6.0 LAWS, ORDINANCES, REGULATIONS AND STANDARDS (LORS)

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6.0 LAWS, ORDINANCES, REGULATIONS AND STANDARDS (LORS)

6.1 INTRODUCTION

Table 6.1-1 provides a listing and summary of the laws, ordinances, regulations, and standards (LORS) that are or may be applicable to the Tesla Power Project (TPP). The LORS are presented by topic and organized into federal, state, local, and industry codes/standards where applicable. Table 6.1-1 includes the corresponding AFC section where compliance with each of the LORS is discussed.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.1 Introduction	--	--	--	--	--
6.2 Need for Facility (Demand Conformance)	Section 2.0: Project Objective and Need (p. 2.1 to 2.2)	State	Cal. Public Resource Code (PRC) § § 25523(f), 25524 and, 20 California Code of Regulations (CCR)§ 1741(b)(1).	California Energy Commission (CEC)	Tesla Power Project (TPP) meets all demand conformance requirements.
6.3 Project Siting and Construction					
6.3.1 Engineering Geology	Appendix A: Foundations and Civil Engineering Design; Appendix B: Structural and Seismic Engineering Design Criteria; Section 5.14: Worker Safety, p. 5.14.1 to 5.14.5	Federal	29 United States Code (USC) § 651 et seq.; 29 Code of Federal Regulations (CFR) §§1901.1-1910, 1500; 29 CFR, Part 1926.	Federal Occupational Safety and Health Administration (OSHA); Cal OSHA (per 29 CFR § §1952.70-1952.175)	Specific occupational safety and health standards. TPP will meet all standards.
	Appendices A and B; Section 5.4.1: Water Resources, p. 5.4-10 to 5.4-13.		33 USC §1342 et. seq.	Central Valley Regional Water Quality Control Board (CVRWQCB)	Requires permits for specified discharges into waters of the United States. TPP will provide notice of intent to CVRWQCB to operate under and will comply with all General Industrial Activity Storm Water Permit requirements.
	Appendices A, B and G; Section 5.5: Geologic Hazards & Resources, Table 5.5-4, p. 5.5-25.	State	Business and Professions Code §6700 et. seq., 6730, 6736, 6736	Board for Professional Engineers and Land Surveyors	Requires state registration to practice as a civil or structural engineer in California and that all plans, specifications, reports, or documents be prepared by or under the direction of a registered engineer. TPP will comply with all requirements.
	Appendices A and B; Section 5.14: Worker Safety; Tables 5.14-1, p. 5.14-2.		Labor Code §6500 et. seq.	California Occupational Safety and Health Administration (Cal OSHA)	Requires a permit for construction of trenches or excavation 5 feet or deeper into which personnel have to descend.
	Appendices A, B and G; Section 5.5: Geologic Hazards & Resources; Section 5.5.6.		California Building Code (CBC) [latest edition available]	CEC	Sets building standards and requirements. TPP will comply with all CBC requirements.
	Appendices A and B; Section 5.14: Worker Safety; p. 5.14-1 to 5.14-15.		Labor Code §6300 et. seq.; 8 CCR 1500 et. seq., 2300 et. seq., §3200 et seq.	Cal OSHA	Prescribes construction safety orders, industrial safety orders and work safety requirements. TPP will comply with all safety requirements.
	Section 5.11: Traffic and Transportation; Table 5.11-8, p. 5.11-20.		Vehicle Code §35780 et. seq.	Department of Transportation, Alameda County	Requires a permit for transportation of oversize or overweight vehicles over state highways. TPP will obtain all necessary permits.
	Appendices A, B and G; Section 5.5: Geologic Hazards & Resources; Table 5.5-4, p. 5.5-25; Section 5.5.6.	Local	Alameda County Code of Building Regulations.	CEC	Sets building standards and requirements for Alameda County.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.3.1 Engineering Geology (Continued)	Appendices A, B and G; Section 5.5: Geologic Hazards & Resources; Table 5.5-4, p. 5.5-25.		Hydrology and Hydraulics Criteria Summary	CEC	Specifies drainage and grading requirements. TPP will comply with all drainage and grading requirements
6.3.2 Civil and Structural Engineering	Appendices A and B; Section 5.14: Worker Safety; Tables 5.14-3, -4, -5, p. 5.14.10 through 5.14-14.	Federal	29 USC § 651 et seq.; 29 CFR §§1901.1-1910, 1500; 29 CFR, Part 1926.	OSHA; Cal. OSHA (per 29 CFR § §1952.70-1952.175	Specific occupational safety and health standards. TPP will meet all standards.
	Section 5.4: Water Resources; Table 5.4-2, p. 5.4-13.		33 USC §1342 et. seq.	CVRWQCB	Requires permits for specified discharges into waters of the United States. TPP will provide notice of intent to CVRWQCB to operate under and will comply with all General Industrial Activity Storm Water Permit requirements.
	Appendices A and B.	State	Business and Professions Code §6700 et. seq., §§ 6730, 6736 6736	Board for Professional Engineers and Land Surveyors	Requires state registration practice as a civil or structural engineer in California and that all plans, specifications, reports, or documents must be prepared by or under the direction of a registered engineer. TPP will comply with all requirements.
	Appendices A and B; Section 5.14: Worker Safety; Table 5.14-7, p. 5.14-16.		Labor Code §6500 et. seq.	Cal OSHA	Requires a permit for construction of trenches or excavation 5 feet or deeper into which personnel have to descend.
