



**California Regional Water Quality Control Board
North Coast Region
Bob Anderson, Chairman**



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Secretary for
Environmental Protection

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**Arnold
Schwarzenegger**
Governor

May 11, 2009

In the Matter of

Water Quality Certification

for the

**PG&E – FUEL OIL PIPELINE REMOVAL, OLSON’S WHARF TO HUMBOLDT BAY
POWER PLANT
WDID NO. 1B07181WNHU**

APPLICANT: Pacific Gas and Electric Company
RECEIVING WATER: Wetlands and Humboldt Bay
HYDROLOGIC UNIT: Eureka Plain Hydrologic Unit No. 110.00
COUNTY: Humboldt
FILE NAME: PG&E – Fuel Oil Pipeline Removal, Olson’s Wharf to
Humboldt Bay Power Plant

BY THE EXECUTIVE OFFICER:

1. On December 10, 2007, the Pacific Gas and Electric Company (Applicant) filed an application for water quality certification (certification) under section 401 of the Clean Water Act (33 U.S.C. § 1341) with the California Regional Water Quality Control Board, North Coast Region (Regional Water Board) for activities associated with removal of a retired fuel oil pipeline that is buried in Humboldt Bay. On March 17, 2008, Regional Water Board staff sent a letter to the Applicant stating that the application was not complete and requesting additional information and documentation to complete the application. The Regional Water Board did not receive an adequate response to the written request for additional information and the request for certification was denied without prejudice on January 14, 2009. On February 14, 2009, the Regional Water Board received the additional requested information and the application was deemed complete.
2. The Regional Water Board provided public notice of the application pursuant to title 23, California Code of Regulations, section 3858 on April 13, 2009, and posted information describing the project on the Regional Water Board’s website. We did not receive any public comments on this project.

California Environmental Protection Agency

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3. The purpose of the project is to remove and/or abandon approximately 4,200 linear feet of retired 14-inch diameter fuel oil pipeline running from Olson's Wharf to the Humboldt Bay Power Plant (HBPP). The pipeline was placed in service in 1955 and has been inactive since 1991. In 1992, fuel oil was removed and the pipeline was filled with water. The pipeline is not needed for any future operations at the HBPP. One end of the pipeline is attached to the dock at Olson's Wharf, approximately 550 feet is buried in the bay mud, approximately 1,200 feet lies on the mudflats from a turning point in the bay to the shoreline, approximately 750 feet is half buried in wetlands before reaching King Salmon Road where it becomes buried again and remains underground for another 1,700 feet until it reached the HBPP's tank farm area.
4. The pipeline will be abandoned in place from the storage tanks on the HBPP property to the plant fence line. This segment will be vacuum drained of liquid, filled with concrete slurry, and capped at both ends. The pipeline will be removed from the plant fence line to the edge of the plant access road/King Salmon Avenue. This section of pipe lies beneath an existing peninsula of marsh habitat and plant landscaping. The resulting trench void will be backfilled with appropriate fill and the surface returned to previous grade and contour. The segment beneath the paved portions of the HBPP access road and King Salmon Avenue will be abandoned in place. The abandoned segment will be vacuum drained of liquid, swabbed clean, filled with concrete slurry, and capped at both ends. The pipeline will be removed from the underside of the old King Salmon Avenue bridge (over King Salmon Slough) with a boom or crane situated on the bridge deck or adjacent roadside to support the pipeline as sections are cut from the underside of the bridge and lifted to the roadside staging area for transport.
5. From the west side of the old King Salmon Avenue bridge, the pipeline enters the ground and proceeds south along King Salmon Avenue where it makes its first crossing over Buhne Slough. The slough at this point has entered into a concrete culvert to pass beneath the roadway. Impacts to the slough are not expected as the watercourse is within the roadway culvert at the pipeline crossing point. The section of pipeline in the roadway will be excavated with a back-hoe or excavator and lifted out to the roadside staging area. Topsoil (top 6-12 inches) will be segregated from the rest of the excavated spoils for reuse as topsoil to restore the surface. The trench will be back filled with the excavated material and additional clean fill to fill the pipeline void.
6. The pipeline turns southwest through the marsh where it is paralleled by an existing service road to the bay levee. The pipeline is visible on the ground surface along this section. The pipeline will have existing plant growth pulled away from the exposed portion so that it can be lifted from the ground by a back-hoe or excavator and supported to facilitate cutting into manageable sections. Sections will be loaded onto a truck or trailer stationed along the service road and hauled out. The existing service road may require minor improvement (gravel surfacing) to accommodate the pipeline removal activity.

