

**#95.** Please note that only the last Page of this letter is included. This letter is also the same as the Citizen's Against Recreational Eviction letter so please refer to that letter or Pages 2 through 7 of the San Diego Off Road Coalition letter for content and responses. Please see Response #43-58 and #70.

for it repeatedly. This inability to meet deadlines and respond to reasonable interested party requests reinforces that Park staff cannot adequately manage and protect the resources they are currently responsible for.

95

In summation, this Draft General Plan lists a number of future planning efforts that will have to be made, the Backcountry Camping Management Plan, the Roads Management Plan, the Trails Management Plan, the Cultural Resources Management Plan, the Natural Resources Management Plan, the Interpretive Management Plan, and the Facilities Management Plan. All these planning efforts appear to be creating a whole new bureaucracy with duplication of efforts and serious impacts on already limited staff capabilities to meet Park needs. The number of proposed planning efforts are almost certain to cause confusion, conflict and an unparalleled level of redundancy. The amount of staff time and costs related to all these planning efforts will be staggering. It will be difficult for interested parties to stay engaged in the planning process with so many planning efforts that each take time and effort to review and comment on. It has the cumulative effect of unnecessarily restricting recreational activities, which is in direct conflict with the expressed desires of the majority of interested parties who took part in the planning process. It is in direct conflict with the interests expressed in the comments of the majority of people who filled out the Park Visitor Survey. It is unfair to the citizens of California who have funded so many bond acts for parks and recreation and who expect to be able to enjoy recreational activities on the land so acquired to proceed with the preferred alternative. Thank you for the opportunity to comment on this Draft General Plan.

Sincerely,



Chad Hobart  
Account Manager  
Rubicon Media Group  
PO Box 791  
Twin Peaks, CA 92391

**All the following letters were received after the close of comments on March 3, 2003. However, in the interest of full public disclosure, all letters received up until two weeks after the close of comments are printed in their entirety and responses have been prepared.**

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**#96.** Please see Responses #40, #44, #53 and #64. The General Plan maintains off-trail (cross-country) hiking in all areas of the Park except the proposed Cultural Preserve and maintains exclusion of cross-country travel for equestrians in all areas of the Park (see Figure 7.6 and Table 6.6). Equestrian travel is provided on “designated unpaved roads and trails” consistent with current Park policy. The disposition of individual roads and trails will be subject to the proposed Roads Management Plan and Trails Management Plan (see General Plan Sections 3.4.2 and 3.4.3). Trailhead parking areas and equestrian staging areas are currently or potentially provided for in areas shown as Information Zone, Focused-Use Zone I, and Focused-Use Zone II (see Figure 7.6 and Table 6.6). These areas are strategically located throughout the Park to offer diverse experiences.

**#97.** Trailhead staging areas will be covered in the Trails Management Plan.

2-27-03

February 27, 2003

California Department of Parks and Recreation  
Southern Service Center  
8885 Rio San Diego Drive, Suite 270  
San Diego, California 92108

Attention: Anza Borrego Desert - DEIR  
c/o Ms. Michelle Fredrickson

It has come to my attention that this draft plan is planning to exclude cross-country travel for equestrians or hikers, runners, etc., within the largest state park in California. Also, access to all of the historic trails that traverse the park will be off limits. It is also my understanding that this is not part of why a public lands park was created and preserved for the public with employees serving the public park.

96

Under this proposed draft plan, equestrians are limited to OHV roads only and a former OHV road in Coyote Canyon. Single track trails are being closed to equestrians (hikers, etc.) as well as cross-country travel. Is this true and if it is, why is recreational activity such as this being excluded? To preserve for threatened, endangered, protected, sensitive (TEPS) species and plants?

Recreational enthusiasts hike or they may end up riding a horse, or a horseback rider may end up as a hiker, runner, or mountain bicyclist or OHV enthusiast. We all need a place to do these with SAFETY being the key priority here for all of us. To cut one is to cut all of our present and future activities and eliminate a cross over or a conjunction of recreational activities. Some people ride horses, motorcycles, and run as part of their activities (multiple activities vs. singular activities).

97

Also, horses are brought in via a truck/trailer so OHV access to trails is essential with a large area to park for all of us. Same with a group of hikers or mountain bicyclists, or motorcyclists.

**#98.** Please see Response #62.

**#99.** Anza-Borrego Desert State Park will remain part of the state park system.

98 [Also, it is my understanding that the wild horses in the park will be removed. Why is that? Horses need to be included in TEPS or under a Protection Act. I thought they were under the Wild Horse and Burro Act, but perhaps the American Horse Council will further implement these issues through legislation and access to public lands for recreational activities also be retained as a public right . Are the horses going to another public place or is slaughter being planned for them? Please access equineprotectionnetwork.com to see this horrible process. Horses are not to be slaughtered – we will get this stopped. Euthanization is the only alternative. So please, in your consideration of horses who made this world what it is today and should be under the protected status, remember where they end up and that many of us are seeking more and more outlets for them not for the foreign culinary habits that warrant intense scrutiny since they also eat dogs, monkey brains, bat hearts with these animals demise being a horrible cruel way to kill them for stupid sexual prowess (add more to the population – we are already overrun) and curing ailments. Only plant foods and natural fruits are what cures us hence the real garden of Eden. Without horses having places to live and be utilized, you are helping to promote slaughter..why? Please keep this in mind as you plan your DEIR that prohibits public activities and promotes endangered species and plants – horses need to be included in this.

