

**DOCKETED**

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<b>Project Title:</b>	Humboldt Bay Generating Station - Compliance
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<b>Document Title:</b>	Humboldt Bay Generating Station
<b>Description:</b>	Statement of Staff Approval of Post Certification Change-Boundary Expansion
<b>Filer:</b>	susan fleming
<b>Organization:</b>	California Energy Commission
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## **STATEMENT OF STAFF APPROVAL OF POST CERTIFICATION CHANGE HUMBOLDT BAY GENERATING STATION (06-AFC-07C)**

On March 17, 2023, Pacific Gas and Electric Company (PG&E) filed a Post-Certification Petition for Changes in Project Design, Operation or Performance and Amendments to the Commission Decision (Petition) (TN#[249391](#)) with the California Energy Commission (CEC) requesting to amend the Humboldt Bay Generating Station (HBGS) Final Commission Decision (Final Decision).

The HBGS is a 163-megawatt (MW) facility consisting of ten dual-fuel (natural gas and/or #2 diesel) Wartsila 18V50DF 16.3 MW reciprocating engine generator sets and associated equipment. The HBGS was certified by the CEC in September 2008 and began commercial operation in October 2012. The facility is located in the city of Eureka, in Humboldt County.

### **DESCRIPTION OF PROPOSED CHANGE**

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The proposed modification includes expansion of the existing HBGS CEC-jurisdictional site boundary from 5.4 acres to approximately 10 acres. The site expansion will incorporate the following facilities that were formerly used during Humboldt Bay Power Plant (HBPP) operations and decommissioning:

1. Former Waste Management Building, for use as a warehouse for storage.
2. "HBPP Core Area" (former locations of Generating Units 1-3) for parking, open storage, and maintenance laydown area.
3. Parking lot adjacent to the HBGS security gate on Alpha Road.
4. Alpha Road designated as the primary access road, and Bravo Road, the current the primary access road, as the secondary and emergency access road.

To access the petition to amend, go to the [CEC's project webpage](#), <https://ww2.energy.ca.gov/sitingcases/humboldt/>. In the box labeled "Compliance Proceeding" click on the "Documents for this Proceeding, [Docket Log](#), (06-AFC-07C)" and locate the petition by the transaction number noted above.

## **CEC STAFF REVIEW AND CONCLUSIONS**

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California Code of Regulations, title 20, section 1769(a)(1) requires a project owner to petition the CEC for the approval of any change the project owner proposes to the project design, operation, or performance requirements of a certified facility. Pursuant to 1769(a)(3)(A), the petition may be approved by CEC staff (staff) only if the following criteria are met:

- i. There is no possibility that the change may have a significant impact on the environment, or the change is exempt from the California Environmental Quality Act;
- ii. The changes would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards; and
- iii. The changes will not require a change to, or deletion of, a condition of certification adopted by the Commission in the final decision or subsequent amendments.

Staff reviewed the petition for potential environmental effects and consistency with applicable laws, ordinances, regulations, and standards (LORS). Staff's conclusions for all technical and environmental areas are summarized in **Table 1**.

**TABLE 1**  
**Summary of Conclusions for all Technical and Environmental Areas**

Technical Areas Reviewed	CEQA				Conforms with applicable LORS
	Potentially Significant Impact	Less Than Significant Impact with Mitigation (with Revised or New COCs)	Less Than Significant Impact (with or without Existing COCs)	No Impact	
Air Quality				X	X
Biological Resources				X	X
Cultural Resources			X		X
Efficiency				X	
Facility Design					N/A
Geological Resources				X	X
Hazardous Materials Management				X	X
Land Use			X		X
Noise and Vibration				X	X
Paleontological Resources				X	X
Public Health				X	X
Reliability					
Socioeconomics				X	
Soil and Water Resources			X		X
Traffic and Transportation			X		X
Transmission Line Safety and Nuisance				X	X
Transmission System Engineering					X
Visual Resources			X		X
Waste Management				X	X
Worker Safety and Fire Protection				X	X

Areas shown in gray are not subject to CEQA consideration or have no applicable LORS the project must comply with.