	Appendices A and B; Section 5.14: Worker Safety; Table 5.14-7, p. 5.14-16.		California Building Code (CBC)	CEC	Sets building standards and requirements. TPP will comply with all CBC requirements.
	Appendices A and B; Section 5.14: Worker Safety; Tables 5.14-3,4,5 p. 5.14-10-14.		Labor Code §6300 et. seq.; 8 CCR 1500 et. seq., 2300 et. seq., §3200 et seq.	Cal OSHA	Prescribes construction safety orders, industrial safety orders and work safety requirements. TPP will comply with all safety requirements.
	Section 5.11: Traffic and Transportation; Table 5.11-7, p. 5.11-15.		Vehicle Code §35780 et. seq.	Department of Transportation, Alameda County	Requires a permit for transportation of oversize or overweight vehicles over state highways. TPP will obtain all necessary permits.
	Appendices A and B; Section 5.5: Geologic Hazards and Resources; Table 5.5-4, p. 5.5-25.	Local	Alameda County Code of Building Regulations.	CEC	Sets building standards and requirements for the county.
	Appendices A and B; Section 5.5: Geologic Hazards and Resources: Table 5.5-4, p. 5.5-25.		Hydrology and Hydraulics Criteria Summary	CEC	Specifies drainage and grading requirements. TPP will comply with all drainage and grading requirements.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.3.3 Mechanical Engineering	Appendices C and D; Section 5.14: Worker Safety; Table 5.14--3,-4,-5, p. 5.14-10 to 5.14-14.	Federal	29 USC § 651 et seq.; 29 CFR §§1901.1-1910, 1500; 29 CFR, Part 1926	Federal OSHA; Cal. OSHA (per 29 CFR § §1952.70-1952.175	Specific occupational safety and health standards. TPP will meet all standards.
	Appendices C and D; Section 5.5: Geologic Hazards and Resources; Table 5.5-4, p. 5.5-25.	State	CBC; California Plumbing Code	CEC	Sets building standards and requirements. TPP will comply with all CBC requirements.
	Appendices C and D; Section 5.14: Worker Safety; Tables 5.14-3, 4, 5, p. 5-14-10-14.		Labor Code §6300 et. seq.; 8 CCR 1500 et. seq., 2300 et. seq., §3200 et seq.	Cal OSHA	Prescribes construction safety orders, industrial safety orders and work safety requirements. TPP will comply with all safety requirements.
	Appendices C and D; Section 5.12: Hazardous Materials Handling; Table 5.12-1, p. 5.12-6.		8 CCR Chapters 4-7	CEC	Prescribes requirements for flammable liquids, gases, and vapors. TPP will comply with all requirements.
	Appendices A, B, C and D.		Business and Professions Code §6700 et. seq., 6730, 6735 & 6736	Board of Professional Engineers and Land Surveyors	Requires state registration to practice as a mechanical engineer and that all plans, specifications, reports, or documents be prepared by a registered engineer. TPP will use registered engineers.
6.3.4 Electrical Engineering	Appendices D and E; Section 5.14: Worker Safety; Table 5.14--3,-4,-5, p. 5.14-10 to 5.14-14.	Federal	29 USC § 651 et seq.; 29 CFR §§1901.1-1910, 1500; 29 CFR, Part 1926.	Federal OSHA; Cal. OSHA (per 29 CFR § §1952.70-1952.175	Specific occupational safety and health standards. TPP will meet all standards.
	Appendices D and E; Section 5.5: Geologic Hazards and Resources; Table 5.5-4, p. 5.5-25.	State	CBC; California electrical Code	CEC	Sets building standards and requirements. TPP will comply with all CBC requirements.
	Appendices D and E; Section 5.14: Worker Safety; p. 5.14-9 to 5.14-16. Tables 5.14-3, 4, 5 p. 5.14-10-14.		Labor Code §6300 et. seq.; 8 CCR 1500 et. seq., 2300 et. seq., §3200 et seq.	Cal OSHA	Prescribes construction safety orders, industrial safety orders and work safety requirements. TPP will comply with all safety requirements.
	Appendices D and E; Section 5.12: Hazardous Materials Handling; Table 5.12-1, p. 5.12-6.		8 CCR Chapters 4-7	CEC	Prescribes requirements for flammable liquids, gases, and vapors. TPP will comply with all requirements.
	Appendices D and E		Business and Professions Code §6700 et. seq., 6730, 6735 & 6736	Board of Professional Engineers and Land Surveyors	Requires state registration to practice as an electrical engineer and also requires all plans, specifications, reports, or documents be prepared by a registered engineer. TPP will use registered engineers.
	Appendices D and E; Section 5.5: Geologic Hazards and Resources; Table 5.5-4, p. 5.5-25.	Local	Alameda County Code of Building Regulations	CEC	Sets building standards and requirements for Alameda County.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.4 Project Design and Operation					
6.4.1 Power Plant Reliability	Appendix E; Section 4.0: Safety and Reliability; p. 4-7 to 4-9.	Industry	EPRI, NERC		EPRI and NERC trade association standards will be followed.
6.4.2 Public Health / Worker Safety Protection	Section 5.14: Worker Safety; p. 5.14-1 to 5.14-8.	Federal	OSHA, 29 USC 651 et seq.; 29 CFR 1910 et seq.; and 29 CFR 1926 et seq.	Fed-OSHA and Cal-OSHA	Project will meet employee health and safety standards for employer-employee communications, electrical operations, and chemical exposures.
