaster (e.g., tsunami or earthquake).

Isolated emergencies such as medical, trauma, and crime-related incidents within the Study Area would be handled by the CDF/County Fire Department, the County Sheriff's Department, and/or local emergency medical responders. Docents of the North Ranch Trail would likely dial 9-1-1 in the

event of an isolated incident. Dispatch of 911 calls is handled by the California Highway Patrol, who would then alert the appropriate emergency responder.

Within Montana de Oro State Park, Park Rangers are the primary responder for medical, trauma, and crime-related incidents. Although Park Rangers are not responsible for emergencies outside of State Park property, they would likely be called on to assist as the initial responders to emergencies within the North Ranch Managed Access Area because of the close proximity of the Study Area to Montana de Oro State Park.

It is recommended as part of this plan that an MOU be established between PG&E, the trail Management agency, and local law enforcement agencies to ensure coordination between agencies when responding to emergencies within the Study Area.

X. RELATIONSHIP WITH STATE COASTAL ACCESS PLANS AND OTHER ADOPTED PROGRAMS

A. INTRODUCTION

SC-3 states that the Access Plan shall

Conform, to the extent possible given the other provisions of this condition, with applicable policies and provisions of adopted local/state coastal access plans and programs, including those of adjacent and nearby coastal areas at Montana de Oro State Park, Port San Luis Harbor District, and San Luis Obispo County. The plan shall include measures to implement applicable goals and principles of the California Coastal Trail, pursuant to the report and maps contained in Completing the California Coastal Trail (January 2003). The Access Plan shall specify how aspects of its access provisions are intended to support the goals, policies and provisions of these other access plans and programs.

B. MONTANA DE ORO STATE PARK

The Montana de Oro State Park General Plan (1988) provides a guide for future management and development of this particular unit of the State Parks system. Below, the General Plan's objectives are presented, along with the Access Plan's relationship to each objective.

1. State Park Land Use Objectives

- a. Protect and perpetuate the unit's natural and cultural resources.*

The Access Plan is consistent with this objective in establishing the comprehensive environmental baseline as an initial foundation tool in the planning process. Upon identifying the area's natural and cultural resources, the Access Plan sought to preserve, protect, and perpetuate them through design and operation.

- b. Provide necessary facilities for visitor use to help meet current and future recreational demand.*

Though developed to mitigate the effects of a coastal zone development project (ISFSI), preparation of the Access Plan directly supports needs as established, in part, by the visitor use surveys of Montana de Oro State Park.

- c. Determine appropriate interpretive services and facilities for educational and recreational purposes.*

A key component to the Access Plan is the use of trained docents that will ensure implementation/application of this objective for the Study Area. The docent will serve several

purposes, including but not limited to educational resources, environmental threshold monitoring and reporting, and recreational opportunities by guiding users through the Study Area in a safe and secure manner.

- d. *Provide opportunities for concession services and facilities, where appropriate.*

Concession facilities are an important component of the State Park system, but neither appropriate nor applicable to public access on private lands such as that addressed by this Access Plan.

- e. *Promote a safe, enjoyable and well-managed visitor experience.*

Trained docents are key in ensuring compliance with this objective. The docents will ensure user safety, security, education, and a generally positive outdoor recreation experience.

2. Land Use Goals

- a. *Preserve the integrity and beauty of the landscape and the park's quiet primitive character:*

- *Maximize open space.*
 - *Allow no new development on the coastal terraces.*
 - *Leave existing primitive roadless area, upper canyons, peaks, and ridges undisturbed.*
 - *Whenever possible, locate new development adjacent to existing development or along margins of scenic or open areas where existing vegetation, landforms, or screening will minimize visual impacts.*
- *Emphasize recreation uses that are compatible with natural values (generally low density, nonintensive, low noise, and low technology) such as horseback riding and hiking, camping, picnicking, natural and cultural interpretation, sunning, surfing, and skin/scuba diving.*

The Access Plan achieves a minimum-impact approach by avoiding known sensitive resources, using existing roads, and using the services of trained docents. The existing landscape will remain unchanged, reflecting its existing condition prior to public access. By allowing only pedestrian use, the Access Plan ensures that no impacts or change to the existing landscape and natural/cultural resources will occur.

- b. *Trail Recommendations:*

- *Improve the existing trail system and develop additional hiking and equestrian trails (consider trails to lands south of the park if public access becomes available).*

The Access Plan complies with this goal.

