



**Pacific Gas and
Electric Company**

Humboldt Bay 1000 King Salmon Ave.
Generating Station Eureka, CA 95503-
6859

January 20, 2009

Mr. Chris Davis
Compliance Project Manager
California Energy Commission
Energy Facilities Siting Division
1516 Ninth Street, MS 2000
Sacramento, California 95814-5512

DOCKET 06-AFC-7	
DATE	JAN 20 2009
RECD.	JAN 22 2009

RE: Humboldt Bay Generating Station Insignificant Project Change Request (06-AFC-07C)

Dear Mr. Davis,

Please consider this letter and the attached PG&E's official request for an Insignificant Project Change to the Humboldt Bay Generating Station project. This request is for additional laydown area at the existing Fields Landing industrial area. We believe that this request conforms to the CEC's statement as noted below and found within the CEC Final Commission Decision (06-AFC-07C) dated September 2008;

Insignificant Project Change

Modifications that do not result in deletions or changes to Conditions of Certification, and that are compliant with laws, ordinances, regulations, and standards may be authorized by the CPM as an insignificant project change pursuant to section 1769(a) (2)...

Should you have any questions or concerns, please do not hesitate to contact me. Thank you for your time and consideration.

Respectfully,

Dena Parish
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CC: Joe Sutton, PG&E
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Petition for Modification No. 1

Application for Certification

Humboldt Bay Generating Station

January 2009

Submitted to the
California Energy
Commission

Submitted by



*Pacific Gas and
Electric Company®*

Prepared by

CH2MHILL

Petition for Modification No. 1

Fields Landing Laydown Area

for the

Humboldt Bay Generating Station

Humboldt County, California

(06-AFC-7C)

Submitted to the:

California Energy Commission

Submitted by:

Pacific Gas and Electric Company

With Technical Assistance by:

 **CH2MHILL**
Sacramento, California

January 2009

Contents

Section	Page
Acronyms and Abbreviations	v
Executive Summary.....	vii
1.0 Introduction.....	1-1
1.1 Overview of Modifications	1-1
1.2 Ownership of the Facility Property	1-2
1.3 Necessity of Proposed Changes.....	1-2
1.4 Consistency of Changes with Certification	1-3
1.5 Summary of Environmental Impacts	1-3
1.6 Conditions of Certification	1-3
2.0 Description of Project Modifications	2-1
3.0 Environmental Analysis of Proposed Project Modifications.....	3-1
3.1 Air Quality	3-3
3.1.1 Environmental Baseline Information	3-3
3.1.2 Environmental Consequences	3-3
3.1.3 Mitigation Measures	3-3
3.1.4 Consistency with LORS.....	3-3
3.1.5 Conditions of Certification.....	3-3
3.2 Biological Resources	3-5
3.2.1 Environmental Baseline Information	3-5
3.2.2 Environmental Consequences	3-6
3.2.3 Mitigation Measures	3-6
3.2.4 Consistency with LORS.....	3-7
3.2.5 Conditions of Certification.....	3-7
3.3 Land Use.....	3-9
3.3.1 Environmental Baseline Information	3-9
3.3.2 Environmental Consequences	3-10
3.3.3 Mitigation Measures	3-11
3.3.4 Consistency with LORS.....	3-11
3.3.5 Conditions of Certification.....	3-11
3.4 Soil and Water	3-13
3.4.1 Environmental Baseline Information	3-13
3.4.2 Environmental Consequences	3-13
3.4.3 Mitigation Measures	3-13
3.4.4 Consistency with LORS.....	3-13
3.4.5 Conditions of Certification.....	3-13
3.5 Traffic and Transportation.....	3-15
3.5.1 Environmental Baseline Information	3-15
3.5.2 Environmental Consequences	3-15

3.5.3 Mitigation Measures.....	3-16
3.5.4 Consistency with LORS	3-16
3.5.5 Conditions of Certification	3-16
3.6 Visual Resources.....	3-17
3.6.1 Environmental Baseline Information.....	3-17
3.6.2 Environmental Consequences.....	3-17
3.6.3 Mitigation Measures.....	3-18
3.6.4 Consistency with LORS	3-18
3.6.5 Conditions of Certification	3-18
3.7 LORS.....	3-19
4.0 Potential Effects on the Public.....	4-1
5.0 List of Property Owners.....	5-1
6.0 Potential Effects on Property Owners	6-1
7.0 References.....	6-1

Table

- 1 Informational Requirements for Post-Certification Modifications

Figures

- 1 Fields Landing Laydown Vicinity Map
- 2 Fields Landing Laydown Location Map
- 3 Fields Landing Terminal Biological Resources
- 4 General Plan Designations
- 5 Zoning Designations

Attachments

- 1 Photos of the Fields Landing Laydown Area
- 2 Property Owners within 1,000 Feet of the Proposed Facility

Acronyms and Abbreviations

AFC	Application for Certification
BMPs	best management practices
CCC	California Coastal Commission
CCR	California Code of Regulations
CEC	California Energy Commission
HBGS	Humboldt Bay Generating Station
HBRP	Humboldt Bay Repowering Project
LORS	laws, ordinances, regulations, and standards
PG&E	Pacific Gas and Electric Company
USACE	U.S. Army Corps of Engineers

Executive Summary

Pacific Gas and Electric Company (PG&E) petitions the California Energy Commission to modify the certification for Humboldt Bay Generating Station (HBGS) (a.k.a. Humboldt Bay Repowering Project) (06-AFC-7C). This Petition for Modification proposes to include two additional equipment laydown areas in Fields Landing, California. Given the decommissioning activities occurring at PG&E's existing Humboldt Bay Power Plant, where the HBGS site is located, additional laydown area is needed to accommodate the project components until they are needed on site.

The two proposed laydown areas comprise approximately 30 acres of primarily vacant land in an industrial area. These two areas consist of a combination of asphalt-paved, graveled, and unpaved surfacing. These areas were previously used by Humboldt Bay Forest Products for wood products storage, and have also been used for construction equipment and material laydown for previous construction projects.

The project owner does not suggest any revisions to the Conditions of Certification set forth in the September 2008 certification for HBGS. With adherence to the Conditions of Certification, the HBGS, as modified, will not cause significant adverse impacts to the environment.

Introduction

1.1 Overview of Modifications

Pacific Gas and Electric Company (PG&E) petitions the California Energy Commission (CEC) to modify the certification for the Humboldt Bay Generating Station (HBGS) (a.k.a. Humboldt Bay Repowering Project [HBRP] 06-AFC-7C). The Application for Certification (AFC) for this project was filed in 2006 (PG&E, 2006) and the facility received CEC certification on September 24, 2008 (CEC, 2008).

This Petition for Modification proposes to include two additional equipment laydown areas in Fields Landing, California. Given the decommissioning activities occurring at PG&E's existing Humboldt Bay Power Plant, where the HBGS site is located, additional laydown area is needed to accommodate the HBGS project components until they are needed on site. The larger northern laydown area, approximately 28.3 acres of primarily vacant land with a few structures, is located approximately 0.6 mile south of the HBGS site. The southern laydown area, approximately 1.6 acres, is located approximately 1.1 miles south of the HBGS site. This area of vacant land is adjacent to (south of) an existing industrial facility. These two areas consist of a combination of asphalt-paved, graveled, and unpaved surfacing. Both areas consist of primarily vacant land in an industrial area, which was previously used by Humboldt Bay Forest Products for storage. These areas have also been used for construction equipment and material laydown for previous construction projects. A detailed description of the proposed modifications for the addition of the equipment laydown areas in Fields Landing, California is included in Section 2.0.

This Petition for Modification contains all of the information that is required pursuant to the CEC's Siting Regulations (California Code of Regulations [CCR] Title 20, Section 1769, Post Certification Amendments and Changes). The information necessary to fulfill the requirements of Section 1769 is provided in Sections 1.0 through 6.0 as summarized in Table 1.

