

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

109B



FROM: TLMA - Planning Department

SUBMITTAL DATE:  
March 10, 2011

**SUBJECT: GENERAL PLAN AMENDMENT No. 1088** – Entitlement/Policy – Applicant: County of Riverside - **REQUEST:** This County-Initiated General Plan Amendment proposes to amend and update the language found in the Riverside County General Plan Land Use Element concerning Areas Subject to Indian Jurisdiction in order to: 1) make a distinction between the three fundamental classifications of Indian land properties, 2) provide further clarification of planning assumptions for lands owned by non-tribal members (Fee Lands), and 3) provide policy level guidance for land use designations on Fee Lands. GPA 1088 clarifies the County's intent with respect to land use consistency for areas surrounding County and tribal jurisdiction. GPA 1088 does not change land use designations or affect future entitlement or review processes for other areas subject to Indian jurisdiction.

**RECOMMENDED MOTION:**

The Planning Department recommended Approval; and,  
**THE PLANNING COMMISSION RECOMMENDS:**

**TENTATIVE APPROVAL** of **GENERAL PLAN AMENDMENT NO. 1088**, based upon the findings and conclusions incorporated in the staff report; pending final adoption of the General Plan Amendment Resolution by the Board of Supervisors.

\_\_\_\_\_  
Greg Neal, Deputy Director for  
Carolyn Syms Luna  
Planning Director

Initials:  
CSL:vc

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is tentatively approved as recommended, and staff is directed to prepare the necessary documents for final action.

Ayes: Buster, Stone, Benoit, and Ashley  
Nays: None  
Absent: Tavaglione  
Date: April 26, 2011  
xc: Planning(2), Applicant, Co.Co.

Kecia Harper-Ihem  
Clerk of the Board  
By   
Deputy

Prev. Agn. Ref.

District: ALL

Agenda Number:

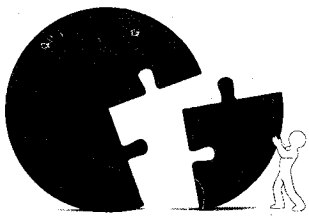
16.4

REVIEWED BY EXECUTIVE OFFICE

DATE 3/24/11 rmg

Departmental Concurrence  
Tina Grande

Dep't Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy



**RIVERSIDE COUNTY  
PLANNING DEPARTMENT**

*Carolyn Syms Luna  
Director*

109B

**DATE: March 2, 2011**

**TO: Clerk of the Board of Supervisors**

**FROM: Planning Department - Riverside Office**

**SUBJECT: GENERAL PLAN AMENDMENT No. 1088 – Entitlement/Policy**

(Charge your time to these case numbers)

**The attached item(s) require the following action(s) by the Board of Supervisors:**

- Place on Administrative Action (Receive & File; EOT)
  - Labels provided If Set For Hearing
    - 10 Day  20 Day  30 day
- Place on Consent Calendar
- Place on Policy Calendar (Resolutions; Ordinances; PNC)
- Place on Section Initiation Proceeding (GPIP)
- Set for Hearing (Legislative Action Required; CZ, GPA, SP, SPA)
- Publish in Newspaper:
  - COUNTY WIDE - Press Enterprise & Desert Sun
- CEQA Exempt
  - 10 Day  20 Day  30 day
- Notify Property Owners (app/agencies/property owner labels provided)
  - Controversial:  YES  NO

**Designate Newspaper used by Planning Department for Notice of Hearing:**  
COUNTY WIDE - Press Enterprise & Desert Sun

*OK KTH*

**Need Director's signature by 3/16/11**

Please schedule on the April 12, 2011 BOS Agenda

*26*

**Documents to be sent to County Clerk's Office for Posting within five days:**

Notice of Exemption

No Fish & Game Receipt provided (CFG Free Posting per Govt Code 6103 and 27383)

**Do not send these documents to the County Clerk for posting until the Board has taken final action on the subject cases.**

**Please use the attached, stapled notice for you advertising purposes**

*16.4 4/26/11*

*5*

Riverside Office · 4080 Lemon Street, 12th Floor  
P.O. Box 1409, Riverside, California 92502-1409  
(951) 955-3200 · Fax (951) 955-1811

Desert Office  
Palm Desert, California 92211  
(760) 863-8277 · Fax (760) 863-7555

*"Planning Our Future... Preserving Our Past"*

**PLANNING COMMISSION  
MINUTE ORDER FEBRUARY 16, 2011  
RIVERSIDE COUNTY ADMINISTRATION CENTER**

**I. AGENDA ITEM 3.2: GENERAL PLAN AMENDMENT NO. 1088 – NOTICE OF EXEMPTION - County Initiated- Countywide, All Area Plans.**

**PROJECT DESCRIPTION**

This General Plan Amendment proposes to amend and update the language found in the Riverside County General Plan Land Use Element concerning areas subject to Indian Jurisdiction in order to: 1) make a distinction between the various types of properties subject to Indian jurisdiction, 2) provide further clarification of planning assumptions for lands owned by non-tribal members (Fee Lands), and 3) provide policy level guidance for land use designations on Fee Lands. The proposal clarifies the County's intent with respect to land use consistency for areas surrounding County and tribal jurisdiction. GPA 1088 will not change land use designations or affect future entitlement obligations for subsequent, individual development proposals

**II. MEETING SUMMARY**

The following staff presented the subject proposal:

Project Planner: Kristi Lovelady at 951-955-0782 or e-mail [klovelad@rctlma.org](mailto:klovelad@rctlma.org)

The following person(s) spoke in favour of the subject proposal:

None

The following person(s) spoke in opposition of the subject proposal.

