

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

2093



FROM: TLMA – Planning Department

SUBMITTAL DATE:
February 22, 2010

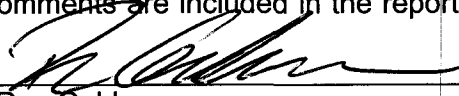
SUBJECT: GENERAL PLAN AMENDMENT NO. 978 - Foundation-Regular – Applicant: Foster Collins – Engineer/Representative: David Jeffers/David Jeffers Consulting Inc. - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) – Location: Northerly of Los Alamos Road, Southerly of Clinton Keith, westerly of Briggs Road and easterly of Liberty Road – 45.56 Gross Acres - Zoning: Rural Residential (R-R) - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural to Community Development and to amend the General Plan land use designation of the subject site from Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) to Medium Density Residential (CD:MDR) (2-5 du/ac) - APN('s)480-100-002, 480-100-003, 480-100-004, 480-100-005, 480-100-006 & 480-100-007.

RECOMMENDED MOTION:

The Planning Director recommends that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for the above referenced general plan amendment based on the attached report. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

BACKGROUND:

The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and recommendation on every GPA application and submit it to the Board of Supervisors. Prior to the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the report to the Board.


Ron Goldman
Planning Director

RG:th


(continued on attached page)

REVIEWED BY EXECUTIVE OFFICE

DATE 3/8/10 AM
Tina Grande
Departmental Concurrence

Policy
 Policy

Consent
 Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

15.3

The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Planning Commission and Board of Supervisors. The adoption of an order initiating proceedings does not imply that any amendment will be approved. If the Board of Supervisors declines to adopt an order initiating proceedings, no further proceedings on this application will occur.

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (effective May 8, 2008), which amended Article II of that ordinance.

**PLANNING COMMISSION
MINUTE ORDER FEBRUARY 3, 2010
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

I. AGENDA ITEM 7.5: GENERAL PLAN AMENDMENT NO. 978 - Foundation / Regular - Applicant: Foster Collins - Engineer/Representative: David Jeffers/David Jeffers Consulting Inc. - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural: Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) - Location: Northerly of Los Alamos Road, Southerly of Clinton Keith, westerly of Briggs Road and easterly of Liberty Road - 45.56 Gross Acres - Zoning: Rural Residential (R-R)

II. PROJECT DESCRIPTION

This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural to Community Development and to amend the General Plan land use designation of the subject site from Rural Residential (RUR:RR) (5 Acre Minimum Lot Size) to Medium Density Residential (CD:MDR) (2-5 Dwelling Units per Acre).

III. MEETING SUMMARY

The following staff presented the subject proposal:

Project Planner: Tamara Harrison, Ph: (951) 955-9721 or E-mail tharriso@rctlma.org

The following spoke in favor of the subject proposal:

Dave Jeffers, Applicant's Representative

No one spoke in a neutral position or in opposition of the subject proposal.

IV. CONTROVERSIAL ISSUES

NONE

V. PLANNING COMMISSION ACTION

The Planning Commission, recommended to the Board of Supervisors;

TO DECLINE TO INITIATE the GENERAL PLAN AMENDMENT

VI. CD

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at cgriffin@rctlma.org.

Agenda Item No.: 7.5
Area Plan: Southwest
Zoning District: Rancho California
Supervisorial District: Third
Project Planner: Tamara Harrison
Planning Commission: February 3, 2010

General Plan Amendment No. 978
Applicant: Foster Collins
Engineer/Representative: David Jeffers

COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS

RECOMMENDATIONS:

The Planning Director recommended that the Board of Supervisors tentatively decline to adopt an order initiating proceedings for GPA00978 from Rural: Rural Residential to Community Development: Medium Density Residential and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board tentatively decline to adopt an order initiating proceedings for the general plan amendment. For additional information regarding this case, see the attached Planning Department Staff Report(s).

PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:

The following comment(s) were provided by the Planning Commission to the Planning Director:

Commissioner John Roth: Commissioner Roth stated that this proposal made more sense than some of the others he has seen through the General Plan Initiation of Proceedings process. He also commented that he would include the parcels directly north of the subject site that are currently designated Rural: Rural Residential (APN's: 480-100-001, 480-110-036 and 480-100-037) as shown on Exhibit "A," attached to this report.

Commissioner John Snell: No Comments

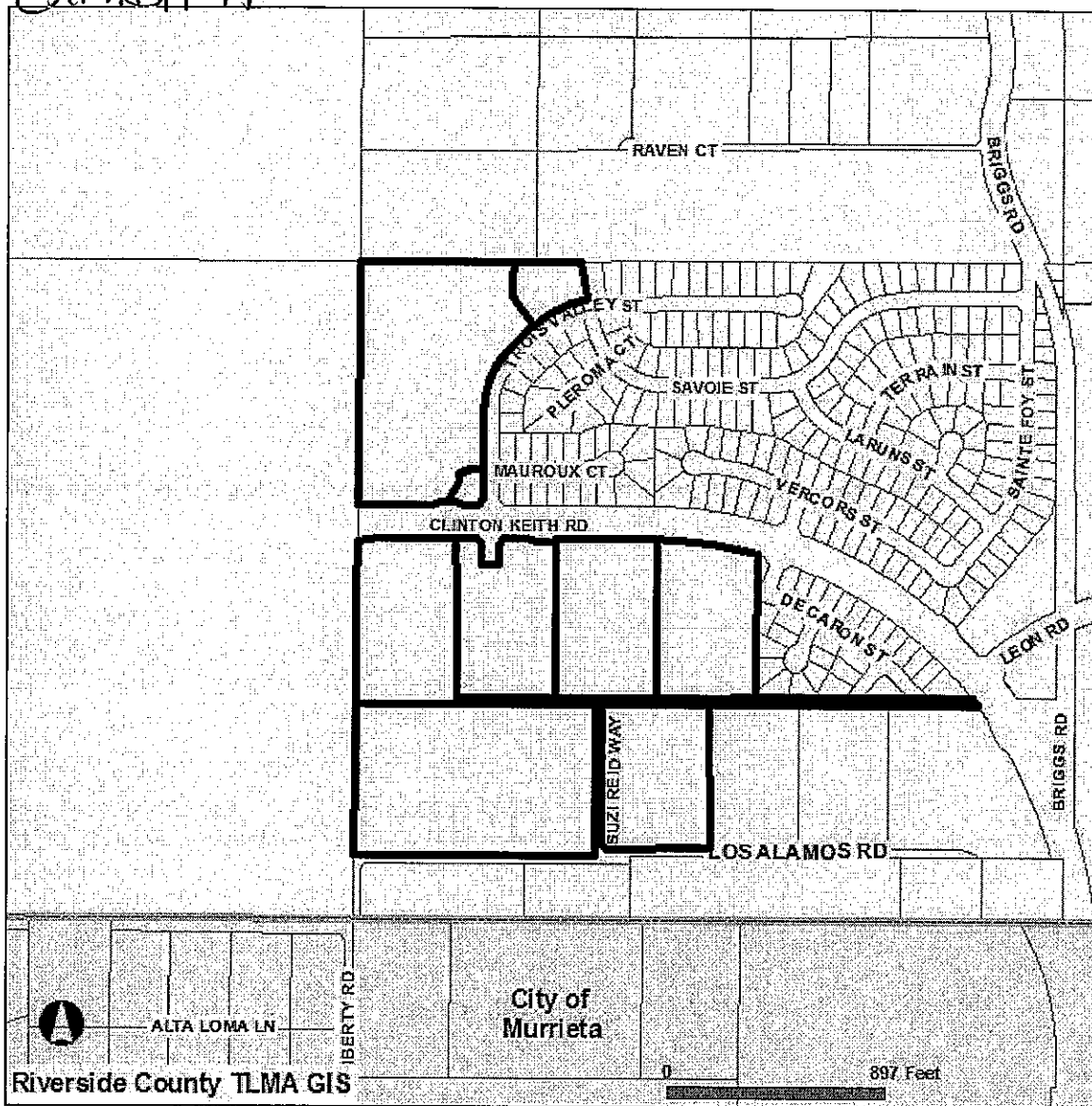
Commissioner John Petty: Commissioner Petty wanted to make it clear that individual Commissioners are making comments on the cases, not the entire Commission. He stated that staff is correct in reporting that the proposal may create some inconsistency amongst the elements of the General Plan based on MSHCP issues but that the HANS process should determine that. In response to issues with the proposal being inconsistent with the "French Valley Airport Compatibility Plan," Commissioner Petty stated that the compatibility plan's Option 1 vs. Option 2 is logically inconsistent. He also stated that the Board of Supervisors as well as the Commissioners can overrule the Airport Land Use Commission if necessary and that the applicant should be allowed to go through the process in order to determine if the proposal will in fact be inconsistent with the airport plan.

Commissioner Jim Porras: No Comments

Commissioner Jan Zuppardo: No Comments

Exhibit A

RIVERSIDE COUNTY GIS



Riverside County TLMA GIS

Selected parcel(s):

480-100-001 480-100-004 480-100-005 480-100-006 480-100-007 480-100-076 480-100-078
 480-110-036 480-110-037

LEGEND

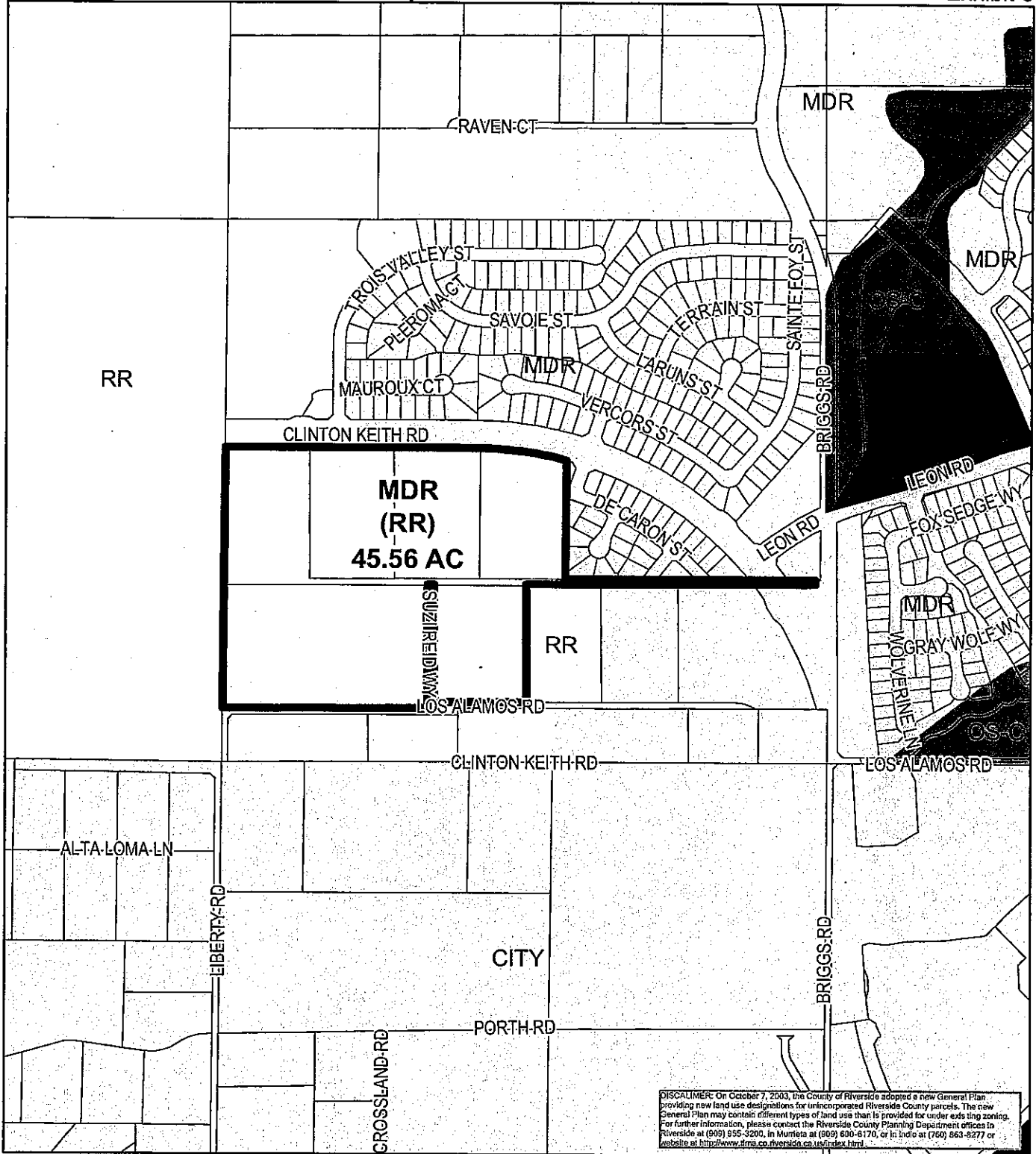
- SELECTED PARCEL
- CITY
- INTERSTATES
- HIGHWAYS
- PARCELS

IMPORTANT

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REPORT PRINTED ON...Wed Feb 17 11:59:28 2010

Proposed General Plan



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200, in Murietta at (909) 600-6170, or in Indio at (760) 863-8277 or website at <http://www.rtrm.ca.riverside.ca.us/index.html>

RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 31

Assessors
Bk.Pg. 480-10
Thomas
Bros. Pg. 899 A7



Agenda Item No.: 7.5
Area Plan: Southwest
Zoning Area: Rancho California
Supervisory District: Third
Project Planner: Tamara Harrison
Planning Commission: February 3, 2010

General Plan Amendment No. 978
Applicant: Foster Collins
Engineer/Representative: David Jeffers

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The applicant proposes to amend the General Plan Foundation Component and land use designation from "Rural: Rural Residential" (RUR:RR) (5 acre minimum lot size) to "Community Development: Medium Density Residential" (CD:MDR) (2-5 du/ac) for approximately 45.56 acre site. The project is located northerly of Los Alamos Road, southerly of Clinton Keith Road, westerly of Briggs Road, and easterly of Liberty Road.

