

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



FROM: County Counsel

SUBMITTAL DATE: December 15, 2005

SUBJECT: Partial Rescission of Resolution No. 2005-156 (Adopting General Plan Amendment No. 716)

RECOMMENDED MOTION: That the Board of Supervisors vacate, set aside and rescind its adoption of Resolution No. 2005-156 to the extent that it changed the General Plan land use designation of those properties shown on the following General Plan Amendment No. 716 exhibits attached thereto:

EL-1	J-1	HVW-1	WCV-1, Site B & D
EL-2	SW-1, Site A & C	HVW-2	WCV-2
EL-3	SW-2	SJV-1	WCV-3
EL-6	SW-3	SJV-2	WCV-4
EL-7	SW-4	SJV-4	ECV-1
EL-8	SW-5	REM-1	ECV-2
LMW-1	SW-6	REM-2	ECV-3
LMW-3	SCM-1	REM-3, Site A	ECV-4
MV-4	SCM-2	REM-4, Site B	ECV-5
MV-5	SCM-5	REM-5	RCB-4

BACKGROUND: On May 3, 2005, the Board of Supervisors approved General Plan Amendment No. 716 by adopting Resolution No. 2005-156. As a result, the General Plan land use designation was changed on approximately 10,000 acres and minor revisions were made to the text of the General Plan concerning land use overlays. The land use designation changes were particularly described on seventy-two (72) separate exhibits.

Katherine A. Lind
Katherine A. Lind, Deputy County Counsel

Policy
 Policy
 Consent
 Consent
 Department Recommendation:
 Per Executive Office:

Background continued on Page 2.

C.E.O. RECOMMENDATION:

APPROVE

[Signature]
County Executive Office Signature

Prev. Agn. ref.

Dist.

AGENDA NO.

3.52

On May 26, 2005, the Center for Biological Diversity filed a petition for writ of mandate in a case entitled Center for Biological Diversity v. County of Riverside, et al., Riverside County Superior Court Case No. RIC 430953, contending therein that the County violated the California Environmental Quality Act in approving General Plan Amendment No. 716. Judgment was recently entered in that case directing the County to take the action specified in the recommended motion. On the date that action is taken, those properties shown on above-referenced exhibits shall have the same General Plan land use designation they had before Resolution No. 2005-156 was adopted. In all other respects, Resolution No. 2005-156 remains in effect as more particularly described in the attached judgment.

DEC 01 2005

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Riverside, CA 92501
3 (951) 955-6300
(951) 955-6363 Facsimile

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

4 Attorneys for Respondents,
5 Riverside County, Riverside County Board of Supervisors

DEC 12 2005

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF RIVERSIDE

10 CENTER FOR BIOLOGICAL DIVERSITY,)
11 a non-profit Corporation,)

Case No. RIC 430953

12 Petitioner,)

STIPULATED JUDGMENT

13 vs.)

14 COUNTY OF RIVERSIDE; the BOARD OF)
15 SUPERVISORS FOR THE COUNTY)
OF RIVERSIDE; and DOES 1-20, inclusive)

16 Respondents,)
17 _____)
18

19 WHEREAS, on May 3, 2005, the County of Riverside and the Board of Supervisors for the
20 County of Riverside ("Respondents") approved General Plan Amendment No. 716 ("GPA 716") by
21 adopting Resolution No. 2005-156; and,

22 WHEREAS, pursuant to GPA 716, Respondents changed the General Plan land use designation on
23 approximately 10,000 acres and made minor revisions to the text of the General Plan concerning land use
24 overlays; and,

25 WHEREAS, the land use designation changes were particularly described on seventy-two (72)
26 separate exhibits; and,

27 WHEREAS, on May 26, 2005, the Center for Biological Diversity ("Petitioner") filed this action
28 contending that Respondents violated the California Environmental Quality Act by approving GPA 716

1 based on a Negative Declaration and with inadequate public notice; and,

2 WHEREAS, Petitioner and Respondents, through their respective representatives, have authorized
3 the entry of this Judgment to resolve the action;

4 **IT IS THEREFORE ORDERED AND ADJUDGED** as follows:

5 1. Within ninety (90) days of the effective date of this judgment, Respondents shall vacate, set
6 aside and rescind their approval of GPA 716, but only to the extent that it changed the General Plan land
7 use designation of properties shown on the following GPA 716 exhibits attached hereto as Exhibit "A":
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9

10 EL-1	J-1	HVW-1	WCV-1, Site B & D
11 EL-2	SW-1, Site A & C	HVW-2	WCV-2
12 EL-3	SW-2	SJV-1	WCV-3
13 EL-6	SW-3	SJV-2	WCV-4
14 EL-7	SW-4	SJV-4	ECV-1
15 EL-8	SW-5	REM-1	ECV-2
16 LMW-1	SW-6	REM-2	ECV-3
17 LMW-3	SCM-1	REM-3, Site A	ECV-4
18 MV-4	SCM-2	REM-4, Site B	ECV-5
19 MV-5	SCM-5	REM-5	RCB-4

20

21 2. Once Respondents have taken the action required by Paragraph 1 of this agreement, the
22 properties specified therein shall have the same General Plan land use designation they had before GPA
23 716 was adopted.

24 3. In all other respects, GPA 716 shall remain in effect as hereinafter specified.

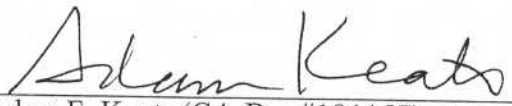
25 4. The General Plan land use designation changes made to properties shown on the following
26 GPA 716 exhibits, attached hereto as Exhibit "B", shall remain in effect:
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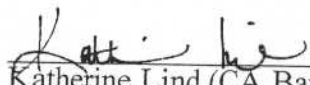
EL-5	SW-1, Site B	SCM-8	P-1
TC-1	SW-7	SCM-9	P-2
TC-2	SW-8	SCM-10	P-3
LMW-2	SW-9	SCM-11	RCB-1
MV-1	SW-10	SJV-3	RCB-3
MV-2	SW-11	REM-3, Site B	RCB-5
MV-3	SW-12	REM-4, Site A	
J-2	SCM-3	REM-6	
J-3	SCM-4	WCV-1, Site A & C	
J-4	SCM-7	WCV-6	

5. The General Plan text changes made pursuant to GPA 716 shall remain in effect.
6. Respondents shall pay Petitioner \$10,485.00 for its litigation costs and attorneys' fees.
7. This judgment shall become effective on the date it is entered by the Clerk.

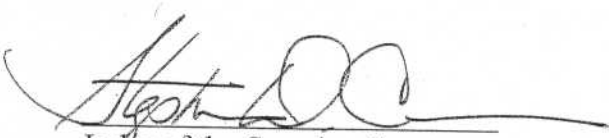
FOR PETITIONER:


 Adam F. Keats (CA Bar #191157)
 CENTER FOR BIOLOGICAL DIVERSITY
 1095 Market St., Suite 511
 San Francisco, CA 94103
 Phone: 415-436-9682
 Fax: 415-436-9683
 (Attorney for Petitioner)

FOR RESPONDENTS:

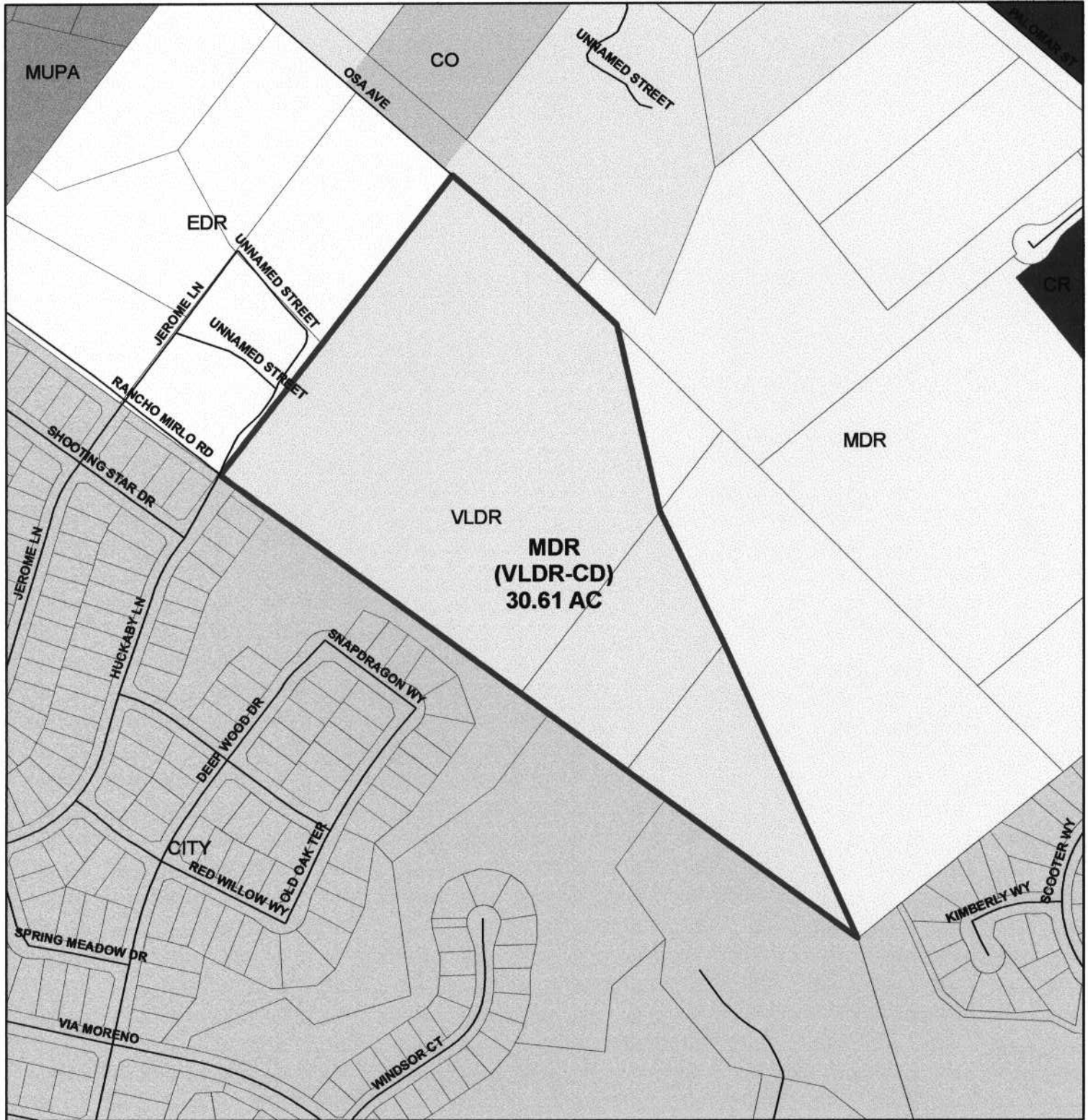

 Katherine Lind (CA Bar #113457)
 RIVERSIDE COUNTY COUNSEL
 3535 10th Street, Suite 300
 Riverside, CA 92501
 Phone: (951) 955-6300
 Fax: (951) 955-6363
 (Attorney for Respondents)