None

The following person(s) spoke in neutral position of the subject proposal.

**III. CONTROVERSIAL ISSUES**

NONE

**IV. PLANNING COMMISSION ACTION**

The Planning Commission, by a vote of 5-0 recommended to the Board of Supervisors;

**APPROVAL of GENERAL PLAN AMENDMENT NO. 1088**, based upon the findings and conclusions incorporated in the staff report; and,

**ADOPTION of RESOLUTION 2011-02** recommending adoption of **GENERAL PLAN AMENDMENT NO. 1088** to the Board of Supervisors.

**V. CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Desiree Bowie, Interim Planning Commission Secretary, at (951) 955-0222 or E-mail at [dbowie@rctlma.org](mailto:dbowie@rctlma.org)

**NOTICE OF A PUBLIC HEARING  
BEFORE THE RIVERSIDE COUNTY PLANNING COMMISSION  
AND  
NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION**

A PUBLIC HEARING has been scheduled before the RIVERSIDE COUNTY PLANNING COMMISSION to consider GENERAL PLAN AMENDMENT (GPA) 1088 described below. The Riverside County Planning Department has tentatively determined that GPA 1088 will not have a significant effect on the environment and is recommending that a Notice of Exemption (NOE) be filed. The Planning Commission will consider the NOE in conjunction with their consideration of GPA 1088 at the public hearing referenced herein.

**SCHEDULE OF HEARINGS:**

**PLANNING COMMISSION HEARING**

**DATE OF HEARING:** February 16, 2011  
**TIME OF HEARING:** 9:00 A.M. or as soon as possible thereafter  
**PLACE OF HEARING:** Board Hearing Room  
First Floor  
4080 Lemon Street  
Riverside CA 92501

**BACKGROUND:** GPA 1088 is a County initiated General Plan Amendment. Originally included with the overall Riverside County General Plan update, GPA 960, GPA 1088 is now moving forward independent of GPA 960. GPA 1088 includes proposed modifications to the General Plan Land Use Element regarding areas subject to Indian Jurisdiction.

**PROJECT DESCRIPTION AND IDENTIFICATION:**

**GENERAL PLAN AMENDMENT NO. 1088 – NOTICE OF EXEMPTION** - County Initiated- Countywide, All Area Plans- **PROPOSAL:** This General Plan Amendment proposes to amend and update the language found in the Riverside County General Plan Land Use Element concerning areas subject to Indian Jurisdiction in order to: 1) make a distinction between the various types of properties subject to Indian jurisdiction, 2) provide further clarification of planning assumptions for lands owned by non-tribal members (Fee Lands), and 3) provide policy level guidance for land use designations on Fee Lands. The proposal clarifies the County's intent with respect to land use consistency for areas surrounding County and tribal jurisdiction. GPA 1088 will not change land use designations or affect future entitlement obligations for subsequent, individual development proposals.

**ANTICIPATED ENVIRONMENTAL EFFECTS:**

A Notice of Exemption was prepared for GPA 1088 pursuant to Section 15061 (b)(3) of the California Environmental Quality Act because it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment.

**YOUR RIGHT TO COMMENT:**

Any person wishing to comment on or testify in support of, or in opposition to, the proposed GPA may do so in writing prior to the hearing (between the date of this notice and the public hearing) or may appear and be heard at the dates, times and places noted above. All comments received prior to the Planning Commission public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a recommendation on the proposed project. If you challenge this project (GPA and/or NOE) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, or in written correspondence delivered to the Board of Supervisors at, or prior to, the date of the Board public hearing.

Please send all written correspondence to the following address:

Riverside County Planning Department  
Attention: Kristi Lovelady  
P. O. Box 1409  
Riverside, CA 92502-1409

Correspondence may also be sent by FAX to (951) 955-1811 or by e-mail to [klovelad@rctlma.org](mailto:klovelad@rctlma.org)

BE ADVISED that, as a result of public hearings and comment, the Planning Commission and the Board of Supervisors may amend, in whole or in part, the proposed general plan amendment and/or the environmental document associated therewith.

**FOR ADDITIONAL INFORMATION:**

The proposed GPA 1088 and NOE to be considered by the Planning Commission are available for review beginning February 6, 2011, Monday through Thursday, from 8:00 a.m. to 5:00 p.m., at the County of Riverside Planning Department office located at 4080 Lemon Street, Twelfth Floor, Riverside, CA. The proposed GPA 1088 and NOE may also be reviewed at the Planning Department offices located at 38686 El Cerrito Road, Palm Desert, CA 92211 and at the Planning Department public information counter located at 4080 Lemon Street, Second Floor, Riverside CA 92501. For further information regarding this case, please contact Ms. Kristi Lovelady at (951) 955-0781.

