

**SAN DIEGO UNIT
BACKCOUNTRY HORSEMEN OF CALIFORNIA**

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February 20, 2003

Patricia K. Autrey
Environmental Coordinator
Southern Service Center
California Department of Parks and Recreation
8885 Rio San Diego Drive, Suite 270
San Diego, California 92108

Re: Comments on Anza-Borrego Desert State Park General Plan

Dear Environmental Coordinator:

59 Backcountry Horsemen of California (hereinafter "BCHC") is a non-profit organization made up of individuals from throughout California who are dedicated to conserving backcountry wilderness and protecting stock users' historic use of wilderness trails and forage and is a member of the Backcountry Horsemen of America. BCHC has a membership of more than 4,000 men and women. The San Diego Unit of Backcountry Horsemen of California (hereinafter "Unit") is one of 26 local units in the state.

Our purpose is:

1. To perpetuate the common sense use and enjoyment of horses in America's backcountry and wilderness;
2. To work to insure that public lands remain open to recreational stock use;
3. To assist the various government and private agencies in their maintenance and management of said resource;
4. To educate, encourage and solicit active participation in the wise use of the backcountry resource by horsemen and the general public commensurate with our heritage; and,
5. To foster and encourage the formation of new units of the organization.

The Unit, in "partnership" with the Anza-Borrego Desert State Park's administration and staff, has contributed hundreds of hours of volunteer work to establish and maintain trails for hiking and equestrian use in the Park.

We offer the following comments on the Anza-Borrego Desert State Park General Plan (hereinafter "Plan"):

60 Comment 1: The size and complexity of the Plan virtually preclude meaningful review in the time allocated for public comment, and we request that the public

#61. Please see Responses #37.10, #40 and #44. The RS 2477 status has not been confirmed for many of the roads in Anza-Borrego Desert State Park. These rights, if valid, would not be an environmental issue and, therefore, are not subject to CEQA. An inventory of RS 2477 roads is not within the requirements of the General Plan and is therefore, not provided. Also, it is not the purpose of a General Plan to override or supercede and legitimate access rights that may currently exist or are determined to exist in the future. At the present time, the plan reflects what is known about the setting.

#62. CSP agrees that the feral horses are entitled to protection and contracted with UC Davis to study the horses and their potential impact on the native bighorn sheep population. During the study, it was determined that the horses were unhealthy and suffering from inadequate forage due to the extended drought. The horses were removed from the Park in March 2003 and have been transported to two wild horse sanctuaries.

#63. These trails were identified on Figures 7.1 and 7.3 and will be identified more clearly on Figures 7.1, 7.3, 7.6 and 7.10 in the final General Plan. This General Plan includes goals and guidelines related to trails (see Infrastructures and Operations Section 3.3.1.11). However, more detailed information regarding trail maintenance and the like, will be addressed within the Trails Management Plan (as called for in the General Plan, Section 3.4.3).

#64. As part of the Trails Management Plan, additional trail routes may be added to improve recreational quality. Cross-country equestrian travel is not allowed under the General Plan.

#65. Please see Figure 7.10 and Section 3.2.4.6. The Cultural Preserve site is a significant large and diverse site of the San Felipe Stage Station and other cultural deposits. CSP constructed a new parking area and a ½ mile trail connector for safe access to Pacific Crest Trail, east of S2 on a recently acquired parcel. The parking area can currently be used as a staging area or for unimproved overnight camping. The Camping Management Plan could address the need for designated camping and water for through travelers at this site. A trails assessment team has been working with CSP to develop the nearby Lucky 5 Ranch acquisition as an equestrian campground with water, a connector to the Pacific Crest Trail, and trail loop routes. The General Plan will be changed to remove the restriction of day-use only in the new staging area. This land use is consistent with the zoning identified in the Preferred Plan.

#66. Please see Response #9. Although planning efforts are underway for an equestrian campground at Lucky 5, General Plans are not intended to discuss specific development or improvement proposals but instead the areas where they may occur. Specific proposals for future operations and management will be considered on a case-by-case basis and will be open to public review through the California Environmental Quality Act (CEQA) environmental review process. Please see Lucky 5 Ranch Area Specific Goals and Guidelines Section 3.3.2.4 in the Preliminary General Plan document.

#67. Please see Response #11.

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review period be extended for 180-days, and that free “hard” copies of the Plan be distributed to stakeholder groups, including the Unit.

Comment 2:

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We request that the Plan include the identification and inventory of all public rights-of-way established pursuant to 43 United States Code section 932 (commonly referred to as R.S. 2477) and that the Plan include an affirmative statement that the Public’s access over the R.S. 2477 rights-of-way will not be impeded. This request is made pursuant to the California Court of Appeal, Third Appellate District’s decision in *Western Aggregates, Inc. v. County of Yuba* (2002) 101 Cal.App.4th 278, 295, wherein the court noted that “Pre-1976 R.S. 2477 roads are entitled to protection.”

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Comment 3:

We request that the Plan include an affirmative statement that the wild horses in the Park (referred to in the Plan at page 2-61 as “feral Horses”) are entitled to protection and will not be removed from the Park.

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Comment 4:

We request that the Plan identify and acknowledge the existence in the Park of both the Pacific Crest Trail and the California Riding and Hiking Trail and, further, that the Plan include an affirmative statement that the maintenance of these trails is integral to the overall long-range purpose of the Park.