7. Buhne Slough skirts the marsh area (along the base of the bay levee) to northwest of the bridge (Buhne Slough connects directly to King Salmon Slough via a top-hinge culvert tidegate located approximately 150-feet west of the bridge) and then turns south to where the pipeline crosses Buhne Slough for the second time at the mudflat/marsh interface. At this point, the pipeline free-spans over Buhne Slough and passes through the levee. In addition to the pipeline spanning over the slough, a wood pole foot-bridge also spans here. The pipeline and foot-bridge will be removed from the slough channel by attaching a boom/crane sling to the span segment and then cutting the segment off at each bank. The pipeline is encased within a concrete block on the east bank of the slough. The concrete block is mostly exposed and will be lifted back towards the bank and removed. Crews will work from the top of the slough banks and from the service road to accomplish these activities to minimize impacts to the slough banks and channel. To avoid compromising the integrity of the levee, that segment will be abandoned in place. The abandoned section will be cleaned, filled with slurry, and capped on both ends.
8. The pipeline sits along the surface or is partially buried within the tidal mudflat out to about the point (the turning point) where it begins to drop off into the deepwater bay channel. Removal of this portion of pipeline located within the mudflat and bay channel will be accomplished by the following methods:

Crews will make several strategic cuts to facilitate safe removal and to minimize impacts to the tidal mud flats and bay channel. Abatement and cutting of the pipe will generally be performed during low tide events. The cut ends will be capped or plugged with industrial pipe plugs for pipeline removal. Secondary containment plastic sheets will be used to prevent any inadvertent releases at all pipe cuts. As each pipe section is cut free, the cut ends will be wrapped in plastic wrap to protect the exposed ends of the asbestos containing pipe wrapping. The pipeline segment between the bay levee and the turning point will be floated at high tide events and removed by pulling the cut segment towards the levee.

Crews will work at low tide to hand secure floats/skids under the pipeline from the bay levee to the Turning Point; these floats create buoyancy and effectively help to lift the pipeline out of the mud to facilitate removal. The pipeline will be attached to a cable pull line that will be attached to a diesel winch or air tugger to pull the pipeline over the levee during a high tidal event. An abatement structure will be located on the levee and the pipeline will be pulled through the structure, abated, and cut in 18 foot segments for disposal. The pipe segments will be double wrapped in 6 mil polyethylene sheet and placed in transportation containers for disposal.

The segment between the Olson's Wharf and the Turning Point will be uncovered and removed using one or more excavators mounted on work barges or flotation device. The pipe segment from the Turning Point to Olson's Wharf will require the movement of approximately 3,100 cubic yards of overburden that covers the pipe (burial depth is up to 20 feet). Excavators on barges will be used to remove the

sediment. Floating booms with attached silt curtains will be used to contain turbidity within the excavation and staging locations. Certified underwater SCUBA team members will assist in the installation, demobilization and movement of the silt curtain. It is anticipated that removed trench sediments will be winnowed next to the pipeline trench along the bay channel floor for use as trench backfill after the pipeline is removed. The exposed pipeline segment will be lifted onto the floating work barge, abated and cut into manageable lengths. The pipe sections will then be transported to the wharf for placement into transportation containers for disposal. Sediment samples will be collected at 50 foot intervals or more frequently, and at bends and joints in the pipeline.