Carolyn Syms Luna  
Planning Director

Agenda Item No.: 3.2  
Area Plan: County-wide  
Zoning District: County-wide  
Supervisory District: County-wide  
Project Planner: Kristi Lovelady  
Planning Commission: February 16, 2011

General Plan Amendment No. 1088  
E.A.: CEQA Exempt  
Applicant: County Initiated Change  
Engineer/Representative: N/A

## COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

### PROJECT DESCRIPTION AND LOCATION:

General Plan Amendment 1088 (GPA 1088) proposes to modify a section of the Riverside County General Plan Land Use Element that deals with Areas Subject to Indian Jurisdiction. When the County updated its General Plan in 2003 and created the section concerning Areas Subject to Indian Jurisdiction, no land use distinctions were made between the fundamental classifications of Indian land within the County unincorporated area. GPA 1088 now distinguishes between four distinct Indian land classifications subject to Indian Jurisdiction, provides clarification of the planning assumptions for lands owned by non-tribal members ("Fee Lands"), and gives policy level guidance for land use proposals on Fee Lands. GPA 1088 does not change land use designations.

GPA 1088 would apply Countywide.

### BACKGROUND:

When the County updated its General Plan in 2003, it created a section within the Land Use Element that dealt with Areas Subject to Indian Jurisdiction. In late 2008, the County initiated General Plan Update (GPA 960) anticipated a number of modifications to the 2003 General Plan including the section now covered by GPA 1088. In conjunction with the original GPA 960 effort, an Initial Study was issued and two public Scoping Sessions were held for interested public and agencies.

On May 6, 2009 the County General Plan Advisory Committee discussed and approved revisions to the section of the General Plan concerning Areas Subject to Indian Jurisdiction. The updates were subsequently presented to the Planning Commission on June 24, 2009 as part of a larger GPA 960 workshop. During the June 24, 2009 meeting, the Commission indicated support for the revised text.

GPA 960 continues to move forward but it is not expected to conclude until the fall of 2011. Since the requisite modifications to the General Plan Land Use Element concerning Areas Subject to Indian Jurisdiction are complete and required no further analysis, the section is moving forward independent of GPA 960 as GPA 1088. Revisions to the text concerning Areas Subject to Indian Jurisdiction were anticipated by GPA 960 therefore, no new General Plan amendment initiation process is necessary.

At the request of three local Native American Tribes, further refinements were made to the draft GPA 1088 text in early 2010. On April 21, 2010, the County initiated a formal SB 18 consultation process and letters were sent to the local Tribes informing them of GPA 1088 and inviting their comments. Of the 23 Tribes contacted, the County received a formal consultation request from one Tribe. Exhibit 1 presents the final text for GPA 1088 while Exhibit 2 compares the differences between the text included in the existing County General Plan and modifications made as a result of GPA 1088. Exhibit 3 summarizes the SB 18 Tribal coordination for GPA 1088 with the participating Tribe.

Today's requested action includes the Planning Commission tentatively approving GPA 1088 and formally adopting the attached Resolution 2011-02 (Exhibit 4) recommending the adoption of GPA 1088 to the Riverside County Board of Supervisors.

**SUMMARY OF FINDINGS:**

|                            |  |
|----------------------------|--|
| 1. General Plan Land Use:  | Countywide   |
| 2. Proposed Zoning:        | Countywide   |
| 3. Surrounding Zoning:     | Countywide   |
| 4. Existing Land Use:      | Countywide   |
| 5. Surrounding Land Use:   | Countywide   |
| 6. Project Data:           | Total Acreage: N/A<br>Total Proposed Lots: N/A<br>Proposed Min. Lot Size: N/A<br>Schedule: N/A |
| 7. Environmental Concerns: | Exempt from CEQA (see attached Notice of Exemption)  |
| 8. SB 18:                  | The County has complied with the requirements of SB 18   |

**RECOMMENDATIONS:**

**TENTATIVE APPROVAL** of General Plan Amendment No. 1088, based upon the findings and conclusions incorporated in the staff report; and,

**ADOPTION** of RESOLUTION 2011-02 recommending adoption of General Plan Amendment No. 1088 to the Board of Supervisors;

**CONCLUSIONS:**

1. The proposed amendment is in conformance with the Riverside County General Plan's Land Use Policies and with all other elements of the Riverside County General Plan.
2. The proposed amendment is consistent with all applicable provisions of Riverside County Land Use Ordinance No. 348.
3. The amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) based on CEQA Section 15061(b)(3).

**INFORMATIONAL ITEMS:**

1. As of this writing, no letters in support or opposition have been received.
2. The proposed GPA applies Countywide.



## County of Riverside General Plan GPA 1088

Land Use Element - December 1, 2010

### AREAS SUBJECT TO INDIAN JURISDICTION

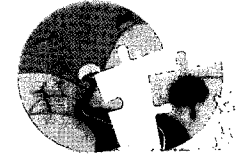
The General Plan and Area Plan maps depict some properties as Areas Subject to Indian Jurisdiction. Properties so depicted are, according to best available records, either located within the boundaries of Indian reservations or owned by Indian tribes or their members in trust. Within Indian reservation boundaries, properties so depicted include parcels owned in fee simple by non-Indians ("Fee Lands"); parcels owned by Tribal members either in trust or in fee ("Allotment Lands"); parcels owned by the Tribe as a government, corporation, or organization, and held either in trust by the United States or in fee ("Tribal Lands"); parcels that are located in those areas of an Indian reservation that are closed to members of the general public as authorized by federal law ("Closed Lands"); and parcels owned in fee or in trust by Indians who are not members of the Tribe which exercises governmental authority over the reservation. This depiction is specifically designed to acknowledge the sovereignty of the various Tribes relative to state and local governments. Because there is potential for conflicting assertions of jurisdictions between the County and the Indian Tribes with regard to regulatory authority over Fee Lands located within reservation boundaries, the County and various Indian Tribes have entered into inter-governmental agreements which spell out the procedures under which land use regulation authority will be administered with regard to those Tribes' reservation lands.