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Comment 5:

We request that the Plan acknowledge that, in those areas open to the recreational use of stock and more than five miles from any established trail head, equestrian users will not be confined to established trails, but can travel cross country with their stock.

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Comment 6:

We request that the Plan include the establishment and maintenance of an equestrian staging area trail head in the immediate area adjacent to Scissors Crossing, north of State Highway 78 and west of County Road S2.

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Comment 7:

We request that the Plan include a provision for the establishment and maintenance of an equestrian only campground in the Lucky 5 Ranch Area.

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As indicated in Comment 1, above, we do not believe the time limit allocated for public comment on the Plan is sufficiently long for a meaningful review of the Plan; therefore, we submit the foregoing comments but reserve the right to make further

California State Parks Response

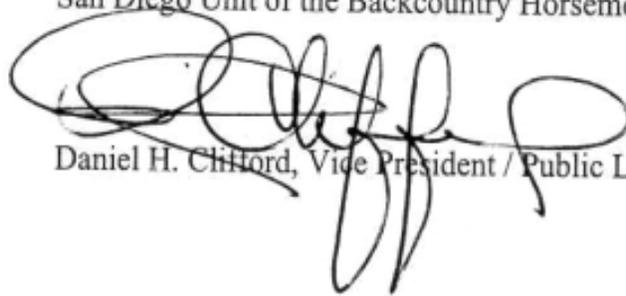
Please see Response #67 on previous Page

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comments on the Plan in the future. We further reserve the right to join in the comments made by any other group, entity, or individual(s).

Respectfully submitted,
San Diego Unit of the Backcountry Horsemen of California



Daniel H. Clifford, Vice President / Public Lands

#68. CSP is committed to provide equal access to all programs within the state park system to persons with physical disabilities. Access to programs may, for example, include video tours of portions of a historic building that could not be altered without adversely affecting its historical integrity. Access to programs is provided in consultation with a disabled advisory review committee (DARC), which includes members with disabilities. The General Plan does not eliminate equestrian uses except in the Cultural Preserve. Equestrian trails are located in many areas within the Park. Equestrian groups have expressed an interest in establishing camping and trail access within the Cultural Preserve (see Response # 65); however, establishment of such uses in that area would conflict with CSP *Mission* and create potentially adverse significant affects to natural and cultural resources under CEQA. Alternatives for equestrian users have been created or planned nearby. Equestrian users will have continued access into the wilderness areas at Anza-Borrego Desert State Park and backcountry horse tour concessions are under consideration.

Disabled Equestrians Organization

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[mailto: donp@disablenequestrians.org](mailto:donp@disablenequestrians.org)

March 3, 2003

Anza Borrego Park Plan

Dear Park Planners

It has come to our attention that the Park Plan for Anza Borrego Park could possibly restrict equestrian access. You are probably not aware but a significant percentage of equestrians are physically disabled, and use their horse or mule for access into the back country. Their horse or mule is their "wilderness wheelchair" that gives them the ability to access areas that they could not walk to. Restricting use of horses effectively discriminates against these disabled equestrians, and is a violation of our rights and the law.

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The Disabled Equestrians Organization (DEO) represents individuals that are moderately disabled and use a horse or mule to provide them access to trails in the outdoors. The causes of their disabilities are varied, and include accidents, old age and disease. Some of the areas affected are knees, lungs, hearts, backs, ankles and eyesight. In spite of the diversity of ailments, they all share a common solution to their disabilities: they use a horse or mule to carry their worn out bodies to the places that millions of Americans enjoy: the beautiful high country of the Sierras, the rolling hills of the California coast, Anza Borrego and many other public parks and forests.

The DEO is very concerned about Federal, State and Local agencies that are restricting, limiting or reducing the use of horses on the public trails they manage. There appears to be a concerted effort by some people who seem to think such restrictions are somehow good for the environment. We disagree with this conclusion, but the issue we are concerned about is far more important.

The Americans with Disabilities Act, Public Law 101-336 enacted July 26, 1990 and the Department of Justice's regulation implementing title II, subtitle A, of the ADA prohibits discrimination on the basis of disability in all services, programs, and activities provided to the public by Federal, State and local governments. A disability as defined by ADA is a "physical or mental impairment that substantially limits one or more of the major life activities of an individual". To watch the roar of the falls in Yosemite, see the snow-capped peaks of the high Sierras, listen to the wind rustling in the aspens, these are truly a major life activity.

The Architectural Barriers Act of 1968 requires all buildings and facilities built or renovated with Federal funds be accessible to and usable to physically disabled persons. This law forms the foundation of the legal mandate requiring Federally funded facilities and programs to be accessible to and usable by physically disabled persons.

Please see Response #68 on previous Page

Section 504 of the Rehabilitation Act of 1973, as amended in 1978 states "No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subject to discrimination under any program or activity conducted by Federal financial assistance or by an Executive Agency." This Act further broadens the Architectural Barriers Act in that it requires program accessibility in all services provided with Federal dollars.

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To deny disabled horsemen the right to use their horse to access the public trails is a clearly a violation of Federal law and results in discrimination against disabled equestrians. Opportunities for disabled equestrians to enjoy the same sights along Anza Borrego would be eliminated by not providing a horse trail. It is also essential that disabled equestrians have a place to park their trailer to unload their horse, and water for their horse.