- c. *Direct secondary acquisition efforts to expansion for recreation development or other purposes, the department should:*

- *Obtain a trail right-of-way easement extending from the park to Port San Luis across PG&E lands to complete a necessary link in the proposed California Coastal Trail.*
- *Obtain loop trail right-of-way/access rights easements across portions of the Field Ranch from PG&E to extend long-distance and coastal hiking opportunities from the park.*
- *Acquire any remaining Field Ranch properties (not required for safety/security of the nuclear power plan or for intensive agricultural use) to provide additional nonintensive recreational uses, such as long-distance hiking and back-country camping, and to protect resource values.*

The Access Plan complies with the first two bullets of this goal. The relationship of the Access Plan to the California Coastal Trail is discussed later in this Chapter. It is probably not feasible for the State Park system to consider purchasing the Study Area; the intent of such a purchase is satisfied through the implementation of SC-3.

3. Land Use Plan: Open Space and Scenic Zone

The State Park Land Use Plan establishes several land use zones. The Open Space/Scenic Zone is separated from the Study Area by Coon Creek. The State Park General Plan describes this Zone as follows:

Open space/scenic zone lands at Montana de Oro will be managed as transitional land use zones. Preservation of their open character scenic qualities is necessary for viewshed protection, but these areas do not have the high values that would place them in the natural/cultural preservation zone. They do have substantial barriers to development, especially steep slopes and poor soils. Open space/scenic zone lands are best suited for vegetation management programs and may be rezoned to expand protection or development as needed.

The Access Plan Study Area, as described in the comprehensive environmental baseline, includes the presence of natural and cultural resources warranting protection.

C. PORT SAN LUIS HARBOR DISTRICT

The Port of San Luis Harbor District (PSLHD) is responsible for the facilities in the northern portion of San Luis Bay, located approximately 10 miles south of the Study Area. Environmental policies and guidelines of the PSLHD are contained in the Port San Luis Master Plan (1994), and are specific to the bay and harbor. However, a nexus between the PSLHD and the Access Plan is created by SC-3, which requires that enhancements of the Pecho Coast Trail be included as part of this effort. Pecho Coast Trail enhancements are addressed in a separate document.

D. SAN LUIS OBISPO COUNTY

All germane County of San Luis Obispo land use and environmental policies and regulations have been identified in previous chapters within this document

E. CALIFORNIA COASTAL TRAIL

The following goals and principles were established for completing the California Coastal Trail, a program authorized by Senate Bill 908 (2001) and administered by the California Coastal Conservancy. Each goal and principle is followed by a statement indicating the North Ranch Managed Access Plan's relationship to these goals/principles.

1. Goals

10. Provide a continuous trail as close to the ocean as possible, with connections to the shoreline (vertical access) at appropriate intervals and sufficient transportation access to encourage public use.

The Access Plan will extend public access south from Montana de Oro State Park on private property, providing bluff top access to areas previously not accessible by the general public. Vertical access to the shoreline is not feasible because of public safety issues and the need to protect previously undisturbed natural and cultural resources.

11. Foster cooperation between State, local, and federal public agencies in the planning, design, signing, and implementation of the Coastal Trail.

The DTF, composed of representatives from state and local agencies, universities, and environmental organizations, was created to review the environmental baseline data that served as a foundation for the Access Plan's alignment and operation. The DTF will also play a role in ongoing monitoring of the effects of public access in the Study Area.

12. Ensure that the location and design of the Coastal Trail is consistent with the policies of the CCA and LCP and is respectful of the rights of private landowners.

The design, alignment, and operational characteristics of the Access Plan are consistent with the County of San Luis Obispo's LCP as described in Chapter X of this Plan. The Access Plan also reflects the public safety and security needs of the Diablo Canyon Power Plant.

13. Design the CCT to provide a valuable experience for the user by protecting the natural environment and cultural resources while providing public access to beaches, scenic vistas, wildlife viewing areas, recreational or interpretive facilities, and other points of interest.

The Access Plan represents a balance of these goals as described in the previous chapters. Extensive environmental data was gathered and considered in developing the access route and operational characteristics of the Access Plan. Providing users with a central coast experience, the Access Plan allows them to enjoy the existing resources without simultaneously jeopardizing these resources by the introduction of a new use: pedestrian access.

14. Create linkages to other trail systems and to units of the State Park system, and use the Coastal Trail system to increase accessibility to coastal resources from urban population centers.

The Access Plan will extend the public experience of this portion of the California coast approximately three miles south from Montana de Oro State Park. The trail will connect directly to the trail/circulation system within the State Park, sharing parking and staging areas.

2. Principles

To provide a framework for the task of identifying the route of the trail, the Coastal Conservancy Report, *Completing the California Coastal Trail* (January 2003) established a set of Coastal Trail alignment principles, "based on shared values." These principles are: proximity to the sea, connectivity, integrity, respect, and feasibility.