	Section 5.14: Worker Safety; Tables 5.14-1 and 5.14-2, p. 5.14-2 to 5.14-6.		Department of Labor, Safety and Health Regulations for Construction promulgated under Section 333 of the Contract Work Hours and Safety Standards Act, 40 USC 327 et seq.	Fed-OSHA and Cal-OSHA	Project will meet employee health and safety standards for construction activities. Requirements addressed by CCR Title 8, General Construction Safety Orders.
	Section 5.12: Hazardous Materials Handling; Tables 5.12-1, 2, 3 p. 5.12-6-14.		Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) 42 USC §9601 et. seq.; 40 CFR Part 302	National Response Center, Environmental Protection Agency, Region IX	Prescribes requirements for notification of any specific release of hazardous substance, notification of potential injured parties, and demonstration of financial responsibility. In the event of a specified release, TPP will follow all specified requirements.
	Section 5.12: Hazardous Materials Handling; Table 5.12-3, p. 5.12-14; Section 5.14: Worker Safety Table 5.14-1, p.5.14-2	State	Emergency Planning and Community Right-to-Know, 42 CFR 11001 et. seq.	Office of Emergency Services and the Alameda County Environmental Health Department.	TPP will meet all requirements of Cal. Health and Safety §§25500 to 25541; 19 CCR §§2720-2734 which implement the requirements of 42 CFR 11001 et. seq.
	Section 5.12: Hazardous Materials Handling; Tables 5.12-1 and 5.12-3, p. 5.12-6 and 5.12-14; Section 5.14: Worker Safety; p. 5.14-12 to 5.14-13.		California Uniform Fire Code, Article 80 and others.	CEC; Alameda County Fire Department	Project will meet requirements for the storage and handling of hazardous materials (Article 80), flammable and combustible liquids (Article 79), and for obtaining permits (Article 4).
	Section 3.0: Facility Description Section 3.4.10; Section 4.0: Safety and Reliability; Sections 4.1.2 and 4.1.3; Section 5.14: Worker Safety; Table 5.14-4, p. 5.14-13.	Industry	National Fire Protection Association standards.	Alameda County Fire Department	Project will meet standards necessary to establish a reasonable level of safety and property protection from the hazards created by fire and explosion.
	Section 5.14: Worker Safety; Tables 5.14-1 and 5.14-2; Section 5.15: Public Health; Table 5.15-7, p. 5.15-17.		Cal. Labor Code Div. 5, Parts 1, 3, 6 & 7; 8 CCR.	Cal OSHA	Project will meet requirements for a safe and hazard-free working environment. Categories of requirements include General Industry Safety Orders, General Construction Safety Orders, and Electrical Safety Orders.
	Section 5.15: Public Health; p. 5.15-9 to 5.15-16; Apps K-8 to K-13; Section 5.14: Worker Safety.		California Public Resources Code § 25523(a); 20 CCR § 1752,-1752.5, 2300-2309, and Division 2, Chapter 5, Article 1, Appendix B, Part (I),	CEC	Project will follow Health Risk Assessment Guidelines and will prepare a quantitative Health Risk Assessment.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.4.2 Public Health / Worker Safety Protection (Continued)	Section 5.12: Hazardous Materials Handling; p. 5.12-3 to 5.12-9; Table 5.12-3, p. 5.12-14.		California Health and Safety Code § 25500 to 25541; 19 CCR §§ 2720-2734.	Office of Emergency Services and the Alameda County Environmental Health Department	TPP will follow code, which establishes inventory, reporting, business, and area planning requirements with respect to hazardous and acutely hazardous materials in accordance with the federal Emergency Planning and Community Right-to-Know Act of 1986.
	Section 5.15: Public Health; Table 5.15-5, p. 5.15-12; Section 5.2: Air Quality; Table 5.2-36, p. 5.2-66; Table 5.2-38, p. 5.2-68 to 5.2-69.		California Health & Safety Code, Part 6, § 44300 et seq.	Bay Area Air Quality Management District (BAAQMD)	A Health Risk Assessment has been performed for toxic air pollutants. The Authority to Construct permit will limit power plant emissions.
	Section 5.12: Hazardous Materials Handling; Section 5.12.2.2 and Table 5.12-1, p. 5.12-6; Section 5.15: Public Health; Table 5.15-7, p. 5.15-15.		Cal. Health & Safety Code § 255500; 19 CCR Division 2, Chapter 4.5	California Office of Emergency Services (OES) and Alameda County Environmental Health Department	Project will follow new CalARP regulations, which merge federal and state programs for the prevention of accidental releases.
	Section 3.4-1; Section 5.7: Land Use; p. 5.7-7, 5.7-11; Table 5.7-5, p. 5-7-13.	Local	Alameda County Zoning Ordinance	Alameda County Public Works Agency	Project will provide safety setbacks as required by Alameda County Fire Department.
	Appendices A-E; Section 5.14: Worker Safety; p. 5.14-1 to 5.14-14.	Industry	See Appendices A-E	See Appendices A-E	As stated in Appendices A-E and Section 5.14, TPP will comply with industry standards regarding worker safety and health protection.
	Section 3.0: Facility Description, 3.4-10; Section 4.0: Safety and Reliability, Sections 4.1.2 and 4.1.3.		National Fire Protection Association standards.	Alameda County Fire Department	Project will meet standards necessary to establish a reasonable level of safety and property protection from the hazards created by fire and explosion.
6.4.3 Transmission Line Safety and Nuisance	Section 4.2.1; p. 4-2.	Federal	29 USC § 1348; 14 CFR Part 77, "Objects Affecting Navigable Airspace."	Federal Aviation Administration (FAA)	"Notice of Proposed Construction or Alteration" (NCPA), FAA Form 7460-1H need not be submitted since transmission poles and HRSG stacks do not meet criteria.