We do not want to see our funds and public funds spend on a lawsuit to enforce our rights. We would rather work with the public agencies to improve the trails, raise funds for outdoor programs, expand horse camps, and raise public awareness. But if we are denied our rights, a lawsuit will be our only recourse.

Please keep us informed of your progress in revising the plan to comply with Federal Law.

Sincerely,

Donald E. Pugh
President
mailto: donp@disabledequestrians.org

#69. Please see Response #11. The 45-day comment period was not extended. This letter was received 39 days after the public review period commenced and CSP responded within 1 day of your notice that the original CD didn't work by sending a new CD. The Notice of Availability posted with the Preliminary General Plan/Environmental Impact Report provided the proper contact for all questions in reference to locations to review the Preliminary General Plan/DEIR. Although not required to do so, and because hard copy reproductions costs were high (\$45.00 cost to the State), CSP sent courtesy copies of the Preliminary General Plan/DEIR on CD to interested organizations in an effort to provide a cost-effective copy to those that requested it. Because of different computer compatibilities, some were unable to open the CDs; therefore CSP made new CDs and re-sent them within a week.



California Equestrian Trails & Lands Coalition

February 19, 2003

California Dept. of Parks and Recreation
Environmental Coordinator
Southern Service Center
8885 Rio San Diego Drive, Suite 270
San Diego, CA 92108

Subject: Extension of response time to Anza-Borrego Desert State Park Draft General Plan

Sirs:

The California Equestrian Trails & Lands Coalition (CET&LC) has been following the Anza-Borrego Desert State Park General Plan for some time waiting for the draft to review and comment. Our large interest groups both local and statewide (300 plus clubs, 46,000 members) has reported problems with receiving copies.

69

A number of our member clubs in the vicinity of the Anza-Borrego Desert State Park and elsewhere received CD discs of the "Draft Environment Impact Statement", but were unable to open the Preliminary General Plan because of faulty discs. Through the process of finally getting workable copies, more than a month of time was used up with no capability to review. To download from the web as suggested was so large a download that the size made it prohibitive. This is a very complex plan and needs the full review period to evaluate the many provisions and make constructive comments.

We request an extension to the time period of at least 30 days because of these problems. Your department cooperation would be greatly appreciated and show your willingness to cooperate with the many users of the Anza-Borrego Desert State Park. We would appreciate a response to this request.

Sincerely:

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#70. Please see Responses #40, #43 and #46. CSP respectfully disagrees with your statements regarding park visitor records. A department wide visitation count process is used by the rangers at Anza-Borrego Desert State Park. The Park has been divided into 11 different sectors in which visitation data is collected. At the end of each month, rangers turn in recorded counts of visitation from each of the 11 sectors. These visitor statistics show overall park trends, park visitation is highly erratic with the peak single day visitation at the visitor center of over 7,000 people during a weekend in prime wildflower season. The park is extremely large and visitors disperse to many geographic locations.

#71. Please see Response #44.

#72. Please see Response #45.

#73. Please see Response #46.

Citizens Against Recreational Eviction

7441 S. Rich Way, Salt Lake City, Utah 84121
Telephone 801.733.6042



February 19, 2003

Environmental Coordinator
C/O Southern Service Center
California Department of Parks & Recreation
8885 Rio San Diego Drive Suite 270
San Diego, CA 92108

Dear Sir or Madam:

Please accept the following as my comments regarding the proposed Draft General Plan for Anza-Borrego Desert State Park. Anza-Borrego Desert State Park's purpose as stated in the General Plan document is:

"...to make available to the people forever, for their inspiration, enlightenment, and enjoyment, a spacious example of the plains, hills, and mountains of the Western Colorado Desert...representing all the varied scenic, historic, scientific, and recreational resources of the region."

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How is this statement of purpose affected by the further refining of the Park's Management through the implementation of Public Resources Code Section 5019.53, PRC Section 5019.68, and PRC Section 5019.71? As I read these sections of the California Public Resources Code it appears that the recreation element of the purpose for the Park is being seriously neglected while the preservation aspects of these PRC codes are being given emphasis that will have a cumulative effect of severely limiting the ability of the average Park visitor to have a "wilderness experience". The preferred alternative of the General Plan seeks to limit the Focused Use Zones to about 1% of the Parks total landmass. If we accept the visitorship statistics as stated in this document it means that for six months of the year the Park averages 2,800 visitors a day. How is that possible? There are not enough parking areas, eating establishments or hotel rooms to support this level of visitation. The visitor totals stated on your website differ from the totals published in this document by 50,000. Isn't that a rather large margin of error? It appears that an independent audit of Park visitor records is needed.

The language in the State Wilderness Classification, PRC Section 5019.68 refers to an area that, "**has been substantially restored to a near-natural appearance.**" What is a "near-natural appearance"? How is it defined? What Criteria has been established for this designation? By whom was it defined?

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The same PRC Section refers to, "**without permanent improvements or human habitation, other than semi-improved, or structures which existed at the time of the classification of the area as a state wilderness.**" Does this language include roads and trail corridors that existed when the State Wilderness Classification was established? It MUST. It appears that the County of San Diego's assertion of its rights under RS 2477 would mean; that any roads and trails corridors that existed at the time the Park was established in 1933. Under the PRC Section 5019.53 that classifies the area as a State Park, "**improvements may be undertaken to provide for recreational activities including, but not limited to, camping, picnicking, sightseeing, nature study, hiking and horseback riding, so long as such improvements involve no major modification of lands, forests, or waters.**" The continued maintenance of historic trail corridors and existing roadways within the Park boundaries is not only desirable to the bulk of park visitors; it is mandated by the PRC code.