- a. *Proximity: Wherever feasible, the coastal trail should be within sight, sound, or at least scent of the sea.*

The entire Access Plan is on the local coastal terrace, where the ocean is in view at all times.

- b. *Connectivity: The trail should effectively link starting points to destinations. Our challenge is to create alternative non-automotive connections that are sufficiently appealing to draw travelers out of their automobiles.*

The Access Plan extends the existing trail system within Montana de Oro State Park for an additional three miles to the south. No automobiles will be allowed beyond the existing parking or staging area as the result of implementing the Access Plan.

- c. *Integrity: The coastal trail should be continuous and separated from motor traffic. Continuity is vitally important: if a chain is missing a link, it is useless.*

The Access Plan is an extension of Montana de Oro State Park's existing trail system. The Access Plan will provide additional and further separation between users and vehicular routes and parking areas.

- d. *Respect: The trail must be located and designed with a healthy regard for the protection of natural habitats, cultural and archaeological features, private property rights, neighborhoods, and agricultural operations along the way.*

The initial phase in planning the Access Plan was the creation of an environmental baseline, with the expressed intent of identifying natural and cultural resources. It is further recognized that these resources have not previously been exposed to general public use and are susceptible to potential negative impacts caused by public access, as presented earlier in this Access Plan. In addition, the vast majority of the Study Area is occupied by a sustainable and environmentally responsible livestock grazing operation. The Access Plan trail alignment and operational characteristics, including the use of trained docents, respects the location of these natural, cultural, and agricultural resources.

- e. *Feasibility: To achieve timely, tangible results with the resources that are available, both interim and long-term alignments of the Coastal trail need to be identified.*

It is noted that the 2003 Coastal Conservancy report did not anticipate the Access Plan by the following statement on Page 50:

6. *(San Luis Obispo County) Support State Parks' work with private landowners to acquire and develop a public trail corridor through the Irish Hills, connecting Montana de Oro State Park with Avila Beach, as feasible near-term alternative to a coastal blufftop trail through the Diablo Canyon Power Plant property.*

While a trail connecting Montana de Oro State Park to Avila Beach is not feasible because of the location of the power plant, the Access Plan advances a coastal route beyond the vision of the 2003 Coastal Conservancy Report.

XI. THRESHOLD MONITORING AND ADAPTIVE MANAGEMENT

SC-3 requires monitoring of the implementation and effects of a program of public access. The following, taken from page 9 of the December 16, 2004, permit document, details this requirement:

Monitoring: The Access Plan shall include a monitoring and evaluation component to provide information documenting Access Plan implementation over the life of the project that can be used as a basis for proposed adaptations, if any, to the Plan that may be warranted by experience. Elements to be included in the monitoring and evaluation component shall include those reasonably necessary to determine the following:

2. A description of whether public use has resulted in any environmental effects, including possible negative and positive impacts, based on an evaluation using the baseline environmental inventory prepared pursuant to this condition
3. A discussion of what modifications to the Plan, if any, may be appropriate based on the evaluation described above
4. A description of whether public use has resulted in any effects, negative or positive, on the continuation of environmentally sustainable agricultural activities
5. A comparison of the levels of visitation anticipated in the plan with actual levels of visitation at the various access ways
6. A description of effects, if any, of visitation on security and public safety and on archaeological resources and any measures taken or proposed to avoid or reduce those effects.

Reporting: For each of the five years after approval by the Executive Director of the Access Plan, the Permittee shall submit annual reports to the Executive Director describing implementation of the plan and the results of the above monitoring measures. The Executive Director shall convene the task force at least once per year during this five-year period to evaluate the monitoring results and to recommend modifications to the Access Plan, if necessary. After the first five years, the Permittee shall submit reports every five years describing experience implementing the Access Plan.

In response to the requirements of SC-3, PG&E has prepared the North Ranch Access Monitoring Plan. The Access Monitoring Plan (PGE 2006) presents a conceptual framework and approach for ensuring that the Managed Access Program will not result in impacts to sensitive biological or cultural resources, and will not significantly impact the sustainable agricultural practices PG&E currently authorizes on North Ranch lands.

APPENDIX A

**PRELIMINARY ENVIRONMENTAL BASELINE:
ANNOTATED BIBLIOGRAPHY**

This Appendix will be included with the Final Managed Access Plan.

Advice 3630-E

Attachment 3

California Coastal Commission Letter
(Dated July 14, 2009)

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



July 14, 2009

Mr. Mark Kraus, Director
State Agency Relations
Pacific Gas and Electric Company
77 Beale Street
San Francisco, CA 94105

RE: Condition Compliance for Coastal Development Permit #A-3-SLO-04-035.