DATED: Dec. 2, 2005


 Judge of the Superior Court

GPA 00716

Proposed General Plan



Township/Range: T7SR4W

Section: 12

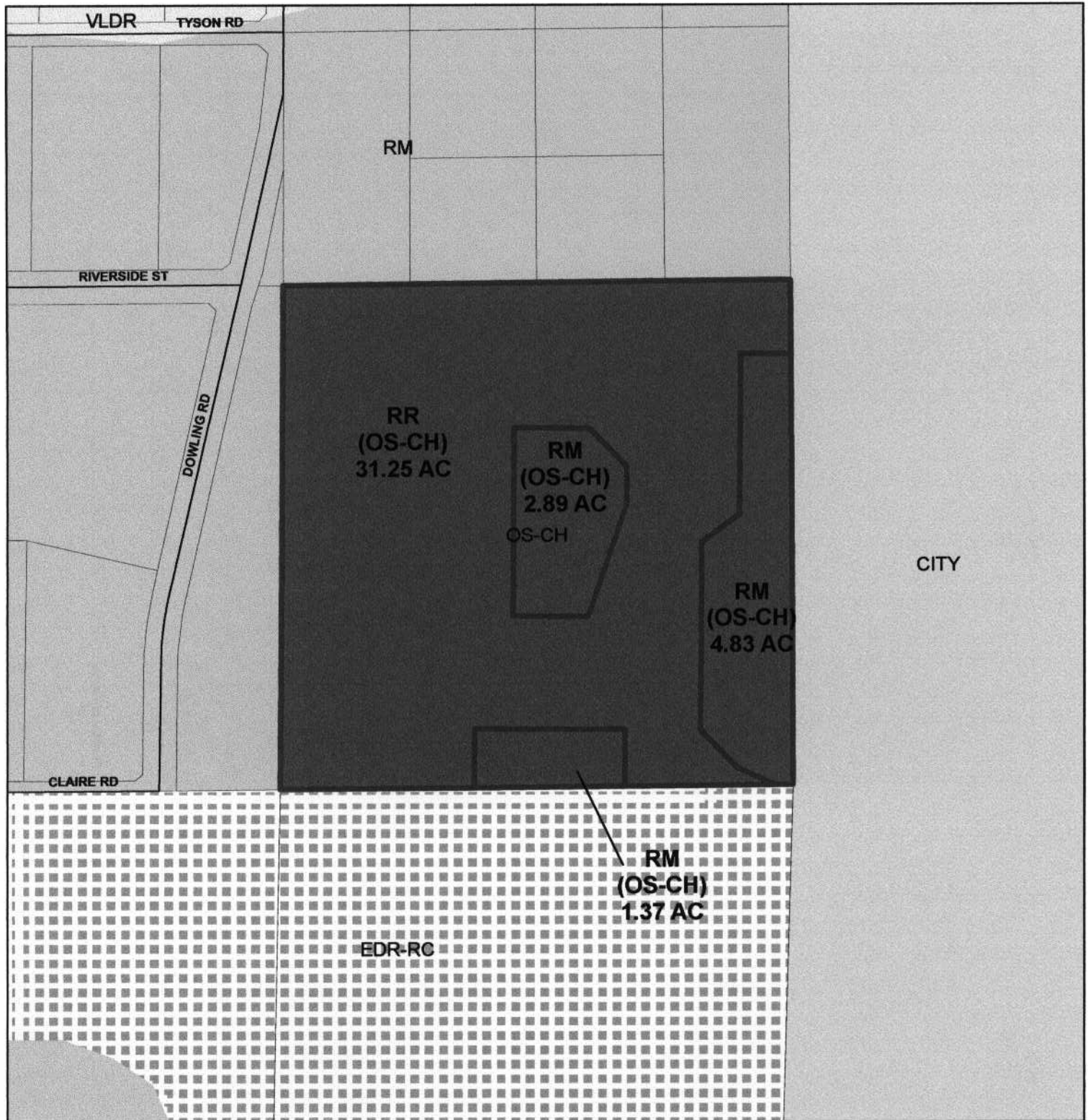


Assessors
Bk. 380
Pg. 160

Date: 9/17/2004

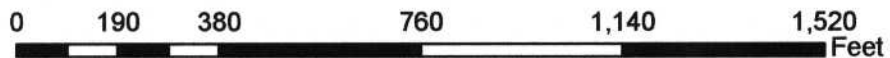
GPA 00716

Proposed General Plan



Township/Range: T5SR4W

Section: 27



Assessors
Bk. 349
Pg. 330

Date: 9/17/2004

GPA 00716

Proposed General Plan



Township/Range: T6SR5W

Section: 24

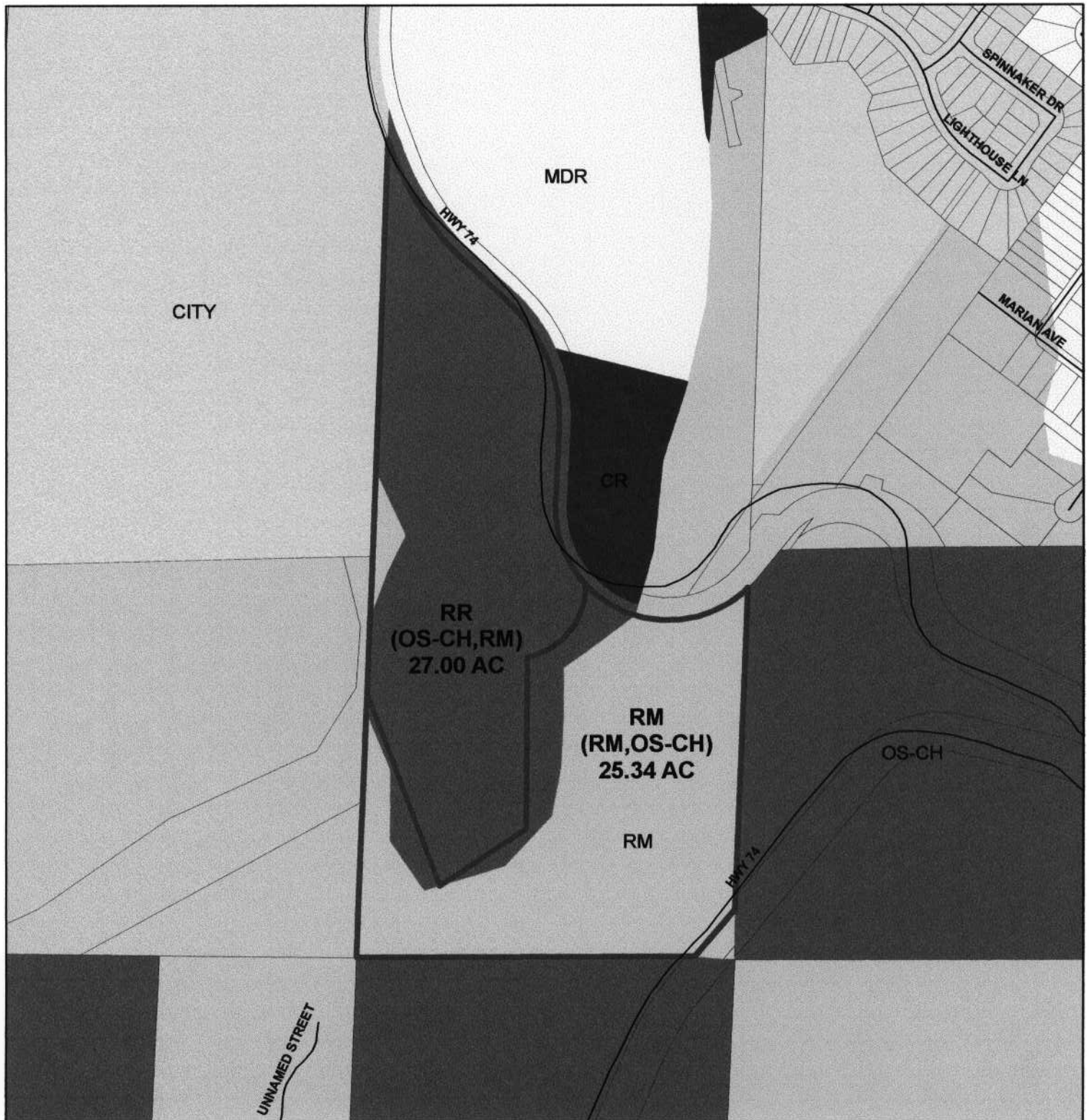


Assessors
Bk. 383
Pg. 130

Date: 9/20/2004

GPA 00716

Proposed General Plan



Township/Range: T6SR5W

Section: 14



Assessors
Bk. 386
Pg. 120

Date: 9/20/2004

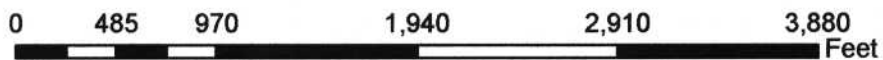
GPA 00716

Proposed General Plan



Township/Range: T6SR5W

Section: 4

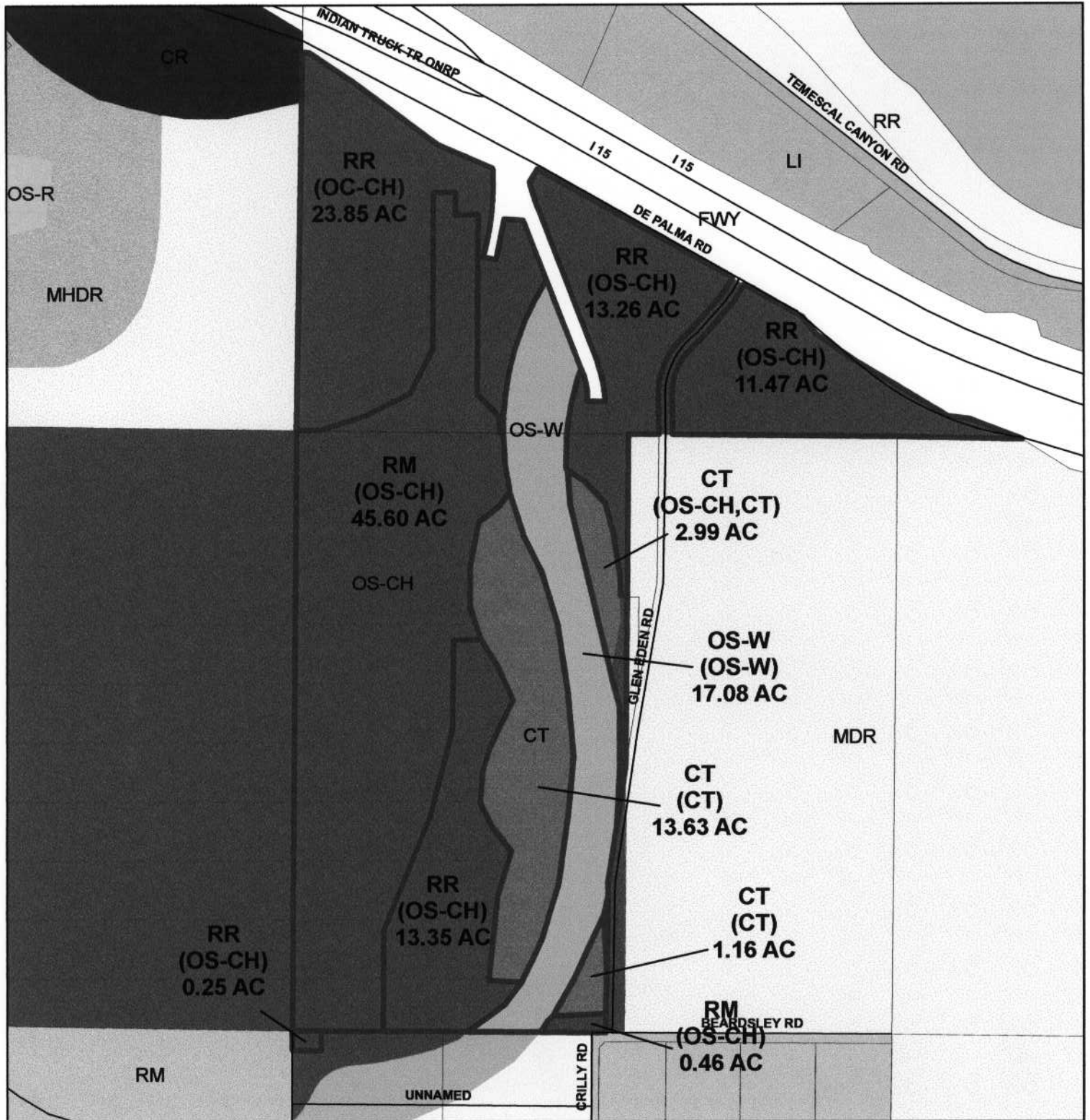


Assessors
Bk. 387
Pg. 270

Date: 9/20/2004

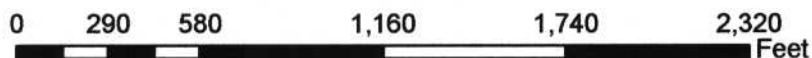
GPA 00716

Proposed General Plan



Township/Range: T5SR5W

Section: 7 & 18

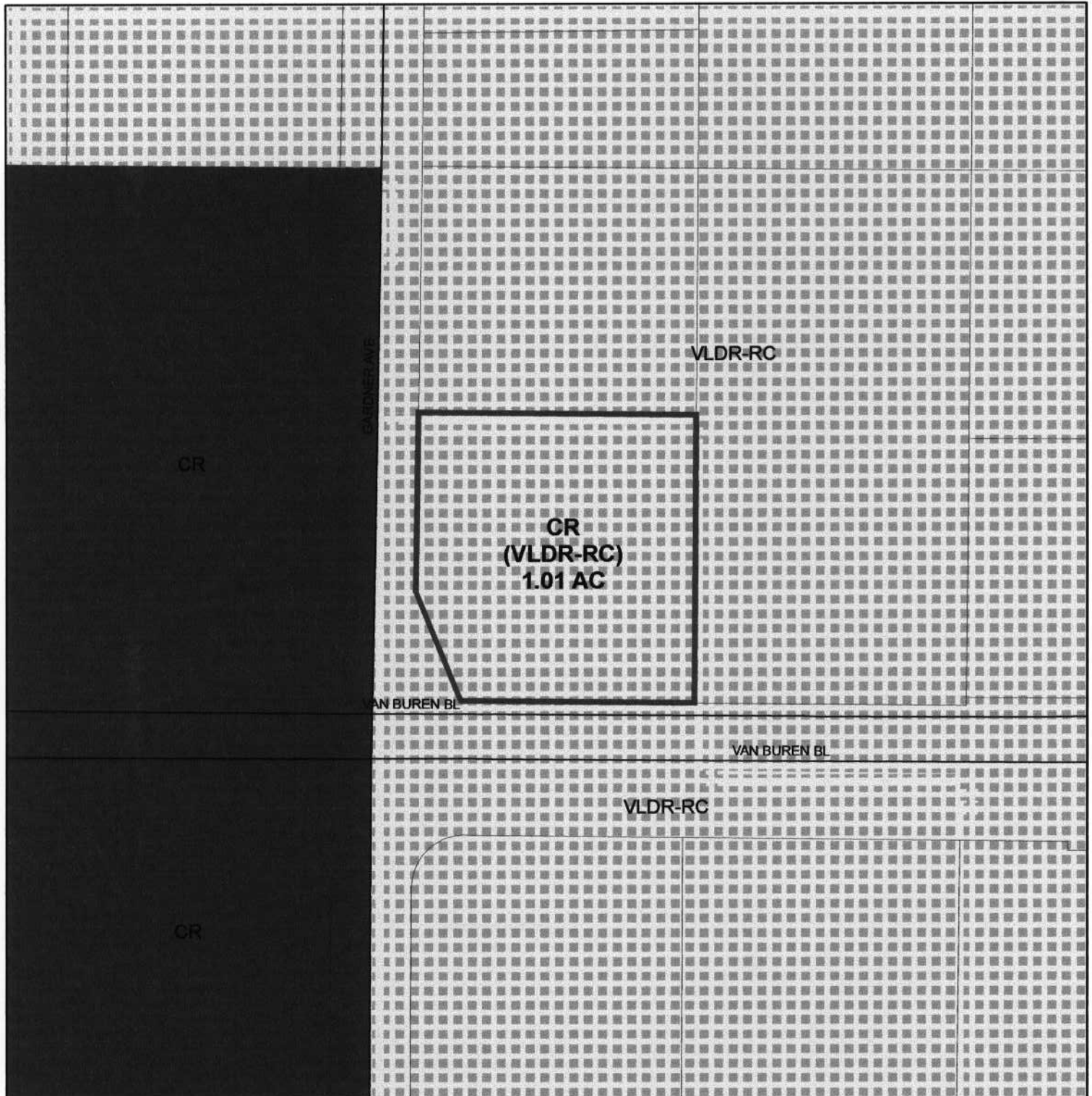


Assessors
Bk. 391
Pg. 70 & 80

Date: 9/20/2004
Revised Date: 10/7/2004

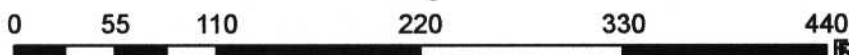
GPA 00716

Proposed General Plan



Township/Range: T3SR5W

Section: 25



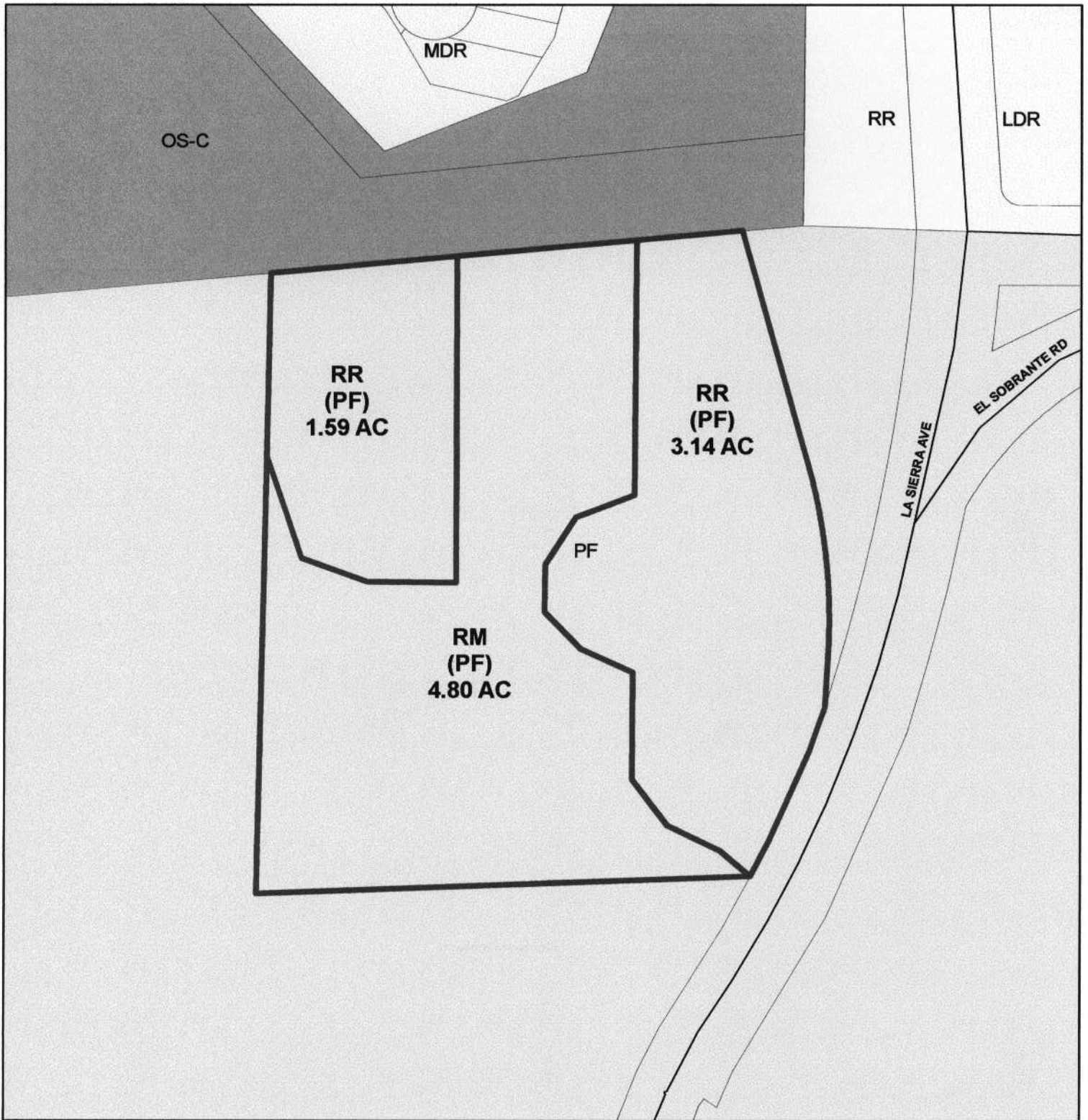
Assessors
Bk. 274
Pg. 60

Date: 9/20/2004

Revised Date: 10/27/2004

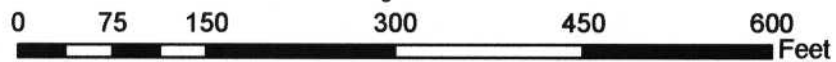
GPA 00716

Proposed General Plan



Township/Range: T4SR6W

Section: 1

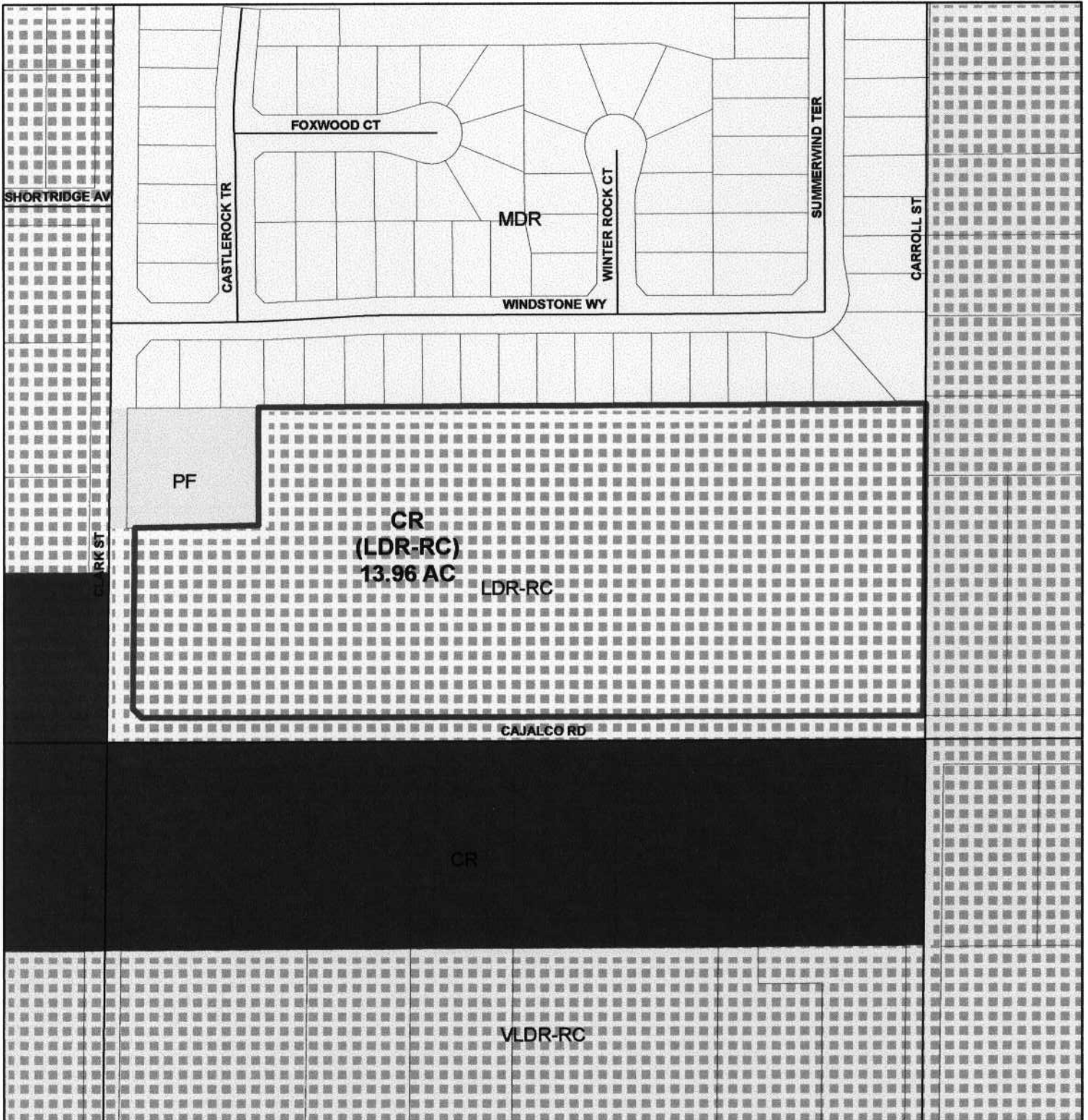


Assessors
Bk. 278
Pg. 210

Date: 9/20/2004

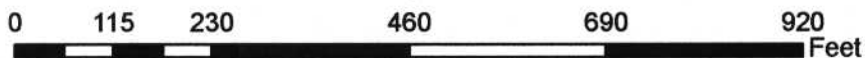
GPA 00716

Proposed General Plan



Township/Range: T4SR4W

Section: 10

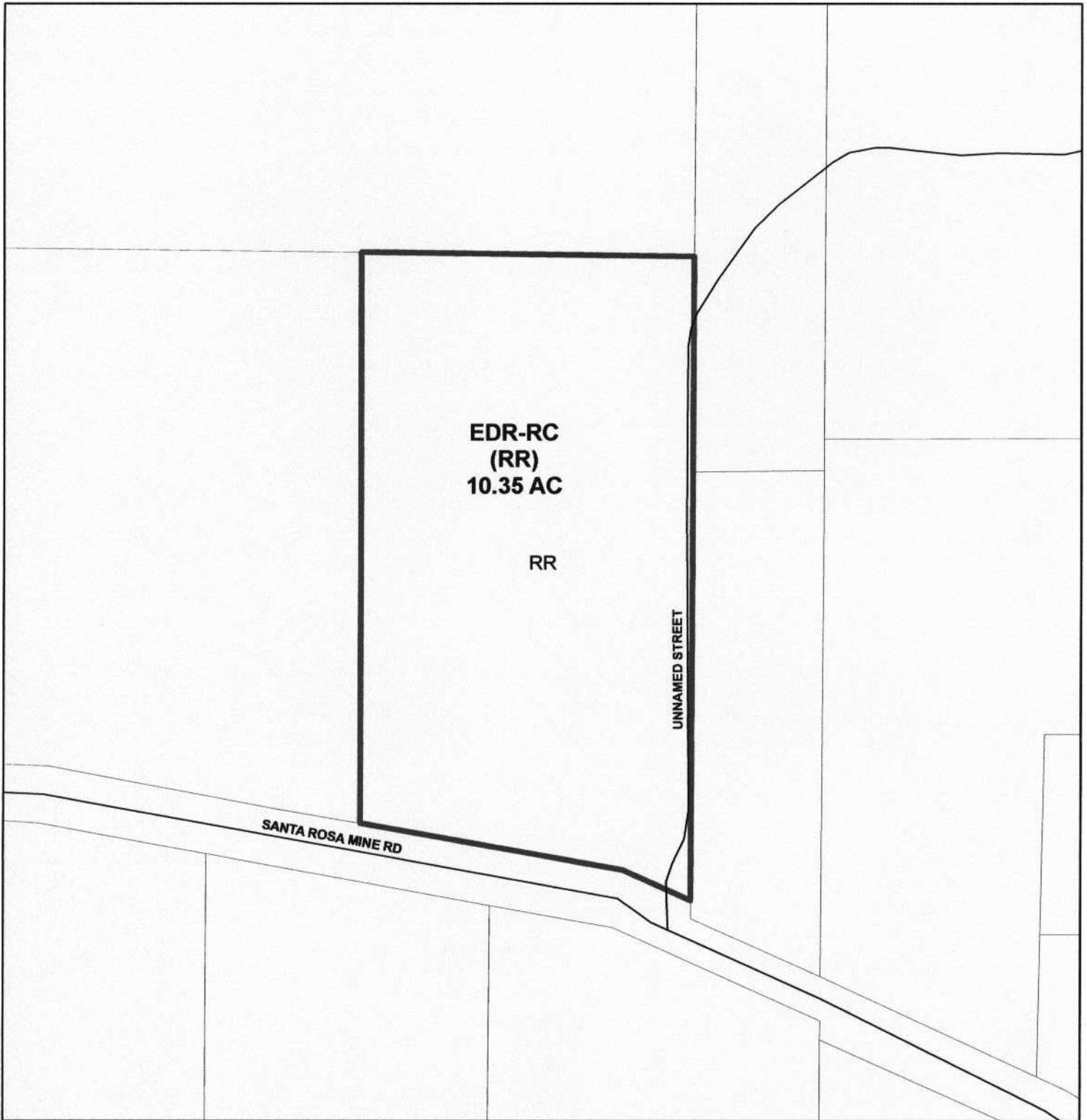


Assessors
Bk. 318
Pg. 100

Date: 9/20/2004

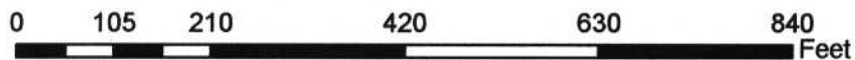
GPA 00716

Proposed General Plan



Township/Range: T4SR4W

Section: 33

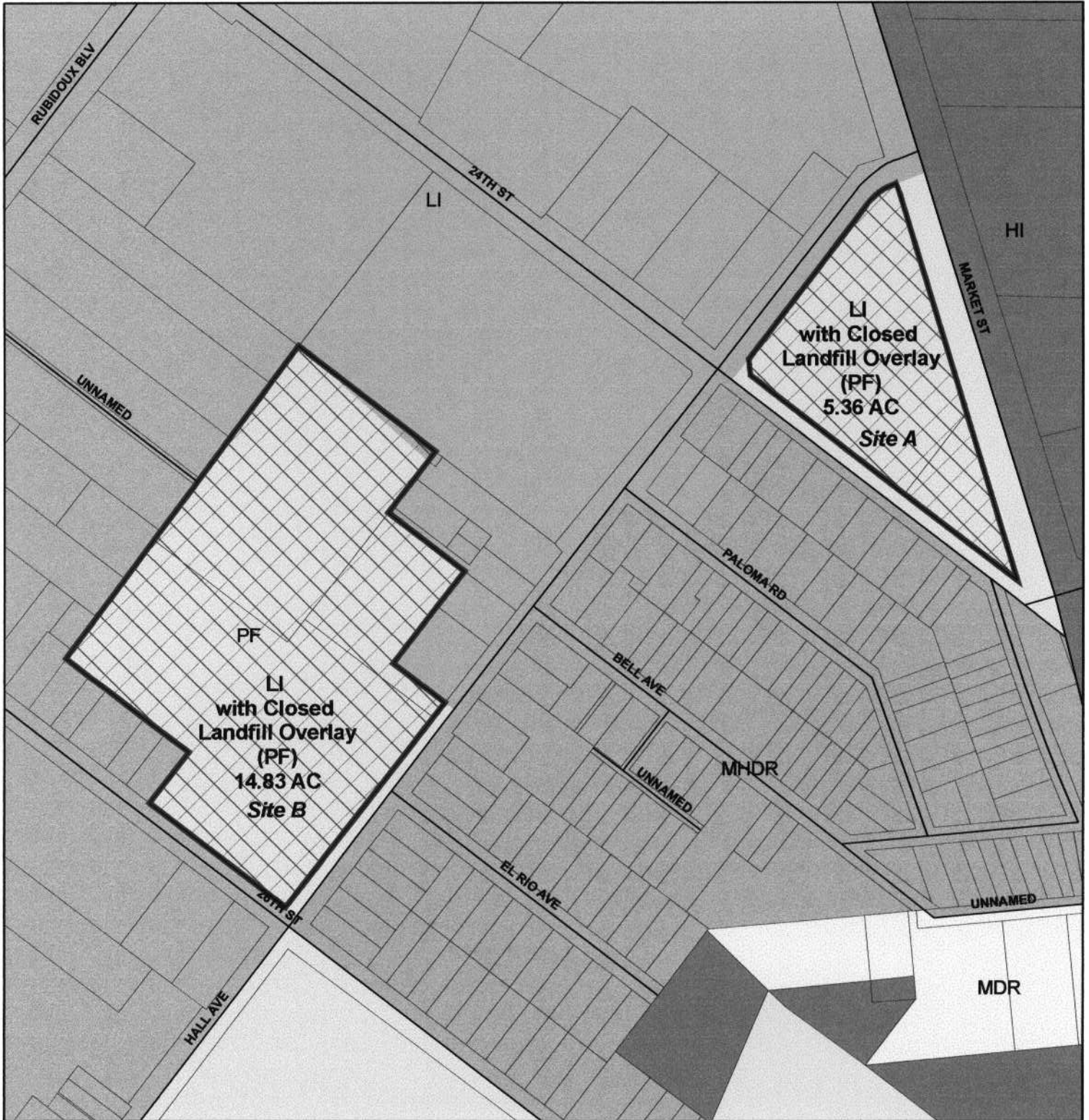


Assessors
Bk. 323
Pg. 260

Date: 9/20/2004

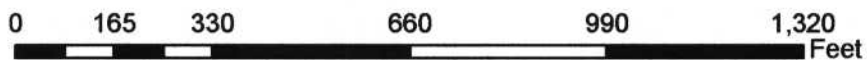