72

The Park Mission Statement as printed in this document appears to focus on the protection and managing of resources at the expense of "**servicing the needs of the public which are consistent with park objectives**" unless the public needs to be excluded from the Park. If the public needs to be excluded from the Park, then the management goal of "**instilling an appreciation for, and making available these treasured qualities and experiences for present and future generations**" cannot be met.

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The Park Visitor Survey and the visitation numbers as published in this document do not support the claim in this document that the Park is in peril due to increased population in neighboring areas. The Park environment is replete with visitation limiting factors, such as, the extreme temperature ranges. While a good wildflower year can increase Park visitors to around one-third of a million. This level of visitation only lasts for a very brief time in the spring.

#74. Please see Response #47.

#75. Please see Response #48.

#76. Please see Response #49.

#77. Please see Response #50.

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For most of the year daily temperatures tend to be in excess of 100 degrees Fahrenheit. This has a naturally limiting effect on Park Day-Use Visitors. Again, based on the Park Visitor Survey, as I read it, most of those surveyed support either no change in Park Management Strategies or alternative 1. This alternative would best address the present and future needs of the public that wish to experience the Park and gain an appreciation of the natural and cultural resources of ABDSP. The information collected at the Public Scoping Meetings and through the Park Visitor Survey clearly indicates the public's desire to continue to visit and experience the Park and it's incredible cultural and natural resources in a manner consistent with the Declaration of Purpose, PRC, Section 5002.2(b). Further restriction of visitor access and the cumulative impact to existing outdoor recreation activities of such restrictions are unacceptable to current Park visitors and the general public.

74

The objective of the Park Mission Statement states in part, "*to preserve the landscape and scenery of the Park in a pristine condition*" This is very subjective as the term "pristine condition" is not quantifiable and lacks concrete definition. What criteria have been established to define this term? Who defined it? What methods of measuring this condition have been established? Who will be responsible to measure and report on these conditions?

The Vision Statement for ABDSP also refers to "*the vast desert landscape and scenery being preserved in a pristine condition. The full array of natural and cultural resources are cared for so as to perpetuate them for all time...*" this statement is a fallacy. We cannot "perpetuate anything for all time". The guiding principle at work in the world is CHANGE. Erosion is a natural occurrence over time making it impossible to maintain the integrity of geological formations and outcrops over time. There is also a question of how the term "integrity" of a given geological feature is defined. What criteria are used to determine this integrity? How were these criteria developed? By whom? Where will these criteria be presented for public review and comment?

75

The stated Management Goal that "*land management actions will be based on sound scientific data*" must be adhered to. The statement "*if such data does not currently exist and resource integrity appears in imminent danger*" is very subjective. It violates the stated goal and prevents effective public oversight of management decisions. This will lead to conflicts between Park visitors, trail users and Park Management. It is, in my opinion, imperative that a Citizens Advisory Council, which will be made up of representatives of all Park user groups, be established to review all land management actions before implementation. This will assist Park Land Managers by providing both a wide range of viewpoints to guide the decision making process and a strong group of potential advocates for implementation.

76

Under the heading of Geology, one guideline states, "*Identify and monitor significant geological features. Take protective measures where necessary.*" How will the need for protective measures be determined? Who will make these determinations? What criteria will be used? How can the public be assured that any protective measures undertaken will be implemented only after a balanced peer-reviewed decision making process?

Under the heading of Soils, one guideline states, "*Identify and protect natural sand sources that supply the material for sand dune systems throughout the Park.*" This guideline is probably unachievable since the Park Boundaries do not include all potential sources of the material for sand.

Under the heading of Hydrology, while I agree, in substance, with the stated goal, "*Protect the surface water and groundwater of ABDSP and strive to restore sustainable and ecologically functional watersheds throughout the region.*" This goal is beyond the scope of influence of Park Management Staff. Any portions of watersheds that affect the Park that are outside the Park boundaries are, in many circumstances, private property. They are therefore outside the sphere of influence of Park Management staff.

Under the heading of Paleontology, the goals and guidelines, again, express concepts that are not achievable. To protect and preserve them in perpetuity from natural degradation is not possible. It totally disregards that the guiding principle of the world is CHANGE.

77

Under the heading of Significant and Sensitive Biota, the opening sentence of the discussion is based on the false hypothesis that, "*the present rate of decline and extinction of plants and animals supports the current global biodiversity crisis exists.*" The rapid expansion of populations of keystone species, such as, mountain lions and wolves, the top predators in the North American food chain indicates that very positive changes are occurring. In fact the major factor in the decline of the peninsular bighorn sheep populations in ABDSP is mountain lion

#78. Please see Response #51.

#79. Please see Response #52.

