

MINUTES OF THE
PLANNING COMMISSION MEETING
SEPTEMBER 14, 2011

The Imperial County Planning Commission convened a meeting on Wednesday, September 14, 2011 at 9:00 AM in the Board of Supervisors Chambers, El Centro, California.

Commissioners present: Schaffner, Kalin, Bergh, Cabanas, Castillo, Gaddis, Herrera, and Roben.
Commissioners absent: Hargrave & Niver.

Staff present: Planning Division Manager Moore, Hernandez Planner II, Taylor Planner I, and Clerk Scoville.

Pledge of Allegiance.

Approval of Minutes of Previous Meeting.

Motion was made by Commissioner Kalin and seconded by Commissioner Cabanas and carried on the affirmative vote of all Commissioners present to approve the August 10, 2011 Planning Commission Minutes.

PUBLIC HEARINGS:

- I. Consideration of Conditional Use Permit #09-0021 as submitted by R. Neil Emory, proposing an extension of existing private aircraft landing strip by approximately 2,200 feet for a total length of approximately 4,600 feet and 100 feet in width, on property described as Parcel 3 per Tract Map 966, Final Map 26/21. Assessor's Parcel Number 033-250-085-000, (112 West Imperial Highway, Ocotillo), (Supervisorial District #2),

Planning Division Manager Moore started by introducing himself to the Commissioners, and said that the applicant Emory R. Neil Project CUP0-0021 has submitted a request for a continuance for 30 days, and will be re-scheduled for the October 12, 2011 PC Hearing.

2. Consideration of Geothermal #11-0002 as submitted by ORNI 21, LLC/Ormat Nevada, proposing to drill, sample, flow test, and monitor up to six (6) exploratory wells to a depth of approximately 6,500 feet for determining the potential geothermal resource in the area, on property described as Southeast ¼ of Southeast ¼ of Section 28, North ½ of the Northeast ¼ of Section 19; Northeast ¼ of Section 20; The North 1,377.75 of the Northeast ¼ of Section 28; Portion of Southwest ¼ Section 21; Parcel 8 of Parcel Map 1428, Township 10 South, Range 14 East, SBB&M. Assessor's Parcel Number(s) 003-200-013-000, 003-200-028-000, 003-200-060-000, 003-200-066-000, 003-230-018-000, & 003-230-071-000, (45 Winslow Road, Niland), (Supervisorial District #4),

Commissioner Cabanas and Commissioner Castillo excused themselves from this item since they may have a conflict of interest.

Planner Hernandez read the project into the record, and asked the Commission if they had any questions regarding the project.

Commissioner Schaffner asked if there were any questions from the public; if not, he asked if there was a representative on the project present.

Charlene Wardlow of Ormat, 6225 Neil Road, Reno, NV introduced herself and told the Commission she is there to answer any questions they may have regarding this project.

Commissioner Kalin asked Ms. Wardlow if she was aware that three of the parcels were within the Williamson Act guidelines and if they were an allowed use.

Ms. Wardlow said that the parcels are allowed with the Williamson Act guidelines and are trying to minimize the removal of trees.

- A. Motion made by Commissioner Kalin and seconded by Commissioner Herrera and carried on the affirmative vote of Commissioners Schaffner, Kalin, Bergh, Gaddis, Herrera and Roben to recommend

and approve the Negative Declaration by Finding that the proposed project would not have a significant effect on the Environment as recommended by the Environmental Evaluation Committee on July 28, 2011, make the De Minimus findings as recommended at the July 28, 2011, Environmental Evaluation Committee Hearing, that the project will not individually or cumulatively have an adverse effect on Fish and Wildlife Resources, as defined in Section 711.2 of the Fish and Game Codes, make the findings, approve Geothermal Conditional Use Permit #11-0002, subject to all the conditions, and authorize the Director of Planning & Development Services to sign the Conditional Use Permit contract upon receipt from the Permittee.

