

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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**NOTICE OF DETERMINATION
PETITION TO MODIFY
HUMBOLDT BAY GENERATING STATION
(06-AFC-7C)**

On September 3, 2015, California Energy Commission staff (staff) docketed the Pacific Gas and Electric Company's (PG&E) petition requesting to make minor improvements to the Humboldt Bay Generating Station (HBGS). The 163-megawatt facility was certified by the Energy Commission in its Decision on September 24, 2008, and began commercial operation on October 1, 2012. The facility is located in the City of Eureka, in Humboldt County, California.

DESCRIPTION OF PROPOSED MODIFICATIONS

PG&E is proposing to install a temporary tent onsite which would allow for storage of large equipment components and spare parts onsite. The tent would be approximately 25 feet in width and 35 feet in depth with a height of 24 feet. The tent would be either beige or white in color and would be installed on an existing paved area southwest of the main engine hall and north of the existing switchyard. The maximum depth of excavation for installation anchors would be 40 inches. The tent would be installed by the end of November 2015. The Energy Commission's webpage for this facility, <http://www.energy.ca.gov/sitingcases/humboldt/>, has a link to the amendment petition on the right side of the webpage in the box labeled "Compliance Proceeding." Click on the "Documents for this Proceeding (Docket Log)" option.

ENERGY COMMISSION STAFF REVIEW AND DETERMINATION

Pursuant to section 1769(a)(2) of Title 20, California Code of Regulations, Commission approval of a petition to amend is not required "(w)here staff determines that there is no possibility that the modifications may have a significant effect on the environment, and if the modifications will not result in a change or deletion of a condition adopted by the commission in the final decision or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards [LORS]...."

Staff has determined for this petition that approval by the full, five-member Commission is not required, and the proposed modifications meet the criteria for approval at the staff level because:

- The modifications will not have any significant effect on the environment;
- Existing conditions of certification are sufficient to cover the proposed modifications without changes to, or deletions of, any conditions of certification; and
- The project as modified will maintain full compliance with applicable LORS.

Staff's conclusions for each technical or environmental area are summarized in the following table.

SUMMARY OF STAFF RESPONSES TO PETITION

TECHNICAL/ENVIRONMENTAL AREAS REVIEWED	STAFF RESPONSE			Revised Conditions of Certification Recommended
	Technical Area Not Affected	No Significant Environmental Impact or LORS Inconsistency*	Process As Amendment	
Air Quality		X	N/A	N/A
Biological Resources	X		N/A	N/A
Cultural Resources		X	N/A	N/A
Facility Design		X	N/A	N/A
Geological and Paleontological Resources		X	N/A	N/A
Hazardous Materials Management	X		N/A	N/A
Land Use		X	N/A	N/A
Noise & Vibration		X	N/A	N/A
Public Health	X		N/A	N/A
Socioeconomics		X	N/A	N/A
Soil & Water Resources	X		N/A	N/A
Traffic & Transportation		X	N/A	N/A
Transmission Line Safety & Nuisance	X		N/A	N/A
Transmission System Engineering	X		N/A	N/A
Visual Resources		X	N/A	N/A
Waste Management		X	N/A	N/A
Worker Safety & Fire Protection	X		N/A	N/A

*No Commission approval is necessary where staff determines there is no possibility that the proposed modifications would have a significant effect on the environment, and the modifications would not result in a change in or deletion of a condition adopted by the Commission in the Final Decision, or make changes that would cause project noncompliance with any applicable laws, ordinances, regulations, or standards (Cal. Code Regs., tit. 20, § 1769 (a)(2)).

Energy Commission technical staff reviewed the petition for potential environmental effects and consistency with applicable LORS. Staff has determined that the technical or environmental areas of Biological Resources, Hazardous Materials Management, Public Health, Soil and Water Resources, Transmission Line Safety and Nuisance, Transmission System Engineering, and Worker Safety and Fire Protection are not affected by the proposed changes.