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predation. Which is due in part, to the Parks failure to maintain open water sources and to improve water sources to the benefit of bighorn sheep as well as other species. Peregrine falcons have been de-listed, bald eagles are candidates for de-listing, trumpeter swans are thriving. Canada goose, snow goose, and white-tailed deer populations are at nuisance levels from the Eastern Seaboard through the Midwest. Elk and American bison herds are larger than they have been since the 1930's. The least Bell's vireo thrives along Southern California rivers where the riparian corridors have either been actively restored or simply allowed to restore themselves. White ibis, snowy egret, wood stork, great egret and tri-colored heron are nesting in record numbers in the Everglades. The number of nesting birds is five times what it was five years ago. The point is the "global biodiversity crisis" is certainly waning rapidly across the North American Continent. The introduction of the concept of "stochastic influences" with regard to the preservation of amphibian species in the Park seeks to change a fundamental principle that underlies all conservation and preservation planning. The concept that natural selection in the process of biodiversity and speciation has ended and that the survival of species will be dependent upon the vagaries of human goodwill and ecological consciousness has not been documented or proven. Introducing it into a General Plan document is unacceptable. It is simply another methodology for ignoring that the "global biodiversity crisis" is an unfounded myth.

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The stated goal "*Protect the native biota of ABDSP*" begs the question, what are native biota? What criteria were used to determine when a species is considered native? Is there a particular timeline to determine a native species as opposed to non-native? If so what is it? Where is it published? When and by who was it peer-reviewed?

The guideline, which reads, *California State Parks will identify situations where State and Federal environmental legislation is not adequate to protect native biota. California State Parks will be proactive in biological conservation when the legislative process appears too slow, driven by economic or political interests or to be focused on a species when other levels of biological organization may be more appropriate units of conservation....* "This is or should be beyond the scope of CSP staff responsibilities. Not only does this guideline not make any literary sense, it is not appropriate to use of CSP staff and resources to interfere with the legislative process. It is a source of on-going frustration that public agencies, such as, the US Fish & Wildlife Service and the National Forest Service are so encumbered by the filing of lawsuits and the need to respond to them that they are unable to meet deadlines and fulfill their responsibilities towards currently listed species.

Under the heading *Exotic Biota*, "*Exotic species are those that have been introduced by human actions to an ecological system from which they did not originate.*" By this definition all species could be considered exotic. Evidence of human activities have been found in ABDSP that appears to date back to the early Holocene period approximately 10,000 to 8,000 years before present. This period also correlates to a series of climate shifts with the advance and retreat of glaciers further north. The warming and cooling cycles would have caused changes in biota. This discussion also expresses the concept that *specific biological systems typically express a degree of balance that supports or perpetuates the species native to that system.* This is a fallacy. If, in fact, this hypothesis were true there would be no biodiversity because there would be no change in biological systems.

78

Under the heading *Landscape Linkages*, one guideline states, "*... California State Parks will advocate the protection of key parcels within identified landscape linkages through acquisition or other conservation mechanisms and discourage projects or components of projects that decrease the viability of such linkages.*" This certainly appears to be outside the CSP sphere of influence. While it may or may not be acceptable for CSP to dictate land use within the boundaries of the land they hold in trust for the citizens of California, I believe it is necessary for land use planning to be consistent with County General Plans. How has this issue been addressed and incorporated into this document? The idea that CSP will seek to dictate land use issues on lands that they do not own is unacceptable, unconstitutional and probably illegal.

79

Under the heading *Cultural Resources*, one guideline states, *Conduct research on known roads, trails, natural corridors and segments of historic routes of travel to identify their builders, periods of use, and periods of historical significance.* "I submit that any and all known roads, trails, natural corridors and segments of historic routes of travel must be kept open to modern day Park visitors as they have already been used for human activities and will benefit future generations in by increasing their understanding of the lengths to which early peoples and pioneers went to settle the North American Continent. While I agree, in principle, with the guideline to "*Conduct oral history interviews with descendants of families who grazed livestock within the Park.*" I am concerned with the negative image the terminology "*highlight its profound effects upon the landscape*" presents. Again this is a very subjective viewpoint that not all interested parties share.

#80. Please see Response #53.

#81. Please see Response #54.

#82. Please see Response #55.

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The stated Goal, "*Protect, stabilize, and preserve cultural resources within ABDSP.*" is a noble one; I have grave reservations about how this can be implemented. The discussion of assessment of visitor use effects is appears to leave the determination of site-specific closures, moving roads, trails or camping locations open to arbitrary interpretation in a manner that is not consistent with "*servicing the needs of the public....*" There are many guidelines listed under this goal that seriously overstep the boundaries of reasonable and logical Park management principles, ignore the cumulative impacts upon public recreational activities within the Park, and are far beyond the capacity of Park management to achieve.

The stated Goal, *Identify, document, protect, and interpret, if appropriate, archaeological and historic-period resources within culturally sensitive areas, and establish means to minimize impacts from visitor use.* This includes a number of guidelines that will if implemented as written abrogate the public process of review. They will also deny visitor access to historical and cultural treasures that form the basis for the Park's existence.

80

Under the heading Recreation, there is a guideline "*Assess current and potential recreational activities for compatibility with State Park, Wilderness, Cultural Preserve and other land designations.*" How are these designations prioritized? Who will make the decisions regarding prioritization? What criteria will be used? How has it been developed? How has CSP preserved pre-existing Wilderness rights?