3. Consideration of "Continued" Conditional Use Permit #11-0015 as submitted by Heber Public Utility District, proposing an expansion of the wastewater treatment plant, on property described as a portion of Lot 32 of Tract 48 as shown on Map Recorded in Book 6, Page 32 and described as the West 300 feet of Lot 32, measured along the Northerly and Southerly lines of said lot. Assessor's Parcel Number 054-540-020-000, (1184 Rockwood Street, Heber), (Supervisory District #2),
 - A. Planning Division Manager Moore said that the applicant has submitted a continuance letter requesting a continuance of 30 days and to be re scheduled for the October 12, 2011 PC Hearing.
4. Consideration of "Continued" Time Extension #11-0016 as submitted by Valley Iron & Metal Recycling, proposing to reinstate the time limit on Conditional Use Permit 1190-95, because the maximum 15 year time period has been reached on property described as Parcel 3 of Parcel Map 1980, Township 17 South, Range 13 East SBB&M. Assessor's Parcel Number 044-460-049-000, (460 East Holton Road, El Centro), (Supervisory District #5),
 - A. Planning Division Manager Moore said that the applicant also has requested a 30-day continuance and asked to be re-scheduled for the October 12, 2011 Planning Commission Hearing.
- V. *Public Comments: **No Comments***
- VI. *Planning Commissioners' Comments:* Commissioner Kalin wants more information on the Memo that was presented by the Director of Planning; (Solar Energy Transmission Facilities on Ag Land) dated September 2, 2011. There is no mention of employment issues.
- VII. *Director's Comments:* Planning Division Manager Moore gave a brief description of the Memo that was distributed to the Commission.

Commissioner Kalin asked what is the difference between prime land and non-prime land, Manager Moore will get back to them on the difference, but he believes is 1-1 and 2-1.

Commissioner Bergh had a question that he did not see anything relating with returning farmland to its original state.

Planning Division Manager Moore stated that solar plants have to be returned to its original agricultural condition; whatever the soils are on farmland should be returned to its original condition.

Commissioner Kalin made a suggestion to contact the USDA for its "Conservation Plan", "from Sydean Gillespie.

Commissioner Schaffner asked what is the maximum 30 years, after that they get an extension and could go on forever; why not make it a zone change, it will not be returned to its original state, it's never going to happen.

Manager Moore suggested to the Commission that they can change the time limit on these Conditions; they are still working on the site restoration plan issue. The Planning & Development Services Department is advising all applicants that they have to re-design around prime farmland. Also, NO solar projects will go forward without the CEO's approval; also, the CEO's is working on Mitigation Measures.

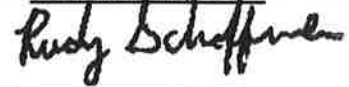
Commissioner Bergh asked why the Emory R Neil project was continued and Planning Division Manager Moore explained that the applicant was out of the Country and had some outstanding invoices and the applicant himself submitted a request for continuance letter for 30-days.

Commissioner Herrera asked when the Fiscal and Employment Study will be completed. Planning Division Manager Moore said it will be completed within a two-week period and will be sent to them for review.

Commissioner Gaddis said that we need to start pressuring the applicant(s) as soon as they submit a project, and address the importance of the job loss with these solar projects. This issue was not mentioned on the memo that was provided to the Commission.

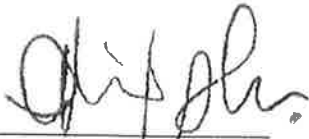
VIII. Adjournment - Meeting was adjourned at 9:30 a.m.

The next meeting of the Planning Commission will be held on October 12, 2011 at 9:00 A.M. at the Board of Supervisors Chambers.



Submitted by:
Rudy Schaffner, Chairman of the
Planning Commission

Attest:



ARMANDO G. VILLA, Secretary
Imperial County Planning Commission

Maria Scoville
Recording Clerk