For the technical areas of Air Quality, Cultural Resources, Facility Design, Geological and Paleontological Resources, Land Use, Noise and Vibration, Socioeconomics, Traffic and Transportation, Visual Resources, and Waste Management staff has determined the project would continue to comply with applicable LORS and no changes to any conditions of certification are necessary to ensure that no significant impacts occur. Therefore staff is proposing to process the request as a Staff Approved Project Modification. Staff notes the following for these technical areas:

- **Air Quality.** The project is not expected to result in any significant impacts to Air Quality. There would be no excavation activities associated with the installation of the temporary tent that would require changes to the Air Quality conditions of certification. HBGS would continue to comply with all applicable Air Quality LORS as a result of the project modification.
- **Cultural Resources.** It is understood by staff that no excavation is required for this installation but that anchor stakes would be driven into the ground to a depth of 40 inches to secure the tent. Unless other unspecified ground disturbance is involved, such as trenching, a cultural resources monitor is not required for this installation as proposed. Should other activities involving ground disturbance occur during installation, then Condition of Certification **CUL-6** would apply and monitoring may be required.
- **Facility Design.** The installation of the above-ground temporary equipment storage tent must comply with the requirements of the California Building Code and related engineering laws, ordinances, regulations and standards for temporary facilities. Implementation of the existing **Facility Design** conditions of certification adopted in the Energy Commission Decision would ensure this.
- **Geological and Paleontological Resources.** Installation of the proposed temporary storage tent will not result in exposure to geological, mineralogical or paleontological resources. Therefore, mitigation requirements are unchanged from the approved project. Staff concludes that the proposed modification will not result in new impacts or exacerbate impacts addressed in the Commission Decision. Existing **Geology and Paleontology Resources** conditions of certification will be sufficient to reduce impacts from the proposed project modification to a less than significant level.
- **Land Use.** The project as modified would remain in compliance with the design and performance standards for the Industrial/ Coastal Dependent (MC) Zone District. The proposed temporary tent would be consistent with the design standards specified in the Humboldt County Zoning Ordinance, as required by Condition of Certification **LAND-1**. The proposed modification would be consistent with the Humboldt County Zoning Ordinance (section 313-3.4 Maximum Structure Height) which specifies a maximum height of 50 feet, plus one foot for each foot of front yard setback over 50 feet, up to a maximum of 75 feet. The proposed tent height is 24 feet which is consistent with the ordinance.
- **Noise and Vibration.** Construction work associated with installation of this temporary tent would occur during the daytime hours and would be temporary. Any noise generated during this activity would result in a less-than-significant impact with implementation of the existing **Noise** conditions of certification adopted in the Energy Commission Decision. Operational noise impacts would not be affected by this petition.
- **Socioeconomics.** Installation of the tent would require four to six workers; therefore, the proposed modification would have an insignificant impact on socioeconomics criteria. It would not induce substantial population growth in an

area, either directly or indirectly; displace substantial numbers of people and/or existing housing, necessitating the construction of replacement housing elsewhere; or adversely impact acceptable levels of service for police protection, schools, and parks and recreation. The September 2008 Energy Commission Decision for the Humboldt Bay Generating Station contained no socioeconomic conditions of certification and no new conditions of certification are necessary.

- **Traffic and Transportation.** The additional trips generated by the estimated four to six workers installing the tent would be negligible and would not cause significant impacts to traffic level of service or transportation infrastructure. Traffic and transportation system impacts are expected to remain less than significant with continued implementation of the conditions of certification set forth in the September 2008 Energy Commission Decision.
- **Visual Resources.** The tent would not be noticeable from offsite public views. Public views of it would be blocked or limited by the engine hall to the east, medium voltage buildings to the west, and transformers and switchyard to the south.
- **Waste Management.** The proposed activities would not result in a change or deletion of waste management conditions of certification adopted by the commission (in the Final Decision and subsequent approved amendment). Nor would the proposed project modification make changes that would cause the project not to comply with any applicable waste management LORS. Staff concludes that the proposed project modification would not result in a change or deletion of a condition of certification adopted by the Energy Commission (in the Final Decision and subsequent approved amendment) or make changes that would cause the project not to comply with any applicable waste management LORS.