TABLE 1
Informational Requirements for Post-Certification Modifications

Section 1769 Requirement	Section of Petition Fulfilling Requirement
(A) A complete description of the proposed modifications, including new language for any conditions that will be affected	Section 2.0—Proposed modifications Sections 3.1 to 3.6—Proposed changes to Conditions of Certification, if necessary, are located at the end of each technical section
(B) A discussion of the necessity for the proposed modifications	Section 1.3
(C) If the modification is based on information that was known by the petitioner during the certification proceeding, an explanation why the issue was not raised at that time	Section 1.3

TABLE 1
Informational Requirements for Post-Certification Modifications

Section 1769 Requirement	Section of Petition Fulfilling Requirement
(D) If the modification is based on new information that changes or undermines the assumptions, rationale, findings, or other bases of the final decision, an explanation of why the change should be permitted	Sections 1.4, 3.1 to 3.6
(E) An analysis of the impacts the modification may have on the environment and proposed measures to mitigate any significant adverse impacts	Section 3.1 to 3.6
(F) A discussion of the impact of the modification on the facility's ability to comply with applicable laws, ordinances, regulations, and standards;	Section 3.1 to 3.6
(G) A discussion of how the modification affects the public	Section 4.0
(H) A list of property owners potentially affected by the modification	Section 5.0
(I) A discussion of the potential effect on nearby property owners, the public and the parties in the application proceedings.	Section 6.0

1.2 Ownership of the Facility Property

PG&E's prime contractor will lease the Fields Landing site (comprised of two distinct areas) from Humboldt Bay Forest Products and Mr. Stanwood Murphy during construction activities at the HBGS. PG&E is one of the largest combination natural gas and electric utilities in the United States. The company provides natural gas and electric service to approximately 15 million people throughout northern and central California.

1.3 Necessity of Proposed Changes

The Siting Regulations require a discussion of the necessity for the proposed revision to HBGS certification and whether the modification is based on information known by the petitioner during the certification proceeding (Title 20, CCR, Sections 1769 [a][1][B], and [C]). This Petition for Modification is necessary due to space constraints at PG&E's Humboldt Bay Power Plant. During the project certification process, the onsite laydown area was expected to be sufficient based on a plan to vertically stack Conex storage containers within the designated laydown area. Based on more recent project constructability reviews, this approach has been deemed impractical due to the logistics associated with sequencing equipment access. Based on further analysis of the decommissioning activities required for the existing power plant and the space needed for constructing the HBGS, it was recently determined that there is not sufficient space on the Humboldt Bay Power Plant property to accommodate both. As a result, PG&E proposes to store project components for the HBGS at the offsite location and bring the project components on site when they are needed.

1.4 Consistency of Changes with Certification

The Siting Regulations also require a discussion of the consistency of the proposed project revision with the applicable laws, ordinances, regulations, and standards (LORS) and whether the modifications are based on new information that changes or undermines the assumptions, rationale, findings, or other basis of the final decision (Title 20, CCR Section 1769 [a][1][D]). If the project is no longer consistent with the certification, the Petition for Modification must provide an explanation why the modification should be permitted.

The proposed use of the Fields Landing laydown area is consistent with all applicable LORS. This Petition for Modification is not based on new information that changes or undermines any basis for the final Decision. The findings and conclusions contained in the Commission Decision for HBGS (CEC, 2008) are still applicable to the project, as modified.

1.5 Summary of Environmental Impacts

The CEC Siting Regulations require that an analysis be conducted to address the potential impacts the proposed modifications may have on the environment and proposed measures to mitigate any potentially significant adverse impacts (Title 20, CCR, Section 1769 [a][1][E]). The regulations also require a discussion of the impact of the modification on the facility's ability to comply with applicable LORS (Section 1769 [1][a][F]). Section 3.0 of this Petition for Modification includes a discussion of the potential environmental impacts associated with the modifications, as well as a discussion of the consistency of the modification with LORS. Section 3.0 also includes updated environmental baseline information if changes have occurred since the AFC that would have a bearing on the environmental analysis of the Petition for Modification. Section 3.0 concludes that there will be no significant environmental impacts associated with implementing the actions specified in the Petition for Modification and that the project as modified will comply with all applicable LORS.

1.6 Conditions of Certification

The construction of the HBGS modifications identified in this petition would require no changes to the CEC Conditions of Certification as described in the Commission Decision for the HBGS.

SECTION 2.0

Description of Project Modifications

This section includes a description of the proposed project modifications, consistent with CEC Siting Regulations (Title 20, CCR, Section 1769 [a][1][A]). The HBGS project would use two additional laydown areas located in Fields Landing. Figure 1 shows the locations of the two proposed laydown areas relative to the HBGS site. Figure 2 shows the laydown area locations within Fields Landing.

The larger northern laydown area, approximately 28.3 acres of primarily vacant land with a few structures, is located approximately 0.6 mile south of the HBGS site. The southern laydown area, approximately 1.6 acres, is located approximately 1.1 miles south of the HBGS site. This area of vacant land is adjacent to (south of) an existing industrial facility. These two areas consist of a combination of asphalt-paved, graveled, and unpaved surfacing. Both areas consist of primarily vacant land in an industrial area, which was previously used by Humboldt Bay Forest Products for storage. These areas have also been used for construction equipment and material laydown for previous construction projects.

The two laydown areas would be used throughout the duration of HBGS construction, storing both piles for pile foundations and storage containers housing project components until they are needed at the HBGS site. The equipment in the storage containers would be off-loaded at the HBGS project site and the empty containers would either be brought back to the Fields Landing laydown areas where they would be stored until construction is complete or sent back to their place of origin. The laydown areas will be used in their current condition, no site grading or surfacing will be performed. Existing potholes may be repaired by placement of crushed rock.

It is estimated that an average of one to two storage containers per day would be transported to or from the Fields Landing laydown areas. However, the storage containers would likely arrive in clusters; for example, four to six storage containers could be transported to or from the laydown areas on one day. There would also be days when no storage containers are transported to or from the laydown areas. In addition to storage containers, piles may be stored at the Fields Landing laydown areas from early February to mid March of 2009. If these laydown areas are used for pile storage, the maximum number of supply and return trips would be five to ten per day.

The truck routing from the proposed Fields Landing laydown areas to the HBGS project site would be as follows: trucks will exit the northern laydown area and travel south on an unnamed private road, turning east (left) on Railroad Avenue toward U.S. Highway 101 (U.S. 101). Trucks may use C Street as an alternative to Railroad Avenue. The trucks would enter U.S. 101 at the Orchard Avenue on-ramp, and travel north to the King Salmon Avenue exit. The trucks would then travel northwest along King Salmon Avenue until they reach the HBGS construction access road, turning northeast (right) on the access road, terminating at the project site. Trucks will exit the southern laydown area either on the unnamed private road or directly onto Railroad Avenue, and will follow the same route.

To access the laydown areas from the HBGS project site, trucks would travel southwest on the HBGS construction access road, turn southeast (left) on King Salmon Road, take U.S. 101 south to the Orchard Avenue exit, turn west (right) on Orchard Avenue, west on Railroad Avenue to the smaller southern laydown area, or north (right) on the unnamed private road to the larger northern laydown area. Trucks may also use C Street as an alternate to Railroad Avenue. The route between the HBGS site and the proposed laydown areas is depicted in Figure 1.

SECTION 3.0

Environmental Analysis of Proposed Project Modifications

The proposed modifications to the HBGS would be limited to the addition of two laydown areas to store equipment and project components until they are needed for HBGS construction. No ground-disturbing activities are proposed for the laydown areas. As a result, the environmental analysis for most of the environmental disciplines does not differ significantly from that described in the AFC, and the impacts associated with this Petition for Modification would be less than significant. The following environmental disciplines would not differ significantly from the AFC:

- Cultural Resources
- Geology and Paleontology
- Hazardous Materials Management
- Noise
- Public Health
- Socioeconomics
- Waste Management
- Worker Safety and Fire Protection

For the remaining environmental disciplines, the changes resulting from the additional laydown area pose the possibility of a change to the environmental analysis presented in the AFC. The following sections address the potential significance of changes that could result from the proposed additional laydown areas. Each section includes a brief discussion of the environmental baseline, followed by a discussion of the environmental consequences of the modified project design, compared with those of the original design. The modifications do not require changes to the Conditions of Certification.