	Section 4.2.2; p. 4-3.		47 USC § 15.25, "Operating Requirements, Incidental Radiation."		Project will be designed to minimize communications interference.
	Sections 3.6, 3.7, p. 3-55 to 3-70.	State	Cal. Pub. Res. Code, § 25000 et. seq., Warren-Alquist Act, § 25520 Subdivision (g).	CEC	Description of transmission line, including the right of way, will be provided.
	Section 4.2.3, p. 4-5; Section 4.2.4, p. 4-6.		General Order 52(GO-52) CPUC, "Construction and Operation of Power and Communication Lines."	California Public Utility Commission (CPUC)	Project will be designed to minimize inductive interference.
	Section 4.4. 2.2; p. 4-10..		General Order 95 (GO-95) CPUC, "Rules for Overhead Electric Line Construction	CPUC, CEC	Design and construction of transmission line will be in compliance with GO-95.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.4.3 Transmission Line Safety and Nuisance (Continued)	Sections 5.7.2.1 and 5.7.2.2; p. 5.7-9 to 5.7-11.	Local	Alameda County General Plan - Energy Element	Alameda County Planning	Project will be designed and constructed in compliance with policies on transmission lines.
	Section 4.2.2; p. 4-3.	Industry	Radio & Television Interference (RI/TVI) Criteria	CEC	Project will be designed to minimize radio and television interference.
6.5 Environmental Information					
6.5.1 Introduction	--	--	--	--	--
6.5.2 Air Quality	Section 5.2: Air Quality (all)	Federal	Federal Clean Air Act (FCAA), as amended, 42 USC §§7470-7491, 7411, 7412, 7470, 7491, 7501 *et. seq.* 7651& 7661.	EPA, Region IX, CARB and BAAQMD (as delegated)	Requires review of specified new and modified stationary sources. Project will comply with all pertinent sections of the FCAA. Most sections are implemented at the state and local level (see below).
	Section 5.2.1.2; p. 5.2-4 to 5.2-5; Table 5.2-38, p. 5.2-76; Appendix K.		40 CFR 52.21	EPA Region IX	Applicant will apply for PSD permit and project will satisfy all PSD requirements.
	Sections 5.21.4 and 5.2.4; Table 5.2-38, p. 5.2-76; Appendix K.	Federal/Local	40 CFR § 60 Subparts A, Db, and GG	BAAQMD	Project's controlled emissions will satisfy NSPS for stationary gas turbines. NO_x emissions will be less than NSPS limits. Natural gas will satisfy NSPS fuel requirements for SO_2.
	Section 5.2.1.5, p. 5.2-7; Table 5.2-38, p. 5.2-68; Appendix K	Federal/Local	FCAA Title V, 40 CFR 70 BAAQMD Rule 207	BAAQMD	Establishes comprehensive permit program for major stationary sources. Applicant will file an application within 12 months after plant startup, as required, and obtain a Permit to Operate.
	Section 5.2.1.3, p. 5.2-6; Section 5.2.4, Table 5.2-20, p. 5.2-40; Table 5.2-21, p. 5.2-41; Table 5.2-22, p. 5.2-41; Table 5.2-23, p. 5.2-42; Table 5.2-26, p. 5.2-44; Table 5.2-30, p. 5.2-65; Appendix K.		FCAA Title IV 40 CFR 72, 73 and 75 BAAQMD Rule 208	EPA, Region IX	Requires reduction in adverse effects or acid rain through redirections in emissions. SO_2 allowances will be acquired by Applicant. Required SO_2 and CO emissions will be calculated. If applicable, monitoring plans will be prepared and emissions will be monitored for acid rain programs.
	Section 5.12: Hazardous Materials Handling; Table 5.12-3, p. 5.12-14.	Federal/Local	FCAA 40 CFR 68; 19 CCR Div.2, Chap. 4.5.	EPA, CARB, CEC	Provides requirements for Risk Management Plan/Accidental Release Programs.
	Section 5.2: Air Quality (all); Table 5.2-38, p. 5.2-76; Tables 5.2-37, p. 5.2-74.	State	California Clean Air Act of 1988 (CCAA); Cal. Health & Safety Code §42300	BAAQMD with California Air Resources Board (CARB) oversight	Project will comply with CCAA requirements through compliance with all applicable BAAQMD rules.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.5.2 Air Quality (Continued)	Section 5.2.1.7, p. 5.2-7; Section 5.15.3, p. 5.15-9; p. 5.15-12; Table 5.15-5, p. 5.15-12.		Cal. Health and Safety Code, § 44360-44366.	BAAQMD with CARB oversight.	Applicant will file Air Toxics "Hot Spots" information, as required, after start of operation. Applicant has prepared a Health Risk Assessment for air toxics, see Section 5.15.
	Section 5.2: Air Quality (all); Section 5.2.4, p. 5.2-35 to 5.2-73.		PRC §25523(a); 20 CCR §§ 1752, 1752.5, 2300-2309 & Div.2, Chap. 5, Art.1, Appendix B, Part (k).	CEC	Requires analysis of air quality impacts.
	Section 5.2.1.9; Section 5.2.1.10; Section 5.2.5; Table 5.2-38, p. 5.2-76; Appendix K.	State/Local	California Health & Safety Code §§ 42300 and 42301, CCR § 17455; and BAAQMD Rules 202 and 204.	BAAQMD with CARB oversight	New source permitting requirements will be satisfied via BAAQMD's review and issuance of a Determination of Compliance and Certification by CEC. Furthermore, project will apply BACT and emissions will be offset by valid ERCs, as required. Project will not cause a violation of state or federal AAQS.
