

TABLE 1C

Summary of Applicable Laws, Ordinances, Regulations, and Standards (LORS)

Jurisdiction	Authority	Requirements and Compliance	Administering Agency	Reference
<b>Air Quality (Section 8.1)</b>				
Federal	CAAA of 1990, 40 CFR 50	National Ambient Air Quality Standards	EPA Region IX	Subsection 8.1.3.4 (page 8.1-23), Subsection 8.1.5.1 (page 8.1-35), Subsection 8.1.5.2 (page 8.1-41)
Federal	Clean Air Act §171-193, 42 USC §7501 et seq. [BAAQMD Reg 2, Rule 2]	Requires new source review (NSR) - requires NSR permit for new stationary sources	BAAQMD with EPA Region IX oversight	Subsection 8.1.2.8 (page 8.1-15), Subsection 8.1.5.1 (page 8.1-35)
Federal	40 CFR 52.21 [also BAAQMD Reg 2, Rule 2]	Prevention of Significant Deterioration (PSD) - requires modeling to demonstrate no violation of NAAQS and PDS increments if applicable	EPA Region IX	NA
Federal	40 CFR 60, Subpart IIII [BAAQMD Reg 10]	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	EPA Region IX	Subsection 8.1.5.1 (page 8.1-35), Subsection 8.1.5.2 (page 8.1-41)
Federal	40 CFR 60, (Proposed Subpart JJJJ)	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines	NA	NA
Federal	40 CFR 63, Subpart ZZZZ	National Emission Standards for Hazardous Air Pollutants – for Stationary Reciprocating Internal Combustion Engines (RICE)	BAAQMD with EPA Region IX oversight	NA
Federal	40 CFR 64	Compliance Assurance Monitoring Rule (CAM)	EPA Region IX	NA
Federal	40 CFR 68	RMP Program	EPA Region IX	NA
Federal	40 CFR 70, CAA Sec 401, 42 USC 7651 [BAAQMD Reg 2, Rule 6]	CAAA Title V Operating Permit Program	BAAQMD, with EPA Region IX oversight	NA
Federal	40 CFR 72, CAA Sec 401 42 USC 7651	Title IV Acid Rain – requires Title IV permit and compliance with acid rain provisions	BAAQMD, with EPA Region IX oversight	NA
State	H&SC §44300 et seq	Air Toxics "Hot Spots" Program – requires initial health risk assessment and biennial reporting of TAC/HAP inventory	BAAQMD	Subsection 8.1.5.1 (page 8.1-36), Subsection 8.1.5.2 (page 8.1-41), Subsection 8.6.4 (page 8.6-15)
State	California H&SC 41700	Public Nuisance Provisions – outlaws discharge of air contaminants causing nuisance, injury, detriment or annoyance	BAAQMD	Subsection 8.1.5.1 (page 8.1-37), Subsection 8.1.5.2 (page 8.1-41)
State	17 CCR 93115	Airborne Toxic Control Measure (ATCM) for Stationary Compression (CI) Ignition Engines	BAAQMD	Subsection 8.1.5.1 (page 8.1-37), Subsection 8.1.5.2 (page 8.1-41)
State	19 CCR 2735 et seq, California H&SC Article 2, Section 6.95	California Accidental Release Prevention Program (CalARP) requires a CalARP risk management program plan to be prepared	City of Hayward Fire Department, local California Unified Permitting Agency (CUPA)	Section 8.12
State	Title 14 CCR 15002	Siting Provisions	CEC	Subsection 8.1.5.1 (page 8.1-37), Subsection 8.1.5.2 (page 8.1-41)
Local	BAAQMD Regulation 1, Rule 1 Section 301 [see State section]	Prohibits public nuisances	BAAQMD	Subsection 8.1.5.1 (page 8.1-37), Subsection 8.1.5.2 (page 8.1-41)
Local	BAAQMD Regulation 2, Rule 2 [see Federal section]	NSR Provisions – requires preconstruction review, including BACT and offsets	BAAQMD	Subsection 8.1.2.8 (page 8.1-13), Subsection 8.1.5.1 (page 8.1-38), Subsection 8.1.5.2 (page 8.1-41), Subsection 8.6.4 (page 8.6-16)
Local	BAAQMD Regulation 2, Rule 3	Permits – Power Plants – requires Determination of Compliance by the Air Pollution Control Officer prior to ATC	BAAQMD	Subsection 8.1.5.1 (page 8.1-38), Subsection 8.1.5.2 (page 8.1-42)
Local	BAAQMD Regulation 2, Rule 5	Air Toxics NSR – requires new sources of air toxics to complete health risk assessment as part of permit process	BAAQMD	Subsection 8.6.3.1 (page 8.6-12), Subsection 8.6.3.4 (page 8.6-13) Subsection 8.6.4 (page 8.6-16)
Local	BAAQMD Regulation 6	Limits particulate matter and visible emissions	BAAQMD	Subsection 8.1.5.1 (page 8.1-38), Subsection 8.1.5.2 (page 8.1-42)
Local	BAAQMD Regulation 7	Odorous substance discharges	BAAQMD	NA
Local	BAAQMD Regulation 8, Rule 3	Architectural coating VOC limits	BAAQMD	NA

