

RESOLUTION NUMBER 3161

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA APPROVING THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN AND IMPLEMENTING AGREEMENT, ADOPTING RESPONSIBLE AGENCY ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS

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

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

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

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

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

WHEREAS, the Board of Supervisors of the County of Riverside, at its regularly scheduled public meeting on June 17, 2003, reviewed and considered the Initial Study, Draft EIR/EIS, Final EIR/EIS and other related documents in the record before it and by Resolution Number 2003-299, certified the Final EIR/EIS and adopted environmental findings and a Statement of Overriding Considerations; and

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

WHEREAS, the City Council of the City, at its regularly scheduled public meeting on September 30, 2003, reviewed and considered the Final EIR/EIS and other related documents in the record before it; and

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

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

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

WHEREAS, prior to taking action, the City Council has heard, been presented with, reviewed and considered all of the information and data presented to it, including the Draft EIR/EIS, Final EIR/EIS and other documentation relating to the Project, all on file with the City Clerk’s office, and all oral and written evidence presented to it; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Perris as follows:

Section 1. The Final EIR/EIS prepared for the MSHCP is hereby received by the City Council in the form, on file in the City Clerk’s office and incorporated herein by this reference.

Section 2. The City Council hereby finds and determines that the Final EIR/EIS has been completed in compliance with CEQA and the State CEQA Guidelines, and as the decision-making body for the City of Perris, the City Council has reviewed and considered the information contained in the Final EIR/EIS and related documents before it and all of the environmental effects of the MSHCP.

Section 3. The City Council concurs with the environmental findings in County Resolution Number 2003-299 and adopts these findings, in file in the City Clerk's office and incorporated herein by this reference. The City Council also finds that there are no additional feasible mitigation measures or alternatives within its powers that would substantially lessen or avoid any significant effects that the MSHCP would have on the environment.

Section 4. The City Council concurs with the statement of overriding considerations in County Resolution Number 2003-299 and adopts the statement, and finds that the benefits of the MSHCP outweigh the adverse environmental impacts not reduced to below a level of significance.

Section 5. The City Council hereby approves the MSHCP and authorizes the Mayor to execute the MSHCP Implementation Agreement.

Section 6. The City Council hereby authorizes and directs that a Notice of Determination shall be filed with the Clerk of the County of Riverside within five (5) working days of approval of the Project.

ADOPTED, SIGNED and APPROVED this 30th day of September, 2003.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3161 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 30th day of September, 2003, and that it was so adopted by the following called vote:

AYES: Motte, Rogers, Landers, Busch

NOES: Yarbrough

ABSENT:

ABSTAIN:

City Clerk, Margaret Rey