Dear Mr. Kraus:

Thank you for the letters of April 7, 2008 and June 3, 2008 and subsequent discussions about implementing the public access requirements in Condition #3 of Coastal Development Permit A-3-SLO-04-035. The requirements include PG&E's past submittals of a baseline environmental inventory and its ongoing implementation of access plans in the Point Buchon and Pecho Coast areas of PG&E's Diablo Canyon lands.

This letter confirms the Executive Director's approval of the Point Buchon trail alignment as consistent with the requirements of Condition #3. We understand this approval will allow you to file the necessary accessway legal protection with the California Public Utilities Commission. Please let me know if you have questions or if you would like any additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Luster".

Tom Luster
Energy, Ocean Resources, and Federal Consistency Division

Advice 3630-E

Attachment 4

California Coastal Commission Letter
(Dated October 14, 2005)

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877



October 14, 2005

John Euphrat, Principal Planner
SLO County Planning and Building Dept.
County Government Center
San Luis Obispo, CA 93408

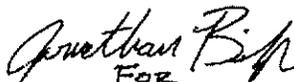
Subject: Diablo Canyon Access Trail requirements

Dear Mr. Euphrat:

This letter is to confirm our recent conversation concerning implementation of the Public Access trail conditions of the Coastal Commission permit for the dry cask storage project at Diablo Canyon (Permit # A-3-SLO-04-035). We agreed that future development activities necessary to meeting the trail conditions, such as trail construction, signage, etc., would be governed through condition compliance review by the Coastal Commission or by amendment of the Commission's coastal development permit for the project. Thus, no coastal development permits from the County of San Luis Obispo would be required for such work. We also agreed, though, that minor building permit or environmental health review by the County may be needed, depending on the proposed work. We are also committed to continuing our close coordination with the County on this project so that the requirements of the LCP are fully met.

We appreciate your on-going coordination with the Commission concerning LCP implementation in San Luis Obispo County. Please feel free to call me if you have questions or concerns regarding this project.

Sincerely,


FOR
Charles Lester
Deputy Director

CL/cm

**PG&E Gas and Electric
Advice Filing List
General Order 96-B, Section IV**

Alcantar & Kahl	Defense Energy Support Center	Northern California Power Association
Ameresco	Department of Water Resources	Occidental Energy Marketing, Inc.
Anderson & Poole	Department of the Army	OnGrid Solar
Arizona Public Service Company	Dept of General Services	Praxair
BART	Division of Business Advisory Services	R. W. Beck & Associates
BP Energy Company	Douglass & Liddell	RCS, Inc.
Barkovich & Yap, Inc.	Downey & Brand	Recon Research
Bartle Wells Associates	Duke Energy	SCD Energy Solutions
Boston Properties	Dutcher, John	SCE
C & H Sugar Co.	Economic Sciences Corporation	SMUD
CA Bldg Industry Association	Ellison Schneider & Harris LLP	SPURR
CAISO	Foster Farms	Santa Fe Jets
CLECA Law Office	G. A. Krause & Assoc.	Seattle City Light
CSC Energy Services	GLJ Publications	Sempra Utilities
	Goodin, MacBride, Squeri, Schlotz & Ritchie	Sierra Pacific Power Company
California Cotton Ginners & Growers Assn	Green Power Institute	Silicon Valley Power
California Energy Commission	Hanna & Morton	Silo Energy LLC
California League of Food Processors	Hitachi	Southern California Edison Company
California Public Utilities Commission	International Power Technology	Sunshine Design
Calpine	Intestate Gas Services, Inc.	Sutherland, Asbill & Brennan
Cameron McKenna	Los Angeles Dept of Water & Power	Tabors Caramanis & Associates
Cardinal Cogen	Luce, Forward, Hamilton & Scripps LLP	Tecogen, Inc.
Casner, Steve	MBMC, Inc.	Tiger Natural Gas, Inc.
Chamberlain, Eric	MRW & Associates	Tioga Energy
Chris, King	Manatt Phelps Phillips	TransCanada
City of Glendale	McKenzie & Associates	Turlock Irrigation District
City of Palo Alto	Merced Irrigation District	U S Borax, Inc.
Clean Energy Fuels	Mirant	United Cogen
Coast Economic Consulting	Modesto Irrigation District	Utility Cost Management
Commerce Energy	Morgan Stanley	Utility Specialists
Commercial Energy	Morrison & Foerster	Verizon
Consumer Federation of California	NRG West	Wellhead Electric Company
Crossborder Energy	New United Motor Mfg., Inc.	Western Manufactured Housing Communities Association (WMA)
		eMeter Corporation
Davis Wright Tremaine LLP	Norris & Wong Associates	
Day Carter Murphy	North Coast SolarResources	