99 [Will the Parks remain under the State or are we going to create a Special Lands Designation that is neither park, forest, or BLM for certain reasons?

Thank you for your consideration of these comments.

c: American Horse Council

*Sherie Stolarik  
25241W. Carson Way  
Stevenson Ranch, CA  
91381  
Trail Coordinator  
Corral 77, Equestrian Trails,  
Inc.*

**#100.** Please see Response #96. The proposed Wilderness Management Zones includes approximately 462,900 acres of the 623,800-acre Park (approximately 405,100 acres is currently designated as wilderness). Existing wilderness accounts for 64.94% of the Park and will be increased by 9.27% under the Preferred Plan to 74.21%. Vehicles will continue to travel on existing roads and park alongside them. The backcountry zone, open to primitive car camping and mountain bikes (not allowed in wilderness), accounts for 19.86% of the Park. Adoption of Alternative 2 is inconsistent with the Park purpose and does not provide the same level of protection to natural and cultural resources as the Preferred Plan. The Preferred Plan (Figure 7.6) allows for a greater level of recreational activity than Alternative 3. CSP respectfully disagrees that the Preferred Plan would have a substantial detrimental impact on recreation.

**#101.** Please see Response #12.

**#102.** Routes used by the U.S. Army and Navy in the past are not relevant to the General Plan. These routes are no longer used by the military.

**#103.** Please see Response #70. CSP respectfully disagrees. The Visitor Survey was conducted by an outside agency.

**#104.** Please see Response #86.



**ORBA**  
**OFF ROAD BUSINESS ASSOCIATION**  
March 1, 2003

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California Department of Parks and Recreation  
8885 Rio San Diego Dr. Suite 270  
San Diego, CA. 92108

Anza Borrego Desert State Park  
2003 General Plan.

Dear Sir or Madam

100 We would respectfully request that State Parks adopt Alternative 2 for the new General Plan for ABDSP. Adoption of any other alternative would significantly reduce the recreational opportunities the park provides. With over sixty-eight percent of the park designated as wilderness already a further increase to almost seventy-seven percent will have a detrimental impact on recreation and further impact areas in use at this time.

101 The proposed plan also does not address the lack of completion of the Public Use Plan for Coyote Canyon. The PUP at this time is two years overdue. The use of other historic routes and trails commonly used for vehicular recreation is not addressed either. When  
102 the ABDSP was closed to OHV use in the 1980's several miles of trails were also closed to street legal vehicles. Although there is a statement in the plan about the U.S. Army in the Anza-Borrego area it fails to mention use of these routes by the U.S. Navy and Marine Corps for training.

103 The Visitor Survey and associated computer generated pictures were designed to elicit a desired response that was meant to be anti-recreation. These pictures, Coyote Canyon, Fish Creek, Blair Valley and other areas, portrayed conditions that do not exist at this time or have not existed in the past or will not exist in the foreseeable future.  
A very large portion of the visitors to ABDSP camp outside of the formal camping area in Palm Canyon and only visit the Palm Canyon facility and Visitor center on rare occasion.

104 Visitor attendance at the ABDSP will surely increase in years to come but will never approach the average daily attendance quoted in the report. Since most visitation to the park is done during mild weather the figures given in the report would indicate an average daily attendance during peak season of over 400 vehicles per day and 2000 Hikers in Palm Canyon alone. Being a frequent visitor to the area I know this figure is not realistic.

11487 Woodside Ave., Ste. 110 • Santee, CA 92071 • Phone: 619.449.0778 • Fax: 619.596.5826

**#105.** The General Plan clearly identifies the Flat-tailed Horned Lizard with its current and correct designation of CSC, FP, and BLMS. Please see Tables 6.3, and 6.4, and Section 2.2.2.3. The statement regarding the loss of Flat-Tailed Horned Lizard habitat is supported by the *Flat-Tailed Horned Lizard Range-wide Management Strategy, An Arizona-California Conservation Strategy*. L.D. Foreman editor, 1997.

**#106.** The Preferred Alternative does not propose the elimination of any route of travel that was not closed prior to the issuance of the Notice of Preparation. Please also see Response #8.

**#107.** Although the presence of the Park certainly provides an economic base for tourism in Borrego Springs and other outlying small communities, implementation of the General Plan should have little effect on the economic base because the recreation will still be provided and few new facilities are proposed. Please also see Responses #54 and #89. Implementation of the General Plan will have no discernable economic effect in the greater Los Angeles or San Diego metropolitan areas.

