REQUEST FOR APPROVAL

To: Cara Morgan
Branch Chief, Local Assistance and Market Development

From: Curie S. Canuela
Environmental Scientist, Local Assistance and Market Development

Request Date: May 17, 2016

Decision Subject: Amended Countywide Siting Element for San Bernardino County

Action By: June 21, 2016

Summary of Request:

Public Resources Code (PRC) Sections 41700-41721.5 require counties to prepare a Countywide Site Element (CSE) that describes areas that may be used for developing new disposal facilities. PRC Section 50001 requires that after a Countywide Integrated Waste Management Plan (CIWMP) has been approved by the Board, no person shall establish or expand a solid waste facility, as defined in PRC Section 40194, in the County unless the solid waste facility is identified in the CSE or amendment thereto, which has been approved pursuant to PRC Section 41721 or 41721.5, respectively. In addition, PRC Section 40912(e) requires a CSE amended after January 1, 2003, to include a description of the actions taken by the county to solicit public participation by the affected communities, including, but not limited to, minority and low-income populations.

San Bernardino County has amended its CSE by adding the KORE Infrastructure as an Engineered Municipal Solid Waste Conversion facility (EMSW) in the City of Rialto.

Recommendation:
Based on staff's review of the amended CSE, staff found that all of the requirements have been satisfied and the amended CSE substantially complies with PRC Sections 41700, et seq., PRC Section 40912(e), and Title 14, California Code of Regulations (14 CCR) Section 18780 and 14 CCR Section 19781. Therefore, staff recommends approval the amended Countywide Siting Element for the County of San Bernardino.

Branch Chief Action:
On the basis of the information and analysis in this Request for Approval and the findings set out above, I hereby approve the amended Countywide Siting Element for San Bernardino County.

Dated: 6/1/2016

Kenneth Yu for Cara Morgan

Cara Morgan, Branch Chief
Local Assistance and Market Development

Background Information, Analysis, and Findings:

The County has adequately addressed all requirements for amending the County's CSE by submitting the information noted below:

San Bernardino County Amended Countywide Siting Element Adequacy	**YES**	**NO**	**N/A**
Local Task Force comments received	x		
CEQA documentation provided	x		
Meets 15-year disposal capacity requirement	x		
Meets General Plan consistency requirement	x		
30-day notice in newspaper of general circulation of local hearings to adopt	x		
County and majority/majority of cities adopted amendment			x*[1]
Resolutions showing local adoption by county and cities	x		
Provided description of actions taken to solicit public participation by the affected communities	x		

[1] Pursuant to PRC Section 41721(b) the amendment adding the KORE facility to the Siting Element is not subject to the majority/majority requirement.

Under the California Environmental Quality Act (CEQA), the Department is a Responsible Agency with respect to KORE Infrastructure. The City of Rialto served as Lead Agency and prepared and adopted a Negative Declaration on May 27, 2015, in connection with its approval of the Project. The Department has determined the Environmental Document is adequate for its purposes and has considered the potential environmental effects of the Project as described in the Environmental Document prepared by the Lead Agency. The Department finds that the Project will not have any adverse environmental effects that are subject to mitigation or avoidance under the jurisdiction of the Department.

The administrative record for the Department's decision to approve the Project includes the administrative record before the Lead Agency, the proposed Project together with all of its components and supporting documentation, this staff report, the Environmental Document adopted by the Lead Agency, and all other documents and materials utilized by the Department in reaching its decision to approve the proposed Project. The custodian of the Department's administrative record is Custodian of Records Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

The Department will file a Notice of Determination with the State Clearinghouse following Department approval of the Project.

[1] The amendment adding the CEMEX Facility to the siting element is not subject to the majority/majority requirement.