



## Office of Mayor and City Councilmembers

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Kathy Ward, *Mayor*  
Tim Brown, *Mayor Pro Tem*  
Chris Hamm, *Councilmember*  
Lori Donchak, *Councilmember*  
Steve Swartz, *Councilmember*

James Makshanoff, *City Manager*

May 3, 2017

California Coastal Commission  
Chair Dayna Bochco  
45 Fremont Street  
San Francisco, CA 94105

Dear Chair Bochco:

The City of San Clemente respectfully requests the California Coastal Commission (CCC) to revisit its decision to issue a spent nuclear fuel storage permit to Southern California Edison (SCE) at San Onofre Nuclear Generating Station (SONGS). Our request is driven by deep concern in our community to ensure the safety of our residents.

We hereby request that you revise and strengthen the conditions imposed upon the Independent Spent Fuel Storage Installation (ISFSI) permit and consider the following concerns and requests:

- 1) Due to the absence of significant progress by the Federal Government in approving temporary and permanent Federal fuel storage alternatives for the waste at SONGS, San Clemente will be forced to be an involuntary "host" community for decades to come.

The City of San Clemente strongly embraces the 2012 Presidential Blue Ribbon Commission on America's Nuclear Future which recommends "consent-based siting" of nuclear waste. San Clemente shares the coastline (and a zip code) with SONGS and we wish to make it abundantly clear that the City and its residents strongly oppose indefinite storage of high-level nuclear waste at our border. The City does *not* agree to be an involuntary host for nuclear waste for decades or possibly forever.

- 2) Require that SCE expedite the development of the "Aging Management Plan" to address key questions regarding fuel monitoring and cask repair. We also ask that a comprehensive and transparent air, soil and water monitoring program be developed that is accessible to the public. This should be completed prior to the demolition of the spent fuel pool.
- 3) Due to its proximity to the ocean, key transportation corridors and dense population centers, San Clemente believes that ongoing fuel storage at SONGS is the worst possible scenario for the future. Although the move from wet to dry storage represents an improvement in the status quo storage choices, we remain passionately committed to the expedited removal of the waste away from our shoreline and community and ask the CCC continue to press SCE and the Federal government, when possible, to find alternate locations for the fuel as soon as possible.

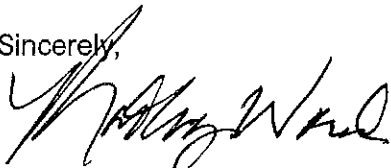
California Coastal Commission - Chair Dayna Bochco  
May 3, 2017  
Page Two

- 4) San Clemente continues to support Federal efforts to permit and open potential Consolidated Interim Storage sites in New Mexico and Texas as well as efforts to reopen the permanent storage facility located at Yucca Mountain. We request that the CCC make it a priority to use its authority and influence to assist at every level in the goal of moving nuclear waste to safe and remote regions until permanent solutions are found.
- 5) Finally, we request that the CCC require SCE to continue funding all necessary emergency services throughout the entire decommissioning and storage process. PG&E has made such a commitment to the communities surrounding Diablo Canyon and we expect the same commitment to public safety in this region.

If the above conditions cannot be met, San Clemente demands that you revoke the permit.

We remain grateful for the good work that the CCC has done to protect our shorelines and communities, and ask that you act to help us keep our communities safe for years to come.

Sincerely,



Kathy Ward, Mayor

cc: California Coastal Commission  
John Ainsworth, California Coastal Commission Executive Director  
U.S. Senators Diane Feinstein and Kamala Harris  
U.S. Representative Darrell Issa  
California Senator Pat Bates  
California Assemblyman Bill Brough  
Mayors: Oceanside, Laguna Beach, San Juan Capistrano, Dana Point  
Commanding General, US Marine Corps, Camp Pendleton  
Department of Energy  
Concerned Coastal Communities Coalition  
San Diego Superior Court  
Media

Enclosures:

City of San Clemente – Resolution on Permanent Repository, dated 12/17/13  
City of San Clemente – Resolution on Permanent Repository and Priority Transfer, dated 11/6/14  
City of San Clemente – Resolution on Interim Consolidated Storage Act HR 3643, dated 2/2/16

RESOLUTION NO. 13-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA, DECLARING THE CITY'S  
POSITION ON VARIOUS ISSUES RELATING TO THE  
PENDING CLOSURE OF THE SAN ONOFRE NUCLEAR  
GENERATING STATION (SONGS)  
REFERENCE: DOCKET ID NO. NRC-2012-0246

WHEREAS, San Clemente is home to 65,000 residents and is located entirely within the 10-mile Emergency Planning Zone for the San Onofre Nuclear Generating Station; and

WHEREAS, in June 2013, following more than a year of investigation and analysis by both Southern California Edison (SCE) and the Nuclear Regulatory Commission (NRC), SCE determined that San Onofre should be permanently decommissioned; and

WHEREAS, in response to Southern California Edison's decision to decommission SONGS, the City of San Clemente urges SCE and the NRC to ensure that public safety remains paramount during the decommissioning process and beyond; and

WHEREAS, Congress assigned to the Energy Department the task of creating an underground repository for nuclear waste as a result of the Nuclear Waste Policy Act of 1982, however, that task has yet to be completed; and

WHEREAS, the storage of spent fuel rods onsite at SONGS continues to be a concern to the residents of San Clemente; and

WHEREAS, the Nuclear Regulatory Commission (NRC) controls the decommissioning of nuclear facilities to ensure that safety requirements are being met, and

WHEREAS, the City Council of the City of San Clemente takes its responsibility to represent its citizens with utmost seriousness and, as such, desires to be included in the decommissioning process for SONGS.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve as follows:

Section 1. The City of San Clemente formally requests the creation of a repository to provide safe storage of nuclear waste.