Staff has determined that the modified project would continue to comply with applicable LORS, and the project change would not result in any significant adverse environmental impacts or require a change to any conditions of certification (COCs). The bases for each of staff's conclusions are provided below:

### **AIR QUALITY**

The proposed Petition to expand the boundary of the HBGS facility would not result in any physical changes. Since there would be no construction activities or changes to facility operations related to the extension of the boundary adjustment, the requested modifications would have no impact on air quality.

### **BIOLOGICAL RESOURCES**

The Petition would not result in any changes to the operation of the power plant or physical environment or involve any ground disturbance activities and therefore would not have any impacts on biological resources. Furthermore, the project boundary modification incorporates disturbed and previously developed land. With the proposed modifications, the project would not require any alterations to the Biological Resources COCs and the project would remain in compliance with biological resources-related LORS.

### **CULTURAL RESOURCES**

The proposed modifications do not include earth-disturbing construction activities and therefore would likely not impact significantly cultural resources. The use of former HBPP facilities as a maintenance laydown area does include a potential to impact cultural resources; however, the implementation of existing COCs would mitigate any potentially significant impacts to cultural resources.

### **EFFICIENCY**

The proposed boundary change would not have an impact on thermal efficiency.

### **FACILITY DESIGN**

The Petition would not result in any new construction. Thus, there would be no impact to facility design.

### **GEOLOGICAL AND PALEONTOLOGICAL RESOURCES**

The proposed Petition to expand the boundary of the HBGS facility would not result in any physical changes. There would not be any construction activities or ground disturbance related to the extension of the boundary. Therefore, staff concludes that

the change in the project boundary would not have an impact on geological or paleontological resources.

## **HAZARDOUS MATERIALS MANAGEMENT**

The proposed Petition to expand the boundary of the HBGS facility would not result in any physical changes. There would not be any construction activities or the use of any hazardous materials on site related to the extension of the boundary. Therefore, staff concludes that the change in the project boundary would not have an impact on hazardous materials management.

## **LAND USE**

The expansion of the HBGS site from approximately 5.4 acres to 10 acres would provide additional and more efficient space for maintenance laydown, equipment storage, and parking. Reuse of portions of the HBPP site was envisioned in Coastal Development Permit (CDP) 9-15-0531. The boundary expansion would enable HBGS to use existing infrastructure that was developed for the decommissioning of the HBPP. As part of the HBPP decommissioning process and as required by the CDP, the former HBPP Waste Management Building, located in the northwest of the site, was converted into a warehouse with associated offices. HBGS would use the former HBPP Waste Management Building for storage. The HBPP Core Area would be used for parking, open storage and maintenance laydown, and the parking lot adjacent to the HBGS security gate on Alpha Road for parking. The use of Alpha Road for primary access would enable Bravo Road to be used by HBGS for secondary and emergency access. The modification would not require new development and would not include new activities or an increase in existing activities that were previously analyzed in the Final Decision. The project would remain in compliance with LORS through continued implementation of existing Condition of Certification **LAND-1**, conformance with the design and performance standards for the MC Industrial/Coastal Dependent Zone of the Humboldt County Zoning Ordinance. Impacts on land use would be less than significant.

## **NOISE AND VIBRATION**

The Petition would not result in any new construction. Thus, there would be no impact to noise and vibration.

## **PUBLIC HEALTH**

The proposed Petition to expand the boundary of the HBGS facility would not result in any physical changes. Since there would be no construction activities or changes to facility operations related to the extension of the boundary adjustment, the requested modification would have no impact on Public Health.

## **RELIABILITY**

The proposed boundary change would not have an impact on plant reliability.

## **SOCIOECONOMICS**

The proposed Petition would have no impact on socioeconomics. There would be no new development, no new activities, and no increase in existing activities. The modification would not alter the operational impacts that were used as the basis for the Final Decision. There is no socioeconomics related LORS applicable to the boundary change and there would be no workforce related impacts on population, housing, and public services.

## **SOIL AND WATER**

This Petition proposes to extend the boundary of the HBGS facility. According to the Petition, the proposed modification would not result in physical changes or ground disturbance. No impacts to soil and water resources would be expected. Stormwater would continue to be managed under the National Pollution Discharge Elimination System permit for discharges of stormwater associated with industrial activity. However, the existing Stormwater Pollution Prevention Plan would need to be modified to include the area within the modified HBGS site boundary. The modification would conform to applicable LORS related to soil and water resources and changes to the existing COCs would not be required. Therefore, the impacts of the modification to soil and water resources would be less than significant.