GPA 00716

Proposed General Plan



Township/Range: T2SR5W

Section: 10

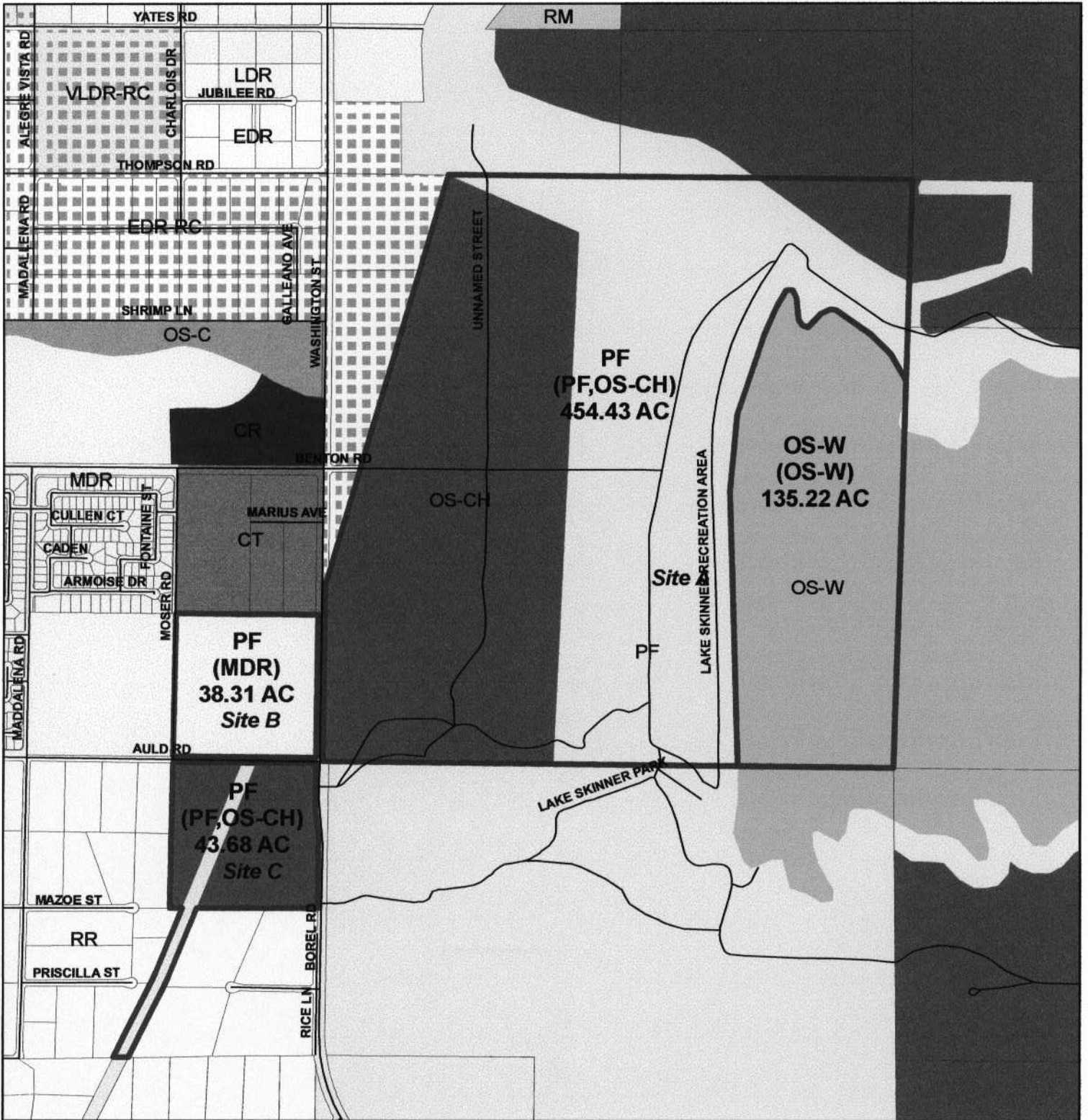


Assessors
Bk. 178
Pg. 112 & 160

Date: 9/20/2004

GPA 00716

Proposed General Plan



Township/Range: T7SR2W

Section: 3, 4, & 9

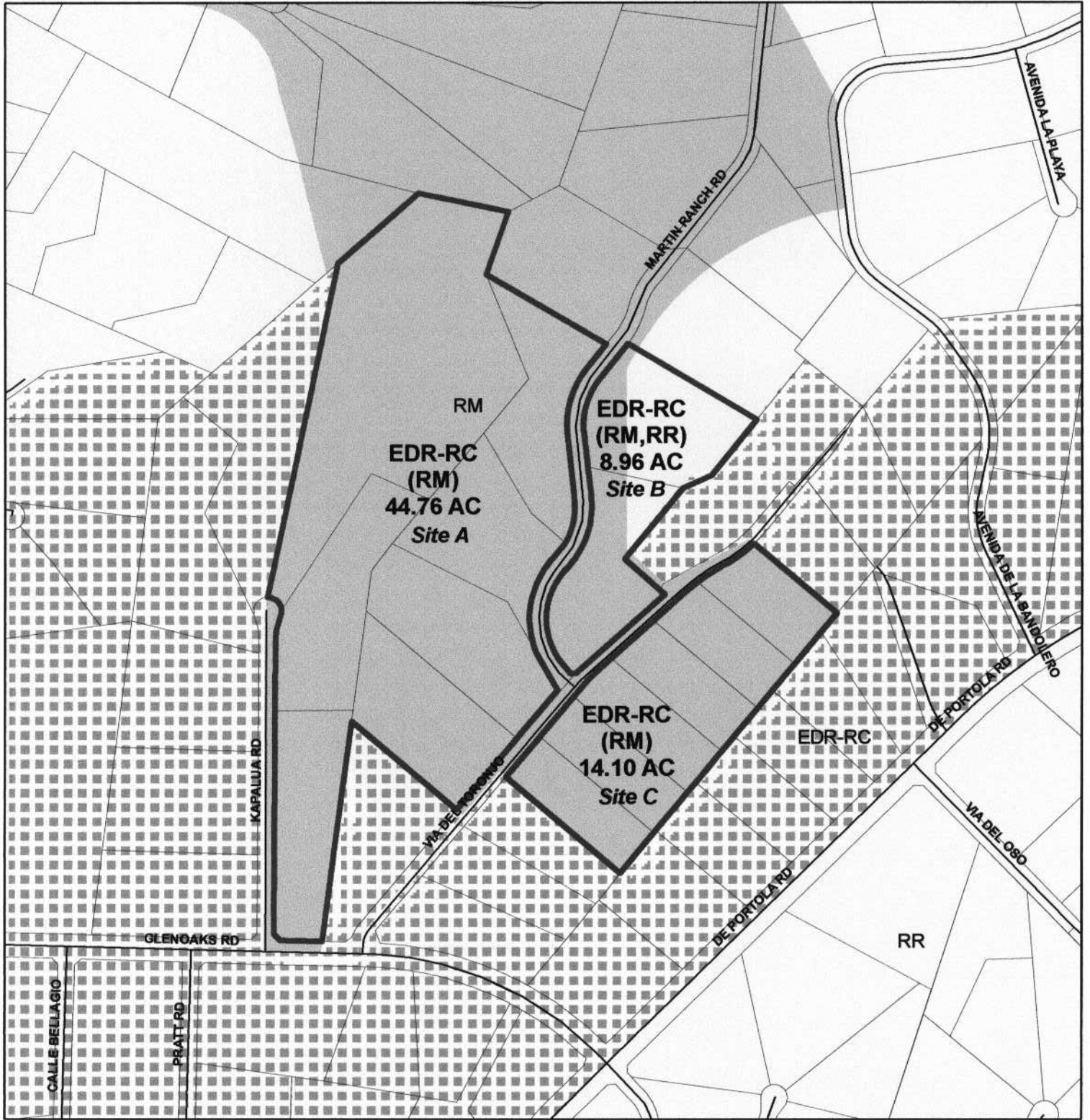


Assessors
Bk. 958
Pg. 40 & 90

Date: 9/17/2004

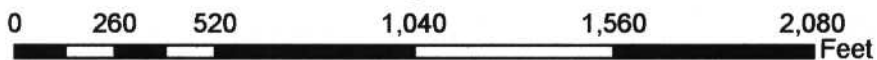
GPA 00716

Proposed General Plan



Township/Range: T7SR1W

Section: 16 & 21

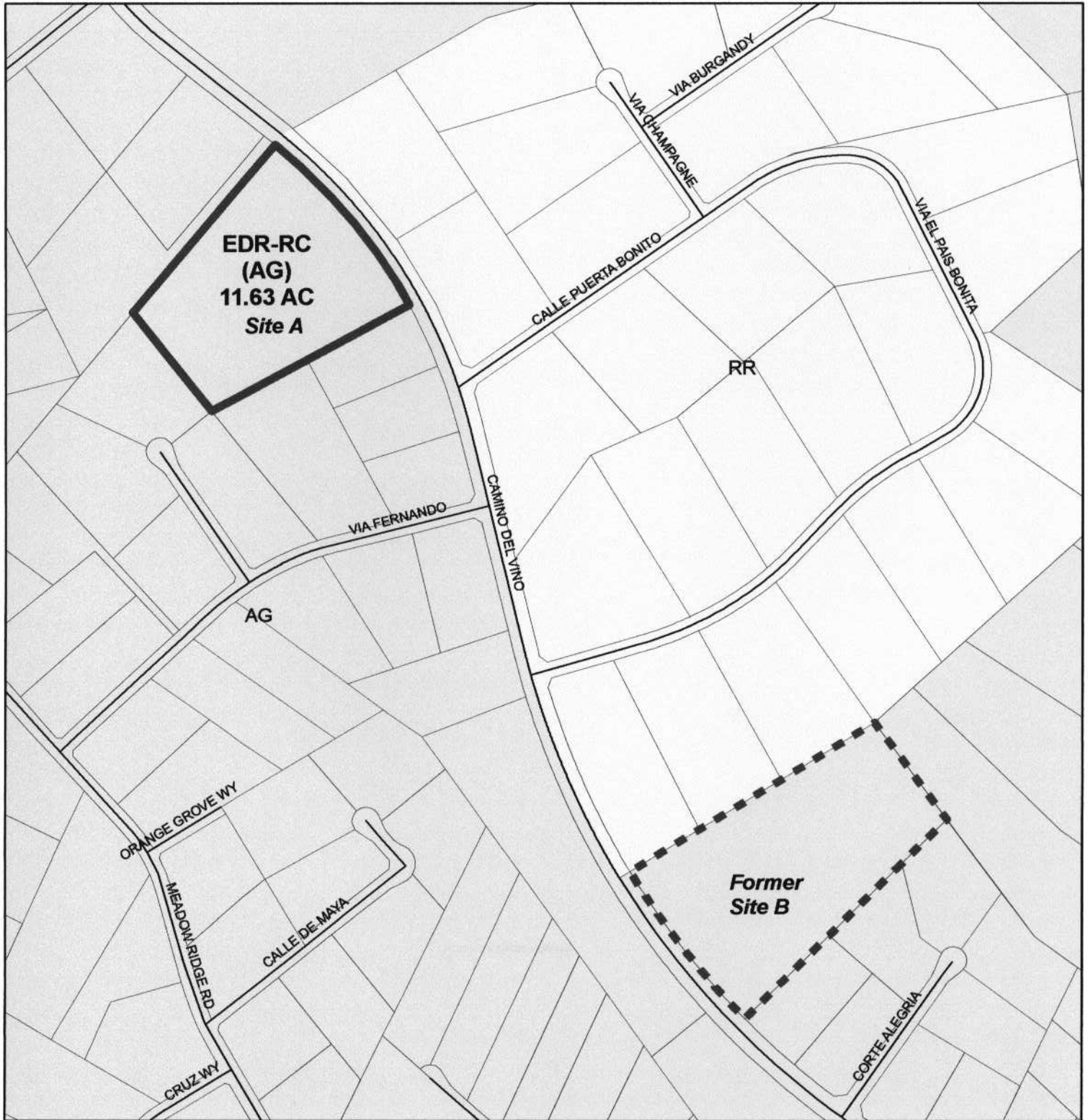


Assessors
Bk. 924
Pg. 230, 240, & 250

Date: 9/17/2004

GPA 00716

Proposed General Plan



Township/Range: T7SR1W & T7SR2W

Section: 25, 30, & 31

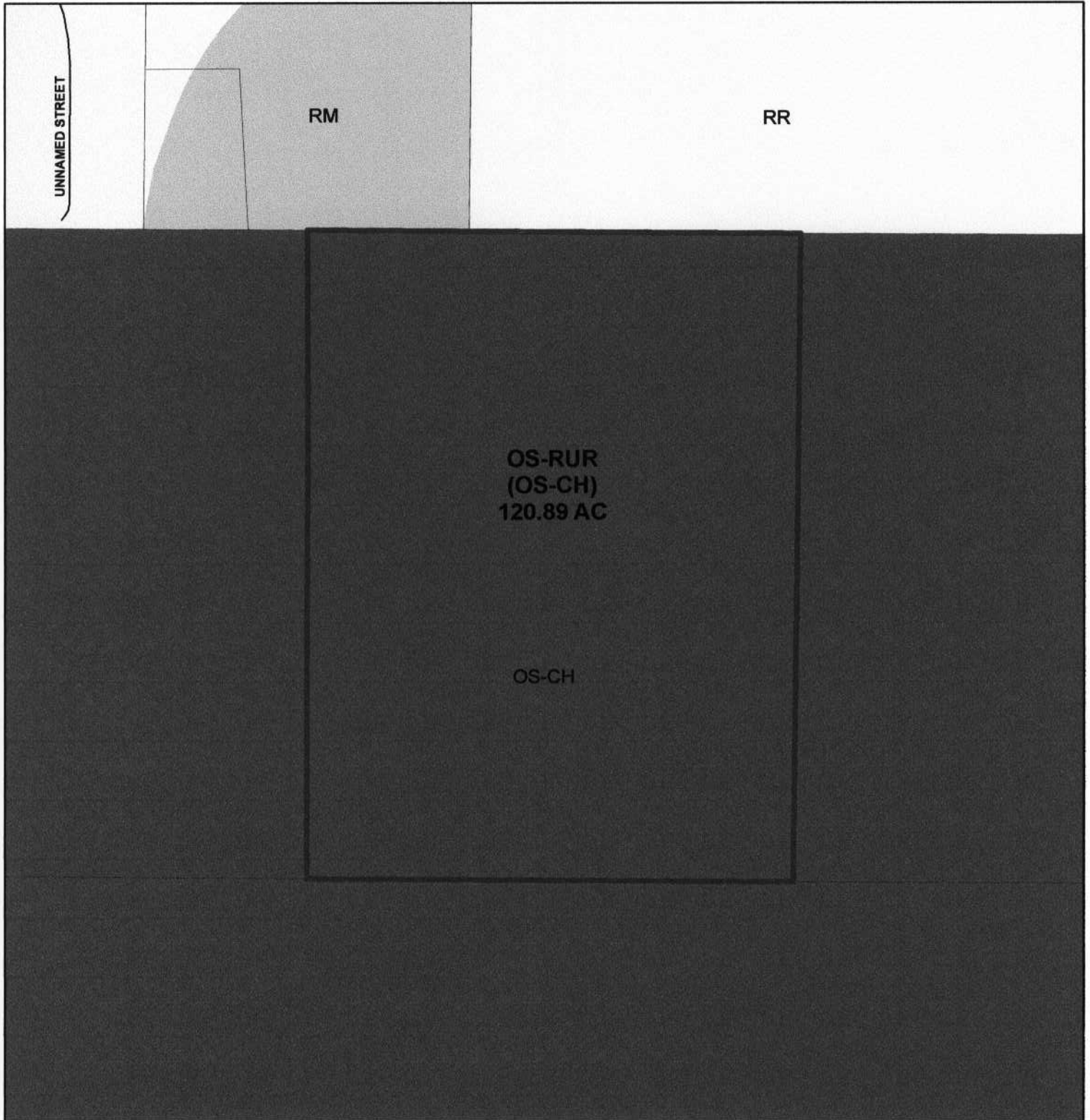


Assessors
Bk. 927
Pg. 360 & 670

Date: 9/17/2004

GPA 00716

Proposed General Plan



Township/Range: T8SR1W

Section: 28

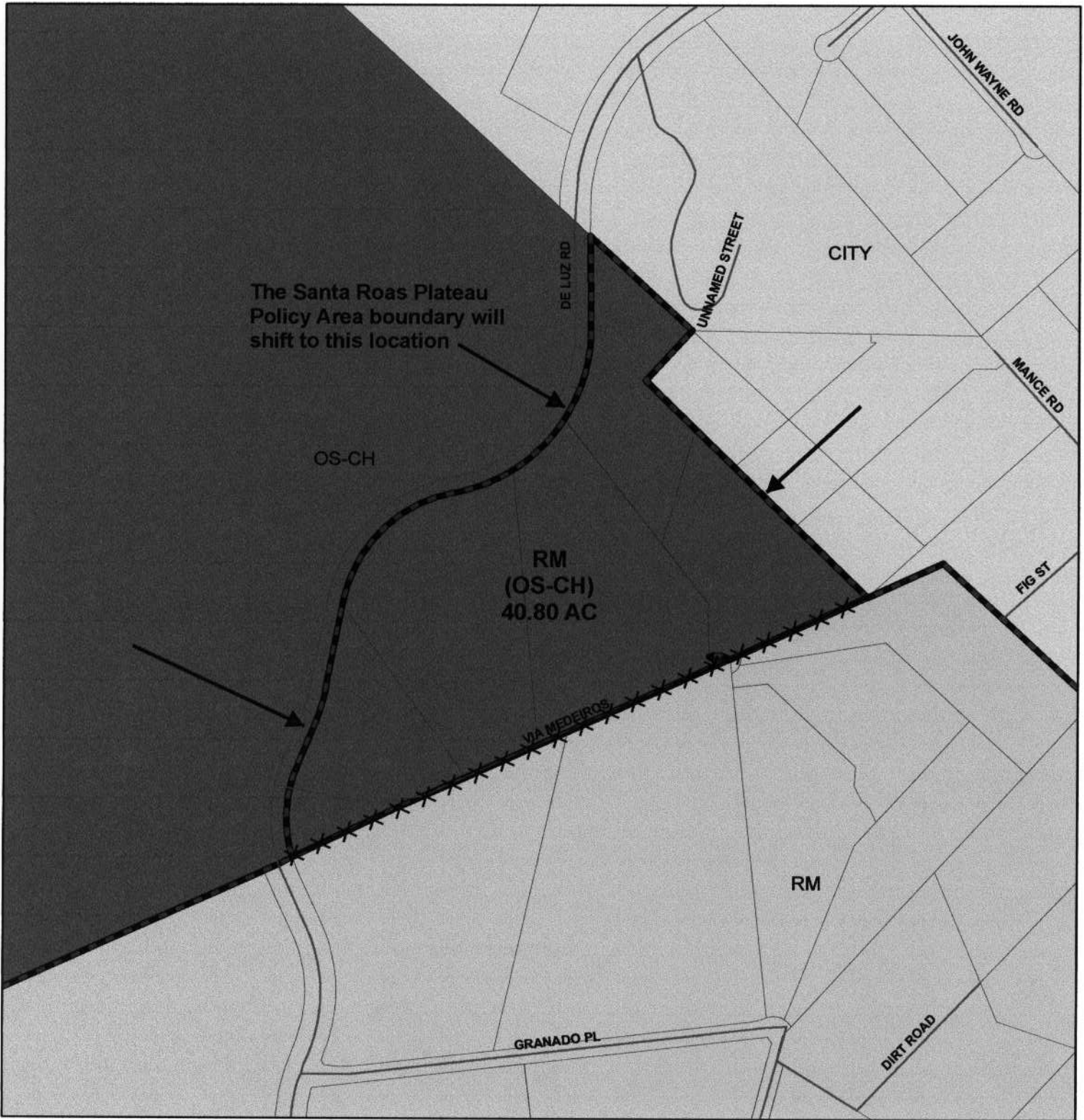


Assessors
Bk. 917
Pg. 240

Date: 9/17/2004

GPA 00716

Proposed General Plan



Township/Range: T7SR3W

Section: 29 & 32



Assessors
Bk. 935
Pg. 20

Date: 9/17/2004

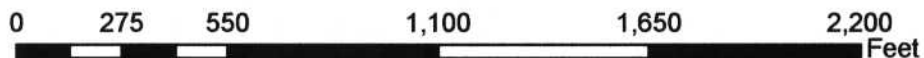
GPA 00716

Proposed General Plan



Township/Range: T7SR3W

Section: 19 & 30

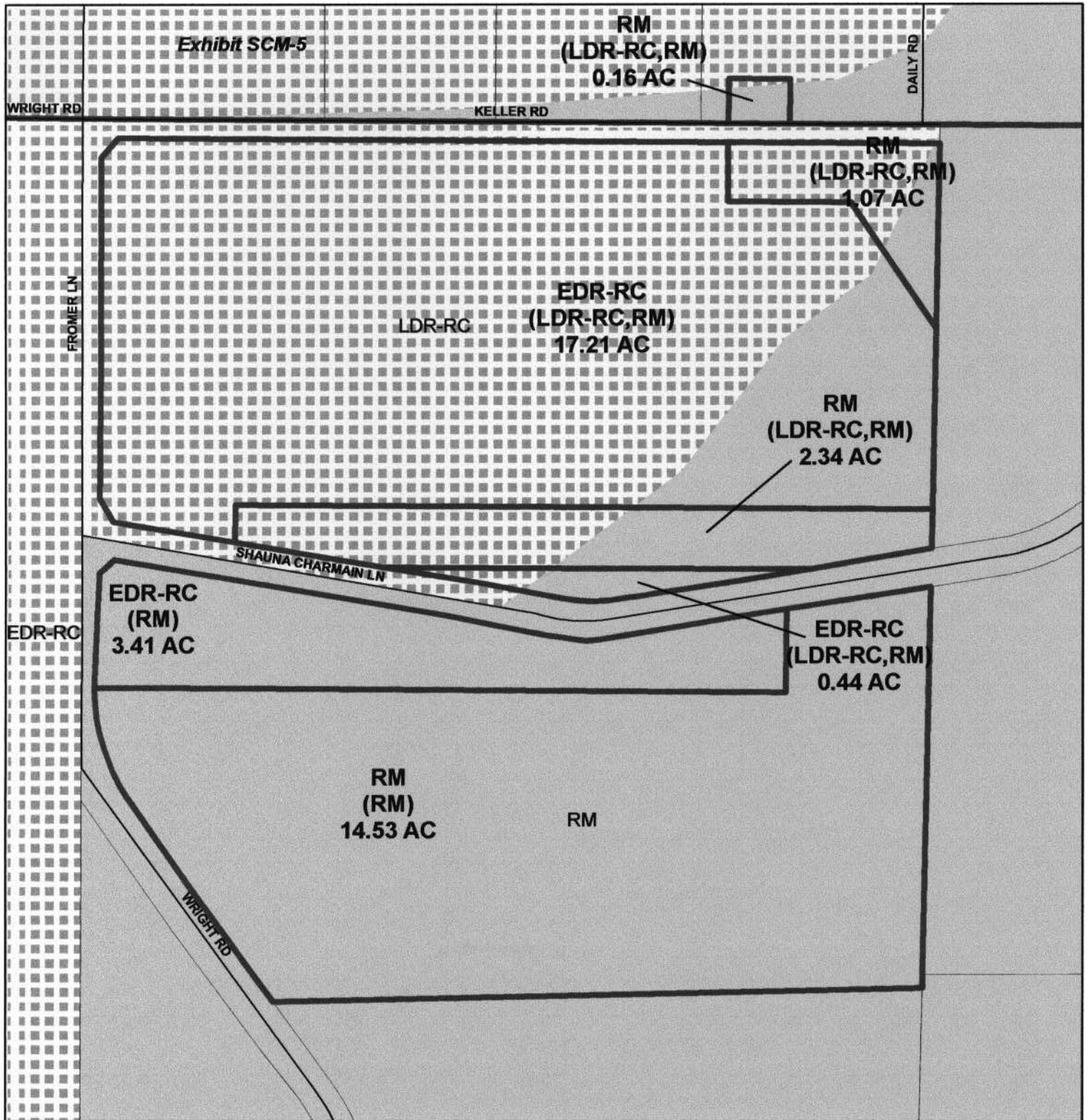


Assessors
Bk. 904
Pg. 40

Date: 9/17/2004

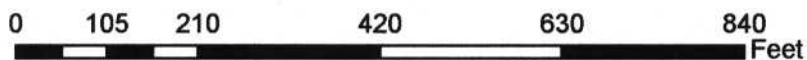
GPA 00716

Proposed General Plan



Township/Range: T6SR3W

Section: 28

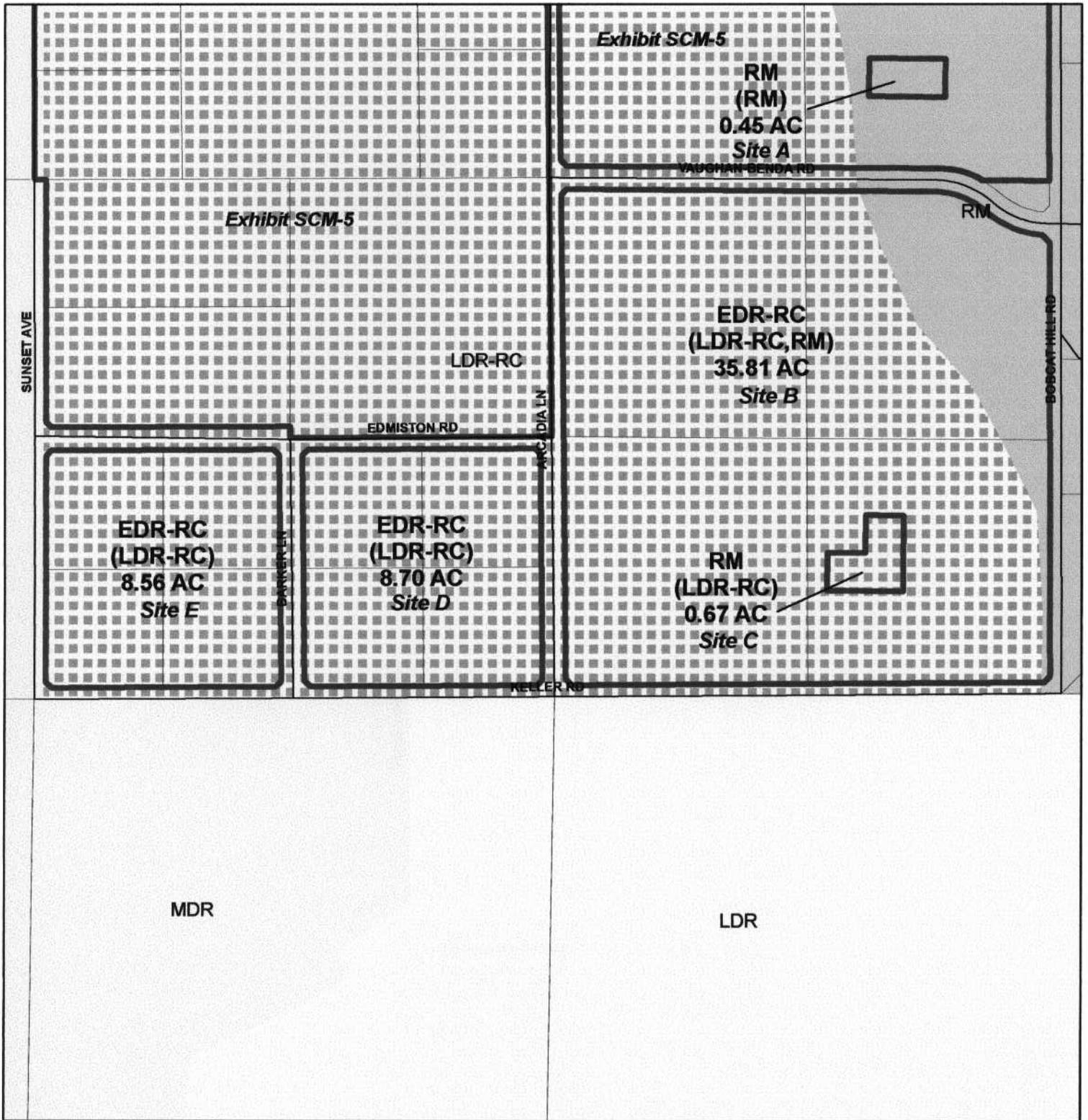


Assessors
Bk. 359
Pg. 30 & 200

Date: 9/19/2004

GPA 00716

Proposed General Plan



Township/Range: T6SR3W

Section: 20

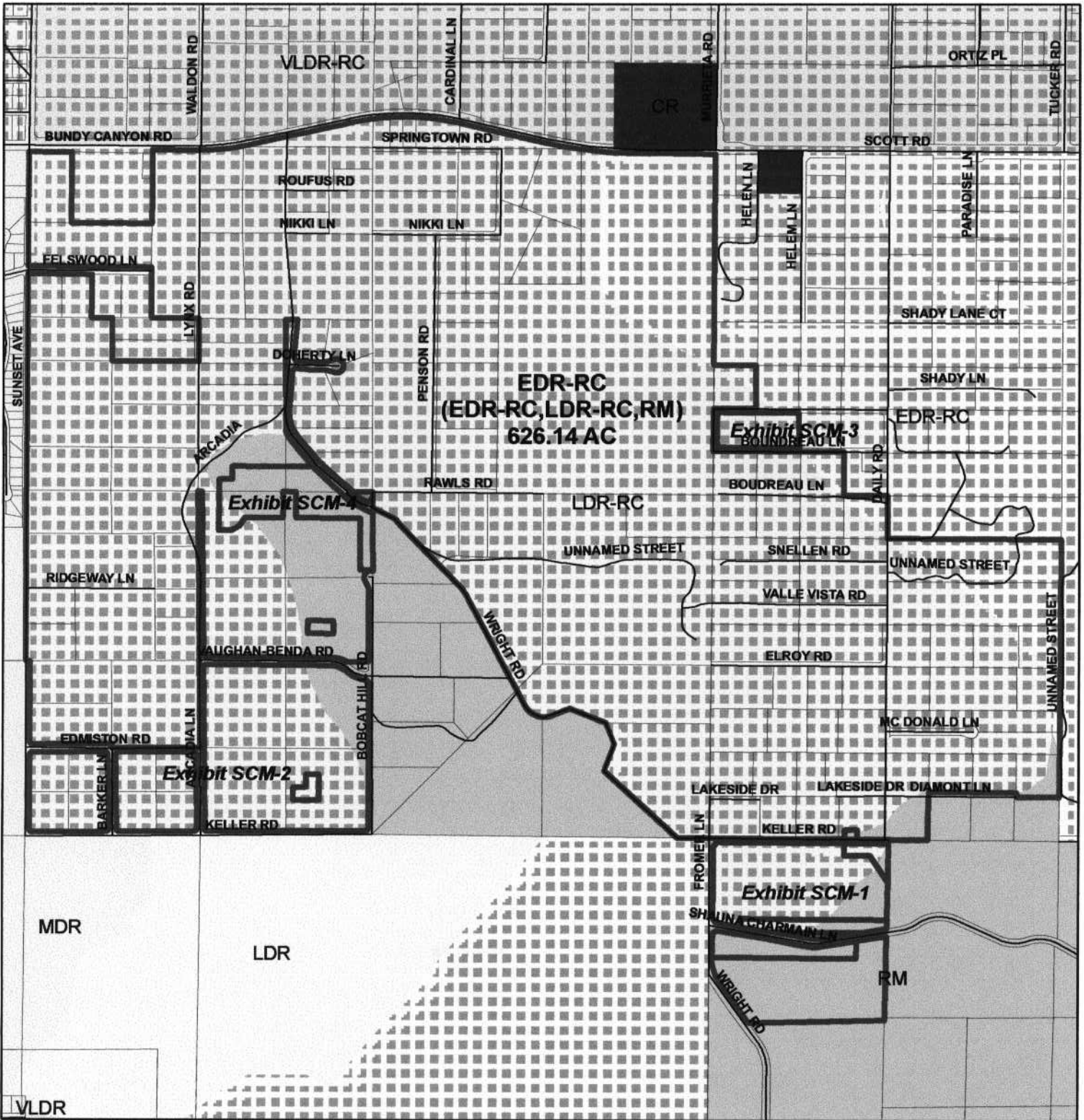


Assessors
Bk. 362
Pg. 120

Date: 9/21/2004

GPA 00716

Proposed General Plan



Township/Range: T6SR3W

Section: 17, 20, & 21



Assessors
Bk. 359 & 362
Pg. 20, 30, 50, 60,
110, 120, 280, & 290

Date: 9/21/2004

GPA 00716

Proposed General Plan



Township/Range: T5SR2W

Section: 27



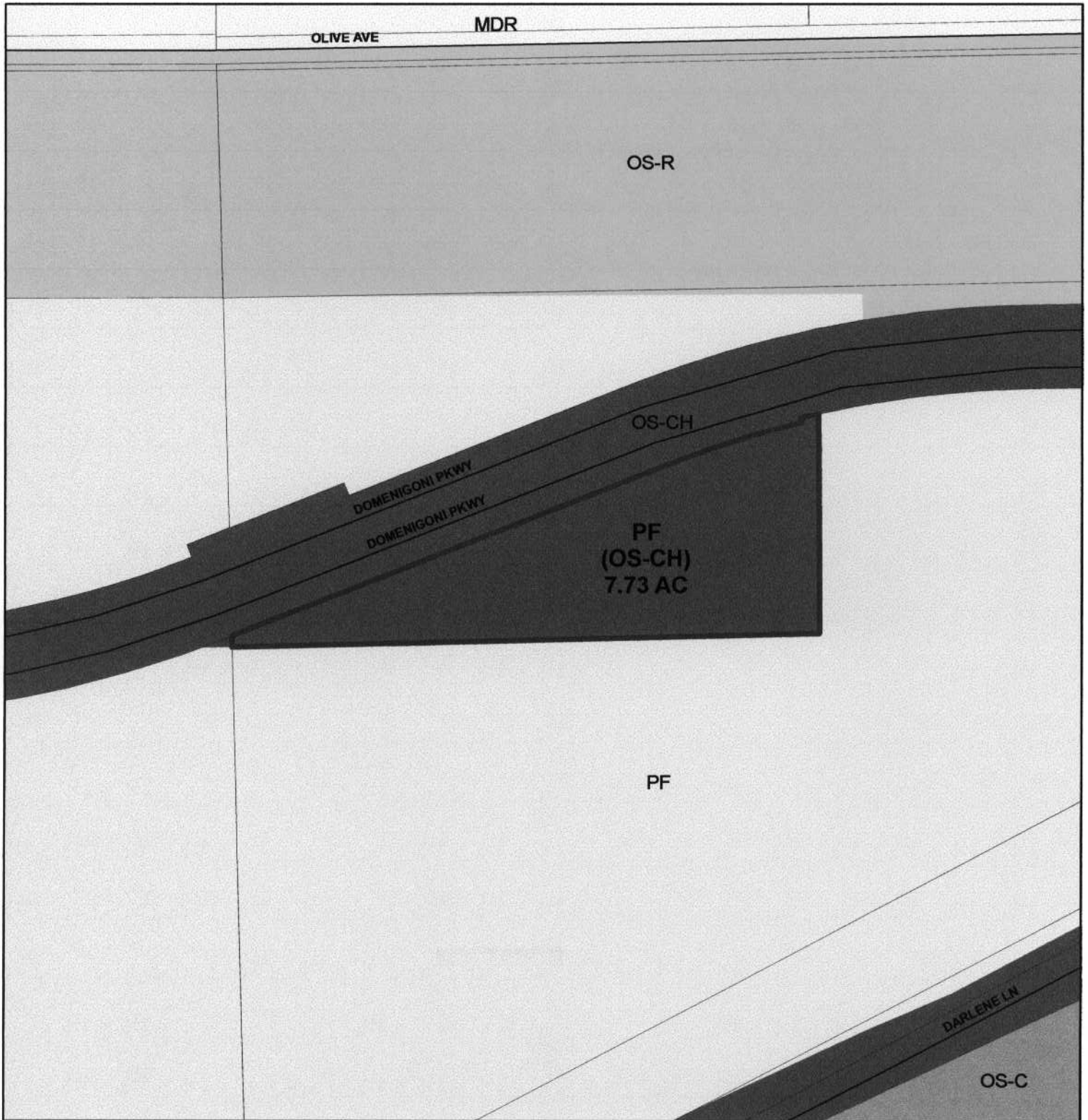
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Feet Date: 9/17/2004