The data in the **Environmental Justice Population Table** shows that almost 24 percent of the population living in the city of Eureka live below the federal poverty level and constitutes an environmental justice population based on the *Environmental Justice: Guidance Under the National Environmental Policy Act*. As shown in the table below, the percent of people in poverty is similar to the percent in the larger geographic areas of the Eureka Census County Division and Humboldt County, but when compared with California as a whole, the population in the city of Eureka living below the poverty level is greater by almost 8 percent. For purposes of this analysis, staff considers this population an environmental justice population. Staff has not identified any significant impacts that would result from the proposed modification; therefore, the environmental justice population in the city of Eureka would not be affected.

**ENVIRONMENTAL JUSTICE POPULATION TABLE
POVERTY DATA WITHIN THE PROJECT AREA**

	Total Population ¹			Population Below Poverty Level			Percent Below Poverty Level		
	Estimate	MOE ²	CV ³ (%)	Estimate	MOE	CV (%)	Estimate	MOE	CV (%)
Eureka city ⁴	26,215	±233	0.54	6,248	±714	6.95	23.83	±2.73	6.96
REFERENCE GEOGRAPHIES									
Eureka Census County Division	47,760	±993	1.26	9,537	±79	5.60	20.00	±1.9	5.78
Humboldt County	130,625	±430	0.20	26,600	±1,586	3.62	20.40	±1.2	3.58
California	36,913,404	±3,433	0.01	5,855,417	±40,552	0.42	15.9	±0.1	0.38

Source: U.S. Census Bureau 2009-2013 5-Year American Community Survey Estimates

Notes:

¹ Population for whom poverty is determined.

² Margin of Error.

³ Coefficient of Variation (method of evaluating the reliability of the estimates. US Census staff recommends caution when interpreting estimates with more than 15 percent CV.

⁴ Eureka city, Eureka-Arcata-Fortuna, CA Micro Area.

This Notice of Determination has been mailed to the Energy Commission's mail list of interested parties and property owners adjacent to the HBGS site. It has also been e-mailed to the facility listserv. The listserv is an automated Energy Commission e-mail system by which information about this facility is e-mailed to parties who have subscribed. To subscribe, go to the Commission's webpage for this facility, cited above, scroll down the right side of the project's webpage to the box labeled "Subscribe," and provide the requested contact information.

Any person may file an objection to staff's determination within 14 days of the date of this Notice on the grounds that the project modification does not meet the criteria set forth in section 1769(a)(2). Absent any relevant objections, the amendment petition will be approved 14 days after this Notice is docketed. To use the Energy Commission's electronic commenting feature to object to staff's determination, go to the Energy Commission's webpage for this facility, cited above, click on the "Submit e-Comment" link, and follow the instructions in the on-line form. Be sure to include the facility name in your comments. Once submitted, the Energy Commission Dockets Unit reviews and approves your comments, and you will receive an e-mail with a link to them.

Written comments may also be mailed or hand-delivered to:

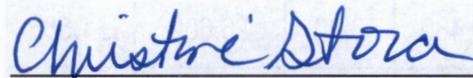
California Energy Commission
Dockets Unit, MS-4
Docket No. 06-AFC-07C
1516 Ninth Street
Sacramento, CA 95814-5512

All comments and materials filed with and approved by the Dockets Unit will be added to the facility Docket Log and be publicly accessible on the Energy Commission's webpage for the facility.

If you have questions about this Notice, please contact Jonathan Fong, Compliance Project Manager, at (916) 654-5005, or by fax to (916) 654-3882, or via e-mail at Jonathan.Fong@energy.ca.gov.

For information on participating in the Energy Commission's review of the petition, please call the Public Adviser at (800) 822-6228 (toll-free in California) or send your e-mail to publicadviser@energy.ca.gov. News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail to mediaoffice@energy.ca.gov.

Date 10/14/15



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