## **TRAFFIC AND TRANSPORTATION**

As part of the HBPP site restoration, Alpha Road was paved and upgraded in some areas to enable it to accommodate heavy loads. Further, Alpha Road was widened at the entrance to King Salmon Avenue. Alpha Road is necessary as a permanent entrance road for heavy haul access if the HBGS reciprocating engines require replacement, and for the transport of backup transformers for the HBGS switchyard and 60-kilovolt (kV) substation in the event of transformer failures. Additionally, where Alpha Road enters the HBGS, an existing graveled parking area will be included within the proposed boundary and used as a secondary access road.

The use of the existing former HBPP Waste Management Building as a warehouse would allow for more efficient movement of parts and materials to and from the HBGS plant buildings. Utilization of an onsite warehouse would reduce traffic from HBGS staff traveling to and from the current offsite warehouse. The HBPP Core Area is covered in aggregate, except for a paved roadway that has been added to provide access to the warehouse. The expansion of the boundary includes an existing parking area adjacent

to Alpha Road and the security gate for HBGS. This parking area will enable HBGS personnel and contractors to park closer to the power plant.

The modification would not require new development and would not include new activities or an increase in existing activities that were previously analyzed in the Final Decision. The project would remain in compliance with LORS, no existing COCs are applicable to the boundary modification and no new COCs are required. Impacts on transportation would be less than significant.

### **TRANSMISSION LINE SAFETY AND NUISANCE**

The proposed Petition to expand the boundary of the HBGS facility would not result in any physical changes. Since there would be no construction activities or changes to facility operations related to the extension of the boundary adjustment, the requested modification would not have any transmission line safety and nuisance effects.

### **TRANSMISSION SYSTEM ENGINEERING**

The proposed project boundary change does not include activities with the transmission lines or within the project switchyard and would not impact the transmission grid. Therefore, there would be no impacts to transmission system engineering. In addition, the project would comply with applicable LORS, and would not require a change to any of the COCs.

### **VISUAL RESOURCES**

The boundary expansion would enable HBGS to use existing infrastructure that was developed for the decommissioning of the HBPP. The modification would not require new development and would not include new activities or an increase in existing activities that were previously analyzed in the Final Decision. Existing COC **VIS-3**, which requires annual reporting regarding surface treatment maintenance of project structures and buildings, and **VIS-4**, which provides for a lighting complaint process, would be applicable to the expanded site. Therefore, impacts on visual resources would be less than significant.

### **WASTE MANAGEMENT**

The proposed Petition to expand the boundary of the HBGS facility would not result in any physical changes at the site. There would not be any construction activities related to the extension of the boundary or changes to the waste management at the site. Therefore, staff concludes that the change in the project boundary would not have an impact on waste management.

## WORKER SAFETY AND FIRE PROTECTION

The proposed Petition to expand the boundary of the HBGS facility would not result in any physical changes. There would also not be any construction activities on site related to the extension of the boundary. Therefore, staff concludes that the change in the project boundary would not have an impact on worker health and safety.

## CALENVIROSCREEN 4.0

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Staff reviewed CalEnviroScreen 4.0 data to determine whether the United States census tract where the HBGS is located (6023010700) is identified as a disadvantaged community. This science-based mapping tool is used by the California Environmental Protection Agency to identify disadvantaged communities based on geographic, socioeconomic, public health, and environmental hazard criteria pursuant to Health and Safety Code section 39711 as enacted by Senate Bill 535 (De León, Chapter 830, Statutes of 2012). The CalEnviroScreen 4.0 overall percentile score for this census tract is 40.47 and, thus, is [not] identified as a disadvantaged community.