Assessors
Bk. 463
Pg. 21

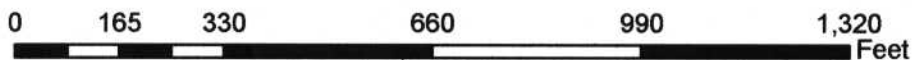
GPA 00716

Proposed General Plan



Township/Range: T5SR2W

Section: 35

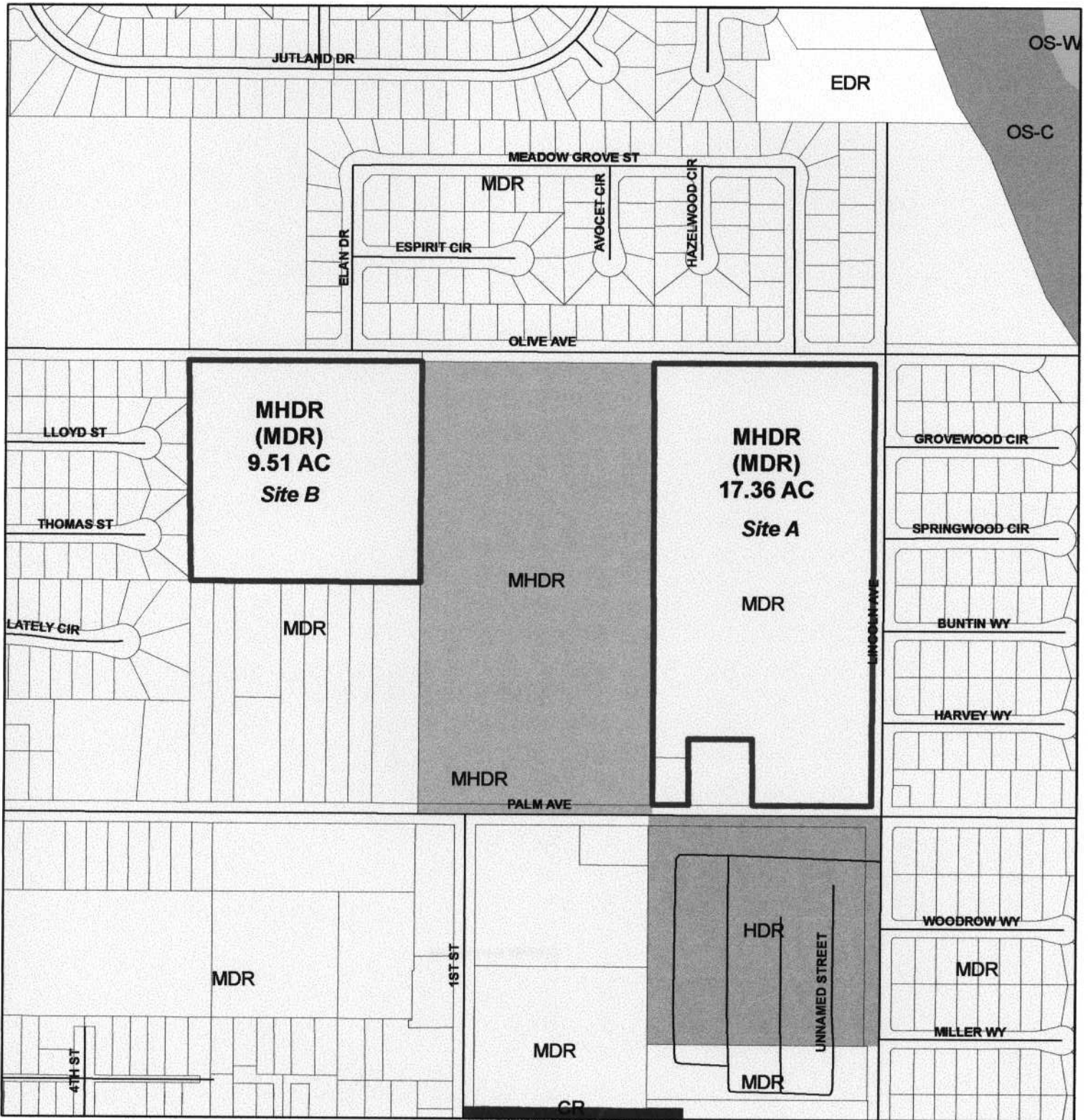


Assessors
Bk. 465
Pg. 200

Date: 9/17/2004

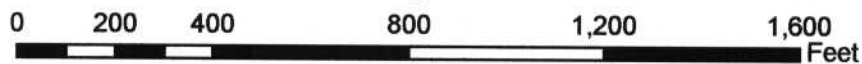
GPA 00716

Proposed General Plan



Township/Range: T5SR1E

Section: 9



Assessors
Bk. 548 & 549
Pg. 40 & 210

Date: 9/16/2004

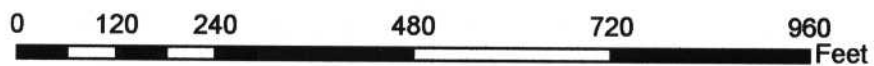
GPA 00716

Proposed General Plan



Township/Range: T5SR1E

Section: 5 & 6



Assessors
Bk. 551
Pg. 200

Date: 9/16/2004

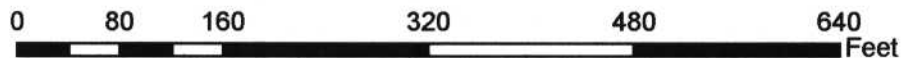
GPA 00716

Proposed General Plan



Township/Range: T5SR1W

Section: 12

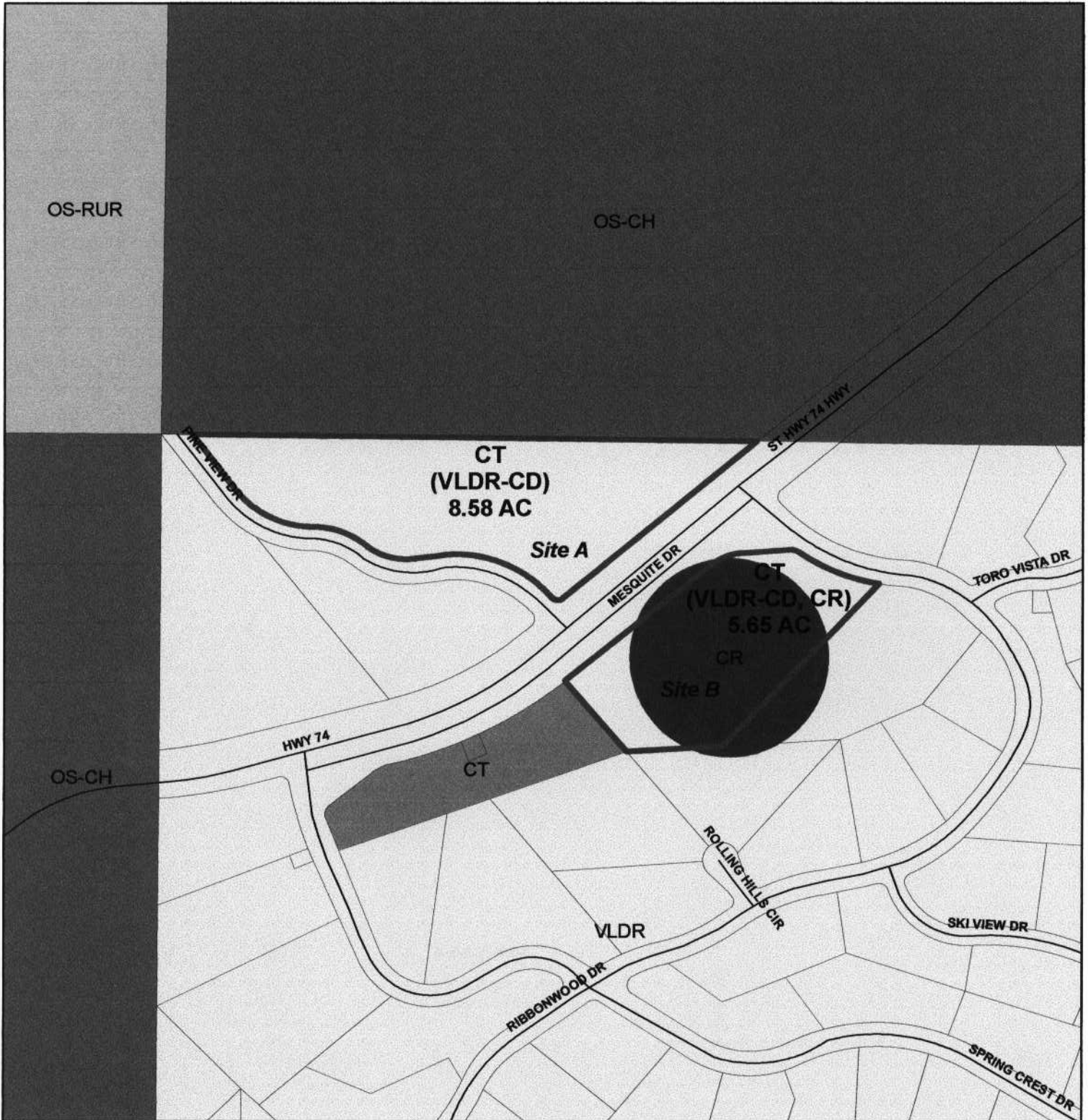


Assessors
Bk. 438
Pg. 210

Date: 9/16/2004

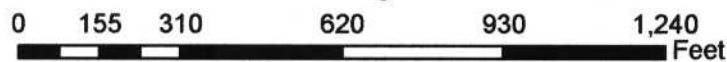
GPA 00716

Proposed General Plan



Township/Range: T7SR5E

Section: 17

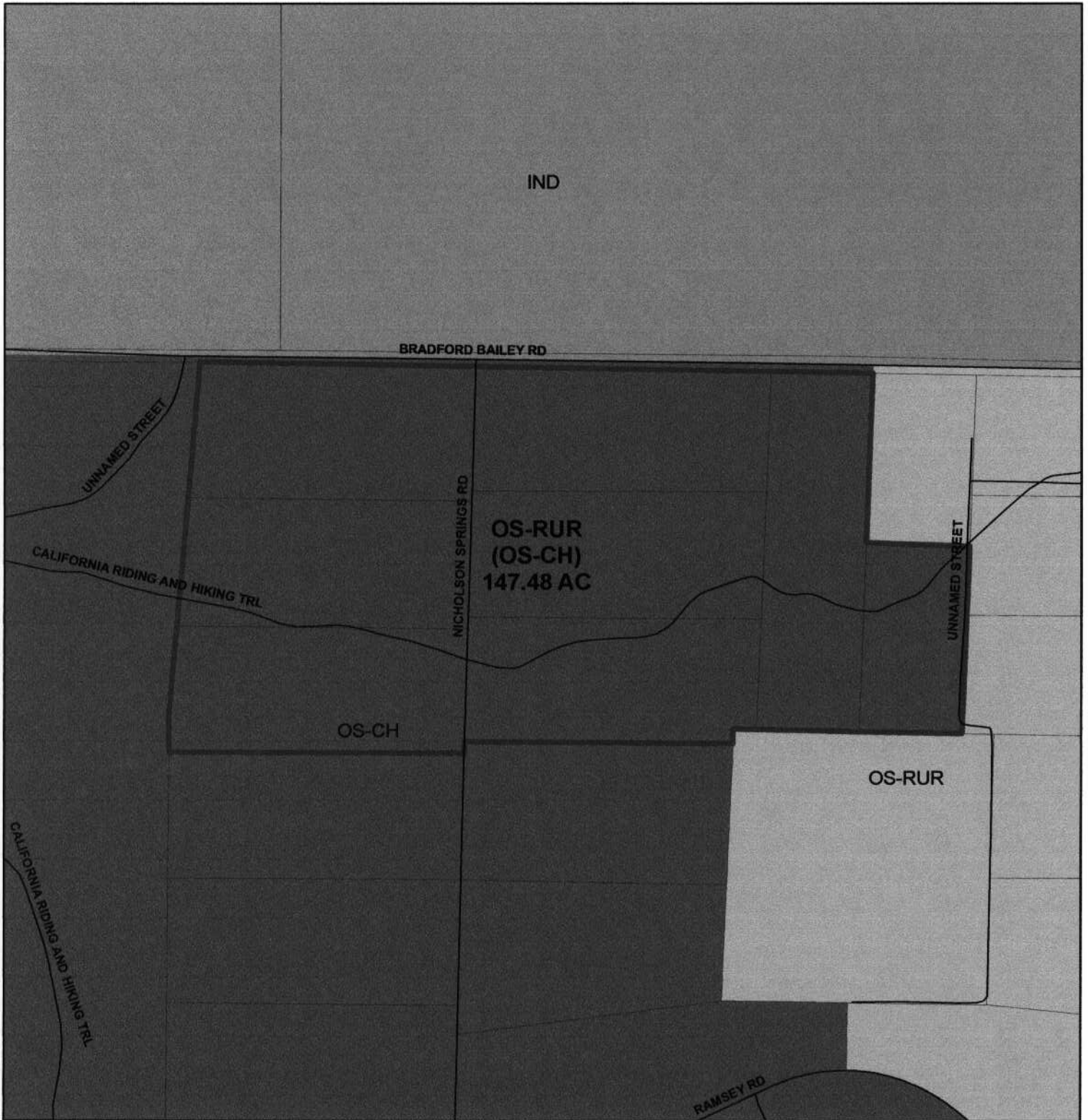


Assessors
Bk. 636
Pg. 231 & 233

Date: 9/14/2004

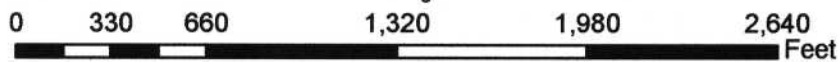
GPA 00716

Proposed General Plan



Township/Range: T8SR3E

Section: 9



Assessors
Bk. 579
Pg. 370

Date: 9/15/2004

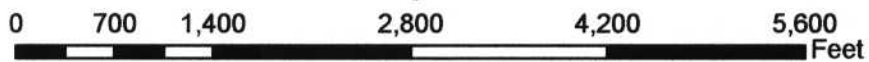
GPA 00716

Proposed General Plan



Township/Range: T8SR3E

Section: 17 & 20



Assessors
Bk. 579
Pg. 160, 400, & 410

Date: 9/15/2004

GPA 00716

Proposed General Plan



Township/Range: T8SR3E

Section: 7 & 8



Assessors
Bk. 579
Pg. 20

Date: 9/16/2004

GPA 00716

Proposed General Plan



Township/Range: T8SR3E

Section: 18

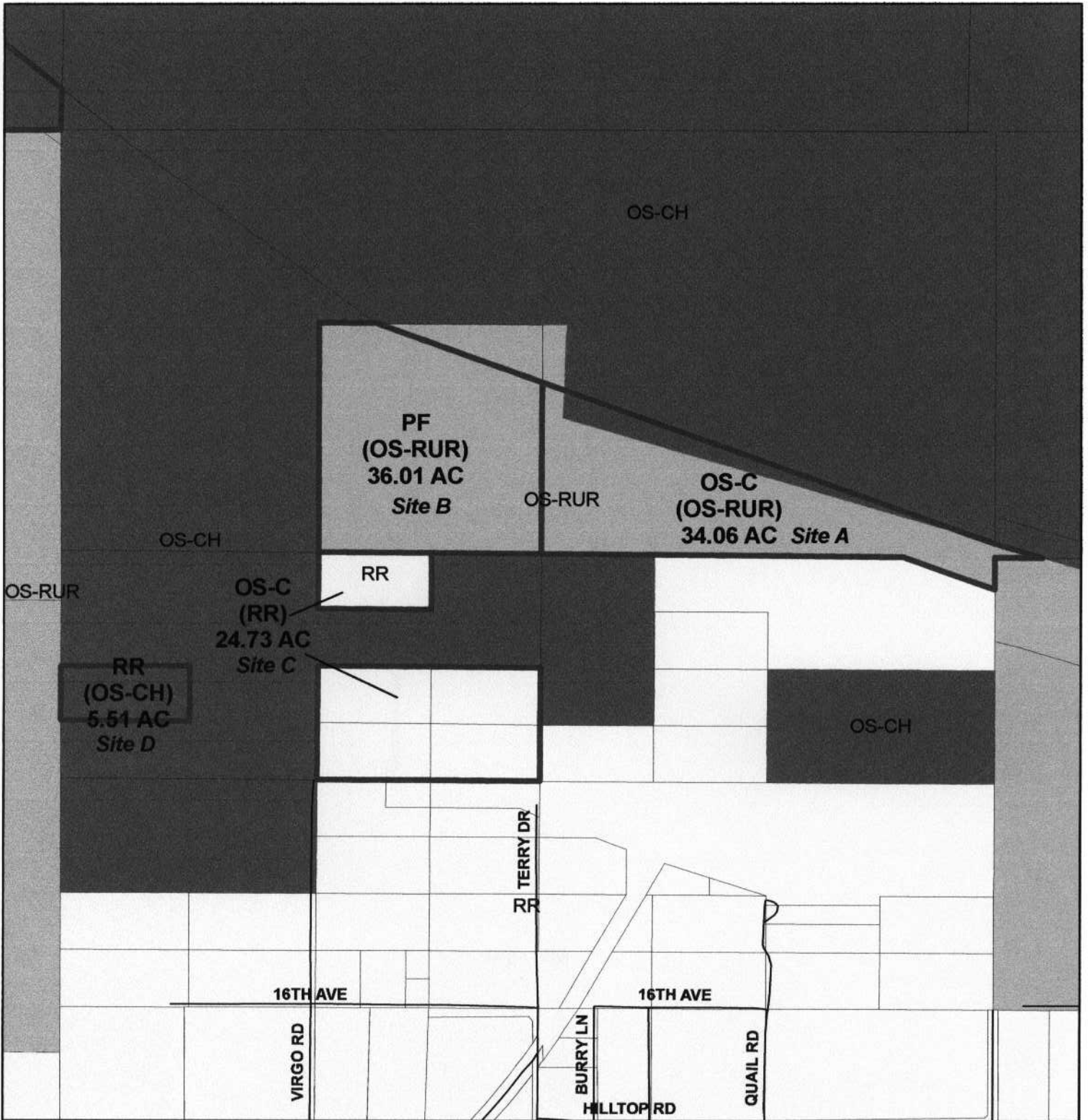


Assessors
Bk. 579
Pg. 420 & 430

Date: 9/16/2004

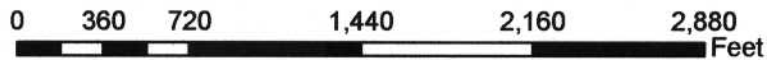
GPA 00716

Proposed General Plan



Township/Range: T3SR6E

Section: 6

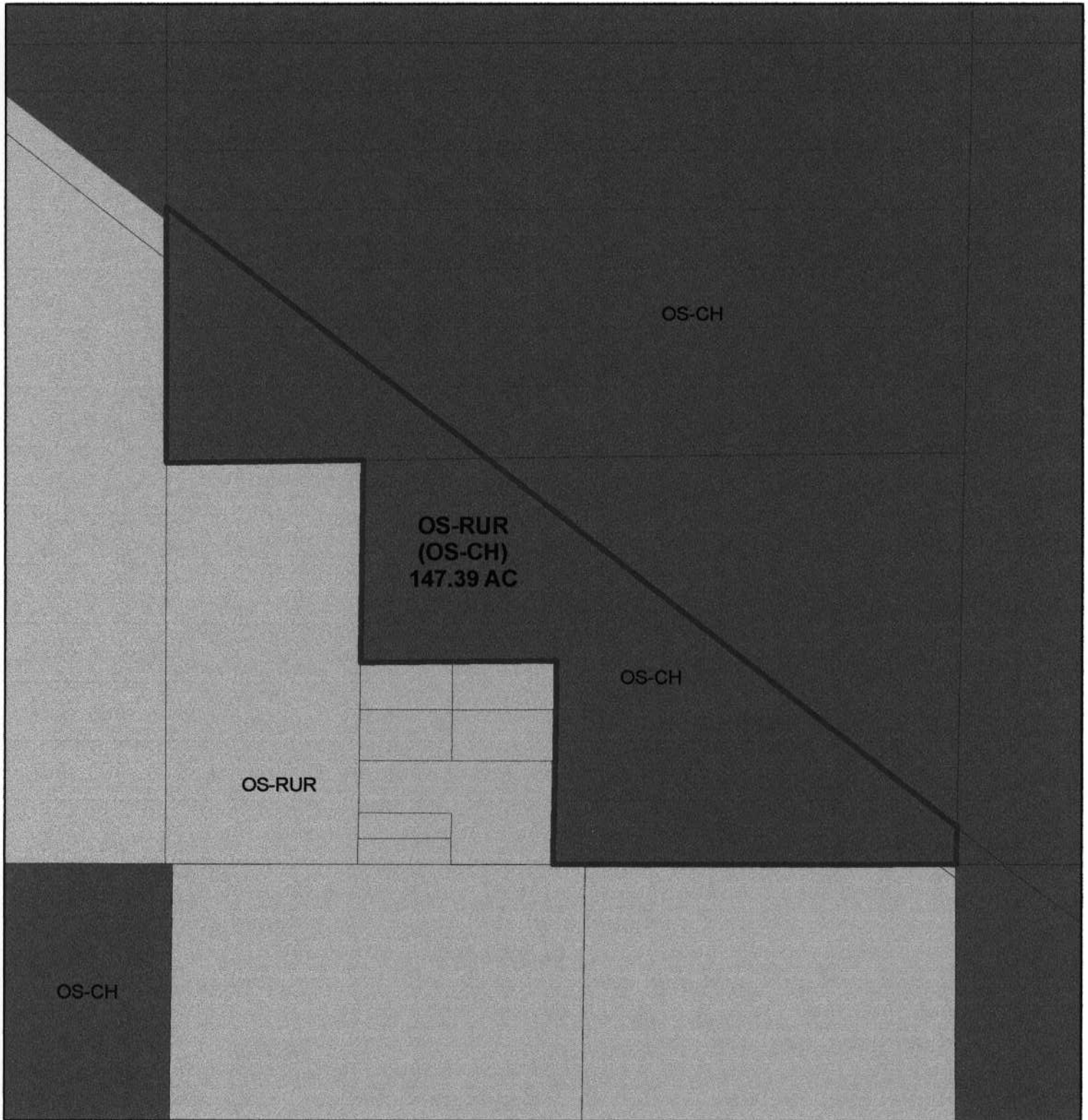


Assessors
Bk. 645
Pg. 20 & 30

Date: 9/14/2004

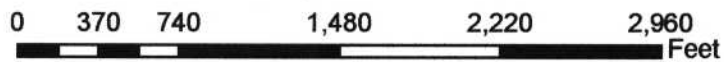
GPA 00716

Proposed General Plan



Township/Range: T2SR5E

Section: 36



Assessors
Bk. 638
Pg. 390 & 400

Date: 9/14/2004

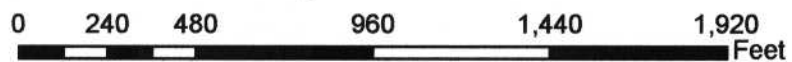
GPA 00716

Proposed General Plan



Township/Range: T3SR5E

Section: 10

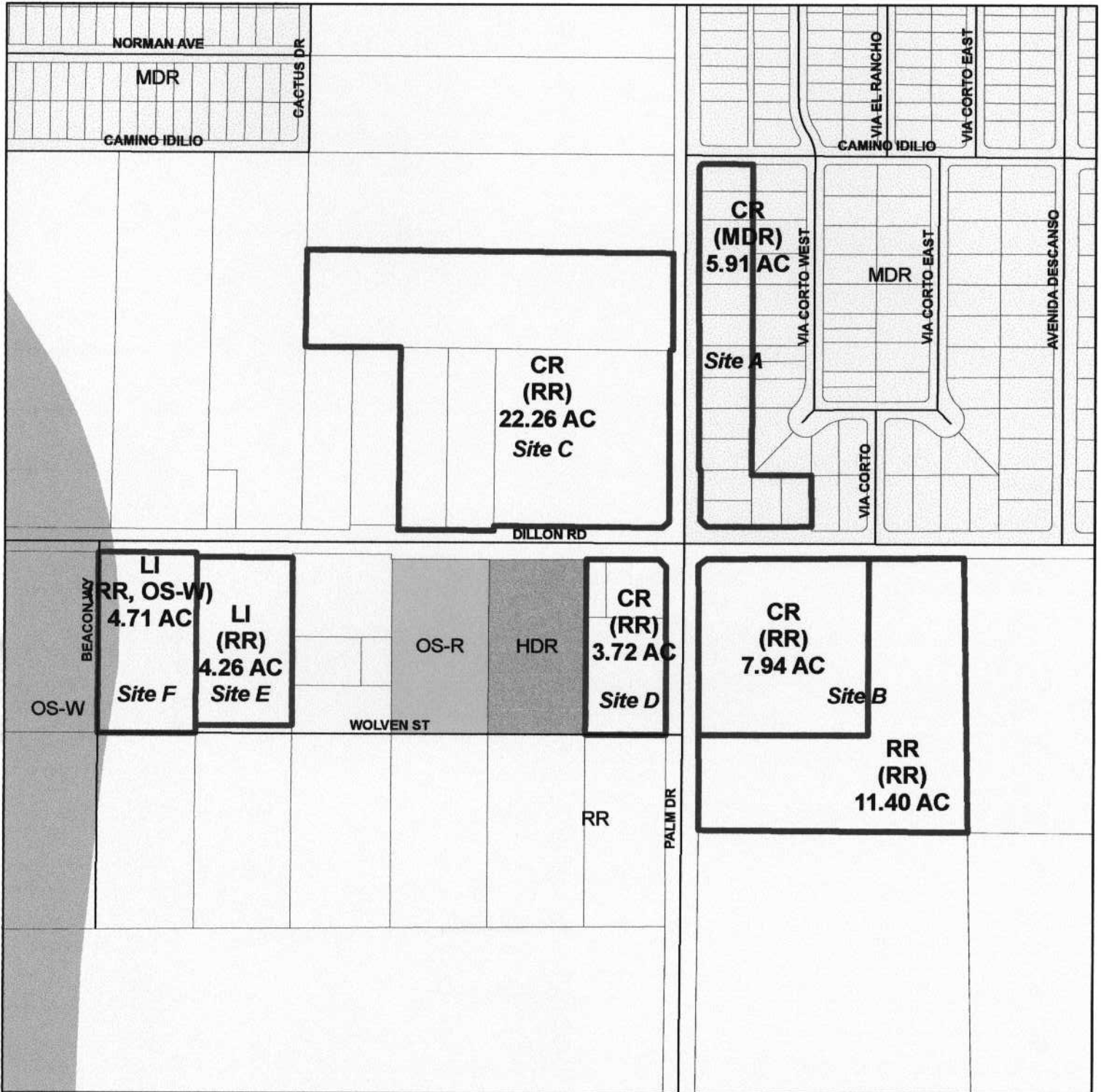


Assessors
Bk. 654
Pg. 170

Date: 9/14/2004

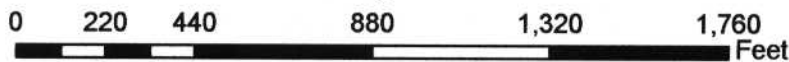
GPA 00716

Proposed General Plan



Township/Range: T3SR5E

Section: 7



Assessors
Bk. 657
Pg. 60, 111, 122,
220, & 230

Date: 9/14/2004

Revised Date: 10/25/2004

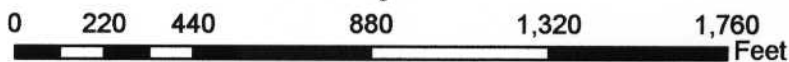
GPA 00716

Proposed General Plan



Township/Range: T3SR5E

Section: 7



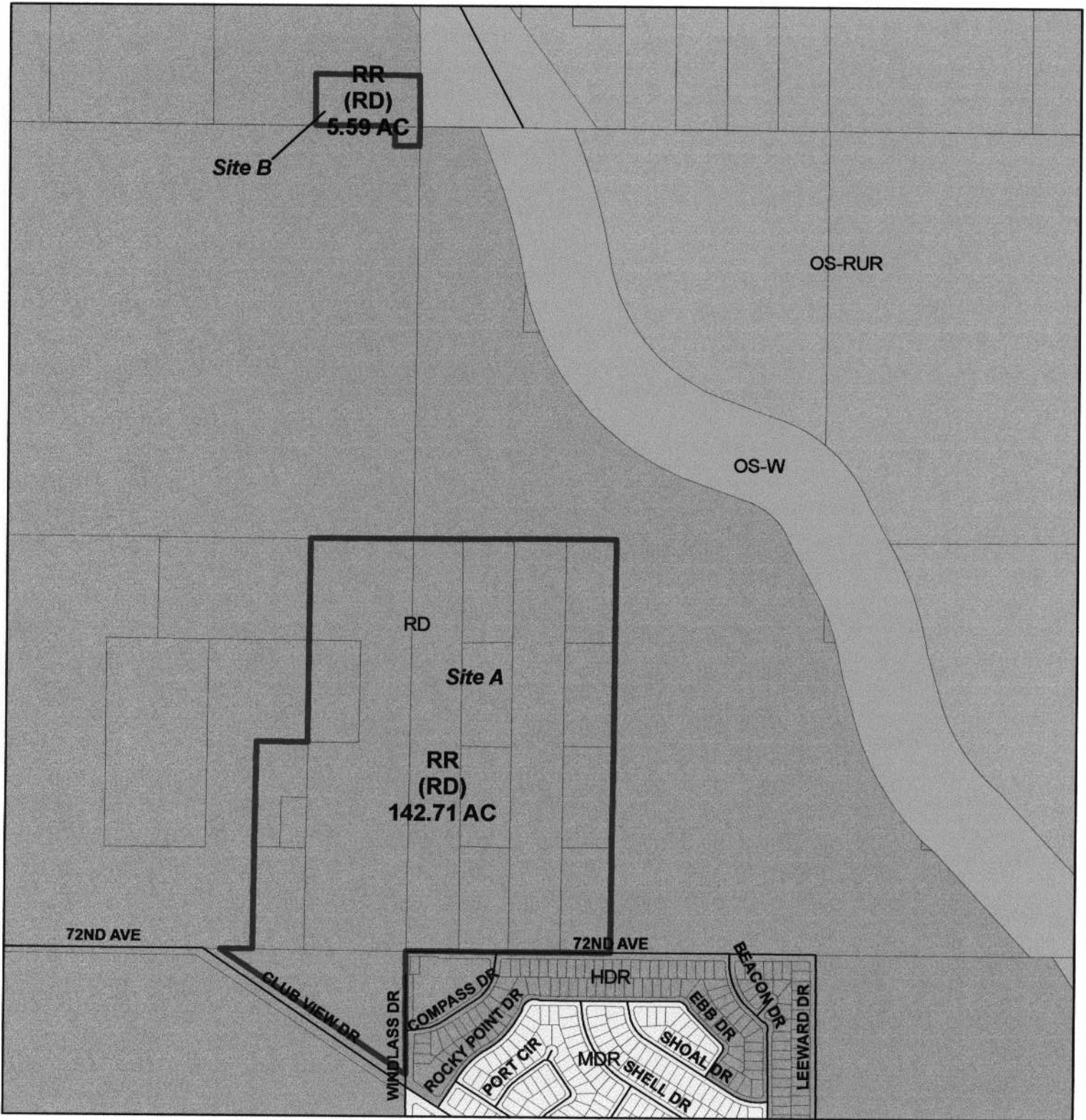
Assessors
Bk. 657
Pg. 60, 111, 122,
220, & 230