ISSUES OF POTENTIAL CONCERN:

The subject site is located in the "French Valley" community within the "Southwest Area Plan" and is also located within the City of Murrieta's Sphere of Influence. The proposed site is comprised of 6 parcels. Rural Residential can be found to the north and west of the site and Medium Density Residential can be found to the north and the east of the site. The City of Murrieta lies south of the subject site across Clinton Keith/ Los Alamos Road.

Tract Map No. 29484 (TR29484) lies directly north and east of the subject site and approved 242 single-family residential lots in 2001 prior to the adoption of the General Plan in 2003. Tract Map No. 30433 (TR30433) also lies to the north of the site and approved 502 single-family residential units with 6,000 and 7,200 square foot minimum lot sizes in 2005 and is located north of the subject site. Tract Map No. 30695 and Tract Map No. 30696 were both approved in 2004 and combined, will add approximately 545 single-family residential units to the area. TR30695 and TR30696 are both located to the east of the subject site across Briggs Road within Specific Plan No. 312, "French Valley."

General Plan Amendment No. 931 (GPA00931) which lies north of the subject site went before the Planning Commission as a Foundation Amendment for comments on December 2, 2009. The Planning Director recommended that the case be tentatively declined for initiation and the Planning Commission recommended that the case be initiated. GPA00931 has not been before the Board of Supervisors at the time of this writing. General Plan Amendment No. 928 (GPA00928) is located to the north of the subject site and is proposing a Foundation Amendment from Rural: Rural Residential to Community Development as well. GPA00928 has not been before the Planning Commission or the Board of Supervisors at this time.

The site has been identified as being a part of Cell Group "Z", a six cell group, under the County's "Multiple Species Habitat Conservation Plan (MSHCP)." Conservation within Cell Group "Z" will contribute to the assembly of "Proposed Core 2" and will range from 75%-85% conservation focusing in the western portion of the Cell Group according to the plan. The subject site is located within the southeastern portion of the Cell Group. Much of the surrounding area falls within various Criteria Cells and have been identified for conservation. The site will also be required to conform to additional plan wide requirements of the MSHCP such as Riparian/Riverine Policies, Specific Species Surveys, Urban/Wildlands Interface Guidelines (UWIG) and Narrow Endemic Plant Species Policies and

Determination of Biologically Equivalent or Superior Preservation Analysis (DBESP) as applicable. Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan.

The subject site also falls within zone "D" of the "French Valley Airport" influence area. According to the Riverside County Airport Land Use Commission's Basic Compatibility Criteria for local airports, two options are provided for residential densities in *Compatibility Zone D*. The choice between these two options is at the discretion of the local land use jurisdiction. Option (1) has a density limit of 0.2 dwelling units per acre (i.e., an average parcel size of at least 5.0 gross acres). This is the density now allowed by the existing Rural Residential land use designation and this density is consistent with Option 1. Option (2) requires that the density be **greater than** 5.0 dwelling units per acre (i.e., an average parcel size **less than** 0.2 gross acres). The requested general plan amendment is inconsistent with the Option (2) compatibility criteria. The site is located outside of the noise contours established around the runway. The proposed amendment will create an incompatibility between the County General Plan and the Airport Land Use Compatibility Plan for French Valley Airport. To adopt such a change would require the County to overrule the Airport Land Use Commission's compatibility plan. Any proposed change to the land use designation on this property will have to be reviewed by the Riverside County Airport Land Use Commission.

The current proposal is inconsistent with the General Plan's Highway 79 Policy Area. The policy area requires that residential development be proposed at 9% below the mid-point of the existing designation due to transportation infrastructure and capacity deficiencies. The policy did not include provisions to increase potential densities within the policy area as proposed by this amendment. A workshop was held at the regular Planning Commission meeting on September 30, 2009 in order to discuss the Highway 79 Policy area and the regular Foundation General Plan Amendments that fall within the policy area. As a result of the workshop, the Planning Commission recommended that those Foundation General Plan Amendments within the policy area be brought forward on a case by case basis in order to determine the appropriateness of each proposal and that the Highway 79 policies be reviewed during the General Plan update for potential amendments.

RECOMMENDATION:

The Planning Director's recommendation is to **tentatively decline** to adopt an order initiating proceedings for General Plan Amendment No. 978 from Rural: Rural Residential to Community Development: Medium Density Residential. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

INFORMATIONAL ITEMS:

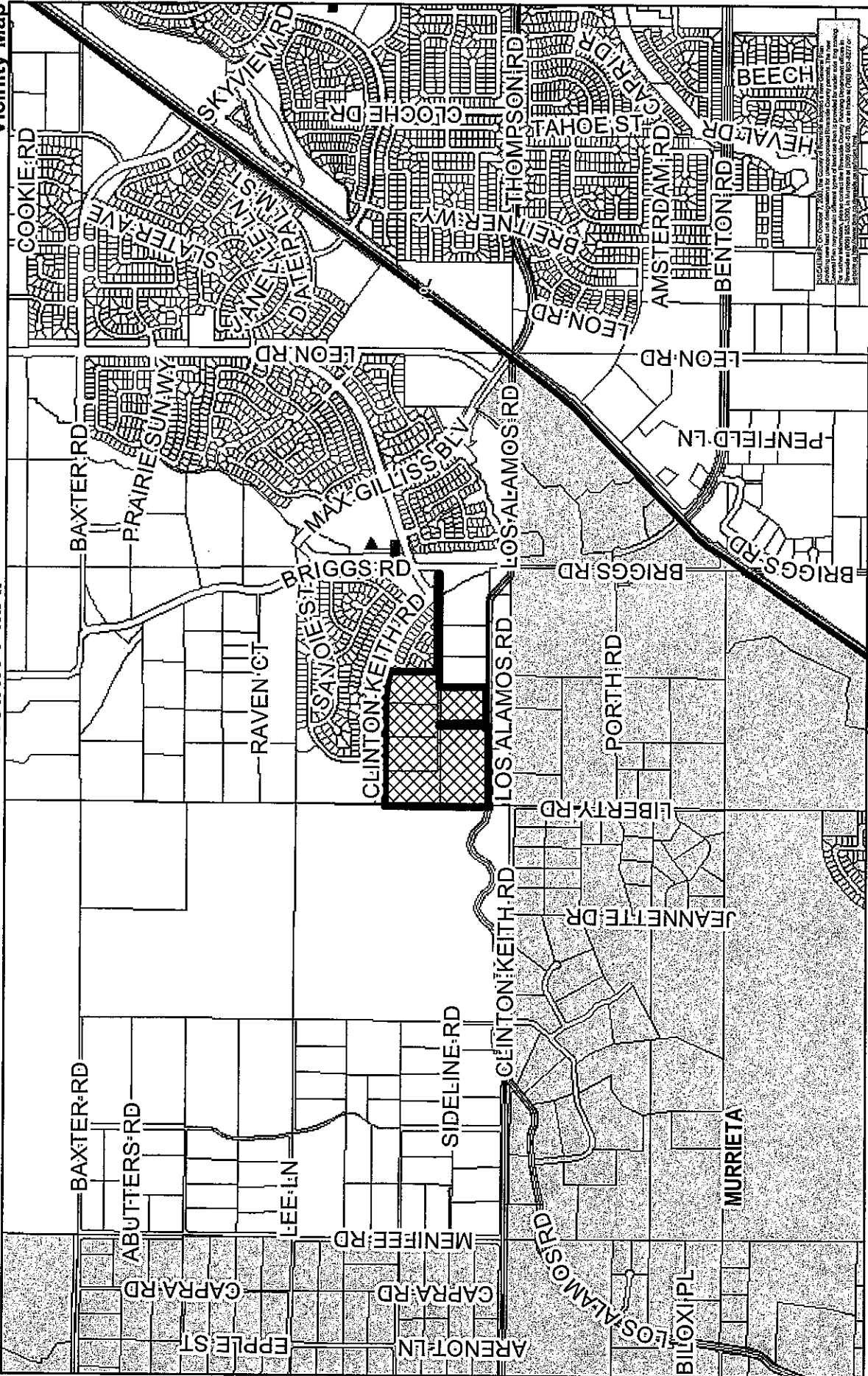
1. This project was filed with the Planning Department on February 14, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$3565.17.
3. The project site is currently designated as Assessor's Parcel Number: 480-100-002, 480-100-003, 480-100-004, 480-100-005, 480-100-006 and 480-100-007.

Supervisor Stone
District 3

Date Drawn: 3/24/08

GPA00978 VICINITY MAP

Planner: Amy Aldana
Date: 3/13/08
Vicinity Map



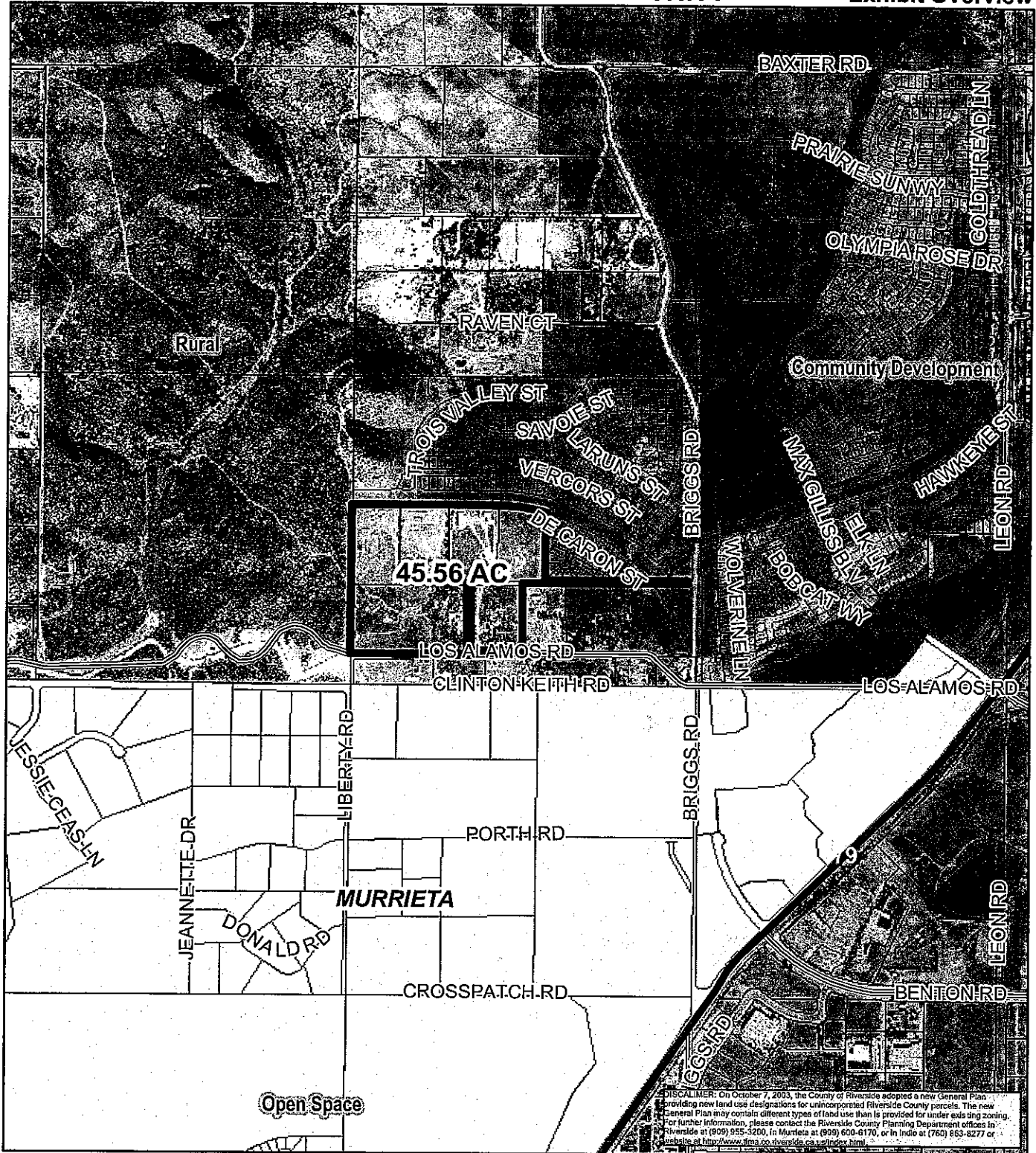
Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 31