#### Policies:

- LU 33.1 The County of Riverside will continue to work with Tribal authorities to implement existing inter-governmental agreements with regard to land use regulatory authority over lands within Indian reservation boundaries.
- LU 33.2 The County of Riverside will continue to work with Tribal authorities to negotiate inter-governmental agreements in situations where such agreements would be mutually beneficial.
- LU 33.3 Where no inter-governmental agreements are in place or can be executed, the County and affected Indian Tribe will seek to agree on minimum development standards on Fee Lands that shall be applied to any application submitted to the County or the Tribe for approval of development plans. In the event that an agreement is reached between the County and the affected Indian Tribe, then the standards shall be designed to ensure that reservation land remains consistent with the reservation's purpose and character while recognizing the rights of all reservation landowners and residents.
- LU 33.4 The County of Riverside will continue to work with Tribes to seek compatibility between County and Tribal land use plans and policies.
- LU 33.5 All new development proposals concerning Fee Lands should be consistent with the surrounding County and Tribal land use plans and policies.

[\*GPA 1088, BOS RSLN #, mm/dd/yy].





## County of Riverside General Plan GPA 1088

Land Use Element - December 1, 2010

### AREAS SUBJECT TO INDIAN JURISDICTION

The General Plan and Area Plan maps depict some properties as Areas Subject to Indian Jurisdiction. Properties so depicted are, according to best available records, either located within the boundaries of Indian reservations or owned by Indian tribes *or their members in trust*. Within Indian reservation boundaries, properties so depicted include ~~parcels~~ ~~properties~~ ~~owned in fee simple by non-Tribal members non-Indians ("Fee Lands"); as well as properties~~ parcels owned by Tribal members *either in trust or in fee ("Allotment Lands");* ~~properties~~ parcels owned by the Tribe as a ~~unit~~ government, corporation, or organization, and held either in trust by the United States or in fee ("Tribal Lands"); *parcels that are located in those areas of an Indian reservation that are closed to members of the general public as authorized by federal law ("Closed Lands"); and parcels owned in fee or in trust by Indians who are not members of the Tribe which exercises governmental authority over the reservation.* This depiction is specifically designed to acknowledge the sovereignty of the various Tribes relative to state and local governments. ~~Some Tribes have specifically requested that the County of Riverside avoid designation of properties within reservation boundaries. Because there is potential for conflicting assertions of jurisdictions between the County and the Indian Tribes with regard to regulatory authority over Fee Lands located within reservation boundaries, the County and various Indian Tribes have entered into inter-governmental agreements which spell out the procedures under which land use regulation authority will be administered with regard to those Tribes' reservation lands. It is the position of the County of Riverside that each Tribe maintains land use jurisdiction over properties within reservation boundaries, regardless of the ownership of such properties, just as cities maintain land use jurisdiction over properties inside city limits, whether or not the property owner is a resident of that city.~~

#### Policies:

- LU 33.1 *The County of Riverside will continue to work with Tribal authorities to implement existing inter-governmental agreements with regard to land use regulatory authority over lands within Indian reservation boundaries. ~~The County of Riverside will continue to work with Tribal authorities to forge inter-governmental agreements in situations where such agreements would be mutually beneficial in the absence of agreements specifying otherwise, questions regarding development within areas subject to Indian jurisdiction should be referred to the applicable Tribal authorities. (AI A)~~*
- LU 33.2 *The County of Riverside will continue to work with Tribal authorities to negotiate inter-governmental agreements in situations where such agreements would be mutually beneficial.*
- LU 33.3 *Where no inter-governmental agreements are in place or can be executed, the County and affected Indian Tribe will seek to agree on minimum development standards on Fee Lands that shall be applied to any application submitted to the County or the Tribe for approval*



## County of Riverside General Plan

Land Use Element – December 1, 2010

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*of development plans. In the event that an agreement is reached between the County and the affected Indian Tribe, then the standards shall be designed to ensure that reservation land remains consistent with the reservation's purpose and character while recognizing the rights of all reservation landowners and residents.*

*LU 33.4 The County of Riverside will continue to work with Tribes to seek compatibility between County and Tribal land use plans and policies.*

*LU33.5 All new development proposals concerning Fee Lands should be consistent with the surrounding County and Tribal land use plans and policies.*

*[\*GPA 1088, BOS RSLN #, mm/dd/yy].*

**EXHIBIT 3**

**SUMMARY OF SB18 TRIBAL CONSULTATION FOR GPA 1088**

| Tribe  | SB 18 Initiation Letter      | Meeting/Conference Call Date(s)                         | Tribal Letters Received        | County Follow Up Correspondence |
|--|------------------------------|---|--------------------------------|---------------------------------|
| <p><b>Pechanga Cultural Resources - Temecula Band of Luiseno Mission Indians</b></p> | <p><b>April 21, 2010</b></p> | <p>June 9, 2010<br/>(cancelled at request of Tribe)</p> | <p>July 23, 2010</p>           | <p>July 14, 2010</p>            |
|  |                              | <p>July 14, 2010</p>                                    |                                | <p>August 3, 2010 e-mail</p>    |
|  |                              | <p>August 16, 2010</p>                                  |                                | <p>August 4, 2010 e-mail</p>    |
|  |                              |   |                                | <p>August 9, 2010 letter</p>    |
|  |                              |   |                                | <p>August 11, 2010 e-mail</p>   |
|  |                              |   | <p>December 1, 2010 letter</p> |                                 |