Date: 9/14/2004

Revised Date: 10/25/2004

GPA 00716

Proposed General Plan



Township/Range: T7SR10E

Section: 22, 27, 28, & 34

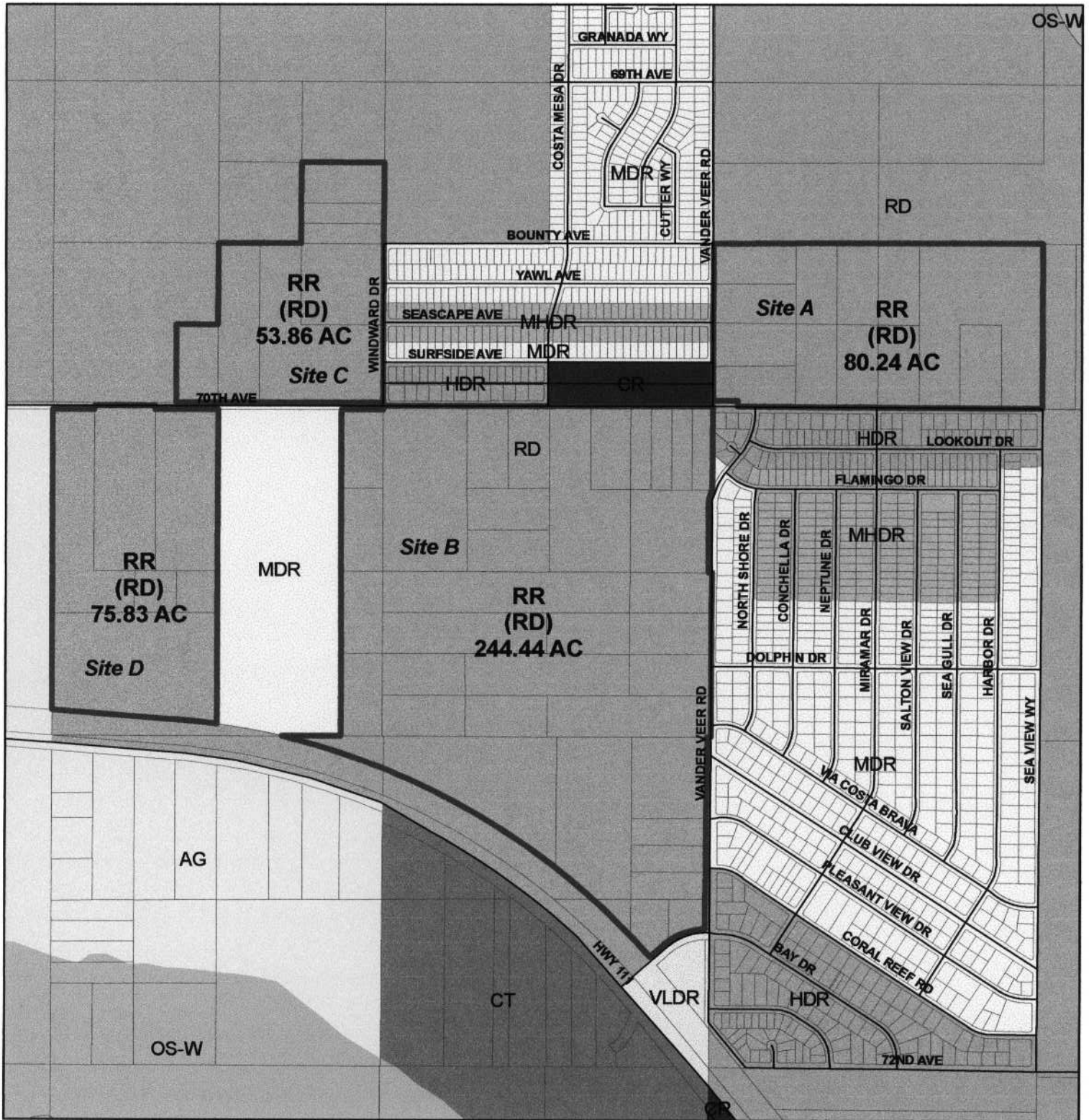


Assessors
Bk. 721 & 723
Pg. 180,190, 200, & 230

Date: 9/13/2004

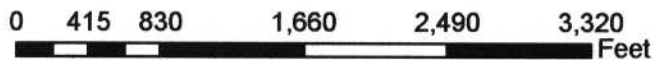
GPA 00716

Proposed General Plan



Township/Range: T7SR10E

Section: 21, 22, & 28

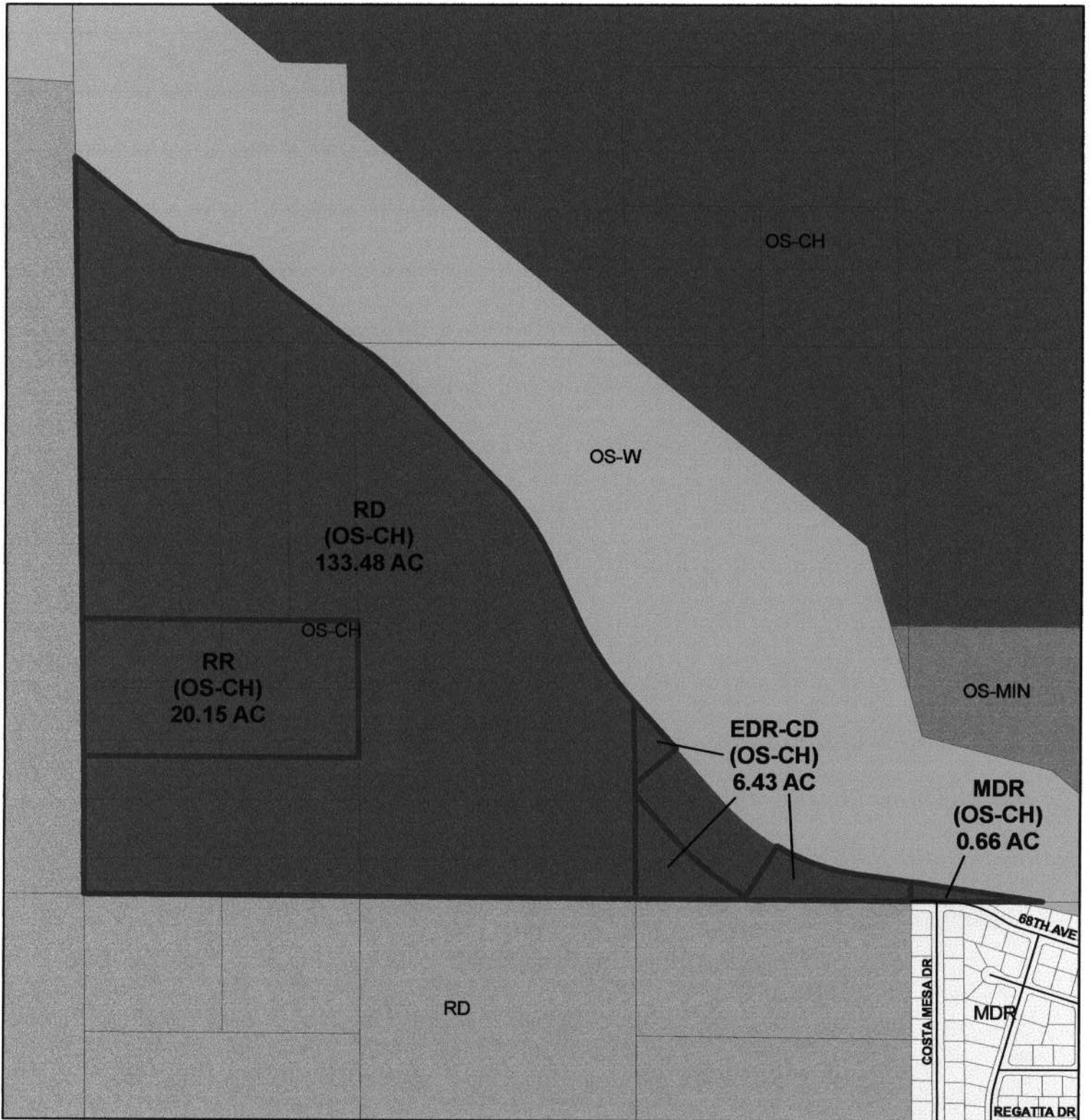


Assessors
Bk. 721 & 725
Pg. 120, 130, 150,
160, 170, & 290

Date: 9/13/2004

GPA 00716

Proposed General Plan



Township/Range: T7SR10E

Section: 16



Assessors
Bk. 721
Pg. 50 & 60

Date: 9/13/2004

GPA 00716

Proposed General Plan



Township/Range: T7SR10E

Section: 20

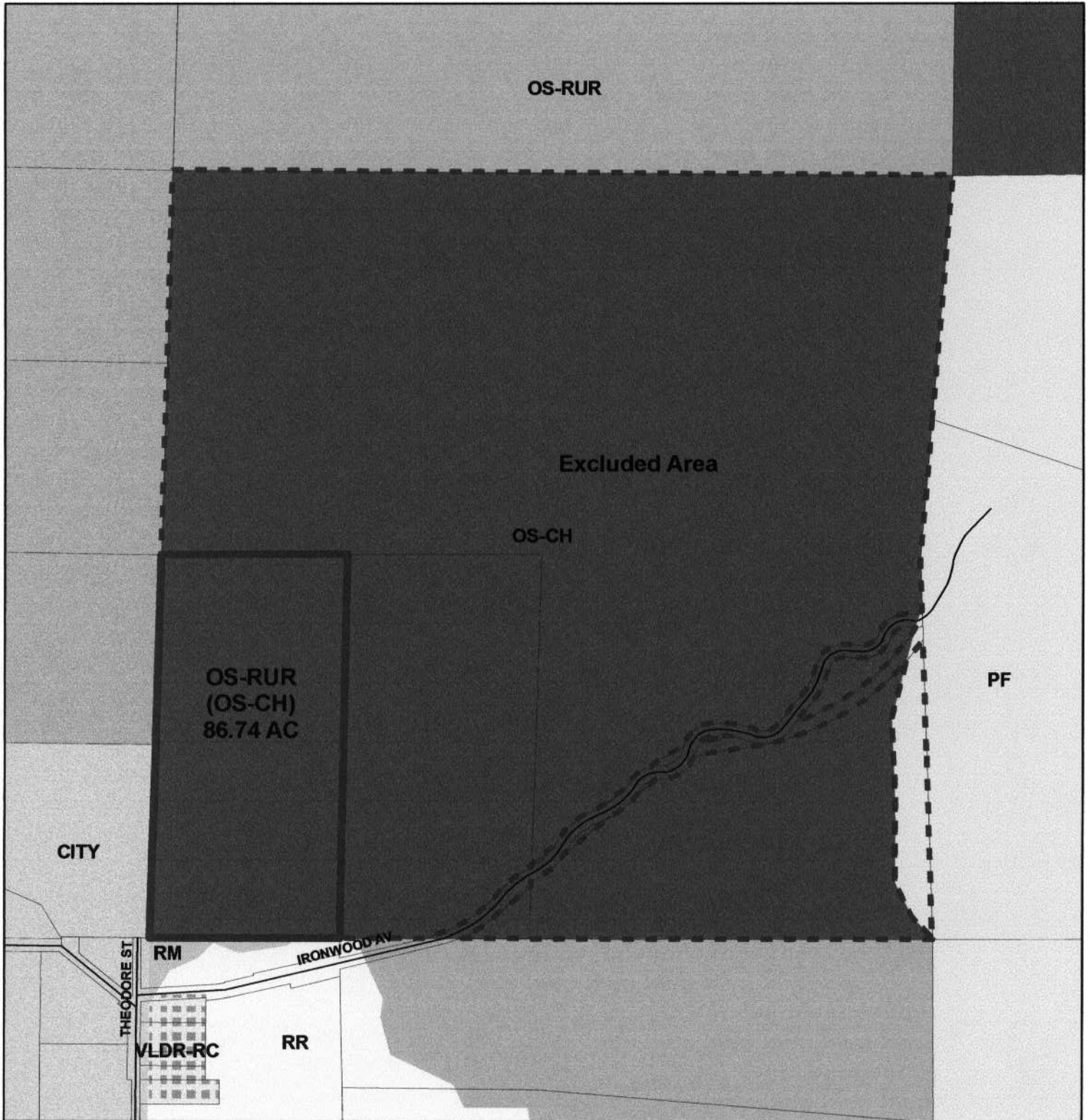


Assessors
Bk. 721
Pg. 120, 130,
140, & 150

Date: 9/13/2004

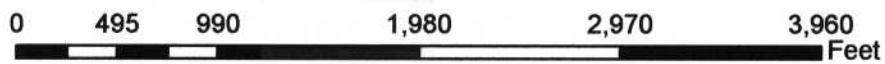
GPA 00716

Proposed General Plan



Township/Range: T2SR2W

Section: 31

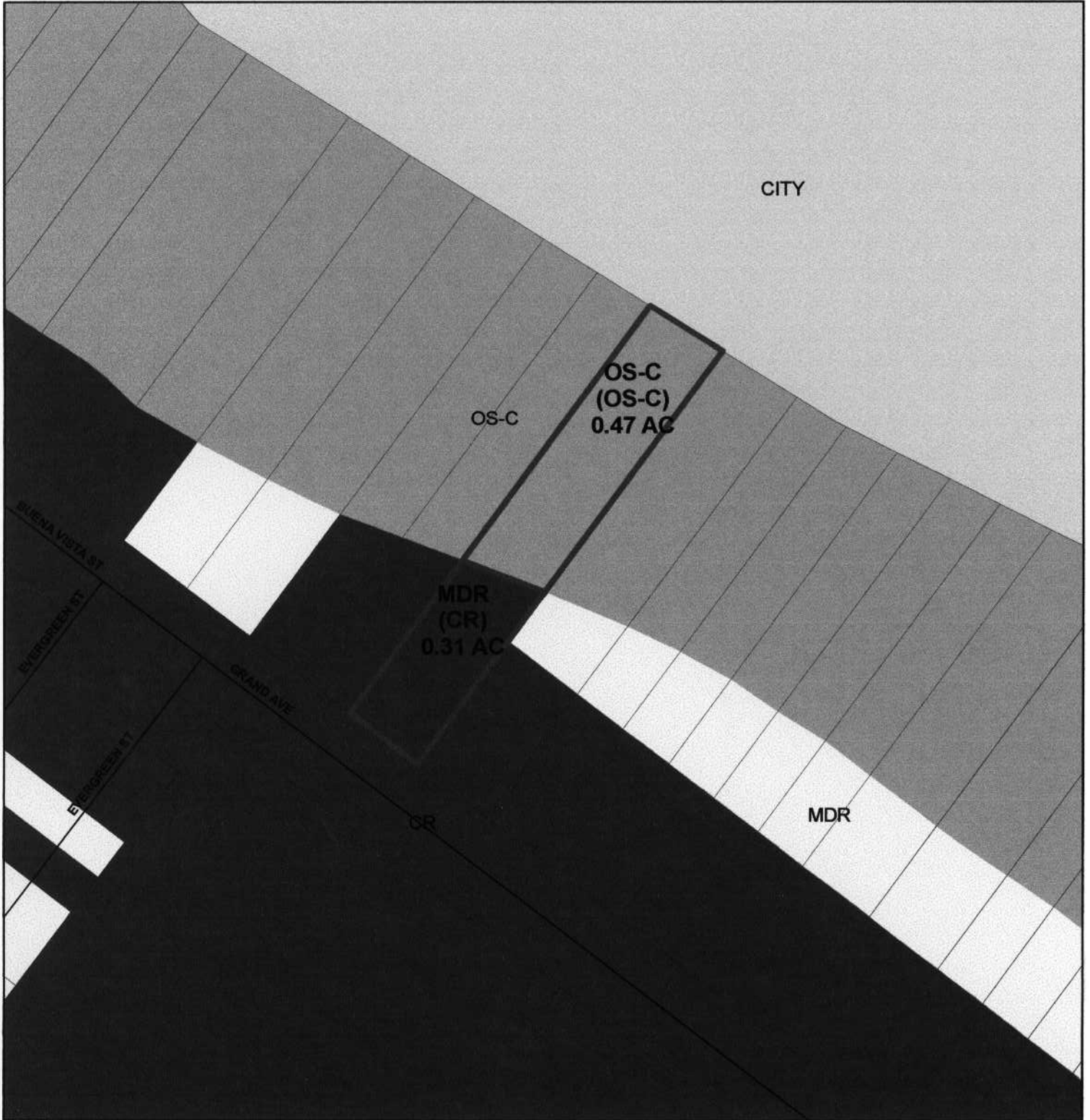


Assessors
Bk. 413
Pg. 140

Date: 9/16/2004

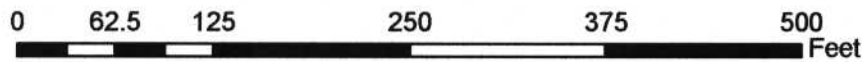
GPA 00716

Proposed General Plan



Township/Range: T6SR5W

Section: 13

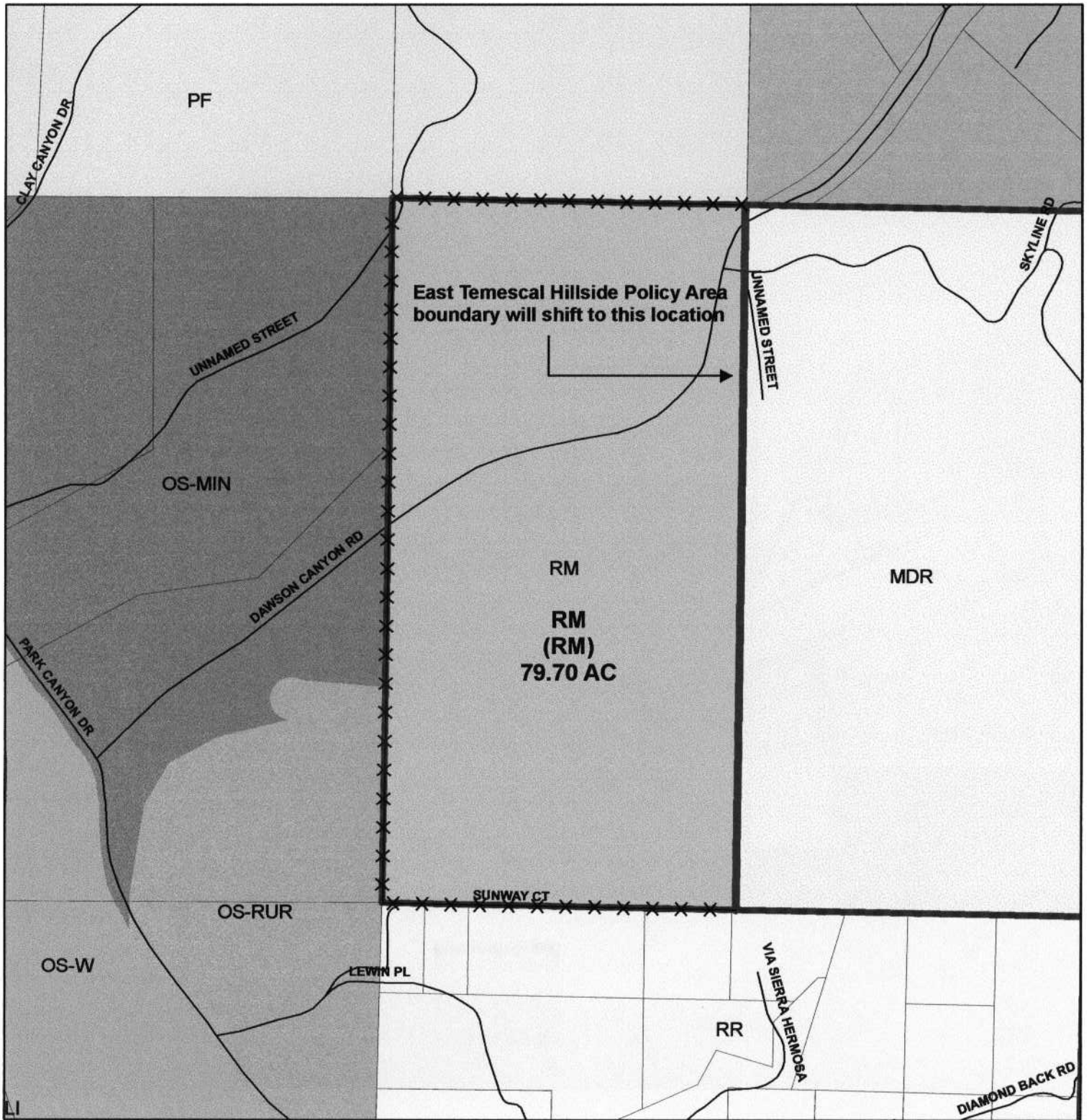


Assessors
Bk. 381
Pg. 120

Date: 9/20/2004

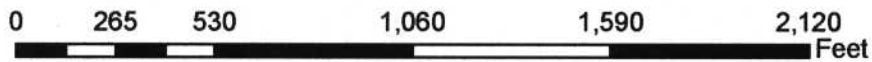
GPA 00716

Proposed General Plan



Township/Range: T4SR6W

Section: 36



Assessors
Bk. 283
Pg. 210

Date: 9/20/2004

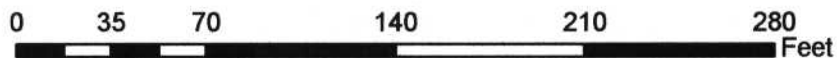
GPA 00716

Proposed General Plan



Township/Range: T3SR5W

Section: 31

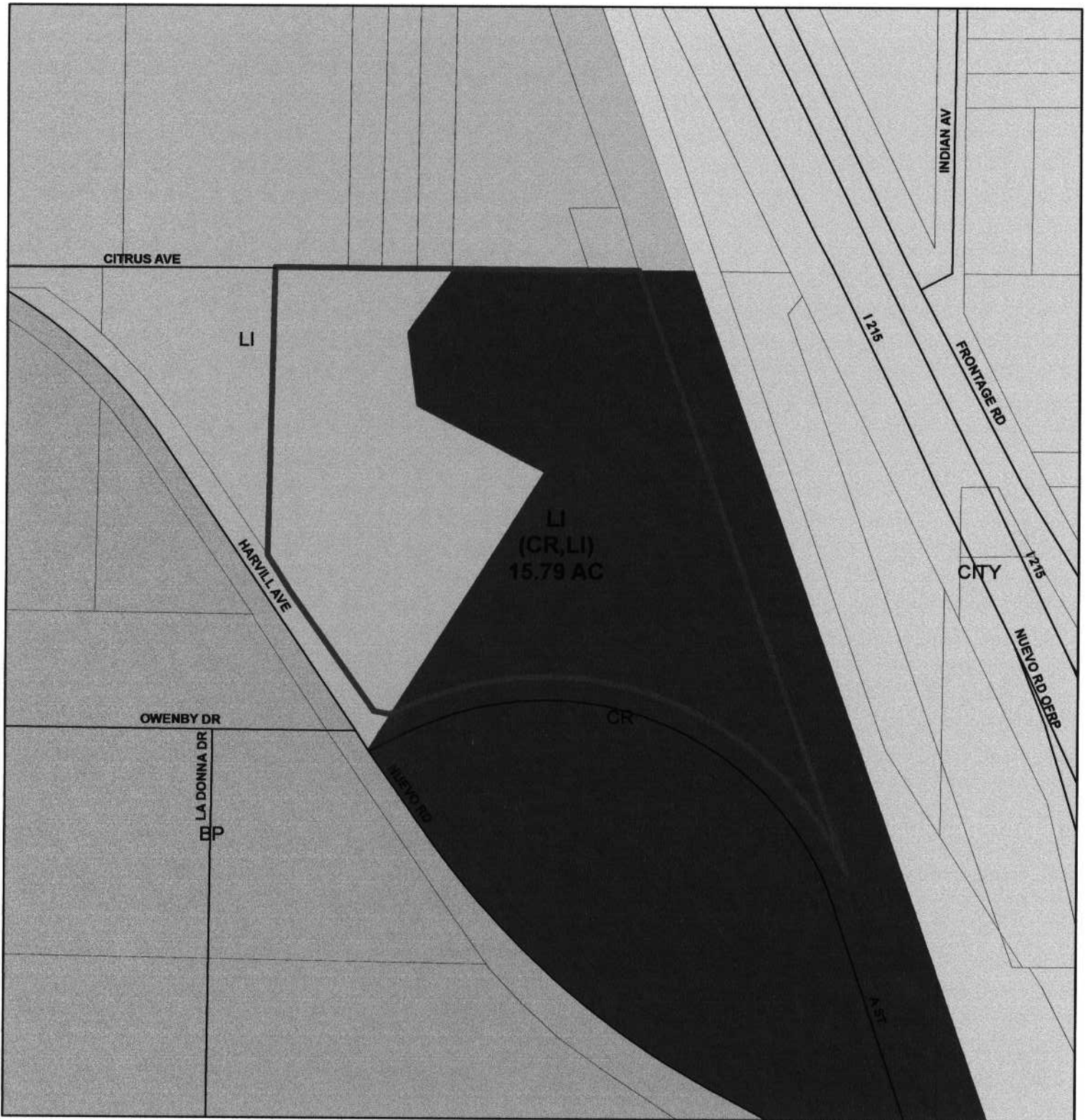


Assessors
Bk. 270
Pg. 50

Date: 9/20/2004

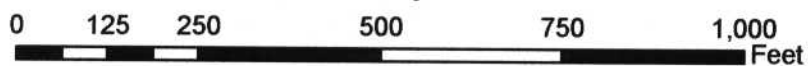
GPA 00716

Proposed General Plan



Township/Range: T4SR3W

Section: 19

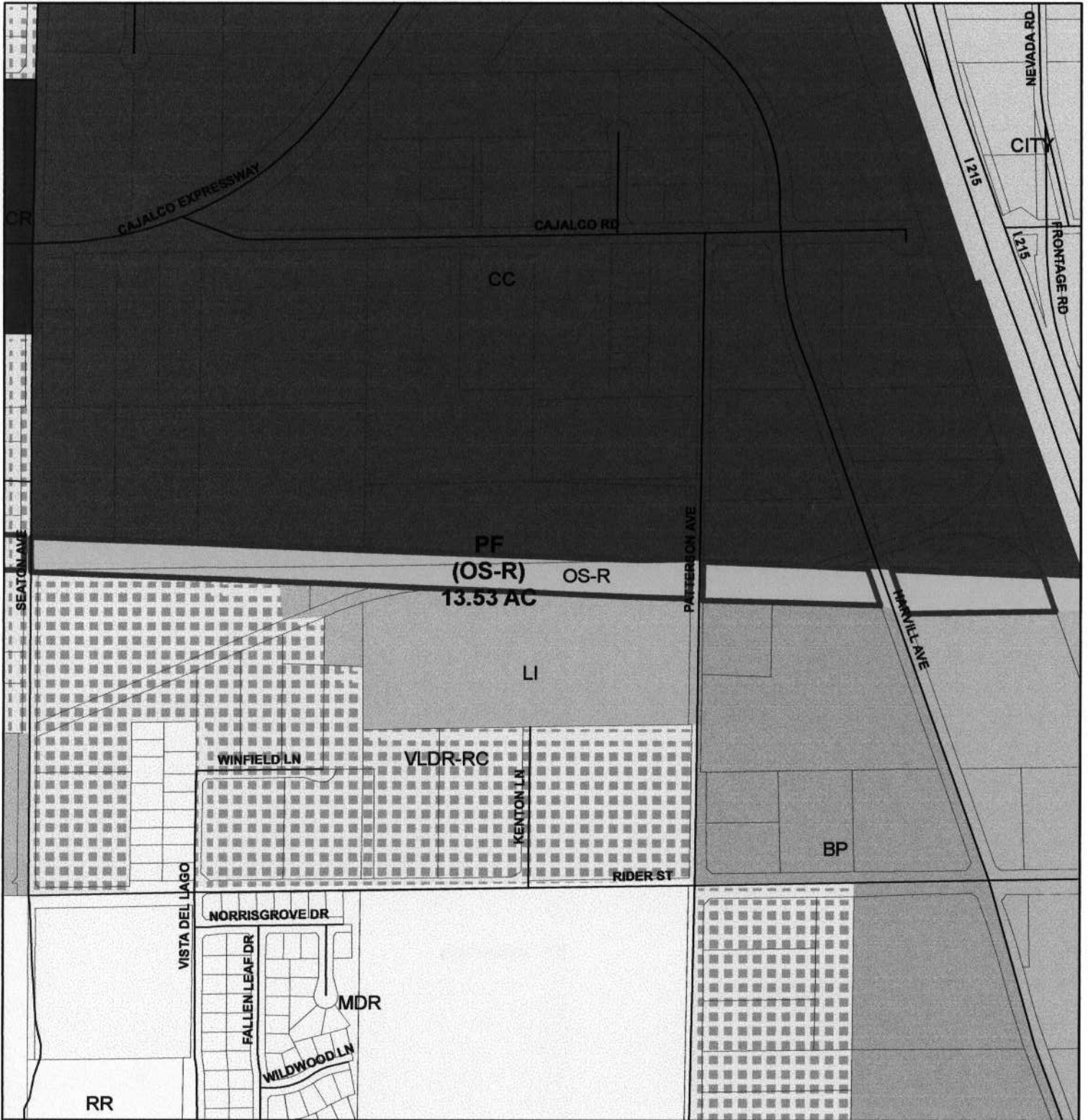


Assessors
Bk. 305
Pg. 180

Date: 9/20/2004

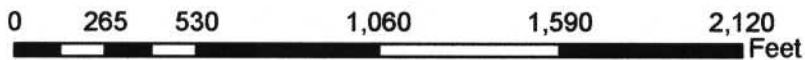
GPA 00716

Proposed General Plan



Township/Range: T4SR4W

Section: 12