The environmental disciplines are addressed in alphabetical order, as follows:

- 3.1 Air Quality
- 3.2 Biological Resources
- 3.3 Land Use
- 3.4 Soils and Water
- 3.5 Traffic and Transportation
- 3.6 Visual Resources

3.1 Air Quality

This section presents the evaluation of impacts resulting from the proposed addition of the Fields Landing site as a laydown area.

3.1.1 Environmental Baseline Information

This Petition for Modification does not require changes to the environmental baseline information as described in the AFC for air quality. There have been no significant changes in ambient air quality or meteorological conditions since the AFC was filed.

PG&E proposes to add an additional 30 acres of laydown area (one 28.3-acre area and a second 1.6-acre area) at Fields Landing. No other changes to emissions or source locations are proposed for the HBGS.

3.1.2 Environmental Consequences

The addition of the proposed Fields Landing laydown areas will not require any construction activities other than periodic watering to control mud and fugitive dust from leaving the site, in accordance with the applicable requirements of Condition of Certification AQ-SC3 (sections A through E). Because the area has been used in the past for storage, no excavation, clearing, or leveling will be required, so no earthmoving will occur that would generate fugitive dust. No stockpiled soil or other loose construction materials will be stored, so there will be no potential for windblown dust. Use of the proposed Fields Landing laydown areas will not result in a cumulative increase in air emissions sufficient to create a significant air quality impact.

3.1.3 Mitigation Measures

No additions to or changes to the mitigation measures are necessary for air quality, for this proposed modification.

3.1.4 Consistency with LORS

The use of the Fields Landing site as a laydown area will conform with all applicable LORS related to air quality.

3.1.5 Conditions of Certification

This Petition for Modification does not require changes to the Air Quality Conditions of Certification.

3.2 Biological Resources

This section presents the evaluation of the biological setting and impacts resulting from the proposed use of the remote laydown area for HBGS construction at Fields Landing. Mitigation and protection measures are provided to avoid and minimize potential impacts to biological resources.

3.2.1 Environmental Baseline Information

This Petition for Modification does not require changes to the environmental baseline information as described in the AFC for biological resources because no new habitat types were found on the new laydown areas. The locations of the new laydown areas in relation to mapped biological resources are depicted in Figure 3.

PG&E proposes to use up to approximately 30 acres of highly disturbed commercial/ industrial property for additional laydown areas. The sites are in industrial use, most recently for log storage, and has little natural resource value. The plant communities in the proposed laydown areas are dominated by ruderal and introduced species such as sparsely occurring bird's foot trefoil (*Lotus corniculatus*), white clover (*Trifolium repens*), and red alder seedlings (*Alnus rubra*) growing in the duff of logging debris to quaking grass (*Briza media*), wild carrot (*Daucus carota*), common fleabane (*Senecio vulgaris*) found in the compacted grounds and equipment storage areas. Seed-foraging birds, raptors searching for small mammals prey, and common urban birds such as house sparrow, Brewer's black bird, and house finch, may use the open ground. The site may also provide nesting opportunities for killdeer and roosting areas for shorebirds.

Shoreline areas are currently rip-rapped and do not support saltmarsh vegetation. The seaward embankment along the private access road is vegetated with upland and weedy species such as wild oat (*Avena sativa*), sweet vernal grass (*Anthoxanthum odoratum*), and vetch (*Vicia* sp.).

Drainage channels are cut into the eastern border of the northern laydown area at four locations. These channels are generally steep-sided with banks vegetated in scattered alder (*Alnus rubra*), willow (*Salix hookeriana*), blackberry (*Rubus ursinus* and *R. discolor*), and coyote brush (*Baccharis pilularis*). Pampas grass (*Cortaderia selloana*), a noxious weed, is a member of the shrub community that grades into the channels and occurs on the debris berm adjacent to the dredger-cut. This shrub cover can provide diurnal resting areas for deer, raccoon, skunk, and other mammals common to the area as well as cover and nesting opportunities for songbirds. Pacific chorus tree frogs and Northern red-legged frogs likely utilize the detention basins and adjacent riparian area associated with the dredger-cut channel year-round.

Ephemeral drainages and shallow, small (less than 30 square feet), patchily distributed depressions have been created by surface soil disruption, compaction, and movement during heavy equipment use. These are mostly barren of vegetation but some support sparse cover in opportunistic wetland species such as brass buttons (*Cotula coronopifolia*), pennyroyal (*Mentha pulegium*), and rabbit's foot (*Polypogon monspeliensis*). These features are not a permanent or natural part of the landscape. Boundaries are ill-defined and readily altered by storm events. While wetland plants are present, wetlands as a habitat of concern

to U.S. Army Corps of Engineers (USACE) or California Coastal Commission (CCC) jurisdictions are not present outside of the drainage channels.

A narrow band of pickleweed marsh is found immediately off site of the northern laydown area. While limited and disturbed, this small area of marsh could potentially support rare plant species found in salt marsh habitats of Humboldt Bay. These include locally occurring Pt. Reyes bird's beak, Humboldt Bay owl's clover, and Canadian sandspurrey (*Spergularia canadensis* var. *occidentalis*). Other special status plants in the region are limited to sand dune habitats or forested wetlands that are not present on the site.

Northern red-legged frogs are a California Species of Special Concern recognized by California Department of Fish and Game. While not observed on the site, potential habitat for the species is present. Northern red-legged frogs are present at the Humboldt Bay Power Plant and mitigation for reduction of impacts to this population have been proposed and accepted as part of the HBRP AFC.

3.2.2 Environmental Consequences

Impacts to aquatic habitat (drainage channels) or upland dispersal habitat (open areas along the access routes) potentially used by Northern red-legged frogs could result in loss of animals and impacts to local populations. The use of the additional laydown areas is not likely to impact northern red-legged frog breeding habitat, but it could impact drainage channel habitats that the frogs could use. Individual frogs could be run over or trampled during construction material and equipment transport activities.

Ground-nesting birds could be impacted if use of the area coincides with the nesting season.

3.2.3 Mitigation Measures

No additions to or changes to the mitigation measures proposed for northern red-legged frogs at the HBGS will be required to protect this species at the Fields Landing laydown areas. These following current mitigation measures are applicable to the proposed laydown areas:

- The designated biologist or biological monitors will perform daily biological monitoring when construction activities are occurring at the laydown area,
- Worker environmental awareness training will be implemented to educate construction personnel on how to avoid adverse effects to natural resources adjacent to the work area,
- The biological monitor will capture and relocate any northern red-legged frogs discovered in laydown areas to appropriate habitat outside of the construction limits. Nesting bird surveys will be conducted if use of the laydown area is initiated during the nesting season. Nest sites will be marked and avoided if found.

Although there will be no earthmoving activities associated with the proposed areas, mitigation measures will be used to protect the drainage channels located at the eastern border of the northern laydown area. Examples of best management practices (BMPs) that may be utilized include, but are not limited to, fiber rolls, gutter buddies, and visqueen. Orange barrier fencing will be installed at the perimeter of the proposed laydown areas, and

informative signage will be posted to keep unauthorized pedestrian and vehicular traffic within the approved areas.

3.2.4 Consistency with LORS

The use of the Fields Landing laydown areas with these mitigation measures in effect will conform with all applicable LORS related to biological resources.

3.2.5 Conditions of Certification

The proposed modifications do not require changes to the Conditions of Certification for biological resources. This Petition for Modification would incorporate the biological Conditions of Certification (BIO-1 through BIO-12), as well as the conditions of the USACE and North Coast Regional Water Quality Control Board permit conditions already issued for HBGS.

