



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



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

September 15, 2009

Mr. Joe Sutton
PG&E - Humboldt Bay Generating Station
1000 King Salmon Avenue
Eureka, CA 95503-6859

Dear Mr. Sutton:

Subject: Amendment to the Clean Water Act Section 401 Certification (Water Quality Certification) for the PG&E Humboldt Bay Repowering Project

File: PG&E - Humboldt Bay Repowering Project
WDID No. 1B08131WNHU

On June 24, 2009, we received a letter from Dena Parish, PG&E's Environmental Compliance Manager for the Humboldt Bay Generating Station (HBGS), requesting amendments of Additional Conditions Nos. 10 and 12 of the Clean Water Act Section 401 Water Quality Certification (Water Quality Certification) for the Humboldt Bay Repowering Project. Additional Condition No. 10 requires that a legal deed restriction over the Buhne Pointe Wetlands Preserve be recorded by March 1, 2009. Additional Condition No. 12 requires submittal of an acceptable post-construction storm water management plan for the site of the former power plant facility prior to completion of construction of the new power plant facility.

An amendment to Additional Condition No. 10 was requested because PG&E was not able to record a legal deed restriction over the Buhne Pointe Wetlands Preserve by the March 1, 2009 due date. PG&E prepared one deed restriction that encompassed all the adjacent mitigation lands and during the deed restriction review process the California Coastal Commission's (CCC) informed PG&E that separate deed restrictions were required for the HBGS portion and the adjacent CCC portion of the mitigation lands. PG&E requested an extension of the deed restriction due date to December 31, 2009 in order to allow PG&E to prepare new legal descriptions and separate deed restrictions, and to submit those documents to the CCC and the California Energy Commission.

The amendment to Additional Condition No. 12 was discussed during a meeting at the Regional Water Board office on May 21, 2009. PG&E explained that the decommissioning and ultimate demolition of Units 1 and 2 are scheduled to directly follow the start-up of the HBGS, and the Unit 3 decommissioning and demolition

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activities have already commenced. Due to the current stages of project planning and development, and the anticipated timeline of the overall project, PG&E requests that Additional Condition No. 12 be modified in order to allow PG&E to provide a better and more accurate post-construction storm water management plan for the HBGS property.

This letter serves as an amendment to the October 10, 2008 Water Quality Certification for the PG&E Humboldt Bay Repowering Project, revising and replacing Additional Conditions Nos. 10 and 12 as outlined below:

- Additional Condition No. 10: The Applicant shall record a legal deed restriction over the Buhne Point Wetlands Preserve and shall submit a copy of the deed restriction to the Regional Water Board by December 31, 2009.
- Additional Condition No. 12: One year prior to completing the decommissioning of the Humboldt Bay Power Plant (i.e. removal of all structures and completion of remediation activities) but no later than March 31, 2015, the Applicant shall submit an acceptable post-construction storm water management plan (plan) for the site of the former power plant facility. The plan shall include details on proposed storm water treatment measures to address impacts associated with storm water runoff quality and quantity from all remaining impervious surface areas associated with the former power plant facility. The plan shall utilize Low Impact Development techniques where feasible. The plan shall include a time schedule to implement the approved storm water treatment measures as soon as possible.

I hereby issue an amendment to Additional Condition Nos. 10 and 12 of the Water Quality Certification Order (WDID No. 1B08131WNHU) for the PG&E - Humboldt Bay Repowering Project and certify that the remainder of the Water Quality Certification sections of the Order are still valid. If you have any questions or comments, please contact Dean Prat at (707) 576-2801.

Sincerely,

Catherine Kuhlman
Executive Officer

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cc: Ms. Jane Hicks, U.S. Army Corps of Engineers, Regulatory Functions, 1455
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