Planning Commission

County of Riverside

**RESOLUTION 2011-002  
RECOMMENDING ADOPTION OF  
COMPREHENSIVE GENERAL PLAN AMENDMENT NO. 1088**

**WHEREAS**, pursuant to the provisions of Government Code Section(s) 65350 et. seq., a public hearing was held before the Riverside County Planning Commission in Riverside, California on February 16, 2011 to consider the above-referenced matter; and,

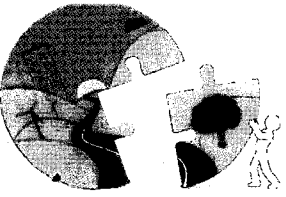
**WHEREAS**, pursuant to CEQA Guidelines Section 15061(b)(3), it can be seen with certainty that there is no possibility that General Plan Amendment No. 1088 may have a significant effect on the environment and is therefore not subject to CEQA; and,

**WHEREAS**, a notice of exemption has been prepared; and,

**WHEREAS**, the matter was discussed fully with testimony and documentation presented by the public and affected government agencies; now, therefore,

**BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Planning Commission of the County of Riverside, in regular session assembled on February 16, 2011 that it has reviewed and considered the notice of exemption and recommends the following based on the staff report and the findings and conclusions stated therein:

**TENTATIVE ADOPTION** of Comprehensive General Plan Amendment No. 1088.



# RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna  
Director

## NOTICE OF EXEMPTION

TO:  Office of Planning and Research (OPR) P.O. Box 3044 Sacramento, CA 95812-3044  
 County of Riverside County Clerk

FROM: Riverside County Planning Department  
 4080 Lemon Street, 12th Floor P. O. Box 1409 Riverside, CA 92502-1409  
 38686 El Cerrito Road Palm Desert, CA 92201

**Project Title/Case No.:** General Plan Amendment No. 1088

**Project Location:** In the unincorporated area of Riverside County.

**Project Description:** The proposed project is a County-initiated amendment to a section of the Riverside County General Plan Land Use Element that deals with Areas Subject to Indian Jurisdiction. When the County updated its General Plan in 2003 and created the section concerning Areas Subject to Indian Jurisdiction, no land use distinctions were made between the fundamental classifications of Indian land within the County unincorporated area. GPA 1088 now distinguishes between four distinct property ownership types subject to Indian Jurisdiction, provides clarification of the planning assumptions for lands owned by non-tribal members ("Fee Lands"), and gives policy level guidance for land use proposals on Fee Lands. GPA 1088 does not change land use designations.

**Name of Public Agency Approving Project:** Riverside County

**Project Sponsor:** Riverside County Planning Department

**Exempt Status: (Check one)**

- Ministerial (Sec. 21080(b)(1); 15268)  Categorical Exemption ( )
- Declared Emergency (Sec. 21080(b)(3); 15269(a))  Statutory Exemption ( )
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))  Other: Sec. 15061(b)(3)

**Reasons why project is exempt:** The proposed project is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (Section 15061(b)(3)). The intent of GPA 1088 is to further define the four fundamental classifications of Indian lands and provide more clarity concerning the land use consistency requirements and permitting process for lands owned by non-Indians. GPA 1088 does not change land use designations. Therefore, it can be seen with certainty that there is no possibility that the adoption of GPA 1088 may have a significant effect on the environment.

Kristi Lovelady 951-955-0781  
County Contact Person Phone Number

\_\_\_\_\_  
Signature Title Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_

Revised: 3/15/10: Y:\Planning Master Forms\Templates\CEQA Forms\NOE Form.docx

### FOR COUNTY CLERK'S USE ONLY

**NOTICE OF A PUBLIC HEARING  
BEFORE THE RIVERSIDE COUNTY PLANNING COMMISSION  
AND  
NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION**

PUBLIC HEARINGS have been scheduled before the RIVERSIDE COUNTY PLANNING COMMISSION to consider two proposed GENERAL PLAN AMENDMENTS (GPA) described below. The Riverside County Planning Department has tentatively determined that GPA 1088 will not have a significant effect on the environment and is recommending that a Notice of Exemption (NOE) be filed. Additionally, the Planning Department prepared an initial study to evaluate the environmental impacts of GPA 1096 (Environmental Assessment No. 42403). Based on the findings of Environmental Assessment No. 42403, the Planning Department tentatively determined that GPA 1096 will not have a significant effect on the environment. Therefore, the Department is recommending adoption of a Negative Declaration for GPA 1096. The Planning Commission will consider the NOE and Environmental Assessment No. 42403 in conjunction with their consideration of the respective GPAs at the public hearings referenced herein.

**SCHEDULE OF HEARINGS:**

**PLANNING COMMISSION HEARING**

DATE OF HEARING: **February 16, 2011**  
TIME OF HEARING: **9:00 A.M. or as soon as possible thereafter**  
PLACE OF HEARING: **Board Hearing Room  
First Floor  
4080 Lemon Street  
Riverside CA 92501**

**BACKGROUND:** GPA 1088 and GPA 1096 are County initiated General Plan Amendments. Originally included with the overall Riverside County General Plan update, GPA 960, both cases are now moving forward independent of GPA 960. GPA 1088 includes proposed modifications to the General Plan Land Use Element regarding areas subject to Indian Jurisdiction. GPA 1096, the Healthy Communities Element, is a new General Plan element which includes policies that will guide the County in addressing the link between public health and the built environment.

