CALIFORNIA STATE PARK and RECREATION COMMISSION

Santa Clara County Government Center Board Chambers
70 West Hedding Street
San Jose, California

Minutes of the Meeting · Friday, September 23, 2005

COMMISSIONERS PRESENT

Joseph Cotchett
Caryl Hart
Gail Kautz
Sophia Scherman
Bobby Shriver, CHAIR
Phillip Tagami
Acquanetta Warren

COMMISSIONERS ABSENT

Clint Eastwood, VICE CHAIR
Paul Junger Witt

STATE PARKS STAFF PRESENT

Ruth Coleman, DIRECTOR
Louis Nastro, ASSISTANT TO THE STATE PARK AND RECREATION COMMISSION
Paul Romero, CHIEF DEPUTY DIRECTOR
Rich Rozzelle, ACTING DISTRICT SUPERINTENDENT, ORANGE COAST DISTRICT
Roy Stearns, DEPUTY DIRECTOR, COMMUNICATIONS
Bradly S. Torgan, GENERAL COUNSEL
Dave Vincent, SUPERINTENDENT, SANTA CRUZ DISTRICT
Wayne Woodroof, GENERAL PLANNING MANAGER

SPEAKERS REGISTERED/REPRESENTING

Garnetta Annable/Self
Patty Ciesla/Northern California Mountain Bicycling Association
Michael Fitts/Endangered Habitats League
Elizabeth Goldstein/California State Parks Foundation
Elizabeth Lambe/Sierra Club
Brittany McKee/Sierra Club

CALL TO ORDER

Legal notice having been given, this meeting of the California State Park and Recreation Commission was called to order at 9:01 a.m. by Commission Chair Bobby Shriver.

AGENDA ITEM 1:
APPROVAL OF MINUTES OF THE JUNE 10, 2005 MEETING IN LOS ANGELES

Chair Shriver asked for a motion to approve the draft minutes of the June 10, 2005 meeting in Los Angeles. Motion Commissioner Scherman, second Commissioner Kautz. The commissioners voted unanimously to approve the minutes as submitted.

AGENDA ITEM 2:

CHAIR'S REPORT - RECOGNITION OF EMPLOYEE RETIREMENTS

Chair Shriver asked Commissioner Acquanetta Warren to read the names of staff members who had recently retired from California State Parks. Commissioner Warren noted that these individuals represented a total of 406 years and 4 months of dedicated service to California State Parks:

Donna Arteaga, Grants & Local Services ..... 31 years
Judy M. Baber, San Luis Obispo District ..... 10 years, 2 months
Connie J. Finster, Grants & Local Services ..... 27 years
Dennis Francis, Business and Procurement ..... 34 years, 5 months
William Grunner, Diablo Vista District ..... 32 years, 5 months
Paul D. Jorgensen, Colorado Desert District ..... 22 years, 6 months
Clayton King, San Luis Obispo District ..... 28 years, 8 months
Thomas A. Knauff, North Coast Redwoods ..... 25 years, 6 months
Tim S. La Franchi, Legal Office ..... 28 years, 11 months
Raymond Louie, Acquisition & Real Property .... 22 years
Kenneth D. McKowen, Statewide Trails ..... 29 years, 9 months
Gary Person, Central Valley District ..... 40 years
Rondalyn Robinson, Ocotillo Wells SVRA ..... 23 years
Sam Shipley Jr., Northern Service Center ..... 25 years, 6 months
Michael M. Tope, Orange Coast District ..... 25 years, 6 months

AGENDA ITEM 3:

APPROVAL OF SPECIAL REDWOOD GROVES

Chair Shriver asked Commissioner Gail Kautz to read the special redwood grove proposals requested by Save-the-Redwoods League and Sempervirens Fund:

As requested by Save-the-Redwoods League:

Althea P. Lang Grove in Redwood National Park
Althea P. Lang Trust, donor

Capt. W. L. Marshall USN Grove in Humboldt Redwoods State Park
Mr. Keith (Mac) Marshall, donor

J. William and Eileen J. Bigoness Memorial Grove in Pfeiffer Big Sur State Park
Mrs. Mary Wright and Mr. William Bigoness, donors

Ruth P. Cummings Memorial Grove in Portola Redwoods State Park
Estate of Ruth P. Cummings, donor