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Local	BAAQMD Regulation 8, Rule 4	VOC emission limits from surface coating and general solvent use	BAAQMD	NA
Local	BAAQMD Regulation 8, Rule 16	Cold solvent cleaner requirements	BAAQMD	NA
Local	BAAQMD Regulation 9, Rule 1	SO2 ground level concentration limits	BAAQMD	Subsection 8.1.5.1 (page 8.1-39), Subsection 8.1.5.2 (page 8.1-42)
Local	BAAQMD Regulation 9, Rule 3	NOx limits from heat transfer equipment	BAAQMD	NA
Local	BAAQMD Regulation 9 Rule 8	IC engine NOx and CO limits	BAAQMD	Subsection 8.1.5.1 (page 8.1-39), Subsection 8.1.5.2 (page 8.1-43)
<b>Biological Resources (Section 8.2)</b>				
Federal	Endangered Species Act of 1973 and implementing regulations, Title 16 United States Code (USC) §1531 et seq. (16 USC 1531 et seq.), Title 50 Code of Federal Regulations (CFR) §17.1 et seq. (50 CFR 17.1 et seq.)	Designates and protects federally threatened and endangered plants and animals and their critical habitat.	USFWS	Subsections 8.2.1.2, 8.2.1.4, 8.2.2.2, and 8.2.5.2
Federal	Section 404 of Clean Water Act of 1977	Requires permit to fill jurisdictional wetlands.	U.S. Army Corps of Engineers (USACE)	Subsection 8.2.2.1, 8.2.2.2, 8.2.3.1, 8.2.5.2
Federal	Section 401 of Clean Water Act of 1977	Requires the Applicant to conduct water quality impact analysis for the project when using 404 permits and for discharges to water bodies.	Regional Water Quality Control Board (RWQCB)	Subsection 8.2.3.1, 8.2.5.2
Federal	Migratory Bird Treaty Act 16 USC §§703-711	Prohibits the non-permitted take of migratory birds.	USFWS and California Department of Fish and Game (CDFG)	Subsections 8.2.1.2, 8.2.2.2, 8.2.2.3, 8.2.2.4, 8.2.3.3, 8.2.5.2
State	California Endangered Species Act of 1984, Fish and Game Code, §2050 through §2098	Protects California's endangered and threatened species.	CDFG	Subsections 8.2.1.2, 8.2.1.4, and 8.2.2.2, 8.2.5.2
State	Fish and Game Code Fully Protected Species, §3511: Fully Protected birds, §4700: Fully Protected mammals, §5050: Fully Protected reptiles and amphibians, §5515: Fully Protected fishes	Prohibits the taking of listed plants and animals that are Fully Protected in California.	CDFG	Subsections 8.2.1.2, 8.2.5.2, 8.2.2.2, 8.2.1.4
State	Fish and Game Code §1930, Significant Natural Areas (SNA)	Designates certain areas such as refuges, natural sloughs, riparian areas, and vernal pools as significant wildlife habitats. Listed in the California Natural Diversity Data Base (CNDDB).	CDFG	Subsection 8.2.1, 8.2.1.1, 8.2.1.2, 8.2.1.4, 8.2.2.2, 8.2.2.3
State	Fish and Game Code §1580, Designated Ecological Reserves (DERs)	The CDFG commission designates land and water areas as significant wildlife habitats to be preserved in natural condition for the general public to observe and study.	CDFG	Subsection 8.2.2.3
State	Fish and Game Code §1600, Streambed Alteration Agreement (SAA)	Reviews projects for impacts to waterways, including impacts to vegetation and wildlife from sediment, diversions, and other disturbances.	CDFG	Subsection 8.2.2.3
State	Native Plant Protection Act of 1977, Fish and Game Code, §1900 et seq.	Designates state rare and endangered plants and provides specific protection measures for identified populations.	CDFG	Subsection 8.2.3.3
State	Public Resource Code §§25500 and 25527	Citing of facilities in certain areas of critical concern for biological resources, such as ecological preserves, wildlife refuges, estuaries, and unique or irreplaceable wildlife habitats of scientific or educational value, is prohibited, or when no alternative, strict criteria is applied.	USFWS and CDFG	Subsections 8.2.1.2, 8.2.2.3, 8.2.3.2
State	Title 20 CCR §§1702 (q) and (v)	Protects "areas of critical concern" and "species of special concern" identified by local, state, or federal resource agencies in the project area, including the California Native Plant Society (CNPS).	USFWS and CDFG	Subsections 8.2.1.2, 8.2.3.1, 8.2.1.4 and 8.2.5

