

ORIGINAL

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July 3, 2007

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C.

Re: ERRATA  
Application for Preliminary Permit  
And Expedited Review of  
Chevron California Renewable Energy, Inc.  
Project No. *12806-000*

FILED  
OFFICE OF THE  
SECRETARY  
2007 JUL -3 A 10:53  
FEDERAL ENERGY  
REGULATORY COMMISSION


Dear Madam Secretary,

Chevron California Renewable Energy, Inc. ("Chevron") submitted an application for a Preliminary Permit to construct a wave energy generating resource in the waters of the State of California, offshore Mendocino County in the above docket.

I regret that the phrase competing applicant appears on page 5 of the application, in the heading of numbered paragraph 3. Chevron California Renewable Energy, Inc. is not a competing applicant and is the only applicant known to me for the proposed project boundaries. A revised page 5 of the filing in this docket is attached hereto. I respectfully request that you substitute the corrected page for the original page 5 in the filing.

Questions or comments on this errata filing may be addressed to the undersigned.

Sincerely,

  
S. Lorraine Cross

Attachment

The proposed project area is the near shore waters near the city of Fort Bragg, California. Please see Exhibit 4 for a map of the proposed project area.

The project area is defined as that within the bounds of the following path: Beginning at the point (39° 20.998' N, 123° 50.157' W) westward to the limit of the submerged lands of the state of California (39° 20.998' N, 123° 53.736' W *approximately*), thence following the outer limit of the state's submerged lands to a point (39° 15.389' N, 123° 51.850' W *approximately*), thence east to (39° 15.389' N, 123° 68.673' W), thence back to the starting point. Areas within these bounds but with a water depth less than 20 fathoms are excluded. A potential path from the project area back to shore is noted on the map and is included in the project area.

The precise location of all power generation devices will be determined during the term of the preliminary permit application. The area occupied by the wave energy conversion devices is expected to occupy an area smaller than the proposed project boundary's total area. The physical boundaries of the permitted area will be refined to reduce the project area as the preliminary studies of the project progress. If Chevron identifies areas within the current project boundary not suitable for project development, it will modify the project boundaries to remove those areas from consideration.

The proposed project area does not encompass any protected lands or subsurface areas. Chevron proposes to interconnect its project with existing facilities belonging to Pacific Gas & Electric Company.

**3. The exact name, business address, telephone number of the applicant are:**

Chevron California Renewables, Inc.  
3901 Briarpark Drive  
Houston, Texas 77042  
Telephone: (713) 954-6822  
Facsimile: (713) 954-6016

The exact name and business address of each person authorized to act as agent for the applicant in this application are:

Raymond T. Cunningham  
Business Development Manager  
Chevron Technology Ventures LLC,  
a subsidiary of Chevron U.S.A. Inc.  
3901 Briarpark Drive  
Houston, Texas 77042  
Telephone: (713) 954-6822  
Facsimile: (713) 954-601 6  
E-mail: [rcunningham@chevron.com](mailto:rcunningham@chevron.com)

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July 2, 2007

Ms. Kimberly D. Bose  
Secretary  
Federal Energy Regulatory Commission  
888 First Street, N.E.  
Washington, D.C.

FILED  
OFFICE OF THE  
SECRETARY  
2007 JUL -2 P 4:20  
FEDERAL ENERGY REGULATORY COMMISSION

Re: Application for Preliminary Permit  
And Expedited Review of  
Chevron California Renewable Energy, Inc.  
Project No. 12806-000

Dear Madam Secretary,

Chevron California Renewable Energy, Inc. ("Chevron") respectfully submits for filing an application for a Preliminary Permit to construct a wave energy generating resource in the waters of the State of California, offshore Mendocino County.

As discussed more fully in the body of Chevron's filing, Chevron requests expedited consideration of this application for preliminary permit, after the conclusion of the notice and comment periods set forth in the regulations of this Commission. Chevron wishes to initiate study processes to evaluate the environmental and engineering feasibility of the proposed project in a very timely manner.

