

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION  
OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE  
TESLA POWER PROJECT  
BY FLORIDA POWER AND LIGHT

DOCKET No. 01-AFC-21  
DATA ADEQUATE  
JANUARY 9, 2002

**ERRATA TO THE REVISED PRESIDING MEMBER'S PROPOSED DECISION**

The following list of Errata shall be incorporated by reference into the Revised Presiding Member's Proposed Decision (PMPD), which is scheduled for hearing by the full Commission at its June 16, 2004, Business Meeting. The Errata are based on the comments filed by the parties during the comment period. None of the Errata change the substantive findings or conclusions of the Revised PMPD.

**INTRODUCTION**

**Page 1**, replace last sentence with the following text:

Construction of the Project must commence within five years of the effective date of this Decision. (Cal. Code Regs., tit. 20, § 1720.3.)

**Page 9**, middle paragraph, 4th sentence, delete following text:

“; when TPP is expected to start-up.”

**POWER PLANT RELIABILITY**

**Page 98**, middle paragraph, 1<sup>st</sup> sentence, add the following text:

in compliance with Condition of Certification **Soil & Water-9**.

**Page 100**, at the end of the last paragraph, add the following sentence:

To ensure an adequate water supply, Condition of Certification **Soil & Water-9** is included in the **Soil and Water Resources** portion of this Decision.

## AIR QUALITY

**Page 132**, footnote to Table 2b, revise the 2<sup>nd</sup> sentence as follows:

In April 2004, the U.S. EPA redesignated the SJV as ‘extreme’ nonattainment for the federal 1-hour ozone standard and established a new ‘serious’ nonattainment designation for the federal 8-hour ozone standard. Additionally, with enactment of the 8-hour ozone standard in June 2004, the 1-hour ozone standard will be rescinded in June 2005.

The entries in Table 2b are also revised accordingly.

**Page 145**, footnote 32, revise the final sentence as follows:

In other recent cases where applicants have proposed an ammonia slip level of 10 ppmvd, Staff sought additional mitigation to reduce potential impacts by recommending a maximum of 5.0 ppmvd in ammonia-rich regions; however, and, in this case, Staff determined the proposed 5.0 ppmvd ammonia slip level was acceptable.

**Page 147**, footnote 35, revise the 5th sentence as follows:

Unlike the combustion sources, which would cause approximately 190 tpy of PM<sub>10</sub> almost entirely within the PM<sub>2.5</sub> subset, cooling tower PM<sub>10</sub> emissions do not include substantial PM<sub>2.5</sub>.

**Page 156**, last paragraph, revise 4th sentence as follows.

Staff further noted that BAAQMD followed EPA Guidelines in determining the PM<sub>10</sub> ~~PM<sub>2.5</sub>~~ value of the road paving offset.

**Page 171**, revise Finding 31 as follows:

Cooling tower emissions represent about three percent of the total Project PM<sub>10</sub> emissions and do not include substantial PM<sub>2.5</sub>...

**Page 171**, Finding 35, delete the following text:

“for the Tracy Unified School District’s clean school bus program”

**Page 179**, Condition **AQ-C9**, delete the following text:

“including, but not limited to, a clean school bus program,”

## BIOLOGICAL RESOURCES

**Page 280**, Table 3, delete the two rows labeled “Water Supply Pipeline” and “Water Supply Pump Station”

## SOIL AND WATER RESOURCES

**Page 328**, second bullet, delete following text:

“when TPP is projected to be operational.”

**Page 339**, delete Findings 14 through 16 and renumber subsequent Findings.

## CULTURAL RESOURCES

**Page 359**, Condition **CUL-1**, Verification, 3<sup>rd</sup> and 4<sup>th</sup> paragraphs, modify as follows:

At least ~~20~~ 30 days prior to ground disturbance, the CRS shall submit written notification to the CPM ...

At least ~~40~~ 30 days prior to the start of ground disturbance, the Project Owner shall confirm in writing to the CPM ...

**Page 362**, Condition **CUL-3**, Verification, modify as follows:

At least 30 days prior to the start of ground disturbance, the Project Owner shall ~~provide submit~~ the CRMMP to the CPM for review and approval as well as a copy of an agreement with a collection facility or a letter indicating that the Project Owner will pay curation fees for any materials collected as a result of the archaeological studies. Ground disturbing activities ~~may~~ shall not commence until the CRMMP is approved.