## ENVIRONMENTAL JUSTICE

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**Environmental Justice Figure 1** shows 2020 census blocks in the six-mile radius of the Humboldt Bay Generating Facility with a minority population greater than or equal to 50 percent. The population in these census blocks represents an environmental justice (EJ) population based on race and ethnicity as defined in the United States Environmental Protection Agency's *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. Staff conservatively obtains demographic data within a six-mile radius around a project site based on the parameters for dispersion modeling used in staff's air quality analysis. Air quality impacts are generally the type of project impacts that extend the furthest from a project site. Beyond a six-mile radius, air emissions have either settled out of the air column or mixed with surrounding air to the extent the potential impacts are less than significant. The area of potential impacts would not extend this far from the project site for most other technical areas included in staff's EJ analysis.

Based on California Department of Education data in the **Environmental Justice Table 1**, staff concluded that the percentage of those living in the Eureka City Union, Peninsula Union, South Bay Union Elementary, and Loleta Union Elementary school districts (in a six-mile radius of the project site) and enrolled in the free or reduced-price meal program is larger than those in the reference geography. Thus, it is considered an EJ population based on low income as defined in *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*.

**Environmental Justice – Figure 2** shows where the boundaries of the school district are in relation to the six-mile radius around the Humboldt Bay Generating Station site.

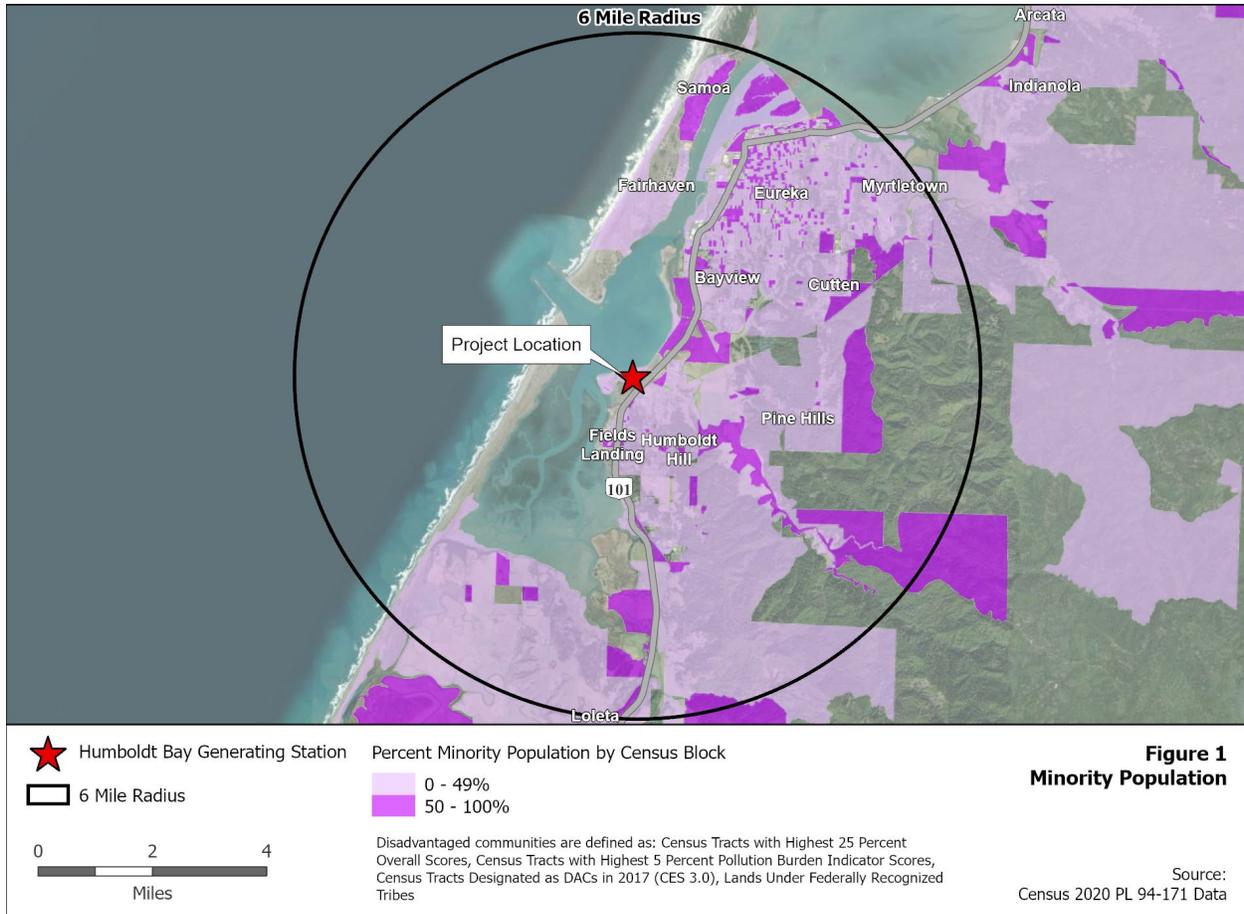
**Environmental Justice – Table 1  
 Low Income Data within the Project Area**