**PROJECT DESCRIPTION AND IDENTIFICATION:**

**GENERAL PLAN AMENDMENT NO. 1088 – NOTICE OF EXEMPTION -** County Initiated- Countywide, All Area Plans- **PROPOSAL:** This General Plan Amendment proposes to amend and update the language found in the Riverside County General Plan Land Use Element concerning areas subject to Indian Jurisdiction in order to: 1) make a distinction between the various types of properties subject to Indian jurisdiction, 2) provide further clarification of planning assumptions for lands owned by non-tribal members (Fee Lands), and 3) provide policy level guidance for land use designations on Fee Lands. The proposal clarifies the County's intent with respect to land use consistency for areas surrounding County and tribal jurisdiction. GPA 1088 will not change land use designations or affect future entitlement obligations for subsequent, individual development proposals.

**GENERAL PLAN AMENDMENT NO. 1096 – ENVIRONMENTAL ASSESSMENT NO. 42403 –** County Initiated – Countywide, All Area Plans – **PROPOSAL:** This General Plan Amendment proposes a new, optional General Plan Element entitled "Healthy Communities," that will facilitate positive health related policies and programs for the benefit of the residents of Riverside County. The proposed element incorporates policies that encourage healthy living and provide a land use and planning framework in which positive changes can be made. GPA 1096 will not change land use designations or affect future entitlement obligations for subsequent, individual development proposals.

**ANTICIPATED ENVIRONMENTAL EFFECTS:**

A Notice of Exemption was prepared for GPA 1088 pursuant to Section 15061 (b)(3) of the California Environmental Quality Act because it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment. An environmental assessment (E.A. No. 42403) was prepared for GPA 1096. It found that GPA 1096 would not have a significant effect on the environment and it would not have an adverse effect on wildlife resources therefore, a negative declaration was prepared.

**YOUR RIGHT TO COMMENT:**

Any person wishing to comment on or testify in support of, or in opposition to, the proposed general plan amendment may do so in writing prior to the hearing (between the date of this notice and the public hearing) or may appear and be heard at the dates, times and places noted above. All comments received prior to the Planning Commission public hearings will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a recommendation on the proposed project. If you challenge this project (GPA, environmental assessment, and/or NOE) in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the Planning Commission, or in written correspondence delivered to the Board of Supervisors at, or prior to, the date of the Board public hearings.

Please send all written correspondence to the following address:

Riverside County Planning Department  
Attention: Kristi Lovelady  
P. O. Box 1409  
Riverside, CA 92502-1409

Correspondence may also be sent by FAX to (951) 955-1811 or by e-mail to [klovelad@rctlma.org](mailto:klovelad@rctlma.org)

BE ADVISED that, as a result of public hearings and comment, the Planning Commission and the Board of Supervisors may amend, in whole or in part, the proposed general plan amendment and/or the environmental documents associated therewith.

**FOR ADDITIONAL INFORMATION:**

The proposed general plan amendment maps and environmental documentation to be considered by the Planning Commission are available for review beginning February 6, 2011, Monday through Thursday, from 8:00 a.m. to 5:00 p.m., at the County of Riverside Planning Department office located at 4080 Lemon Street, Twelfth Floor, Riverside, CA. The proposed general plan amendment maps and environmental findings may also be reviewed at the Planning Department offices located at 38686 El Cerrito Road, Palm Desert, CA 92211 and at the Planning Department public information counter located at 4080 Lemon Street, Second Floor, Riverside CA 92501. For further information regarding this case, please contact Ms. Kristi Lovelady at (951) 955-0781.

Carolyn Syms Luna  
Planning Director



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
P.O. BOX 1147, 4080 LEMON STREET  
RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

April 12, 2011

THE PRESS ENTERPRISE  
ATTN: LEGALS  
P.O. BOX 792  
RIVERSIDE, CA 92501

E-MAIL: [legals@pe.com](mailto:legals@pe.com)  
FAX: (951) 368-9018

RE: NOTICE OF PUBLIC HEARING: GPA 1088 CEQA Exempt

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Thursday, April 14, 2011.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD



**Gil, Cecilia**

---

**From:** PE Legals [legals@pe.com]  
**Sent:** Tuesday, April 12, 2011 8:32 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: GPA 1088

Received for publication on April 14

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Please Note: Deadline is 10:30 AM two (2) business days prior to the date you would like to publish.  
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**From:** Gil, Cecilia [mailto:[CCGIL@rcbos.org](mailto:CCGIL@rcbos.org)]  
**Sent:** Tuesday, April 12, 2011 8:02 AM  
**To:** PE Legals  
**Subject:** FOR PUBLICATION: GPA 1088

Good Morning again! Attached is a Notice of Public Hearing, for publication on Thursday, April 14, 2011.  
Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**



OFFICE OF  
CLERK OF THE BOARD OF SUPERVISORS  
1st FLOOR, COUNTY ADMINISTRATIVE CENTER  
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RIVERSIDE, CA 92502-1147  
PHONE: (951) 955-1060  
FAX: (951) 955-1071

KECIA HARPER-IHEM  
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR  
Assistant Clerk of the Board

April 12, 2011

THE DESERT SUN  
ATTN: LEGALS  
P.O. BOX 2734  
PALM SPRINGS, CA 92263

E-MAIL: [legals@thedesertsun.com](mailto:legals@thedesertsun.com)  
FAX: (760) 778-4578

RE: NOTICE OF PUBLIC HEARING: GPA 1088 CEQA Exempt

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **One (1) Time on Thursday, April 14, 2011.**

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION.**

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

*Mcgil*

Cecilia Gil, Board Assistant to  
KECIA HARPER-IHEM, CLERK OF THE BOARD

**Gil, Cecilia**

---

**From:** Moeller, Charlene [CMOELLER@palmspri.gannett.com]  
**Sent:** Tuesday, April 12, 2011 10:51 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR PUBLICATION: GPA 1088

Ad received and will publish on date(s) requested.