Ed Pollak Family Grove in Butano State Park
Mrs. Suzanna Pollak, donor

Donald and Ann Bernstein Family Grove in Redwood National Park
Mr. and Mrs. Donald Bernstein, donors

Robert E. Peck Family Memorial Grove in The Forest of Nicene Marks State Park
Robert E. Peck Estate, donor

Simpson Family Grove in Big River State Park
Mr. Martin Majestic, donor

AGENDA ITEM 3:
APPROVAL OF SPECIAL REDWOOD GROVES - CONTINUED

As requested by Sempervirens Fund:

Charles F. and Linda Toby Goldfarb Family Grove in Big Basin Redwoods State Park
Charles and Linda Goldfarb, donors

Dave & Dorothy Heizer Memorial Grove in Castle Rock State Park
John Luckhardt, donor

Elizabeth Love Massie Family Redwood Grove in Big Basin Redwoods State Park
Elizabeth Massie, donor

Elmer Kennedy Memorial Grove in Big Basin Redwoods State Park
Wayne Kennedy, donor

Hamerton-Kelly Family Grove in Big Basin Redwoods State Park
Robert & Rosemarie Hamerton-Kelly, donors

Jackson and Pat Faber Eaves Family Grove in Big Basin Redwoods State Park
Jackson and Pat Eaves, donors

Robert T. & Audrey E. Butcher Memorial Grove in Big Basin Redwoods State Park
Audrey Edna Butcher, donor

Stevels Family and Friends Grove in Castle Rock State Park
Ab and Annett Stevels, donors

Warren and Margaret Barham Family Grove in Big Basin Redwoods State Park
Warren S. Barham, donor

Commissioner Kautz noted that this list represented a number of very impressive donations. Commissioner Cotchett requested that the Commisson be provided with an accounting of these donations to establish special redwood groves. Chair Shriver directed staff to prepare a report, to be presented at the Commission's next meeting, documenting these Save-the-Redwoods League and Sempervirens Fund donations over the past year, to include the total amount of the donations and how the funds were utilized.

AGENDA ITEM 4:
DIRECTOR'S REPORT

Chair Shriver noted that a written Director's Report had been provided to the Commission. The Chair then introduced State Parks Director Ruth Coleman to present her report. Director Coleman explained that at its June 10th, 2005 meeting, the Commission requested a report on the status of the proposed Orange County toll road and the possibility of the road being routed through San Onofre State Beach. The Director noted that she would be making a short presentation on the toll road project, and that she would also be introducing several others who would be providing additional information. Director Coleman provided historical information on San Onofre State Beach and the toll road alternatives that could affect the park. She explained that State Parks' comments on the project's Draft Environmental Impact Statement/Subsequent Environmental Impact Report were contained in the Director's August 2, 2004 letter, a copy of which had been provided to the Commission. Elizabeth Goldstein of the California State Parks Foundation, Michael Fitts of the Endangered Habitats League, Rich Rozzelle of State Parks' Orange Coast District, and Elizabeth Lambe and Brittany McKee of the Sierra Club then each addressed the Commission, providing additional information about the effects of a toll road being constructed at San Onofre State Beach.

Director Coleman noted that polls of Orange County residents indicated that the local population was in favor of the toll road project. The Director added that San Onofre State Beach is a park of statewide

significance, and that the majority of those who use the campground at San Onofre State Beach were not local residents. She added that the materials provided to the Commission included a letter from Orange County-area legislators who supported the toll road project.

Commissioners Kautz noted that according to the information presented, it appeared that the toll road would result in the paving of 25% of the park. She added that alternatives should be carefully explored to see if less of the park could be paved.

Chair Shriver noted that alternatives existed that did not go through the park at all, and that there were no alternative routes through the park which would involve less paving. Acting Orange Coast District Superintendent Rich Rozzelle confirmed that this was correct. Chair Shriver suggested that the alternatives to be explored should be the ones that did not go into the park at all.

Commissioner Hart stated that the Commission should become involved with this issue and exert its influence to the extent possible. The Commissioner suggested that staff prepare a report on what could be done by the Commission to influence the project and better evaluate the available alternatives. Commissioner Hart suggested that the Commission should hold a meeting in Orange County in October, on a date prior to the decision to select a preferred alternative for the project. Commissioner Hart formalized her suggestion by making a motion that the Commission visit San Onofre State Beach and conduct a public hearing to obtain further information. The motion was seconded by Commissioner Scherman.