RIVERSIDE COUNTY PLANNING DEPARTMENT

Assessors
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Thomas
11,700 Bros. Pg. 899 A7

Feet

DEVELOPMENT OPPORTUNITY



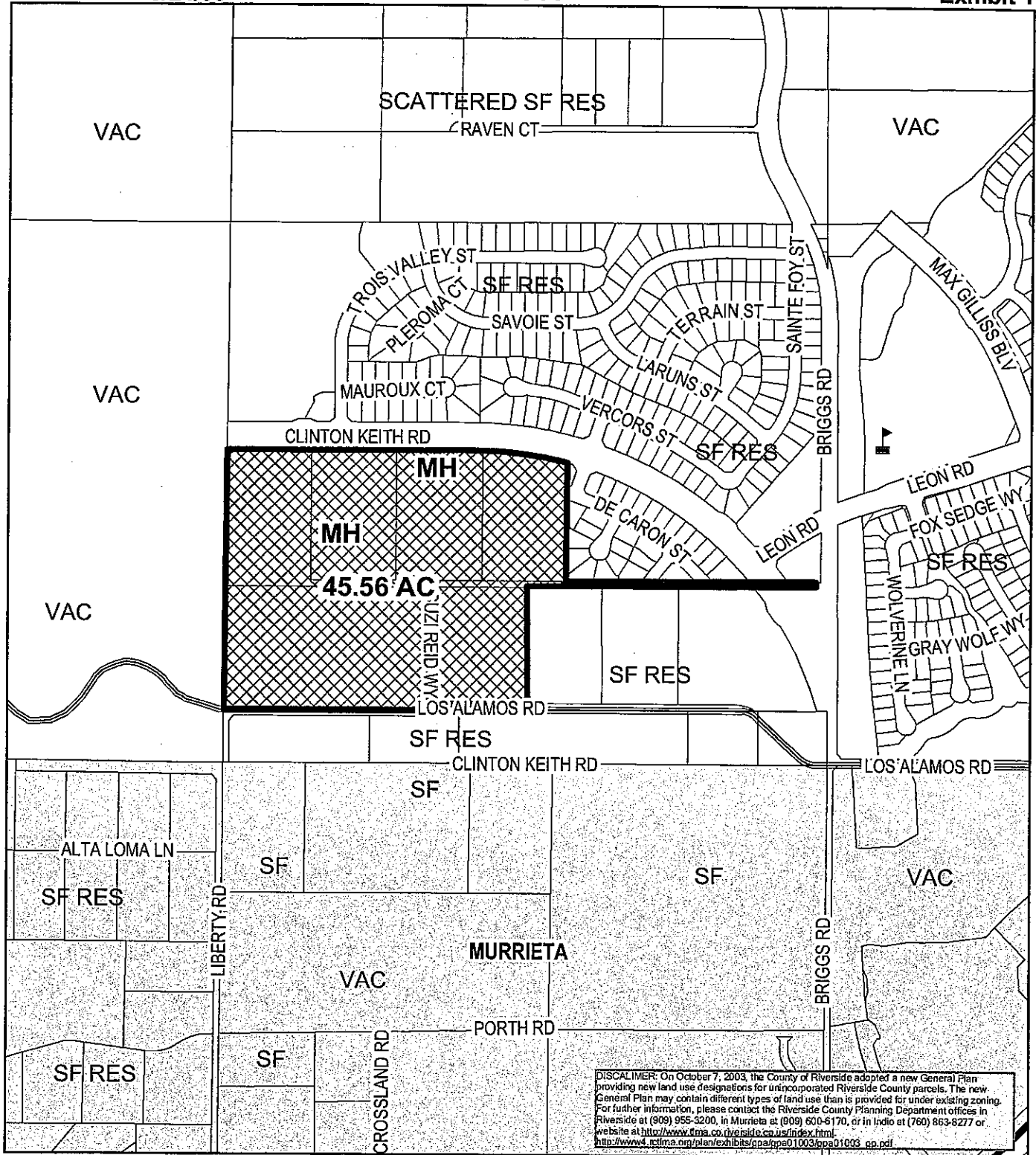
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RIVERSIDE COUNTY PLANNING DEPARTMENT

Area
 Plan: Rancho California
 Township/Range: T6SR2W
 Section: 31



Assessors
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 Thomas
 Bros. Pg. 899 A7



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http://www4.rcta.org/plan/exhibits/gpa/gpa01003/gpa01003_cp.pdf

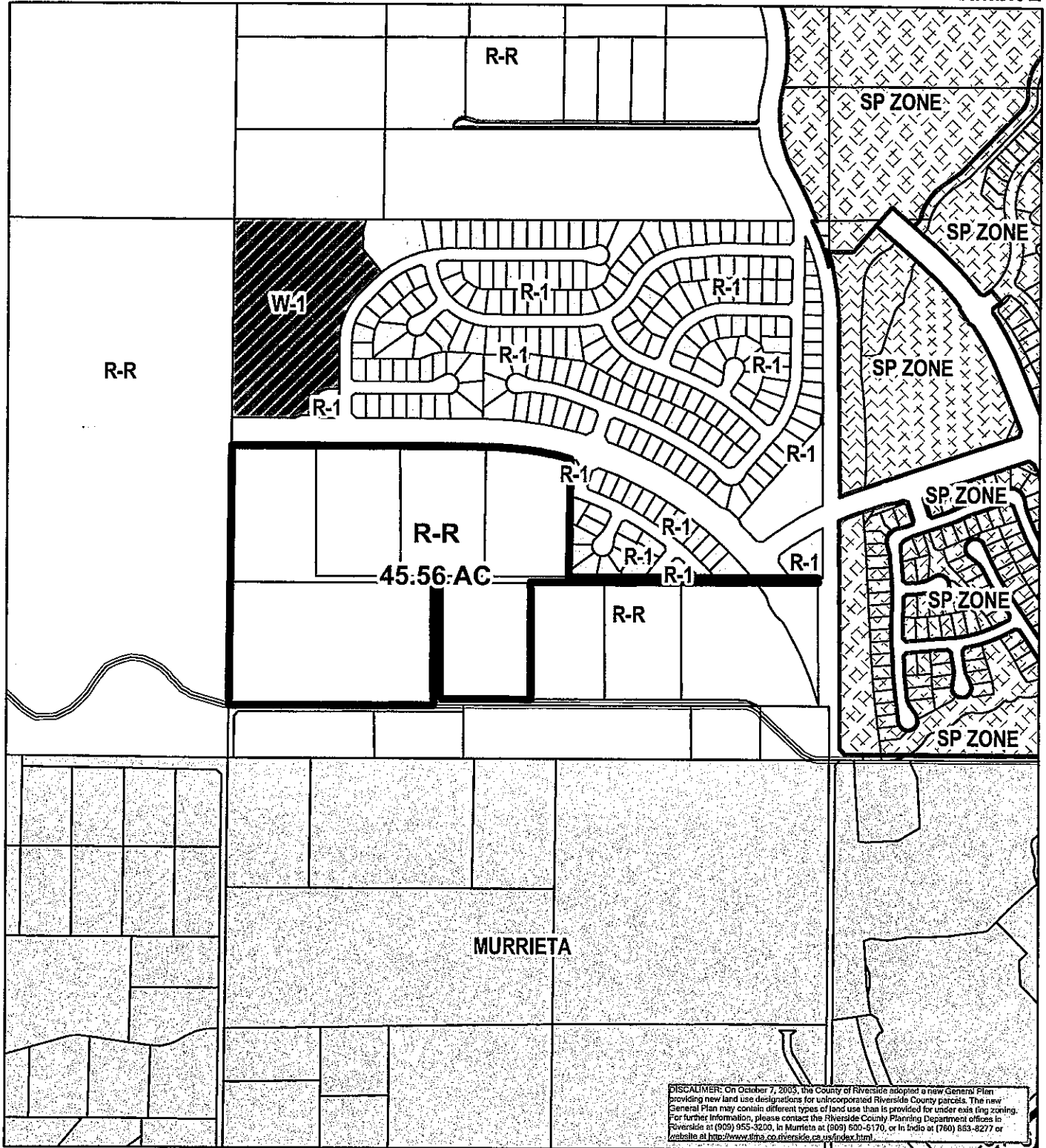
RIVERSIDE COUNTY PLANNING DEPARTMENT

Zone
Area: Rancho California
Township/Range: T6SR2W
Section : 31



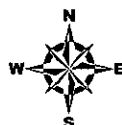
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Bros. Pg. 899 A7





Zone
Area: Rancho California
Township/Range: T6SR2W
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RIVERSIDE COUNTY PLANNING DEPARTMENT