**#108.** Please see Response #100.

Endangered Species;

105 [ The general plan as it is now written also includes the Flat tailed Horned Lizard as being endangered and listed as endangered. This is not true as the FTHL was recently denied listing on appeal in January 2003. Any further closures in the park for habitat for the FTHL are not warranted or justified. A fact is given on as a 40% loss of habitat for this species alone. Part of the "lost habitat" is what became the Salton Sea. The Salton Sea was created by natural flooding in the early 1900's. It also conveniently forgets to mention habitat gained when the Colorado River was stabilized and seasonal flooding throughout the Lower Colorado Delta was diminished.

Peninsular Bighorn Sheep.

106 [ The effects of disease and predation are a much more serious threat than recreation or vehicle traffic whether on paved roads or jeep trails. Elimination of more routes of travel open to vehicles in the park will also impact further efforts to discourage predators and will only hamper law enforcement in controlling poaching and other illegal activities.

Economic Impact:

107 [ No mention is given to the economic impacts to the area immediately adjacent to the park area. No mention is given to economic impacts to metropolitan areas that the majority of visitors come from.

108 [ The needs of the recreational public must be addressed in a manner that strives to meet the needs of a very diverse public. We at ORBA feel that Alternative 2 will best address these needs.

Respectfully,



John C. Ellis  
Director For Land Use  
Off Road Business Association

**#109.** Thank you for your Support.

**#110.** Thank you for comments. However, the creation of two distinct parks, Borrego State Park in the north, and Anza Desert State Park in the south, did not occur until 1953. The two parks were recombined in 1957. Please see Page 5-37 of the Historic Resources Appendix. There was no deliberate intention to diminish the work done by Guy Fleming and others in acquiring, administrating, and protecting the Park. Page 5-31 of the Historic Resources Appendix does give Mr. Fleming credit for his active role in promoting the Park's creation. Time and space limitations prevented the expansion of the narrative into a complete history of the development of Anza-Borrego Desert State Park. Please refer to the General Plan's bibliography for other sources of information regarding the Park's history.

**#111.** CSP agrees that all future mitigation would be subject to public review under CEQA as specific plans or projects are proposed. Please see Section 4.5.2 in the General Plan. Line 2 of BR 3 will be changed to "...will minimize damage...." CSP will design to minimize and avoid impacts to these resources because they are an important part of our *Mission*. However, recovery and recordation will remain as an option should resources be discovered during construction. The planning teams for proposed projects and under CEQA will review potential effects to aesthetics. The planning teams consist of professionals in landscape architecture, environmental design, sustainable design, resource specialists, and district personnel. Signs may be placed in appropriate locations. Additionally, please see Response #90. Section 4.5.8 will be changed to reflect that CEQA review will be required as well as approved by jurisdictional regulatory agencies.

**#112.** Thank you for your support. CSP has worked to provide the best alternative as the General Plan Preferred Alternative.

COMMENTS ON THE ABDSP  
PRELIMINARY GENERAL PLAN  
January, 2003

109 The document reflects the dedication and commitment of the staff of Anza-Borrego Desert State Park to prepare a plan which does justice to the future of California's greatest Park and to the expectations of our descendents. They are to be commended.

110 Missing, however, are the details of its origin as two parks; of its role in the development of the California State Park System under the reknowned Guy Fleming; and of the thirty-some years between its founding in 1932 and the 1960's when the Plan document was begub. For those thirty years, volunteers, mainly from San Diego and Riverside Counties, fended off utility corridors, major highways and developers' subdivisions. Many Park officials, staff and friends are the true heroes of the 3-decade vigil.\*

I have concerns, also, about the apparent absence of public review in the mitigation actions and decisions. In-house conclusions appear to dominate mitigation numbers:

GR 1 & 2

WR 1

BR 1,2,3 Note: line 2 of BR3: "prevent damage" should be qualified with "some damage" or, "minimal damage"

PR 1 Note: I understand the need to restrict unauthorized information and  
CR 1,2,3 activity. Restate mitigation, somehow..

111

AR 1 Note: last sentence: Who controls the "shall" mandate

RR 1

RR 2 Note: "California State Parks will make available to the public alternative recreational activities that are compatible with resource protection...." Will Park be prohibited from posting "no-no" signs?

Section 4.5.8 (page 4-20 MITIGATION & MONITORING

Please clarify as to the public review required under CEQA and, in some cases federal statues.

112 As to Range of Alternatives under CEQA; The document presents a preferred alternative. Another two alternatives are not acceptable because they are not in compliance with PRC Sec. 5002.26; one could increase impacts under same code. Alternative 3 is "un-do able"

Please keep our name on future mailing lists.