Sincerely,

  
S. Lorraine Cross

**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

**Chevron California  
Renewable Energy, Inc.**

)  
)  
)

**Power Project No. \_\_\_\_\_**

**APPLICATION FOR A PRELIMINARY PERMIT  
FOR THE  
NORTHERN CALIFORNIA WAVE ENERGY PROJECT  
AND REQUEST FOR EXPEDITED REVIEW**

**July 2, 2007**

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**UNITED STATES OF AMERICA  
BEFORE THE  
FEDERAL ENERGY REGULATORY COMMISSION**

<b>Chevron California</b>	)	
<b>Renewable Energy, Inc.</b>	)	<b>Power Project No.</b>
	)	

**APPLICATION FOR PRELIMINARY PERMIT  
AND REQUEST FOR EXPEDITED REVIEW**

**July 2, 2007**

Pursuant to the rules and regulations of the Federal Energy Regulatory Commission (the "Commission"), 18 C.F.R. Chapter 1, Part 4, Subpart D, Chevron California Renewable Energy, Inc. ("Chevron") timely files this Application for Preliminary Permit (the "Application").

**A. Initial Statement**

**1. Statement of Application and Request for Expedited Review**

In response to the State of California's call for greenhouse gas (GHG) reductions in Assembly Bill 32, Chevron applies to the Commission for a preliminary permit for the proposed Northern California wave energy water power project, as described in the attached exhibits. Chevron has designed the proposed project described below to include the efficient use of renewable wave energy. The proposed project is designed to displace electricity generated from a typical coal-fired generation resource, thereby avoiding the GHG emissions that would otherwise be released into the atmosphere. Chevron estimates approximately an annual greenhouse gas savings up to 308,000 MtCO<sub>2</sub>e would result from the construction and operation of the wave energy water power project compared to a coal-fired generation resource.

Chevron respectfully requests expedited review of this proposal, after the expiration of the notice and comment periods set forth in the Commission's regulations. Our request for expedited review is based on Chevron's intention to test and deploy GHG reduction technologies that support the State of California's GHG initiative. Therefore, Chevron commits to respond to Staff and/or Commission data requests about this project, with diligence and speed.

**2. Project Location**

The location of the proposed project is:

State or territory: California

County: Mendocino

Stream or waterbody: State waters of the Pacific Ocean

The proposed project area is the near shore waters near the city of Fort Bragg, California. Please see Exhibit 4 for a map of the proposed project area.

The project area is defined as that within the bounds of the following path: Beginning at the point (39° 20.998' N, 123° 50.157' W) westward to the limit of the submerged lands of the state of California (39° 20.998' N, 123° 53.736' W *approximately*), thence following the outer limit of the state's submerged lands to a point (39° 15.389' N, 123° 51.850' W *approximately*), thence east to (39° 15.389' N, 123° 68.673' W), thence back to the starting point. Areas within these bounds but with a water depth less than 20 fathoms are excluded. A potential path from the project area back to shore is noted on the map and is included in the project area.

The precise location of all power generation devices will be determined during the term of the preliminary permit application. The area occupied by the wave energy conversion devices is expected to occupy an area smaller than the proposed project boundary's total area. The physical boundaries of the permitted area will be refined to reduce the project area as the preliminary studies of the project progress. If Chevron identifies areas within the current project boundary not suitable for project development, it will modify the project boundaries to remove those areas from consideration.

The proposed project area does not encompass any protected lands or subsurface areas. Chevron proposes to interconnect its project with existing facilities belonging to Pacific Gas & Electric Company.

**3. The exact name, business address, telephone number of the competing applicant are:**

Chevron California Renewables, Inc.  
3901 Briarpark Drive  
Houston, Texas 77042  
Telephone: (713) 954-6822  
Facsimile: (713) 954-6016

The exact name and business address of each person authorized to act as agent for the applicant in this application are:

Raymond T. Cunningham  
Business Development Manager  
Chevron Technology Ventures LLC,  
a subsidiary of Chevron U.S.A. Inc.  
3901 Briarpark Drive  
Houston, Texas 77042  
Telephone: (713) 954-6822  
Facsimile: (713) 954-6016  
E-mail: [rcunningham@chevron.com](mailto:rcunningham@chevron.com)

**Sharon Dieringer**

Chevron Technology Ventures LLC,  
a subsidiary of Chevron U.S.A. Inc.  
3901 Briarpark Drive  
Houston, Texas 77042  
Telephone: (713) 954-6239  
Facsimile: (713) 954-6016  
E-mail: [dierisl@chevrontexaco.com](mailto:dierisl@chevrontexaco.com)

