



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 8, 2011

**TO: ALEX GARCIA
HEARING OFFICER**

FROM: ROB GLASER 
ZONING PERMITS NORTH SECTION

**SUBJECT: MINOR MODIFICATION TO
CONDITIONAL USE PERMIT NO. 89-081 – (5)
29201 HENRY MAYO DRIVE
CASTAIC, CALIFORNIA 91384
NEWHALL ZONED DISTRICT**

The applicant, Waste Connections, is requesting a minor modification of condition of approval number 41 of Conditional Use Permit 89081, which was approved by the Board of Supervisors on November 21, 2000, authorizing the continued use and maintenance of a waste disposal facility in the A-2-2 (Heavy Agricultural – with a two acre minimum lot size development standard) zone.

The applicant is requesting modification of condition number 41 to delete the words “gas to energy” that clarify administrative fees on renewable energy generation and will not alter the existing use, condition, size or capacity of the landfill in any matter. The condition, as *currently approved*, reads as follows:

“41. The permittee shall pay to the County of Los Angeles a fee equal to ten percent (10%) of the sum of the following:

The net tipping fees collected at the landfill (excluding any tipping fees received for waste processed at the materials recovery, recyclable household hazardous waste and composting facilities approved in Conditions 10, 11 and 12), the net tipping fee being the total collected less any other fees or taxes imposed by any federal, state or local agency and included in the fee charged at the landfill entrance;

Gas to energy or direct gas revenues, less any federal, state or local fees or taxes included in such revenues.

Should the County impose a business tax on the landfill revenues, the amount received from the permittee shall be credited against the fees required by this Condition 41.”

With the requested modification, Condition Number 41 would read as follows:

“41. The permittee shall pay to the County of Los Angeles a fee equal to ten percent (10%) of the sum of the following:

The net tipping fees collected at the landfill (excluding any tipping fees received for waste processed at the materials recovery, recyclable household hazardous waste and composting facilities approved in Conditions 10, 11 and 12), the net tipping fee being the total collected less any other fees or taxes imposed by any federal, state or local agency and included in the fee charged at the landfill entrance;

Gas to energy-Direct gas revenues, less any federal, state or local fees or taxes included in such revenues.

Should the County impose a business tax on the landfill revenues, the amount received from the permittee shall be credited against the fees required by this Condition 41.”

The purpose of the requested condition modification is to allow the permittee to sell green energy, without additional administrative fees, produced from the already-taxed landfill gas. This amendment will clarify the application of the associated fee. In addition, the taxation of this green energy will limit the economic feasibility of this type of needed renewable energy facility. The support of this type of renewable energy facility is one of the key strategies for managing solid waste. In addition, this type of facility is consistent with the intent of Assembly Bill 32 and Senate Bill 375 related to the global warming solutions act and reduction of greenhouse gas emissions through land use planning.

LOCATION OF SUBJECT PROPERTY: The subject property is located at 29201 Henry Mayo Drive, Castaic 91384 within the Newhall Zoned District.

All other conditions of approval of the original CUP 89-081 – (5) grant remain in effect and unchanged.

SMT:rg