3.3 Land Use

The addition of the Fields Landing laydown areas will cause no significant change to land uses in the area, and is compatible with adjacent land uses.

3.3.1 Environmental Baseline Information

This Petition for Modification requires changes to the environmental baseline information as described in the AFC because the proposed Fields Landing laydown areas were not previously described in the AFC.

PG&E proposes to use two offsite laydown areas for the HBGS project. Both sites are located in Township 4 North, Range 1 West, Section 17 Humboldt Base and Meridian (HB&M), in unincorporated Humboldt County. The proposed laydown areas are located approximately 6 miles from downtown Eureka.

The County Assessor's parcels associated with the northern 28.3-acre area are APNs 305-171-015 and 305-201-016, owned by Mr. Stanwood Murphy. These parcels do not have Williamson Act contracts associated with them (Brian Neal, pers. comm., 2008).

The County Assessor's parcels associated with the southern 1.6-acre area are APNs 305-201-017, 305-201-006, 305-201-005, and 305-201-004, owned by Humboldt Bay Forest Products, Inc. (of which Mr. Stanwood Murphy has associated ownership). None of these parcels has a Williamson Act contract associated with it (Brian Neal, pers. comm., 2008).

The existing land use of both areas, according to Humboldt County Planning Department, is Commercial/Industrial. The northern laydown area is primarily undeveloped open space, with two structures and minimal vegetation on it. It has been used previously to store forest products and as a laydown area by other contractors. The site is bounded on the west by Humboldt Bay, on the north by undeveloped open space, on the east by densely vegetated area followed by U.S. 101, and on the south by undeveloped open space. Two residences (on the north side of C Street) are located approximately 150 feet east of the southeast corner of the laydown area.

The southern laydown area is an undeveloped site. It is bounded on the west by Humboldt Bay, on the north by an existing industrial facility, on the east by undeveloped open space, and the Fields Landing Boat Ramp and Park is located on the south side of Railroad Avenue, across the street from this proposed laydown area. The nearest residence to the southernmost laydown area is located approximately 225 feet east of the laydown area, on the north side of Railroad Avenue in Fields Landing.

The nearest school to the proposed laydown area is the South Bay Elementary School, located approximately 0.8 mile away (at 6077 Loma Avenue, Eureka, California). Two churches are located within 1 mile of the proposed laydown area: Calvary Community Church (0.3 mile away at 510 S. Bay Depot Road in Fields Landing, California) and Word of Faith Life Church (1 mile away at 2337 Kipling Drive in Eureka, California). No daycare centers or hospitals are located within 1 mile of the two proposed laydown areas (Mapquest, 2008).

3.3.2 Environmental Consequences

The proposed laydown areas are sited in mostly industrial and open space use areas and have been previously used for similar purposes; therefore, the proposed use is compatible with adjacent uses. No conflict with the existing residential and recreation (boat ramp/park) land uses in Fields Landing is expected. Use of the two proposed laydown areas would not preclude the existing residential or recreational uses in the area.

3.3.2.1 General Plan Land Use Designation and Zoning Designation

The proposed laydown areas are located in unincorporated Humboldt County on land designated in the General Plan as Industrial (MC) (Humboldt County, 1995). The proposed sites have zoning designations of Industrial/Coastal Dependent (MC) (Humboldt County, 2000). The distributions of General Plan land use designations and zoning designations within a 1-mile radius of the proposed laydown areas are shown on Figures 4 and 5, respectively. The planned temporary use of the proposed laydown areas was reviewed for its consistency with the identified goals, objectives, and policies listed in Table 8.6-3 of the AFC for the HBRP. The planned use associated with the proposed laydown areas is considered to be either (1) in conformance with the identified goals, objectives, and policies listed in Table 8.6-3, or (2) the identified goals, objectives, and policies in Table 8.6-3 are considered not applicable to the proposed laydown areas.

3.3.2.2 California Coastal Commission

The CCC retains jurisdiction of tidelands trust and other public trust lands such as historical coastal wetlands within areas that would otherwise fall under the jurisdiction of the Local Coastal Program. The CCC is responsible for issuing Coastal Development Permits in its retained jurisdiction, based on an evaluation of the project's conformity with the policies of the California Coastal Act of 1976. The proposed laydown areas are located within the Coastal Zone, within the retained jurisdiction of the CCC (California Coastal Commission, 2002).

Presented below are the Coastal Act policies that are applicable to land use issues associated with the proposed laydown areas and the laydown areas' conformity with these policies.

Coastal-dependent Developments

The Coastal Act §30255 states: Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support. The Fields Landing laydown area is proposed to be used only during proposed HBGS construction. The HBGS is a repowering project for the existing Humboldt Bay Power Plant, which is a coastal-dependent facility.

Coastal Act §30101 defines "Coastal-dependent development or use" as "any development or use which requires a site on, or adjacent to, the sea to be able to function at all." Although the proposed use of the laydown areas (areas for containers of materials and equipment needed to construct a coastal-dependent facility) is not a coastal-dependent development in and of itself, the two proposed sites are to be used for a short-term period to support the construction of a coastal-dependent facility because the site where the coastal-dependent

development is proposed is not large enough to also accommodate the necessary laydown area.

Public Access Policies

Coastal Act §30210 states: In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The Coastal Act §30211 states: Development shall not interfere with the public's right of access to the sea where acquired through the use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

The Coastal Act §30212 (a) states: Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources; (2) adequate access exists nearby; or (3) agriculture would be adversely affected. A dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

The proposed laydown areas would be located on private property. Therefore, the proposed use would not impede the public's access to the coastal zone from a public roadway. Public access to the Fields Landing Boat Ramp and Park will not be affected by the use of the laydown areas or associated truck trips. Furthermore, it would not be a long-term or permanent use of the site, but instead would be used only during HBGS construction. This is consistent with the Coastal Act §30212 (a), as stated above.

3.3.3 Mitigation Measures

No mitigation measures are necessary for land use for this proposed modification.

3.3.4 Consistency with LORS

The modification as described above is in conformance with the identified goals, objectives, and policies of local and state agencies.

3.3.5 Conditions of Certification

The proposed modification does not require changes to the Conditions of Certification for land use.

3.4 Soil and Water

The addition of the Fields Landing laydown areas will result in no significant impacts to soil and water resources, waters of the United States, or CCC wetlands. Mitigation measures are proposed that will maintain water quality in adjacent waters.

3.4.1 Environmental Baseline Information

This Petition for Modification does not require changes to the environmental baseline information as described in the HBRP AFC. There have been no changes in temporary or permanent impacts to waters or wetlands.

Drainage from the northern laydown area is primarily eastward, away from Humboldt Bay. Drainage channels cut into the eastern property boundary receive sheet flow from the laydown area that then enter a dredger-cut along the railroad grade and eventually Humboldt Bay. Drainage from the western portion of the northern laydown area and from the southern laydown area is toward Humboldt Bay.

3.4.2 Environmental Consequences

The proposed Fields Landing laydown areas would not result in any direct impacts to soil and water resources because the sites are currently generally paved and graveled and has historically been used to store forest products and as a laydown area by other contractors. Photos of the proposed laydown areas in their current state are provided as Attachment 1. No special activities such as clearing and grubbing will occur at the site. Water quality of the drainage channels and receiving waters of Humboldt Bay potentially could be impacted by increased sedimentation or runoff during mobilization activities.

3.4.3 Mitigation Measures

Although there will be no earthmoving activities associated with the proposed laydown areas, several of the mitigation measures given for water quality protection at the HBGS project site will be implemented. Examples of stormwater BMPs that may be utilized include, but are not limited to, fiber rolls, gutter buddies, and visqueen. Orange barrier fencing will be installed at the perimeter of the proposed laydown areas, and informative signage will be posted to keep unauthorized pedestrian and vehicular traffic within the approved areas.