	Section 5.2: Air Quality; Table 5.2-37, p. 5.2-68; Appendix K	Local	BAAQMD (10) (2-2).	BAAQMD	Requires continuous monitoring. TPP will utilize continuous emissions monitoring equipment.
	Section 5.2: Air Quality; Table 5.2-38, p. 5.2-74; Appendix K		BAAQMD (2-2).	BAAQMD	Requires source testing. TPP will comply with source testing requirements.
	Section 5.2.1.1.1 Air Quality; p. 5.2-8; Appendix K		BAAQMD (2-2).	BAAQMD	Review of new stationary sources. TPP will submit a permit to construct.
	Section 5.2: Air Quality; Table 5.2-37, p. 5.2-74; Appendix K		BAAQMD (2-6).	BAAQMD	TPP will obtain a Title V permit.
	Section 5.2: Air Quality; Table 5.2-37, p. 5.2-74; Appendix K		BAAQMD (2-7).	BAAQMD	TPP will comply with federal acid rain requirements.
	Section 5.2: Air Quality; Table 5.2-37, p. 5.2-74; Appendix K		BAAQMD (10).	BAAQMD	TPP will comply with NSPS requirements.
	Section 5.2: Air Quality; Table 5.2-37, p. 5.2-74; Appendix K		BAAQMD (1-301).	BAAQMD	TPP emissions will not cause a nuisance.
	Section 5.2: Air Quality; Appendix K		BAAQMD (6).	BAAQMD	Particulate matter emission shall not exceed 0.1 grains/dscf.
	Section 5.2.1.1.1;Air Quality; p. 5.2-10; Appendix K		BAAQMD	BAAQMD	TPP will comply with fugitive dust suppression requirements.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.5.3 Biological Resources	Section 5.3.5 and 5.3.6, p. 5.3-35 ti 5,2-44; Tables 5.3-1, p. 5.3-2.	Federal	Endangered Species Act of 1973; 16 USC § 1531 et seq.; 50 CFR 17.1 et. seq.	US Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS)	Project will provide mitigation for the protection and management of federally-listed threatened or endangered plants and animals and their habitats, and will obtain a Section 10(a)(1) HCP.
	Appendix J; Tables 5.3-1 through 5.3-5.		Fish and Wildlife Coordination Act (Section 7); 16 USC §§ 742 et seq., 16 USC 1531 et seq., and 50 CFR 17.	USFWS	Requires consultation with USFWS if project may jeopardize a listed species. Project will comply by submitting biological assessment for the project impacting federal lands.
	Section 5.3.5; p. 5.3-35 to 5.3-42.		Migratory Bird Treaty Act; 16 USC §§ 703-711; 50 CFR Subchapter B.	USFWS	Project will provide protection as necessary for migratory birds.
	Tables 5.3-1 through 5.3-5; Appendix J.	State	California Endangered Species Act of 1984; California Fish & Game Code §§ 2050-2098. Title 14 CCR § 15000 et seq.	California Department of Fish and Game (CDFG)	Project will provide mitigation for the protection and management of state-listed species. CDFG consultation requirements will be met by submitting biological assessment and by obtaining a Section 2081 permit.
	Section 5.3.5 and 5.3.6; p. 5.3-35 to 5.3-43.		Native Plant Protection Act of 1977; Cal. Fish & Game Code § 1900 *et seq.*	CDFG	Project will provide analysis and mitigation for all rare and endangered plants.
	Section 5.3.5 and 5.3.6; p. 5.3-35 to 5.3-43.		California Fish & Game Code § 3511, 4700, 5050, 5515	CDFG	Prohibits the taking of fully protected birds, mammals, reptiles and amphibians, and fishes. Project will provide mitigation for any negative effects to these species.
	Section 5.3: Biological Resources; Table 5.3-10, p. 5.3-50.		California Fish & Game Code § 1600	CDFG	Project will submit Streambed Alteration Agreement for any streambeds disturbed in the project area.
	Section 5.3.4.3; Section 5.3.5.		California Public Resources Code § 25523(a); 20 CCR §§ 1752.5, 2300 - 2309, and Chapter 2, Subchapter 5, Article 1, Appendix B, Part (I)	CEC with comment by the CDFG	TPP will provide measures to assure protection of rare or endangered species.
	Section 5.3.8, p. 5.3-44.	Local	Land Use, Open Space, and Conservation Element of Alameda County General Plan	Alameda County Community Development Agency	Project will be compatible with any threatened or endangered species habitat. Mitigation measures have been proposed by applicant and will be refined through consultation with state and federal agencies.
6.5.4 Water Resources	Section 5.4.8; Table 5.4-2.	Federal	Clean Water Act § 402, 33 USC § 1342; 40 CFR Parts 122 – 136	CVRWQCB, and the EPA, Region IX	Project will comply with the Clean Water Act and obtain a general storm water discharge permit for construction and operation. If applicable, TPP will obtain a § 404.
	Section 5.4.2; p. 5.4-4; Section 5.4.2.5; p. 5.4-8, Section 5.4.3, p. 5.4-9		Cal Water Code §§ 461; California Constitution, Article 10 § 2	State Water Resources Control Board	Project will avoid the waste or unreasonable uses of water, and comply with all regulations governing methods of use and methods of water diversion.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.5.4 Water Resources (Continued)	Section5.4.2.5, p5.4-8; Section 5.4.2.1 ; p. 5.4-5 ; Section 3.10.2.2 alternatives ; p. 87.		State Water Resources Control Board, Resolution 75 – 58 (June 18, 1975)	State Water Resources Control Board and the CEC	Project complies with policy on the use and disposal of inland water used for power plant cooling.