Under the guideline, "*Assess primitive camping locations and other areas of active recreation for archeological sites.*" What is the timeline that will determine that these primitive camping locations are candidates for protection as archeological sites on the basis of the longevity of their existence? For example, the shelter built near the top of San Jacinto Peak by the Civilian Conservation Corps in the 1930's is being considered for cultural protection from visitors to San Jacinto State Park. There is an existing CCC campsite in Oriflamme Canyon that is adjacent to the existing California Riding and Hiking Trail. How can this be developed for current visitor use since it is a pre-existing improvement that should no require an EIR process? The protection measures delineated under the guideline listed above which include: "*closing areas to camping, restriction of vehicular use, moving the alignment of trails and roads, and creation of new cultural preserves and other measures*" can all be used to justify unreasonable restrictions of Park visitor use even in the proposed Focused Use Zones.

Under the heading Leadership the stated goal, "*Act as a leader among agencies and groups that are active in providing recreation and preservation by nurturing partnerships and advocacy of the Park's mission.*" Will, in my opinion, require major philosophical changes on the part of current Park Management Staff. I truly hope they can achieve them. The guideline that states, "*Lead efforts to develop a sustainable relationship between human culture and wild nature.*" Begs the question, how is a sustainable relationship defined? It must be clearly defined in order to be developed.

81

Under the heading Community Involvement and Marketing, one Goal states: *All potential appropriate user groups, especially non-traditional groups, will be encouraged to visit the Park...* What is a non-traditional user group? How and by whom will the appropriateness of a user group be determined? What criteria will be used? Who will develop the criteria? Another Guideline states: "*Encourage and develop volunteer groups and work programs that are consistent with park needs and values.*" Given past experience with CSP Management staff and equestrian volunteers, it is my opinion that this goal will need a lot of work. There is an additional guideline that states: "*...Recognize and build on a mutually supportive relationship between the Park and the community of Borrego Springs.*" This guideline will require major efforts on the part of Park staff. Their total disregard for community planning efforts and the economic impacts of previous land use decisions has created a hostile environment that will be difficult to overcome. An additional Goal plans to "*Manage staff and resources to effectively deal with the Park's highly cyclical visitation. Promote visitation during less crowded periods.*" Again, given past experience with Park Management staff, in my opinion, it will be difficult to meet these goals.

82

The Draft General Plan document lists a number of goals and guidelines that deal with Real Property Additions and Management. Given its current level of staffing and with the prospect of budget cuts due to the huge state budget deficit, it will be difficult for Park Management staff to effectively manage the land it currently has responsibility for. A series of goals that encourage additional land acquisition seems unwise at best. According to this document as of 2002 the area patrolled by a single ranger at ABDSP averaged nearly 100,000 acres. This indicates a serious lack of ability of Park staff to effectively manage and protect the resources they are currently responsible for. It is

#83. Please see Response #56.

#84. Please see Response #57.

#85. Please see Response #58.

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ludicrous to expect to continue to acquire properties under these circumstances. The Coyote Canyon Public Use Plan was outlined in 1995. It closed a significant portion of Coyote Canyon to traditional uses and changed visitor impacts to other sections of the canyon. It was to be reviewed in five years. We are told that the proposed review was not completed until 2002. It has still not been made available to interested parties who have asked 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.

84

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

85

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,



Candace Ricks-Oathout
Chair, Citizens Against Recreational Eviction 4 Minnesota
Utah Representative, Warrior's Society
Member, Backcountry Horsemen of California, Caballeros del Sol Unit
Member, Tijuana River Valley Equestrian Association

CC:

#86. Please see Responses #40, #43, #46, and #70. Visitation numbers are based on park staff and volunteer counts within the entire Park, not just at specific points. A department wide visitation count process is used to record data and a report of these totals is turned in each month. The visitor center and campgrounds have the most accurate visitation data in the Park. Visitation numbers are used to reflect current park trends.

#87. CSP respectfully disagrees. The Park *Mission* Statement was developed by park staff and was implemented prior to the development of the General Plan. The *Mission* of the Park is clear in covering the array of issues that face managers of the Park every day. This document will serve as a management tool for Anza-Borrego Desert State Park over the many years to come and must effectively cover the relevant issues.

#88. Please see Response #54. CSP has and continues to make efforts to foster relationships within the vast community of those who enjoy the desert environment. This includes various educational, non-profit, vendor, and specialized groups. Additionally, CSP has an active partnership program with a variety of businesses, non-profits and public agencies through concession contracts, cooperative agreements and operating agreements regulated by California Public Resources Code § 5080 et Seq. Currently there are over 200 such partnership contractors operating within the state park system. The mechanism is not only in place but State Parks is actively engaged in developing concession contracts for three concessions to provide backcountry vehicular tours, equestrian tours or foot tours within Anza-Borrego Desert State Park. Additionally, State Parks is working closely to develop relationships with not only the business community but also the community at large in Borrego Springs. Park staff and their families are also a part of the greater Borrego Spring community. It is important to remember that, for the most part, this very rugged park naturally determines limitations on types of use and ability levels necessary to see various areas; to modify that would, in many cases, negatively effect visitors' experiences.

SAN DIEGO OUTBACK TOURS

adventures in nature



03/03/03

Fax Letter: 619-220-5400

Attn: Environmental Coordinator at the Southern Service Center of the California Department of Parks and Recreation

Please consider these comments regarding the Anza-Borrego Desert State Park General Plan.

