

CALIFORNIA STATE PARK and RECREATION COMMISSION

Chico City Council Chambers
421 Main Street
Chico, California

Minutes of the Meeting - Friday, March 3, 2006

COMMISSIONERS PRESENT

Joseph Cotchett
Caryl Hart
Gail Kautz
Sophia Scherman
Bobby Shriver, CHAIR
Acquanetta Warren
Paul Junger Witt

COMMISSIONERS ABSENT

Clint Eastwood, VICE CHAIR
Phillip Tagami

STATE PARKS STAFF PRESENT

Ruth Coleman, DIRECTOR
Bob Foster, SUPERINTENDENT, NORTHERN BUTTES DISTRICT
Mark Jorgensen, SUPERINTENDENT, ANZA-BORREGO SECTOR
Jim Luscutoff, CHIEF, CONCESSIONS, RESERVATIONS AND FEES DIVISION
Louis Nastro, ASSISTANT TO THE STATE PARK AND RECREATION COMMISSION
Paul Romero, CHIEF DEPUTY DIRECTOR
Roy Stearns, DEPUTY DIRECTOR, COMMUNICATIONS
Bradly Torgan, GENERAL COUNSEL
Wayne Woodroof, GENERAL PLANNING MANAGER

CALIFORNIA STATE ATTORNEY GENERAL'S OFFICE

Mary Hackenbracht, SENIOR ASSISTANT ATTORNEY GENERAL
Richard Magasin, SUPERVISING DEPUTY ATTORNEY GENERAL

SPEAKERS REGISTERED/REPRESENTING

Dennis Fox/Self
Rebekah Funes/Mechoopda Tribe
Elizabeth Goldstein/California State Parks Foundation
John Kennedy/Transportation Corridor Agencies
John Merz/Sacramento River Preservation Trust
Frank Ramirez IV/Self
Brent Schoradt/California Wilderness Coalition
Arlene Ward/Mechoopda Indian Tribe & Self

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. Chair Shriver introduced the commissioners and State Parks staff who were present and announced the first agenda item.

AGENDA ITEM 1:

APPROVAL OF MINUTES OF THE NOVEMBER 3RD, 2005, MEETING IN SAN CLEMENTE AND THE NOVEMBER 18, 2005, MEETING IN TAHOE CITY

Chair Shriver noted a correction to page five of the draft minutes of the November 3rd meeting. The Chair stated that the minutes should clarify that the number of speakers called at the November 3rd meeting was limited only by the possibility of losing the quorum of commissioners necessary to take action and the lateness of the hour, and not arbitrarily by the Chair as could be construed from the draft minutes as written. The Assistant to the Commission noted that a change would be made to clarify this point.

With this correction, the Chair asked for a motion to approve the draft minutes of the November 3rd and November 18th meetings. Motion Commissioner Scherman, second Commissioner Warren. The commissioners voted unanimously to approve the minutes with the correction as noted.

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 recognized the following individuals for their many years of dedicated service to California State Parks:

Linda S. Canar, Accessibility Section 27 years, 10 months
Ronald Garrison, North Bay District 30 years, 6 months
Danny R. Griggs, Central Valley District 29 years, 4 months
William G. Hambaro, Training Office 23 years, 2 months
Andrew Jaborski, Jr., Northern Buttes District 23 years
Richard A. Lawton, North Bay District 28 years, 9 months
James W. Lemas, Central Valley District 20 years, 11 months
Richard Mercer, Business and Procurement 23 years, 5 months
Eric W. Natti, Planning Division 4 years, 10 months
Kathy K. Osuna, Personnel 20 years, 7 months
Lester Schumacher, Jr., Diablo Vista District 32 years, 1 month
Christopher H. Smith, Colorado Desert District 24 years, 11 months
Michael Stephenson, North Bay District 20 years, 6 months
Roger W. Willmarth, Acquisition & Development ... 28 years, 2 months
Robert Wohl, San Diego District 33 years

AGENDA ITEM 4:

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. Commissioner Kautz read the following:

As requested by Save-the-Redwoods League:

Bruce S. and Jeannette C. Howard Memorial Grove in Prairie Creek Redwoods State Park
Barry C. Howard, Bruce and Jeannette Howard Living Trust, donors

Eugene and Edith Geswander Memorial Grove in Jedediah Smith Redwoods State Park
Estate of Eugene and Edith Geswander, donor

As requested by Save-the-Redwoods League, CONTINUED:

Ivan Minderhout Grove in Humboldt Redwoods State Park
Ivan Minderhout, donor

Dedicated to Lee and Pete Vullo in Limekiln State Park
Tom Vullo, donor

Consolé Mill Cochrane Grove in Pfeiffer Big Sur State Park
Nora E.M. Cochrane, donor

Fredrick Monford Herrera Grove in Montgomery Woods State Reserve
Major Freda M. Herrera, donor

Calhoun and Moritz Families Grove in Butano State Park
Mr. and Mrs. Bill Moritz, donors

As requested by Sempervirens Fund:

Saxe Family Grove in Big Basin Redwoods State Park
Richard E. Saxe, donor

Ti and Chih-Yu Ho Family Grove in Big Basin Redwoods State Park
Nan Ho, donor

Edward and Edna Kunz Memorial Grove in Big Basin Redwoods State Park
Edward and Edna Kunz, donor

The commissioners voted unanimously to adopt the resolutions establishing these special redwood groves.

AGENDA ITEM 4: DIRECTOR'S REPORT

Chair Shriver introduced State Parks Director Ruth Coleman to present her report.

Director Coleman noted that the commissioners had already received a printed copy of the Director's Report, and that she would be drawing their attention to just a few of the items in the report as follows:

El Morro Mobile Home Park at Crystal Cove State Park – Director Coleman stated that the residents of the El Morro mobile home community, which had existed at Crystal Cove State Park for approximately 26 years as a virtual private enclave, had peacefully vacated the premises.

Lower Topanga – Director Coleman noted that the private residents of the State Parks property known as the lower Topanga area in Los Angeles County had also vacated, the result being that State Parks was no longer acting as a landlord to private tenants for the first time in many years. The Director noted that at both Crystal Cove and Topanga State Parks work would now begin on preparing these properties for public use. Director Coleman added that staff's management of the difficult task of relocating private residents at these two parks was a testament to the ability of State Parks staff.

Proposed Power Line Project at Anza-Borrego Desert State Park – Director Coleman explained that because the Commission and the Director's Office had recently received several postcards and letters from citizens expressing concern about the proposed power line project in Anza-Borrego Desert State Park, she had invited Anza-Borrego Sector Superintendent Mark Jorgensen to make a brief presentation to the Commission on this subject.

Chair Shriver asked if there were any questions from the Commission before Superintendent Jorgensen began his presentation. Commissioner Cotchett asked if Director Coleman could quickly review each of

the other items in the Director's Report for the benefit of the members of the public who were present. Director Coleman provided brief summaries of the items as follows:

Governor's Budget Update – The Governor's budget continues to support State Parks in that the department is not sustaining budget cuts at this time. The governor's strategic growth plan includes \$215 million for parks in the proposed infrastructure package. It is a compliment to State Parks to be considered a valuable component of the state's infrastructure.

San Onofre State Beach – On February 23rd, 2006, the Transportation Corridor Agencies voted 12 to 3 to approve construction of the proposed toll highway through San Onofre State Beach.

Land and Water Conservation Fund – State Parks recently held an event to celebrate the 20th anniversary of this important federal funding source, which includes funding for state park projects as well as State Parks-administered grants for cities, counties and other jurisdictions. The previous annual cycle included \$30 million for this program, but at this time it appears that Land and Water Conservation Fund monies will not be available in the future, though State Parks is hopeful that the U.S. Congress will reinstate a portion of these funds.

Crystal Cove State Park – The cottages in the Crystal Cove State Park Historic District are nearly complete and ready for public use. State Parks is currently in the final stages of the selection process for a concessionaire to administer the rental of the cottages, which should be available late in summer 2006.

Take a Hike and City Walks Programs – These programs, which are being piloted in Sacramento, include maps of walking routes with distances to encourage State Parks and other state employees to get out and walk. A program for Los Angeles is currently under development, and similar programs will eventually be offered in other cities throughout the state.