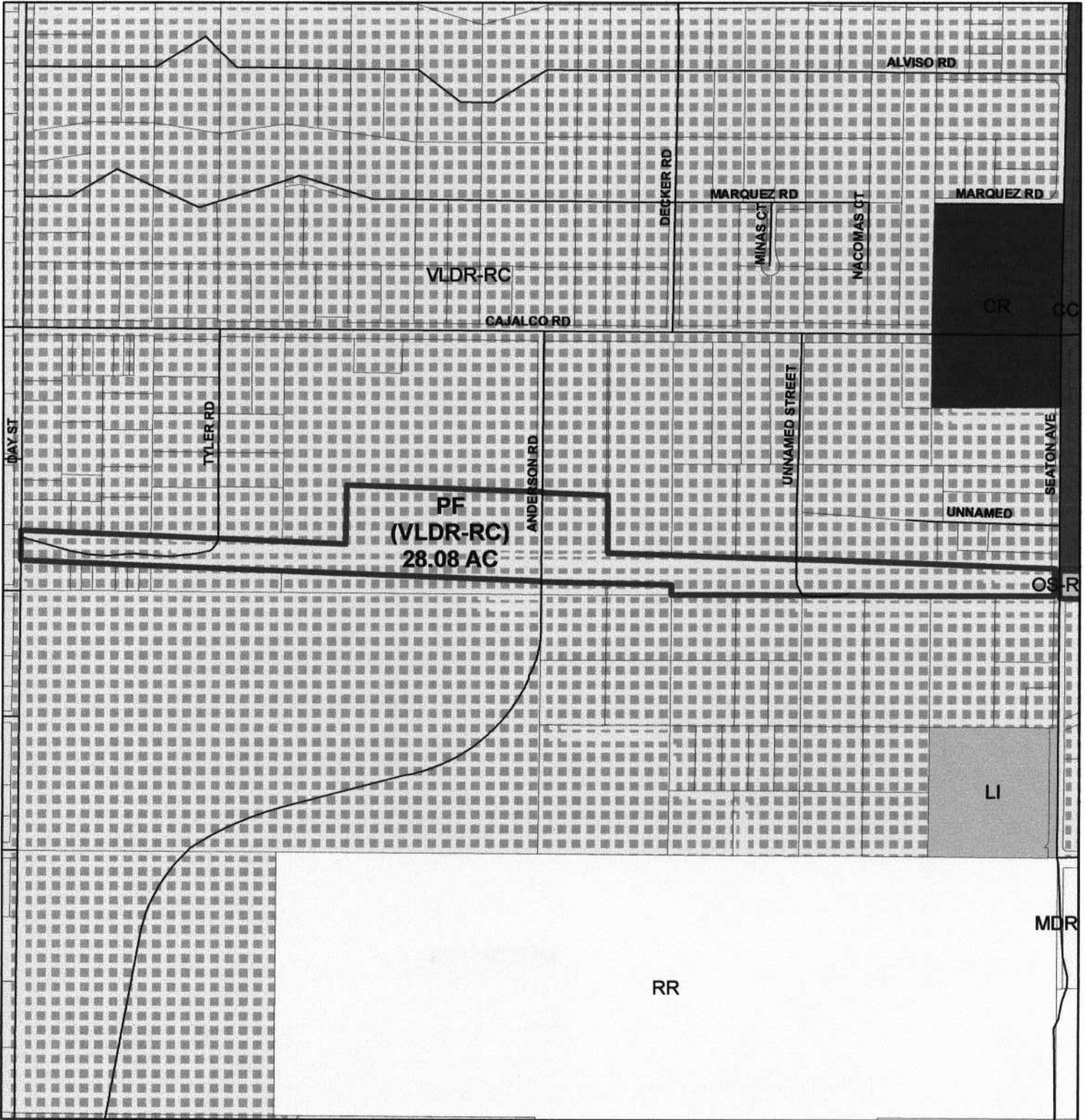


Assessors
Bk. 317
Pg. 150

Date: 9/20/2004

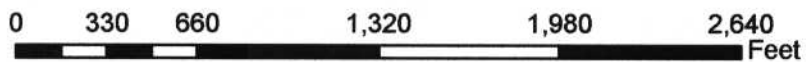
GPA 00716

Proposed General Plan



Township/Range: T4SR4W

Section: 11

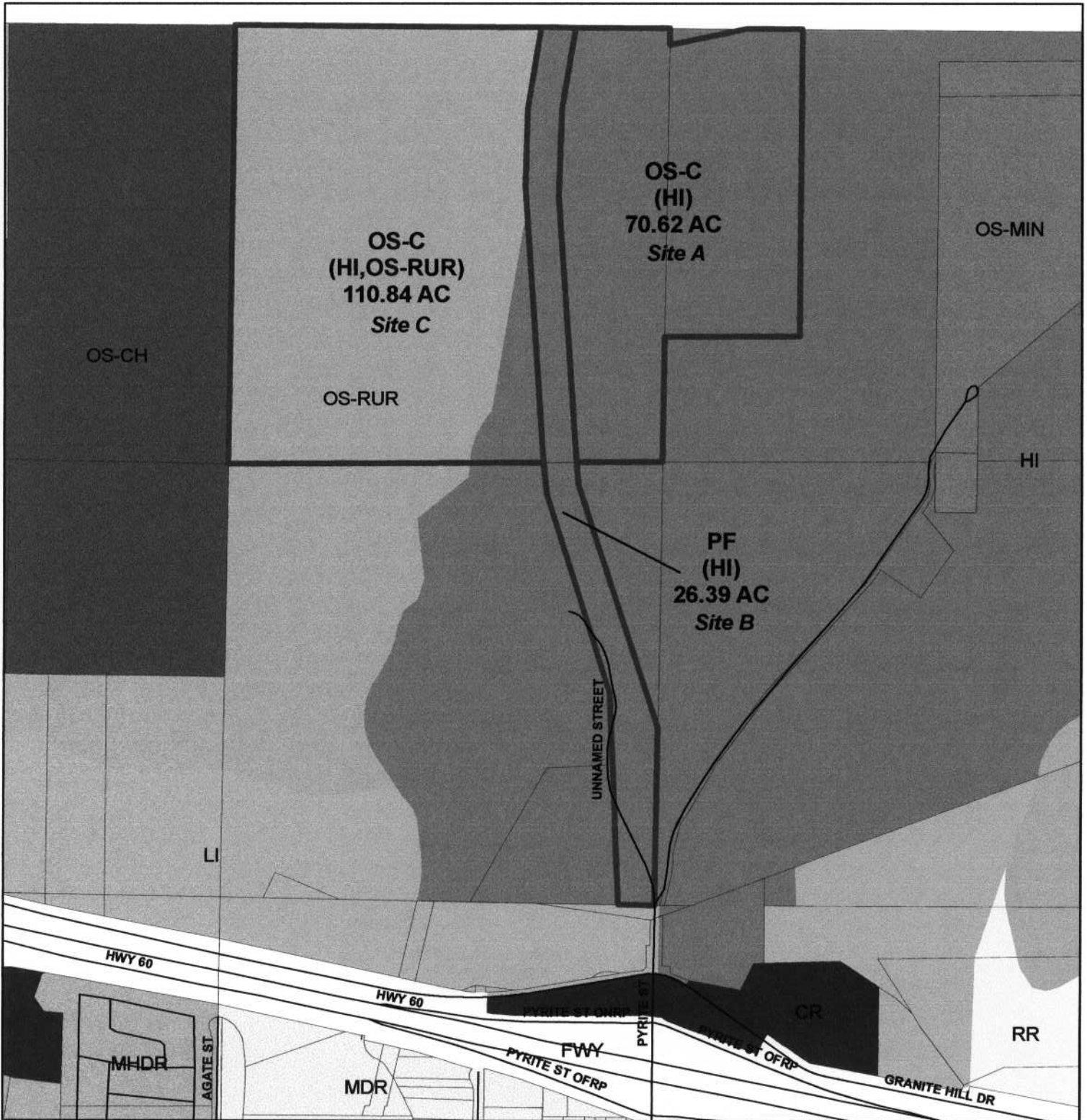


Assessors
Bk. 317
Pg. 60 & 80

Date: 9/20/2004

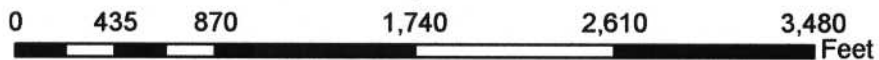
GPA 00716

Proposed General Plan



Township/Range: T2SR6W

Section: 1

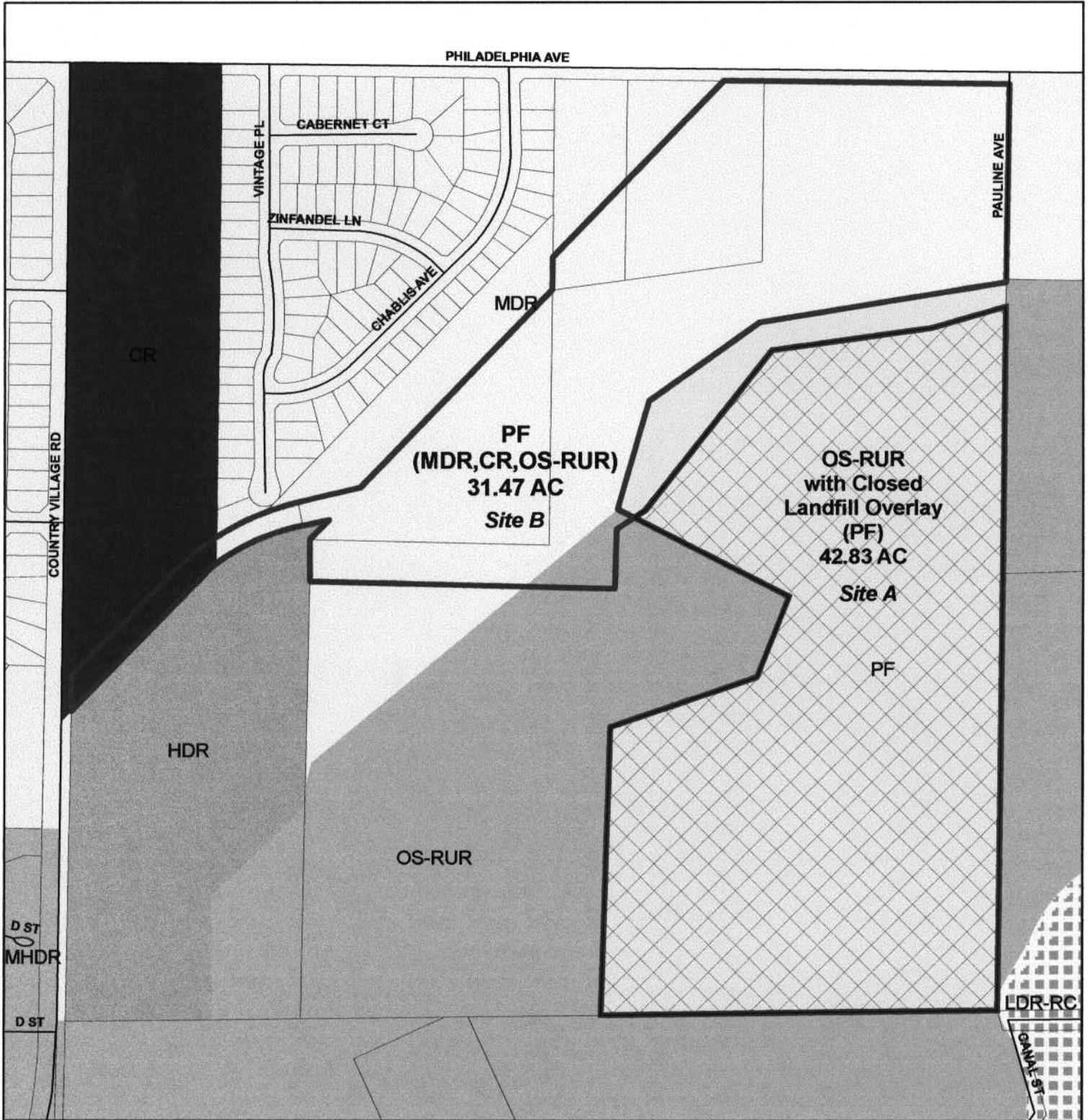


Assessors
Bk. 178
Pg. 112 & 160

Date: 9/20/2004

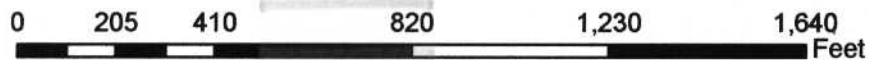
GPA 00716

Proposed General Plan



Township/Range: T2SR6W

Section: 3

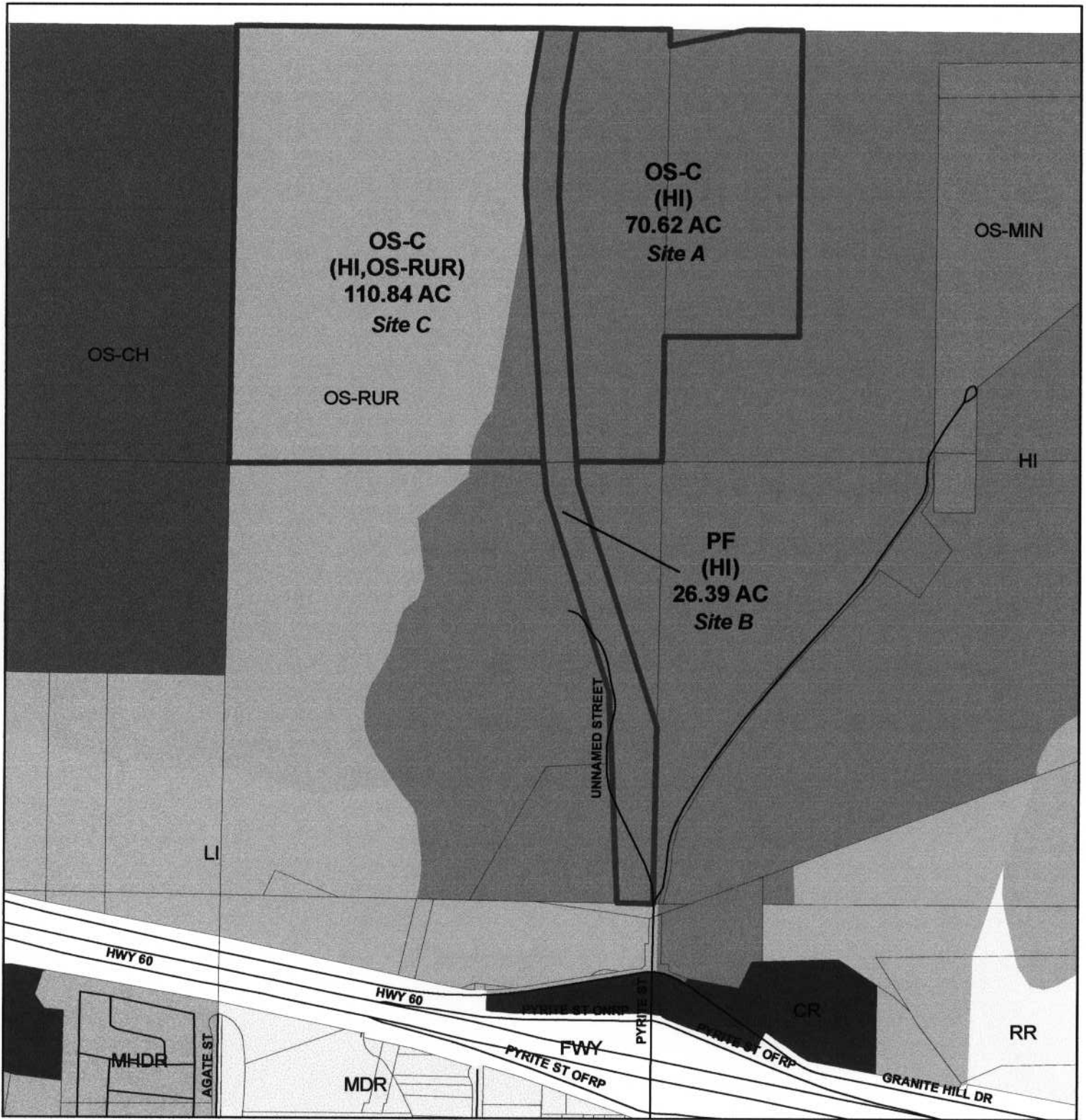


Assessors
Bk. 173
Pg. 20

Date: 9/20/2004

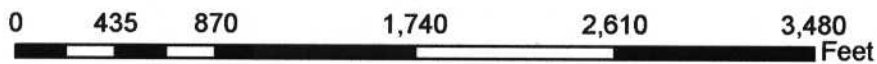
GPA 00716

Proposed General Plan



Township/Range: T2SR6W

Section: 1

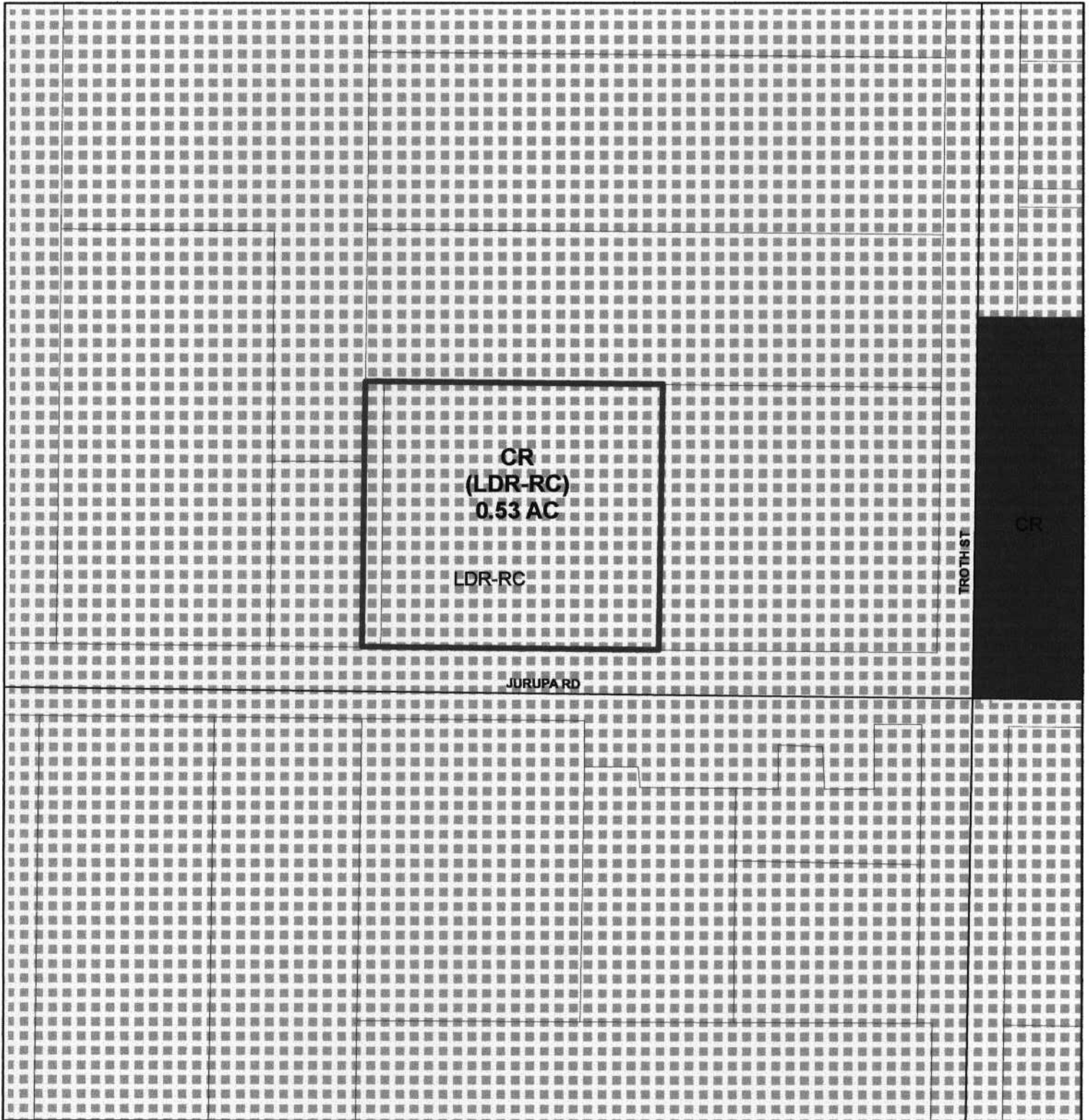


Assessors
Bk. 178
Pg. 112 & 160

Date: 9/20/2004

GPA 00716

Proposed General Plan



Township/Range: T2SR6W

Section: 16

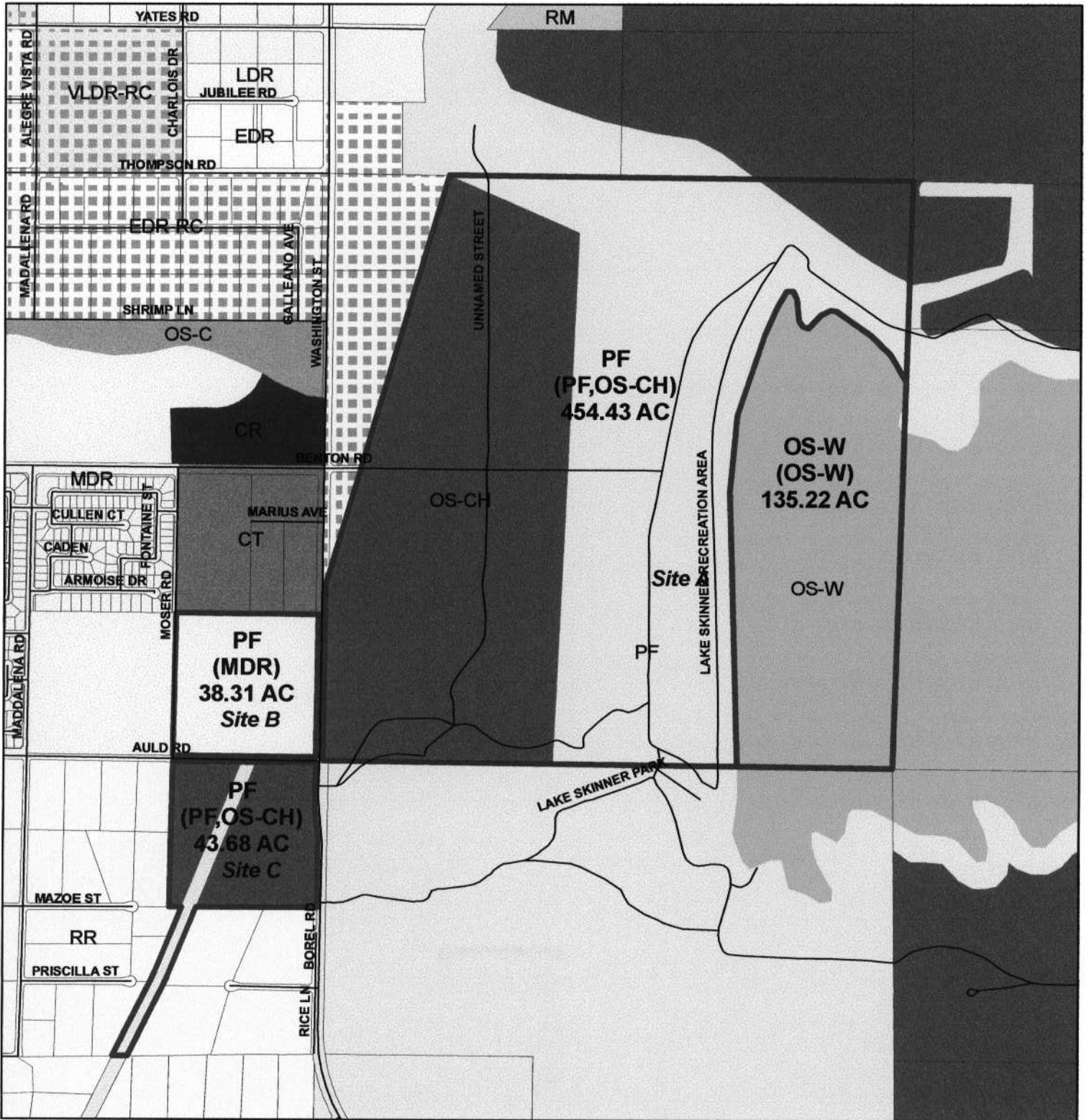


Assessors
Bk. 159
Pg. 231

Date: 9/20/2004

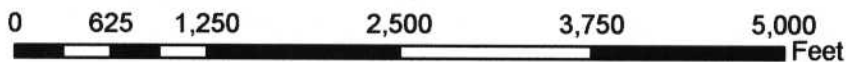
GPA 00716

Proposed General Plan



Township/Range: T7SR2W

Section: 3, 4, & 9



Assessors
Bk. 958
Pg. 40 & 90

Date: 9/17/2004

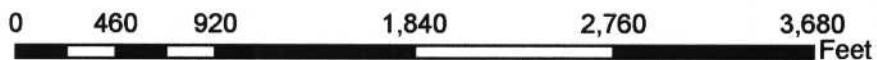
GPA 00716

Proposed General Plan



Township/Range: T8SR4W

Section: 8, 9, 16, & 17



Assessors
Bk. 932
Pg. 100 & 120

Date: 9/17/2004

GPA 00716

Proposed General Plan



Township/Range: T8SR4W

Section: 5, 6, 7, & 8

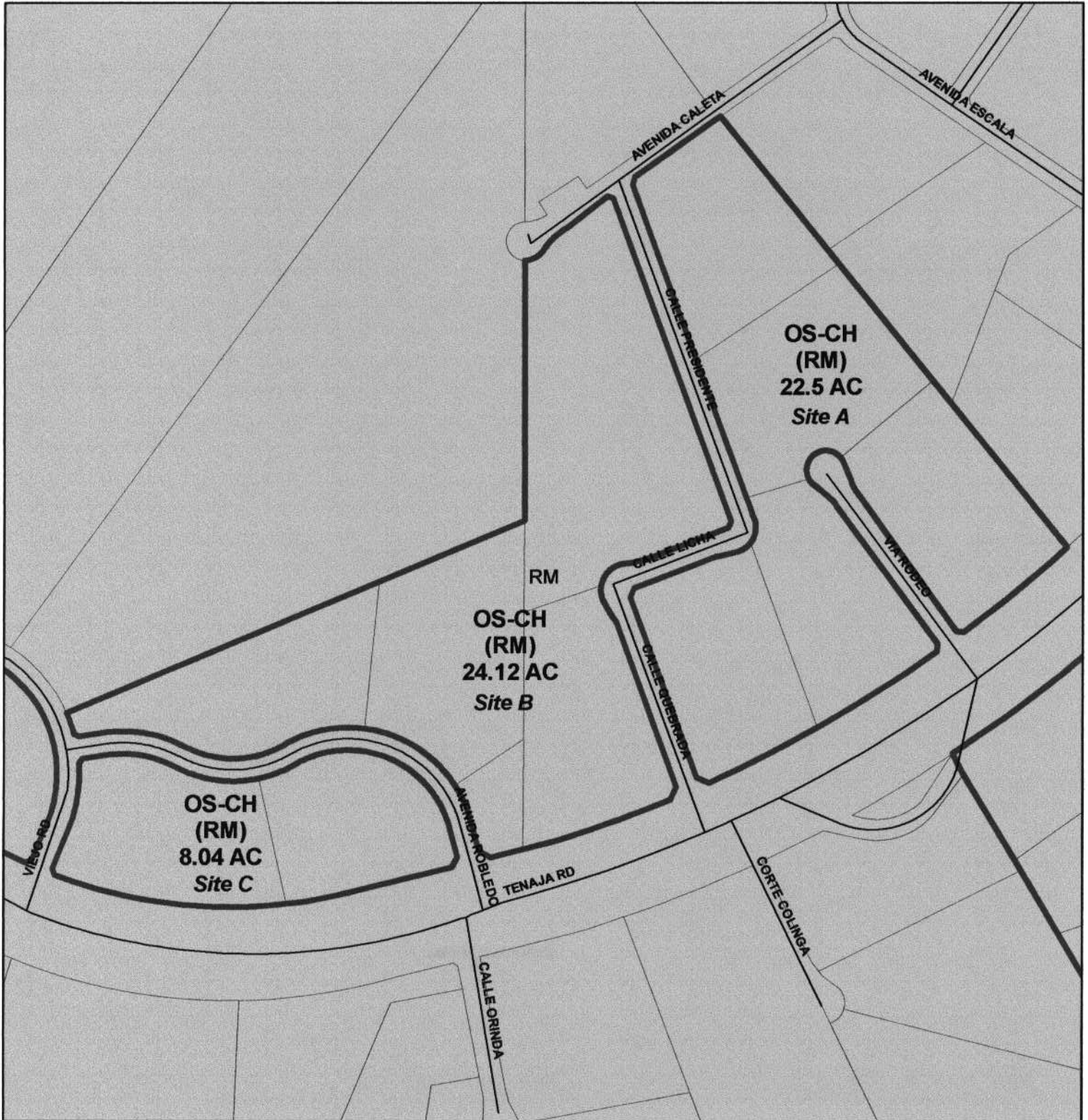


Assessors
Bk. 932
Pg. 130, 140, & 150

Date: 9/17/2004

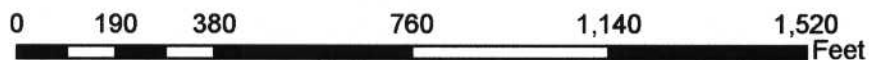
GPA 00716

Proposed General Plan



Township/Range: T8SR4W

Section: 6

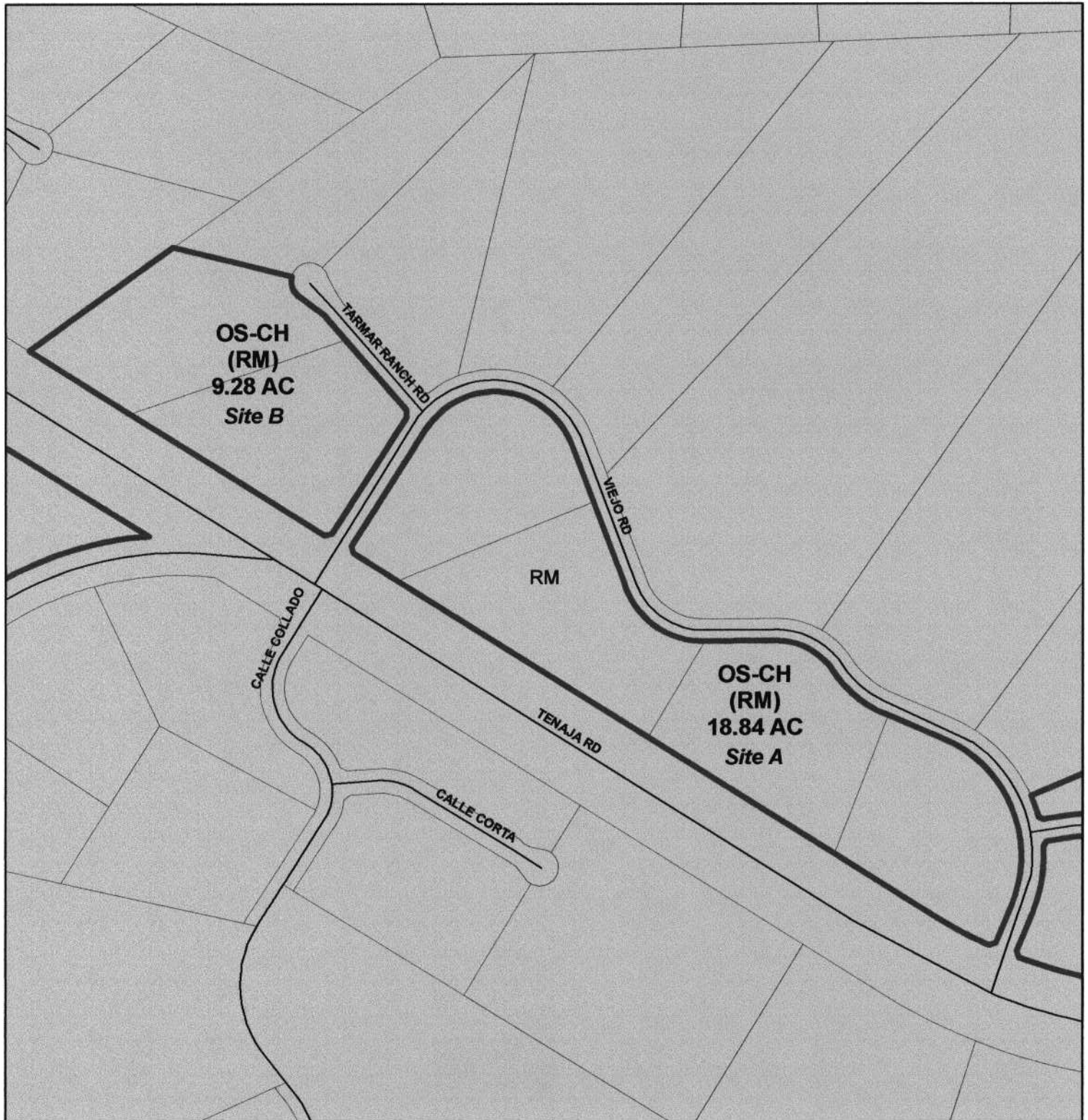


Assessors
Bk. 932
Pg. 260 & 270

Date: 9/17/2004

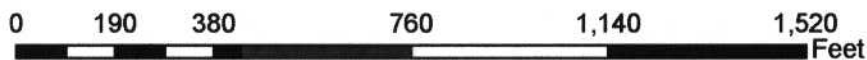
GPA 00716

Proposed General Plan