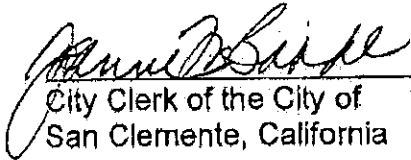
Section 2. Once complete the City of San Clemente requests that the spent fuel rods stored onsite at SONGS be prioritized for relocation to the repository as soon as it is safe to do so, in light of a) the geographic conditions unique to SONGS, b) the dense population surrounding SONGS, and c) the fact that SONGS is being decommissioned.


Section 3. The City Clerk is hereby directed to forward certified copies of this resolution to the Nuclear Regulatory Commission, the Department of Energy and Southern California Edison.

Section 4. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 17th day of December, 2013.

ATTEST:

  
\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California


  
\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA     )  
COUNTY OF ORANGE     ) §  
CITY OF SAN CLEMENTE    )

I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 13-53 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 17th day of December, 2013, by the following vote:

- AYES:           BAKER, DONCHAK, EVERT, HAMM, MAYOR BROWN
- NOES:           NONE
- ABSENT:        NONE


IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 19th day of December, 2013.

  
\_\_\_\_\_  
CITY CLERK of the City of  
San Clemente, California

Approved as to form:

/s/ Jeff Goldfarb  
\_\_\_\_\_  
City Attorney

I, JOANNE M. BAADE, CITY CLERK OF THE CITY OF SAN CLEMENTE, STATE OF CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THE FOREGOING INSTRUMENT TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL NOW ON FILE IN MY OFFICE.

DATE: 5-4-13   
\_\_\_\_\_  
JOANNE M. BAADE  
CITY CLERK  
BY: \_\_\_\_\_

RESOLUTION NO. 14-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, DECLARING THE CITY'S POSITION ON STORAGE OF SPENT NUCLEAR FUEL AT THE SAN ONOFRE NUCLEAR GENERATING STATION (SONGS) WHILE UNDERGOING DECOMMISSIONING

WHEREAS, San Clemente is home to 65,000 residents and is located within the 10-mile Emergency Planning Zone for the San Onofre Nuclear Generating Station; and

WHEREAS, in June 2013, SONGS submitted notice of its decision to permanently decommission the nuclear plant; and

WHEREAS, the Nuclear Regulatory Commission (NRC) is the regulatory agency for decommissioning of nuclear facilities; and

WHEREAS, Congress assigned to the Energy Department the task of creating an underground repository for nuclear waste as a result of the Nuclear Waste Policy Act of 1982, which has yet to be completed; and

WHEREAS, the City of San Clemente requests that SCE and the NRC ensure that public safety remains paramount during the dry cask storage process of spent nuclear fuel; and

WHEREAS, on August 26, 2014, the NRC voted to allow spent nuclear fuel to be stored at onsite, licensed Independent Spent Fuel Storage Installation (ISFSI) pads according to three timelines: 60 years, 100 years, and indefinitely, without consulting the City of San Clemente; and

WHEREAS, on December 17, 2013 the San Clemente City Council adopted RESOLUTION NO. 13-53 which states:

*"NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve as follows:*

*Section 1. The City of San Clemente formally requests the creation of a repository to provide safe storage of nuclear waste.*

*Section 2. Once complete the City of San Clemente requests that the spent fuel rods stored onsite at SONGS be prioritized for relocation to the repository as soon as it is safe to do so, in light of a) the geographic conditions unique to SONGS, b) the dense population surrounding SONGS, and c) the fact that SONGS is being decommissioned."*

WHEREAS, on May 14, 2014, Senate Bill S2326 was submitted to the Committee on Environment and Public Works to amend the Atomic Energy Act of 1954 to provide for consultation with State and local governments, the consideration of State and local concerns, and the approval of post-shutdown decommissioning activities reports by the Nuclear Regulatory Commission.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve as follows:

Section 1. The City of San Clemente reiterates its request that the DOE move forward with the creation of a permanent spent nuclear fuel repository as tasked by the Nuclear Waste Policy Act of 1982.

Section 2. The City of San Clemente formally requests that the DOE and the NRC renew efforts to find a real and lasting solution to our nation's nuclear waste problem.

Section 3. The City of San Clemente supports re-establishment of Yucca Mountain as a permanent spent fuel repository.

Section 4. The City of San Clemente supports Senate Bill S2326.