<b>SCHOOL DISTRICTS IN SIX-MILE RADIUS</b>	<b>Enrollment Used for Meals</b>	<b>Free or Reduced-Price Meals</b>	
Eureka City Union	3,761	2,650	70.5%
Loleta Union Elementary	108	101	93.5%
Peninsula Union	58	44	75.9%
South Bay Union Elementary	910	615	67.6%
REFERENCE GEOGRAPHY			
Humboldt County	17,608	10,454	59.4%

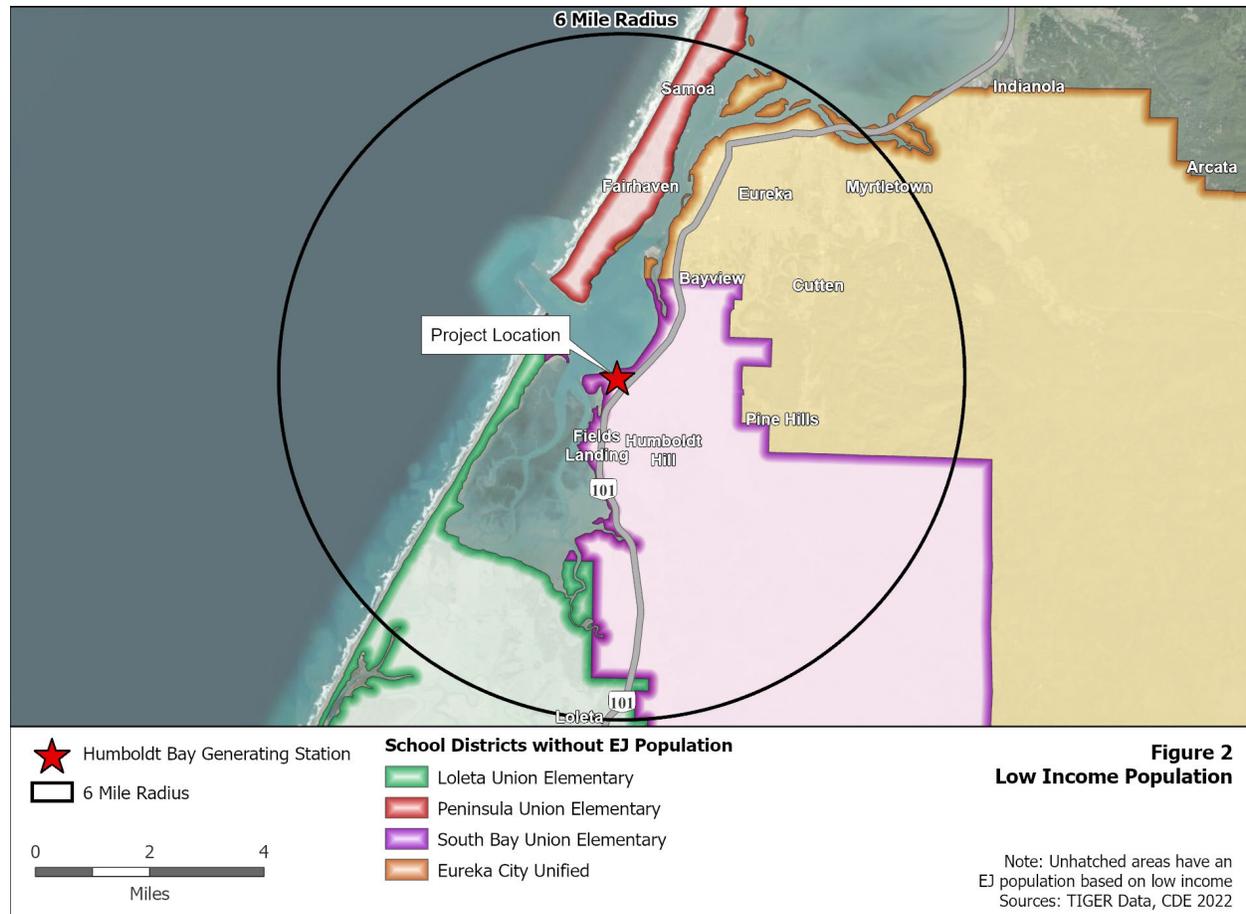
Source: CDE 2022. California Department of Education, DataQuest, Free or Reduced Price Meals, District level data for the year 2021-2022, <http://dq.cde.ca.gov/dataquest/>.

