

December 9, 2013; Agenda Item No. 13

Resolution No. 13-33

RESOLUTION OF THE SANTA MONICA MOUNTAINS CONSERVANCY (A) DECERTIFYING THOSE PORTIONS OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PREVIOUSLY APPROVED MALIBU PARKS PUBLIC ACCESS ENHANCEMENT PLAN PUBLIC WORKS PLAN RELATING TO THE RAMIREZ CANYON PARK AREA, AS DEFINED, LOCATED IN THE CITY OF MALIBU AND IN UNINCORPORATED LOS ANGELES COUNTY, AND (B) VACATING THOSE PORTIONS OF THE PREVIOUSLY APPROVED MALIBU PARKS PUBLIC ACCESS ENHANCEMENT PLAN PUBLIC WORKS PLAN RELATING TO THE RAMIREZ CANYON PARK AREA.

WHEREAS, the Santa Monica Mountains Conservancy was a party to pending litigation *Ramirez Canyon Preservation Fund v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority* (Case No. BS127089); and

WHEREAS, the parties to the pending litigation have reached an agreement to settle said litigation; and

WHEREAS, the proposed action is consistent with the purposes of the Santa Monica Mountains Comprehensive Plan; Now

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

1. FINDS that pursuant to the settlement of the pending litigation, the court issued a peremptory writ of mandate requiring (a) the decertification of any part of the Final Environmental Impact Report for the Malibu Parks Public Access Enhancement Plan Public Works Plan that describes or analyzes impacts of any development in the Ramirez Plan Area, as defined, and (b) the vacation of any part of the approval for the Malibu Parks Public Access Enhancement Plan Public Works Plan that approves any plans or contemplates any development or activities in the Ramirez Plan Area, as defined.
2. FINDS that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act.
3. FINDS that the proposed action is authorized pursuant to Public Resources Code Section 33211.
4. ADOPTS the staff report and recommendation dated December 9, 2013.

5. DECERTIFIES any part of the Final Environmental Impact Report for the Malibu Parks Public Access Enhancement Plan Public Works Plan that describes or analyzes impacts of any development in the Ramirez Plan Area, as defined.
6. VACATES any part of the approval for the Malibu Parks Public Access Enhancement Plan Public Works Plan that approves any plans or contemplates any development or activities in the Ramirez Plan Area, as defined.
7. FURTHER AUTHORIZES the Executive Director, or his assignee, to perform any and all acts necessary to carry out this resolution.

~ End of Resolution ~

I HEREBY CERTIFY that the foregoing resolution was adopted at a meeting of the Santa Monica Mountains Conservancy, regularly noticed and held according to law, on the 9th day of December, 2013 at Beverly Hills, California.

Dated:

Executive Director