**Tony O. Hemming**

Lead Senior Counsel  
Chevron Global Gas,  
a division of Chevron U.S.A. Inc.  
1500 Louisiana Street  
Room 36028C  
Houston, Texas 77002-7308  
Telephone: (832) 854-6439  
Facsimile: (832) 854-6496  
E-mail: [tohemming@chevron.com](mailto:tohemming@chevron.com)

#### **4. Preference under section 7(a) of the Federal Power Act**

Chevron is a domestic corporation and is not claiming preference under Section 7(a) of the Federal Power Act, as either a municipality or as a state of the United States.

#### **5. Term of Permit**

The proposed term of the requested permit is 36 months.

#### **6. Existing Dams or Other Project Facilities**

There are no existing dams or other water project facilities for generating electricity in the Pacific Ocean offshore of Mendocino County, California. Chevron is concurrently filing a FERC Form No. 556, entitled Self-certification of Qualifying Facility Status for a Small Power Production Facility pursuant to 18 C.F.R. Section 292.207(a)(1). Chevron's Form No. 556 filing conforms to the Commission's regulations implementing Section 210(a) of the Public Utilities Regulatory Policy Act. Chevron's project will not involve a new dam or water diversion.



## EXHIBIT 1 - PROJECT DESCRIPTION

### 1. Project Configuration

The proposed project would comprise an array or arrays of wave energy conversion (WEC) devices. Chevron proposes initially to use Ocean Power Delivery's Pelamis machines to convert wave energy into electricity, but will also evaluate the WEC technology of other providers. The Pelamis machine is a semi-submerged, articulated structure composed of cylindrical sections linked by hinged joints. The wave-induced motion of these joints is resisted by hydraulic rams, which pump high-pressure oil through hydraulic motors via smoothing accumulators. The hydraulic motors drive electrical generators to produce electricity. To facilitate the transmission of power to shore multiple Pelamis machines will be connected together and linked to shore through a common cable(s). The inherent design characteristics of the Pelamis machine give it excellent load shedding and power limiting capabilities which allows the machine to survive in extreme storm waves. The Pelamis machine is designed to be moored in water depths greater than 165 feet. The machine is held in position by a mooring system, comprised of floats and weights which prevent the mooring cables becoming taut. It maintains enough restraint to keep the Pelamis machine positioned but allows the machine to swing head-on into the waves.

The final design of each machine will be optimized for the predominant wave conditions of the site. In its configuration currently in use in the Atlantic Ocean each Pelamis machine has an overall length of some 480 feet, diameter of 11.5 feet and an overall power rating of 750kW. It is envisaged that actual machines installed at this site will be longer (circa 600 feet) to accommodate the generally longer period Pacific Ocean waves, larger in diameter (circa 13.2 feet) and be of a higher power rating (approximately 1.4MW).

The development of the project will encompass a comprehensive and exhaustive evaluation of competing technology providers. A complete description of any WEC devices to be deployed, either in place of the Ocean Power Delivery device or in addition to the proposed device, will occur during the term of the requested preliminary permit. The specific locations of all power generation equipment and transmission cables will be chosen so as to avoid interference with commercial fishing, recreation, marine navigation, and sub-sea pipelines and data cables.

Chevron will comply with applicable mitigation measures, if any. There will be no other proposed structures such as dams, spillways, penstocks, powerhouses or tailraces for part of this project.

### 2. Reservoirs

Chevron does not propose to create or use a reservoir for this project.

### **3. Transmission Lines**

A subsea transmission cable will carry power from the project area to shore for connection to the grid. As determined by the local utility company (or regional transmission authority) the number, length, voltage, interconnections for transmission or distribution of energy generated by the project will be part of the feasibility study for the project.

### **4. Estimate of Annual Energy Production**

The estimated average annual energy production and installed capacity of the proposed project is less than 80 MW, and is expected to be within a range of 2 MW to 60 MW.

### **5. Lands**

All lands within the proposed project boundary are identified under Exhibit 4. The project would be located on submerged lands of the State of California. The proposed project boundaries were selected to avoid the Van Damme State Marine Conservation Area at the mouth of the Little River.

