

DOCKETED

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March 1, 2016

California Energy Commission
1516 Ninth Street, MS-4 (Dockets Unit)
Sacramento CA 95814-5512

RE: Sonoran Energy Project (02-AFC-01C) – Comments on the Preliminary Staff Assessment
for the Sonoran Energy Project Amendment

Dear Commissioners:

Thank you for the opportunity to provide comments on the Preliminary Staff Assessment (“PSA”) for the proposed amendment to the Sonoran Energy Project (“SEP”). Absent the CEC’s certification authority, those portions of the SEP located on private land in the unincorporated area of the County would be subject to County permitting processes. Such processes would require that those portions of the SEP be consistent with all applicable County laws, ordinances, regulations and standards (“LORS”), including, but not limited to, the Riverside County General Plan, all applicable County ordinances, all applicable County resolutions and all applicable policies of the Board of Supervisors.

As mentioned in the Land Use section of the PSA, SEP’s gen-tie is proposed on private land in the unincorporated area not previously analyzed under the 2005 Commission Decision. In the PSA, CEC Staff determines that the transmission poles are allowed by right under the County’s zoning ordinance in the W-2 (Controlled Development) zone. Respectfully, this is not correct. In December 2010, the Riverside County Board of Supervisors adopted Ordinance No. 348.4690, which amended the County’s zoning ordinance to require a Public Use Permit for transmission lines. In relevant part, section 18.29 a.(2) of Ordinance No. 348 states that public use permits shall be required for:

(2) Facilities for the storage or transmission of electrical energy where the County is not preempted from exercising jurisdiction. This subsection shall take precedence over and supersede any conflicting provision in any zone classification. Facilities for the storage or transmission of electrical energy shall not be subject to the development standards of the zone classification in which they are located.

Any portion of the gen-tie, including transmission poles, being proposed for private land in the unincorporated area of the County would require a Public Use Permit if the County was the permitting authority. Therefore, the Final Staff Assessment should address the Public Use Permit requirements in its evaluation and conditioning to satisfy County LORS.

California Energy Commission

March 1, 2016

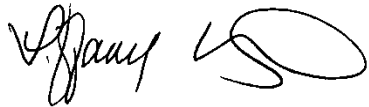
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Should you need additional information, please contact me at (951) 955-6300.

Sincerely,

GREGORY P. PRIAMOS

County Counsel

A handwritten signature in black ink, appearing to read "Gregory P. Priamos", followed by a large, stylized circular flourish.

TIFFANY N. NORTH

Deputy County Counsel IV-S

TNN:

cc: Steve Weiss, Planning Director

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