**Page 365**, Condition **CUL-7**, Verification, 4<sup>th</sup> paragraph, modify as follows:

At least ~~40~~ 30 days prior to ground disturbance in areas where there is potential to discover Native American cultural resources ...

**Page 366**, Condition **CUL-11**, Verification, modify as follows:

~~Within At least~~ 10 days after permitting by a federal agency as required by the U.S. Bureau of Reclamation, copies of the permit shall be provided to the CPM. Within At least 10 days after the Project Owner receives any correspondence from the federal agency, the Project Owner shall provide

copies of the correspondence to the CPM.

**Page 367**, add the Cultural Resources Conditions of Certification Table attached to this Errata.

## **GEOLOGICAL AND PALEONTOLOGICAL RESOURCES**

**Page 369**, Potential for Seismic Events, first sentence, delete the following text:

“and along the linear alignments”

**Page 369**, Potential for Seismic Events, second paragraph, modify 12<sup>th</sup> sentence as follows:

The Midway Fault, which is about 7 miles long, runs across the site near the northeast boundary; two earthquakes (5.0 and 3.5 Richter events) near the trace of associated with the Midway Fault were reported in the last 100 years.

**Page 373**, Condition **PAL-1**, second paragraph, first sentence, delete “s” in “resumes” as follows:

The PRS resumes shall include the name and phone number of contacts.

## **SOCIOECONOMICS**

**Page 423**, Condition **SOCIO-1** is modified as follows:

The Project Owner shall pay the one-time statutory school facility development fee to the appropriate school district(s), in the amount required at the time of filing, for the Alameda County in-lieu building permit ~~to Alameda County~~ to be distributed pursuant to agreement between proportionately 75% to the Mountainhouse Elementary School District and 25% to the Tracy Joint Unified School District ~~pursuant to Resolution No. 2003-04/8 adopted by the Mountainhouse School District.~~ ~~made available by agreement.~~

## **VISUAL RESOURCES**

**Page 452**: modify first sentence as follows:

The seasonal daytime plume frequency is not considered potentially significant since it will be well below ten percent of SDNRNF hours.

**Page 457**, LORS Table, Column 1, row 2, insert the following text in the empty cell in Column 1.

Alameda County General Plan, Scenic Route Element Policies

**Page 462**, Condition **VIS-3**, item c, correct typo as follows:

...and not needed ~~frø~~ for security...

**Appendix A, page 42**, second paragraph under Local LORS, revise last sentence as follows:

Other pertinent policies are described in Visual Resources Table 3 ~~in the Compliance with LORS.~~

## **COMMITTEE ORDER**

The Errata listed above are adopted by the Committee and incorporated into the Revised PMPD for consideration by the full Commission.

By Order of the Committee.

Dated June 15, 2004, at Sacramento, California.

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JOHN L. GEESMAN  
Commissioner and Presiding Member  
Tesla AFC Committee

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ARTHUR H. ROSENFELD  
Commissioner and Associate Member  
Tesla AFC Committee

Cultural Resources Conditions of Certification	Days prior to Start of ground disturbance							MCR	Days after Completion of Ground Dist.	End of Construction
	45	30	20	15	10	5	0			
Submittal									90	
<b>Cul-1:</b>										
CRS resume	X									
Termination of CRS									10 days prior to termination	
CRS notifies of CRMs		X								
CRS available letter		X								
<b>Cul-2:</b>										
Maps and drawings		X								
Schedule/phases		X								
Footprint change			X							
Phase change						X				
<b>Cul-3:</b> CRMMP		X								
<b>Cul-4:</b> Cultural Resources Report									X	
<b>Cul-5:</b> WEAP Training						X				
<b>Cul-6:</b> Authority to halt letter		X								
<b>Cul-7:</b>										
Reduce monitoring letter									Submit justification at any time	
Monitoring summaries								X		
Non-compliance notice									Within 24 hours of non-compliance	
Native American monitoring		X								
<b>Cul-8:</b>										
Test plan for Site A		X								
Test results & eligibility			X							
Data recovery plan					X					
Data recovery complete							X			
<b>Cul-9:</b>										
CPRR photos and descriptions	X									
Restoration photos										X
<b>Cul-10:</b>										
Route & descrip. at walnuts			X							
<b>Cul-11:</b>										
Copy of federal permit									10 days after receipt of permit	
Copy of fed. correspond.									10 days after receipt of correspondence	