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State	Title 14 CCR Section 15000 et seq.	Describes the types and extent of information required to evaluate the effects of a proposed project on biological resources of a project site.	USFWS and CDFG	Subsection 8.2.2.1, 8.2.2.3, 8.2.5.
Local	Hayward General Plan, Biological Resources Element	Ch. 7 Section 4.1: Avoid development that would encroach into important wildlife habitats, limit normal range areas, or create barriers that cut off access to food, water, or shelter.	City of Hayward	Section 8.2.2.3
Local	Hayward General Plan, Biological Resources Element	Ch. 7 Section 4.2: Support efforts to reestablish and maintain marsh habitats on the baylands.	City of Hayward	Section 8.2.2.3
Local	Hayward General Plan, Biological Resources Element	Ch. 7 Section 4.3: Preserve tidal flats and salt ponds of low salinity for the migratory waterfowl that depend on these areas.	City of Hayward	Section 8.2.2.3
Local	Hayward General Plan, Biological Resources Element	Ch. 7 Section 4.4: Preserve saltwater evaporation ponds to provide important habitats and/or enhance in a manner commensurate with continued salt production.	City of Hayward	Section 8.2.2.3
Local	Hayward General Plan, Biological Resources Element	Ch 7 Section 4.5: Maintain environmental corridors across the bay plain, such as creeks with native vegetation.	City of Hayward	Section 8.2.2.3
Local	Hayward General Plan, Biological Resources Element	Ch 7 Section 4.6: Use drought tolerant plant materials in city landscaping.	City of Hayward	Section 8.2.2.3
Local	Hayward General Plan, Biological Resources Element	Ch 7 Section 4.7: Encourage the planting of native vegetation to preserve the visual character of the area and reduce the need for toxic sprays and groundwater supplements.	City of Hayward	Section 8.2.2.3
Local	Hayward General Plan, Biological Resources Element	Ch 7 Section 4.8: Preserve mature vegetation, where possible, to provide shade, break unwanted wind, and enhance the appearance of development.	City of Hayward	Section 8.2.2.3
<b>Cultural Resources (Section 8.3)</b>				
Federal	Health and Safety Code Section 7050.5	Construction may encounter Native American graves, Coroner calls NAHC	CEC/Lead Agency	Section 8.3.6
State	California Environment Quality Act Guidelines	Project construction may encounter archaeological and/or historical resources	CEC/Lead Agency	Section 8.3.6
State	Public Resources Code Section 5097.98	Construction may encounter Native American graves, NAHC assigns Most Likely Descendant	CEC/Lead Agency	Section 8.3.6
State	Public Resources Code Section 5097.5/5097.9	Would apply only if some project land were acquired by the state (currently no state land)	CEC/Lead Agency	Section 8.3.2.1
Local	Alameda County General Plan	Project construction may encounter archaeological and/or historical resources	Alameda County	Section 8.3.2.2.1
Local	City of Hayward	Would apply only if historically or architecturally significant structures were affected by the project	City of Hayward	Section 8.3.2.2.2
<b>Land Use (Section 8.4)</b>				
Federal	EPA	Guidelines for state and local governments	EPA	Section 8.5.3.1.1.
Federal	OSHA	Exposure of workers over 8-hour shift limited to 90 dBA	OSHA	Sections 8.5.3.1.2, 8.5.5.2.1, and 8.5.5.3.1. Also see Section 8.7, Worker Safety.
State	Cal/OSHA 8 CCR Article 105 Sections 095 et seq.	Exposure of workers over 8-hour shift limited to 90 dBA	Cal/OSHA	Sections 8.5.3.2.1, 8.5.5.2.1, and 8.5.5.3.1. Also see Subsection 8.7, Worker Safety.
State	California Vehicle Code Sections 23130 and 23130.5	Regulates vehicle noise limits on California highways		Sections 8.5.3.2.1, 8.5.5.2.1, and 8.5.5.3.1.
Local	California Government Code Section 65302	Requires local government to prepare plans that contain noise provisions.		Section 8.5.3.3.
Local	City of Hayward	Establishes acceptable L <sub>dn</sub> noise levels for various land use categories.	City of Hayward	Sections 8.5.3.3 and 8.5.5.3.4.
<b>Noise (Section 8.5)</b>				
Federal	EPA	Guidelines for state and local governments	EPA	Subsections 8.5.3.1.1
Federal	OSHA	Exposure of workers over 8-hour shift limited to 90dBA	OSHA	Subsections 8.5.3.1.2, 8.5.5.2.1, 8.5.5.3.1, 8.7
State	8 CCR Article 105 Sections 095 et seq.	Exposure of workers over 8-hour shift limited to 90dBA	Cal-OSHA	Subsections 8.5.3.2.1, 8.5.5.2.1, 8.5.5.3.1, and 8.7,
State	Calif. Vehicle Code Sections 23130 and 23130.5	Regulates vehicle noise limits on California highways	CDOT	Sections 8.5.3.2.1, 8.5.5.2.1, and 8.5.5.3.1.
Local	Calif Government Code Section 65302	Requires local government to prepare plans that contain noise provision	City of Hayward	Subsections 8.5.3.3