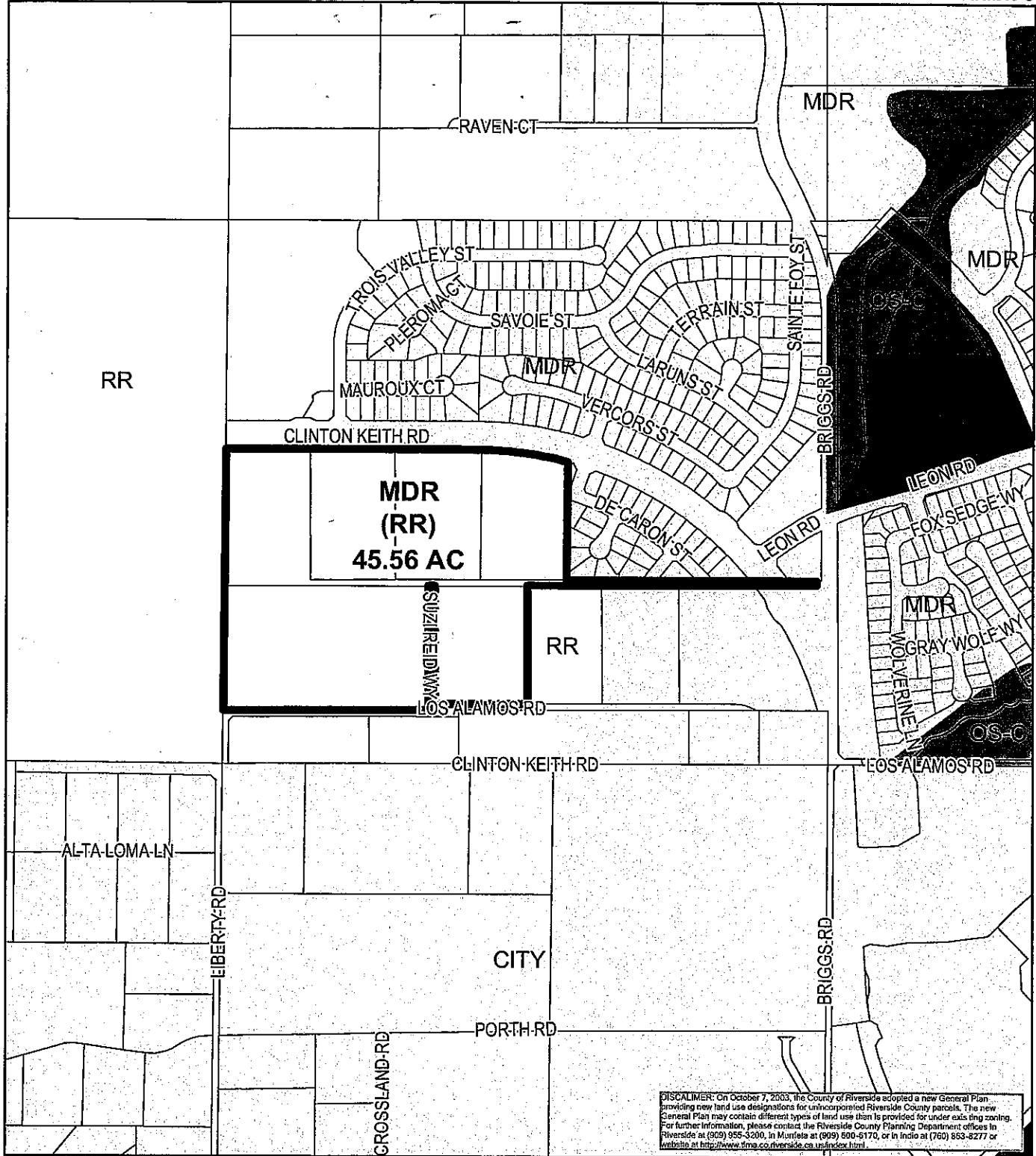


Assessors
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Bros. Pg. 899 A7



GPA00978

Proposed General Plan



Zone
Area: Rancho California
Township/Range: T6SR2W
Section: 31

RIVERSIDE COUNTY PLANNING DEPARTMENT

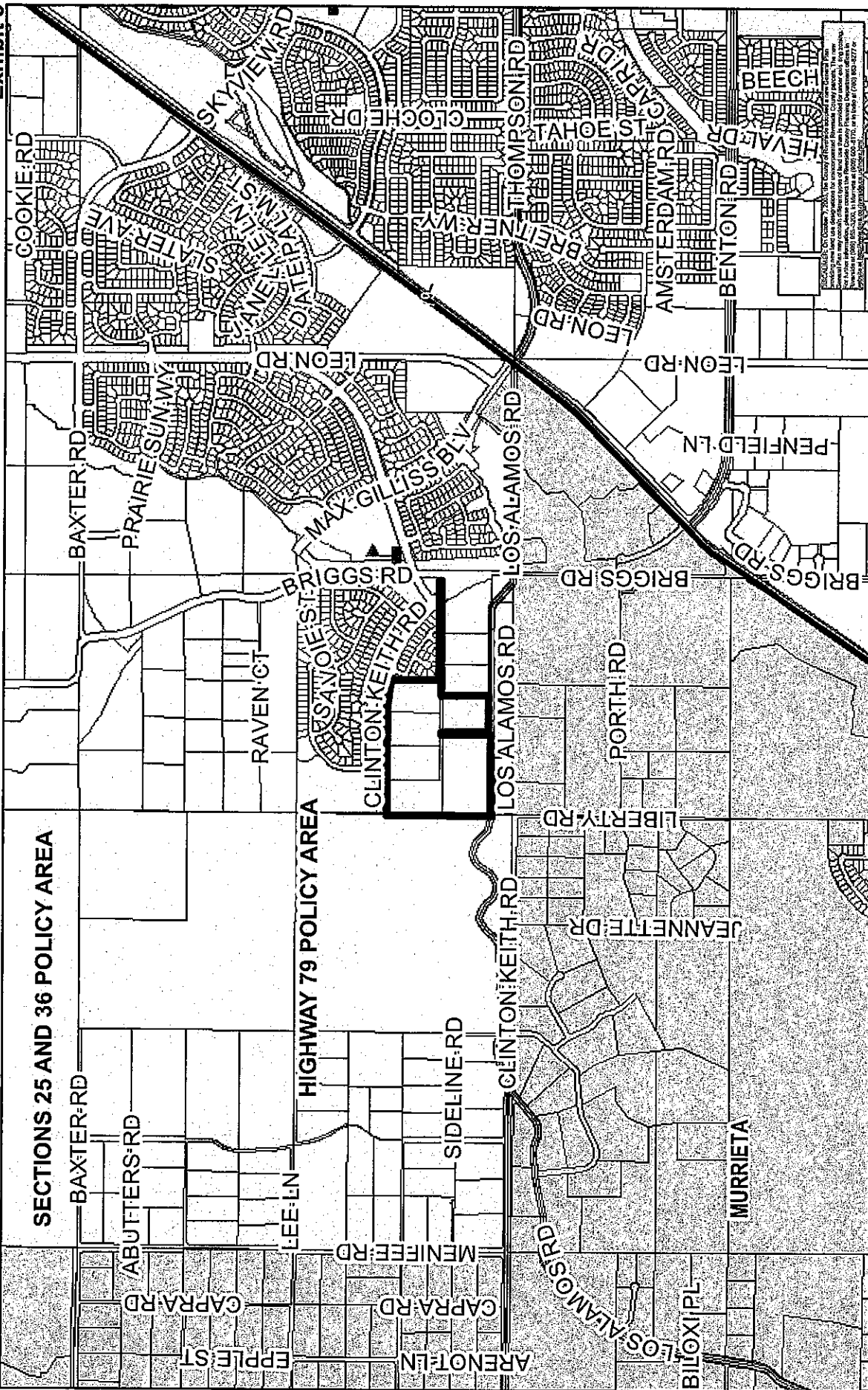
Assessors
Bk.Pg. 480-10
Thomas
Bros. Pg. 899 A7



Supervisor Stone
District 3
Date Drawn: 3/24/08

GPA00978 POLICY AREAS

Planner: Amy Aldana
Date: 3/13/08
Exhibit 8

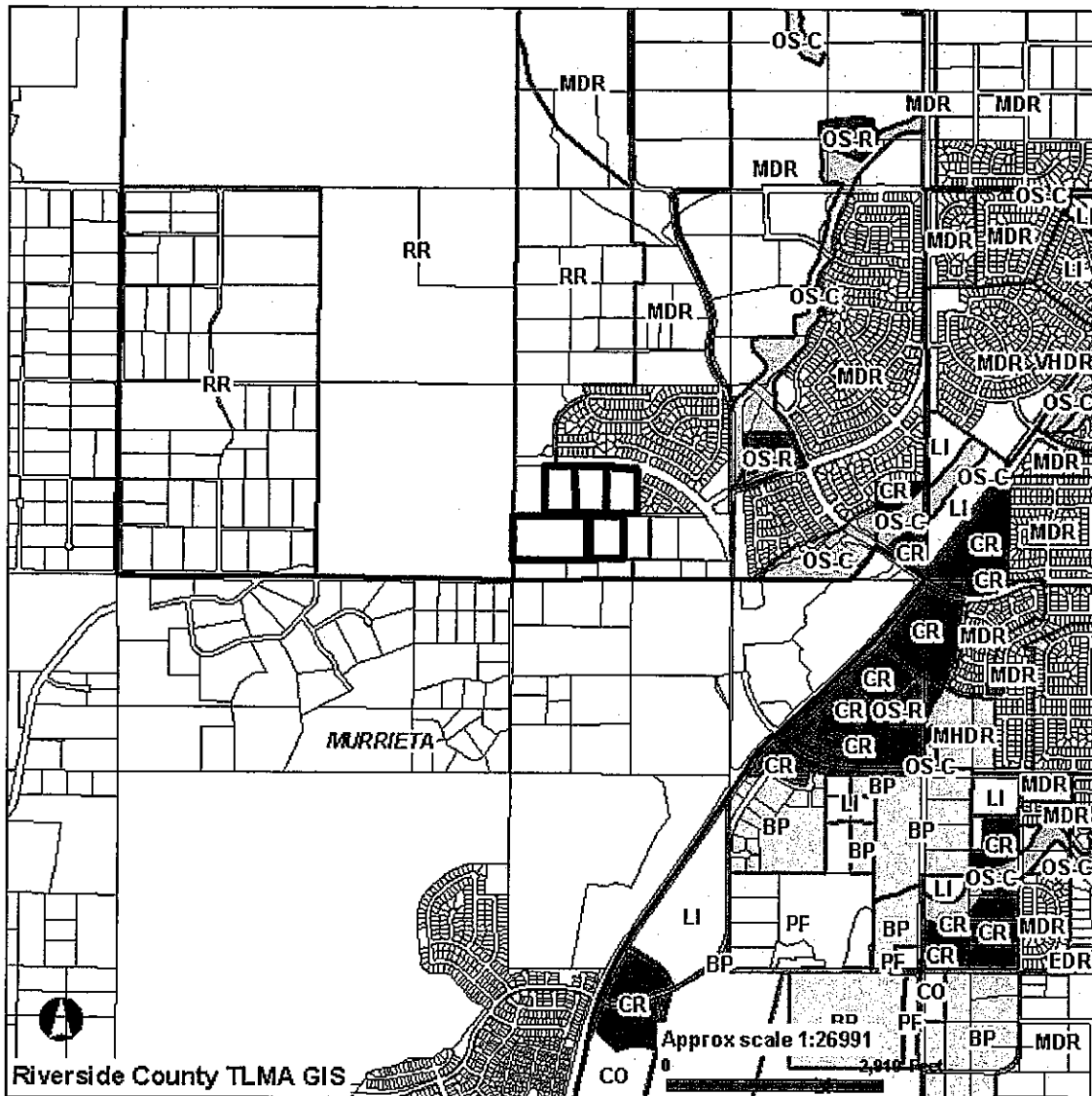


Zone Riverside County Planning Department
Area Rancho California
Township/Range: T6SR2W
Section : 31

Assessors
Bk. Pg. 480-10
Thomas
11,700 Bros. Pg. 899 A7



RIVERSIDE COUNTY GIS



Selected parcel(s):
 480-100-003 480-100-004 480-100-005 480-100-006 480-100-007

LANDUSE

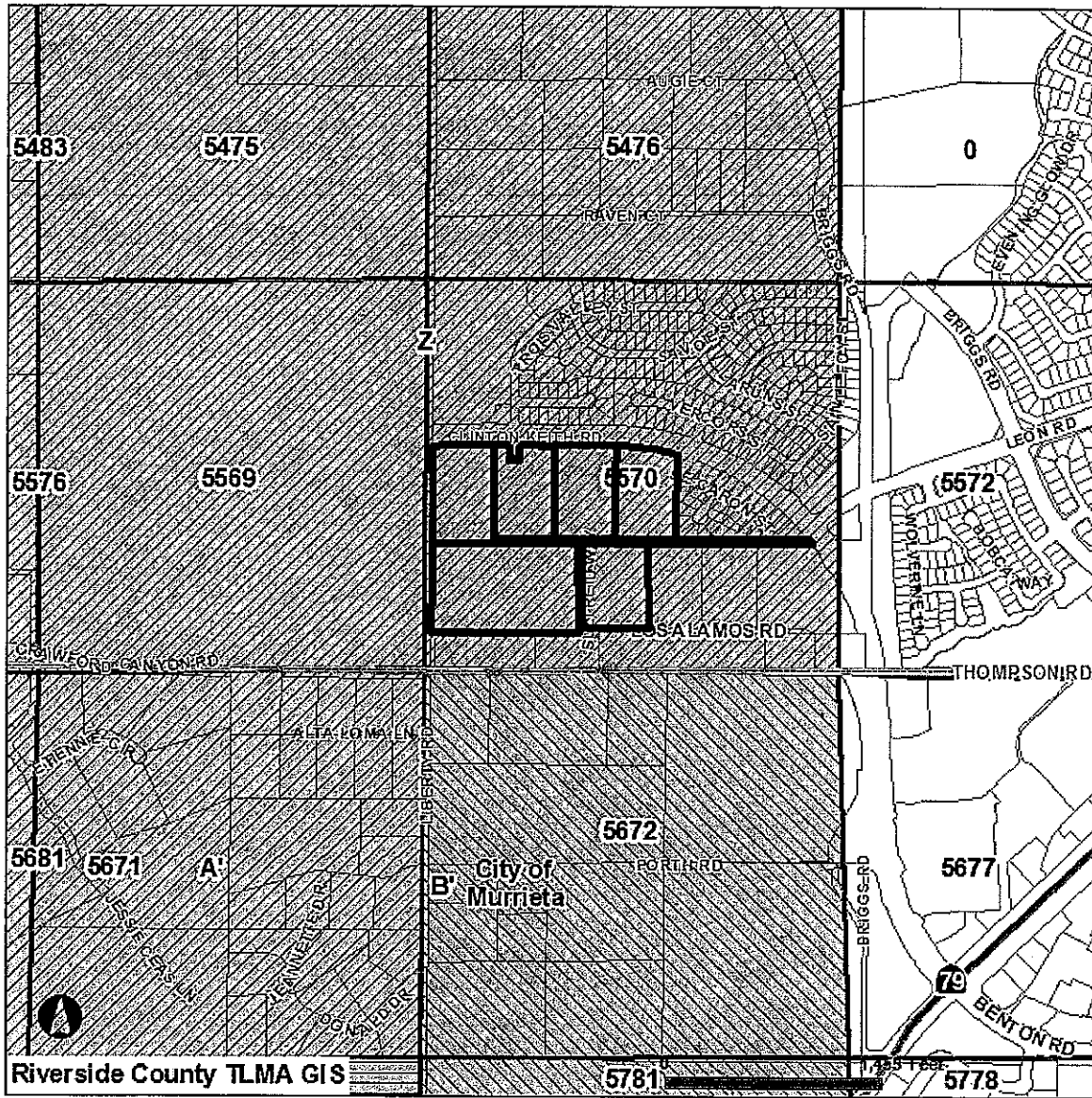
- | | | | |
|--|--------------------------------------|-------------------------------------|----------------------------------|
| SELECTED PARCEL | PARCELS | BP - BUSINESS PARK | CO - COMMERCIAL OFFICE |
| CR - COMMERCIAL RETAIL | EDR - ESTATE RESIDENTIAL | LI - LIGHT INDUSTRIAL | MDR - MEDIUM DENSITY RESIDENTIAL |
| MHDR - MEDIUM HIGH DENSITY RESIDENTIAL | OS-C - CONSERVATION | OS-R - OPEN SPACE RECREATION | PF - PUBLIC FACILITIES |
| RR - RURAL RESIDENTIAL | VHDR - VERY HIGH DENSITY RESIDENTIAL | VLDR - VERY LOW DENSITY RESIDENTIAL | CITY BOUNDARY |

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

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RIVERSIDE COUNTY GIS



Selected parcel(s):
 480-100-004 480-100-005 480-100-006 480-100-007 480-100-076 480-100-078

