

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



417B

FROM: TLMA - Planning Department

SUBMITTAL DATE:
October 22, 2012

SUBJECT: SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5 / VARIANCE CASE NO. 1883 – Fifth Supervisorial District – The Pass & Desert Zoning District – The Pass Area Plan: Rural: Rural Desert (R-RD), Rural Residential (R-RR), Rural Mountainous (R-RM), Community Development: Light Industrial (CD-LI) – Location: Southerly of Interstate 10 between Apache Trail and Fields Road at 13990 Apache Trail – 517 Gross Acres – Zoning: Controlled Development Areas - 10 Acre Minimum (W-2-10), Controlled Development Areas - 5 Acre Minimum (W-2-5), and Manufacturing - Service Commercial (M-SC) - REQUEST: Existing surface mine with production rate of up to 4.5 million tons of material per year proposes the addition of two (2) one megawatt (MW) wind turbines at 338.6 feet in height for on-site power generation and for participation in California's Net Energy Meter Program, with proposed variance to allow the height of the turbines to exceed 105 feet as specified by the Controlled Development Areas – 10 Acre Minimum (W-2-10) zone to a maximum total height of 338.6 feet.

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials CSL:jo

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FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2013

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

County Executive Office Signature

REVIEWED BY EXECUTIVE OFFICE
 DATE 10/30/12 rmy
 Tina Grande
 Departmental Concurrence

Dep't Recomm.: Policy
 Per Exec. Ofc.: Policy
 Consent
 Consent

Prev. Agn. Ref.

District: 5th/5th

Agenda Number:

1.3 a+b

The Honorable Board of Supervisors

RE: SURFACE MINING PERMIT 162, REVISED PERMIT NO. 5 / VARIANCE CASE NO. 1883

October 22, 2012

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RECOMMENDED MOTION:

RECEIVE AND FILE the Notice of Decision for the above referenced case acted on by the Planning Commission on October 17, 2012.

The Planning Department recommended Approval; and,
THE PLANNING COMMISSION BY A 5-0 VOTE:

ADOPTED a **MITIGATED NEGATIVE DECLARATION** for **ENVIRONMENTAL ASSESSMENT NO. 42458**, based on the findings incorporated in the initial study and the conclusion that the project will not have a significant effect on the environment; and,

APPROVED SURFACE MINING PERMIT NO. 162, REVISED PERMIT NO. 5, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report; and,

APPROVED VARIANCE CASE NO. 1883, to allow the height of the proposed wind turbines to exceed 105 feet as specified by Controlled Development Areas – 10 Acre Minimum (W-2-10) zone to a maximum total height of 338.6 feet, based upon the findings and conclusions incorporated in the staff report.

BACKGROUND:

On October 17, 2012, the Riverside County Planning Commission voted to approve the project unanimously (Vote 5-0). Planning staff introduced a revised staff report that clarified the variance description and revised four (4) findings (see attached Staff Report). Planning staff also introduced a memo dated October 17, 2012 to the Commission with modification of seven (7) Conditions of Approval [10 Every 4 - SMP Variance No. 1883", 10 E Health 1 – SMP#162 R5", "10 Planning 33 – Operating Hours", "10 Planning 86 – Visual Impacts", "60 EPD 1 - Biological Monitoring", "80 EPD 2 – Biological Monitoring", and "90 Planning 6 – Underground Lines"]. The Commission accepted staff's recommendations as indicated in the revised staff report with modified conditions.