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Local	City of Hayward	Establish a threshold for property line noise levels and acceptable CNEL noise levels for various land use categories	City of Hayward	Subsections 8.5.3.3 and 8.5.5.3.4
<b>Public Health (Section 8.6)</b>				
State	California Clean Air Act, CH&SC 39650 et seq	Exposure of the public to toxic air pollutants	BAAQMD with CARB oversight	Subsection 8.6
State	California H&SC 25249.5 et seq	Proposition 65 – public exposure to contaminants known to the state to cause cancer or reproductive effects	OEHHA	
State	19 CCR 2735 et seq, California H&SC Article 2, Section 6.95	California Accidental Release Prevention Program (CalARP) requires a CalARP risk management program plan to be prepared	City of Hayward, local Certified Unified Permitting Agency	
State	CH&SC 44300 et seq	Air Toxics "Hot Spots" Program (AB2588) – requires initial health risk assessment and biennial reporting of TAC/HAP inventory	BAAQMD	
Local	BAAQMD Reg 2 Rule 2, NSR	NSR Provisions – requires BACT and T-BACT	BAAQMD	
Local	BAAQMD Reg 2 Rule 5	Air Toxics NSR – requires new sources of air toxics to complete health risk assessment as part of permit process	BAAQMD	
<b>Worker Health and Safety (Section 8.7)</b>				
Federal	Title 29 Code of Federal Regulations (CFR) 1910	Contains federal health and safety regulations pertaining to general industry.	Federal Occupational Safety and Health Administration	Subsection 8.7.1, 8.7.4.3
Federal	Title 29 CFR 1926	Contains federal health and safety regulations pertaining to construction activities.	Federal Occupational Safety and Health Administration	Subsection 8.7.1, 8.7.4.3
State	California Occupational Safety and Health Act, 1970	The Act establishes the Cal-OSHA and establishes minimum safety and health standards for work operations occurring in the state.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	Title 8 California Code of Regulations (CCR), Section 339	Requires listing of hazardous chemicals relating to the Hazardous Substance Information and Training Act.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 450	Establishes safety orders for pressurized vessels including air tanks, anhydrous ammonia, and general safe work practices.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 750	Establishes safety orders of work with high pressure steam.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 1509	Addresses requirements for construction, accident, and prevention plans	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR 1509, et seq., and 1684, et seq.	Addresses construction hazards, including head, hand, and foot injuries and noise and electrical shock		Subsection 8.7.2, 8.7.4.2
State	8 CCR, 1528 et seq. - 3380 et seq.	Requirements for personal protective equipment (PPE).	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 1597 et seq. - 1590 et seq.	Requirements addressing the hazards associated with traffic accidents and earth-moving.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 1604 et seq.	Requirements for construction hoists.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 1620 et seq. - 1723 et seq.	Requirements for railings, ramps, stairs, access and egress, openings in floors, roofs and walls, and temporary floors.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 1709	Requirements for steel reinforcing, concrete pouring, and structural steel erection operations.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 1920 et seq.	Requirements for construction-related fire protection and prevention.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR 2300, et seq., and 2320, et seq.	Requirements for addressing low-voltage electrical hazards	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	CCR, 2395, et seq.	Addresses electrical installation requirements	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	CCR, 2700, et seq.	Addresses high-voltage electrical hazards	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 3200 et seq. - 5139 et seq.	Requirements for control of hazardous substances	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 3203, et seq.	Requirements for operational accident prevention programs	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 3270, et seq., and 3209, et seq.	Requirements for evacuation plans and procedures	Cal-OSHA	Subsection 8.7.2, 8.7.4.2

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State	8 CCR, 3301, et seq.	Requirements for addressing miscellaneous hazards, including hot pipes, hot surfaces, compressed air systems, relief valves, enclosed areas containing flammable or hazardous materials, rotation equipment, pipelines, and vehicle-loading dock operations.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 3360, et seq.	Addresses requirements for sanitary conditions	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 3511, et seq., and 3555, et seq.	Requirements for addressing hazards associated with stationary engines, compressors, and portable, pneumatic, and electrically powered tools	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 3649, et seq., and 3700, et seq.	Requirements for addressing hazards associated with field vehicles	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR,3940 et seq	Requirements for power transmission equipment, rotating equipment, moving parts points of operation, etc.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 5109, et seq.	Requirements for addressing construction accident and prevention programs	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 5110, et. seq.	Requirements for the implementation of an ergonomics program	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 5139 et seq.	Requirements for the control of hazardous substances, including Hazard Communication program requirements.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 5150, et seq.	Requirements for confined space entry	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 5160, et seq.	Requirements for addressing hot, flammable, poisonous, corrosive, and irritant substances	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 5192, et seq.	Requirements for conducting emergency response operations	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 5194, et seq.	Requirements for employee exposure to dusts, fumes, mists, vapors, and gases	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, Sections 5405, et seq.; 5426, et seq.; 5465, et seq.; 5500, et seq.; 5521, et seq.; 5545, et seq.; 5554, et seq.; 5565, et seq.; 5583, et seq.; and 5606, et seq.	Requirements for the control of hazards from flammable liquids, gases, and vapors.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 5583, et seq.	Requirements for design, construction, and installation of venting, diking, valving, and supports	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, 6150 et seq.; 6151, et seq.; 6165, et seq.; 6170, et seq.; and 6175, et seq.	Requirements for fire protection and prevention.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	24 CCR, 3 et seq.	Incorporates current addition of Uniform Building Code	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	8 CCR, Part 6	Provides health and safety requirements for working with tanks and boilers.	Cal-OSHA	Subsection 8.7.2, 8.7.4.2
State	Health and Safety Code Section 25500 et seq. (LaFollette Bill)	Requires that every new or modified facility that handles, treats, stores, or disposes of more than the threshold quantity of any of the listed acutely hazardous materials prepare and maintain a Risk Management Plan (RMP).	City of Hayward HMD	Subsection 8.7.2, 8.7.4.2
State	Health and Safety Code Sections 25500 through 25541 et seq.	Requires the preparation of a Hazardous Material Business Plan (HMBP) that details emergency response plans for a hazardous materials emergency at the facility.	City of Hayward HMD	Subsection 8.7.2, 8.7.4.2
Local	Specific hazardous material handling requirements	Provides response agencies with necessary information to address emergencies	City of Hayward HMD	Subsection 8.7.3, 8.7.5
Local	Emergency Response Plan	Allows response agency to integrate Eastshore emergency response activities into any response actions	City of Hayward HMD	Subsection 8.7.2, 8.7.3
Local	Business Plan	Provides response agency with overview of Eastshore purpose and operations	City of Hayward HMD	Subsection 8.7.2, 8.7.3
Local	Risk Management Plan (Certified Unified Program Agency [CUPA])	Provides response agency with detailed review of risks and hazards located at Eastshore and mitigation implemented to control risks or hazards.	City of Hayward HMD	Subsection 8.7.2, 8.7.3
<b>Socioeconomics (Section 8.8)</b>				