Respectfully submitted,

*Howard & Harriet Allen*  
Howard & Harriet Allen

\* I can give you name/address of an old-timer activist

**#113.** Thank you for your support of much of the General Plan. In regard to the statement "...continued concerns over the treatment of cultural resources in the draft EIR and Plan as a second-class resource subordinate to intensive recreational uses", CSP respectfully disagrees. The goals, guidelines, proposed cultural preserve and increase in wilderness designation demonstrate a strong commitment to the protection of cultural resources. Additionally, the draft EIR must address existing conditions as of the distribution of the NOP. CSP feels strongly that the approval of the General Plan will provide appropriate and improved direction for the management of cultural resources within Anza-Borrego Desert State Park.

**#114.** CSP respectfully disagrees. The General Plan proposes 0.42% of the Park as cultural preserve and only 0.71% of the Park for the public support facilities (Focused Use Zones I & II) such as campgrounds, information and entrance facilities and visitor centers. Additionally, although there are many recorded sites, not all of the sites would still be intact. The proposed Wilderness Management Zones includes approximately 462,900 acres of the 623,800-acre Park (approximately 405,100 acres is currently designated as wilderness). Existing wilderness accounts for 64.94% of the Park and will be increased by 9.27% under the Preferred Plan to 74.21%. Although vehicles will continue to travel on existing roads and park alongside them, the wilderness designation will provide an additional level of protection by removing the potential for direct vehicular impacts to cultural resources. The backcountry zone, open to primitive car camping and mountain bikes (not allowed in wilderness), is 19.86% of the Park. If Alternative 3 were selected, 7.13 % of the Park would be in natural/cultural preserve, an area ten times the size of the land designated for recreational facilities. However, it is the intention of CSP to protect the resources present, maintain the integrity of the cultural preserve classification (based on site data and not a percentage) within these areas, and allow recreational use nearby that will not adversely affect the resource. CSP was not willing to exclude many recreational uses based on large land use designations within these areas. Should additional studies indicate that cultural preserves are needed, the General Plan states such preserves may be designated after GP approval.

The potential areas to be designated as Preserves are identified on Figure 7.9 of the General Plan. Carmen Lucas, Kwaaymii Elder, worked with Manfred Knaak during the Resource Inventory phase of the Anza-Borrego Desert State Park General Plan. Carmen Lucas was contracted to provide a report documenting historical information about her family and the Kwaaymii people, in general. The report from Carmen Lucas included specific information about geographic locations used by the Kwaaymii people that now lie within the Park. Carmen Lucas' letter of January 2003 did not specifically request an on-site meeting, State Park Archaeologists met with Ms. Lucas in February 2002 regarding the General Plan and conducted site visits on the Lucky 5 Ranch. Carmen Lucas and Courtney Coyle also attended a General Plan focus group meeting in September 2001.

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Bob Patterson, Senior Landscape Architect  
Department of Parks and Recreation  
Anza Borrego Desert State Park General Plan  
8885 Rio San Diego Drive, Suite # 270  
San Diego, CA 92108

**By Certified Mail**  
March 3, 2003

**Re: Comments on Anza-Borrego Desert State Park General Plan Draft EIR and Preliminary Plan**

Dear Mr. Patterson:

113

This letter is sent on behalf of my client, Ms. Carmen Lucas, Kwaaymii Indian. As you know, Ms. Lucas' ancestors have lived in the Laguna Mountains and the nearby desert since time immemorial. Ms. Lucas also is an owner of the Kwaaymii homelands, a portion of which is now known as Lucas Ranch, indicated by the "x" provided on Exhibit 1. As you may remember, Ms. Lucas attended the General Plan public meeting on April 18, 2002 in Borrego, my office attended the April 30, 2002 meeting in Mission Valley and we both attended the focus group meeting at the San Diego Natural History Museum. We also submitted letters of concern on the planning process dated January 17, 2003, May 20, 2002 and October 3, 2001, with copies attached hereto. While we appreciate the work of your office towards creating a long-awaited Plan for the Park, and applaud much of the direction in it, we feel compelled to again raise our serious, continued concerns over the treatment of cultural resources in the draft EIR and Plan as a second-class resource subordinate to intensive recreational uses.

**Incomplete Native American Consultation on Cultural Preserve Zones**

114

As related in our previous correspondence, it is unclear as to why only one area is proposed as a natural/cultural preserve in the draft preferred alternative (Draft EIR/Plan, p. 3-16 "San Felipe Cultural Preserve") which amounts to a mere 0.004 % of Park acreage (Draft EIR/Plan p. 4-17) despite there being a total of 4,322 recorded historic resources documented within the Park (Draft EIR/Plan p. 2-69). If Alternative 3, the environmentally preferred alternative were selected, the Park area covered by natural/cultural preserve designations would rise modestly to 0.068 % of the Park – or about 68 one thousands of one percent of the total Park acreage (Draft EIR/Plan, Table