### **6. Public Benefits**

Chevron is investigating the development of technology to generate electricity from ocean waves. The coastal waters of Mendocino County are an optimal location for Chevron's development of this technology as it provides a suitable wave resource and grid access to loads in northern California. The proposed project will be a new source of clean, renewable ocean energy to generate power for commercial and industrial purposes that currently consume natural gas or other combustible fuels. The introduction of wave power as an incremental energy source will improve the flexibility of the Californian energy market. Chevron's proposed project would serve the public interest of the state and the United States by helping to introduce renewable ocean energy to the State and national energy portfolio. Like certain other renewable energy sources, ocean energy provides clean and renewable energy, diversifies energy sources, and can be sited in a manner that does not result in significant adverse impacts on local communities, marine commerce and animal habitat.

The proposed project will also serve as a vehicle to apply Chevron's affiliates' offshore operational experience and competencies to the nascent ocean power industry. Chevron's investment in development of a wave power project might serve as a key signpost in the development of the industry. It would encourage and enable important experience for the safe, reliable and environmentally sound deployment and operation of wave energy conversion devices in a manner compatible with other uses of offshore resources.

Chevron's development of the project will efficiently meet public policy goals for clean, renewable energy development.

## EXHIBIT 2 - DESCRIPTION OF PROPOSED STUDIES

### 1. i. Proposed studies and timeline

Chevron has developed a studies plan to evaluate alternative designs and locations of WEC devices offshore of Mendocino County. These studies will be of sufficient breadth and depth to provide two or more development options for consideration during the preparation of an Environmental Assessment (EA) or of a Draft Environmental Impact Statement (DEIS) and to provide information for State, Federal, and local review and permitting processes.

Given the lead time required for much of the permitting and engineering design work, Chevron will initiate baseline environmental studies while work is being done on engineering feasibility and design alternatives. The area is large and there are many important issues to address. Focused environmental studies will be required to adequately assess impacts and to select an environmentally appropriate development option. Such studies cannot be completed over a very large area before filing the development application. Therefore, a sequential series of studies of increasing spatial and temporal focus will be needed. Chevron believes that significant adverse impacts, if any, from the construction and operation of WEC devices can be mitigated by developing appropriate licensing conditions derived in the study process.

#### Phase 1 - Review and study design

The first phase of the work will be an intensive review and study design effort conducted through the summer and fall of 2007. Chevron will conduct a thorough review of historical information on the wave resource, bathymetry, geotechnical characteristics, biological features, industrial and navigational uses, fishery uses, and cultural resources in the area. In addition, detailed study design documents will be prepared to address key biological issues (e.g., the California brown pelican, the marbled murrelet, the short-tailed albatross, and to the extent affected by onshore facilities the Western snowy plover, beach layia and Menzie's wallflower) that pertain to the construction and operation of WEC devices and these documents will be provided to State and federal agencies for input and review.

#### Phase 2 – Field Studies, 2007-2008

Phase 2 will involve field studies and will begin in the fall of 2007. Studies in 2007 will be related primarily to assessing engineering alternatives and evaluating detailed physical features within the overall study area. These studies will be focused on identifying and prioritizing the specific sites suitable for an array of WEC devices. Information will be gathered on basic physical and biological features of the large study area that were not already described during Phase 1 (e.g., bathymetry, substrate and subsurface characterization, benthic sampling, moderate-resolution information distribution and abundance of key marine mammals, fish, sea birds etc.) These data will assist with the process of refining site selection using economic feasibility and environmental impact

criteria. A key issue during the impact assessment and permitting will be marine animals and shore birds. Some preliminary field observations of marine animals and shore birds will be gathered in 2007 to facilitate the design of a much more spatially focused and issue-specific study effort.

### **Phase 3 - Review of initial site assessments, selection of a suite of specific alternate sites**

A review of the Phase 2 findings will provide much needed focus to follow-up on environmental monitoring and baseline studies. A specific goal of the Phase 3 effort will be to select sites that would be economically viable alternatives for the deployment and operation of WEC devices. These sites will provide the focus for environmental baseline studies in the next phase, which will become the basis of an environmental impact analysis and, in the case of threatened or endangered species, compliance with the Endangered Species Act of 1973.