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Federal	Civil Rights Act of 1964	Prohibits discrimination on the basis of race, color, or national origin.	Applies only to federal agencies. Does not apply to agencies receiving federal funds.	Subsection 8.8.6
Federal	Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations"	As a result of the Executive Order, the EPA issued guidelines requiring federal agencies and state agencies receiving federal funds to develop strategies to address environmental justice issues (U.S. EPA Final Guidance for Incorporating Environmental Justice Concerns in EPA's NEPA Compliance Analyses (April 1998))	US EPA, SCAQMD	Subsection 8.8.6
State	California Government Code Sections 65995-65997	Establishes that the levy of a fee for construction of an industrial facility be considered mitigating impacts on school facilities.	HUSD	Subsection 8.8.7
State	Education Code 17620	Allows a school district to levy a fee against any construction within the boundaries of the district for the purpose of funding construction of school facilities.	HAUSD	Subsection 8.8.7
Local	City of Hayward General Plan – Economic Development Element	Identifies the current economic conditions, constraints and opportunities in the City of Hayward.	City of Hayward	Subsections 8.8.2.3.3, 8.8.4.3, 8.8.4.4
<b>Agriculture and Soils (Section 8.9)</b>				
Federal	Federal Water Pollution Control Act of 1972: Clean Water Act of 1977 (including 1987 amendments).	Regulates stormwater discharge from construction and industrial activities	RWQCB – Los Angeles Region 4 under State Water Resources Control Board. USEPA may retain jurisdiction at its discretion.	Subsections 8.9.2.1 and 8.9.4.2.
Federal	Natural Resources Conservation Service (1983), National Engineering Handbook, Sections 2 and 3.	Standards for soil conservation	Natural Resources Conservation Commission	Subsections 8.9.2.1 and 8.9.5.
State	Porter-Cologne Water Quality Control Act of 1972: Cal. Water Code 13260-13269: 23 CCR Chapter 9.	Regulates stormwater discharge	CEC and the San Francisco Bay Region under State Water Resources Control Board	Subsections 8.9.2.2 and 8.9.4.2.
Local	City of Hayward Municipal Code	Encroachment Permit and Construction Permit	Public Works Division	Subsections 8.9.2.3 and 8.9.6
Local	Burlington Northern Santa Fe Railroad (BNSF) Utility Specifications	Temporary occupancy and utility encroachment on BNSF right-of-way	Staubach Global Services, Permits Department	Subsections 8.9.2.3 and 8.9.6
<b>Traffic and Transportation (Section 8.10)</b>				
Federal	49 CFR 171-177	Governs the transportation of hazardous materials, including the marking of the transportation vehicles.	DOT	Subsections 8.10.4.3.2, 8.10.7 and 8.10.8
Federal	49 CFR 350-399 and Appendices A-G	Address safety considerations for the transport of goods, materials, and substances over public highways.	DOT	Subsections 8.10.4.3.2, 8.10.7 and 8.10.8
Federal	49 CFR 397.9	Establishes criteria and regulations for the safe transportation of hazardous materials.	DOT	Subsections 8.10.4.3.2, 8.10.7 and 8.10.8
Federal	14 CFR 77.13(2)(i)	Requires applicants to notify Federal Aviation Administration (FAA) of construction, within 20,000 feet of an airport, greater than an imaginary surface as defined by the FAA.	FAA	Subsections 8.10.2.1, 8.10.7 and 8.10.8
Federal	14 CFR 77.17	Requires applicant for construction within 20,000 feet of an airport to submit Form 7460-1 to the FAA.	FAA	Subsections 8.10.2.1, 8.10.7 and 8.10.8

