

MARK J. G. DESROSIERS

SENIOR ASSOCIATE

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LANGUAGES:
English



Mark Desrosiers navigates complex land use and environmental matters at the administrative, trial, and appellate levels for public and private clients alike.

Mark's unique perspective stems from his early career in the judiciary. As a former clerk in both trial and appellate courts, he gained invaluable insights into judicial decision-making, equipping him with the skills to prepare projects for potential legal challenges and craft compelling arguments tailored for judges. Additionally, his tenure at the City Attorney's Office of Glendale further honed his expertise. There, Mark managed complex land use litigation, negotiated high-stakes transactions, and played a key role in drafting ordinances that addressed pressing municipal challenges. His work reflected a deep understanding of the intersection between local governance and land use law, contributing to the city's legal and policy frameworks.

His practice focuses on intricate issues arising under CEQA, planning laws, and zoning regulations. His extensive experience includes guiding General Plan updates, mixed-use developments, affordable housing projects, and public works initiatives through challenging regulatory and legal landscapes.

Mark also has experience in high-profile litigation and appellate advocacy. He has represented clients in precedent-setting cases, including serving as counsel to The Regents of the University of California in a landmark California Supreme Court victory defending UC Berkeley's Long-Range Development Plan and the student and supportive housing project proposed for "People's Park." Mark has argued critical motions and cases in trial and appellate courts, including a five-day bench trial defending nearly 40 years of the City of Carlsbad's application of its Growth Management Plan.

An active member of the City Attorneys Association of Los Angeles County, Mark has shared his expertise as a seminar leader on significant cases, including the U.S. Supreme Court's decision in *Sheetz v. County of El Dorado*. He has also authored articles for the Association of Environmental Professionals, offering thought leadership on emerging issues in environmental law.

EDUCATION

University of San Francisco School of Law, JD, 2014

Boston College Carroll School of Management, BS, 2004

ADMISSIONS

California, 2015 – Bar No. 302309

PRACTICE AREAS

Land Use & Environmental

CEQA/NEPA

Land Entitlements

Complementing his legal acumen, Mark brings a financial perspective from his prior role as a financial analyst at a boutique real estate investment firm, where he developed sophisticated financial models for bridge loan investments in hospitality and commercial properties. This multidisciplinary background enables Mark to approach land use and environmental matters with both legal precision and a nuanced understanding of financial and development dynamics.

HONORS & AWARDS

- Best Lawyers: Ones to Watch in America® for Environmental Law; Land Use & Zoning; Litigation – Environmental – *Best Lawyers* (2024–2027)

REPRESENTATIVE EXPERIENCE

- ***Make UC a Good Neighbor v. Regents of University of California* (2024) 16 Cal.5th 43.** Mark served as counsel representing the Regents of the University of California in a CEQA case before the California Supreme Court involving UC Berkeley's Long-Range Development Plan and a student and supportive housing project proposed at the site known as "People's Park." Mark drafted portions of the substantive briefing in both the Appellate and Supreme Court.
- ***Save Berkeley's Neighborhoods v. Regents of University of California* (2023) 91 Cal.App.5th 872.** Mark served as counsel in a successful defense of UC Berkeley's approval of a new academic and housing project at the Goldman School of Public Policy in the First District Court of Appeal. The published decision followed high-profile coverage of whether UC Berkeley would be able to enroll its full Fall 2022 freshman class. Mark drafted portions of the substantive appellate briefing as well as the successful opposition to Petitioner's subsequent claim for attorneys' fees under the private attorney general statute (Gov. Code, § 1021.5).
- ***Bokovoy et al. v. The Regents of the University of California et al.*, Case No. A16846.** Mark served as counsel representing the Regents of the University of California in an appeal by Petitioners of the trial court's denial of attorney fees after neighboring homeowners sued to stop a new Beach Volleyball stadium pursuant to the terms of a private real estate covenant with the University. Mark drafted the substantive appellate briefing and represented the University at oral argument. The case is currently pending a final decision.
- **Imperial County — Lithium Valley Specific Plan (LVSP).** Imperial County is preparing the Lithium Valley Specific Plan, which provides planning for 52,000 acres of land which provides for geothermal energy, lithium extraction, battery production, and restoration of the Salton Sea. Mark provides advice related to land use and planning for the LVSP.
- ***North County Advocates v. City of Carlsbad*, Case No. D083749.** Mark served as counsel