### **Phase 4 - Baseline studies 2008**

With specific site and design alternatives identified during Phase 3, the baseline studies in 2008 will characterize the presence, abundance, distribution, and human uses of biological organisms in the remaining project area and on the adjacent shoreline with sufficient detail to aid in the assessment of impacts and choices among design alternatives. Additional detailed information on geophysical features will also be collected at the suite of alternate sites.

### **Phase 5 - Environmental report and review of mitigation measures**

Phase 5 will involve the preparation of an Environmental Report (ER) that will collate, summarize, and synthesize the baseline studies information. This ER will contain many of the components of an EA or a Draft EIS and will greatly facilitate the preparation of either an EA or a Draft EIS by a third party. In addition, a review of mitigation measures specific to the preferred alternative will be prepared. These mitigation measures will address impacts from the construction and operation of the WEC devices and will be key aspects of several State and federal permits.

#### **1. Need for New Roads**

Chevron does not anticipate clearing roads in connection with this project or requiring any roads to be constructed for the purpose of this project.

#### **2. Dam Construction Work Plan**

Chevron's project does not involve the construction of a dam and, thus, does not include new dam construction. Nonetheless, details of the project's work plan will be made available once information on the specifics of the design and site location are determined and supporting studies are available. Chevron expects a short construction period at the proposed site because many of the component

parts will be manufactured and assembled off-site. The construction process will be designed to minimize any disturbances to the affected area surrounding the site.

### **3. Waiver**

18 C.F.R. Section 4.81(c)(3) permits the Commission to waive certain requirements for studies for new dam construction. Chevron's project does not involve dam construction and we seek no waivers under this section.

### **EXHIBIT 3 - STATEMENT OF COSTS & FINANCING**

#### **(1) Cost of carrying out the requirements of the preliminary permit**

Chevron estimates the expense to conduct the proposed environmental, economic feasibility, and other studies discussed in Exhibit 2, including but not limited to studies, plans, investigations, surveys, tests, maps and specifications, to range from \$1,000,000 to \$2,000,000.

#### **(2) Project Financing**

Chevron U.S.A. Inc. will finance the project.

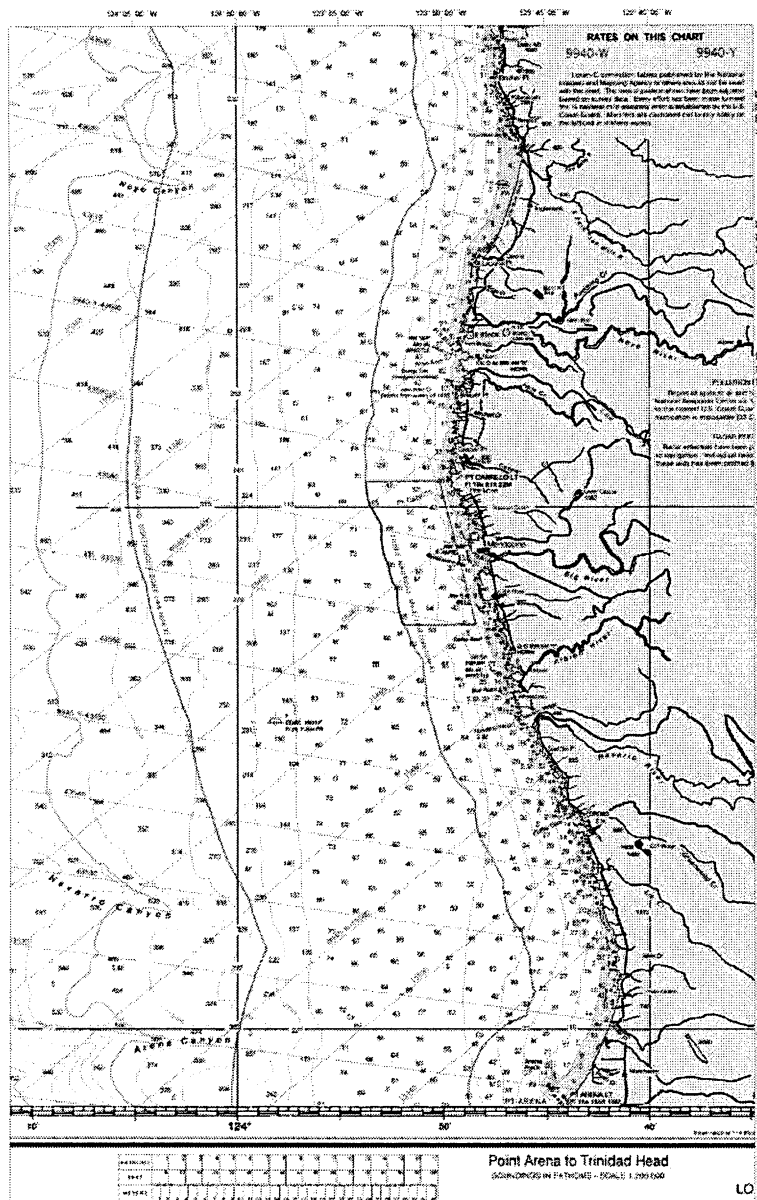
#### **(3) Description of the Proposed Market**