3.4.4 Consistency with LORS

The proposed modification with the addition of the laydown area will remain consistent with all applicable LORS related to soil and water.

3.4.5 Conditions of Certification

The proposed modifications with the addition of the laydown area do not require changes to the Conditions of Certification for soil and water.

3.5 Traffic and Transportation

The Commission Decision determined that the HBGS project would not have significant impacts on traffic and transportation. Under the proposed Petition for Modification, the project would add two additional laydown areas. However, the proposed modification is not expected to have a significant impact on traffic and transportation.

3.5.1 Environmental Baseline Information

This Petition for Modification does not require changes to the Environmental Baseline Information as described in the AFC. There have been no significant changes in terms of additional traffic as the result of the addition of the Fields Landing laydown areas.

3.5.2 Environmental Consequences

Use of the laydown areas at Fields Landing will not involve an increase in truck trips traveling near the HBGS project site. However, it will involve an increase in truck trips along Railroad Avenue, west of U.S. 101 because trucks will be traveling to and from the laydown area along Railroad Avenue, or alternatively via C Street. The truck trips traveling to the HBGS project site from the Fields Landing laydown areas would include trucks delivering containers (20-foot and 40-foot containers) and trucks delivering piles.

Average and peak traffic operations were evaluated for the local roadway network adjacent to the Fields Landing Sites (Railroad Avenue and C Street). On average, one to two round trips from HBGS to the Fields Landing laydown areas would occur per day. The peak scenario is estimated to be a maximum of 15 truck trips per day (the maximum daily number of containers and pile loads being transported during construction of the project).

The containers would start arriving at the proposed Fields Landing site the first quarter of 2009. Construction for the plant would generally be scheduled to occur between 7:00 a.m. and 7:00 p.m., Monday through Saturday, with a normal shift occurring between 7:00 a.m. and 3:00 p.m. Additional hours may be necessary to make up schedule deficiencies or to complete critical construction activities. During some construction periods and during the startup phase of the project, some activities will continue 24 hours per day, 7 days per week. The delivery of construction materials and the hauling of materials from the project site (including the delivery of the containers and piles from the Fields Landing laydown areas) would occur during the day, spread throughout the work day. The total daily and peak-hour construction vehicle trip generation for the construction period will not change as a result of the proposed Petition for Modification. The truck trips traveling to the project site on King Salmon Avenue were already accounted for in the original AFC analysis (as part of the total trips traveling to and from the HBGS site).

Truck traffic accessing the Fields Landing laydown areas from the north will use the southbound U.S. 101 exit for C Street/Railroad Avenue and access the laydown areas via Railroad Avenue, or alternatively via C Street. Truck traffic accessing the laydown areas from the south will use the northbound U.S. 101 exit for Railroad Avenue/Orchard Avenue and access the laydown areas via Railroad Avenue. Truck traffic leaving the Fields Landing site will egress via Railroad Avenue and access U.S. 101 via the Railroad Avenue/Orchard Avenue on-ramp.

The truck traffic associated with the transport of the containers and piles from the Fields Landing laydown areas will arrive to the HBGS site using the northbound U.S. 101 off-ramp at King Salmon Avenue and leave the HBGS site via the southbound U.S. 101 on-ramp, with no change to the route or truck volume presented in the AFC.

The addition of the peak construction truck traffic would not have a significant impact on traffic operations of the local roadways in the Fields Landing area (Railroad Avenue and C Street). Traffic data provided by County staff (Murda, 2009) indicates that truck traffic averaged approximately 30 trucks per day in November 2005 (when traffic data was collected) due to work associated with Humboldt Bay Forest Products. The truck traffic activity level associated with Humboldt Bay Forest Products shipping has decreased dramatically since that time (Hofweber, 2009). Therefore, the truck traffic anticipated to travel to and from the Fields Landing laydown areas (average of one to two truck trips per day via Railroad Avenue or C Street) as part of the HBGS project construction is insignificant by comparison to the previous use of the site (30 trucks trips per day), and the proposed use is consistent with prior use of this area for the forest products handling. In addition, the truck trips generated by use of the Fields Landing laydown areas will be short-term during the construction of the HBGS site.

There are two area schools with students living in the King Salmon area. The Pine Hill Elementary School and the South Bay Union Elementary utilize the same school buses, which travel along King Salmon Avenue, transporting students to and from school, Monday through Friday. The morning bus typically travels along King Salmon Avenue from 7:30 a.m. to 7:40 a.m. There are two afternoon buses that travel to King Salmon, one from approximately 2:30 p.m. to 2:40 p.m. and the other from approximately 3:15 p.m. to 3:25 p.m. The specific morning and afternoon bus travel times depend on the number of children from King Salmon who attend the schools each year. Construction truck traffic will be scheduled outside of the school bus transportation times.

3.5.3 Mitigation Measures

Construction of the HBGS would add a moderate amount of traffic to local roadways during the construction period (including delivery of containers/piles from the Fields Landing laydown area). Because there are no significant impacts, no mitigation measures are required for the local roadways.

3.5.4 Consistency with LORS

The proposed modification of the addition of the Fields Landing laydown area will remain consistent with all applicable LORS related to traffic and transportation.

3.5.5 Conditions of Certification

The proposed modification of the addition of the Fields Landing laydown areas does not require changes to the Conditions of Certification for traffic and transportation.

3.6 Visual Resources

The addition of the Fields Landing laydown areas will cause no significant long-term change to visual resources in the area, and they are compatible with adjacent land uses.

3.6.1 Environmental Baseline Information

The regional landscape setting for the two proposed laydown areas is the same as was described in the AFC Visual Resources Section 8.13.1.1.

The northern laydown area is located approximately 150 feet west of U.S. 101 at its closest point. The southern laydown area is located approximately 0.25 mile west of U.S. 101 at its closest point. Both sites are relatively flat undeveloped open space, situated in an industrial area that is on the fringe of a Fields Landing residential area. The North Coast Railroad tracks are aligned in a north-south orientation to the east of both laydown areas. Nighttime lighting is not apparent at the sites, except at the buildings. The area is typical of a coastal community landscape.

The existing land use of both sites is commercial/industrial. The northernmost site is undeveloped open space, with two structures and minimal vegetation on it. It has been used previously to store forest products and for construction laydown. The site is bounded on the west by Humboldt Bay, and on the north by undeveloped open space, on most of the parcel's east side by vegetation, the North Coast Railroad Tracks, and U.S. 101. Two Fields Landing residences (on the north side of C Street) are located approximately 150 feet east of the eastern property boundary in the southeast corner of the parcel. Undeveloped open space is located to the south of the site.

The southernmost laydown area is an undeveloped site. It is bounded on the west by Humboldt Bay, on the north by an existing industrial facility, and on the east by undeveloped unpaved open space. The Fields Landing Boat Ramp and Park is located on the south side of Railroad Avenue, across the street. The nearest residence to the southern laydown area is located approximately 225 feet east of the laydown area, on the north side of Railroad Avenue in Fields Landing.

The nearest residences, identified above, and other residences located on 3rd, B, and C streets and Railroad and Central avenues would have views (ranging from no obstructions to completely obstructed) of the laydown areas from front yards, side yards, and back yards.

3.6.2 Environmental Consequences

The views experienced in the residential areas near the two proposed laydown areas are typical of a coastal community that has a residential area near an industrial area. The two laydown areas would only be used during project construction, so project use is considered short-term, and all impacts to visual resources and the local landscape are considered short-term, less-than-significant impacts.

Views of Humboldt Bay from the residences due to project use of the northernmost laydown area would not be affected. Because the site is used for forest product storage, use

of the site to store project construction materials and equipment would not be a significant change in site landscape.

Use of the southernmost laydown area during project construction would result in a short-term change in the visual character of that site, from a vacant undeveloped open space use to one of equipment and materials storage. Depending on the storage location within the site and the height/mass of the equipment and materials being stored there, views of Humboldt Bay could be obstructed from certain residences to varying degrees. This view obstruction would only occur when items are stored on site. Views of the bay from the residences would remain unchanged when looking toward the adjacent site to the south and southwest, and when looking northwest.