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Federal	14 CFR 77.21, 77.23, & 77.25	Outline the obstruction standards that the FAA uses to determine whether an air navigation conflict exists for structures within 3 nautical miles of an airport.	FAA	Subsections 8.10.2.1, 8.10.7 and 8.10.8
State	California Vehicle Code, Sections 13369, 15275, and 15278	Address the licensing of drivers and classifications of licenses required to operate particular types of vehicles, including certificates permitting the operation of vehicles transporting hazardous materials.	California Department of Transportation	Subsections 8.10.4.3.2 and 8.10.7
State	California Vehicle Code, Sections 25160 et seq.	Address the safe transport of hazardous materials.	California Department of Transportation	Subsections 8.10.4.3.2, 8.10.7 and 8.10.8
State	California Vehicle Code, Sections 2500-2505	Authorize the issuance of licenses by the Commissioner of the California Highway Patrol (CHP) to transport hazardous materials, including explosives.	California Department of Transportation	Subsections 8.10.4.3.2, 8.10.7 and 8.10.8
State	California Vehicle Code, Section 31303	Requires transporters of hazardous materials to use the shortest route possible.	California Department of Transportation	Subsections 8.10.4.3.2.
State	California Vehicle Code, Sections 31600-31620	Regulate the transportation of explosive materials.	California Department of Transportation	Subsections 8.10.4.3.2
State	California Vehicle Code, Sections 32100-32109	Requires transporters of inhalation hazardous materials or explosive materials to obtain a Hazardous Materials Transportation License.	Caltrans	Subsections 8.10.4.3.2.
State	California Vehicle Code, Sections 34000-34121	Establish special requirements for transporting flammable and combustible liquids over public roads and highways.	Caltrans	Subsections 8.10.4.3.2.
State	California Vehicle Code, Sections 34500, 34501, 34505, 34506, 34507, and 34510	Regulate the safe operation of vehicles, including those used to transport hazardous materials.	Caltrans	Subsections 8.10.4.3.2, 8.10.7 and 8.10.8
State	California Vehicle Code, Section 35100 et seq.	Specifies limits for vehicle width.	Caltrans	Subsections 8.10.7 and 8.10.8
State	California Vehicle Code, Section 35250 et seq.	Specifies limits for vehicle height.	Caltrans	Subsections 8.10.7 and 8.10.8
State	California Vehicle Code, Section 35400 et seq.	Specifies limits for vehicle length.	Caltrans	Subsections 8.10.7 and 8.10.8
State	California Vehicle Code, Section 35780	Requires a Single-Trip Transportation Permit to transport oversized or excessive loads over state highways.	Caltrans	Subsections 8.10.7 and 8.10.8
State	The California Streets and Highways Code, Sections 660, 670, 1450, 1460 et seq. 1470	Require encroachment permits for projects involving excavation in city streets.	Caltrans	Subsections 8.10.7 and 8.10.8
State	California State Planning Law, Government Code Section 65302	Requires each city and county to adopt a General Plan consisting of seven mandatory elements to guide its physical development, including a circulation element.	Caltrans	Subsection 8.10.3.2
State	California Department of Transportation Manual on Uniform Traffic Control Devices	Specifies standards for construction in the public right-of-way.	Caltrans	Subsections 8.10.2.3, 8.10.7 and 8.10.8
Local	The City of Hayward General Plan Circulation	The plan sets forth 15 goals that address regional traffic on freeways and major arterials promoting public transit and alternate modes of transportation.	City of Hayward	Subsections 8.10.3, 8.10.4 and 8.10.6
Local	Truck Permits – Over Length, Width, Height, or Weight	The City of Hayward requires a permit before operating any oversize and/or overweight vehicles within the City.	City of Hayward	Subsections 8.10.7 and 8.10.8
<b>Visual Resources (Section 8.11)</b>				
Federal	No federal LORS related to Visual Resources	Not Applicable	not applicable	Not applicable
State	No federal LORS related to Visual Resources	Not Applicable	not applicable	Not applicable

TABLE 1C

Summary of Applicable Laws, Ordinances, Regulations, and Standards (LORS)

Jurisdiction	Authority	Requirements and Compliance	Administering Agency	Reference
Local	City of Hayward General Plan	<p>The City of Hayward General Plan gives guidance for the physical development of the community through the year 2022. Because most of the available land in Hayward has already been developed for residential, commercial, industrial, and other urban uses, the City is now focusing on maintaining and enhancing existing neighborhoods, business districts, and surrounding open space. The City has explored the implications of smart growth principles in Hayward and has crafted policies that will encourage the use of these principles in long-range planning and development through the year 2022.</p> <p>The General Plan is an integrated and internally consistent set of policies and strategies that address several issue areas (land use, circulation, economic development, housing, community facilities and amenities, conservation and environmental protection, and public utilities and services).</p> <p>The Land Use Element designates the general location of various land uses proposed within the City of Hayward.</p> <p>The Economic Development Element identifies the current economic conditions, constraints, and opportunities in the City of Hayward, and establishes policies and strategies to support economic growth and address other issues related to economic development.</p> <p>The Community Facilities and Amenities Element describes such existing and desired facilities in the City.</p> <p>The Conservation and Environmental Protection Element discusses a variety of environmental issues of concern to the City.</p>	City of Hayward Community and Economic Development Department, Planning Division	Section 8.11.6.2
Local	City of Hayward Municipal Code	The Code includes provisions for administration, public safety, public welfare, sanitation and health, businesses, public works, finance, building regulations, zoning, and public utilities.	City of Hayward Community and Economic Development Department, Planning Division	Section 8.11.6.3
<b>Hazardous Materials Handling (Section 8.12)</b>				
Federal	29 CFR 1910 et seq and 1926 et seq.	Requirements for equipment used to store and handle hazardous materials.	U.S. EPA, Cal-OSHA	Section 8.7
Federal	49 CFR Parts 172, 173, and 179	Provides standards for labeling and packaging of hazardous materials during transportation	Federal Department of Transportation (DOT) and California Highway Patrol	Section 8.10
Federal	CERCLA/SARA Section 302	Requires certain planning activities when Extremely Hazardous Substances (EHS) are present in excess of TPQ. Eastshore will have ammonia in excess of the TPQ.	City of Hayward HMD	Subsection 8.12.8.4.2
Federal	CERCLA/SARA Section 304	Requires notification when there is a release of hazardous material in excess of its RQ.	City of Hayward HMD	Subsection 8.12.8.4.1
Federal	CERCLA/SARA Section 311	Requires annual reporting of releases of hazardous materials.	City of Hayward HMD	Subsection 8.12.8.4.1
Federal	CERCLA/SARA Section 313	Requires annual reporting of releases of hazardous materials.	U.S. EPA Region IX	Subsection 8.12.8.4.1
Federal	Clean Air Act (CAA)	Requires an RMP if listed hazardous materials (designated as "regulated substances") are stored at or above a TQ.	U.S. EPA Region IX and the City of Hayward HMD	Section 8.12.8.4.2

