

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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

On May 13, 2016, California Energy Commission (Energy Commission) staff filed to the docket the Pacific Gas and Electric Company (PG&E) petition requesting minor improvements to the Humboldt Bay Generating Station. 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.

On July 15, 2016 Energy Commission staff filed to the docket a letter from PG&E requesting to add an addendum to the May 13, 2016 Petition to Amend. This minor addendum would switch the method of fiber optic cable conduit installation from a trench to a trenchless method.

DESCRIPTION OF PROPOSED MODIFICATION

PG&E is proposing to modify the existing fiber optic communications system, relocate the network communication system, install a new microwave dish and monopole, and re-route a portion of the existing water line.

The Energy Commission's webpage for this facility, <http://www.energy.ca.gov/sitingcases/humboldt/index.html> 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

Staff determined that no laws, ordinances, regulations, and standards (LORS) applicable to proposed modifications to the project have changed since the Decision was published in September, 2008. Staff's conclusions in each technical area are summarized in **Table 1**, below.

**Table 1
Summary of Conclusions for Each Technical Area**

TECHNICAL 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		
Biological Resources		X		
Cultural Resources		X		

Facility Design	X			
Hazardous Materials Management	X			
Land Use		X		
Noise and Vibration	X			
Geological Resources		X		
Paleontological Resources		X		
Public Health	X			
Socioeconomics		X		
Soil and Water Resources		X		
Traffic and Transportation		X		
Transmission Line Safety and Nuisance	X			
Transmission System Engineering	X			
Visual Resources		X		
Waste Management		X		
Worker Safety and Fire Protection		X		
Compliance	X			

*The proposed modifications will not have a significant effect on the environment, and the modifications will not result in a change in or deletion of a condition adopted by the Energy Commission in the 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 staff reviewed the petition for potential environmental effects and consistency with applicable LORS. Staff has determined that the technical or environmental areas of Facility Design, Hazardous Materials Management, Noise and Vibration, Public Health, Transmission Line Safety and Nuisance, Transmission System Engineering, and Compliance are not affected by the proposed changes.

For the technical areas of Air Quality, Biological Resources, Cultural Resources, Land Use, Geological Resources, Paleontological Resources, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Visual Resources, Waste Management, and Worker Safety and Fire Protection, staff has determined the modified project would continue to comply with applicable LORS and no changes are needed to any conditions of certification to ensure impacts would be less than significant. Staff notes the following for these technical areas:

- **Air Quality-** Staff concludes that the proposed modification is not expected to cause a significant impact to air quality.

- **Biological Resources-** Construction activities for the proposed modification would result in temporary impacts to non-native vegetation and laying the fiber optic cable within Alpha Road has the potential to affect a special-status plant species, sea-watch (*Angelica lucida*), that borders the road. In addition, there is the potential for wildlife movement across Alpha Road, as the road may be a wildlife corridor between the intake canal and the wetlands, which are a known habitat for the Northern red-legged frog (*Rana aurora aurora*). Biological monitoring has only been proposed by the project owner where Alpha Road comes in close contact with the wetlands. Since the construction activities are bordering the wetlands and potentially the sea-watch, and taking place within a wildlife corridor where Northern red-legged frogs may cross, it is necessary that the project owner provide daily biological monitoring during construction at the work site in order to protect biological resources and any wildlife using the corridor per Conditions of Certification **BIO-1**, **BIO-2** and **BIO-4**. All best management measures shall be followed per **BIO-11** and all construction workers must undergo the Worker Environmental Awareness Program (WEAP) training per **BIO-5**. Implementation of the above Biological Resources conditions of certification would ensure the project modification would have less than significant impacts on biological resources.
- **Cultural Resources-** The proposed modifications are not likely to create significant cultural resources impacts in the areas where construction is proposed. Those undertakings which would involve ground disturbance at levels where native Horizon A soils may be encountered would require monitoring per **CUL-6**. The project owner has proposed that a Cultural Resources Specialist (CRS) or Cultural Resources Monitor (CRM) will be present during excavation of native soil (PG&E 2016a; pp 6-8; PG&E 2016b, p. 3). Staff concurs that the approved CRS/CRM be present during excavation in these areas. The project owner has also proposed that a Worker Environmental Awareness Training (also known as a WEAP) will be provided to the construction workers prior to commencing work. The WEAP would need to meet the requirements of **CUL-5**.

Compliance with Conditions of Certification **CUL-1** through **CUL-7** and **CUL-11** would ensure that the proposed modifications would have no significant impact on historical resources. Please note that **CUL-1** requires the names and resumes of the CRS and CRM be submitted to the Compliance Project Manager (CPM) for approval.