representing the City of Carlsbad in a Petition challenging nearly 40 years of the City's implementation of its Growth Management Plan to development and long-term land use planning. Mark took drafted and argued pre-trial motions, including discovery motions and a motion to bifurcate. Mark was part of the trial team during a five-day bench trial with live testimony, during which Mark examined witnesses. The trial court rejected all of Petitioner's arguments, and Mark is currently defending the City on appeal.

- ***Guardians of the Pines v. City of Burbank***, Case No. 23STCP03707. Mark serves as lead counsel representing the City of Burbank regarding a proposed project to remove roughly 119 aging Aleppo Pine trees in residential neighborhoods that represent an ongoing threat to resident's safety and property from catastrophic failure during winter storms. Mark successfully argued on behalf of the City in opposing Petitioner's motion for an injunction to halt removal of dozens of the most dangerous trees under an emergency exemption to CEQA, and is currently providing advice relating to environmental analysis of a proposed project to remove the remaining trees.
- **Los Angeles County Department Projects.** Mark has served as special counsel to the LA County Department of Regional planning, Department of Public Works and other County Departments on numerous high-profile projects, including:
 - Special counsel to the Los Angeles County Flood Control District on CEQA issues related to its Stormwater Interceptor Project, a fully automated, solar-powered trash collection device designed to capture floating plastic, trash, and litter before they reach the ocean. Mark was co-counsel and helped settle two different lawsuits related to the project before briefing and trial.
 - Represented the County in litigation over the Los Angeles County Sanitation District's obligation to fund a regional park at the site of the former Puente Hills landfill, the largest active landfill in the U.S. prior to its closure in 2013, known as the Puente Hills Landfill Park. The litigation involved contractual permitting issues and complex infrastructure issues associated with building a park on a landfill site. Defendants filed a cross complaint alleging inverse condemnation. Mark drafted mediation briefs and was part of the litigation team which settled the case in 2021 and secured \$80 million from the Sanitation District to fund the future park.
- Special counsel to the Los Angeles County Public Works Department on issues relating to Amended Floodplain Maps. The litigation involved a CEQA challenge the County's adoption of updated and modernized floodplain maps around the Santa Clara River. Mark wrote the substantive briefing in this case and secured a denial of the Petition challenging the adoption of the maps.
- **City of Seaside — Campus Town Center Specific Plan.** In December 2016, the City of Seaside entered into a Purchase and Sale agreement with the KB Bakewell Development Partnership to develop 122 acres on the former Fort Ord Army Base. This development is directly south of the California State University Monterey Bay campus, and is designed as a pedestrian oriented mixed-use village with 1,485 housing units, 250 hotel rooms, 150,000 square feet of Retail, Dining, and Entertainment, and 50,000 sf of Office, Flex, Makerspace/Light Industrial. Mark provided strategic legal advice and

in-depth legal reviews of both the Specific Plan and associated EIR.

- **Tapia Ranch Housing Development EIR.** Assisting the County of Los Angeles in its preparation of an EIR related to the Tapia Ranch Project, which includes the development of 405 single-family residential lots and associated infrastructure on an approximately 1,197-acre project site.
- **City of Brisbane.** On behalf of the City of Brisbane, assisted in drafting a 143-page comment letter against the draft EIR/EIS of a proposed high-speed rail light maintenance facility in Brisbane. Drafting this letter entailed the review of thousands of pages of environmental documents and technical appendices and the coordination of the efforts of six technical experts and City Departments.

PUBLISHED DECISIONS

- *CP VI Admirals Cove, LLC v. City of Alameda* (2025) 113 Cal.App.5th 1167