Will Rogers State Historic Park Grand Reopening – State Parks has planned a celebration to commemorate the restoration and reopening to the public of the historic ranch house at Will Rogers State Historic Park in Pacific Palisades. State Parks staff worked to incorporate activities at the ranch that would present an atmosphere similar to life there during Will Rogers' time. Director Coleman noted that each of the Commissioners had been invited to this event which would take place on March 25th, 2006.

Donner State Park Museum – Public acceptance of the site and overall design for this project has been obtained and the project is now moving forward.

Attendance and Park Fees – State and national park attendance appears to be in decline. Those who analyze such data have theorized that attendance is stabilizing after the increase in local tourism that occurred after the tragedies of September 11, 2001. Tourists now appear to be traveling more overseas, resulting in reduced attendance at parks.

Los Angeles State Historic Park – The "Not a Cornfield" art project has concluded and State Parks is now working on an immediate public use plan for this site. Director Coleman noted that the Commission would be asked today to select a representative to serve on the Los Angeles State Historic Park Design Committee which will be instrumental in determining the future design and use of this park.

Rio de Los Angeles State Park – Construction is now underway at this new park. The State Parks portions of the property will offer riparian areas and passive quiet places, while the city-operated segments will offer recreational opportunities for children and adults. This exciting park partnership with the City of Los Angeles will be an important component of the planned vision for the proposed Los Angeles River Parkway. The park should be completed and ready for public use some time during 2007.

Commissioner Caryl Hart asked about the potential for acquisition of additional parcels of land at Rio de Los Angeles State Park. Director Coleman replied that there was no funding available for further acquisitions at this time. A brief discussion took place amongst the commissioners and Director Coleman, the result being a request from the Commission that staff report back with the status of potential acquisitions

at Rio de Los Angeles State Park prior to the next Commission meeting. Commissioner Hart added that the Commission may wish to formally express to the State Legislature its desire to prioritize additional acquisitions at Rio de Los Angeles State Park when future park bonds are under development. Chair Shriver reiterated that a formal update on potential acquisitions at Rio de Los Angeles State Park should be presented as an informational item at the next Commission meeting.

Storm Damage in State Parks – Damage from severe winter storms resulted in approximately \$4.8 million worth of damage in state parks.

Empire Mine State Historic Park – State Parks is working with the organization Delta Keepers to mitigate toxic issues on State Parks property. There is \$5 million in the governor’s budget to begin cleanup operations at Empire Mine State Historic Park.

Border Field State Park – The Federal Department of Homeland Security plans to build a fence to separate California from Mexico and address issues of security. The project would have a considerable impact on Border Field State Park in that the fence alignment would be quite wide and includes three separate fences that run parallel to each other. The actual alignment has not yet been determined, but State Parks has been participating in meetings with federal agencies to negotiate how the state and county will be compensated for the loss of the property on which the fence will be constructed.

Concession Report – The commissioners were provided with an update on the status of the various State Parks concession operations.

Director Coleman concluded her report by noting that in the future she would summarize the Director’s Report items for the Commission and make copies of the report available at the meeting for interested members of the public.

Chair Shriver asked if there were any questions on the Director’s Report.

Commissioner Joseph Cotchett commended Director Coleman on the Commission Annual Report to the Governor. Commissioner Cotchett added that the report presented an excellent picture of State Parks activities, the costs involved, and how the State Park System is used by the public. Commissioner Cotchett and Chair Shriver also thanked Commissioner Phil Tagami, who was not present at the meeting, for initiating the process that resulted in the Annual Report to the Governor.

Chair Shriver then introduced Anza-Borrego Sector Superintendent Mark Jorgensen, who provided information on the proposed San Diego Gas & Electric project to upgrade the existing 69 kilovolt power line, which runs through Anza-Borrego Desert State Park, to a 500 kilovolt power line. After the presentation Superintendent Jorgensen entertained questions from the Commission, which included questions about the number and height of the proposed power poles (height approximately 125 feet, distance between poles 800 feet - twice that of the existing wooden poles), whether or not this type of power line could be placed underground (Jorgensen replied that given the great heat produced by 500kv lines, to his knowledge this had not been done successfully over any great distance or in a desert environment), and whether or not San Diego Gas & Electric was a public utility (San Diego Gas & Electric is a subsidiary of Sempra Energy, a private utility owned by shareholders).