Commissioner Kautz stated that the Commission's jurisdiction over this issue should be clearly defined before the Commission took any action.

Chair Shriver stated that he believed it was likely the Commission actually had no jurisdiction over this matter, though the Commission did have the authority to hold a hearing and take public comment as it related to State Parks. The Chair also stated that the Commission had the authority to then report that public comment to the administration. Chair Shriver stated that he believed the motion on the floor was within the Commission's jurisdiction.

Commissioner Hart stated that the Commission had the authority to object to the project's Environmental Impact Report.

State Parks' General Counsel Bradly Torgan stated that the question of jurisdiction did not prevent the Commission from going on record with its beliefs and recommendations, even though the Commission had no formal authority over this issue.

Commissioner Tagami stated that he supported Commissioner Hart's motion, but that he also wished to clarify the Commission's role in this matter. Commissioner Tagami stated that there should be a separation between what could be considered an activist movement and the Commission's role as fiduciaries and stewards of California's irreplaceable natural assets. The Commissioner stated that the Commission had the authority to work with the Director to ensure the preservation, accessibility, and survivability of these assets. Commissioner Tagami also noted that as tenants with 16 years remaining on a lease, State Parks had a legal interest in the use of this property.

General Counsel Bradly Torgan added that in its role as an advisory body to State Parks the Commission could counsel the Department regarding how best to proceed in this matter.

Commissioner Tagami and Chair Shriver agreed that to properly advise State Parks it would be necessary to conduct a hearing and obtain additional information.

Commissioner Scherman stated that she had seconded Commissioner Hart's motion because she believed the Commission did have a role in issues of this nature. Commissioner Scherman stated that the Commission should become involved to an extent consistent with its mission.

Commissioner Cotchett stated that regarding jurisdiction, State Parks and the Commission were a state agency, and as such they are required to comment on the toll road project. Commissioner Cotchett

complimented Director Coleman and staff on the August 2004 comment letter, noting that the letter clearly indicated deficiencies in the toll road proposal. Commissioner Cotchett stated that he supported Commissioner Hart's motion, but that he wished to add that the Transportation Corridor Agencies (TCA) should be present at the hearing, and that TCA should provide sufficient information for the Commission to conduct a full and correct analysis of the toll road proposal. Commissioner Cotchett added that every agency involved with the project, as well as local legislators, should be asked to attend the hearing.

Commissioner Warren stated that she had visited San Onofre State Beach many times with a church surf camp that provided opportunities for young people to visit the beach who would not otherwise be able to do so. She noted that the families who participated in these camps are highly dependent on resources like San Onofre State Beach. The Commissioner complimented Director Coleman and staff on the August 2004 comment letter, but noted that comments from other agencies, particularly those responsible for endangered species, appeared to be missing from the materials the commissioners received. Commissioner Warren stated that she was aware that a great many residents of Riverside and San Bernardino County were regular users of San Onofre State Beach, and that these users would undoubtedly support an effort to oppose the toll road project.

Chair Shriver asked if the commissioners were prepared to vote on Commissioner Hart's motion to hold a hearing in Orange County. Chair Shriver clarified that the motion was for the Commission to hold a public meeting in Orange County, prior to November 10th, and that the appropriate parties would be invited to the meeting. The Commissioners voted unanimously to adopt the motion.

Commissioner Tagami asked State Parks staff to provide the materials necessary to ensure a substantive dialogue between the Commission and other participants in the meeting. A brief discussion took place between Commissioner Tagami and Director Coleman regarding specific information that Commissioner Tagami wished to be made available.

Director Coleman asked if the commissioners would like the requested information to be provided to them in writing prior to the Orange County meeting. Chair Shriver stated that this was acceptable and that he would also like this information to be made available to others through the California State Parks website and other available venues so that those who were interested could fully understand the issues related to the toll road and San Onofre State Beach.

Commissioner Warren requested that additional agencies, including the California Department of Fish and Game, be invited to the meeting.

The commissioners and staff agreed that the meeting would be held prior to November 10th and be announced with the required 10-day public notice.

Chair Shriver referred to the written Director's Report, noting that he, speaking on behalf of the City of Santa Monica, was pleased that the 415 Pacific Coast Highway (PCH) project was moving ahead with the aid of Annenberg Foundation funds, and that he was particularly pleased that State Parks staff, who had so much experience with William Randolph Hearst-related matters at Hearst San Simeon State Historic Monument, were going to be working on the interpretation of the 415 PCH project. Chair Shriver also noted that he was pleased to see Will Rogers State Historic Park coming back to life with the recent Ranch Jubilee event at the park.

