

## 6.1 LAND USE

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As described in below impacts of the Modified Project to land use are expected to remain the same as those of the Approved Project.

### 6.1.1 Summary of Project Changes Related to Land Use

The only change proposed by the Modified Project that is relevant to land use is the possibility of including two private parcels within the BSPP site. The Strait-Murphy Property is owned by PVSJ and encompasses approximately 160 acres in the center of the site. PVSJ also has an option to purchase the Porter Property (160 acres) which is located at the southern border of the site near the permitted transmission gen-tie line. .

### 6.1.2 Changes in Environmental Impacts

Both parcels of private land are designated Open Space-Rural by the Riverside County General Plan and are zoned W-2-10. As the Commission found in the Palen Solar Power Project, this zoning and general plan designation are consistent with the development of a solar facility.<sup>5</sup> Therefore, since the land use is consistent there are no land use impacts associated with the addition of these two private parcels within the Modified Project.

### 6.1.3 Compliance With LORS

In its Commission Final Decision, the Commission concluded that the Project is consistent with all applicable LORS. There are no new LORS that would be applicable to the Modified Project other than the zoning and general plan designation addressed above. By submitting this Petition to the Commission, PVSJ subjects the Modified Project to the exclusive siting jurisdiction of the California Energy Commission<sup>6</sup>. Section 25500 provides:

The issuance of a certificate by the commission shall be in lieu of any permit, certificate, or similar document required by an state, local or regional agency, or a federal agency to the extent permitted by federal law, for such used of the site and related facilities, and shall supersede any applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law.

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<sup>5</sup> Palen Solar Power Project (09-AFC-7) Final Commission Decision, Land Use page 9

<sup>6</sup> Public Resources Code 2550.1 (c) applies the entire chapter of the Public Resources Code to a facility that makes a Petition for Amendment.

Therefore compliance with the Commission's Petition For Amendment process will satisfy all land use related LORS applicable to the possible addition of the two private parcels.