WRCMSHCP CELL/CELL GROUP

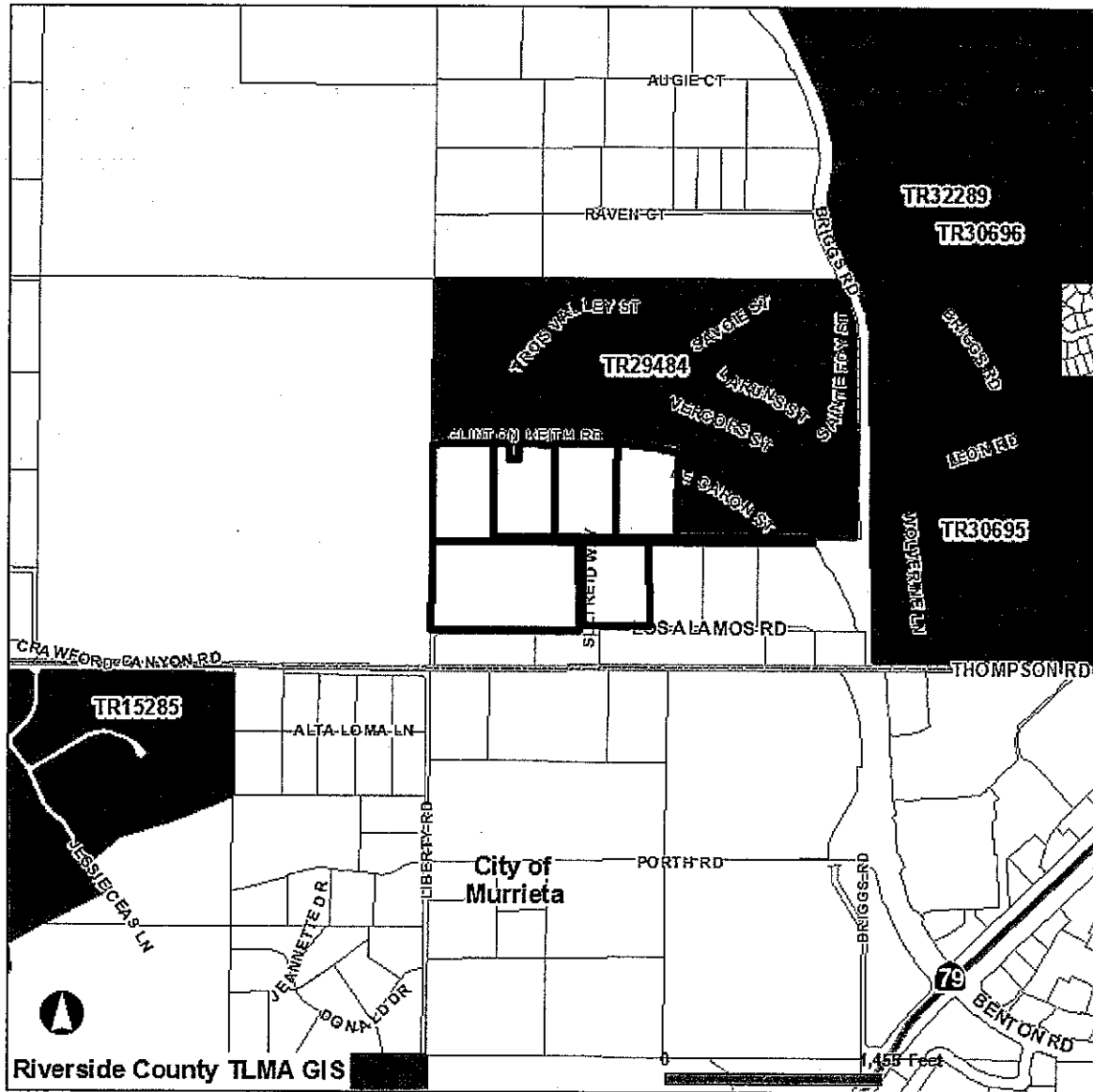
- SELECTED PARCEL
- PARCELS
- B'
- INTERSTATES
- 36 CRITERIA CELL NUMBER
- C'
- HIGHWAYS
- CRITERIA CELL
- F'
- CITY
- SOUTHWEST AREA
- Z
- A'

IMPORTANT

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RIVERSIDE COUNTY GIS



Selected parcel(s):

480-100-004 480-100-005 480-100-006 480-100-007 480-100-076 480-100-078

TRACT MAP

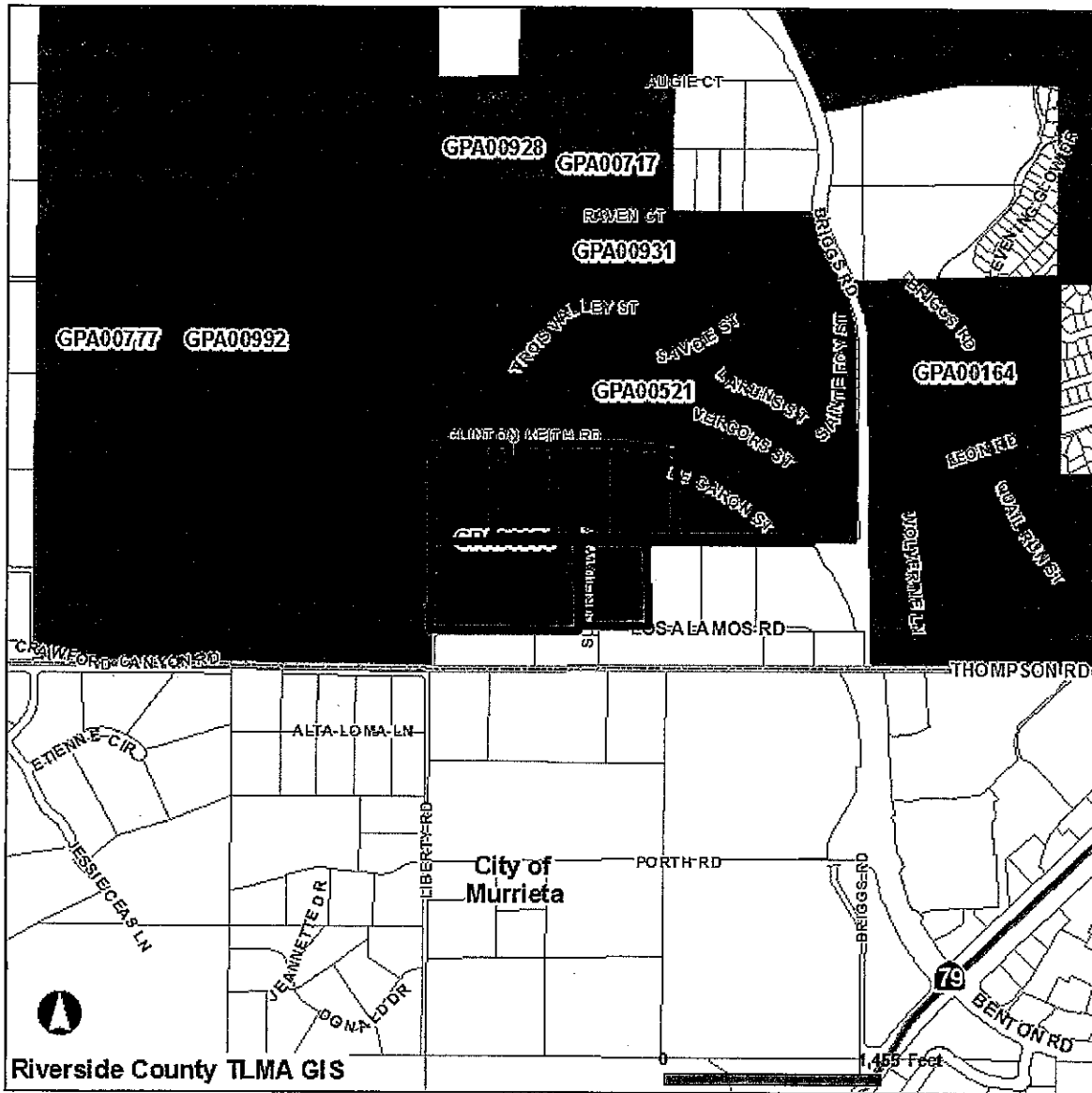
- SELECTED PARCEL
- TR - TRACT MAP
- INTERSTATES
- HIGHWAYS
- PARCELS

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RIVERSIDE COUNTY GIS



Selected parcel(s):
 480-100-004 480-100-005 480-100-006 480-100-007 480-100-076 480-100-078

GENERAL PLAN AMENDMENT

- SELECTED PARCEL
- GPA - GENERAL PLAN AMENDMENT
- INTERSTATES
- HIGHWAYS
- PARCELS

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**APPLICATION FOR AMENDMENT TO THE RIVERSIDE COUNTY
GENERAL PLAN**

Justification for Amendment: (attachment to page 5 of 8)

APNs: 480-100-002 & All

The subject site is an assemblage of 6 parcels totaling approximately 45 acres of land located on the south side of Clinton Keith Road and north of Los Alamos Road. The owners are in total agreement that their rural lifestyle is changing to a more urban one due to the 7,200 square foot lots recently approved and constructed adjacent to the north and east side of the subject property. Infrastructure is currently in place to support a more intense use for the six parcels.

The owners are unanimous in their feelings that these parcels are ideally located in the path of development and they should receive the same General Plan Foundation change that was granted to the property to the north and east which area currently constructed to a Community Development Foundation designation of "MDR" which is the designation requested under this application.



Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

APN	Cell	Cell Group	Acres	Area Plan	Sub Unit
480100002	Not A Valid Parcel Number				
480100003	Not A Valid Parcel Number				
480100004	5570	Z	6.05	Southwest Area	SU5 - French Valley/Lower Sedco Hills
480100005	5570	Z	5.8	Southwest Area	SU5 - French Valley/Lower Sedco Hills
480100006	5570	Z	13.61	Southwest Area	SU5 - French Valley/Lower Sedco Hills
480100007	5570	Z	5.8	Southwest Area	SU5 - French Valley/Lower Sedco Hills

HABITAT ASSESSMENTS

Habitat assessment shall be required and should address at a minimum potential habitat for the following species:

APN	Amphibia Species	Burrowing Owl	Criteria Area Species	Mammalian Species	Narrow Endemic Plant Species	Special Linkage Area
480100004	NO	YES	YES	NO	YES	NO
480100005	NO	YES	YES	NO	YES	NO
480100006	NO	YES	YES	YES	YES	NO
480100007	NO	YES	YES	NO	YES	NO

Burrowing Owl

Burrowing owl.

Criteria Area Species

4) Davidson's saltscale, Parish's brittlescale, Thread-leaved brodiaea, Smooth Tarplant, Round-leaved filaree, Coulter's Goldfields, Little Mousetail

Mammalian Species

2) L.A. pocket mouse.

Narrow Endemic Plant Species

4) Munz's onion, San Diego ambrosia, Many-stemmed dudleya, Spreading navarretia, California Orcutt grass, Wright's trichocoronis

If potential habitat for these species is determined to be located on the property, focused surveys may be required during the appropriate season.

Background

The final MSHCP was approved by the County Board of Supervisors on June 17, 2003. The federal and state permits were issued on June 22, 2004 and implementation of the MSHCP began on June 23, 2004.

For more information concerning the MSHCP, contact your local city or the County of Riverside for the unincorporated areas. Additionally, the Western Riverside County Regional Conservation Authority (RCA), which oversees all the cities and County implementation of the MSHCP, can be reached at:

Western Riverside County Regional Conservation Authority
3403 10th Street, Suite 320
Riverside, CA 92501

Phone: 951-955-9700
Fax: 951-955-8873

www.wrc-rca.org

Introduction

As urbanization has increased within western Riverside County, state and federal regulations have required that public and private developers obtain "Take permits" from Wildlife Agencies for impacts to endangered, threatened, and rare species and their Habitats. This process, however, has resulted in costly delays in public and private Development projects and an assemblage of unconnected Habitat areas designated on a project-by-project basis. This piecemeal and uncoordinated effort to mitigate the effects of Development does not sustain wildlife mobility, genetic flow, or ecosystem health, which require large, interconnected natural areas.

A variety of capitalized terms are used in this report. Definitions for those terms are provided at the end of this report.

The MSHCP is a criteria-based plan, focused on preserving individual species through Habitat conservation. The MSHCP is one element of the Riverside County Integrated Project (RCIP), a comprehensive regional planning effort begun in 1999. The purpose of the RCIP is to integrate all aspects of land use, transportation, and conservation planning and implementation in order to develop a comprehensive vision for the future of the County. The overall goal of the MSHCP is rooted in the RCIP Vision Statement and supporting policy directives. The MSHCP will enhance maintenance of biological diversity and ecosystem processes while allowing future economic growth. Preserving a quality of life characterized by well-managed and well-planned growth integrated with an open-space system is a component of the RCIP vision. The MSHCP proposes to conserve approximately 500,000 acres and 146 different species. Approximately 347,000 acres are anticipated to be conserved on existing Public/Quasi-Public Lands, with additional contributions on approximately 153,000 acres from willing sellers. The overall goal of the MSHCP can be supported by the following:

Biological Goal: In the MSHCP Plan Area, conserve Covered Species and their Habitats.

Economic Goal: Improve the future economic development in the County by providing an efficient, streamlined regulatory process through which Development can proceed in an efficient way. The MSHCP and the General Plan will provide the County with a clearly articulated blueprint describing where future Development should and should not occur.

Social Goal: Provide for permanent open space, community edges, and recreational opportunities, which contribute to maintaining the community character of Western Riverside County.