**#115.** Please see Responses #28, #37, and #57. Please also see the proposed changes in the Final General Plan addressing the goals and guidelines and the description of the management plans and Page 4-14 to 4-15. Public Use Interface Element of the Cultural Resource Management Plan, Camping Management Plan and the Roads Management Plan are identified as the top priority plans, have been funded, and will begin after the adoption of the General Plan. The Public Use Interface Element of the Cultural Resource Management Plan will identify, evaluate, and protect cultural resources in areas of the Park with the highest potential for public use conflict. This plan element is specifically proposed to address the issue of potential resource damage and the means to prevent it, as well as performing the other actions outlined in Section 3.3.1.7 (Pages 3-38 and 3-39 of the Preliminary General Plan). Information gathered for the Public Use Interface Element of the Cultural Resource Management Plan will be used to designate the most appropriate road routes and camping locations in relation to cultural and natural resources for the Road Management Plan and the Camping Management Plan. Existing State Park policies also provide protection for resources and provide direction on how to treat archaeological sites and historic resources. A considerable amount of archaeological fieldwork has been sponsored by CSP within Anza-Borrego Desert State Park® since the 1950s.

The previous and ongoing fieldwork provides good coverage of the Park areas used most commonly by park visitors, encompasses all environmental zones and all sections of the Park, and provides good information on the range of cultural phenomena expected to be present in the Park. State Park Archaeologists will remain in contact with Carmen Lucas and contact her as the General Plan and management plans proceed. Carmen will be invited to participate as a consultant on the Cultural Resources Management Plan, Camping Management Plan and Road Management Plan. A primary focus of the Camping and Road Management Plans will be the identification and protection of cultural resources, e.g., archaeological sites and other places of cultural significance. The separation of active recreation, travel routes, and archaeological sites within Anza-Borrego Desert State Park will be thoroughly investigated. The Public Use Interface Element of the Cultural Resource Management Plan is a high priority for the Park and will be implemented with current funding; additional elements of the Cultural Resources Management Plan will be continued in following years. CSP anticipates that much of the information gathered for The Public Use Interface Element of the Cultural Resource Management Plan can be applied to the Camping Management Plan and the Cultural Resource Management Plan.

Additionally, CSP had increased its personnel to monitor all the resources within Anza-Borrego Desert State Park but not all degradation can be eliminated in a park of this size. CSP has now assigned two rangers as resource rangers. These rangers are working to gain familiarity with the issues at the various sites including the current status versus the historic condition of these resources. Anza-Borrego Desert State Park is the largest park in the state park system and contains the largest state wilderness. This wilderness precludes the development of anything but trails and provides substantial protection to resources.

Bob Patterson letter  
March 3, 2003

6.7).<sup>1</sup> My client believes that the current proposal is mere "tokenism" and expressed that it is precisely why many Native communities decline to even speak with land management agencies.

114

The relatively modest number represented by the environmentally preferred alternative, which could vastly improve State Parks' ability to protect our irreplaceable history, should in no way offend user groups or be outside the general public's level of acceptable change, contrary to that unsubstantiated assertion at Draft EIR/Plan, page 4-8. In fact, the Draft EIR/Plan at page 4-17 finds that potential impacts to some kinds of recreation from the Plan as a whole will be "offset" by the creation of other recreational opportunities.<sup>2</sup> With twenty million people living within a 3 hours drive of the Park and the pressures ever increasing (Park Superintendent Mark Jorgensen, 2003), cultural resources effectively protected now by the environmentally preferred alternative become even more strategic.

Despite Ms. Lucas' requests, we did not receive a copy of the State Park Archaeologist's report and map to managerial staff regarding potential areas to be designated as Preserves. While we did receive a June 5, 2002 letter from your Landscape Architect and a December 20, 2002 letter from your Associate State Archeologist, State Parks did not accept Ms. Lucas' offer to sit down with staff, or go on site visits, to indicate areas that would benefit from the cultural preserve designation and describe face-to-face why such preserve designation is so critical at the present time, especially for American Indian people. We believe that meaningful Native American consultation is required before the environmental document and plan are to be finalized.

Vulnerable Post-Plan Approval Actions

115

Similarly, a January 6, 2003 Park Memorandum indicates several steps that will be taken "to assure that sensitive cultural resources are protected in the Park." This includes: 1) revising the draft plan to "make it very clear" that future management plans and implementation may result in use management and establishment of land management designation such as Cultural Preserves; 2) writing a "Roads Management Plan" and a "Backcountry Camping Management Plan" for the Park after completion of the General Plan to relate specifically to the seven areas of cultural sensitivity identified by the General Plan team and which may include other locations; and 3) that these plans will be complete and ready for implementation within 1 year of approval of the General

<sup>1</sup> By way of comparison, 1 % of the Park's total acreage is proposed for the location of potential facility development. (Draft EIR/Plan, p. 4-9).