Chair Shriver requested that a short legal document on the existing power line right-of-way be provided to the Commission prior to the next meeting.

**AGENDA ITEM 5:
PUBLIC HEARING**

Chair Shriver opened the public hearing portion of the meeting at 9:33 a.m. The Chair introduced General Planning Manager Wayne Woodroof to make a brief presentation on the Preliminary General Plan & Draft Environmental Impact Report for Bidwell-Sacramento River State Park.

ITEM 5A:

Consideration and action on the Department of Parks and Recreation's recommendation for approval of the Preliminary General Plan/Draft Environmental Impact Report for Bidwell-Sacramento River State Park

Mr. Woodroof provided a short presentation on the Bidwell-Sacramento River State Park General Plan. He explained that while the park consists of 300 acres in four separate parcels, there exists a significant integration of these parcels as they relate to riparian forest restoration along the Sacramento River. Mr. Woodroof addressed the need for expanded public access and recreational opportunities along the river and provided information on how the general plan proposals could provide this in the form of expanded day use, fishing, camping, and boat launching facilities.

At the conclusion of Mr. Woodroof's presentation, Chair Shriver called three public speakers in the order they had registered. Several of the commissioners engaged the third speaker, Arlene Ward of the Mechoopda Indian Tribe, regarding her concerns at Bidwell-Sacramento River State Park, and specifically about how her concerns had been addressed by State Parks staff. Ms. Ward replied that the cooperation she had received from State Parks staff had been "wonderful."

Ms. Ward also raised the question of public confusion related to the names of Bidwell-Sacramento River State Park and Bidwell Park in the nearby City of Chico. A brief discussion on the subject of naming took place amongst the commissioners, Director Ruth Coleman, and staff. The commissioners generally agreed that the established names of State Park System units should not be changed, but that indigenous peoples and others worthy of recognition could be acknowledged in the names of programs, sub-units, or other areas of the park. Director Coleman suggested that staff conduct for the Commission a workshop on park unit naming which would include a review of existing State Parks criteria and guidelines for naming, and a critique of existing processes and policies. It was also agreed that the existing park unit naming policies should be made easily accessible through the Commission web pages.

Chair Shriver closed public comment on this agenda item and asked if there was a motion or additional comments from the commissioners.

Commissioner Joseph Cotchett moved that the Commission adopt the proposed resolution to approve the Preliminary General Plan and Draft Environmental Impact Report for Bidwell-Sacramento River State Park. The motion was seconded by Commissioner Scherman. Chair Shriver asked if there would be any discussion amongst the commissioners.

Commissioner Gail Kautz noted that the agricultural lands at Bidwell-Sacramento River State presented an opportunity for State Parks to partner with the California Travel & Tourism Commission or agricultural organizations to promote agritourism. The Commissioner noted that agritourism provided a wonderful opportunity for citizens to visit agricultural lands to learn about the state's important agricultural heritage.

Commissioner Caryl Hart thanked the State Parks Northern Buttes District staff that conducted the Commission's briefing in the park on the previous day. Commissioner Hart noted that it was exceptionally important that State Parks take care in identifying burial sites on park property, to ensure that these sites were not disturbed. The Commissioner added that as trails are developed staff must be diligent in following the established procedures to determine how sites were identified, what parties were notified, etc. Commissioner Hart also thanked the Nature Conservancy, which had been mistakenly identified in the Bidwell-Sacramento River State Park General Plan as the Nature *Company*, for the work they had done in acquiring property for public use in the area.

General Planning Manager Wayne Woodroof responded to Commissioner Hart's question. Mr. Woodroof clarified that during the California Environmental Quality Act review of a park the locations of archeological sites were never made public. Mr. Woodroof explained that State Parks staff work directly with the local Native American community to determine the sensitivity of archeological sites and design trails that circumvent them.