Major Concerns:

86 **Park Visitor Stats Appear Substantially Inflated**
 The General Plan the Anza-Borrego Desert State Park claims an average of 600,000 visitors/yr (down 50,000 from what they state on their web site) with 85% of them visiting during a 6 month season. That would mean an average of nearly 2,800 visitors/day during those six months. Since 1/2 or more of these visitors come on weekends an average day on Saturday would mean approximately 5,000 visitors to the park. Also using the general plan formula there would also have to be an average of 580 persons/day in Borrego Palm Canyon and 372 persons/day in Coyote Canyon. Since nearly 1/2 of our total visitorship occurs on Saturday and Sunday those per day totals would be over 2,000 in Palm Canyon and 1,300 in Coyote Canyon. That would translate to at least 400 vehicles per day in Coyote Canyon at 3 persons/vehicle and over 2,000 persons per day hiking into Palm Canyon. That would translate to at least 50 vehicles/hour entering Coyote Canyon and require a paved two-lane road. There would not be enough room on the Palm Canyon hiking trail for 2,000 persons per day. The plan gives no specifics on the method of collecting this data and it appears flawed.

87 **Park Mission Statement Needs Clarification**
 The current mission statement is far too lengthy and uses confusing terms such as "park objectives". A mission statement should be worded so that everyone who reads it understands the message.

88 **Recreational and Accessibility Aspects Need Addressing**
 The park access is limited to persons physically able to do long hikes and those individuals owning four wheel drive vehicles able to negotiate rugged terrain. The park needs to work with the established business community to offer access to most of the park otherwise underused. Partnerships using an established permitting process and future recreational uses should be encouraged. Park personnel need to better understand the necessity of business relationships and the correct method of "permitting" recreational uses. The park needs to partner-up with non-profits, vendors and others wishing to provide recreational access. This is especially true for specialized groups such as school groups and disabled. The park management should not discourage their attempts to share the park with the public. The park should work with those groups interested in preservation, study, education and recreation equally.

Sincerely,

Paul Ford
San Diego Outback Tours
Foundation For Interpretive Activities

P. O. Box 1742, Borrego Springs, CA 92004 Phone: (619) 980-3332 Fax: (760) 767-0502 sandiegooutbacktours.com

#89. Thank you for your overall support of the Plan. However, CSP respectfully disagrees with the statement “It is sad when the truth is buried rather than dealt with head on” in regards to potential growth impacts under CEQA. Under CEQA, the growth analysis is limited to the project and its cumulative or reasonably foreseeable effects. The project is the Anza-Borrego Desert State Park General Plan, a plan which limits both the amount of land available for camping or other intensive activities to small areas, and also the number of visitor serving facilities (Please see Table 6.8). The Park is situated near population centers that have been growing rapidly and are expected to continue this growth but this growth is an existing (and expected condition) separate from the project action. The project action (approval of the General Plan) will provide guidance for recreational activities and protection of resources, will allow limited new facilities, and will **not** provide substantial new housing, employment or remove an obstacle to growth (per CCC Title 14, §15126.2(d)) and therefore does not contribute to significant growth inducement.



Community Land Development

8 Evanswood Circle, Oroville, CA 95965
Phone: Fax: (530) 533-0615
Cell Phone: (530) 370-3811

Ms. Jeanice Davis
California State Parks
Southern Service Center
8885 Rio San Diego Dr., Suite 270

Hi Jeanice:

I have read most of the Anza document you were kind enough to send to me. First of all, WOW, what a great work. I also took a gander at the Anza web page. It all brings back memories of days gone by traveling the desert in my "youth."

The only comment I have is a strong disagreement with the following statement found in the environmental review section.

4.5.5 GROWTH-INDUCING IMPACTS

ABDSP is primarily a wilderness Park that includes visitor-use areas. There is the potential to increase public-use areas within specific management zones in the Park.

The General Plan will not substantially increase current day use or overnight visitors within the Park. Implementation of new facilities will accommodate the rising population. *There will be no significant growth-inducing impacts*, because the General Plan will not authorize a substantial increase of housing or employment opportunities, nor will it provide infrastructure for additional growth. (Emphasis added)

The Park will become popular. I remember driving down to the "dunes" for the obvious fun with dune buggies. In the mid 1950s there were hardly enough of us to count. But today, thousands travel there for the fun of dune hopping (as we used to call it). To say there will be no significant growth-inducing impacts flies in the face of the dunes example and many others. Have you been to Yosemite? You see, I have an age advantage over you. I remember Yosemite when they still had the fire falls, and therefor have experienced the growth of Yosemite.

I am afraid that politics and money (meaning politics) will become a growing impetus for growth. I remember when they said the new Disney Land would have little effect on growth. HA, HA. Growth will happen. Developers and politicians will eventually

Please see Response # 89 on the previous Page

see the park as a money making jewel. And governments are the worst developers of all.

Not only will the park itself induce growth within the park, but also outside the park on private land. As you try to limit growth within the park, there will be an ever increasing pressure (demand) for ancillary facilities such as hotels, restaurants, gas stations and housing in the corridor between the park and San Diego.

89 None of this is addressed in the environmental discussion even though the politicians (ie, Developers) for whom you work know perfectly well that what I have said is true.

Well, so much for my two cents. It is sad when the truth is buried rather than dealt with head on. The park, the region and the people would be better served if it were.

