

RESOLUTION NO. 2004-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE MULTIPLE SPECIES HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN AND APPROVING THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN AND IMPLEMENTING AGREEMENT, ADOPTING 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 No. 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, sub.(h) and CEQA, the City of Lake Elsinore ("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 January __, 2004 independently 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, and all oral and written evidence presented to it; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE AS FOLLOWS:

- A. The Final EIR/EIS prepared for the MSHCP is hereby received by the City Council in the form attached hereto as Exhibit A, and incorporated herein by this reference.
- B. The City Council hereby finds and determines that the Final EIR/EIS has been completed in compliance with CEQA and the State CEQA Guidelines