<sup>2</sup> Moreover, the Draft EIR/Plan, Section 5 (Appendices), Appendix 5.5. (Visitor Use Study) and its Appendix C:(Visitor Comments), do not support the assertion that the majority of the public favors open, intensive recreation over the entire Park. To the contrary, Parks' October 2001 Visitor Survey found that, "[w]hen asked about their reasons for visiting the Park, respondents consistently ranked a cluster of motivations: scenic beauty, unique characteristics, wildness, nature displays and sanctuary for wildlife . . . The general trend in the data is that actions related to the preservation of the Park's resources are viewed as more important than changes in facilities, or development targeting recreational use . . ." (page 7).

Please see Response #115 on previous Page

Bob Patterson letter  
March 3, 2003

Plan. We observe that language and conditions in the Draft EIR/Plan should better reflect this memorandum.

While we appreciate these recent efforts by the team and management, it still appears that State Parks is subverting the planning process relative to cultural resources and potentially violating state law by deferring analysis of cultural preserve potential until after the General Plan is completed. *Sundstrom v. County of Mendocino* (1<sup>st</sup> Dist. 1988) 202 Cal.App.3d 296, 307 (court set aside a use permit when it held invalid a mitigation measure requiring an applicant to prepare technical studies after project approval, subject to approval by planning commission staff).

In fact, the Draft EIR/Plan itself states that, "[t]he constraints of time, funding, and/or the means to collect and record data may impair California State Parks' ability to make effective resource management decisions by not adequately investigating all possible management options or implications." (Draft EIR/Plan, p. 3-26). We also question the appropriateness of this deferred action when only about 8 % of the Park has been surveyed for historic resources at present. (Draft EIR/Plan, p. 2-69).<sup>3</sup> Creating more natural/cultural preserves during the General Plan process would better meet the mission of ABDSP, "to be the premier park in California in protecting and managing resources, inspiring and educating park patrons, and serving those needs of the public which are consistent with park objectives." (Draft EIR/Plan, p. 3-6).

115

We question the Draft EIR's conclusion that impacts to cultural resources is below a level of significance (Draft EIR/Plan, p. 4-4)("All potentially new adverse impacts will be avoided, minimized, or mitigated to a level of insignificance") particularly where the documents indicate that adverse impacts to pictographs and other resources caused by certain development and visitor usage are expected to continue. (Draft EIR/Plan, pp. 4-14 – 4-15). Moreover, it appears no attempts have been made to determine appropriate "carrying capacities" for these sensitive areas. (Public Resources Code sections 5001.96, 5019.5).

Further, what legal protections apply to places covered by the proposed "Culturally Sensitive Locations" designator? Are the funds for the road and camping management plans dedicated and secure? What protections and enforcement mechanisms apply to these culturally sensitive locations in the interim period before the Camping and Roads Management Plans are adopted? What difference does it mean in terms of level of protection if culturally sensitive areas are proposed to be managed pursuant to management plans and not the General Plan? Finally, the Draft EIR is silent as to the expected completion dates for those two Management Plans as well as the proposed Cultural Resources Management Plan which would identify, evaluate and protect cultural resources, cultural landscapes and traditional cultural properties. (Draft EIR/Plan, p. 3-28). Without additional details, the proposed mitigation measures fail to rise to the level of performance standards, in violation of CEQA.

<sup>3</sup> The need for a comprehensive survey of ABDSP's cultural resources has been long-recognized. See attached Evening Tribune article, "Survey of Indian sites urged for desert park," June 19, 1972.

**#116.** Please see Responses #54 and #114. The Lucky 5 parcel was recently acquired and had been previously used for cattle ranching and as a private horse camp for the Los Senderos equestrian group. This was an unregulated use that will be regulated for trail use and camping under CSP management. The southern parcel provides a direct connection to the Pacific Crest Trail and there were terms placed on the property deed at the time of sale that allowed for continued equestrian use. Specific cultural resource issues for the Lucky 5 Ranch Public Use Plan are addressed in a separate mitigated Negative Declaration SCH # 2003021099. The action approving the acquisition of the Lucky 5 Ranch is not a part of the General Plan. Carmen Lucas has been involved in the design for the Lucky 5 Public Use Plan to assist in identifying cultural resource sites and avoiding or minimizing impacts to archaeological sites.

Bob Patterson letter  
March 3, 2003

115

Finally, it is our informed opinion that the six additional areas the Associate State Archaeologist proposed as Cultural Preserves for the General Plan are relatively modest and wholly appropriate. We are also aware that Save Our Heritage Organisation had identified 12 areas of concern to them due to unrestricted camping and hiking. When can we consult on this issue? Ms. Lucas responded to the December 20, 2002, letter through her January 17, 2003 letter, but has yet to receive a response.