9. Floating booms with attached silt curtains will be installed surrounding aquatic work areas to contain turbidity within marine environments. Certified underwater SCUBA team members will assist in the installation, demobilization, and movement of the silt curtain. Silt fencing will be erected along the pipeline removal work area boundaries within the marsh habitat and adjacent to all three slough crossings to contain soil and sediment that is disturbed during the removal process. The three waterway crossings (King Salmon Slough and twice over Buhne Slough) do not require in-channel work to remove the pipeline and do not require dewatering or flow diversion. Should removal activities require any in-channel work; crews will install silt fencing within the active channel up and down stream of the work area to prevent turbid water from flowing out of the work area. A sand bag coffer dam will be hand-placed upstream and downstream of the crossing (within the sediment barriers) to temporarily isolate the work area. Any standing water within the work area will be dewatered to the adjacent land surface. Vegetation that exists along the pipeline alignment may require trimming or removal to accommodate the pipeline removal. Impacts to large shrubs and trees over six-inches diameter at breast height will be avoided and will only be removed if absolutely necessary.
10. The project will result in 0.38 acre of temporary impacts to bay floor sediments between the turning point and Olson's Wharf, 0.06 acre of temporary impacts to mudflat and eel grass beds, and 0.028 acres of temporary impacts to salt marsh habitat.
11. Compensatory mitigation is not required for the temporary impacts to bay floor sediments and wetlands. Noncompensatory mitigation includes restoration of disturbed surfaces to conform to surrounding slopes and grades, removal of non-native and invasive plants to the extent practicable, revegetation with appropriate eel grass and wetland species, and monitoring to ensure that planted vegetation is self sustaining by the end of the five-year monitoring period. Pipeline removal areas along terrestrial portions of the alignment will be restored to pre-project conditions by returning the ground to previous grade and contour and re-seeding/re-planting as necessary. Aquatic portions of the alignment (mudflats and deep water channel) will also be returned as close as possible to the surrounding grade and contour. Noncompensatory mitigation also includes the use of Best Management Practices for sediment and turbidity control and for operation of heavy equipment in wetlands

and Humboldt Bay. The project is scheduled to begin as soon as all necessary permits and authorizations are obtained. The project is expected to take three months to complete.

12. The Applicant has applied for authorization from the United States Army Corps of Engineers to perform the project under Nationwide Permit No. 12 (File No. 2007-00792N), pursuant to Clean Water Act, section 404. A Lake or Streambed Alteration Agreement from the California Department of Fish and Game is not required. The Humboldt Bay Harbor, Recreation and Conservation District prepared a Mitigated Negative Declaration (SCH No. 2008052111) for the project in order to comply with CEQA. The Regional Water Board has considered the environmental document and any proposed changes incorporated into the project or required as a condition of approval to avoid significant effects to the environment.
13. This discharge is also regulated under State Water Resources Control Board Order No. 2003-0017-DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges That Have Received State Water Quality Certification," which requires compliance with all conditions of this water quality certification.

Receiving Water: Wetlands and Humboldt Bay in the Eureka Plain Hydrologic Unit No. 110.00

Filled or Excavated Area: Area Temporarily Impacted: 0.38 acre of bay floor, 0.06 acre of mudflat with eel grass beds, and 0.028 acre of salt marsh habitat
Area Permanently Impacted: None

Total Linear Impacts: Length Temporarily Impacted: None
Length Permanently Impacted: None

Dredge Volume: None

Latitude/Longitude: Olson's Wharf End: 40.73447 N/124.21978 W
HBPP End: 40.74178 N/124.21044 W

Accordingly, based on its independent review of the record, the Regional Water Board certifies that the PG&E Fuel Oil Pipeline Removal Project (WDID No.1B07181WNHU), as described in the application, will comply with sections 301, 302, 303, 306 and 307 of the Clean Water Act, and with applicable provisions of state law, provided that the Applicant complies with the following terms and conditions:

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to Water Code section 13330 and title 23, California Code of Regulations, section 3867.