	Section 5.4: Water Resources (all); Section 5.4.3; p. 5.4-9		Cal. Pub. Res. Code § 25523(a); 20 CCF §§ 1752, 1752.5, 2300 – 2309, and Chapter 2 Subchapter 5, Article 1, Appendix B, Part (1).	CEC	Requires information concerning proposed water resources and water quality protection. All materials fulfilling this requirement are found in Section 5.4.
6.5.5 Geological Resources and Hazards	*Addressed in Section 6.3.1 of this table*				
6.5.6 Agriculture and Soils	Section 5.6.3, p. 5.6-13.	Federal	Clean Water Act of 1977 (including 1987 amendments) 33 USC § 1342	CVRWQCB.	Project will implement erosion control measures such that it will meet discharge requirements relative to sediment due to accelerated erosion.
	Section 5.6: Agriculture and Soils (all).	State	Cal. Pub. Res. Code § 25523(a); CCR §§ 1752, 1752.5, 2300 - 2309, and Chapter 2, Subchapter 5, Article 1, Appendix B, Part (I)	CEC	Project will submit information to the CEC concerning potential environmental impacts, including impacts to agriculture and soils.
	Section 5.6.2.2, p. 5.6-11 to 5.6-13; Section 5.6.3, p. 5.6-13; Section 5.6.4, p. 5.6-14.		California Environmental Quality Act, California Public Resources Code § 21000 *et seq.;* Guidelines for Implementation of the California Environmental (Quality Act of 1970, 14 CCR § 15000 - 15387, Appendix G	CEC	TPP will not cause substantial flooding, erosion or siltation and, therefore, will not have a significant impact.
	Section 5.6.3; Table 5.6-2. Table 5.6-3.		California Porter-Cologne Water Quality Control Act of 1972; Cal. Water Code, § 13260 – 13269, 23 CCR Chapter 9	CEC, the CVRWQCB and the State Water Resources Control Board	Project will provide adequate protection of water quality by appropriate design, sizing and construction of erosion and sediment controls; it will also fulfill waste discharge requirements concerning potential surface water pollution from project area runoff (Storm Water Pollution Prevention Plan).
	Section 5.7: Land Use, p. 5.7-10 to 5.7-12; Section 5.6: Agriculture and Soils (all)	Local	Alameda County General Plan – Conservation Element	Alameda County Community Development Agency	Project will comply with General Plan.
	Section 5.6: Agriculture and Soils, p. 5.6-3 to 5.6-8; Table 5.6-1		Hydrology and Hydraulics Criteria Summary	Alameda County Public Works Agency	TPP will grade and design drainage system to meet criteria.
	Section 5.6: Agriculture and Soils, p. 5.6-11 to 5.6-14; Table 5.6-1		Alameda County Code of Building Regulation Grading Ordinance	Alameda County Public Works Agency	TPP will comply with grading code chapter 17.28.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.5.6 Agriculture and Soils (Continued)	Section 5.6.3, p. 5.6-13; Section 5.6.1.2; p. 5.6-3 ; Section 5.6.2.1, p. 5.6-9	Industry	Soil Conservation Service (SCS), *National Engineering Handbook* (1983), Sections 2 and 3	U.S. Department of Agriculture (Natural Resources Conservation Service) and California Department of Conservation	Project will implement standards for the planning, design, soil conservation practices and protection of prime agricultural land.
6.5.7 Land Use	Section 5.7: Land Use; Section 5.7.6.1, p. 5.7-11.	Federal	Federal Land Policy and Management Act of 1976, (FLPMA) 43 CFR 28000	Western Area Power Administration (Western)	For connections to Western facilities, the project will comply with policies for public lands administered by Western, including obtaining right of way permits.
	Section 5.7: Land Use (all); Section 5.7.2.2, p. 5.7-10	State	Cal. Pub. Res. Code § 25523(a); 20 CCR §§ 1752, 1752.5, 2300-2309 and Chapter 2, Subchapter 5, Appendix B, Part (1)(3) and (4).	CEC	Project will evaluate compatibility of the proposed project with relevant land use plans.
	Section 5.7.2.2; Tables 5.7-4 and 5.7-5		Cal. Streets and Highway Code § 670.	California Department of Transportation (CalTrans)	Project will obtain any applicable Encroachment Permit(s).
	Section 5.7.2.2; p. 5.7-12	Local	Alameda County General Plan and East County Area Plan	Alameda County Community Development Agency	TPP is consistent with all relevant provisions of the General Plan and East County Area Plan.
	Section 5.7.1.3; p. 5.7-7, p. 5.7-11		Alameda County Zoning Ordinance	CEC, Alameda County Community Development Agency	TPP is consistent with zoning with a Conditional Use Permit and minimum lot sizes. Conditional Use Permit will be subsumed in the AFC proceeding.
6.5.8 Socioeconomics	Section 5.8.3; p. 5.8-12 to 5.8-14.	Federal	Executive Order 12898 (Environmental Justice)	EPA for Executive Branch.	Project will have no minority-based or income-based environmental justice issues.
	Section 5.8.2; p. 5.8-4 to 5.8-11.	State	Cal. Pub. Res. Code § 25523(a); 20 CCR §§ 1752, 1752.5, 2300-2309, and Chapter 2, Subchapter 5, Appendix B, Part (I); 14 CCR § 15131	CEC	Inclusion of economic or social effects analysis in AFC.
