

June 5, 2014

Ms. Irma Lagomarsino, Assistant Regional  
Administrator  
National Oceanic and Atmospheric  
Administration  
National Marine Fisheries Service  
West Coast Region  
1655 Heindon Road  
Arcata, CA 95521-4573

SUBJECT: REVISED PRELIMINARY EFFECTS DETERMINATION ON LISTED SPECIES  
OR ESSENTIAL FISH HABITAT FOR THE PROPOSED HUMBOLDT BAY  
POWER PLANT UNIT 3 LICENSE TERMINATION PLAN

Dear Ms. Lagomarsino:

The U.S. Nuclear Regulatory Commission (NRC) staff currently is reviewing an application submitted by its licensee, Pacific Gas and Electric Company (PG&E), dated May 3, 2013, to terminate the Humboldt Bay Power Plant (HBPP) Unit 3 license on the site of the HBPP in Humboldt County, California. As part of its environmental review, the NRC staff is preparing an Environmental Assessment (EA) in accordance with the requirements of the National Environmental Policy Act of 1969, as amended, as specified in 10 CFR Part 51 of the NRC's regulations. In conjunction with this review, the NRC staff also is considering the potential impact of the proposed action on listed species, in accordance with the Endangered Species Act.

In 2004, the National Marine Fisheries Service (NMFS) identified the names of listed species and critical habitat for such species that may occur within the project area. In addition, the NMFS also indicated that Humboldt Bay is designated as Essential Fish Habitat (EFH) under the Magnuson-Stevens Fishery Conservation and Management Act for identified five fish species, including the North American green sturgeon, listed in 2006.

After a review of the potential impacts of the proposed action, including the decommissioning and dismantling of the remaining HBPP Unit 3 facilities, the NRC staff determined that the proposed action would have minimal effect on any of the listed species or the EFH for Humboldt Bay. The supporting basis for this conclusion is provided in the enclosure to this letter, and the recent reports prepared by Stillwater Sciences in support of the Section 404 permit application for work to be performed in the intake and discharge canals.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>.

I. Lagomarsino

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If you have any questions, please contact Mr. Alan Bjornsen of my staff. Mr. Bjornsen can be reached at (301) 415-1195 or via email at [Alan.Bjornsen@nrc.gov](mailto:Alan.Bjornsen@nrc.gov).

Sincerely,

**/RA/**

Andrew Persinko, Deputy Director  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No: 50-133

License No: DPR-7

Enclosure:

Assessment of Potential Effect

cc: Attached List

I. Lagomarsino

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## Assessment of Potential Effect

### Ecological Assessment

The vicinity within 8.0 km (5 mi) of the Humboldt Bay Power Plant (HBPP) Unit 3 site provides a wide array of habitats for plants and animals. Terrestrial ecological surveys identified more than 200 vascular plants and 12 vegetation communities in the area. Additionally, an extensive list of birds, mammals, reptiles, and amphibians is provided in Tables 2.3-3 through 2.3-5 of the Humboldt Bay ISFSI Environmental Report, Pacific Gas and Electric Company (PG&E 2003).

Numerous special status terrestrial wildlife species occur within the ecologically diverse and productive habitats in the vicinity of the project site. Inventories conducted in 1999, 2002 and 2013 on PG&E property did not indicate the presence of any of these species and found that the lack of suitable habitat made their presence unlikely (PG&E 2003 & 2013).

In the vicinity of the project, five listed species of fish (tidewater goby, Chinook salmon, Coho salmon, steelhead, and green sturgeon) occur or have the potential to occur based on the presence of suitable habitat in the Humboldt Bay region. An inventory of PG&E-owned land at the HBPP Unit 3 site, in 1999, 2002 and 2013, did not observe these species on PG&E property. Harbor seals (*Phoca vitulina*) do not have official status as a listed endangered or threatened species, but they are protected under the Marine Mammal Protection Act. Harbor seals are year-round residents of the Humboldt Bay region. The seals haul out on tidal flats in areas remote from human activity to rest and bear their young. The Humboldt Bay National Wildlife Refuge in the southern part of Humboldt Bay is a key breeding and hauling out area used by harbor seals (PG&E 2003).

PG&E-owned land at the HBPP Unit 3 site was inventoried for the presence of special status freshwater aquatic species in 1999 and 2002. Five special-status freshwater aquatic species occur near the project site: the northern red-legged frog, the foothill yellow-legged frog, the tailed frog, the southern torrent salamander, and the northwestern pond turtle. However, no special status freshwater aquatic species appear to occur at the site (PG&E 2003).

### Decommissioning Impacts Assessment

The environmental impacts due to the remaining decommissioning and dismantling activities of the HBPP Unit 3 are expected to be small (most of the decommissioning and dismantling activities have already taken place under previous license amendments). Remaining activities would take place within the boundaries of the 58-hectare (ha) (143-acre [ac] ) PG&E-controlled site area, an area that was previously disturbed during HBPP operations. Dismantling activities associated with the proposed decommissioning would impact approximately 14 ha (34 ac) of land area. The remaining activities would consist of excavating the reactor caisson, stockpiling the excavated soils, dredging contaminated sediment from the intake and discharge canals, dismantling miscellaneous structures, and controlling dust and runoff. Any construction materials would be derived from offsite sources.

Dust generated during construction is expected to be minimal given that the construction traffic would be using paved onsite and offsite roadways. Dust derived from excavation and fill operations would be mitigated through dust control techniques (e.g., watering and/or chemical stabilization). Routine truck washing and covering truck-hauled materials would contribute to minimizing dust emissions. Gaseous emissions from construction equipment is expected to be mitigated through regular maintenance of the equipment (PG&E 2003).

Excavated soils will be stockpiled in areas that have been disturbed previously by plant operations. These areas will be accessed via the existing road, and the transport and deposition of the excavated material is not expected to have a significant environmental impact. Material stockpiled there would be put into 760 cubic meter (cu m) (1,000 cubic yard [cu yd]) piles. PG&E has indicated that it will use best management practices (BMPs), as appropriate, to address storm water runoff, erosion control, and revegetation. All areas disturbed during decommissioning activities would be revegetated with an appropriate seed mix in accordance with Humboldt County Coastal Commission requirements (Ordinance 2157).

The impact of decommissioning HBPP Unit 3 on local water sources and wetlands is expected to be small. The intake and discharge canals will be dredged of contaminated sediment. Approximately 300 cu m (400 cu yd) would be dredged from the intake canal, and approximately 1,900 cu m (2,500 cu yd) from the discharge canal. These sediments would be drained and disposed of off-site. Discharges from the HBPP are regulated currently under a discharge permit issued by the North Coast Regional Water Quality Control Board (NCRWQCB). PG&E will address any needed modifications to its permit with the NCRWQCB. In addition, PG&E is expected to apply applicable BMPs to protect local waters and nearby wetlands from site runoff, spillage, and leaks (PG&E 2013).

Decommissioning and dismantling activities are not expected to impact any state- or federally-listed plant, terrestrial wildlife, marine life, or fish species. All such species that may occur within a 8-km (5-mile) radius of the proposed facility were considered by the applicant. None of these species were found to inhabit the area on or immediately adjacent to the HBPP Unit 3 site, nor were they identified at the spoils disposal site (PG&E 2013).

References:

Pacific Gas and Electric Company  
Humboldt Bay Power Plant, Unit 3  
Docket Nos. 50-133, 72-27

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