2. This certification action is not intended and shall not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to title 23, California Code of Regulations, section 3855, subdivision (b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. This certification is conditioned upon total payment of any fee required under title 23, California Code of Regulations, section 2200, and owed by the Applicant.
4. The Regional Water Board shall be notified in writing at least five working days (working days are Monday – Friday) prior to the commencement of ground disturbing activities, with details regarding the construction schedule, in order to allow staff to be present onsite during construction, and to answer any public inquiries that may arise regarding the project.
5. No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, other than that authorized by this Order, shall be allowed to enter into or be placed where it may be washed by rainfall into waters of the State. When operations are completed, any excess material or debris shall be removed from the work area. No rubbish shall be deposited within 150 feet of the high water mark of any stream.
6. BMPs for erosion, sediment and turbidity control shall be implemented and in place at commencement of, during and after any ground clearing activities or any other project activities that could result in erosion or sediment discharges to surface water.
7. All activities and BMPs shall be implemented according to the submitted application and the conditions in this certification.
8. A copy of this Order and the application documents submitted by the Applicant for this certification shall be provided to all contractors and subcontractors conducting the work, and shall be in their possession at the work site.
9. The Applicant shall implement the mitigation, monitoring and reporting measures contained in the Conceptual Habitat Mitigation, Restoration, and Monitoring Plan for the PG&E Humboldt Bay Pipeline Removal Project, King Salmon, California. The Applicant shall monitor the mitigation area on an annual basis, with at least one site visit during the spring or summer months, for a minimum of five years following completion of the mitigation project. A final monitoring report shall be submitted following the final performance monitoring that documents achievement of the performance standards and containing observations and photos of the mitigation areas that shall have been taken throughout the monitoring period. If final performance monitoring indicates that the mitigation activities have not met the

performance standards, the Applicant shall submit a revised mitigation, monitoring, and reporting plan within 90 days of completing the final performance monitoring.

10. If, at any time, an unauthorized discharge to surface water (including wetlands, rivers or streams) occurs, or any water quality problem arises, the associated project activities shall cease immediately until adequate BMPs are implemented. The Regional Water Board shall be notified promptly and in no case more than 24 hours after the unauthorized discharge or water quality problem arises.
11. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete the project.
12. Prior to implementing any change to the project that may have a significant or material effect on the findings, conclusions, or conditions of this Order, the Applicant shall obtain the written approval of the Regional Water Board Executive Officer.
13. All project work shall be conducted as described in this Order and in the application submitted by the Applicant. If the Regional Water Board is not notified of a significant alteration to the project, it will be considered a violation of this Order, and the Applicant may be subject to Regional Water Board enforcement actions.
14. The Regional Water Board may add to or modify the conditions of this Order, as appropriate, to implement any new or revised water quality standards and implementation plans adopted and approved pursuant to the Porter-Cologne Water Quality Control Act or Section 303 of the Clean Water Act.
15. The Applicant shall provide Regional Water Board staff access to the project site to document compliance with this certification.
16. In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under applicable State or federal law. For the purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification. In response to a suspected violation of any condition of this certification, the Regional Water Board may require the holder of any federal permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the Regional Water Board deems appropriate, provided that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In response to any violation of the conditions of this certification, the Regional Water Board may add to or modify the conditions of this certification as appropriate to ensure compliance.

17. In the event of any change in control of ownership of land presently owned or controlled by the Applicant, the Applicant shall notify the successor-in-interest of the existence of this Order by letter and shall forward a copy of the letter to the Regional Water Board at the above address.

To discharge dredged or fill material under this Order, the successor-in-interest must send to the Regional Water Board Executive Officer a written request for transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, and the address and telephone number of the person(s) responsible for contact with the Regional Water Board. The request must also describe any changes to the project proposed by the successor-in-interest or confirm that the successor-in-interest intends to implement the project as described in this Order.

18. Except as may be modified by any preceding conditions, all certification actions are contingent on: a) the discharge being limited to and all proposed mitigation being completed in strict compliance with the Applicant's project description, and b) compliance with all applicable requirements of the Water Quality Control Plan for the North Coast Region (Basin Plan).

19. The authorization of this certification for any dredge and fill activities expires on May 11, 2014. Conditions and monitoring requirements outlined in this certification are not subject to the expiration date outlined above, and remain in full effect and are enforceable.

If you have any questions or comments please call Dean Prat at (707) 576-2801.

Catherine Kuhlman
Executive Officer

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Original to: Mr. Mike Momber, PG&E, 3600 Meadowview Drive, Redding, CA 96002

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