Large vehicles transporting project construction materials and equipment to/from both laydown areas would occur in clusters, with many trips occurring on certain days and no trips occurring on other days. This would not be a significant change in the landscape from the large vehicles transporting forest products to and from the northern site.

Use of the two proposed laydown areas would not result in a substantial adverse long-term effect on views from U.S. 101, an Eligible Scenic Highway.

3.6.3 Mitigation Measures

No mitigation measures are necessary for visual resources for this proposed modification.

3.6.4 Consistency with LORS

The proposed modification of the addition of the Fields Landing laydown areas will remain consistent with all applicable LORS related to visual resources.

3.6.5 Conditions of Certification

The proposed modification does not require changes to the Conditions of Certification for visual resources.

3.7 LORS

The Commission Decision certifying the HBGS project concluded that the project is in compliance with all applicable LORS. The project, as modified, will continue to comply with all applicable LORS.

SECTION 4.0

Potential Effects on the Public

This section discusses the potential effects on the public that may result from the modifications proposed in this Petition for Modification application, per CEC Siting Regulations (Title 20, CCR, Section 1769[a][1][G]).

No adverse effects on the public will occur because of the changes to the project as proposed in this Petition for Modification.

SECTION 5.0

List of Property Owners

This section lists the property owners in accordance with the CEC Siting Regulations (Title 20, CCR, Section 1769[a][1][H]). A list of property owners whose property is located within 1,000 feet of the proposed facility is included as Attachment 2. The list is provided in a format suitable for copying to mailing labels.

SECTION 6.0

Potential Effects on Property Owners

This section addresses potential effects of the project changes proposed in this Petition for Modification on nearby property owners, the public, and parties in the application proceeding, per CEC Siting Regulations (Title 20, CCR, Section 1769 [a][1][I]).

The project as modified will not differ significantly in potential effects on adjacent land owners, compared with the project as previously proposed. The project, therefore, would have no adverse effects on nearby property owners, the public, or other parties in the application proceeding.

SECTION 7.0

References

California Coastal Commission. 2002. Coastal Zone Post LCP Certification Permit, Humboldt County and Appeal Jurisdiction.

California Energy Commission (CEC). 2008. Final Commission Decision on Humboldt Bay Repowering Project. California Energy Commission, Sacramento, California. September.

Hofweber, Tom, Supervising Planner/Humboldt County. 2009. Personal communication with Jim Roldan/CH2M HILL. January 14.

Humboldt County Land Use and Development Division. 2000. Humboldt County Code Title III (Zoning Regulations).

Humboldt County Planning Department. 1995. Framework 1985 Draft, Humboldt Bay Area Plan.

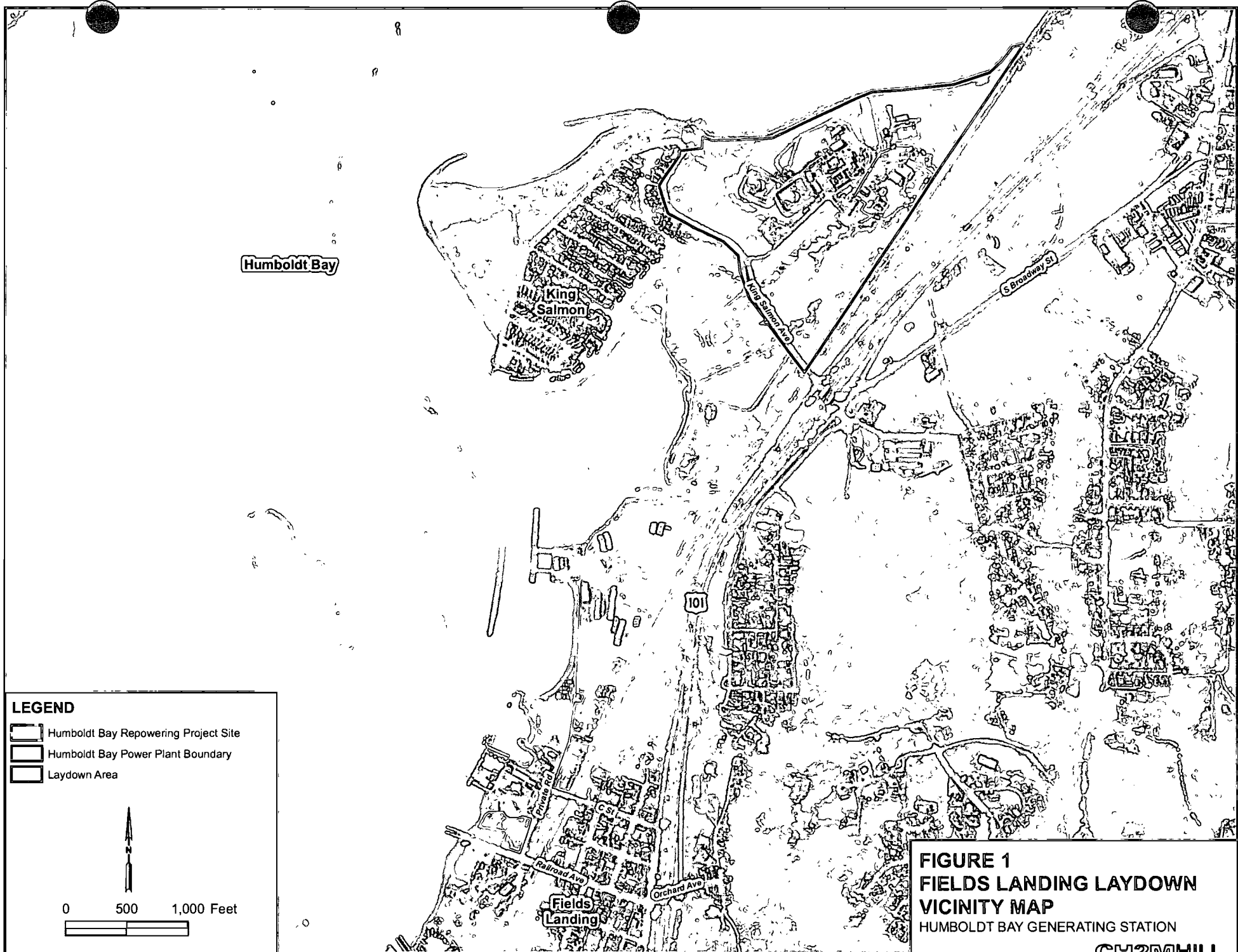
Mapquest. 2008. Locations of Schools, Parks, Hospitals, Churches, and Daycare facilities. <http://www.mapquest.com>

Murda, Jesse, Traffic Signal Section/Humboldt County. 2009. Personal communication with Jim Roldan/CH2M HILL. January 9.

Neal, Brian, Property Transfer Assistant/Humboldt County Assessor's Office. 2008. Personal communication with Wendy Haydon/CH2M HILL on November 24, 2008 and December 2 and 22, 2008.

Pacific Gas and Electric Company (PG&E). 2006. Application for Certification for the Humboldt Bay Repowering Project. Submitted to the California Energy Commission.

