

**A RESOLUTION OF THE  
RIVERSIDE COUNTY TRANSPORTATION COMMISSION  
MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA  
ENVIRONMENTAL QUALITY ACT FOR THE MULTIPLE SPECIES HABITAT  
CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN,  
APPROVING THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT  
CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN  
AND IMPLEMENTING AGREEMENT 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 126 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 14 incorporated 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**, the Riverside County Transportation Commission ("Commission") is a permittee under the MSHCP and will execute the Implementing Agreement, and

**WHEREAS**, pursuant to State CEQA Guidelines sections 15091 and 15096, subdivision (h) and CEQA, the Commission is therefore a responsible agency for the Project and must make certain findings prior to the approval of the MSHCP, and

**WHEREAS**, the Board of Directors of the Commission, at its regularly scheduled public meeting on September 3, 2003 reviewed and considered the Final EIR/EIS and other related documents in the record before it, and

**WHEREAS**, all the procedures of CEQA, the State CEQA Guidelines and the Commission's Local 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, Guidelines and Rules, and

**WHEREAS**, as contained herein, the Commission 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 Commission 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 Commission has heard, been presented with, reviewed and considered all of the information in the administrative record before 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

**BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED** by the Riverside County Transportation Commission, in regular session assembled on September 3, 2003, that

- A The Final EIR/EIS prepared for the MSHCP is hereby received by the Commission
- B The Commission hereby finds and determines that the Final EIR/EIS has been completed in compliance with CEQA and the State CEQA Guidelines and, and as the decision-making body for the Riverside County Transportation Commission, the Commission has reviewed and considered the information contained in the Final EIR/EIS and related documents in the record and all of the environmental effects of the MSHCP
- C The Commission concurs with the environmental findings in County Resolution No 2003-299 and adopts these findings, attached hereto as Exhibit A and incorporated herein by this reference The Commission 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
- D. The Commission concurs with the statement of overriding considerations in County Resolution No 2003-299 and adopts the statement and finding that the benefits of the MSHCP outweigh the adverse environmental impacts not reduced to below a level of significance

**BE IT FURTHER RESOLVED** by the Commission that it hereby approves the MSHCP and authorizes the Chair of the Commission to enter into the Implementing Agreement

**BE IT FURTHER RESOLVED** by the Board of Directors that staff shall file a Notice of Determination with the County of Riverside within five (5) working days of final Project approval

APPROVED AND ADOPTED this third day of September, 2003



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Ron Roberts, Chairman  
Riverside County Transportation Commission

ATTEST



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Clerk of the Commission