This report has been generated to summarize the guidance in the MSHCP Plan that pertains to this property. Guidelines have been incorporated in the MSHCP Plan to allow applicants to evaluate the application of the MSHCP Criteria within specific locations in the MSHCP Plan Area. Guidance is provided through Area Plan Subunits, Cell Criteria, Cores and Linkages and identification of survey requirements. The guidance and Criteria incorporate flexibility at a variety of levels. The information within this report is composed of three parts: a summary table, Reserve Assembly guidance and survey requirements within the MSHCP Plan Area. The summary table provides specific information on this property to help determine whether it is located within the MSHCP Criteria Area or any survey areas. The Reserve Assembly guidance provides direction on assembly of the MSHCP Conservation Area if the property is within the Criteria Area. The survey requirements section describes the surveys that must be conducted on the property if Habitat is present for certain identified species within the Criteria Area or mapped survey areas.

Reserve Assembly Guidance within the Criteria Area

The Reserve Assembly guidance only pertains to properties that are within the Criteria Area. Please check the summary table to determine whether this property is within the Criteria Area. If it is located inside of the Criteria Area, please read both this section and the section about survey requirements within the MSHCP Plan Area. If the property is located outside the Criteria Area, only read the survey requirements within the MSHCP Plan Area section.

The Area Plan Subunits, Cell Criteria and Cores and Linkages provide guidance on assembly of the MSHCP Conservation Area. The Area Plan Subunits section lists Planning Species and

Biological Issues and Considerations that are important to Reserve Assembly within a specific Area Plan Subunit. The Cell Criteria identify applicable Cores or Linkages and describe the focus of desired conservation within a particular Cell or Cell Group. Cores and Linkages guidance includes dimensional data and biological considerations within each identified Core or Linkage.

The following is the Area Plan text and Cell Criteria that pertains specifically to this property. The Area Plan text includes the target acreage for conservation within the entire Area Plan, identification of Cores and Linkages within the entire Area Plan and Area Plan Subunit Planning Species and Biological Issues and Considerations. It is important to keep in mind that the Area Plan Subunits, Cell Criteria and Cores and Linkages are drafted to provide guidance for a geographic area that is much larger than an individual property. The guidance is intended to provide context for an individual property and, therefore, all of the guidance and Criteria do not apply to each individual property.

South West Area Plan (SWAP)

This section identifies target acreages, applicable Cores and Linkages, Area Plan Subunits and Criteria for the Southwest Area Plan. For a summary of the methodology and map resources used to develop the target acreages and Criteria for the MSHCP Conservation Area, including this Area Plan, see Section 3.3.1.

Target Acreages

The target conservation acreage range for the Southwest Area Plan is 58,295 – 72,155 acres; it is composed of approximately 35,795 acres of existing Public/Quasi-Public Lands and 22,500 – 36,360 acres of Additional Reserve Lands. The City of Murrieta and the City of Temecula sit entirely within the Southwest Area Plan. The target acreage range within the City of Murrieta is 1,580 – 3,200 acres. The target acreage range within the City of Temecula is 600 – 1,380 acres. The target acreages for both Cities are included within the 22,500 – 36,360 acre target conservation range on Additional Reserve Lands for the entire Southwest Area Plan.

Applicable Cores and Linkages

The MSHCP Conservation Area comprises a variety of existing and proposed Cores, Linkages, Constrained Linkages and Noncontiguous Habitat Blocks (referred to here generally as "Cores and Linkages"). The Cores and Linkages listed below are within the Southwest Area Plan. For descriptions of these Cores and Linkages and more information about the biologically meaningful elements of the MSHCP Conservation Area within the Southwest Area Plan, see Section 3.2.3 and MSHCP Volume II, Section A.

Cores and Linkages within the Southwest Area Plan

- Contains all of Proposed Constrained Linkage 9
- Contains all of Proposed Constrained Linkage 10
- Contains all of Proposed Constrained Linkage 11
- Contains all of Proposed Constrained Linkage 12
- Contains all of Proposed Constrained Linkage 13
- Contains all of Proposed Constrained Linkage 14
- Contains all of Proposed Constrained Linkage 15
- Contains most of Proposed Constrained Linkage 16
- Contains most of Proposed Constrained Linkage 17
- Contains all of Proposed Constrained Linkage 18
- Contains all of Proposed Constrained Linkage 24
- Contains most of Proposed Core 2
- Contains a portion of Proposed Core 7
- Contains all of Proposed Extension of Existing Core 5
- Contains all of Proposed Extension of Existing Core 6
- Contains most of Proposed Extension of Existing Core 7
- Contains a small portion of Proposed Linkage 8
- Contains all of Proposed Linkage 9
- Contains all of Proposed Linkage 10
- Contains a large portion of Proposed Linkage 13
- Contains a portion of Proposed Linkage 14
- Contains all of Proposed Linkage 17
- Contains all of Proposed Linkage 18
- Contains a portion of Existing Constrained Linkage E
- Contains a small portion of Existing Core J

Descriptions of Planning Species, Biological Issues and Considerations and Criteria for each Area Plan Subunit within the Southwest Area Plan are presented later in this section. These descriptions, combined with the descriptions of the Cores and Linkages referred to above, provide information about biological issues to be considered in conjunction with Reserve

Assembly within the Southwest Area Plan. As noted in Section 3.1, the Area Plan boundaries established as part of the Riverside County General Plan were selected to provide an organizational framework for the Area Plan Subunits and Criteria. While these boundaries are not biologically based, unlike the Cores and Linkages, they relate specifically to General Plan boundaries and the jurisdictional boundaries of incorporated Cities and were selected to facilitate implementation of the MSHCP in the context of existing institutional and planning boundaries.

Area Plan Subunits

The Southwest Area Plan is divided into seven Subunits. For each Subunit, target conservation acreages are established along with a description of the Planning Species, Biological Issues and Considerations, and Criteria for each Subunit. For more information regarding specific conservation objectives for the Planning Species, see Section 9.0. Subunit boundaries are depicted on the Cells and Cell Groupings map displays (Figures 3-30 and 3-31). Table 3-16 presents the Criteria for the Southwest Area Plan.

South West Area Plan (SWAP)

Cell Group: Z

Conservation within this Cell Group will contribute to assembly of Proposed Core 2. Conservation within this Cell Group will focus on riparian scrub, woodland and forest habitat along Warm Springs Creek and adjacent chaparral, coastal sage scrub and grassland habitat. Areas conserved within this Cell Group will be connected to chaparral, coastal sage scrub, grassland, riparian scrub, woodland and forest habitat proposed for conservation in Cell Groups X to the north and A' to the south. Conservation within this Cell Group will range from 75%-85% of the Cell Group focusing in the western portion of the Cell Group.

Surveys Within the MSHCP Plan Area

Of the 146 species covered by the MSHCP, no surveys will be required by applicants for public and private projects for 106 of these Covered Species. Covered Species for which surveys may be required by applicants for public and private Development projects include 4 birds, 3 mammals, 3 amphibians, 3 crustaceans, 14 Narrow Endemic Plants, and 13 other sensitive plants within the Criteria Area. Of these 40 species, survey area maps are provided for 34 species, and surveys will be undertaken within suitable Habitat areas in locations identified on these maps in the MSHCP Plan. The remaining six species are associated with riparian/riverine areas and vernal pools and include least Bell's vireo, southwestern willow flycatcher, western yellow-billed cuckoo, Riverside fairy shrimp, Santa Rosa Plateau fairy shrimp, and vernal pool fairy shrimp. Although there are no survey area maps for these six species, surveys for these species, if necessary, will be undertaken as described below. It is the goal of the MSHCP to provide for conservation of Covered Species within the approximately 500,000 acre MSHCP Conservation Area (comprised of approximately 347,000 acres of existing Public/Quasi-Public Lands and 153,000 acres of new conservation on private lands). Conservation that may be identified to be desirable as a result of survey findings is not intended to increase the overall 500,000 acres of conservation anticipated under the MSHCP. Please refer to Section 6.0 of the MSHCP Plan, Volume I for more specific information regarding species survey requirements.

As projects are proposed within the MSHCP Plan Area, an assessment of the potentially significant effects of those projects on riparian/riverine areas and vernal pools will be performed as currently required by the California Environmental Quality Act (CEQA) using available information augmented by project-specific mapping. If the mapping identifies suitable habitat for any of the six species associated with riparian/riverine areas and vernal pools listed above and the proposed project design does not incorporate avoidance of the identified habitat, focused surveys for these six species will be conducted, and avoidance and minimization measures will be implemented in accordance with the species-specific objectives for these species. For more specific information regarding survey requirements for species associated with riparian/riverine areas and vernal pools, please refer to Section 6.1.2 of the MSHCP Plan, Volume I.

Habitat conservation is based on the particular Habitat requirements of each species as well as the known distribution data for each species. The existing MSHCP database does not, however, provide the level of detail sufficient to determine the extent of the presence or distribution of Narrow Endemic Plant Species within the MSHCP Plan Area. Since conservation planning decisions for these plant species will have a substantial effect on their status, additional information regarding the presence of these plant species must be gathered during the long-term implementation of the MSHCP to ensure that appropriate conservation of the Narrow Endemic Plants occurs. For more specific information regarding survey requirements for Narrow Endemic Plants, please refer to Section 6.1.3 of the MSHCP Plan, Volume I.

In addition to the Narrow Endemic Plant Species, additional surveys may be needed for

certain species in conjunction with Plan implementation in order to achieve coverage for these species. The MSHCP must meet the Federal Endangered Species Act issuance criteria for Habitat Conservation Plans (HCP) which require, among other things, that the HCP disclose the impacts likely to result from the proposed Taking, and measures the applicant will undertake to avoid, minimize and mitigate such impacts. For these species in which coverage is sought under the MSHCP, existing available information is not sufficient to make findings necessary to satisfy these issuance criteria for Take authorization. Survey requirements are incorporated in the MSHCP to provide the level of information necessary to receive coverage for these species in the MSHCP.

Efforts have been made prior to approval of the MSHCP and will be made during the early baseline studies to be conducted as part of the MSHCP management and monitoring efforts to collect as much information as possible regarding the species requiring additional surveys. As data are collected and conclusions can be made regarding the presence of occupied Habitat within the MSHCP Conservation Area for these species, it is anticipated that survey requirements may be modified or waived. Please refer to Sections 6.1.3 and 6.3.2 of the MSHCP Plan, Volume I for more specific information regarding survey requirements.

MSHCP DEFINITIONS

Adaptive Management	To use the results of new information gathered through the Monitoring Program of the Plan and from other sources to adjust management strategies and practices to assist in providing for the Conservation of Covered Species.
Adaptive Management Program	The MSHCP's program of Adaptive Management described in Section 5.0 of the MSHCP, Volume I.
Additional Reserve Lands	Conserved Habitat totaling approximately 153, 000 acres that are needed to meet the goals and objectives of the MSHCP and comprised of approximately 56, 000 acres of State and federal acquisition and mitigation for State Permittees, and approximately 97, 000 acres contributed by Local Permittees (Lands acquired since February 3, 2000 are included in the Local Permittees' Additional Reserve Lands contribution pursuant to correspondence discussed in Section 4.0 of the MSHCP, Volume I and on file with the County of Riverside)
Agriculture	For the species analyses, references to agriculture refer to the Vegetation Community, Agriculture, as depicted on the MSHCP Vegetation Map, Figure 2- 1 of the MSHCP, Volume I.
Agricultural Operations	The production of all plants (horticulture), fish farms, animals and related production activities, including the planting, cultivation and tillage of the soil, dairying, and apiculture; and the production, plowing, seeding, cultivation, growing, harvesting, pasturing and fallowing for the purpose of crop rotation of any agricultural commodity, including viticulture, apiculture, horticulture, and the breeding, feeding and raising of livestock, horses, fur-bearing animals, fish, or poultry, the operation, management, conservation, improvement or maintenance of a farm or ranch and its buildings, tools and equipment; the construction, operation and maintenance of ditches, canals, reservoirs, wells and/or waterways used for farming or ranching purposes and all uses conducted as a normal part of such Agricultural Operations; provided such actions are in compliance with all applicable laws and regulations. The definition of Agricultural Operations shall not include any activities on state and federal property or in the MSHCP Conservation Area.
Allowable Uses	Uses allowed within the MSHCP Conservation Area as defined in Section 7.0 of the MSHCP, Volume I.
Annual Report	The reports prepared pursuant to the requirements of Section 6.11 of the MSHCP, Volume I.
Area Plan	A community planning area defined in the County of Riverside General Plan. Sixteen County of Riverside Area Plans are located within the MSHCP Plan Area.
Area Plan Subunit	A portion of an Area Plan for which Biological Issues and Considerations and target acreages have been specified in Section 3.3 of the MSHCP, Volume I.
Biological Issues and Considerations	A list of biological factors to be used by the Plan Participants in assembly of the MSHCP Conservation Area. Biological Issues and Considerations are identified for each Area Plan Subunit in Section 3.3 of the MSHCP, Volume I.