**Charlene Moeller** | Media Sales Legal Notice Coordinator  
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**From:** Gil, Cecilia [<mailto:CCGIL@rcbos.org>]  
**Sent:** Tuesday, April 12, 2011 8:02 AM  
**To:** tds-legals  
**Subject:** FOR PUBLICATION: GPA 1088

Good Morning again! Attached is a Notice of Public Hearing, for publication on Thursday, April 14, 2011.  
Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

**THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.**

**NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A COUNTY INITIATED GENERAL PLAN AMENDMENT IN ALL SUPERVISORIAL DISTRICTS OF THE COUNTY OF RIVERSIDE, AND INTENT TO FILE NOTICE OF EXEMPTION**

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1<sup>st</sup> Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, April 26, 2011 at 1:30 P.M.** to consider a County-Initiated application of **General Plan Amendment No. 1088**, which proposes to amend and update the language found in the Riverside County General Plan Land Use Element concerning Areas Subject to Indian Jurisdiction in order to: 1) make a distinction between the three fundamental classifications of Indian land properties, 2) provide further clarification of planning assumptions for lands owned by non-tribal members (Fee Lands), and 3) provide policy level guidance for land use designations on Fee Lands ("the project"). GPA 1088 clarifies the County's intent with respect to land use consistency for areas surrounding County and tribal jurisdiction. GPA 1088 does not change land use designations or affect future entitlement or review processes for other areas subject to Indian jurisdiction.

The Planning Commission approved the project and also determined that the project is exempt from the provisions of the California Environmental Quality Act.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 7:30 a.m. to 5:30 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Central Files Division of Riverside County Planning Department at 4080 Lemon Street, 12<sup>th</sup> Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT KRISTI LOVELADY, PROJECT PLANNER, AT (951) 955-0782 or EMAIL at [klovelad@rctlma.org](mailto:klovelad@rctlma.org).

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:

Clerk of the Board  
4080 Lemon Street, 1st Floor  
Post Office Box 1147  
Riverside, CA 92502-1147

Dated: April 12, 2011

Kecia Harper-Ihem  
Clerk of the Board  
By: Cecilia Gil, Board Assistant

## **CERTIFICATE OF POSTING**

(Original copy, duly executed, must be attached to the original document at the time of filing)

I, Cecilia Gil, Board Assistant to Kecia Harper-Ihem, Clerk of the Board of Supervisors, for the County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on April 12, 2011, I forwarded to Riverside County Clerk & Recorder's Office a copy of the following document:

**Notice of Public Hearing for: GPA 1088 CEQA Exempt**

to be posted, pursuant to Government Code Section 21092 et seq, in the office of the County Clerk at 2724 Gateway Drive, Riverside, California 92507. Upon completion of posting, the County Clerk will provide the required certification of posting.

**Board Agenda Date:** April 26, 2011 @ 1:30 PM

SIGNATURE:           *Mcgil*              DATE:           April 12, 2011            
                    Cecilia Gil

**Gil, Cecilia**

---

**From:** Meyer, Mary Ann [MaMeyer@asrclkrec.com]  
**Sent:** Tuesday, April 12, 2011 9:15 AM  
**To:** Gil, Cecilia  
**Subject:** RE: FOR POSTING: GPA 1088

posted

---

**From:** Gil, Cecilia  
**Sent:** Tuesday, April 12, 2011 8:03 AM  
**To:** Meyer, Mary Ann  
**Cc:** Marshall, Tammie  
**Subject:** FOR POSTING: GPA 1088

Good Morning again! Attached is a Notice of Public Hearing, for POSTING. Please confirm. THANK YOU!

*Cecilia Gil*

Board Assistant to the  
Clerk of the Board of Supervisors  
951-955-8464

***THE COUNTY ADMINISTRATIVE CENTER IS CLOSED EVERY FRIDAY UNTIL FURTHER NOTICE.  
PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING.***

## CERTIFICATE OF MAILING

(Original copy, duly executed, must be attached to  
the original document at the time of filing)

I, Cecilia Gil, Board Assistant, for the  
(NAME and TITLE)

County of Riverside, do hereby certify that I am not a party to the within action or proceeding; that on April 12, 2011, I mailed a copy of the following document:

### Notice of Public Hearing for: GPA 1088 CEQA Exempt

to the parties listed in the attached labels, by depositing said copy with postage thereon fully prepaid, in the United States Post Office, 3890 Orange St., Riverside, California, 92501.