	Section 5.8.2.1, p. 5.8.6; Table 5.8-5.		Cal. Ed. Code § 17620; Cal. Gov. Code § 65995.	Alameda County	Project will comply by providing school impact fees for development projects within school districts, as required.
6.5.9 Noise	Section 5.9.2.2 ; Table 5.9-6, p. 5.9-17.	Federal	Noise Control Act of 1972; 42 USC § 4901; 40 CFR Parts 201-211; EPA 1974 Noise Guidelines	--	Project noise (Ldn) at the nearest residence will be well below 55 dBA.
	Section 5.9.2.1, p.5.9-11; Also see Section 5.14: Worker Safety; Table 5.14-2.		OSHA, (29 CFR § 1910 et seq.)	Fed/OSHA	Project will comply with worker noise exposure standards. High noise areas will be posted and a hearing conservation program implemented.
	Section 5.9: Noise; 5.9-14 to 5.9-18. Also see Section 5.14: Worker Safety; Table 5.14-2, p. 5.14-6.	State	Cal/OSHA Occupational Noise Exposure Regulations (8 CCR, General Industrial Safety Orders, Article 105, Control of Noise Exposure, § 5095, et seq.)	Cal/OSHA	Project will comply with worker noise exposure standards. High noise areas will be posted and a hearing conservation program implemented.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.5.9 Noise (Continued)	Section 5.9.2.1; Section 5.11.2.1.		California Vehicle Code, Sections 23130 and 23130.5	California Highway Patrol and the Alameda County Sheriff's Office	Construction of the TPP will not require vehicles that exceed the allowable vehicular noise levels.
	Table 5.9-6, p. 5.9-17.	Local	Alameda County General Plan – Noise Element, 1989.	Alameda County, Planning and Department Services	Project is within allowable noise standards.
6.5.10 Visual Resources	Section 5.10-3, p. 5.10-15.	Local	Alameda County General Plan – Land Use, Open Space and Conservation Element.	Alameda County Community Development Agency	Project is consistent with policies in that the two transmission line corridors are in areas of low visual sensitivity.
	Section 5.10.4; Section 5.10.6.2.		Alameda County Zoning Ordinance	Alameda County Community Development Agency	Setback requirements and structure requirements will be met. Conditional Use Permit will be applied for and all landscaping requirements will be met.
6.5.11 Traffic and Transportation	Section 5.12.2.1; Section 5.12.2.2.	Federal	49 CFR, Chapter II, Subchapter C; and Chapter III, Subchapter B	Federal Department of Transportation and CalTrans	TPP will meet standards for the transportation of hazardous materials.
	Table 5.11-8, p. 5.11-15.	State	Cal. Vehicle Code, § 35780; Cal. Streets & Highways Code §§ 660-711; 21 CCR §§ 1411.1-1411.6	CalTrans	TPP will obtain transportation permits for all overload vehicles transporting over state highways.
	Section 5.7.2.2, p. 5.7-12.		Cal. Streets and Highways code §§ 117, 660-711	CalTrans	TPP will obtain encroachment permits.
	Section 5.12-6, p. 5.12-10.		Cal. Vehicle Code § 31300 et seq.	CalTrans	TPP will comply with all requirements regarding transportation of hazardous materials on state highways.
	Section 5.11.6, p. 5.11-13 to 5.11-14.		Cal. Veh. Code § 31030	CalTrans	TPP will comply with all specified commercial shipping routes.
	Section 5.11.6, p. 5.11-13 to 5.11-14.	Local	Alameda County General Plan, Transportation and Circulation Element	Alameda County Community Development Agency	Compliance with goals and policies for County transportation and traffic systems.
	Section 5.11.1.1; Figure 5.11-1; Section 5.11-6, p. 5.11-13 to 5.11-14.		Regional Transportation Plan	ABAG	The Regional Transportation Plan (RTP) establishes regional transportation goals, policies, objectives, and actions for various modes of transportation, including internodal and multimodal transportation activities. The RTP is implemented through the County Transportation Improvement Program (TIP).
	Section 5.11.1.1; p. 5.11-1.		East County Area Plan	Alameda County Board of Supervisors	TPP will comply with all policies within this plan.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.5.12 Hazardous Materials Handling and Hazardous Waste Management	Table 5.12-3, p. 5.12-14; Table 5.13-3,4, p. 5.13-9-10.	Federal	RCRA; 42 USC § 9601 et seq.; 40 CFR Parts 260-272	EPA (Region IX) and Cal-EPA, Department of Toxic Substances Control (DTSC)	Project will comply with all waste management guidelines established through RCRA.
	Table 5.12-3, p. 5.12-14; Table 5.13-3,4 p. 5.13-9-10.		CERCLA ("Superfund'), 42 USC 9601 et seq. As amended by SARA, Emergency Planning and Community Right-to-Know Act of 1986 (SARA Title III), 42 USC § 11001 et seq.; 40 CFR Parts 350, 355 and 370	EPA, Region IX, National Response Center, and Alameda County Environmental Health Department	Project will comply with CERCLA - release notification requirements; SARA Title III - reporting requirements for storage, handling, or production of significant quantities of hazardous or acutely toxic substances.
	Table 5.12-1, p. 5.12-6.		29 USC § 651, 29 CFR § 1910 et seq. and § 1926 et seq.	EPA (Region IX) and FED/OSHA	Project will meet requirements for equipment used to store and handle hazardous materials necessary to protect workers.