The following technical areas (if affected) consider impacts to EJ populations: Air Quality, Cultural Resources (indigenous people), Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water resources, Traffic and Transportation, Transmission Line Safety and Nuisance, Visual Resources, Waste Management, and Worker Safety and Fire Protection.

### ENVIRONMENTAL JUSTICE FIGURE 1



## ENVIRONMENTAL JUSTICE FIGURE 2



## Environmental Justice Conclusions

For this petition, the following technical areas consider impacts to EJ populations: Air Quality, Cultural Resources (indigenous people), Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Transmission Line Safety and Nuisance, Visual Resources, Waste Management, and Worker Safety and Fire Protection. For these technical areas, staff concludes that there would be no impacts or impacts would be less than significant, and, thus, would be less than significant on the EJ population represented in **Environmental Justice Figure 1, Figure 2, and Table 1.**

## **CEC STAFF DETERMINATION**

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Staff has determined that the Petition meets the criteria for approval by staff, and therefore, submission to the CEC for approval is not required. Specifically, based on the environmental and other analysis set forth above, staff has determined the proposed changes described in the Petition, meet the following requirements:

1. There is no possibility that the change may have a significant impact on the environment, or the change is exempt from the California Environmental Quality Act;
2. The changes would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards; and
3. The changes will not require a change to, or deletion of, a condition of certification adopted by the Commission in the final decision or subsequent amendments.

Staff also concludes that none of the findings specified in 1748(b) apply to the proposed changes and the proposed changes do not meet any of the criteria requiring the production of subsequent or supplemental review pursuant to Public Resources Code section 21166 and California Code of Regulations, tit. 20, section 15162.

## **WRITTEN COMMENTS**

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This statement of staff summary and approval of the proposed project changes has been filed in the docket for this project. Pursuant to California Code of Regulations, title 20, section 1769(a)(3)(C), any person may file an objection to the CEC staff's determination within 14 days of the filing of this statement on the grounds that the project change does not meet the criteria set forth in sections 1769(a)(3)(A) or (a)(3)(B). Absent any objections as specified in section 1769(a)(3)(C), this petition will be approved 14 days after this statement is filed.

The [CEC's project webpage](https://ww2.energy.ca.gov/sitingcases/humboldt/), <https://ww2.energy.ca.gov/sitingcases/humboldt/>, has a link to the petition and this Statement of Staff Approval on the right side of the webpage in the box labeled "Compliance Proceeding." Click on the "[Docket Log](#), (06-AFC-07C)" option.

Written comments or objections to staff's determination may be submitted using the CEC's e-Commenting feature, as follows: Go to the [CEC's project webpage](#) and click on either the "Comment on this Proceeding," or "[Submit e-Comment](#)" link. When your comments are filed, you will receive an email with a link to them.

Written comments or objections may also be mailed to:

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

All comments and materials filed with the Docket Unit will be added to the facility Docket Log and be publicly accessible on the [CEC's project webpage](#).

If you have questions about this document, please contact Compliance Project Manager Keith Winstead, Compliance Monitoring and Enforcement Unit, Safety and Reliability Branch, at (916) 208-3849, or via email at [Keith.Winstead@energy.ca.gov](mailto:Keith.Winstead@energy.ca.gov).

For information on public participation, please contact the CEC's Office of Public Advisor, Energy Equity, and Tribal Affairs at (916) 957-7910 or email at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov).

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