Figures



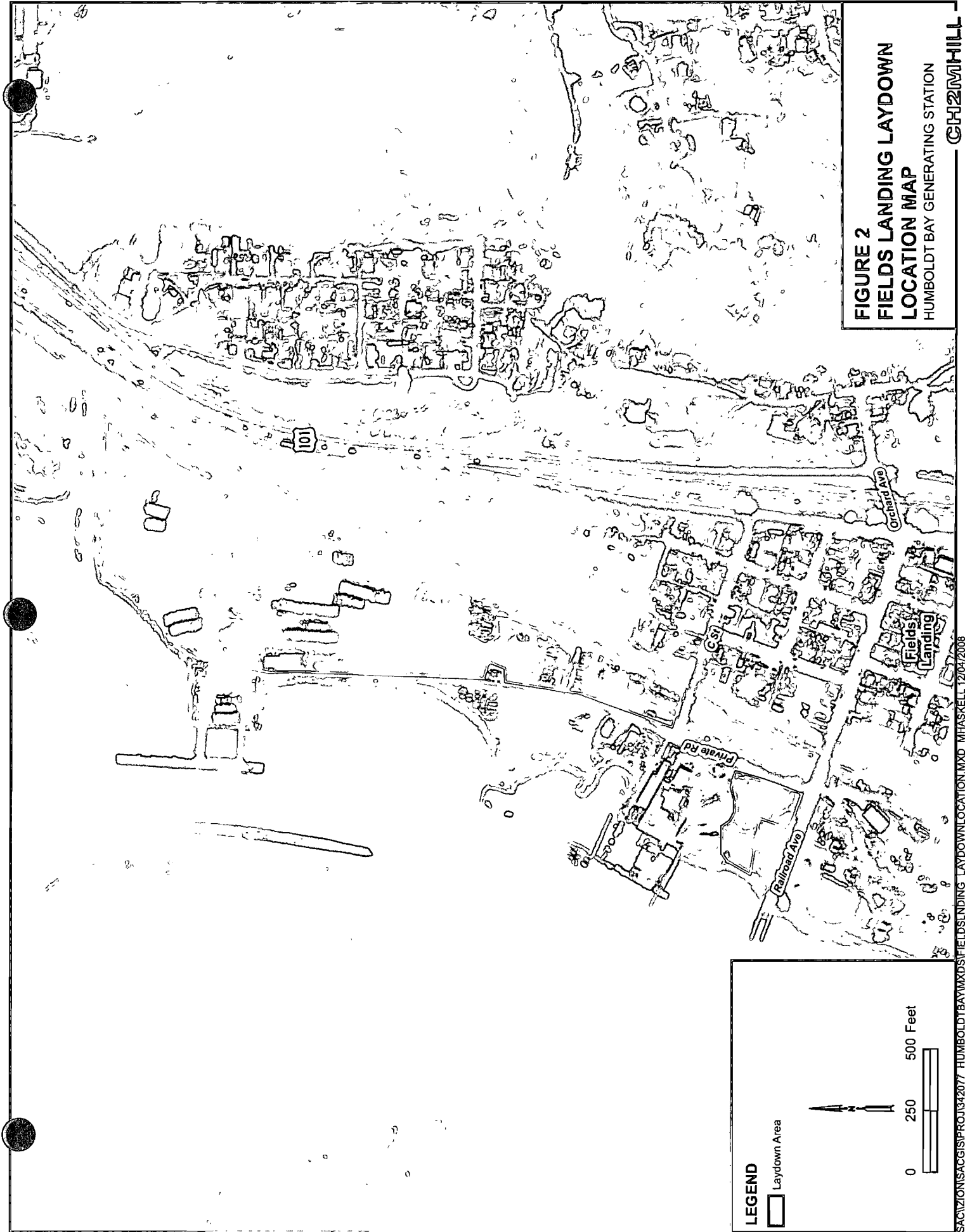

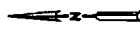



FIGURE 2
FIELDS LANDING LAYDOWN
LOCATION MAP
 HUMBOLDT BAY GENERATING STATION

LEGEND

 Laydown Area

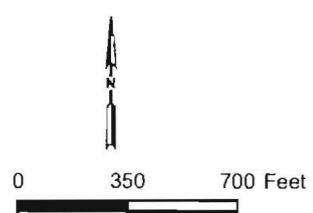






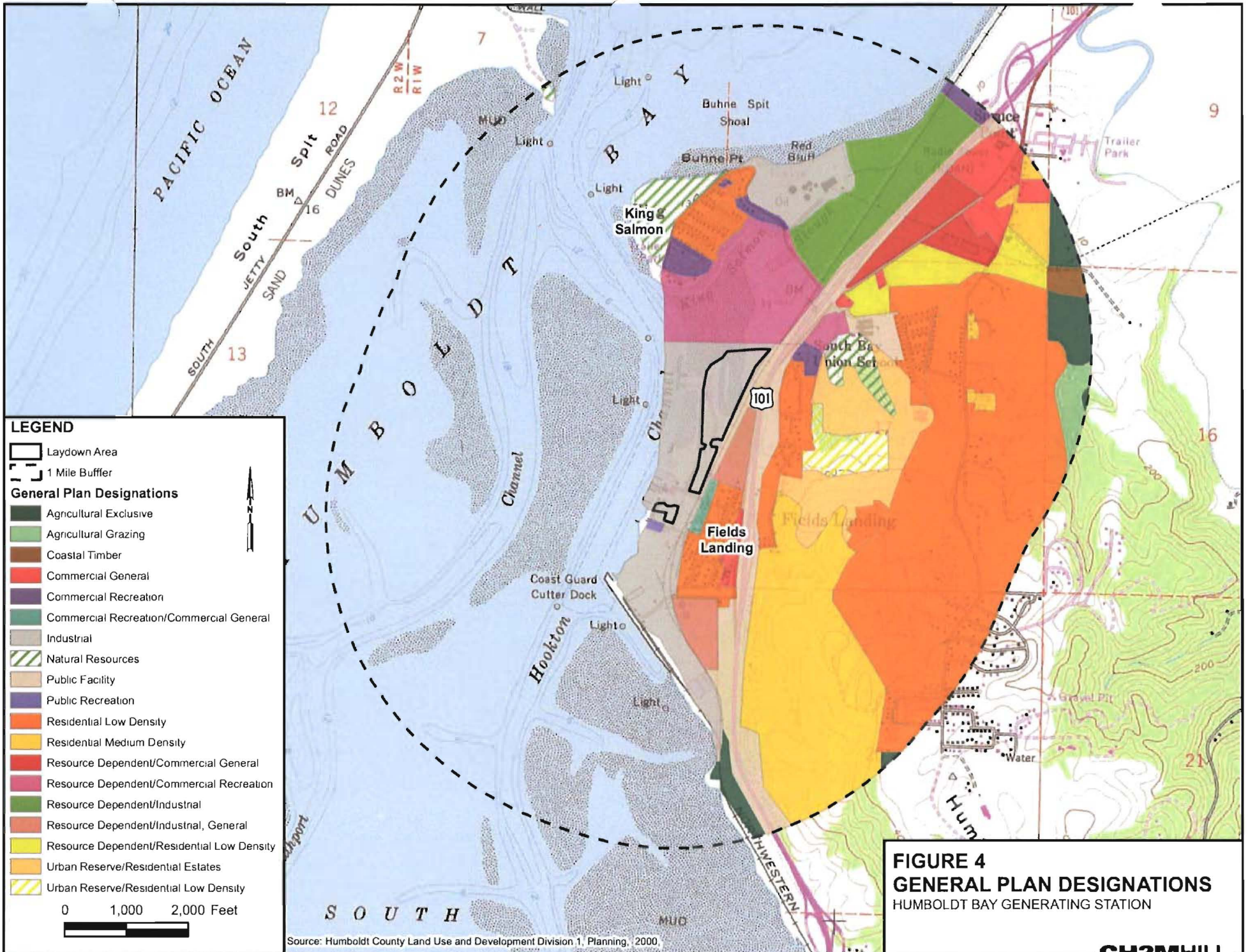
LEGEND

- Humboldt Bay Repowering Project Site
- Humboldt Bay Power Plant Boundary
- Fields Landing Laydown Areas
- CNDDDB - October 2008**
- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)



Source: The California Natural Diversity Database (CNDDDB), California Department of Fish and Game's Biogeographic Data Branch (BDB), October, 2008.