	Section 5.12.6.1, p. 5.12-11.		49 CFR, Parts 172, 173, and 179	California Highway Patrol (CHP) and Federal Department of Transportation	Standards for labels, placards, and markings on hazardous waste shipments are the responsibility of the transporters.
	Section 5.13.2.3, p. 5.13-6; Table 5.13-4, p. 5.13-10.		Hazardous Waste Control Act of 1972, as amended; Cal. Health & Safety Code 25100 et seq.; 22 CCR 66001 et seq.	EPA, Region IX; the DTSC; and the Alameda County Environmental Health Department	Project will meet all requirements for the management of hazardous wastes dictated by the HWCA.
	Section 5.12-6, p. 5.12-10 to 5.12-13.		8 CCR § 339, § 3200 et seq., 5139 et seq., and 5160 et seq.	Cal/OSHA	Address control of hazardous substances.
	Section 5.15, Public Health (All); Section 5.15.3, p. 5.15-6 to 5.15-15.		Cal. Pub. Res. Code § 25523(a); 20 CCR §§ 1752, 1752.5, 2300 - 2309, and Division 2, Chapter 5, Article 1, Appendix B, Parts (I)	CEC	Project will follow Health Risk Assessment Guidelines and will prepare a quantitative health risk assessment.
	Table 5.12-3, p. 5.12-14.		Cal. Health & Safety Code §§ 25500 - 25541. 19 CCR § 2720-2734	Alameda County Environmental Health Department and the Alameda County Fire Department	Hazardous Materials Business Plan (HMBP) will be submitted 30 days prior to start of operations.
	Table 5.12-3, p. 5.12-14.		California Accidental Release Program (CalARP), Cal. Health & Safety Code § 25531 et seq.	Alameda County Fire Department and Environmental Health Department	A Risk Management Program is needed and will be prepared.
	Table 5.12-2; Table 5.12-3, p. 5.12-14.		California Fire Code, Article 80 and others	Alameda County Fire Department	Project will meet requirements for the storage and handling of hazardous materials (Article 80), flammable and combustible liquids (Article 79), and for obtaining permits (Article 4).
	Section 5.12.2.2, p. 5.12-1 to 5.12-7; Section 5.12.3.2, p. 5.12-8.	Industry	AICHE - Center for Chemical Process Safety, 1985 Guidelines	OES	Project will follow Chemical Hazard Evaluation Procedures.

Table 6.1-1. Tesla Power Project Summary of LORS and Compliance (Continued)

LORS Section	AFC Section[1]	Jurisdiction	Authority	Administering Agency	Requirements/Compliance
6.5.14 Worker Safety	*Addressed in Section 6.4.2 above*	--	--	--	--
6.5.15 Public Health	*Addressed in Section 6.4.2 above*	--	--	--	--
6.5.16 Cultural Resources	*Addressed in Section 6.5.17 below*	--	--	--	--
6.5.17 Cultural and Paleontological Resources	Section 5.16.1.4, p. 5.16-12; Section 5.16.2, p. 5.16-14 to 5.16-15; Section 5.16-4, D 5-16-15; App L-3 (Confidential Filing)	Federal	National Historic Preservation Act of 1966 (NHPA), as amended; 16 USC § 470 et. seq.; Section 106; 36 CFR 800	State Historic Preservation Officer (SHPO) and the federal lead agency Western	Project will present formal findings by the lead federal agency for cultural resources in consultation with the SHPO and the Advisory Council on Historic Preservation. Also, it will implement procedures for dealing with cultural resources discovered during construction. This Act only applies to the interconnection with the Western facilities.
	Section 5.16.1.3, p. 5.16-9; Section 5.16.2, p. 5.16-14 to 5.16-15; Table 5.16-1, p. 5.16-18.		Archaeological Resources Protection Act of 1979 16 USC 470aa *et. seq.*	Western	Any archeological work will not destroy, damage, or removal cultural resources on Federal lands. This Act only applies to the interconnection with the Western facilities.
	Section 5.16.1.3, p. 5.16-9; Section 5.16.2, p. 5.16-14 to 5.16-15; Table 5.16-1, p. 5.16-18.		Native American Graves Protection and Repatriation Act of 1990 (25 USC 3001)	Western	Project will follow guidelines that establish mechanism for right of Indian tribes to claim ownership of certain cultural items. This Act only applies to the interconnection with the Western facilities.
	Section 5.16: Cultural Resources (all); Section 5.16.2, p. 5.16-14 to 5.16-15.		National Environmental Policy Act (NEPA); 42 USC 4321 - 4327; 40 CFR § 1502.25	Western	Project will present an analysis of potential environmental impacts to cultural resources on federal lands. This Act only applies to the interconnection with the Western facilities.
	Section 5.16.6.1, p. 5.16-18 to 5.16-19.		American Indian Religious Freedom Act of 1979 (42 USC 1996)	Western	Creates US Government policy to protect and preserve American Indian's right to express and exercise their traditional religions. No compliance measures for the project. This Act only applies to the interconnection with the Western facilities.
	Section 5.16: Cultural Resources (all)	State	California Environmental Quality Act (Cal. Pub. Res. Code § 15000 et seq.)	CEC	Project will follow formal guidelines related to avoiding damages, determination of significance, and evaluating impacts, and mitigation for cultural and paleontological resources.
	Section 5.16.6, p. 5.16-18; Table 5.16-1, p. 5.16-18.		Cal. Public Resources Code § 5097.98; Cal. Health & Safety Code §7050.5	County Coroner	Project will allow for the determination of origin of human remains by the coroner and subsequent coordination with NAHC.