Biologically Equivalent or Superior Determination	Documentation that a particular project alternative will be biologically equivalent or superior to a project consistent with the guidelines and thresholds established in the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools set forth in Section 6.1.2 of the MSHCP, policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP, Additional Survey Needs and Procedures policies set forth in Section 6.3.2 of the MSHCP, and the Criteria Refinement Process set forth in Section 6.5 of the MSHCP.
Biological Monitoring Program	The program detailing the requirements for monitoring of the MSHCP Conservation Area as set forth in Section 5.3 of the MSHCP, Volume I.
Biological Monitoring Report	Reports prepared pursuant to the requirements of Section 5.3.7 of the MSHCP, Volume I.
Bioregion	A generalized area with similar elevation, topography, soils and floristic characteristics within the MSHCP Plan Area. Seven Bioregions are identified in the MSHCP Plan Area and are depicted in Figure 2-6 of the MSHCP, Volume I.
California Department of Fish and Game	CDFG, a department of the California Resources Agency.
California Department of Transportation	Caltrans, a department of the California Business, Transportation and Housing Agency.
Cell	A unit within the Criteria Area generally 160 acres in size, approximating one quarter section.
Cell Group	An identified grouping of Cells within the Criteria Area.
California Environmental Quality Act	CEQA (California Public Resources Code, Section 21000 et seq.) and all guidelines promulgated thereunder, as amended. For the MSHCP, the County shall be the lead agency under CEQA as defined under State CEQA Guidelines section 15367.
California Endangered Species Act	CESA (California Fish and Game code, Section 2050 et seq.) and all rules, regulations and guidelines promulgated thereunder, as amended.
Changed Circumstances	Changes in circumstances affecting a Covered Species or the geographic area covered by the MSHCP that can reasonably be anticipated by the Parties and that can reasonably be planned for in the MSHCP. Changed Circumstances and the planned responses to those circumstances are more particularly described in Section 11.4 of the IA, and Section 6.8 of the MSHCP, Volume I. Changed Circumstances do not include Unforeseen Circumstances.
Cities	The cities of Banning, Beaumont, Calimesa, Canyon Lake, Corona, Hemet, Lake Elsinore, Moreno Valley, Murrieta, Norco, Perris, Riverside, San Jacinto, and Temecula, collectively.
Community and Environmental Transportation Acceptability Process	CETAP, a process overseen by RCTC to identify Acceptability Process future transportation and communication corridors designed to relieve current traffic congestion and provide for the County's and the Cities' future transportation and communication needs.
Conceptual Reserve Design	A reserve concept developed for purposes of providing quantitative parameters for MSHCP species analyses, MSHCP Conservation Area description and target acreages within Area Plan Subunits. The Conceptual Reserve Design is intended to describe one way in which the Additional Reserve Lands could be assembled consistent with MSHCP Criteria.
Conservation	To use, and the use of, methods and procedures within the MSHCP Conservation Area and within the Plan Area as set forth in the MSHCP Plan, that are necessary to bring any listed species to the point at which the measures provided pursuant to FESA and the California Fish and Game Code are no longer necessary. However, Permittees will have no duty to enhance, restore or revegetate MSHCP Conservation Area lands unless required by the MSHCP Plan or agreed to through

	implementation of the Plan.
Conservation Strategy	The overall approach to assure conservation of individual species within the MSHCP Plan Area; for each individual species, the Conservation Strategy is comprised of four elements: (1) a global conservation goal; (2) global conservation objectives; (3) species-specific conservation objectives that are measurable; and (4) management and monitoring activities.
Conserved Habitat	Land that is permanently protected and managed in its natural state for the benefit of the Covered Species under legal arrangements that prevent its conversion to other land uses, and the institutional arrangements that provide for its ongoing management.
Constrained Linkage	A constricted connection expected to provide for movement of identified Planning Species between Core Areas, where options for assembly of the connection are limited due to existing patterns of use.
Cooperative Organizational Structure	The local administrative structure for Implementation and management of the MSHCP, as set forth in Section 6.6 of the MSHCP, Volume I.
Core Area	A block of Habitat of appropriate size, configuration, and vegetation characteristics to generally support the life history requirements of one or more Covered Species.
Corridor	Refers to the alignment area or footprint for manmade linear projects such as transportation facilities, pipelines and utility lines. Corridor does not have a biological meaning in the MSHCP lexicon.
County	County of Riverside
County Flood Control	Riverside County Flood Control and Water Conservation District
County Parks	Riverside County Regional Parks and Open Space District
County Waste	Riverside County Waste Management District
Covered Activities	Certain activities carried out or conducted by Permittees, Participating Special Entities, Third Parties Granted Take Authorization and others within the MSHCP Plan Area, and described in Section 7 of the MSHCP, Volume I, that will receive Take Authorization under the Section 10(a) Permit and the NCCP Permit, provided these activities are otherwise lawful.
Covered Species	The current 146 species within the MSHCP Plan Area that will be conserved by the MSHCP when the MSHCP is implemented. These species are discussed in Section 2.1.4 of the MSHCP, Volume I, and listed in Exhibit C to the IA and Section 9.2 of the MSHCP, Volume I.
Covered Species Adequately Conserved	The initial 118 Covered Species and any of the remaining 28 Covered Species where the species objectives, set forth in Section 9.2 of the MSHCP, Volume I and Table 9-3, are met and which are provided Take Authorization through the NCCP Permit and for animals through the Section 10(a) Permit issued in conjunction with the IA. These species are discussed in Section 2.1.4 of the MSHCP, Volume I, and listed in Exhibit "D" to the IA and Section 9.2 of the MSHCP, Volume I.
Criteria	Descriptions provided for individual Cells or Cell Groups within the Criteria Area to guide assembly of the Additional Reserve Lands.
Criteria Area	The area comprised of Cells depicted on Figure 3-1 of the MSHCP, Volume I.
Criteria Refinement Process	The process through which changes to the Criteria may be made, where the refined Criteria result in the same or greater Conservation value and acreage to the MSHCP Conservation Area as determined through an equivalency analysis provided in support of the refinement.

Critical Habitat	Habitat for species listed under FESA that has been designated pursuant to Section 4 of FESA and identified in 50 C.F.R. §§ 17.95 and 17.96.
Development	The uses to which land shall be put, including construction of buildings, structures, infrastructure and all alterations of the land.
Discretionary Project	A proposed project requiring discretionary action or approval by a Permittee, as that term is used in CEQA and defined in State CEQA Guidelines section 15357, including issuance of a grading permit for County projects.
Edge Effects	Adverse direct and indirect effects to species, Habitats and Vegetation Communities along the natural urban/wildlands interface. May include predation by mesopredators (including native and non-native predators), invasion by exotic species, noise, lighting, urban runoff and other anthropogenic impacts (trampling of vegetation, trash and toxic materials dumping, etc.).
Effective Date	Date on which the IA takes effect, as set forth in Section 19.1 of the IA.
Endangered Species	Those species listed as endangered under FESA and CESA.
Environmental Laws	Includes state and federal laws governing or regulating the impact of development activities on land, water or biological resources as they relate to Covered Species, including but not limited to CESA, FESA, the NCCP Act, CEQA, the National Environmental Policy Act ("NEPA"), the federal Migratory Bird Treaty Act ("MBTA"), the Fish and Wildlife Coordination Act, the Fish and Wildlife Act of 1956, the Federal Water Pollution Control Act (33 U.S.C., Section 1251 et seq.), the Native Plant Protection Act (California Fish and Game Code, Section 1900 et seq. and Sections 1801, 1802, 3511, 4700, 5050 and 5515) and includes any regulations promulgated pursuant to such laws.
Executive Director	Director of the Regional Conservation Authority
Existing Agricultural Operations	Those lands within the MSHCP Plan Area that are actively used for ongoing Agricultural Operations, as further defined in Section 11.3 of the IA and Section 6.2 of the MSHCP, Volume I.
Existing Agricultural Operations Database	The database created by the County to identify Existing Agricultural Operations, as further defined in Section 11.3 of the IA.
Federal Endangered Species Act	FESA (16 U.S.C., Section 1531 et seq.) And all rules and regulations promulgated thereunder, as amended.
Feasible	Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.
Funding Coordination Committee	A committee formed by the Regional Conservation Authority Board of Directors to provide input on local funding priorities and Additional Reserve Land acquisitions.
Habitat	The combination of environmental conditions of a specific place providing for the needs of a species or a population of such species.
HabiTrak	A GIS application to provide data on Habitat loss and Conservation which occurs under the Permits.
Implementing Agreement	The executed agreement that implements the terms and conditions of the MSHCP.
Incidental Take (also see Take)	Take of Covered Species Adequately Conserved incidental to and not the purpose of, an otherwise lawful activity, including, but not limited to, Take resulting from modification of Habitat as defined in FESA and its implementing regulations.

Independent Science Advisors	The qualified biologists, conservation experts and others that may be appointed by the Regional Conservation Authority Executive Director to provide scientific input to assist in the implementation of the MSHCP for the benefit of the Covered Species, as set forth in Section 6.6.7 of the MSHCP, Volume I.
Linkage	A connection between Core Areas with adequate size, configuration and vegetation characteristics to generally provide for "Live-In" Habitat and/or provide for genetic flow for identified Planning Species.
Live-In Habitat	Habitat that contains the necessary components to support key life history requirements of a species; e.g., year-round Habitat for permanent residents or breeding Habitat for migrant species.
Local Development Mitigation Fee	The fee imposed by applicable Local Permittees on new development pursuant to Government Code Section 66000 et seq.
Local Permittees	The Regional Conservation Authority, the County, County Flood Control, County Parks, County Waste, RCTC and the Cities.
Locality(ies)	An area with multiple occurrences of a species based on the MSHCP species occurrence data base or literature citations as noted in individual species accounts.
Long-Term Stephens' Kangaroo Rat	The Long-Term SKR HCP in Western Riverside County dated Habitat Conservation Plan. March 1996, more particularly described in Section 16.2 of the IA.
Maintenance Activities	Those Covered Activities that include the on going maintenance of public facilities as described in Section 7.0 of the MSHCP, Volume I.
Major Amendments	Those proposed amendments to the MSHCP and the IA as described in Section 20.5 of the IA and Section 6.10 of the MSHCP, Volume I.
Management Unit	Broad areas planned to be consolidated for overall unified management of the MSHCP Conservation Area. Five management units have been defined and are depicted in Figure 5-1 of the MSHCP, Volume I.
Migratory Bird Treaty Act	Federal MBTA (16 U.S.C., Section 702 et seq.) and all rules and regulations promulgated thereunder, as amended.
Migratory Bird Treaty Special Purpose Permit	Act A permit issued by the USFWS under 50 Code of Federal Regulations, section 21.27, authorizing Take under the MBTA of the Covered Species Adequately Conserved listed as endangered or threatened under FESA in connection with the Covered Activities.
Ministerial Approvals	Certain City approvals involving little or no judgement by the City prior to issuance but that could have adverse impacts to Covered Species and their habitat.
Minor Amendments	Minor changes to the MSHCP and the IA as defined in Section 20.4 of the IA and Section 6.10 of the MSHCP, Volume I.
Mitigation Lands	Subset of Additional Reserve Lands totaling approximately 103, 000 acres, comprised of approximately 97, 000 acres contributed by Local Permittees, and approximately 6, 000 acres contributed by State Permittees.
Monitoring Program	The monitoring programs and activities set forth in Section 5.3 of the MSHCP, Volume I.
Monitoring Program Administrator	The individual or entity responsible for administering the Monitoring Program, as described in Section 5.0 of the MSHCP, Volume I.
MSHCP	Approximately 500, 000 acres comprised of approximately 347, 000 acres of Public/Quasi-Public