- **Geological Resources-** Based on staff's review, the proposed project modification would not have a significant environmental impact on geologic resources that were not originally analyzed by the Energy Commission when it approved the project in 2008. Protection of public health and safety from geologic hazards would also be ensured. This determination is based on the recommendation that:

A seismic stability analysis of the proposed monopole will be conducted, and the results of that analysis will be used to update the seismic analyses required for condition **GEO-1**.
- **Paleontological Resources-** Based on staff's review, the proposed project would have no environmental impacts on paleontological resources that were not originally

analyzed by the Energy Commission when it approved the project in 2008, and public health and safety would be ensured. This determination is based on two factors:

- The proposed excavations for fiber optic cables and relocation of a water supply line are sufficiently shallow that they do not penetrate subsurface material with significant paleontological resources; and
 - Excavation for the monopole tower would be conducted in accordance with the specifications described in the existing Conditions of Certification.
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- **Soil and Water Resources**- Based on the information provided by the project owner, staff concludes the proposed modifications would not result in a change or deletion of a condition adopted by the Energy Commission in its Final Decision. Staff also concludes that the proposed modifications would be in compliance with applicable Soil and Water Resources LORS with the implementation of Conditions of Certification **SOIL&WATER- 1, -2, -3, and -6**.
 - **Traffic and Transportation**- The additional construction traffic generated by the project modification would be negligible and would not cause significant impacts to the traffic level of service or traffic infrastructure in the project area. Traffic and transportation system impacts would remain less than significant.
 - **Visual Resources**- The existing visual landscape includes the existing HBGS, transmission lines and existing vegetation. The proposed equipment would be of similar design of the existing facility and would blend in with the existing structures. The proposed modifications would not substantially degrade the existing visual character or quality of the site and its surroundings and would have a less than significant effect on Visual Resources.
 - **Waste Management**- Based on the information provided by the project owner, staff concludes the proposed modifications would not result in a change or deletion of a condition adopted by the Energy Commission in its Final Decision. Staff also concludes that the proposed modifications would be in compliance with applicable Waste Management LORS with the implementation of Conditions of Certification **WASTE-2 and WASTE-5**.
 - **Land Use**- The proposed microwave dish and monopole would be consistent with the design standards specified in the Humboldt County Zoning Ordinance, as required by Condition of Certification **LAND-1**. The other proposed modifications would not affect the technical area of land use.
 - **Socioeconomics**- The proposed amendment would have a less than significant socioeconomic impact as the associated activities would require a minimal workforce for a few months.
 - **Worker Safety and Fire Protection**- The modifications would not have a significant effect on power plant worker safety.

The **Environmental Justice Population Figure** shows 2010 census blocks in the six-mile radius of the HBGS with a minority population greater than or equal to 50 percent. The population in these census blocks represents an EJ population based on race and ethnicity as defined in the Council on Environmental Quality's *Environmental Justice: Guidance Under the National Environmental Policy Act*.

Based on the American Community Survey (ACS) data in the **Environmental Justice Population Table**, staff concluded that when compared with the below-poverty-level population in Humboldt County, the city of Eureka has a higher percent of people living below the poverty level, and thus are considered an EJ population based on poverty as defined in *Environmental Justice: Guidance Under the National Environmental Policy Act*.

Table 2
Poverty Data within the Project Area

	Total Population	Population Below Poverty Level	Percent Below Poverty Level (%)
	Estimate*	Estimate	Estimate
GEOGRAPHIES IN A SIX-MILE RADIUS			
Eureka	26,287 ±256	6,186 ±782	23.50 ±2.9
Eureka CCD	48,168 +/-906	9,527 +/-914	19.80 +/-1.9
REFERENCE GEOGRAPHY			
Humboldt County	131,318 +/-426	27,325 +/-1,541	20.80 +/-1.2

* Population for whom poverty is determined. Staff's analysis of the 2010 – 2014 estimates returned coefficient of variation values less than 15, indicating the data is reliable.

Impacts would be less than significant with the project's continued compliance with existing conditions of certification. Therefore, impacts would be less than significant for any population in the project's six-mile radius, including the EJ population represented in **Figure 1 (HBGS Census 2010 Minority Population by Census Block)** and **Table 2 (Poverty Data within the Project Area)**.

California Code of Regulations, title 20, section 1769(a)(2) states, "[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, no commission approval is required...."

Pursuant to that section, staff has determined that approval by the full Commission is not required for this petition 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.

This Notice of Determination has been mailed to the Energy Commission's facility mail list of interested parties and property owners adjacent to the facility 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 Energy 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 Title 20, California Code of Regulations, 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. 11-AFC-1C
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 Bruce Boyer, Compliance Project Manager, at (916) 653-7181, or by fax to (916) 654-3882, or via e-mail at bruce.boyer@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: 9/13/16



CHRISTINE ROOT,
Manager, Compliance Office
Siting, Transmission, & Environmental Protection
Division

Mail List: 7212
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FIGURE 1
 Humboldt Bay Generating Station - Census 2010 Minority Population by Census Block