Chair Shriver asked if there were any additional comments or questions on the Director's Report. There being none, the Chair introduced the next agenda item.

AGENDA ITEM 5:
PUBLIC HEARING

Chair Shriver opened the public hearing portion of the meeting at 10:07 a.m. The Chair asked those who wished to address the Commission to please complete a speaker registration form.

ITEM 5A:

Consideration and action on the Department's proposal for approval of the Amended General Plan/Final Environmental Impact Report for The Forest of Nisene Marks State Park

Chair Shriver asked General Planning Manager Wayne Woodroof to make a brief presentation on the Amended General Plan/Final Environmental Impact Report for The Forest of Nisene Marks State Park.

Mr. Woodroof explained that the general plan approved by the Commission on August 22nd, 2003 included provisions that allowed mountain bike use in the upper portion of the park. These provisions were later challenged in Superior Court in Sacramento. Those who had challenged the general plan argued that the plan failed to comply with California Environmental Quality Act (CEQA) requirements to adequately address the potential impacts of the proposed mountain bike use, and that in proposing mountain bike use the general plan violated deed restrictions that did not allow the use of horses in that portion of the park. Mr. Woodroof explained that the judge had agreed with the plaintiffs on this second issue, in that horses can cause adverse impacts to trails, and that mountain bikes could cause similar damage. The judge ruled that the deed restriction applied to mountain bikes as well. Mr. Woodroof noted that the Commission had been briefed on these issues at its April 2005 meeting in Sacramento, and that a draft stipulated settlement had been provided to all parties at that time. Mr. Woodroof stated that the stipulations of the settlement had been incorporated into the Amended General Plan/Final EIR that was now before the Commission. Mr. Woodroof asked that the Commission adopt the resolution before it to approve the Amended General Plan/Final EIR.

Chair Shriver opened public comment on this item. After hearing from the single registered speaker, Chair Shriver asked if there were any unregistered speakers on this agenda item. There being none, the Chair closed public comment and asked if there were any comments or questions from the commissioners. There being none, the Chair asked for a motion on this item. Motion Commissioner Kautz, second Commissioner Scherman. The commissioners voted unanimously to adopt the resolution to approve the Amended General Plan/Final Environmental Impact Report for The Forest of Nisene Marks State Park.

ITEM 5B:

Consideration and recommendation of the draft California Recreation Policy for adoption by the Director

Chair Shriver noted that the Commission had received and reviewed the draft California Recreation Policy, as well as a staff report on this item. The Chair also noted that Commissioners Hart and Kautz, in their roles as members of the Commission's Policy Committee, had been involved with the development of this document. Chair Shriver then recognized Director Ruth Coleman to introduce this item.

Director Coleman acknowledged Commissioner Hart and Kautz' contributions to the new draft California Recreation Policy. The Director also noted that the draft policy had been made available to thousands of citizens at conferences, and workshops, and on the Internet. The Director noted that while there was no statutory requirement to update the policy, current needs and trends in recreation made this an appropriate time to prepare a new policy. Director Coleman stated that the draft policy had been reviewed by the California Department of Health and Human Services, and by the governor's staff who were responsible for health issues. Director Coleman noted that the policy focused on concerns related to obesity, and that it provided guidance by making strong statements, an example being every citizen should be provided with a park within walking distance of their home. The Director added that if fully embraced by communities this policy would radically change land-use planning and development throughout the state. Director Coleman then asked the Policy Committee to comment on the draft.

Commissioner Hart stated that establishing a recreation policy for the State of California was an important role of the Commission that had been brought to light by Commissioner Tagami. Commissioner Hart thanked Commissioner Kautz and State Parks' Planning Division Chief Nina Gordon for their involvement

in developing the policy. The Commissioner noted that she was particularly proud of the policy's recognition that State Parks had an obligation to provide recreational access to all citizens of the state, including those in low income communities. Commissioner Hart stated that the threat to San Onofre State Beach being posed by the toll road was a example of the kind of resources this policy was meant to protect. She concluded by stating that she hoped the commissioners would agree to approve the policy this day.