*Insufficient Consideration of Cultural Properties within the Lucky 5 Acquisition*

As a culturally affiliated Native American to the Lucky 5 property, which will be integrated into the Anza Borrego Desert State Park, Ms. Lucas has walked portions of the property with your Associate State Archaeologist. We have sent a letter to her dated December 22, 2002, expressing our serious concerns about the proposed intensive public use of the southern parcel. While we intend to submit our concerns in more detail during the environmental review for the MND for the proposed use of the project ("Lucky 5 Ranch Acquisition – Public Use Improvements," February 2003), we will briefly express the concerns here as it may relate to the Draft EIR and General Plan for the Park (Draft EIR/Plan, p. 3-48).

116

First, according to the Public Resources Code sections 5002.1, 5002.2, 5016, 5019.5 and 5024, State Parks is supposed to perform environmental surveys of property to be acquired prior to acquisition and public use and preserve and maintain all state-owned historical resources under its jurisdiction. It is apparent that this sequence of processes did not occur with respect to the subject parcels. If it had, it would have become obvious that the northern parcel may be more appropriate for intensive recreation while the southern parcel may be more appropriate for passive recreation only. Instead, the Draft Plan and proposed MND propose the exact opposite. In fact, there is not even a stated Goal to preserve and protect the traditional cultural landscape of the southern parcel in the relevant section of the Draft EIR/Plan (p. 3-48). The Goals are all about recreational use.

Ms. Lucas has identified the area referred to as the southern parcel as a culturally sensitive location containing springs, bedrock mortars, medicine and other gathering areas and other artifact assemblages. She feels that the area may not be appropriate for the proposed use, an overnight horse campground with a nearly 19,000 square foot day-use trailhead parking and separate horse trailer/car parking onsite, with toilets, manure collection, and a new pump and water delivery system. We feel that the cart was put before the horse, so to speak, in Parks' planned treatment of this property.

The current equestrian proposal, though reduced somewhat from that originally proposed, appears to violate the Draft EIR/Plan Guidelines that, "planning for new development may require extensive archaeological and historical research, as well as consultation with Native American communities or other descendent groups for the area." (Draft EIR/Plan, p. 3-29). We will be following up and requesting to see copies of relevant portions of the conveyance documents for both the northern and southern

**#117.** Please see Response #54. Carmen Lucas has been a valued Native American consultant in activities at Anza-Borrego Desert State Park and CSP hopes to continue that relationship. The establishment of trail systems will provide a recreational outlet for users on park property that adjoins privately held land. Boundaries between private land and the Park will be clearly delineated and patrolled by rangers. CSP will prohibit hunting on park property.

**#118.** Please see Response #24.

**#119.** A notification of the Park and Recreation Commission Hearing will be sent to your office and a copy of the NOD, if the project is approved. The responses to comments will be available at the SSC and public libraries for review and posted on the website, per CEQA guidelines.

\*Please note: The 14 Pages of attachments from the Courtney Ann Coyle letter are located at the end of this Section.

Bob Patterson letter  
March 3, 2003

116 properties and suggest that this area be "white holed" in your documents until the environmental documents for that project have been certified.

Relations with Nearby Private Property Owners Needs Improvement

117 Second, speaking as a private property owner with land near the subject property, Ms. Lucas has concerns about introducing additional and potentially intensive recreational uses into the area near Sunrise Highway and the Lucas Ranch. Having read the provided notes from the focus group meeting with the off highway vehicle and equestrian group representatives, we believe that little consideration has been given to the impacts of proposed recreational uses on nearby long-term land owners and residents.

In fact, the Draft Plan's section on "Adjacent Land Use Issues" (Draft EIR/Plan, p. 2-112) focuses exclusively on adjacent owner's impacts to Park property as opposed to also considering ABDSP's impacts to adjacent landowners. Both aspects should be included in the EIR/Plan, especially given that private lands (external and internal) represent the greatest percentage of shared borders with the Park (Table 6-1). This issue must be addressed before any environmental documents or Plans are finalized.

Conclusion

118 Based on the information provided, we believe that State Parks must select Alternative 3, the Environmentally Preferred Alternative, to conform to CEQA. No serious attempt has been made to demonstrate with substantial evidence that this alternative is infeasible.

119 Thank you for your courtesy and cooperation and for responding to this letter in writing. In addition, please provide my office with two copies of the Final EIR/Plan and the Mitigation and Monitoring Program for the project and inform us of the meeting location and time for any action on this document and plan by the Parks & Recreation Commission.

Very truly yours,



Courtney Ann Coyle  
Attorney at Law

✓ Encls. 5 (location map; January 2003 Park Memo; 1972 Evening Tribune article; our January 2003, May 2002 and October 2001 letters)

Cc: Denise Ducheny, State Senator  
John Burton, State Senator  
Mary Nichols, Resources Secretary

**#120.** Please see Responses #100, #109, #113, and #114.

03-03-03

To the Environmental Coordinator,

I would like to saw that

120

Alternative #2 calling for Backcountry

for Coyte Canyon is the right choice.

Thank you

Sharon Judd

12471 Lee Ln.

Garden Grove, Calif. 92840

#121. Please see Response #86.

#122. Please see Responses #100, #109, #113, and #114.