TABLE 1C

Summary of Applicable Laws, Ordinances, Regulations, and Standards (LORS)

Jurisdiction	Authority	Requirements and Compliance	Administering Agency	Reference
Federal	Clean Water Act (CWA)	Requires preparation of an SPCC plan if oil is stored above certain quantities.	City of Hayward HMD and LARWQCB	Subsection 8.12.8.4.3
State	8 CCR Section 339; Section 3200 <i>et seq.</i> , Section 5139 <i>et seq.</i> and Section 5160 <i>et seq.</i>	8 CCR Section 339 lists hazardous chemicals relating to Hazardous Substance Information and Training Act; 8 CCR Section 3200 <i>et seq.</i> and 5139 <i>et seq.</i> address control of hazardous substances; 8 CCR Section 5160 <i>et seq.</i> Addresses hot, flammable, poisonous, corrosive, and irritant substances.	Cal OSHA	Section 8.7
State	Health and Safety Code, Section 25500, <i>et seq.</i>	Requires preparation of an HMBP if hazardous materials are handled or stored in excess of threshold quantities.	City of Hayward HMD	Subsection 8.12.8.4.1
State	CalARP Program. Health and Safety Code, Section 25531 through 25543.4	Requires registration with local CUPA or lead agency and preparation of an RMP if regulated substances are handled or stored in excess of TQs	City of Hayward HMD	Subsection 8.12.8.4.2
State	Aboveground Petroleum Storage Act	Requires entities that store petroleum in ASTs in excess of certain quantities to prepare an SPCC Plan.	City of Hayward HMD	Subsection 8.12.8.4.3
State	California Fire Code, Article 80 and others. California Fire Code, Article 80 and others.	Includes provisions for storage and handling of hazardous materials.	City of Hayward Fire Department	Section 8.7
State	Safe Drinking Water and Toxics Enforcement Act (Proposition 65)	Requires warning to persons exposed to a list of carcinogenic and reproductive toxins and protection of drinking water from same toxins.	California OEHHA	Subsection 8.12.8.4.4
Local	City of Hayward, Municipal Code, Chapter 3, Article 8	Requires entities that store or handle hazardous materials or wastes to apply for a hazardous materials storage permit through submittal of a HMBP.	City of Hayward HMD	Subsection 8.12.8.4.1
<b>Waste Management (Section 8.13)</b>				
Federal	RCRA Subtitle D (42 USC 6941-6949a)	Eastshore solid waste will be collected and disposed of by a collection company in conformance with Subtitle D.	U.S. EPA, Region IX and Cal-EPA, City of Hayward Solid Waste Agency	Subsections 8.13.5.1, 8.13.6, 8.13.2.1
Federal	RCRA Subtitle C (42 USC 6921-6939b)	Controls generation, storage, transportation, treatment, and disposal of hazardous waste. Hazardous waste will be managed in conformance with RCRA Subtitle C.	DTSC and City of Hayward HMD	Subsection 8.13.6
Federal	The Clean Water Act of 1977 (including 1987 amendments) §402; 33 USC §1342; 40 CFR Parts 112, 122-136	Controls discharge of wastewater to the surface waters of the U.S. Applies to waste water discharged to the City of Hayward Water Pollution Control Facility (WPCF).	RWQCB	Subsections 8.13.4, 8.13.8, and 8.14
State	California Integrated Waste Management Act (CIWMA), PRC 40000, <i>et seq.</i>	Controls solid waste collectors, recyclers, and depositors. Hazardous wastes are not to be disposed of with non-hazardous wastes.	City of Hayward Solid Waste Agency	Subsections 8.13.5.1, 8.13.6.1, and 8.13.6
State	Hazardous Waste Control Law (HWCL), CA Health and Safety Code 25100 <i>et seq.</i> ; 22 CCR 66001 <i>et seq.</i>	Controls storage, treatment, and disposal of hazardous waste.	Cal/EPA Department of Toxic Substance Control	Subsections 8.13.6.1 and 8.13.6.2
State	Porter-Cologne Water Quality Control Act	Controls discharge of wastewater to the surface and ground waters of California. Applies to waste water discharged to the City of Hayward WPCF.	LARWQCB	Subsections 8.13.4, 8.13.8, and 8.14
State	California Fire Code	Controls storage of hazardous materials and wastes and the use and storage of flammable/combustible liquids.	City of Hayward Fire Department	Subsection 8.13.10
Local	City of Hayward General Plan	Section 8 of city's General Plan identifies Department of Public Works as responsible department within city to administer solid waste management rules	Alameda County	Subsection 8.13.10
Local	City of Hayward, Municipal Code, Chapter 3, Article 8	Requires entities that store or handle hazardous materials or wastes to apply for a hazardous materials storage permit through submittal of a HMBP.	Alameda County	Subsection 8.13.10