Township/Range: T7SR5W, T8SR4W, & T8SR5W

Section: 1, 6, & 36



Assessors
Bk. 932
Pg. 270

Date: 9/17/2004

GPA 00716

Proposed General Plan



Township/Range: T7SR5W & T8SR5W

Section: 1, 2, 35, & 36



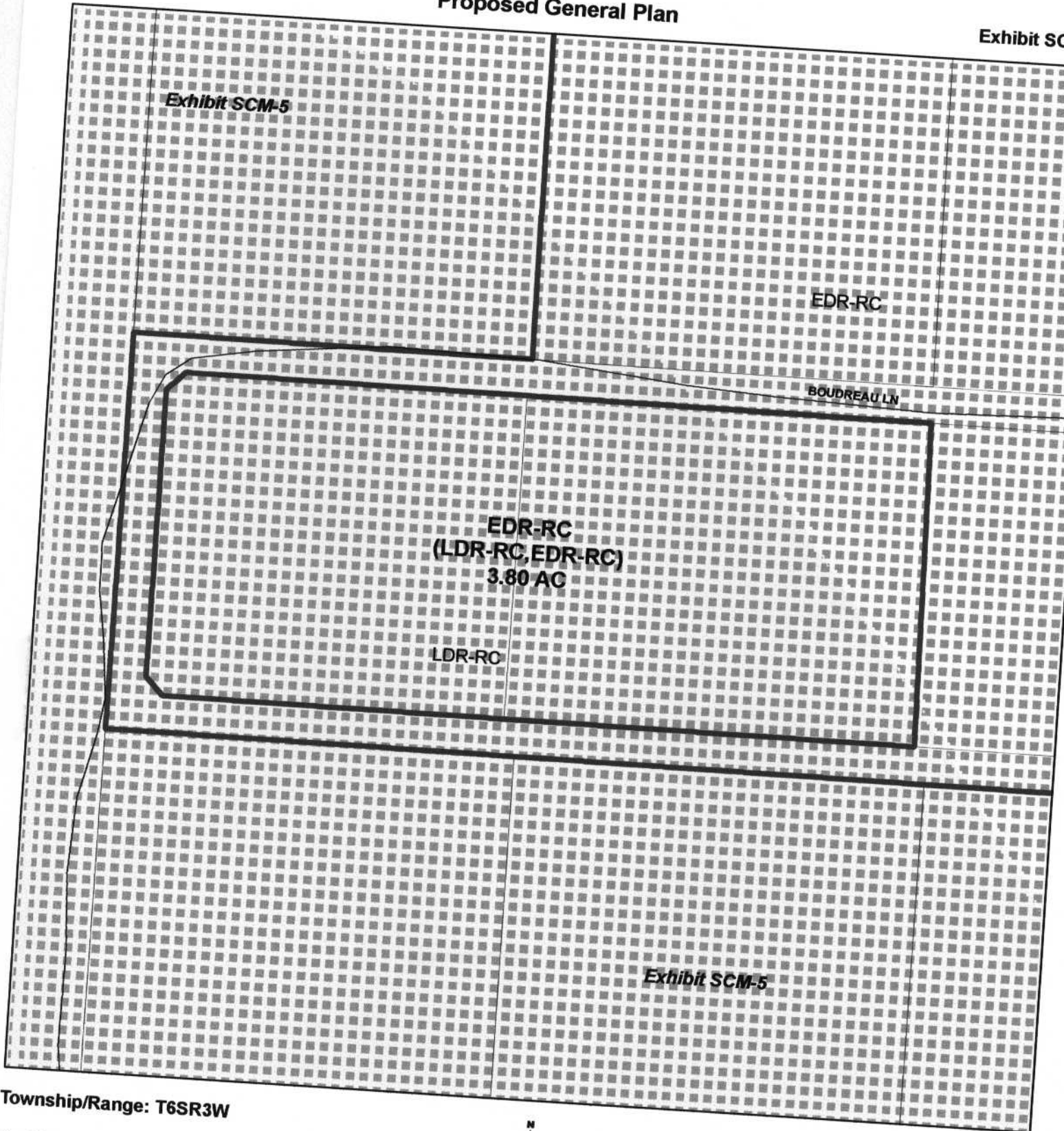
Assessors
Bk. 932
Pg. 20 & 390

Date: 9/17/2004

GPA 00716

Proposed General Plan

Exhibit SC



Township/Range: T6SR3W

Section: 21



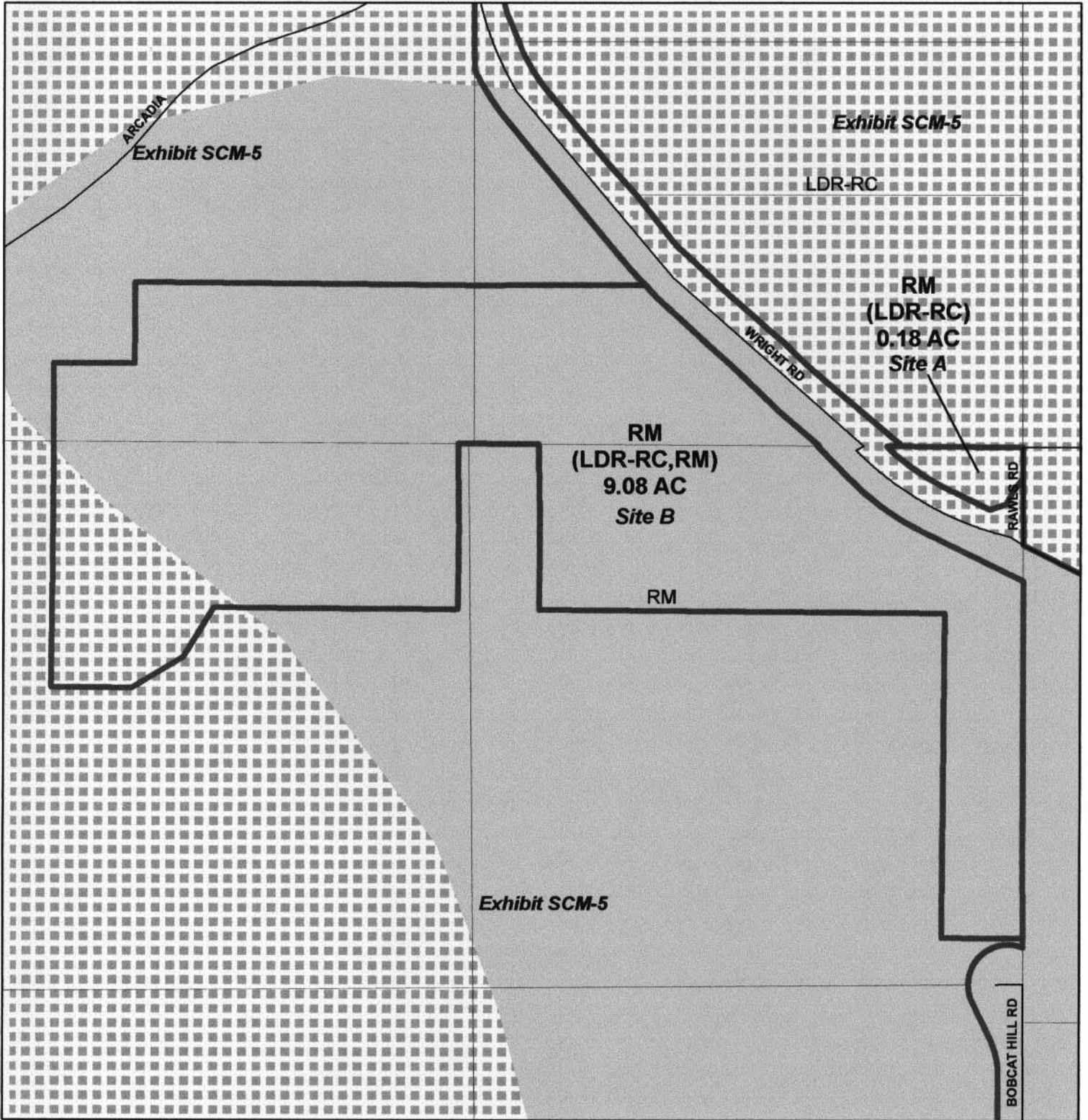
Assessors
Bk. 359
Pg. 20

Date: 9/21/2004

GPA 00716

Proposed General Plan

Exhibit SCM-4



Township/Range: T6SR3W

Section: 20



Assessors
Bk. 362
Pg. 120 & 290

Date: 9/21/2004

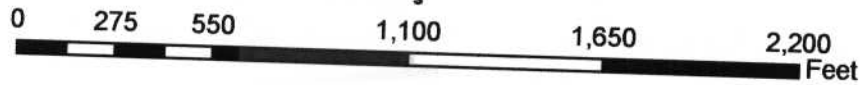
GPA 00716

Proposed General Plan



Township/Range: T7SR5W & T8SR5W

Section: 1, 2, 35, & 36

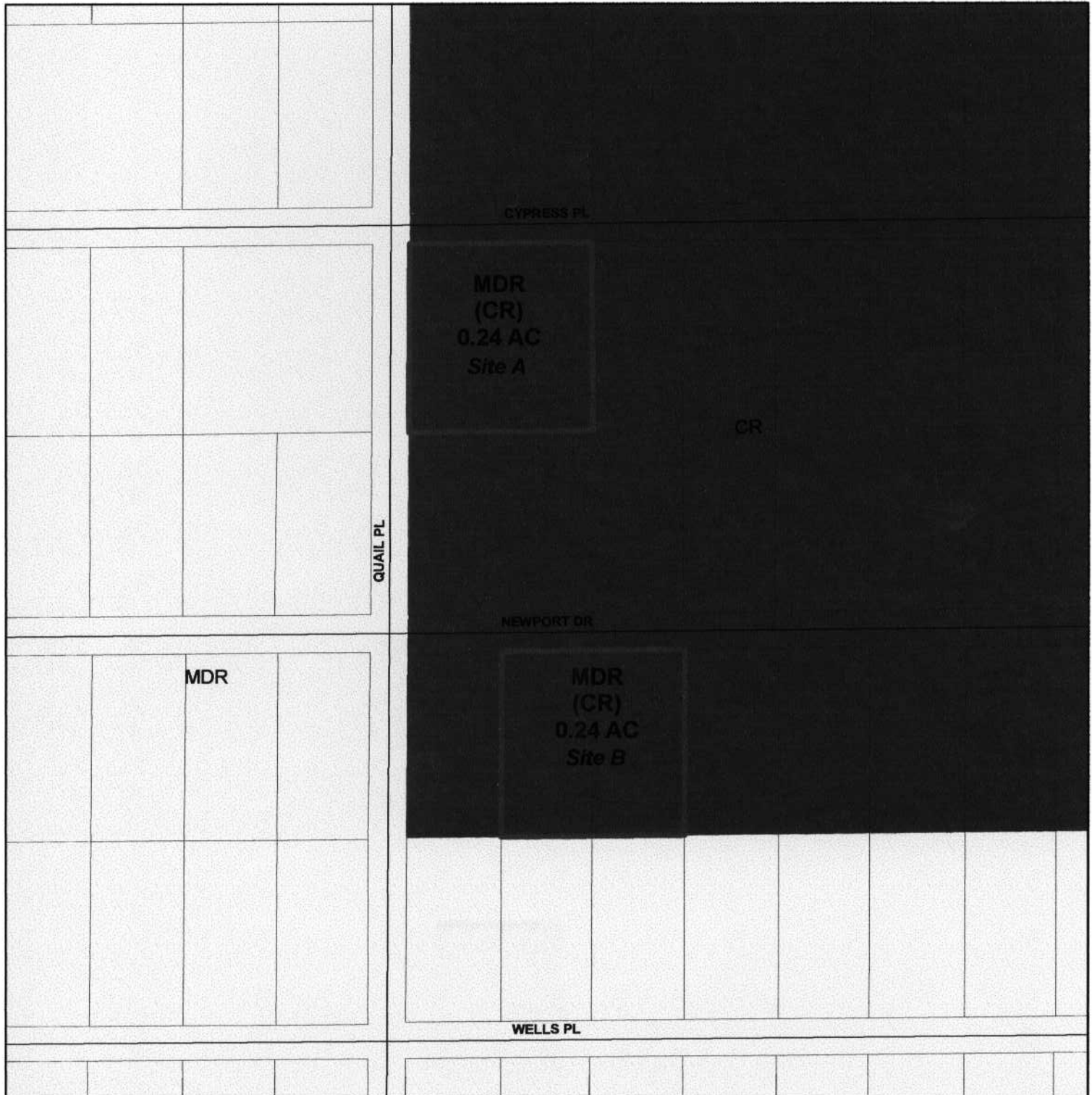


Assessors
Bk. 932
Pg. 20 & 390

Date: 9/17/2004

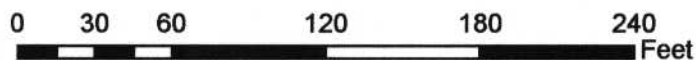
GPA 00716

Proposed General Plan



Township/Range: T5SR4W

Section: 25

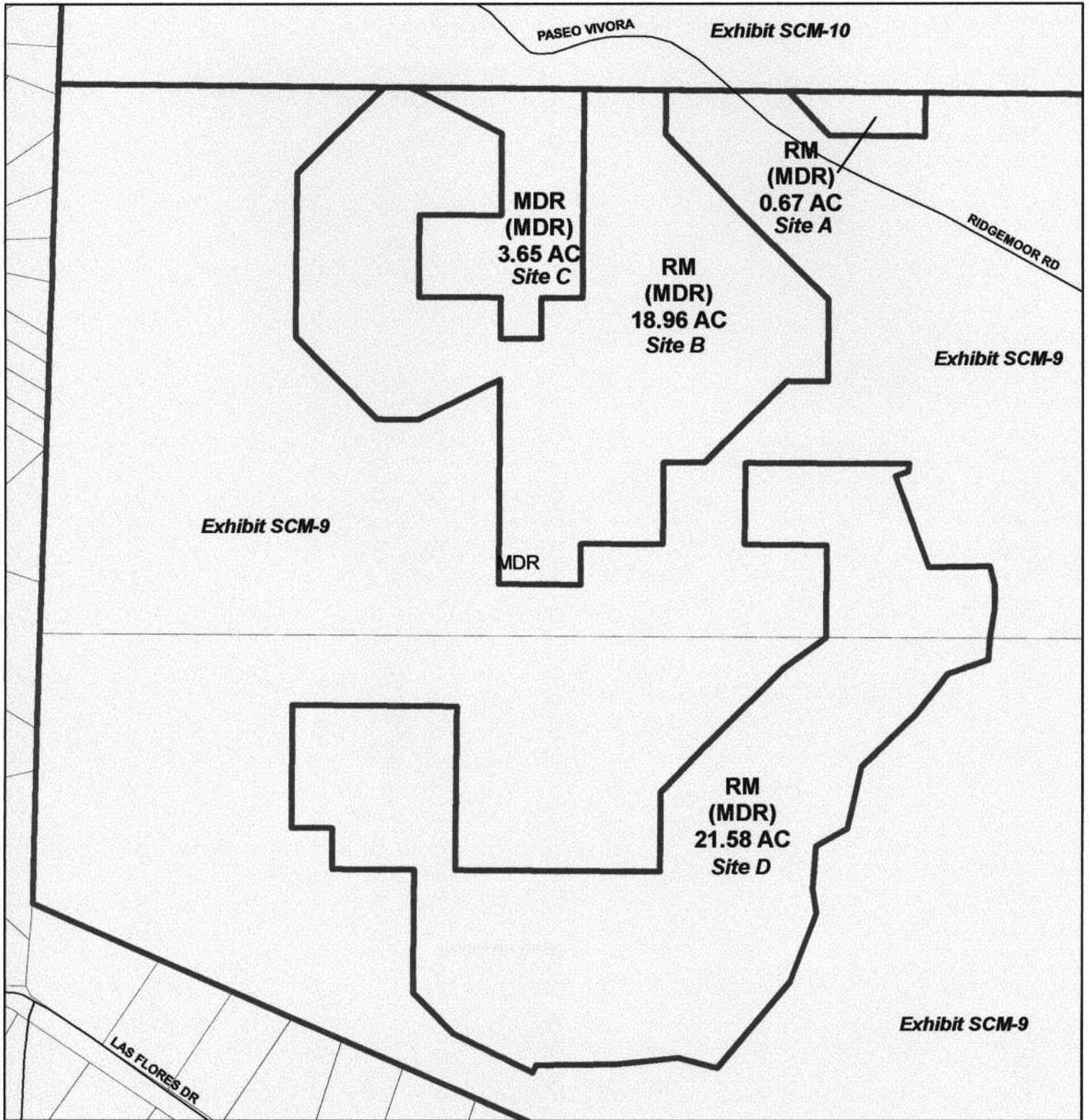


Assessors
Bk. 350
Pg. 254 & 285

Date: 9/21/2004
Revised Date: 10/25/2004

GPA 00716

Proposed General Plan



Township/Range: T5SR3W

Section: 30 & 31

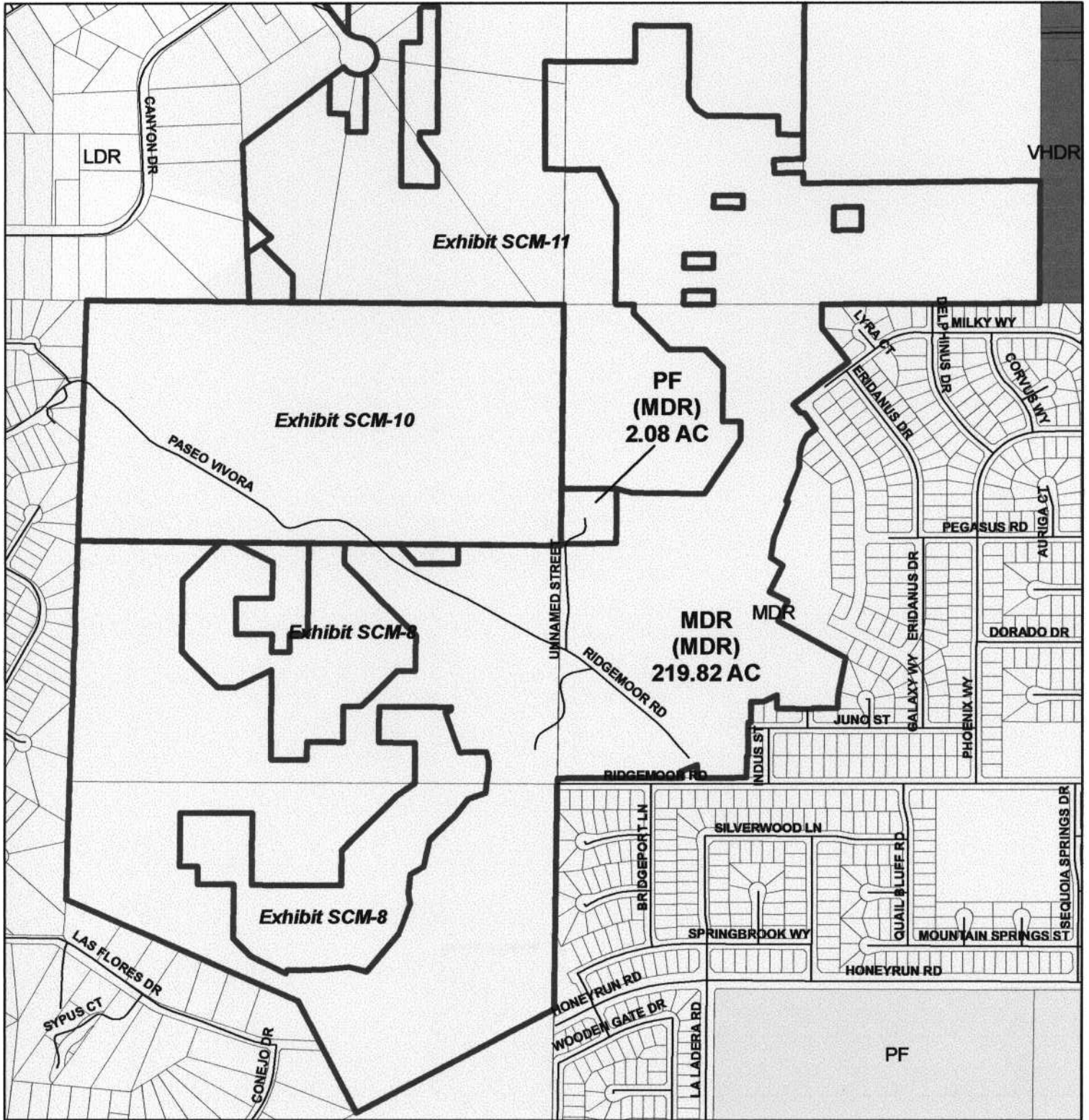


Assessors
Bk. 341
Pg. 160

Date: 9/21/2004

GPA 00716

Proposed General Plan



Township/Range: T5SR3W

Section: 29, 30 & 31

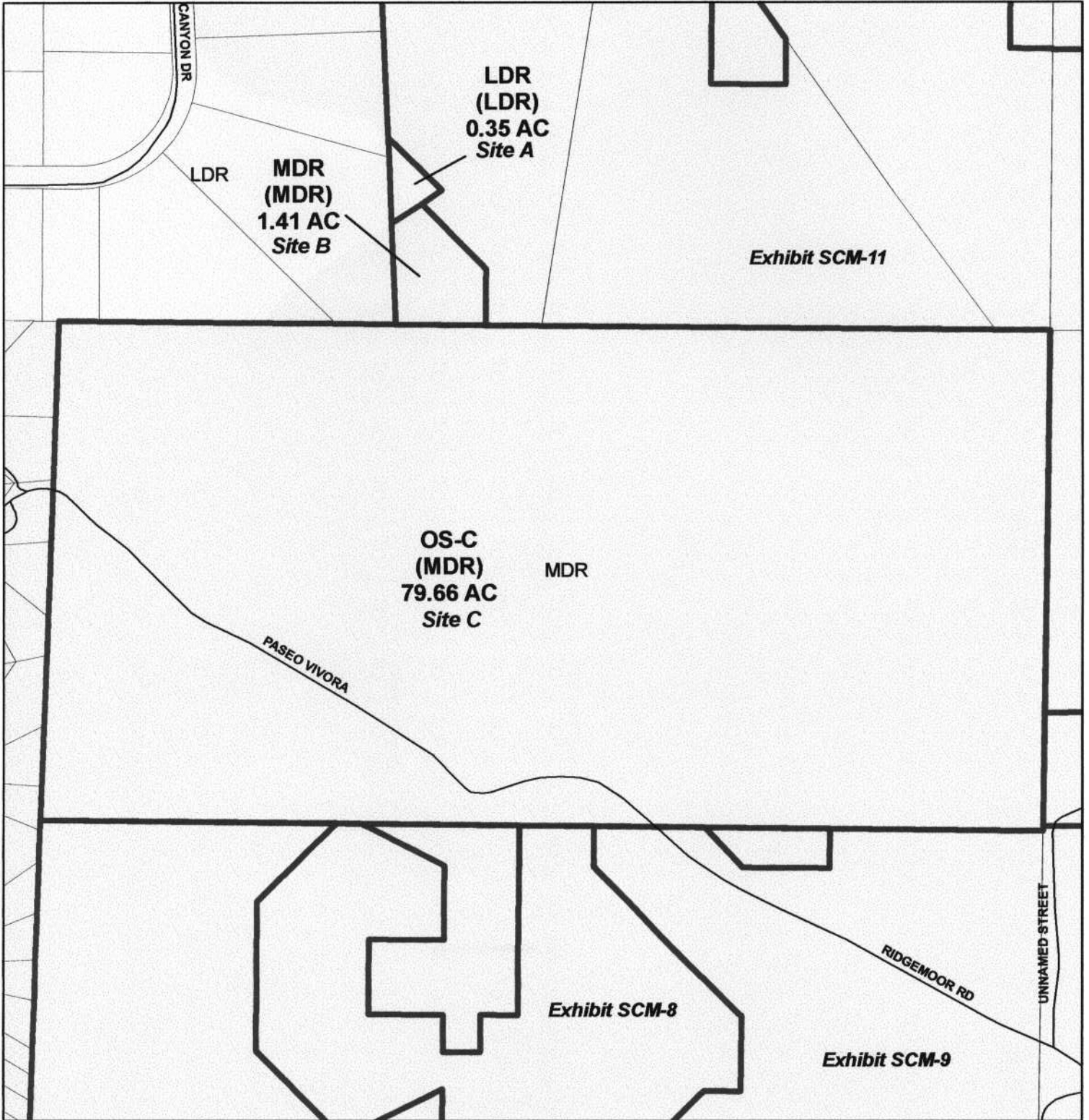


Assessors
Bk. 339 & 341
Pg. 20, 50, & 60

Date: 9/21/2004

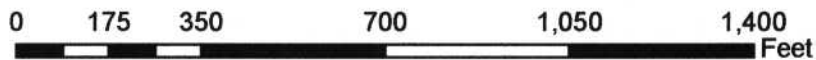
GPA 00716

Proposed General Plan



Township/Range: T5SR3W

Section: 30

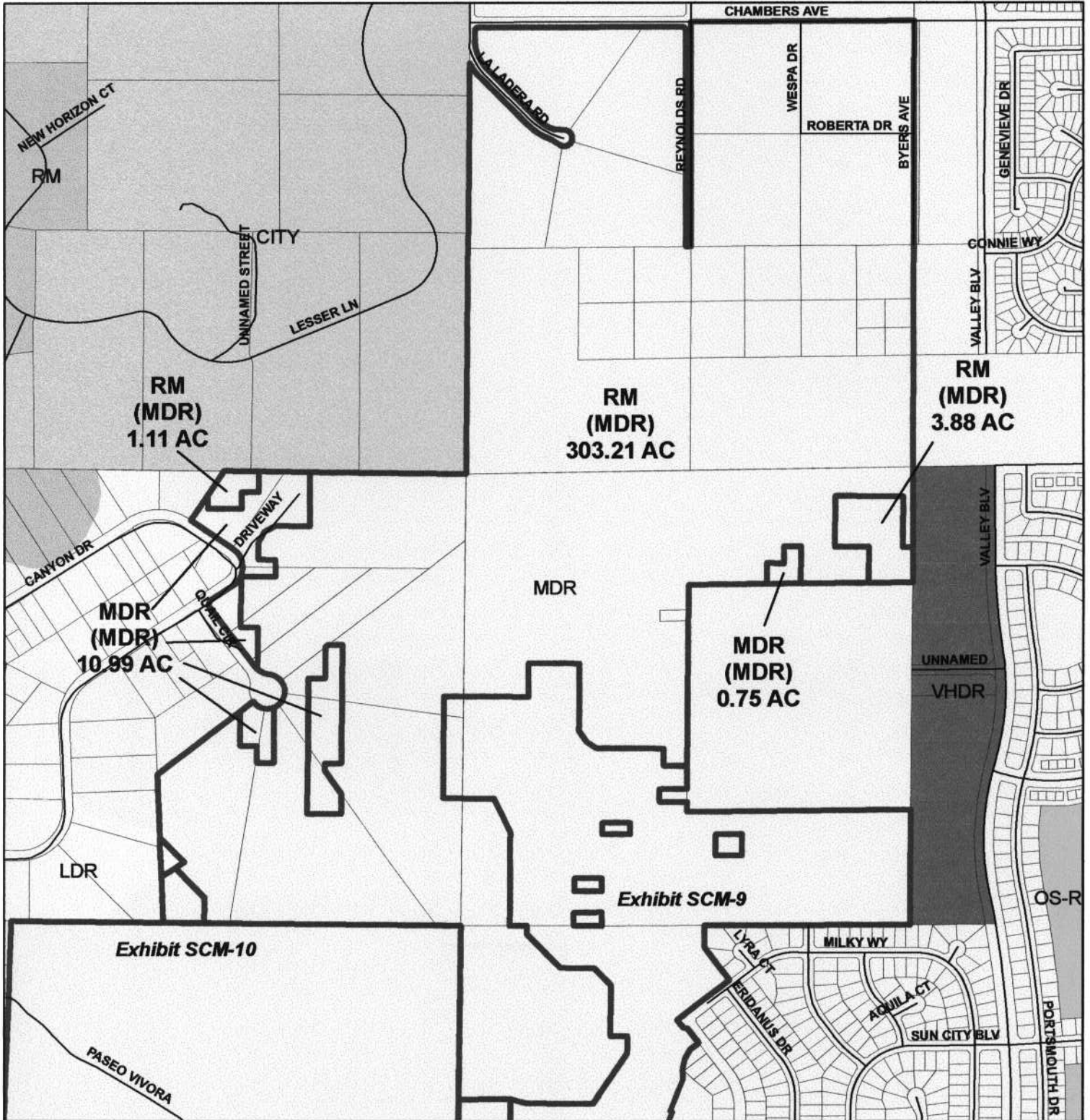


Assessors
Bk. 341
Pg. 50 & 160

Date: 9/21/2004

GPA 00716

Proposed General Plan



Township/Range: T5SR3W

Section: 20, 29, & 30



Assessors
Bk. 335, 339, & 341
Pg. 20, 30, 50, & 70

Date: 9/21/2004

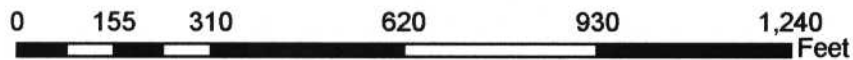
GPA 00716

Proposed General Plan



Township/Range: T5SR1E

Section: 18