Northern Buttes District Superintendent Bob Foster added that when burial or other culturally sensitive sites are discovered on State Parks property, staff work with the county coroner's office (in the case of burial sites) and the Native American Heritage Council to ensure that the sites are protected or curated as necessary.

Commissioner Hart explained that she wished to ensure that the local tribes would continue to be reassured that any culturally sensitive sites that were discovered would be safeguarded.

Commissioner Sophia Scherman stated that she was very pleased to hear Arlene Ward of the Mechoopda Indian Tribe speak so favorably of the partnership that existed between the local Indian tribes and State Parks. Commissioner Scherman noted that during the previous day's briefing in the park Ms. Ward had spoken passionately about her working relationship with State Parks, and that it had been obvious that State Parks staff were sensitive to the local Indian tribes needs and concerns. The Commissioner emphasized the importance of developing such partnerships with park stakeholders, and she expressed her gratitude for the opportunity to have visited the park.

Chair Shriver asked if there were any other comments from the commissioners. There being none, the Chair reminded the commissioners that there was a motion on the floor: motion Commissioner Cotchett, second Commissioner Scherman. The Commissioners then voted unanimously to adopt the resolution to approve the Preliminary General Plan and Draft Environmental Impact Report for Bidwell-Sacramento River State Park.

ITEM 5B:

Consideration and action on the Department's recommendation for approval of a proposed concession, including approval of the sale of alcoholic beverages, for specialty food and/or retail sales at Old Town San Diego State Historic Park

Director Coleman asked Concessions, Reservations and Fees Division Chief Jim Luscutoff to introduce this agenda item.

Mr. Luscutoff called the commissioners' attention to the staff report they had received on this item. He explained that the item before the Commission today was a request for determination that a proposal for a restaurant concession at Old Town San Diego State Historic Park was compatible with the existing general plan for this State Park System unit. Mr. Luscutoff also called the commissioners' attention to a letter they had received from the current concessionaire operating on the site in question, noting that this concessionaire was not currently operating a restaurant in this location. He explained that if this item was approved by the Commission today, the current concessionaire would be able to bid on the proposed new concession. He added that the current concessionaire had occupied this site since 1986, and that the concessionaire's contract with State Parks had expired in 1996, the result being that the concession had been operating on month-to-month status for approximately 10 years. Mr. Luscutoff also noted that while his staff conducted monthly meetings with the concessionaires at Old Town San Diego State Historic Park, his division had been remiss in not specifically notifying the current concessionaire of today's Commission meeting, and that this would be corrected in the future.

Chair Shriver asked Commissioner Joseph Cotchett, in his role as the Commission's Concessions, Enterprise, & Fiscal Committee, if he had anything to add. Commissioner Cotchett stated that Mr. Luscutoff's presentation had correctly characterized the item before the Commission.

Commissioner Acquanetta Warren stated that she would like to see all Requests for Proposals (RFPs) for State Parks food service concessions include mandates to make healthy foods available.

Director Ruth Coleman noted that all State Parks RFPs for food service prioritize locally-sourced as well as fresh and healthy foods. Chair Shriver and Commissioner Warren expressed their support for this.

Commissioner Joseph Cotchett commented that there had been a great improvement in the way conces-

sions had been approached over the last several years. The Commissioner thanked Chief Deputy Director Paul Romero and staff for the attention they had given to concessions and making the Commission aware of concession activities. He added that this was vitally important given the finite availability of resources.

Chair Shriver added that Commissioner Phil Tagami had been instrumental in revitalizing the Commission's involvement with the State Parks concession program. Commissioner Cotchett agreed that Commissioner Tagami deserved credit for increasing the Commission's involvement and awareness of concessions.

The Commissioners voted unanimously to adopt the resolution for approval of the proposed concession, including approval of the sale of alcoholic beverages, for specialty food and/or retail sales at Old Town San Diego State Historic Park.

AGENDA ITEM 5C:

Selection of a commissioner to represent the Commission on the Los Angeles State Historic Park Design Committee

Chair Shriver asked Director Ruth Coleman to introduce this agenda item.

