

REQUEST FOR APPROVAL

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

From: Diana Suarez-Arguelles
IWMS, Central Section, LAMD

Request Date: 10/20/2010

Decision Subject: Amended Countywide Siting Element For San Bernardino County

Action By: 11/20/2010

Summary of Request:

Public Resources Code (PRC) Sections 41700-41721.5 require counties to prepare a Countywide Siting 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 CalRecycle, 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 amendment 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 to add three existing, privately owned nonhazardous ash disposal/monofill sites located in the unincorporated area near the communities of Trona and Argus. These sites are: Ace Cogeneration Company Ash Site, Searles Valley Minerals' Argus Boiler Ash Landfill I, and Argus Borrow Pit Landfill II. The regulation overseeing these types of facilities have changed and they are now required to apply for a Standardized Nonhazardous Ash Solid Waste Facility Permit, which requires an amendment to the CSE.

Recommendation:

Based on staff's review of the amended CSE, all 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 of 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 Action and the findings set out above, I hereby approve the amended Countywide Siting Element for San Bernardino County.

Dated: _____

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 of cities adopted amendment | X | | |
| Resolutions showing local adoption by county and cities | X | | |
| Provided description of actions taken to solicit public participation by the affected communities | X | | |