FIGURE 3
FIELDS LANDING TERMINAL
BIOLOGICAL RESOURCES
 HUMBOLDT BAY GENERATING STATION



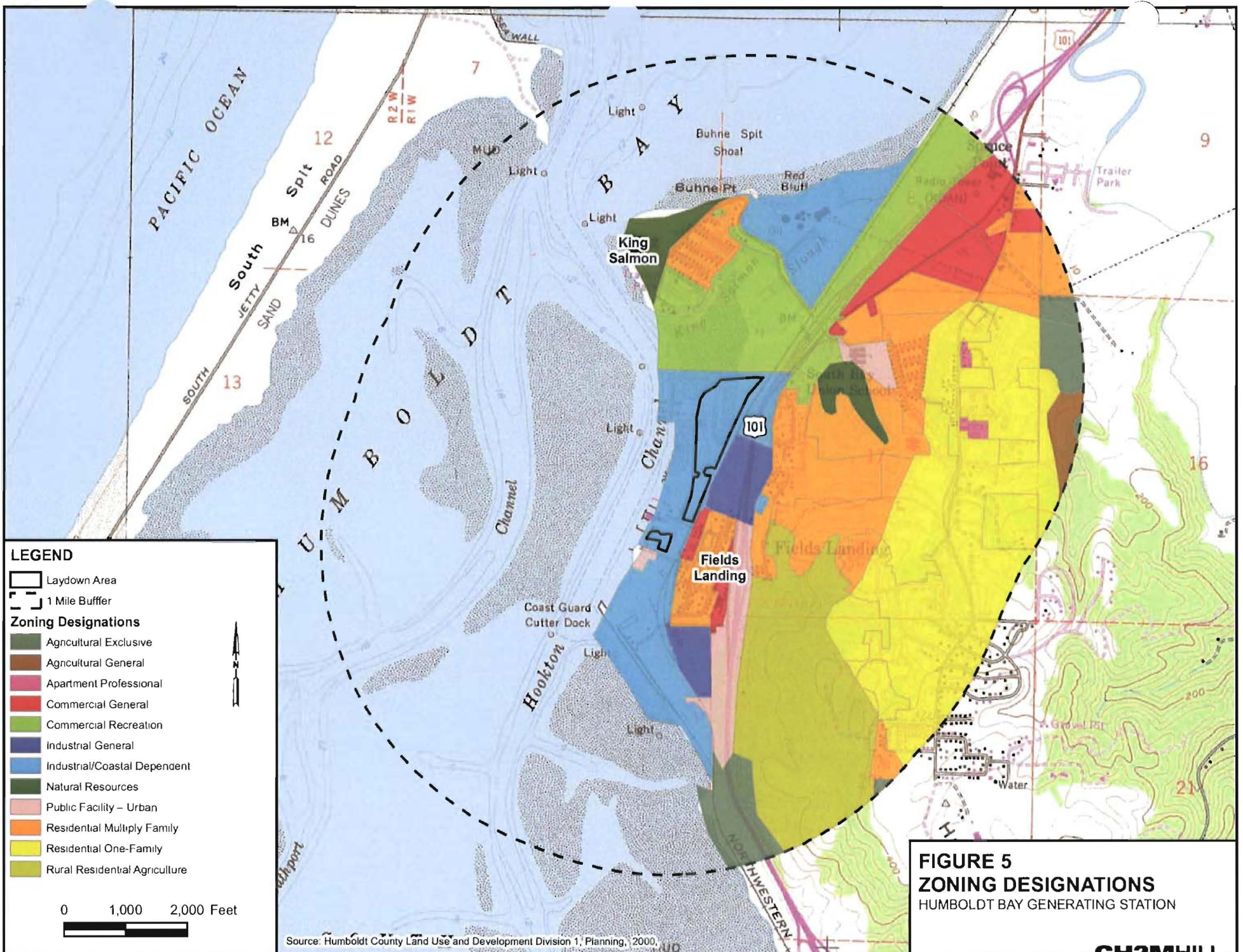


FIGURE 5
ZONING DESIGNATIONS
 HUMBOLDT BAY GENERATING STATION

ATTACHMENT 1

Photos of Fields Landing Laydown Areas



PHOTO 1
Representative View of Fields Landing Laydown Areas



PHOTO 2
Representative View of Fields Landing Laydown Areas



PHOTO 3
Representative View of Fields Landing Laydown Areas



PHOTO 4
Representative View of Fields Landing Laydown Areas



PHOTO 5
Looking North at Unnamed Private Road and Northern Laydown Area from Railroad Avenue

ATTACHMENT 2

**Property Owners within 1,000 Feet of the
Proposed Facility**

Pacific Gas & Electric Company
2555 Myrtle Avenue
Eureka, CA 95501
305-131-029, 305-131-032, 305-131-033

William W. Mills
3971 N. Clark Street, #C
Fresno, CA 93726
305-162-008

California State of PL

305-171-016

Humboldt Bay Forest Products Inc.
P.O. Box 266
Fields Landing, CA 95537-0266
305-201-004, 305-201-006, 305-201-017

State of California & State Lands
Commission
Eureka, CA 95501
305-201-018

John C. Kozlowski
960 S Fortuna Blvd.
Fortuna, CA 95540
306-012-006

Mary J. Snider
39335 169th Street East
Palmdale, CA 93552
306-013-007

Hersel C. Bare
P.O. Box 4
Fields Landing, CA 95537
306-014-005

Tonya Fleming & Sarah Gulrich
P.O. Box 132
Fields Landing, CA 95537-0132
305-015-004

Andreas Hahn
c/o Pacific Partners Prop Mgmt
DBA Whalers Inn
P.O. Box 31
Eureka, CA 95502
306-021-001

Northwestern Pacific Railroad
419 Talmage Road, Suite M
Ukiah, CA 95482-7433
305-162-002, 305-171-009

Gary S. Mooslin
P.O. Box 318
Carlotta, CA 95528-0318
305-162-012

Gilbert A. Hunter
12 W Waterfront Drive
Eureka, CA 95501
305-201-003

Humboldt Bay Forest Products Inc.
P.O. Box 149
Fortuna, CA 95540-0149
305-201-005

Montague C. & Dianne K.
McKenzie
P.O. Box 121
Fields Landing, CA 95537-0121
305-011-004

Marcus Schaible
2240 Fairfield Street
Eureka, CA 95501
306-012-008

Kenneth W. Kyle
P.O. Box 23
Fields Landing, CA 95537-0023
306-014-001

Brent & Linda Rasmussen
P.O. Box 154
Fields Landing, CA 95537-0154
306-014-006

Lorene Luster
1900 Bendixsen Street, Box 1
Samoa, CA 95564
306-015-006, 306-015-007

Mark L. Smith
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Fields Landing, CA 95537
306-021-003

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305-201-002, 305-201-008, 305-201-016

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306-013-008, 306-013-010, 306-021-009,
306-211-004, 307-101-008

Humboldt Bay Harbor Rec & Const Dist
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305-201-010, 305-201-011, 307-101-002

Michael & Lynette Freitas
c/o Denise Gill
6160 Elk River Road
Eureka, CA 95503
306-012-001

Michael & Audrey Bode
1370 Walker Pt Road
Bayside, CA 95524
306-012-010

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306-014-002

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Fields Landing, CA 95537-0304

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306-016-006, 306-016-007

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306-021-006

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306-022-001

Kurt G. Kramer
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306-022-008

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306-032-006

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Fortuna, CA 95540
306-032-018

Raymond J. & Jeannie Moll
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Hesperia, CA 92345
306-033-006

State of California Department of
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306-026-004

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306-032-001

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Eureka, CA 95503-6421
306-032-015

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Arcata, CA 95521
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306-061-016

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306-071-012

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California State of Hwy PL

306-071-035

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306-071-051

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306-071-054

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306-071-055

Gary W. Watkins
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306-071-057

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306-121-034

Michael & Marlo Fullerton
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306-121-035

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306-121-040

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306-121-043

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Sherman & Judith A. Nelson
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306-251-029

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Concord, CA 94519
307-101-006

Troy Beattie
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306-121-041

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