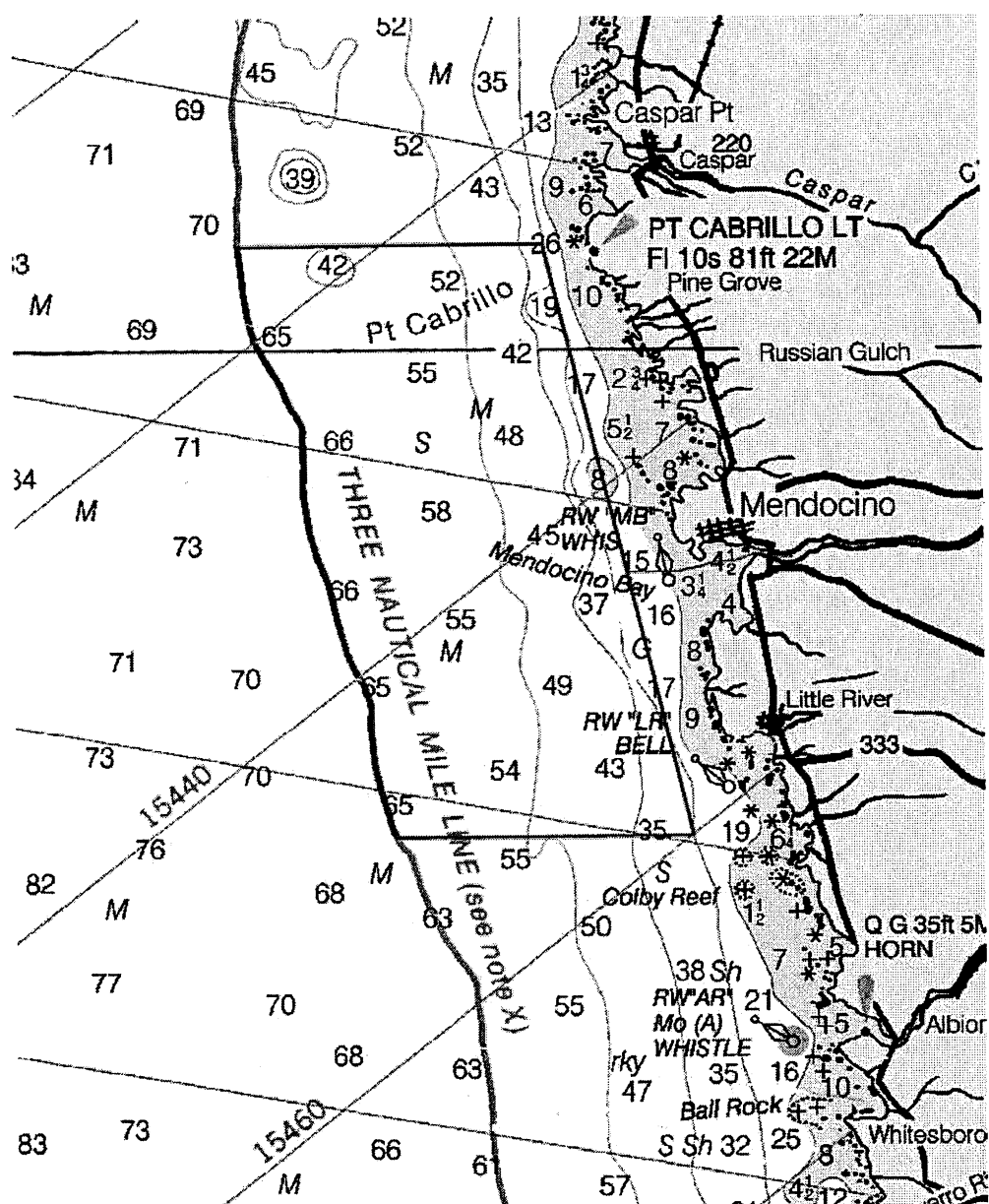
At this stage in development, Chevron intends that the electric energy produced by the project will be sold to Pacific Gas & Electric Company or, upon receiving approval for a market-based rate tariff, into the markets of the California Independent System Operator.