Respectively,



Carl L. Durling

#90. In response to increasing visitor numbers, State Parks increased the distribution of the Park newspapers to 100,000 and has placed them at businesses in Ocotillo and Borrego Springs, Agua Caliente County Park and store, and the Vallecito Stage Station County Park. Additional information will also be made available at the future Information/Entrance Zones for visitors entering the Park. This need was identified during the General Plan development and public workshops. CSP will strive to improve park services for the public at various park entrances.

#91. Please see responses #37.9 and #54. CSP encourages volunteer efforts that are compatible with the Park *Mission*. Please also refer to Section 3.3.1.11, Infrastructure and Operations, which discusses California State Park's goals and guidelines for maintaining access in Anza-Borrego Desert State Park.

Public Review Comment Letter

6192838634

Wednesday, February 26, 2003 5:49

To: Environmental Coordinator

From: Rebecca McKenney

619-283-3259

Page: 1 of 1

To: Environmental Coordinator

2-27-02

From: Canebrake Improvement Association

The south part of the Anza Borrego Park has its glory days when George Leetch was the Ranger covering from Blair Valley to Bow Willow.

We know we can't turn the clock back but we are sure the management can bring back conditions that made the park so wonderful.

90

If we were a first time visitor to the park entering via highway 8 and S-2, we would be mad when we came across the sign declaring that we are responsible for knowing the park's rule and regulations when it is over a 120 mile round trip to Borrego Springs to the park headquarters to learn the regulations.

In the George Leetch days one could get a brochure with the rules and a park map at the entrance to the Palm Spring road.

Those who live in Canebrake spend much time explaining the routes and regulations to confused visitors. George used to make road signs if some were missing (such as the sign for *View of The Badlands*. (now missing for months.)

91

Further, lets not be silly about closing roads that were once popular. i.e. let both the right and left branch of June Wash be open. And let volunteers do what they can to eliminate landslides.

Our thoughts are based on over 65 years of intensive park exploration and years living in Canebrake next to the park.

Hopefully, Carl McKenney, President and the Canebrake Improvement Association

#92. Please see Response # 40. A General Plan is required for every park unit and outlines appropriate goals and guidelines for not only recreation and development, but for resource restoration and preservation as well. This General Plan follows the intent of the Public Resources Code, and is consistent with the CSP' adopted planning process, which evaluates the natural and cultural resources side by side with other planning factors, to create a more holistic and integrated planning approach (Departmental Notice #99-07, approved by the Director on April 27, 1999). CSP has found this to be the most effective process to assure natural and cultural resources protection while assuring needed public access and services.

#93. Please see Response #65. Designated camping and/or potential camping areas, as well as areas of "open camping" are delineated on Figure 7.6 and Table 6.6. The General Plan provides for "riding on designated unpaved roads and trails" throughout all management zones (see Figure 7.6 and Table 6.6) except for cultural preserves, which are restricted by the Public Resources Code Section 5019.74. [However, adjacent to the proposed San Felipe Cultural Preserve (see Page 3-16), a Focused-Use Zone II is proposed that will provide for equestrian staging and access to the Pacific Crest Trail (see Figure 7.10 "Sentenac Canyon")]. During the Camping Management Plan, this area could be identified as a needed support site for Pacific Crest Trail users. With the exception of the Cultural Preserve, riding on designated unpaved roads and trails is provided for in all areas of the Park and is consistent with the "no project" alternative (no General Plan) and/or current management of the Park under state park and state wilderness classifications subject to CCR Title 14 § 4359. 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).

3 March 2003

Environmental Coordinator
C/O Southern Service Center
California Department of Parks & Recreation
8885 Rio San Diego Drive Suite 270
San Diego, CA 92108

Dear Sir or Madam:

The only choice, in my opinion, would be alternative five from the table on 220, NO PROJECT.

92 There are already enough laws to protect the environment in place. "No Project" is the only choice that is in agreement with the California State Trail Plan, the National Trails Act and the National Preservation Act. "No Project" is compatible with responsible conservation and habitat management, while leaving access to this beautiful park to the public.

93 The public must have access to their park. To restrict places such as the Scissors Crossing area to day use is criminal. This was a working ranch. Is now the location of two through trails (the CRHT and the PCT). Through riders and hikers must be able to camp in this beautiful location. This is only one of many examples.

Thank you for considering my comments.

Nola Michel
4758 Mt. Cervin Dr.
San Diego, CA 92117
trlrider@san.rr.com

Citizen and equestrian
Co-President Caballeros del Sol Unit, BackCountry Horsemen of California

#94. The enclosed comments were the same as the Citizen's Against Recreational Eviction letter. 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 & #70.

Public Review Comment Letter

ENVIRONMENTAL COORDINATOR
C/O SOUTHERN SERVICE CENTER
CALIFORNIA DEPARTMENT OF PARKS AND RECREATION
8885 RIO SAN DIEGO DRIVE SUITE 270
SAN DIEGO, CA 92108

DEAR SIR OR MADAM;

PLEASE ACCEPT THE ENCLOSED COMMENTS SUBMITTED BY "CITIZENS AGAINST RECREATIONAL EVICTION", 5 PAGES, AS THE POSITION OF THIS COMMITTEE.

94

COUNTY TRAILS COMMITTEE BORREGO SPRINGS SPONSOR GROUP
CHAIRMAN LES LEVIE