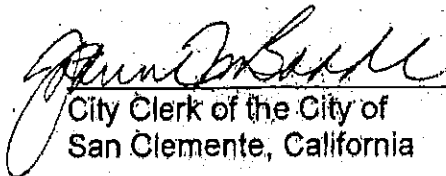
Section 5. The City of San Clemente supports the State of California's 1976 Moratorium on New Nuclear Power Plant Development.

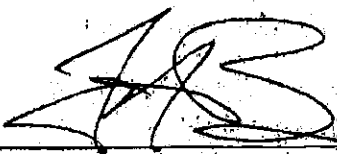
Section 6. The City Clerk is hereby directed to forward certified copies of this resolution to the Nuclear Regulatory Commission, California Public Utilities Commission, Southern California Edison, Governor Jerry Brown, Senator Barbara Boxer, Senator Dianne Feinstein, Congressman Darrell Issa, and San Clemente's surrounding cities.

Section 7. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this 6<sup>th</sup> day of November, 2014.

ATTEST:

  
\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

  
\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) S  
CITY OF SAN CLEMENTE )

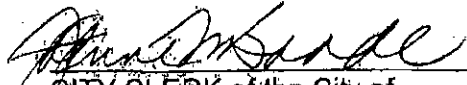
I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 14-49 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 6<sup>th</sup> day of November, 2014, by the following vote:

AYES: BAKER, DONCHAK, HAMM, MAYOR BROWN

NOES: NONE

ABSENT: EVERT


IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 15<sup>th</sup> day of NOV, 2014.

  
CITY CLERK of the City of  
San Clemente, California

Approved as to form:

/s/ Jeff Oderman  
City Attorney

I, JOANNE M. BAADE, CITY CLERK OF THE CITY OF SAN CLEMENTE, STATE OF CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THE FOREGOING INSTRUMENT TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL NOW ON FILE IN MY OFFICE.

DATE: 5/4/17   
JOANNE M. BAADE  
CITY CLERK  
BY: \_\_\_\_\_

RESOLUTION NO. 16-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA, IN SUPPORT OF H.R. 3643,  
THE INTERIM CONSOLIDATED STORAGE ACT OF 2015

WHEREAS, millions of ratepayers and taxpayers dollars are being spent on the monitoring and oversight of Spent Nuclear Fuel (SNF) each year and millions more are programed to be spent on settlement payments related to waste disposition; and

WHEREAS, much of the SNF and High Level Radioactive Waste (HLW) is currently stored at sites that are vulnerable to natural disasters and located near large metropolitan centers; and

WHEREAS, the United States Department of Energy concluded in 2013 that a geologic repository for the permanent disposal of SNF and HLW will not be available until 2048, at the earliest; and

WHEREAS, the President's Blue Ribbon Commission on America's Nuclear Future recommended that efforts be made to advance consolidated SNF and HLW interim storage facilities while further efforts are made to develop a permanent disposal site; and

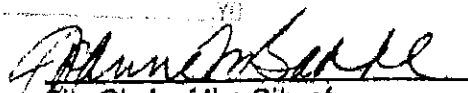
WHEREAS, the SNF at the San Onofre Nuclear Generating Station (SONGS), a decommissioning site, should be promptly and safely moved to a Consolidated Storage site, which is one of the recommendations of the President's Blue Ribbon Commission on America's Nuclear Future and is proposed by H.R. 3643, the Interim Consolidated Storage Act of 2015.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve as follows:

Section 1. The City Council supports the passage of H.R. 3643 and urges the Department of Energy to implement the prompt and safe relocation of Spent Nuclear Fuel from SONGS to a licensed and regulated Interim Consolidated Storage Facility, and supports the development and passage of complementary legislation.

PASSED AND ADOPTED this 2nd day of February, 2016.

ATTEST:

  
City Clerk of the City of  
San Clemente, California

  
Mayor of the City of San  
Clemente, California



STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) §  
CITY OF SAN CLEMENTE )

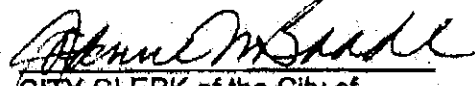
I, JOANNE BAADE, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 16-04 was adopted at a regular meeting of the City Council of the City of San Clemente held on the 2nd day of February, 2016, by the following vote:

AYES: BROWN, DONCHAK, HAMM, WARD, MAYOR BAKER

NOES: NONE

ABSENT: NONE

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this 3rd day of FEB., 2016.

  
CITY CLERK of the City of  
San Clemente, California

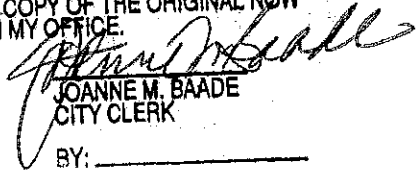
Approved as to form:

/s/ Scott Smith  
City Attorney

I, JOANNE M. BAADE, CITY CLERK OF THE CITY OF SAN CLEMENTE, STATE OF CALIFORNIA, HEREBY CERTIFY UNDER PENALTY OF PERJURY THE FOREGOING INSTRUMENT TO BE A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL NOW ON FILE IN MY OFFICE.

DATE:

5/4/17

  
JOANNE M. BAADE  
CITY CLERK

BY: \_\_\_\_\_