## EXHIBIT 4 - PROJECT MAP

For the purposes of representing the proposed site, a topographical map, derived from the United States Geological Survey, has been used. The map provides an accurate representation of the site and the surrounding area.

The proposed project does not affect any designated wilderness areas or any wilderness study areas. Further, the proposed project does not affect any designated Wild and Scenic Rivers or any such study area. The proposed boundaries of the project avoid the Van Damme State Marine Conservation Area at the mouth of the Little River.







## 18 C.F.R. SECTION 4.32 INFORMATION

(1) Chevron is the only entity that has or intends to obtain any rights to construct, own or operate the proposed project.

### (2) Municipal Information

There are no federal lands within the proposed project boundaries.

The area proposed for evaluation and testing is located within Mendocino County, California. Chevron has provided a copy of this Application, by certified U.S. mail, to:

Mendocino County Board of Supervisors  
501 Low Gap Road, Room 1090  
Ukiah, California 95420

### (3) Nearby Cities and Towns

Those cities and towns (population over 5,000) within fifteen miles of the project boundary including the interconnection include:

City of Fort Bragg  
363 N. Main Street  
Fort Bragg, California 95420

### (4) Special Purpose Political Subdivisions

Van Damme State Marine Conservation Area  
California Department of Fish and Game, Marine Region  
Fort Bragg Field Office and Laboratory  
19160 South Harbor Drive  
Fort Bragg, California 95437  
(707) 964-9078  
FAX (707) 964-0642

California Coastal Commission  
45 Fremont Street  
Suite 2000  
San Francisco, CA 94105-2219  
(415) 904-5200  
FAX (415) 904-5400

California Coastal Commission  
North Coast District Office  
Bob Merrill, District Manager  
710 E. Street, Suite 200  
Eureka, CA 95501  
(707) 445-7833 or (707) 445-7834  
FAX (707) 445-7877

California Energy Commission  
1516 Ninth Street, MX-29  
Sacramento, CA 95814-5512  
(916) 654-4989

(5) Indian Tribes that May Be Affected by the Project

Coyote Valley Reservation  
P. O. Box 39  
Redwood Valley, CA 95470-0039  
Telephone: (707) 485-8723  
Facsimile: (707) 485.1247

Pinoleville Indian Reservation  
367 N. State Street, Suite 204  
Ukiah, CA 95482-4444  
Telephone: (707) 463-1454  
Facsimile: (707) 463-6601

Guidiville Rancheria  
P. O. Box 339 Talmage, CA 95481-0339  
Telephone: (707)462-3682  
Facsimile: None Available

Potter Valley Rancheria  
417 Talmage Road  
Ukiah, CA 95482-7487  
Telephone: (707) 468-7494  
Facsimile; (707) 468-0874

Hopland Reservation  
P. O. Box 690  
Hopland. CA 95449-0610  
Telephone: (707) 7441647  
Facsimile: (707) 744-1506

Redwood Valley Rancheria  
P.O. Box 499  
Redwood Valley, CA 95470-0499  
Telephone: (707) 485.0361  
Facsimile: (707) 485-5726

Laytonville Rancheria  
P. O. Box 1102  
Laytonville, CA 95454-1102  
Telephone: (707)984-6197  
Facsimile: (707) 984-6201

