

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



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ENERGY, OCEAN RESOURCES, AND FEDERAL CONSISTENCY DIVISION REPORT
FOR THE
DECEMBER 10, 2008 MEETING OF THE CALIFORNIA COASTAL COMMISSION

TO: Commissioners and Interested Parties

FROM: Alison Dettmer, Deputy Director
Energy, Ocean Resources & Federal Consistency

IMMATERIAL AMENDMENT		
APPLICANT	PROJECT	LOCATION
E-08-003-A1 Pacific Gas & Electric Co.	Amendment to approved CDP E-08-003 authorizing: 1) Asphalt paving of the approved access road; and 2) construction of an employee parking area and a 100-ft. long access road connecting the proposed parking area with the existing parking lot at Humboldt Bay Power Plant.	Humboldt Bay Power Plant Humboldt County



NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

E-08-003-A1

TO: All Interested Parties

FROM: Peter M. Douglas, Executive Director

DATE: November 26, 2008

SUBJECT: Application to amend coastal development permit No. E-08-003 granted to Pacific Gas & Electric (PG&E) for removing a fuel oil tank and constructing an access road at the Humboldt Bay Power Plant, near King Salmon, Humboldt County.

The Executive Director has determined that the requested project change described herein may be approved as an immaterial amendment to the above-referenced coastal development permit (CDP. The amendment would allow PG&E to pave a temporary access road and construct a parking lot at the fuel oil tank location for use during upcoming power plant construction and decommissioning projects.

Background and Project Description: On May 8, 2008, the Commission approved CDP No. E-08-003 allowing PG&E to remove a 2.7 million gallon above-ground fuel oil tank and construct a temporary access road to facilitate tank removal. The tank and its associated protective berm covers just over an acre, and the road runs about 600 feet from King Salmon Avenue to the interior of the PG&E power plant site. The project resulted in a loss of 0.31 acres of wetlands, including 0.28 acres of single-parameter mowed grassy wetlands and 0.03 acres of riparian wetlands. The Commission required that PG&E mitigate this loss by restoring and enhancing 0.50 acres of wetlands, which are adjacent to another wetland restoration project PG&E is implementing at the power plant site as mitigation for several other projects.

Requested Amendment: PG&E has requested its permit be amended to allow it to construct an employee parking lot on the former site of the fuel oil tank, to pave the temporary access road leading to the site, and to construct a road approximately 100 feet long connecting the new lot with an existing parking lot at the power plant site. The new parking lot would provide about 132 parking spaces to be used by workers during PG&E's planned demolition of its existing power units and construction of a new power plant. These projects are expected to occur over the next twelve years. Constructing the parking area will require removal of an approximately 11-foot high soil berm on the south and west sides of the tank site that was part of the spill containment system for the tank. Most of the materials from that berm would be used to grade the parking lot site. The roads, from King Salmon Avenue to the lot and between the two lots, will be removed at the completion of PG&E's demolition and construction projects and the areas restored to pre-project conditions.



Findings

The proposed amendment has been deemed “immaterial” for the following reasons:

- The project would be subject to the Commission’s conditions from the previously-issued CDP, which include wetland mitigation requirements for planting, monitoring, and permanent site protection. As noted above, this site is adjacent to a larger wetland restoration area (approximately five acres) that PG&E is implementing as mitigation for other projects on the power plant site.
- To avoid and minimize potential impacts to nearby grassy mowed wetland areas, PG&E would construct and maintain a solid fence with erosion controls at least three feet high between that area and the south and west sides of the parking lot. PG&E designed the parking lot so that all stormwater would drain to PG&E’s stormwater drainage system rather than in or through the wetland area. All lighting needed at the parking area and along the roads would be directed downward and would be no more than the level needed for safety and operational requirements. The project is also subject to a Regional Board Construction Storm Water Permit.

Immaterial Permit Amendment

Pursuant to the California Code of Regulations—Title 14, Division 5.5, Volume 19, section 13166(b)—the Executive Director has determined this amendment to be IMMATERIAL.

Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive and the amendment shall be approved.

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the immaterial amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three (3) Commissioners object to the executive director’s designation of immateriality, the amendment application shall be referred to the Commission for action as set forth in section 13166(c). Otherwise, the immaterial amendment shall become effective.

Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the immaterial amendment application shall be referred to the Commission for action as set forth in section 13166(c).

If you wish to register an objection to this notice, please send the objection in writing to Tom Luster at the above address. If you have any questions, you may contact him at (415) 904-5248 or via email at tluster@coastal.ca.gov.