Commissioner Kautz stated that she seconded Commissioner Hart's remarks. The Commissioner added that she believed the policy was presented in a very user-friendly, readable form, which should help it serve to encourage people to exercise, and get out to see California's beautiful parks. Commissioner Kautz noted that the policy makes parks more accessible to urban areas, and welcomes Californians from all walks of life to get out and use parks.

Commissioner Scherman stated that she was pleased to hear such wonderful comments on the Recreation Policy and that she was looking forward to its adoption.

Commissioner Cotchett noted that the policy had been very well prepared. He added that he believed the Commission and State Parks should now focus on the wide distribution of the policy.

Chair Shriver suggested that the commissioners could write to their local newspapers about the policy and its goal of providing parks within walking distance of all citizens.

Commissioner Tagami stated that he wished to thank his colleagues for their hard work on the policy. He noted that he particularly wished to acknowledge the content of the policy's item number two, Leadership and Recreation Management, in that it made clear the need for government agencies to be disciplined with their limited financial resources and encouraged them to collaborate with both public and private organizations to deliver their mission.

Commissioner Kautz added that the policy should be distributed to organizations like the California State Chamber, Tourism and Travel, and others, and that it should be made available in units of the State Park System. The Commissioner reiterated that she believed the policy was easy-to-read and would therefore benefit from a wide distribution.

Commissioner Warren stated that she was very pleased with the policy. She noted that State Parks' news release on the policy made it clear that war had been declared on obesity, and that she planned to make her own community leaders aware of the new policy in the hope that they would adopt similar policies in their jurisdictions.

Commissioner Scherman noted that item number five, Accessibility to All Californians, was exceptionally important. She reiterated that she thought the policy was very well written.

Chair Shriver then opened public comment on this item, recognizing the registered and unregistered speakers. One speaker (Patty Ciesla), asked if there was to be someone within State Parks who would serve as a dedicated advocate for recreation in California. The Chair asked Director Ruth Coleman to respond.

Director Coleman stated that a recreation council was being created within State Parks. The Director noted that the council would act as an advocate for recreation while working to balance State Parks' mission to provide opportunities for high-quality recreation along with natural and cultural preservation.

After the last public speaker Chair Shriver closed public comment on this item. There being no further questions or comments from the Commission, the Chair asked for a motion on this item. Motion Commissioner Cotchett, second Commissioner Scherman. The commissioners voted unanimously to approve the California Recreation Policy for adoption by the Director.

AGENDA ITEM 6:
OPEN PUBLIC COMMENT

Chair Shriver noted that there were no speakers for open public comment.

The Chair then noted that the commissioners had been asked by staff to comment on the draft Annual Report to the Governor they had received. Chair Shriver commended Commissioner Tagami for his efforts to fulfill the Commission's responsibility to prepare this report. The Chair added that the draft report contained a chart that indicated expenditures for State Parks had been declining steadily, and that the Commission and State Parks would eventually have to face the question of inadequate funding for the State Park System. Chair Shriver asked for comments from the commissioners on the draft Annual Report to the Governor.

Commissioner Cotchett stated that the report should be approved as soon as possible.

Chair Shriver asked each of the commissioners to expedite approval of the report by providing any additional comments to staff as soon as possible. The Chair then asked if there were comments on any other subjects from the commissioners.

Commissioner Scherman noted that October is as Disability Awareness Month.

Commissioner Cotchett stated that he was pleased with the written Director's Report that had been provided to the Commission. The Commissioner asked if it would be possible to provide the Director's Report further in advance of the Commission meetings.

Director Coleman stated that the Director's report could be provided further in advance of the meetings. The Director then asked if, in addition to the proposed Orange County meeting, the commissioners' schedules would also allow them to attend the planned November 17-18 meeting in Tahoe City.

Chair Shriver stated that barring insurmountable scheduling difficulties the Commission would still meet in Tahoe City on November 17-18. Chair Shriver then thanked all those who attended this day's meeting.

AGENDA ITEM 7:

ADJOURNMENT

The Chair asked if there were any other comments from the Commission. There being none, Chair Shriver adjourned the meeting at 10:40 a.m.

ATTEST: These minutes were approved by the California State Park and Recreation Commission on November 18, 2005, at its duly-noticed public meeting in Tahoe City, California.

By: *ORIGINAL SIGNED BY* Date: *11-18-05*

Louis Nastro
Assistant to the Commission
For Ruth Coleman, Director
California Department of Parks and Recreation
Secretary to the Commission