**Board Agenda Date:** April 26, 2011 @ 1:30 PM

SIGNATURE: Mcgil DATE: April 12, 2011  
Cecilia Gil

Patricia Garcia-Tuck  
5401 Dinah Shore Drive  
Palm Springs, CA 92262

Roland Ferrer  
P.O.Box 1160  
Thermal, CA 92274

Anna Hoover  
P.O. Box 2183  
Temecula, CA 92593

John Gomez  
56310 Highway 371 Ste. B  
P.O. Box 391670  
Anza, CA 92539

Joseph Ontiveros  
P.O. Box 487  
San Jacinto, CA 92581

Franklin Dancy  
12700 Plumarra Road  
Banning, CA 92220

David Roosevelt  
84-245 Indio Springs Pkwy  
Indio, CA 92203-3499

Francine Kupsch  
P.O. Box 189  
Warner, CA 92086

Tribal Historic Preservation Office  
35008 Pala Temecula Rd.  
PMB 445  
Pala, CA 92059

Joseph Hamilton  
P.O. Box 391670  
Anza, CA 92539

Soboba Band Of Mission Indians  
P.O. Box 487  
San Jacinto, CA 92581

Mary Resvaloso  
P.O. Box 1160  
Thermal, CA 92274

Darrell Mike  
46-200 Harrison Place  
Coachella, CA 92236

Charles Wood  
P.O. Box 1976  
Chemehuevi Valley, CA 92363

Michael Tsosie  
Route 1, Box 23-B  
Parker, AZ 85344

John Marcus  
P.O. Box 609  
Hemet, CA 92546

Mary Ann Green  
P.O. Box 846  
Coachella, CA 92236

Sam Dunlap  
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Los Angeles, CA 90086

Anthony Rivera  
31411-A La Matanza Street  
San Juan Capistrano,  
CA 92675-2674

Richard Milanovich  
5401 Dinah Shore Drive  
Palm Springs, CA 92262

Robert Martin  
12700 Plumarra Road  
Banning, CA 92220

Mark Macarro  
P.O. Box 1477  
Temecula, CA 92593

Rob Roy  
22000 Highway 76  
Pauma Valley, CA 92061

Goldie Walker  
6588 Valaria Drive  
Highland, CA 92346

Sonia Johnston  
P.O. Box 25628  
Santa Ana, CA 92799

Luther Salgado Sr.  
P.O. Box 391760  
Anza, CA 92539

Joyce Perry  
4955 Paseo Segovia  
Irvine, CA 92612

Michele Fahley, Deputy General Counsel  
Pechanga Indian Reservation  
P.O. Box 1477  
Temecula, CA 92593

Dr. Edward Last  
12 Rue Villars  
New Port Beach, CA 92660

29 GPA 1088





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 COUNTY OF RIVERSIDE  
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*Planning  
16.4 of 04/26/11  
GPA 1088*

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Press-Enterprise

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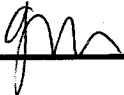
Ad Desc.: GPA 1088

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper of general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673 and under date of August 25, 1995, Case Number 267864; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

04-14-11

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: Apr. 14, 2011  
At: Riverside, California



BOARD OF SUPERVISORS

P.O. BOX 1147  
COUNTY OF RIVERSIDE  
RIVERSIDE CA 92502

Ad #: 10618507

PO #:

Agency #: \_\_\_\_\_

Ad Copy:

## NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY ON A COUNTY INITIATED GENERAL PLAN AMENDMENT IN ALL SUPERVISORIAL DISTRICTS OF THE COUNTY OF RIVERSIDE, AND INTENT TO FILE NOTICE OF EXEMPTION

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, April 26, 2011 at 1:30 P.M.** to consider a County-Initiated application of **General Plan Amendment No. 1088**, which proposes to amend and update the language found in the Riverside County General Plan Land Use Element concerning Areas Subject to Indian Jurisdiction in order to: 1) make a distinction between the three fundamental classifications of Indian land properties, 2) provide further clarification of planning assumptions for lands owned by non-tribal members (Fee Lands), and 3) provide policy level guidance for land use designations on Fee Lands ("the project"). GPA 1088 clarifies the County's intent with respect to land use consistency for areas surrounding County and tribal jurisdiction. GPA 1088 does not change land use designations or affect future entitlement or review processes for other areas subject to Indian jurisdiction.

The Planning Commission approved the project and also determined that the project is exempt from the provisions of the California Environmental Quality Act.

The project case file may be viewed from the date of this notice until the public hearing, Monday through Thursday, from 7:30 a.m. to 5:30 p.m. at the Clerk of the Board of Supervisors at 4080 Lemon Street, 1st Floor, Riverside, California 92501, and at the Central Files Division of Riverside County Planning Department at 4080 Lemon Street, 12th Floor, Riverside, California 92501.

FOR FURTHER INFORMATION REGARDING THIS PROJECT, PLEASE CONTACT KRISTI LOVELADY, PROJECT PLANNER, AT (951) 955-0782 or EMAIL at [klovelad@rctfma.org](mailto:klovelad@rctfma.org).

Any person wishing to testify in support of or in opposition to the project may do so in writing between the date of this notice and the public hearing, or may appear and be heard at the time and place noted above. All written comments received prior to the public hearing will be submitted to the Board of Supervisors and the Board of Supervisors will consider such comments, in addition to any oral testimony, before making a decision on the project.

If you challenge the above item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence to the Planning Commission or Board of Supervisors at, or prior to, the public hearing. Be advised that as a result of the public hearing and the consideration of all public comment, written and oral, the Board of Supervisors may amend, in whole or in part, the project and/or the related environmental document. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:

Clerk of the Board  
4080 Lemon Street, 1st Floor  
Post Office Box 1147  
Riverside, CA 92502-1147  
Dated: April 12, 2011

Kecia Harper-Ihem  
Clerk of the Board

By: Cecilia Gil, Board Assistant  
4/14