Conservation Area	Lands and approximately 153,000 acres of Additional Reserve Lands within Western Riverside County. The MSHCP Conservation Area provides for the conservation of the Covered Species.
MSHCP Plan Area	The boundaries of the MSHCP, consisting of an approximate 1,966 square-mile area in Western Riverside County, as depicted in Figure 1-2 of the MSHCP Plan, Volume I, and Exhibit B of the IA.
Multiple Species Habitat	Western Riverside County Multiple Species Habitat Conservation
Conservation Plan (MSHCP)	Plan, a comprehensive habitat conservation planning program that addresses multiple species' needs, including Habitat, and the preservation of native vegetation in Western Riverside County, as depicted in Figure 3-1 of the MSHCP Plan, Volume I, and Exhibit A of the IA.
NCCP Act	California Natural Community Conservation Planning Act (California Fish and Game Code, Section 2800 et seq.) including all regulation promulgated thereunder, as amended.
NCCP Permit	The Permit issued in accordance with the IA by CDFG under the NCCP Act to permit the Take of identified species, including rare species, species listed under CESA as threatened or endangered, a species that is a candidate for listing, and unlisted species.
National Environmental Policy Act	NEPA (42 U.S.C., Section 4321-4335) and all rules, regulations promulgated thereunder, as amended. For the purposes of the MSHCP, USFWS is the lead agency under NEPA as defined in 40 Code of Federal Regulations section 1508.16.
Narrow Endemic Plant Species	Plant species that are highly restricted by their Habitat affinities, edaphic requirements or other ecological factors, and for which specific conservation measures have been identified in Section 6.1.3 of the MSHCP, Volume I.
New Agricultural Lands	The acreage converted to Agricultural Operations after the Effective Date of the IA, as described in Section 11.3 of the IA and Section 6.2 of the MSHCP, Volume I.
New Agricultural Lands Cap	A designated maximum number of acres of New Agricultural Land within the Criteria Area, as described in Section 11.3 of the IA and Section 6.2 of the MSHCP, Volume I.
No Surprises Assurance	Provided Permittees are implementing the terms and conditions of MSHCP, the IA, and the Permit (s), the USFWS can only require additional mitigation for Covered Species Adequately Conserved beyond that provided for in the MSHCP as a result of Unforeseen Circumstances in accordance with the "No Surprises" regulations at 50 Code of Federal Regulations sections 17.22(b)(5) and 17.32(b)(5) and as discussed in Section 6.8 of the MSHCP, Volume I.
Non-contiguous Habitat Block	A block of Habitat not connected to other Habitat areas via a Linkage or Constrained Linkage.
Other Species	Species that are not identified as Covered Species under the MSHCP.
Participating Special Entity	Any regional public facility provider, such as a utility company or a public district or agency, that operates and/or owns land within the MSHCP Plan Area and that applies for Take Authorization pursuant to Section 11.8 of the IA.
Party and Parties	The signatories to the IA, namely the Regional Conservation Authority, the County, County Flood Control, County Parks, County Waste, RCTC, the Cities, Caltrans, State Parks, USFWS and CDFG and any other city within the Plan Area that incorporates after the Effective Date and complies with Section 11.6 of the IA.
Permit(s)	Collectively, the Section 10(a) Permit and NCCP Permit issued by the Wildlife Agencies to Permittees for Take of Covered Species Adequately Conserved pursuant to FESA, CESA and the NCCP Act and in conformance with the MSHCP and the IA.
Permittees	The Regional Conservation Authority, the County, County Flood Control, County Parks, County

	Waste, RCTC, the Cities, Caltrans and State Parks.
Plan Area	See "MSHCP Plan Area."
Plan Participants	The Regional Conservation Authority, the County, County Flood Control, County Parks, County Waste, RCTC, the Cities, Caltrans and State Parks and others receiving Take Authorization under the Permits.
Planning Agreement	The document prepared pursuant to the NCCP Act to guide development of the MSHCP, that is contained in Appendix A of the MSHCP, Volume I.
Planning Species	Subsets of Covered Species that are identified to provide guidance for Reserve Assembly in Cores and Linkages and/or Area Plans.
Public/Quasi-Public Lands	Subset of MSHCP Conservation Area lands totaling approximately 347, 000 acres of lands known to be in public/private ownership and expected to be managed for open space value and/or in a manner that contributes to the Conservation of Covered Species (including lands contained in existing reserves), as generally depicted in Figure 3-1 of the MSHCP, Volume I.
Riverside County Transportation Commission	RCTC, created pursuant to California Public Utilities Code section 130050.
Regional Conservation Authority	The Western Riverside County Regional Conservation Authority, a joint regional authority formed by the County and the Cities to provide primary policy direction for implementation of the MSHCP, as set forth in Section 6.6 of the MSHCP, Volume I, and Section 11.2 of the IA.
Reserve Assembly	Acquisition and Conservation of Additional Reserve Lands.
Reserve Management Oversight	The committee established by the Executive Director to provide Committee biological, technical and operational expertise for implementation of the MSHCP, including oversight of the MSHCP Conservation Area as described in Section 11.2 of the IA and Section 6.6 of the MSHCP, Volume I.
Reserve Management Plan(s)	The plan(s) setting forth management practices for identified portions of the MSHCP Conservation Area prepared and adopted as described in Section 5 of the MSHCP, Volume I.
Reserve Managers	The entities managing identified portions of the MSHCP Conservation Area for the benefit of the Covered Species as described in Section 6.6.5 of the MSHCP, Volume I.
Rough Step	A Reserve Assembly accounting process to monitor Conservation and loss of specified Habitats within the Criteria Area.
Rough Step Analysis Unit	A geographic unit within which Rough Step is tracked. Rough Step Analysis Units are depicted in Figure 6-6 of the MSHCP, Volume I.
Rural Mountainous	A County of Riverside General Plan land use designation currently permitting single-family residential uses with a minimum lot size of 10 acres with limited animal keeping and agricultural uses allowed; characterizes areas of at least 10 acres where a minimum of 70% of the area has slopes of 25% or greater
Section 10(a) Permit	The permit issued by the USFWS to Permittees, in conformance with the IA and pursuant to 16 U.S.C. section 1539(a), authorizing Take of Covered Species Adequately Conserved.
State Assurances	Except for provisions in Section 15.5 of the IA, provided Permittees are implementing the terms and conditions of the MSHCP, the IA, and the Permits, if there are Unforeseen Circumstances, CDFG shall not require additional land, water or financial compensation or additional restrictions on the use of land, water or other natural resources for the life of the NCCP Permit without the consent of the Permittees, unless CDFG determines that continued implementation of the IA, the

	MSHCP, and/or the Permits would jeopardize the continued existence of a Covered Species, or as required by law and would therefore lead to NCCP Permit revocation or suspension.
State Parks	California Department of Parks and Recreation, a department of the California Resources Agency.
State Permittees	Caltrans and State Department of Parks and Recreation.
Take	The definition of such term in FESA with regard to species listed under FESA, and the definition of such term in the California Fish and Game Code with regard to species listed under CESA.
Take Authorization	The ability to Take species pursuant to the Section 10(a) Permit and/or the NCCP Permit.
Third Party Granted Authorization	Take Any Third Party that receives Third Party Take Authorization in compliance with Section 17 of the IA.
Third Party Take Authorization	Take Authorization received by a landowner, developer, farming interest or other public or private entity from the Permittees pursuant to Section 17 of the IA, thereby receiving Take Authorization for Covered Species Adequately Conserved pursuant to the Permits and in conformance with the MSHCP and IA.
Threatened Species	Those species listed as threatened under FESA and CESA.
Unforeseen Circumstances	Changes in circumstances affecting a Covered Species Adequately Conserved or geographic area covered by the MSHCP that could not reasonably have been anticipated by the Parties at the time of the MSHCP's negotiation and development, and that result in a substantial and adverse change in the status of the Covered Species Adequately Conserved. The term "Unforeseen Circumstances" as defined in the IA is intended to have the same meaning as it is used: 1) to define the limit of the Permittees' obligation on the "No Surprises" regulations set forth in 50 Code of Federal Regulations, sections 17.22 (b)(5) and 17.32 (b)(5); and 2) in California Fish and Game Code section 2805(k).
Unlisted Species	A species that is not listed as rare, endangered or threatened under FESA, CESA or other applicable state or federal law.
United States Fish and Wildlife Service	USFWS, an agency of the United States Department of the Interior.
Urban/Wildlands Interface	The area where structures and other human development occurs in proximity to the MSHCP Conservation Area.
Vegetation Community(ies)	A group of plants that tend to occur together in consistent, definable groups based on typical constituents as depicted on the MSHCP Vegetation Map, Figure 2-1 of the MSHCP, Volume I.
Wildlife Agencies	The USFWS and CDFG, collectively.

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January 27, 2010

VIA ELECTRONIC MAIL AND FACSIMILE

Riverside County Planning Commission
ATTN: Mike Harrod
County of Riverside
4080 Lemon St., 9th Floor
Riverside, CA 92501

**RE: Items 6.0 and 7.0, General Plan Amendment Initiation Proceedings
(February 3, 2010)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals. In contrast to several of the staff recommendations, we urge the Commission to uphold the integrity of the current General Plan and to respect the MSHCP.

Item 6.1, GPA 958 (Mead Valley)

Disagree with recommendation for initiation. For convoluted reasons, staff has reversed its previous recommendation to deny encroachment of higher density into a Rural area. Specifically, staff states that because infrastructure from a previous subdivision has induced *unplanned* growth, that unplanned growth should move forward. Although only 5 acres, this is simply a reversion to the "service-based" growth that characterized the County prior to the 2003 Integrated Project.

Item 6.2, GPA 970 (Eastvale)

Disagree with recommendation for initiation. Even with the staff-proposed modification, it is unclear why development should be allowed in a flood-prone area. We are also not convinced that MSHCP and recreational purposes would be advanced by development along the Santa Ana River.

Item 6.3, GPA 1008 (Temescal Canyon)

Disagree with recommendation for initiation. New industrial uses are being proposed for a mining site in Temescal Wash, an important habitat area included in the MSHCP. Much of the site (totaling 328 acres) is now designated Open Space-Rural. It would seem obvious that the *only* new uses the County should consider would be those consistent with the County's adopted MSHCP. *However, this proposal is overtly acknowledged to be inconsistent with the approved MSHCP.*

Conservation within this Cell Group will range from 65%-75% of the Cell Group focusing on the central portions of the Cell Group. The site, much of it disturbed, is located within this central portion of the Cell Group.

According to the staff report, a "Criteria Refinement" or "Plan Amendment" would be required to alter the MSCHP to fit the applicant's proposal. Such changes to the MSHCP are typically politically rather than biologically driven, and are fraught with problems. We are extremely skeptical that alterations to the MSHCP would be beneficial or even acceptable, due to habitat depletion and lack of options. If initiated, the stage would be set for serious conflicts between the project and the MSHCP, the conservation community, and the state and federal wildlife agencies. Why would the Planning Dept purposely set up the Environmental Programs Dept for such a scenario? Isn't this bad faith with the adopted MSHCP? *This proposal's conflict with the MSHCP creates internal inconsistencies between elements of the General Plan, as the MSHCP is part of the General Plan.* This request should be denied, along with a strong policy statement that GPAs should be consistent rather than in conflict with the MSHCP.

Item 6.4, GPA 973 (Winchester)

No position.

Item 6.5, GPA 975 (French Valley)

Concur with recommendation to deny initiation. The conversion of this 151-acre Rural area to Community Development (urban residential and commercial retail) would be incompatible with surrounding uses, create flood hazards, and "leapfrog" over vacant parcels already so designated.

Item 7.1, GPA 945 (French Valley)

Concur with recommendation to deny initiation. The conversion of this 89-acre Rural land to Community Development (commercial retail) would "leapfrog" over vacant parcels already so designated.

Item 7.2, GPA 925 (French Valley)

Disagree with recommendation for initiation. This 231-acre proposal is part of a complex of parcels that now form an intact Rural community separator. It lies within the Sphere of Influence of the City of Murrieta. Urban conversion is being recommended *despite the complete absence of an absorption study showing that any additional urban land is actually needed.* MSHCP cells are also involved, and these issues are unresolved. Staff's recommendation indicates a substantial failure of the landowner-initiated GPA process to stabilize land uses and direct urban growth to municipalities and an orderly process of annexation. Rather, initiation of this proposal would show that piecemeal, applicant-driven GPAs continue to determine land use in the unincorporated area. Staff's proposal to require a specific plan for this and associated GPAs 926, 974, 976 and 998 does not cure the underlying planning failure. Specific plans are a prime historic engine of sprawl in the unincorporated area.

Item 7.3. GPA 976 (Winchester)

Disagree with recommendation for initiation. This 272-acre proposal is part of an intact Rural area that serves as a community separator. Urban conversion is being recommended *despite the complete absence of an absorption study showing that any additional urban land is actually needed.* Staff's recommendation indicates a substantial failure of the landowner-initiated GPA process to stabilize land uses and direct urban growth to municipalities and an orderly process of annexation. Rather, initiation of this proposal would show that piecemeal, applicant-driven GPAs continue to determine land use in the unincorporated area. Staff's proposal to require a specific plan for this and nearby GPAs does not cure the underlying planning failure. Specific plans are a prime historic engine of sprawl in the unincorporated area.

Item 7.4. GPA 928 (French Valley)

Concur with recommendation to deny initiation. The proposal, within Murrieta's Sphere of Influence, to convert 33-acres of Rural to Community Development medium density residential has no demonstrable need and would represent a failure of orderly development. It would conflict with airport compatibility criteria. Finally, MSHCP issues are unresolved. According to staff, "Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan."

Item 7.5. GPA 978 (Rancho California)

Concur with recommendation to deny initiation. There are no changed circumstances to justify a change from the Rural designator for this 46-acre site. Such a change would also pose inconsistencies with the MSHCP. According to staff, "Due to the amount of conservation and sensitive lands in the area, the proposal may present inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan." There is also inconsistency with airport standards.

Item 7.6. GPA 1085 (Reche Canyon)

Concur with recommendation to deny initiation. According to staff, "The site's characteristics are highly consistent with the existing Rural Mountainous designation given the steep slopes, lack of existing water and sewer, fire danger and limited access." Development intensity on this 319-acre site should not be increased in hazard zones, and to do so "would again create an internal inconsistency between the Land Use Map/Element and the Safety Element of the General Plan." Multiple MSHCP issues are also involved. No new circumstances justify a change.

Thank you for considering our views.

Sincerely,

Dan Silver, MD
Executive Director

Electronic cc: Board Offices
George Johnson, TLMA
Ron Goldman, Planning Dept.

Carolyn Luna, EPD
Charles Landry, RCA
Interested parties