Director Coleman explained that given the importance Los Angeles State Historic Park to the State Park System, the City of Los Angeles, and the neighboring communities, State Parks had elected to coordinate the design of this new park in an innovative way. State Parks would be working with the California State Parks Foundation to conduct a type of competition to select a designer for the park. A committee of nine individuals would be assembled to administer the selection process. The process would be required to conform to all state guidelines as required by the California Department of General Services, and the Director of State Parks would still be responsible for the final decision, but State Parks and the various stakeholders involved were optimistic that this new process would result in a spectacular, creative design for this world-class park in downtown Los Angeles.

Commissioner Joseph Cotchett stated that he wished to nominate Commissioner Paul Witt to serve on the Los Angeles State Historic Park Design Committee. Chair Shriver seconded the nomination. The Commissioners voted unanimously to select Commissioner Paul Witt to represent the Commission on the Los Angeles State Historic Park Design Committee.

Commissioner Witt asked if efforts had been made to ensure that the members of the committee would represent the diversity of the park's neighboring communities. Director Coleman replied that State Parks had been working with the Los Angeles mayor's office, the city council, and local assembly member Jackie Goldberg to ensure that stakeholders were represented on the committee. Commissioner Witt stated that he would be honored to serve on the committee.

Chair Shriver recommended that Commissioner Witt serve as the committee's chair, given that he would be representing State Parks. Director Coleman agreed that this was a good idea.

ITEM 5D:

Discussion and possible consideration and action on issues related to the proposed alignment of the Foothill-South Toll Road (South Orange County Transportation Infrastructure Improvement Project) through San Onofre State Beach

Chair Shriver noted that the commissioners had received a staff report on this agenda item, but that recent developments on the subject could necessitate the Commission meeting in closed session today. The Chair asked State Parks General Counsel Bradly Torgan to provide an update on this item.

Mr. Torgan stated that on February 23rd, 2006, after the March 3rd Commission meeting had been noticed in compliance with the Bagley-Keene Open Meeting Act, the Transportation Corridor Agencies (TCA) certified a final Supplemental Environmental Impact Report (SEIR) for the toll road project with a preferred route through San Onofre State Beach. Mr. Torgan explained that any action challenging the ap-

proval of the final SEIR for noncompliance with the California Environmental Quality Act must be filed within 30 days of the filing of the notice of determination. As the notice for the toll road was filed on or about February 24th, 2006, and as the next meeting of the State Park and Recreation Commission would take place after the date on which a timely action challenging the approval of the final SEIR must be filed, Government Code Section 11126.3, subdivision d, provided that a state body such as the State Park and Recreation Commission could proceed to discuss such a matter in closed session under these conditions.

Mr. Torgan noted that he and the attorneys from the California Attorney General's Office who were present believed conditions existed that would permit a closed session relating to agenda item 5D and the toll road. Mr. Torgan read the following suggested motion:

Whereas the TCA's notice of determination announcing its decision to certify the final SEIR for the toll road project was filed after the agenda for this meeting was published, and any action challenging the final SEIR must be commenced before the next commission meeting to comply with the CEQA statute of limitations, therefore, on the advice of counsel, the commission will proceed into closed session to discuss pending litigation pursuant to Government Code Sections 11126.3. subdivision d, and 11126, subdivision e,(2)(C)(i).

Chair Shriver thanked Mr. Torgan and clarified that the suggested motion could be moved, seconded and passed if the Commission should decide to go into closed session during today's meeting. Mr. Torgan confirmed that this was correct and that counsel was advising that the Commission had the authority to meet in closed session if desired.

Chair Shriver stated that he wished to hear public testimony on this item prior to considering whether or not the Commission should meet in closed session. The Chair then called the two speakers who had registered, reminding them that their speaking time would be limited to three minutes each.

At the conclusion of the registered speakers, the Chair asked if there were any unregistered speakers. There being none, Chair Shriver closed public comment on this agenda item. The Chair then suggested that further discussion, including the consideration of whether or not to meet in closed session, should be tabled until the end of the meeting so that others in attendance would not have to wait for their item of interest to be called should the Commission decide to meet in closed session. The Commissioners agreed to address the remaining agenda items before considering the matter of the closed session on item 5D.