To the ENVIRONMENTAL COORDINATOR,

THE FOLLOWING ARE MY COMMENTS ON THE  
DRAFT GENERAL PLAN FOR ABDSP,

2.2.7.2 CURRENT VISITOR INFORMATION

121 [ THE ESTIMATE OF ANNUAL VISTATION IN  
COYOTE CANYON IS RIDICULOUS AT 80,000!  
WITH A 4 MONTH CLOSURE, AVERAGE MONTHLY  
VISTS WOULD BE 10,000 OR 333 VISTS PER DAY!  
MORE RIDICULOUS! CORRECT THESE FIGURES,  
OR LOSE CREDIBILITY!

I ATTENDED MORE THAN HALF (50%) OF THE  
PUBLIC MEETINGS, PROBABLY MORE THAN 80%.  
I TRAVELED COYOTE CANYON NUMEROUS TIMES  
STARTING AROUND 1961 UP TO THE PARTIAL  
CLOSURE IN 1995.

122 [ PLEASE CHOOSE ALTERNATIVE #2, IT WAS  
OBVIOUSLY THE CHOICE OF THE MAJORITY OF  
THE PUBLIC THAT ATTENDED THE PRIOR  
MEETINGS.

THANK YOU

WALTER A. ZODI  
1247 LEE LANE

GARDEN GROVE CA, 92840

#123. Please see Response #86.

#124. Please see Responses #96, #100, and #101.

3-3-03

To the environmental co-ordinator

Comments to the Draft General  
plan for ABDSP

123 In response to section 2.2.7.2 in  
Current Visitor Information, that states the  
annual amount of people visiting Coyote Canyon  
is 80,000, I find completely inaccurate and  
mathematically impossible! This means that 330  
people ~~annually~~ are there every day on average,  
taking into consideration the 4 month closure.  
I've been there on what many would consider  
the perfect spring day, sunny, t-shirt weather.  
On these days I saw about 10 while traveling,  
I don't know exactly how many were the total,  
but not 300, not even close. I feel that  
these numbers are very inaccurate!

124 I strongly desire that you choose  
Alternative #2, which is definitely the choice of  
the public at the earlier scoping meetings!

Thanks

Wayne M. Todd

#125. Thank you for your support.

#126. Cultural resources will be fully evaluated under CEQA in the Road, Trail, Camping, and Cultural Resource Management Plans. Please also see Responses #24, #25, #26 and #114.

#127. Please see Response #115. Additional Cultural Preserves are an option that may be implemented under the General Plan. Thank you for the information.



**SOCIETY for CALIFORNIA ARCHAEOLOGY**

**Business Office**

Department of Anthropology  
California State University, Chico  
Chico, CA 99592-0401  
(530) 898-5733

February 26, 2003

Environmental Coordinator  
Southern Service Center  
California Department of Parks and Recreation  
8885 Rio San Diego Drive, Suite 270

Subject: Draft General Plan for Anza-Borrego Desert SP

Dear Environmental Coordinator,

125 Thank you for the opportunity to review California State Parks Preliminary General Plan from Anza-Borrego Desert State Parks. I would like to make a few comments on behalf of the Society for California Archaeology (SCA).

The Preliminary Anza-Borrego Desert General Plan has done an admirable job in the consideration of sensitive archaeological resources within the park and guidelines to insure site preservation.

126 The Preferred Alternative offers the protection of an Expanded Wilderness designation, and goals and guidelines for cultural resource protection for all significant resources. However, we see greater potential for protection of cultural resources in Alternative 3 that would provide additional protection to sacred and sensitive resources through designation of Natural or Cultural Preserves. Preserve designations are the most protective sub-unit classifications in the State Park System. This alternative allows for the inclusion of the largest amount of acreage in the Natural/Cultural Preserve Zone, with approximately 44,500 acres of Preserve land proposed in the following areas: Harper Flats, Hapaha Flat, sections of Coyote Canyon, Borrego Badlands, an area located between S3 and Highway 78, Carrizo Badlands, and Carrizo Impact Area.

127 The unique cultural values of Anza-Borrego Desert SP are important candidates for the development of additional cultural preserves. In particular, we support the development of Cultural Resources Management Plans (CRMP) for the preservation and protection of archaeological resources around active recreation areas. SCA would advocate the inception of a CRMPs subsequent to adoption of the General Plan. The CRMP should identify sensitive resource areas, including locations within Piedras Grandes, Mountain Palm Springs, Blair Valley, Harper and Hapaha Flat, San Felipe Stage Station, and Coyote Canyon that may warrant extra protection, such as establishing preserve designations.

Thank you for allowing me the opportunity to make these comments.

Sincerely,

Thomas Wheeler  
Society for California Archaeology  
Southern California Vice President

#128. Please See Responses #54 and #11. CSP has seen this report and as a result increased the number of park newspapers from 50,000 to 100,000. CSP will work for continued community involvement.