



MEMORANDUM

RIVERSIDE COUNTY EXECUTIVE OFFICE

Larry Parrish
County Executive Officer

August 26, 2003

TO: Clerk of the Board,
Nancy Romero

FROM: Ken Mohr

RE: DELETION OF AGENDA ITEM

Please delete the following agenda item:

13.1 – Regional Park and Open Space District:

Adoption of Resolution 2003-7, Approval of Western Riverside County Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan and its implementing Agreement, and Adoption of CEQA Findings and a State of Overriding Considerations.



**SUBMITTAL TO THE BOARD OF DIRECTORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

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FROM: Regional Park & Open-Space District

SUBMITTAL DATE: August 6, 2003

SUBJECT: ADOPTION OF RESOLUTION NUMBER 2003-7, APPROVAL OF THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN AND ITS IMPLEMENTING AGREEMENT, AND ADOPTION OF CEQA FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS

RECOMMENDED MOTION: That the Board of Directors:

- 1) Adopt Resolution No. 2003-7, approving the Western Riverside County Multiple Species Habitat Species Habitat Conservation Plan/Natural Community Conservation Plan, making responsible agency findings pursuant to the California Environmental Quality Act (CEQA) for the MSHCP and adopting a Statement of Overriding Considerations, and authorize the Chairman to execute same; and
- 2) Authorize the Chairman to execute 25 copies of the MSHCP Implementing Agreement.

(continued on page 2)

Paul Frandsen

Paul Frandsen, General Manager

387- Adopt Res. 2003-7 & Approval of WRCMSHCP
Natural Community Conservation Plan

FINANCIAL DATA: Not Applicable

CURRENT YEAR COST \$

ANNUAL COST: \$

NET COUNTY COST \$

IN CURRENT YEAR BUDGET: \$

BUDGET ADJUSTMENT FY: \$

SOURCE OF FUNDS:

C.E.O. RECOMMENDATION:

APPROVE

H. Defford

County Executive Office Signature

Policy

Consent

Department Recommendation:

Policy

Consent

Per Executive Office:

Subject: ADOPTION OF RESOLUTION NUMBER 2003-7, APPROVAL OF THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN AND ITS IMPLEMENTING AGREEMENT, AND ADOPTION OF CEQA FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS

BACKGROUND: On June 17, 2003, M.O. 15.2, your Board of Supervisors approved the MSHCP document and its Implementing Agreement. As part of that action, your Board also certified the MSHCP Environmental Impact Report and made findings pursuant to the provisions of CEQA.

Since the Riverside County Regional Park and Open Space District is a signatory to the Implementing Agreement, separate from the County, it is necessary for your Board of Directors to take similar actions on behalf of that agency to approve the MSHCP and take appropriate actions pursuant to the requirements of CEQA.

Attached are the following documents respectfully submitted for your adoption and approval consistent with actions taken on June 17, 2003 by your Board of Supervisors:

Exhibit A – Final Environmental Impact Report/Environmental Impact Statement for the MSHCP;

Exhibit B – Board of Supervisors Resolution 2003-299 approved on June 17, 2003;

Exhibit C – Board of Directors Resolution 2003-7 approving the MSHCP and Implementing Agreement, making responsible agency CEQA findings, and adopting a Statement of Overriding Considerations; and

Exhibit D – MSHCP Implementing Agreement.

FORM APPROVED
COUNTY COUNSEL

AUG 13 2003

BY 
ASSISTANT COUNTY COUNSEL

RESOLUTION NO. 2003-7

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE RIVERSIDE COUNTY REGIONAL PARK
AND OPEN-SPACE DISTRICT MAKING RESPONSIBLE
AGENCY FINDINGS PURSUANT TO THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT FOR THE WESTERN
RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT
CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION
PLAN, APPROVING THE WESTERN RIVERSIDE COUNTY
MULTIPLE SPECIES HABITAT CONSERVATION
PLAN/NATURAL COMMUNITY CONSERVATION PLAN
AND IMPLEMENTING AGREEMENT, AND ADOPTING
A STATEMENT OF OVERRIDING CONSIDERATIONS**

WHEREAS, the Western Riverside County Multiple Species Habitat Conservation Plan (the "MSHCP" or "Project") is a multi-jurisdictional habitat conservation plan focusing on the conservation of both sensitive species and their associated habitats to address biological and ecological diversity and conservation needs in Western Riverside County, setting aside significant areas of undisturbed land for the conservation of sensitive habitat while preserving open space and recreational opportunities; and

WHEREAS, the MSHCP boundaries ("MSHCP Plan Area") encompass approximately 1,966 square miles, consisting of approximately 1.26 million acres and include approximately 843,500 acres of unincorporated western Riverside County land west of the crest of the San Jacinto Mountains and extending to the Orange County boundary line, as well as approximately 372,700 acres within the jurisdictional areas of the following 14 incorporated cities: Banning; Beaumont; Calimesa; Canyon Lake; Corona; Hemet; Lake Elsinore; Moreno Valley; Murrieta; Norco; Perris; Riverside; San Jacinto; and Temecula (collectively, "Cities"); and