Round Valley Reservation  
P. O. Box 448  
Covelo, CA 95428-0448  
Telephone: (707) 983-6126  
Facsimile: (707) 983-6128

Manchester/Point Arena Rancheria  
P.O. Box 623  
Point Arena, CA 95468-0623  
Telephone: (707) 882-2788  
Facsimile: (707) 882-4142

Sherwood Valley Rancheria  
190 Sherwood Hill Drive  
Willits, CA 95490-4666  
Telephone: (707) 459-9690  
Facsimile: (707) 459-6936

(6) Every Property Owner of Record within the Bounds of the Project

There are no property owners of record within the proposed project boundaries. Chevron intends to interconnect the project, by undersea and underground cable, to an existing substation owned by Pacific Gas & Electric Company.

(7) All Persons Designated in the Notice of the Competing Application:

Chevron is not aware of any competing applications.

(8) Agencies and Persons Listed in Sections 18 CFR 4.38 and 16.8

Chevron has sent a copy of this preliminary permit application and exhibits, by certified mail to:

U.S. Army Corps of Engineers  
South Pacific Office  
333 Market Street  
San Francisco, CA 94105-2195

State Director  
California State Office  
Bureau of Adjudication and Records (CA-943.5)  
Attn: FERC Withdrawal Recordation  
2135 Butano Street  
Sacramento, CA 95825-0451

State Director  
Nevada State Office  
Bureau of Land Management  
Branch of Lands and Minerals Operations (NV-943.2)

Director  
Bureau of Land Management  
Office of Lands  
Attn: FERC Withdrawal Recordation  
7450 Boston Blvd.  
Springfield, VA 22153

Field Supervisor  
Attn: FERC Coordinator  
U.S. Fish and Wildlife Service  
Arcata Fish and Wildlife Office  
1655 Heindon Road  
Arcata, California 95521

Kerry O'Hara  
Attorney of record  
Office of the Regional Solicitor  
Department of the Interior  
2800 Cottage Way, Room E-1712  
Sacramento, California 95825

Regional Environmental Officer  
Office of Environmental Policy and Compliance  
Department of the Interior  
1111 Jackson Street, Office 520  
Oakland, California 94607

(9) Director of the Commission's Regional Office

Chevron has sent a copy of this preliminary permit application and exhibits, by certified mail to:

Edward J. Perez  
Federal Energy Regulatory Commission  
101 SW Main Street, Suite 905  
Portland, Oregon 97204-3217  
Telephone: 503-552-2750

### STATEMENT OF VERIFICATION

This application for preliminary permit pursuant to 18 C.F.R. Section 4.81 and 18 C.F.R. Section 4.36 is executed in the

State of Texas

County of Harris

By: Jerry A. Lomax  
Vice President  
Chevron California Renewable Energy, Inc.  
a subsidiary of Chevron U.S.A. Inc.  
3901 Briarpark Drive  
Houston, Texas 77042

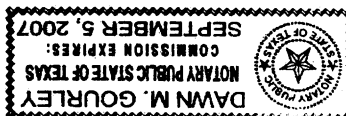
Jerry A. Lomax being duly sworn, deposes and says that the contents of this Application for Preliminary Permit and Exhibits are true to best of his knowledge and belief. The undersigned has signed this Application for preliminary permit this 2<sup>nd</sup> day of July, 2007.

By: Jerry A. Lomax  
Jerry A. Lomax

Subscribed and sworn to before me, a Notary Public authorized by the State of Texas to notarize documents, in the State of Texas this 2<sup>nd</sup> day of July, 2007.

By: Dawn M. Gourley

SEAL:



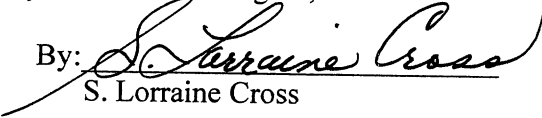
My Commission expires: September 5, 2007

### **CERTIFICATE OF SERVICE**

I certify that I have sent a copy of the foregoing Application for Preliminary Permit with Exhibits to each person listed herein by certified U.S. mail.

Subscribed this 2<sup>nd</sup> day of July, 2007 in Washington, D.C.

By:

  
S. Lorraine Cross