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Summary of Applicable Laws, Ordinances, Regulations, and Standards (LORS)

Jurisdiction	Authority	Requirements and Compliance	Administering Agency	Reference
Local	County of Alameda, General Ordinance Code, Title 6, Chapter 6.76	Addresses enforcement of California Integrated Waste Management Act of 1989 at county level (e.g., permitting of landfills)	Alameda County	Subsection 8.13.10

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Summary of Applicable Laws, Ordinances, Regulations, and Standards (LORS)

Jurisdiction	Authority	Requirements and Compliance	Administering Agency	Reference
<b>Water Resources (Section 8.14)</b>				
Federal	Clean Water Act (CWA) / Water Pollution Control Act, P.L. 92-500, 1972; amended by Water Quality Act of 1987, P.L. 100-4 (33 USC 466 et seq.); National Pollutant Discharge Elimination System (NPDES) (CWA, Section 402)	Prohibits discharge of pollutants to receiving waters unless the discharge is in compliance with an NPDES permit. Applies to all wastewater discharges, including industrial wastewater, stormwater runoff and dewatering, during both construction and operation.	SF RWQCB	Subsections 8.14.6.2, 8.14.6.3, 8.14.6.4
State	Federal Clean Water Act (implemented by State of California) and Porter-Cologne Water Quality Control Act	Implements and enforces the federal NPDES permit program through conformance with beneficial uses and water quality objectives in the Basin Plan as well as conformance with any applicable Total Maximum Daily Load requirements and industrial pretreatment requirements.	City of Hayward, Alameda County	Subsection 8.14.6.4
State		Stormwater runoff is conveyed through the City of Hayward's storm drainage system; discharges are regulated under an existing NPDES permit for municipal stormwater (NPDES Permit CAS0029831, Order R2-2003-0021).	San Francisco Bay Regional Water Quality Control board Stormwater Permitting Department	Subsection 8.14.6.3
State		Construction stormwater discharges on sites greater than 1 acre require compliance with statewide construction discharge permit (NPDES Permit CAS000002, Order No. 99-08-DWQ).	SWRCB Stormwater Program	Subsection 8.14.6.2
State		Stormwater discharges during operation of power plants require compliance with statewide program for industrial uses (NPDES Permit CAS000001, Order No. 97-03-DWQ).	SWRCB Stormwater Program Industrial General Permit	Subsection 8.14.6.3
State	California Water Code §461 and §13550, and SWRCB Resolution 75 58	Encourages the conservation of water resources and the maximum reuse of wastewater.	not applicable	
Local	Alameda Countywide Clean Water Program	Assists in compliance of federal and state water quality regulations and requirements through the program's 2001-2008 Stormwater Quality Management Plan.	Alameda Countywide Clean Water Program	Subsection 8.14.6.3
Local	City of Hayward, Hayward Municipal Code Section 11-2, Hayward Municipal Water System	Regulates connections to Hayward municipal water systems.	City of Hayward, Director of Public Works Department	Subsection 8.14.6.4
Local	City of Hayward, Hayward Municipal Code, Section 11-3, Sanitary Sewer System	Regulates connections to Hayward municipal wastewater systems. Discharges are regulated under an existing NPDES permit for Alameda County (NPDES Permit CA0038474, Order, R2-2004-0008).	City of Hayward, Director of Public Works Department	Subsection 8.14.6.4
Local	City of Hayward, Hayward Municipal Code Section 11-5, Stormwater Management and Urban Runoff Control Ordinance	Regulates connections to storm drainage facilities. Implements stormwater quality requirements consistent with federal permit (NPDES Permit CA0029831, Order R2-2003-0021)	City of Hayward, Director of Public Works Department	Subsection 8.14.6.4
<b>Geologic Hazards (Section 8.15)</b>				
State/Local	California Building Code (CBC), 2001	Acceptable design criteria for structures and excavations with respect to seismic design and load bearing capacity.	California Building Standards Commission, State of California, and City of Hayward	Subsection 8.15.7

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Summary of Applicable Laws, Ordinances, Regulations, and Standards (LORS)

Jurisdiction	Authority	Requirements and Compliance	Administering Agency	Reference
State/Local	Alquist Priolo Earthquake Fault Zoning Act	Identifies areas subject to surface rupture from active faults	Title 14, Division 2, Chapter 8, Subchapter 1, Article 3, California Code of Regulations.	Subsection 8.15.2
State/Local	The Seismic Hazards Mapping Act	Identifies non-surface fault rupture earthquake hazards, including liquefaction and seismically induced landslides	Title 14, Division 2, Chapter 8, Subchapter 1, Article 10, California Code of Regulations.	Subsection 8.15.2
Local	City of Hayward General Plan	Compliance with the conservation and environmental protection element of the General Plan	City of Hayward	Subsection 8.15.7
<b>Paleontological Resources (Section 8.16)</b>				
Federal	Antiquities Act of 1906	Protects objects of antiquity from vandalism and unauthorized collecting on federal lands (currently no federal land)	Not applicable	Subsection 8.16.2.1
State	California Environmental Quality Act (CEQA) Appendix G	Fossil remains may be encountered by earth-moving activities	CEC, California Office of Historic Preservation	Subsections 8.16.2 and 8.16.4
State	Public Resources Code Section 5097.5/5097.9	Would apply only if project required land owned by the state	Not applicable	Subsection 8.16.2.1