

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE REPORT and RESOLUTION relative to directing City staff to consult with the Santa Monica Mountains Conservancy (SMMC) prior to the release of any draft Negative Declaration and Environmental Impact Reports and on projects that may affect natural resources within the Santa Monica Mountains Zone, and other environmental actions.

Recommendations for Council action, SUBJECT TO THE CONCURRENCE OF THE MAYOR:

1. RECEIVE and FILE Resolution (Blumenfield et al. - Krekorian) dated November 3, 2021.
2. ADOPT the revised Resolution attached to the Energy, Climate Change, Environmental Justice, and River (ECCEJR) Committee report that contains the amendments recommended by the ECCEJR Committee:
 - a. Consult with the SMMC on any draft negative declarations and environmental impact reports under the California Environmental Quality Act (CEQA) for any project within the Santa Monica Mountains Zone, as defined in the Conservancy Act, consistent with trustee agency consultations requirements in Public Resources Code Sections 21080.3, 21080.4, 21091, and 21153.
 - b. The Department of City Planning, the Bureau of Engineering (BOE), and the Bureau of Street Services (Urban Forestry Division), in consultation with the City Attorney, to coordinate with other City departments and take all necessary steps to ensure that Eastern Santa Monica Mountains Natural Resource Protection Plan prepared by the SMMC will be considered by the City in the CEQA process to ensure the protection and conservation of sensitive habitat areas.
 - c. The Department of City Planning, the BOE, and the Bureau of Street Services (Urban Forestry Division), in consultation with the City Attorney, to coordinate with other City departments and develop a process to consider all future spatial habitat protection maps prepared and adopted by the SMMC.
 - d. The Department of City Planning, the BOE, and the Bureau of Street Services (Urban Forestry Division) are to report to the City Council within 90 days of the adoption of this Resolution on the status of the coordination efforts regarding the Eastern Santa Monica Mountains Natural Resource Protection Plan and a process for all future spatial habitat protection maps prepared by the SMMC.

- e. That the provisions of this Resolution shall apply prospectively only and shall not apply to any discretionary CEQA approval published or sought from the City prior to the adoption date of this Resolution, with the concurrence of the Mayor.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: Yes

For:
Tarzana Neighborhood Council

Summary:

On November 3, 2022, your Committee considered Resolution (Blumenfield et al. - Krekorian) dated November 3, 2021, and Resolution (Blumenfield et al. - Krekorian) dated September 6, 2022 relative to the SMMC as a trustee agency; consultation in regards to the Eastern Santa Monica Mountains Natural Resource Protection Plan, and a process for all future spatial habitat protection maps to ensure their protection and conservation, and related matters. On September 20, 2022, the Planning and Land Use Management (PLUM) Committee considered the matter and received and filed Resolution (Blumenfield et al. - Krekorian) dated November 3, 2022, and made their own sets of amendments reflected on PLUM's Committee report, attached to the Council file. The resolutions attached to the Council file include some background on the matter.

After providing an opportunity for public comment, the Committee moved to approve the recommendations as amended and reflected above. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ENERGY, CLIMATE CHANGE, ENVIRONMENTAL JUSTICE, AND RIVER COMMITTEE

<u>MEMBER</u>	<u>VOTE</u>
O'FARRELL:	YES
KORETZ:	YES
KREKORIAN:	YES

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ATTACHMENT

-NOT OFFICIAL UNTIL COUNCIL ACTS-

R E S O L U T I O N

WHEREAS, the Santa Monica Mountains Conservancy (SMMC) was created by the California State Legislature through the Conservancy Act in 1979 (Public Resources Code Section 33000, et seq.) to preserve thousands of acres of parkland for wildlife, native plants, and public recreation within the Santa Monica Mountains Zone (Zone) and since that time, it has helped to preserve and open to the public over 75,000 acres of parkland in both urban and wilderness settings; and

WHEREAS, Section 33001 of the Public Resources Code identifies the Zone as a “unique and valuable economic, environmental, agricultural, scientific, educational, and recreational resource that should be held in trust for present and future generations;” and

WHEREAS, public agencies reviewing projects under the California Environmental Quality Act (CEQA) must notify trustee agencies and consult with them at various points in the environmental review process; and

WHEREAS, a trustee agency is defined in Section 21070 of the Public Resources Code as “a state agency that has jurisdiction by law over natural resources affected by a project, that are held in trust for the people of the State of California;” and

WHEREAS, the City of Los Angeles recognizes that the Santa Monica Mountains Conservancy owns certain lands within the Zone in trust for the people of the State of California, including certain lands within the City of Los Angeles, and is the trustee agency for those lands; and

WHEREAS, on July 26, 2021, the California Attorney General issued a letter advising that the SMMC must be considered a trustee agency for CEQA purposes for projects affecting natural resources in the Zone, as defined in the Conservancy Act; and

WHEREAS, SMMC is seeking to be added through a formal process as a trustee agency for CEQA purposes for those lands in the Zone that are not owned by Santa Monica Mountain Conservancy and held in trust for the people of the State of California; and

WHEREAS, on December 13, 2021, the SMCC adopted the Eastern Santa Monica Mountains Natural Resource Protection Plan to “guide all forms of land protection” in the portion of the Santa Monica Mountains between Topanga Canyon Boulevard (State Route 27) and the eastern boundary of Griffith Park; and

WHEREAS, the Eastern Santa Monica Mountains Natural Resource Protection Plan includes three maps, identified as the Big Wild - Topanga State Park Core Habitat Area Planning Map, the Eastern Santa Monica Mountains Habitat Linkage Planning Map, the Griffith Park Area Habitat Linkage Planning Map, that identify “known and probable habitat linkage/wildlife travel routes between otherwise disconnected habitat blocks”; and

WHEREAS, it is a goal of the City of Los Angeles to conserve and manage land use development in environmentally sensitive areas through efforts such as natural community conservation planning;

NOW, THEREFORE, BE IT RESOLVED, that by the adoption of this Resolution, the City of Los Angeles, with the concurrence of the Mayor, hereby directs the relevant City staff, as follows:

1. Consult with the Santa Monica Mountains Conservancy (SMMC) on any draft negative declarations and environmental impact reports under the California Environmental Quality Act (CEQA) for any project within the Santa Monica Mountains Zone, as defined in the Conservancy Act, consistent with trustee agency consultations requirements in Public Resources Code Sections 21080.3, 21080.4, 21091, and 21153.
2. The Department of City Planning, the Bureau of Engineering, and the Bureau of Street Services (Urban Forestry Division), in consultation with the City Attorney, to coordinate with other City departments and take all necessary steps to ensure that Eastern Santa Monica Mountains Natural Resource Protection Plan prepared by SMMC will be considered by the City in the CEQA process to ensure the protection and conservation of sensitive habitat areas.
3. The Department of City Planning, the Bureau of Engineering, and the Bureau of Street Services (Urban Forestry Division), in consultation with the City Attorney, to coordinate with other City departments and develop a process to consider all future spatial habitat protection maps prepared and adopted by SMMC.
4. The Department of City Planning, the Bureau of Engineering, and the Bureau of Street Services (Urban Forestry Division) are to report to the City Council within 90 days of the adoption of this Resolution on the status of the coordination efforts regarding the Eastern Santa Monica Mountains Natural Resource Protection Plan and a process for all future spatial habitat protection maps prepared by SMMC.

BE IT FURTHER RESOLVED, that the provisions of this Resolution shall apply prospectively only and shall not apply to any discretionary CEQA approval published or sought from the City prior to the adoption date of this Resolution, with the concurrence of the Mayor.