Assessors
Bk. 552
Pg. 210

Date: 9/16/2004

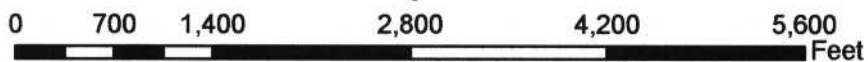
GPA 00716

Proposed General Plan



Township/Range: T8SR3E

Section: 17 & 20



Assessors
Bk. 579
Pg. 160, 400, & 410

Date: 9/15/2004

GPA 00716

Proposed General Plan



Township/Range: T8SR3E

Section: 7 & 8

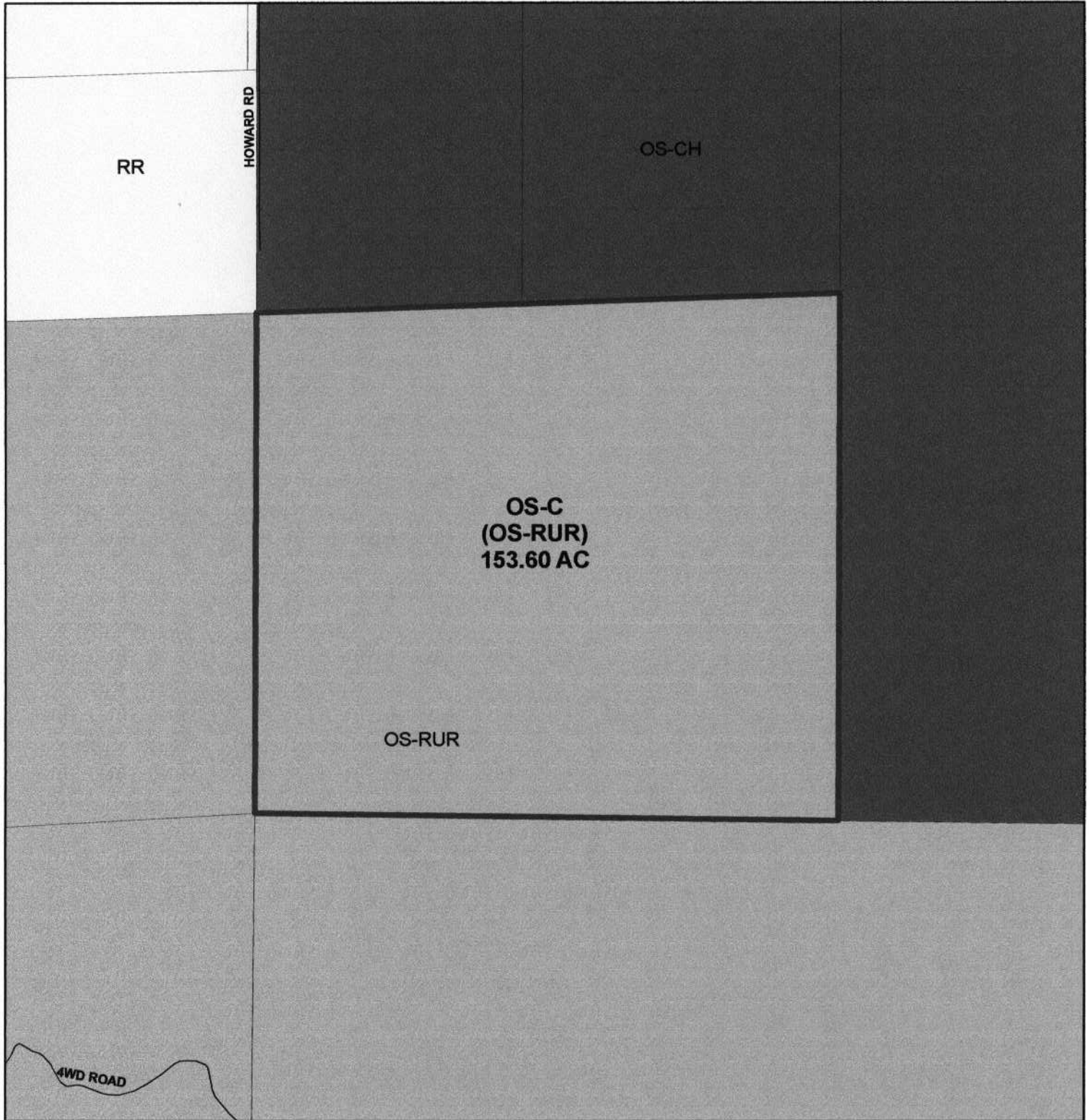


Assessors
Bk. 579
Pg. 20

Date: 9/16/2004

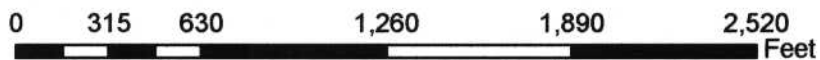
GPA 00716

Proposed General Plan



Township/Range: T8SR3E

Section: 19

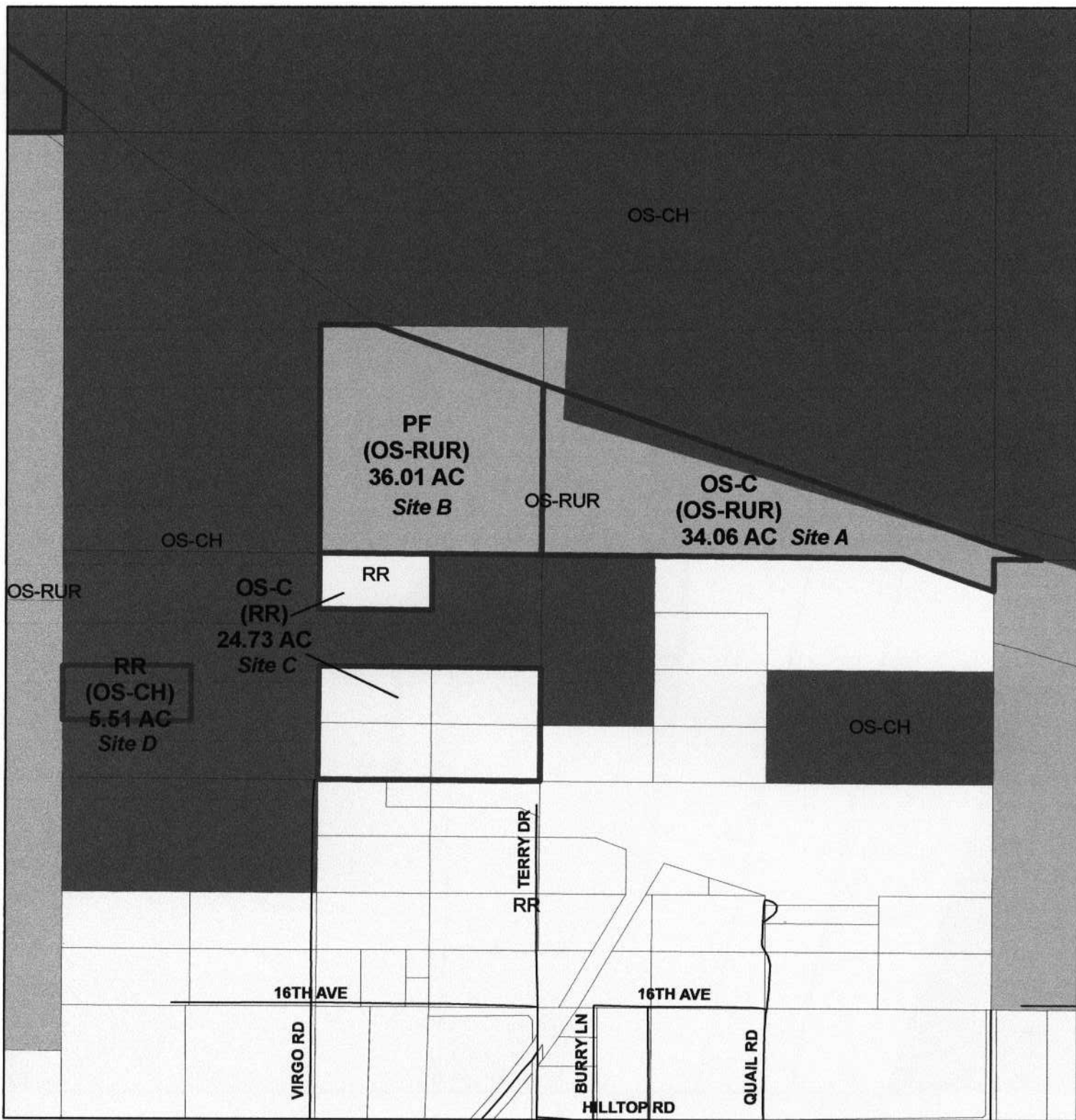


Assessors
Bk. 579
Pg. 160

Date: 9/16/2004

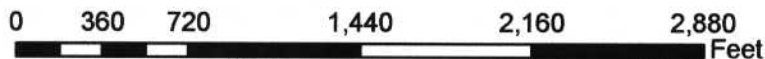
GPA 00716

Proposed General Plan



Township/Range: T3SR6E

Section: 6

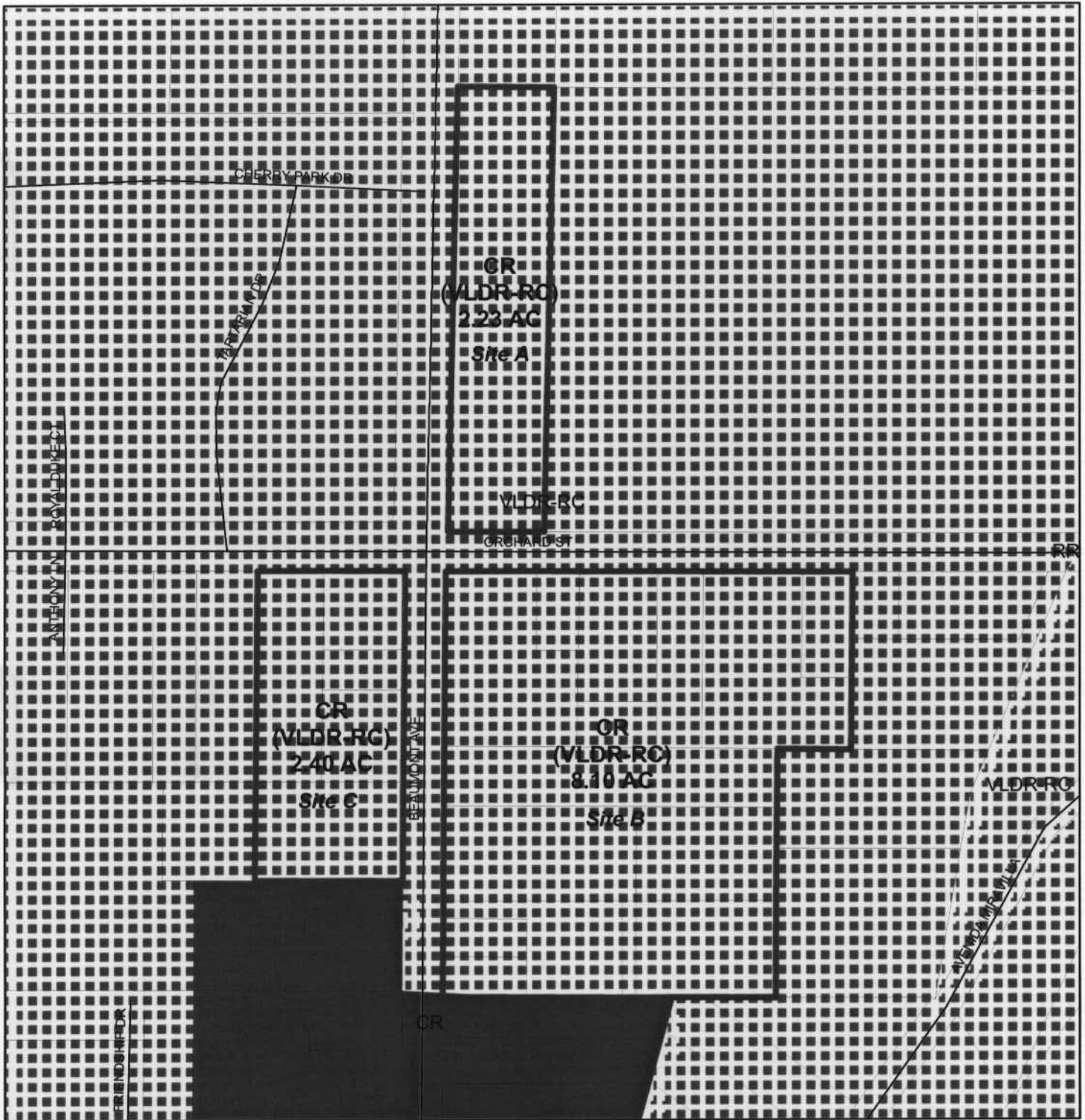


Assessors
Bk. 645
Pg. 20 & 30

Date: 9/14/2004

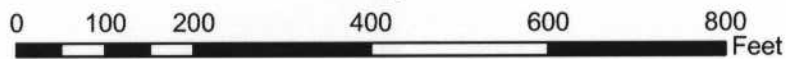
GPA 00716

Proposed General Plan



Township/Range: T2SR1W

Section: 27

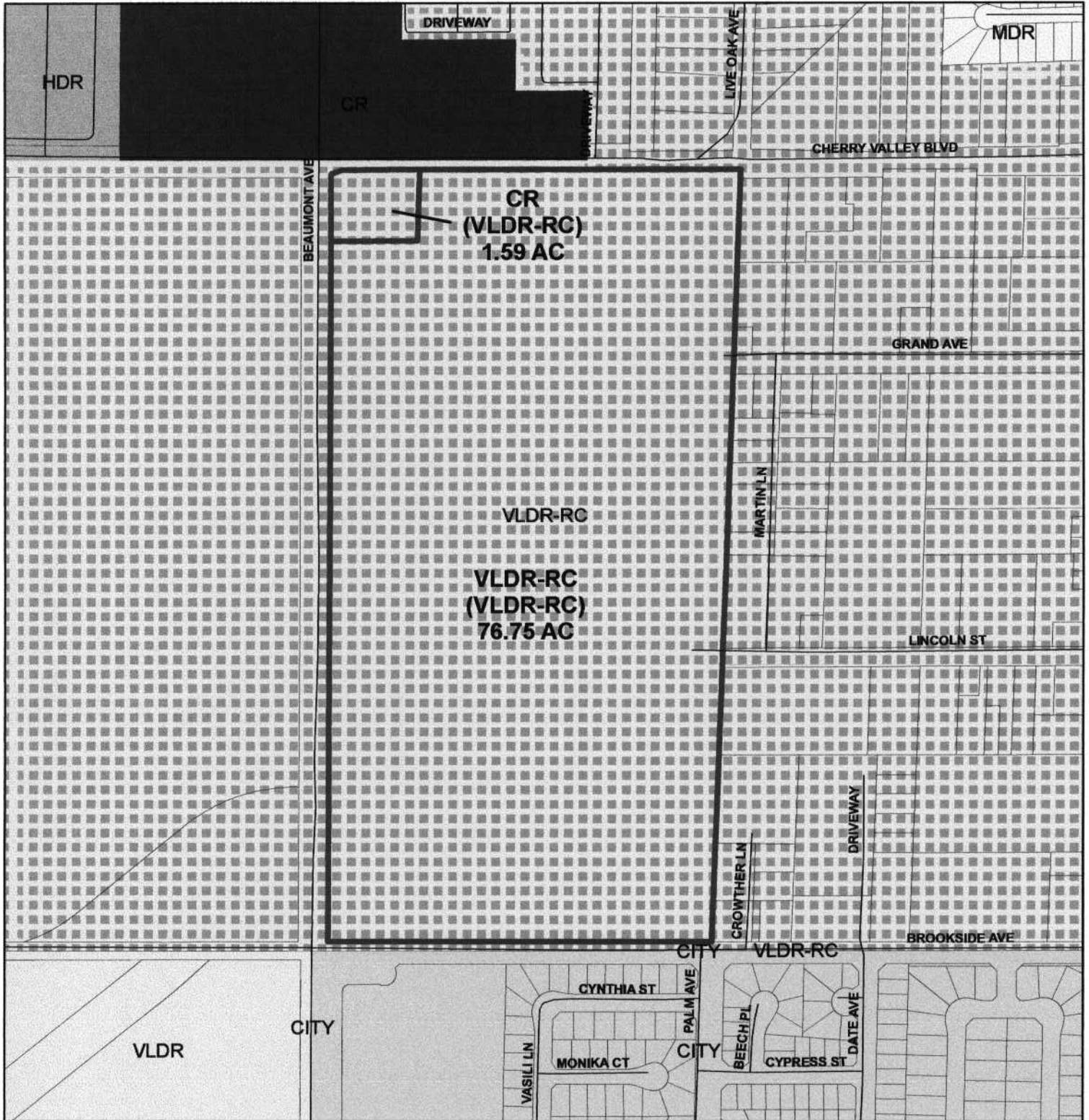


Assessors
Bk. 403 & 401
Pg. 110, 261, & 280

Date: 9/16/2004

GPA 00716

Proposed General Plan



Township/Range: T2SR1W

Section: 27

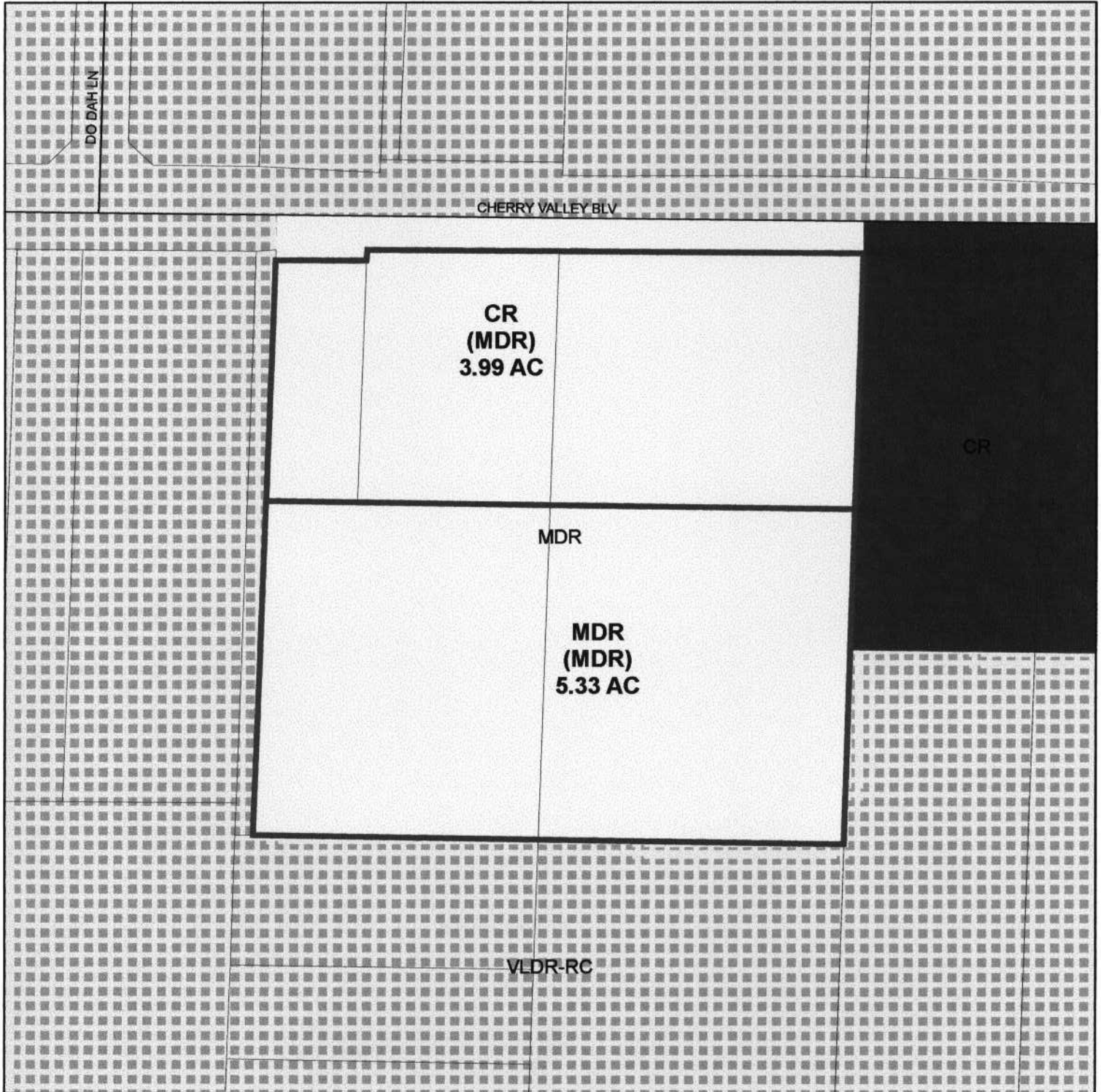


Assessors
Bk. 403
Pg. 200

Date: 9/16/2004

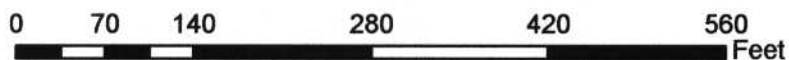
GPA 00716

Proposed General Plan



Township/Range: T2SR1W

Section: 28

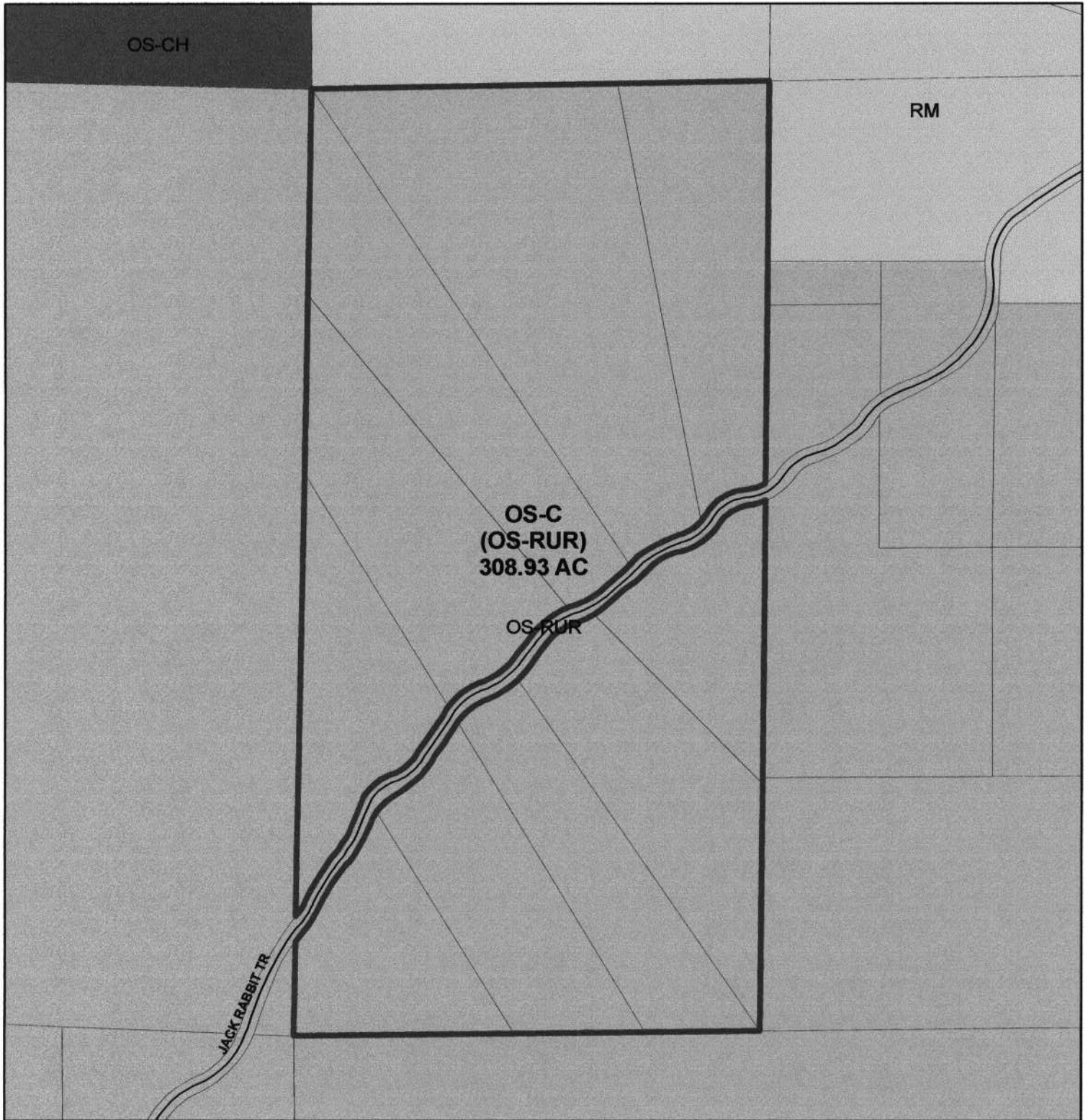


Assessors
Bk. 405
Pg. 200

Date: 9/16/2004
Revised Date: 10/27/2004

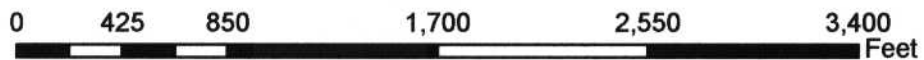
GPA 00716

Proposed General Plan



Township/Range: T3SR2W

Section: 12

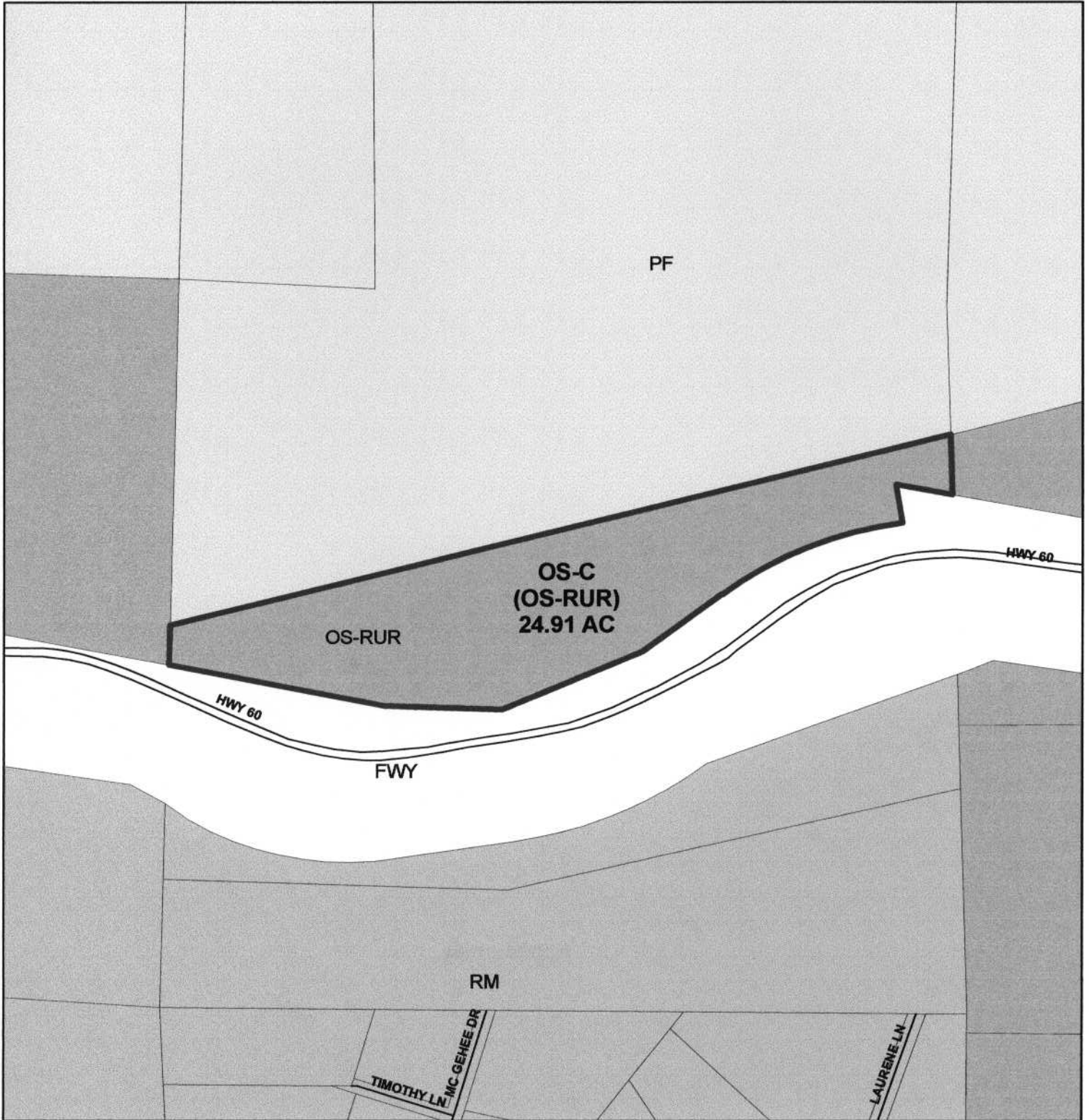


Assessors
Bk. 422
Pg. 250

Date: 9/16/2004

GPA 00716

Proposed General Plan



Township/Range: T3SR2W

Section: 5

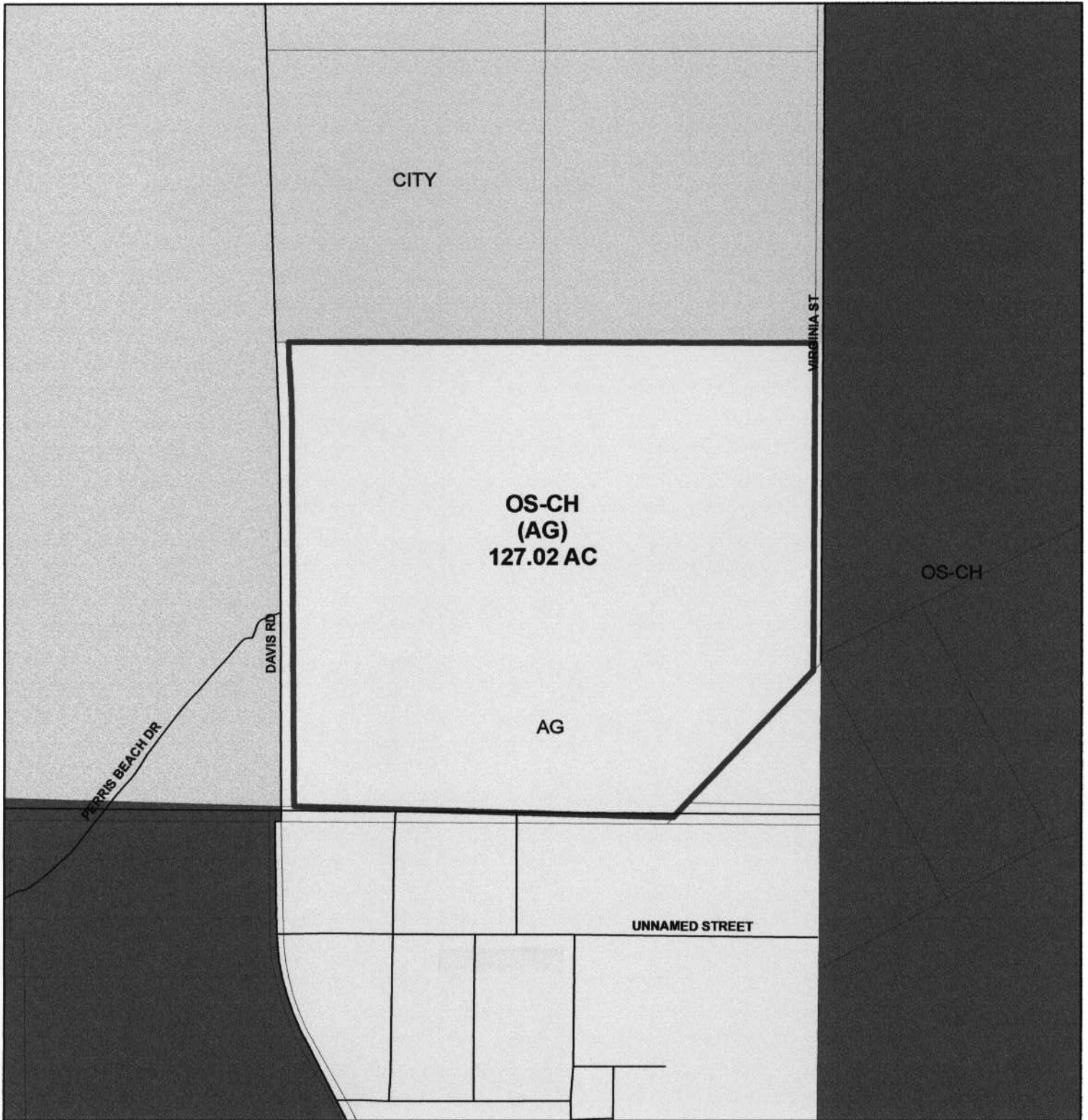


Assessors
Bk. 422
Pg. 30

Date: 9/16/2004

GPA 00716

Proposed General Plan



Township/Range: T3SR2W

Section: 19



Assessors
Bk. 423
Pg. 300

Date: 9/17/2004