

February 28, 2011; Agenda Item No. 15

Resolution No. 11-18

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY (A) ACKNOWLEDGING RECEIPT OF THE CALIFORNIA COASTAL COMMISSION'S RESOLUTION OF CERTIFICATION APPROVING THE MALIBU PARKS PUBLIC ACCESS ENHANCEMENT – PUBLIC WORKS PLAN (PWP) WITH SUGGESTED MODIFICATIONS, INCLUDING ALL TERMS AND/OR MODIFICATIONS SUGGESTED FOR FINAL CERTIFICATION; (B) ACCEPTING AND AGREEING TO ALL SUCH TERMS AND/OR MODIFICATIONS; (C) TAKING FORMAL ACTION TO INCORPORATE SUCH TERMS AND/OR MODIFICATIONS IN THE PWP, AND (D) ACKNOWLEDGING THAT THE CONSERVANCY WILL SATISFY SUCH TERMS AND/OR MODIFICATIONS

WHEREAS, Coastal Act Section 30605, as implemented by Section 13350 *et seq.* of the corresponding regulations, provides for the submittal of Public Works Plans to the California Coastal Commission as an alternative to the project-by-project coastal development permit review for public works projects; and

WHEREAS, the Malibu Parks Public Access Enhancement Plan– Public Works Plan (PWP) proposed by the Santa Monica Mountains Conservancy (Conservancy) and Mountains Recreation and Conservation Authority (MRCA) includes detailed project and facility plans for development of trails, campgrounds, various support facilities, and park uses, as well as a detailed policy framework to guide future improvements and various park programs to ensure consistency with all applicable policies of the Malibu Local Coastal Program and Coastal Act, for the parkland and trail corridors included in the Plan area located within the City of Malibu and unincorporated Los Angeles County; and

WHEREAS, the PWP proposed by the Conservancy and MRCA meets the definition of a public works project; and

WHEREAS, on August 23, 2010, the Conservancy and MRCA certified the Final Environmental Impact Report, adopting findings and mitigation monitoring and reporting program pursuant to the California Environmental Quality Act (CEQA), Malibu Parks Public Access Enhancement Plan - Public Works Plan, SCH No. 2009091018, City of Malibu and surrounding unincorporated area; and

WHEREAS, on August 23, 2010, the Conservancy and MRCA adopted Malibu Parks Public Access Enhancement Plan - Public Works Plan and authorized submission thereof to the California Coastal Commission; and

WHEREAS, with a letter dated August 25, 2010, the Conservancy and MRCA submitted the PWP to the Coastal Commission; and

WHEREAS, on October 13, 2010, the Coastal Commission unanimously approved and certified the PWP proposed by the Conservancy and MRCA with suggested modifications; and

WHEREAS, in a letter dated January 12, 2011, the Coastal Commission transmitted copies of the resolution of certification of the PWP and suggested modifications and findings to the Conservancy and MRCA; and

WHEREAS, in order for the Commission's certification to be final and effective, several steps need to be taken, including that the Conservancy and MRCA each (1) acknowledge receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification and (2) accept and agree to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and

WHEREAS, the staff report dated February 28, 2011 further describes the proposed action regarding the PWP and includes as an attachment the suggested modifications to the PWP approved by the Coastal Commission; and

WHEREAS, the proposed action is categorically exempt from the provisions of CEQA; Now

Therefore Be It Resolved, That the Santa Monica Mountains Conservancy hereby:

1. FINDS that the proposed action is consistent with the Santa Monica Mountains Comprehensive Plan.
2. FINDS that the proposed action is categorically exempt from the provisions of CEQA.
3. ADOPTS the staff report and recommendation dated February 28, 2011 for this item.
4. ACKNOWLEDGES receipt of the California Coastal Commission's resolution of certification approving the Malibu Parks Public Access Enhancement Plan – Public Works Plan (PWP) with suggested modifications, including all terms and/or modifications suggested for final certification.

5. ACCEPTS and AGREES to all such terms and/or modifications suggested for final certification.
6. INCORPORATES such terms and/or modifications in the PWP.
7. ACKNOWLEDGES that the Conservancy will satisfy such terms and/or modifications.
8. AUTHORIZES the Executive Director, or his assignee, to perform any and all acts necessary to carry out this resolution, and any recommendations made by the Governing Board.

~ End of Resolution ~

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, duly noticed and held according to law, on the 28th day of February, 2011 at Los Angeles, California.

Dated:

Executive Director