WHEREAS, the MSHCP establishes a framework for compliance with State and Federal endangered species regulations while accommodating future growth in western Riverside County, including issuance of "Take" permits for certain species pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act and Section 2800, et seq. of the California Fish and Game Code; and

WHEREAS, the County of Riverside ("County"), is the lead agency pursuant to the California Environmental Quality Act ("CEQA ") (Public Res. Code, § 21000 et seq.) and the State CEQA Guidelines (14 CCR § 15000 et seq.); and

administrative record, including the Draft EIR/EIS, Final EIR/EIS and other documentation relating to the Project, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of Directors of the Riverside County Regional Park and Open-Space District, in regular session assembled on August 26, 2003 that:

- A. The Final EIR/EIS prepared for the MSHCP is hereby received by the Board of Directors in the form attached hereto as Exhibit A and incorporated herein by this reference.
- B. The Board of Directors hereby finds and determines that the Final EIR/EIS has been completed in compliance with CEQA and the State CEQA Guidelines, and as the decision-making body for the Riverside County Regional Park and Open-Space District, the Board of Directors has reviewed and considered the information contained in the Final EIR/EIS and related documents in the record and all of the environmental effects of the MSHCP.
- C. The Board of Directors concurs with the environmental findings in County Resolution No. 2003-299 and adopts these findings, attached hereto as Exhibit B and incorporated herein by this reference. The Riverside County Regional Park and Open-Space District Board of Directors also finds that there are no additional feasible mitigation measures or alternatives within its powers that would substantially lessen or avoid any significant effects that the MSHCP would have on the environment
- D. The Board of Directors concurs with the statement of overriding considerations in County Resolution No. 2003-299 and adopts the statement, and finding that the benefits of the MSHCP outweigh the adverse environmental impacts not reduced to below a level of significance.

BE IT FURTHER RESOLVED by the Board of Directors that it hereby approves the MSHCP and authorizes the Chair of the Board of Directors to enter into the Implementing Agreement.

WHEREAS, the County determined that a joint Environmental Impact Report/ Environmental Impact Statement ("EIR/EIS") should be prepared pursuant to the California Environmental Quality Act ("CEQA ") and the National Environmental Quality Act ("NEPA") in order to analyze all potential adverse environmental impacts of the Project; and

WHEREAS, the Board of Supervisors of the County of Riverside, at its regularly scheduled public meeting on June 17, 2003, Minute Order 15.2, reviewed and considered the Initial Study, Draft EIR/EIS, Final EIR/EIS and other related documents in the record before it and by Resolution No. 2003-299, certified the Final EIR/EIS and adopted environmental findings and a Statement of Overriding Considerations; and

WHEREAS, the Riverside County Regional Park and Open-Space District ("District") is a permittee under the MSHCP and will execute the Implementing Agreement; and

WHEREAS, pursuant to State CEQA Guidelines sections 15091 and 15096, subdivision (h) and CEQA, the District is a responsible agency for the Project and must therefore make certain findings prior to the approval of the MSHCP; and

WHEREAS, the Board of Directors of the Riverside County Regional Park and Open-Space District, at its regularly scheduled public meeting on August 26, 2003 reviewed and considered the Final EIR/EIS and other related documents in the record before it; and

WHEREAS, all the procedures of CEQA and the State CEQA Guidelines have been met, and the Final EIR/EIS, prepared in connection with the Project, is sufficiently detailed so that all the potentially significant effects of the Project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the above referenced Act, Guidelines and Rules; and

WHEREAS, as contained herein, the District has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all of the findings and conclusions made by the Board of Directors pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, prior to taking action, the Board of Directors has heard, been presented with, reviewed and considered all of the information and data in the

BE IT FURTHER RESOLVED by the Board of Directors of the Riverside County Regional Park and Open-Space District that staff shall file a Notice of Determination with the County of Riverside within five (5) working days of final project approval.

Adopted by the Board of Directors of the Riverside County Regional Park and Open-Space District this _____ day of _____ 2003.

James Venable, Chairman
Riverside County
Regional Park and Open-Space District
Board of Directors

ATTEST:

FORM APPROVED
COUNTY COUNSEL

AUG 13 2003

Nancy Romero
Clerk of the Board
Riverside County Regional Park and Open-Space District

BY Joe S. Paul
ASSISTANT COUNTY COUNSEL

I, Nancy Romero, Clerk of the Riverside County Regional Park and Open-Space District do hereby certify that the foregoing Resolution No. 2003-7 was duly and regularly adopted by the Board of Directors at a regular meeting thereof, held on the _____ day of _____, 2003, and that the foregoing is full, true and correct copy of said Resolution.

Nancy Romero
Clerk of the Board
Riverside County Regional Park and Open-Space District