ITEM 5E:

Report of the nominating committee and election of Commission officers

Chair Shriver asked Commissioner Paul Will to address this item in his capacity as Chair of the Commission's Executive Committee.

Commissioner Witt reported that the Executive Committee met by telephone on numerous occasions and had decided to recommend that the Commission should reelect Chair Bobby Shriver and Vice Chair Clint Eastwood to serve another term.

Chair Shriver asked if there was any discussion on this proposal. Commissioner Gail Kautz moved that the Commission reelect Chair Shriver and Vice Chair Eastwood. Second Commissioner Warren. The Commissioners voted unanimously to retain Bobby Shriver as Chair and Clint Eastwood as Vice Chair.

AGENDA ITEM 6:

OPEN PUBLIC COMMENT

Chair Shriver requested everyone's cooperation in adhering to the Chair's time limits and conduct of the meeting. The Chair then called five speakers in the order they had registered. At the conclusion of the registered public speakers, Chair Shriver asked if there were any unregistered speakers. There being none, and with no comments from the commissioners, the Chair closed Open Public Comment.

RE-OPEN AGENDA ITEM 5D:

Discussion and possible consideration and action on issues related to the proposed alignment of the Foothill-South Toll Road through San Onofre State Beach

Chair Shriver stated that he would now reopen agenda item 5D. The Chair asked if any of the commissioners would like to discuss this item.

Commissioner Caryl Hart stated that she wished to make a motion consistent with counsel's recommendation that the Commission meet in closed session to discuss this item. Second Commissioner Scherman. The Commissioners voted unanimously to meet in closed session to discuss pending litigation pursuant to Government Code Sections 11126.3, subdivision d, and 11126, subdivision e, (2)(C)(i).

Chair Shriver reminded those present that at the conclusion of the closed session the Commission would reconvene in open session to provide an account of any reportable actions as required. The Chair reminded everyone that it was not possible to know when the closed session would conclude and thanked everyone for their patience. The Chair then noted that a short recess would take place prior to the Commission reconvening in closed session in the adjacent meeting room. The Chair adjourned to recess and closed session at 10:53 a.m.

The Chair convened the closed session in an adjacent meeting room at 11:04 a.m.

Chair Shriver reconvened the Commission in open session at 12:19 p.m. The Chair again thanked everyone for their patience during the closed session. Chair Shriver announced that the closed session consisted of a meeting to discuss litigation with representatives of the California Attorney General's office, and that there were no reportable events from the closed session. The Chair also stated that State Parks General Counsel Bradley Torgan, feeling that it was appropriate and out of an abundance of caution, had recused himself from the closed session. Chair Shriver explained that Mr. Torgan had formally served as a partner in a legal firm which now represented the Transportation Corridor Agencies as general counsel. The commissioners agreed with Mr. Torgan's decision and Mr. Torgan did not participate in the closed session.

**AGENDA ITEM 7:
ADJOURNMENT**

There being no further business, Chair Shriver asked for a motion to adjourn. Motion Commission Hart, second Commissioner Warren. Vice Chair Shriver adjourned the meeting at 12:20 p.m.

ATTEST: These minutes were approved by the California State Park and Recreation Commission on May 12, 2006, at its duly-noticed public meeting in San Juan Bautista, California.

By: ORIGINAL SIGNED BY Date: 5-12-06

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



Meeting of the
CALIFORNIA STATE PARK AND RECREATION COMMISSION
Chico City Council Chambers, 421 Main Street, Chico, California
Friday, March 3, 2006 – 9:00 a.m.

AGENDA

1. Approval of minutes of the November 3rd, 2005 meeting in San Clemente and the November 18, 2005 meeting in Tahoe City
2. Chair's Report/Employee Retirements
3. Approval of Memorial Groves - Save-the-Redwoods League & Sempervirens Fund
4. Director's Report
5. Public Hearing
 - A. Consideration and action on the Department of Parks and Recreation's recommendation for approval of the Preliminary General Plan/Draft Environmental Impact Report for Bidwell-Sacramento River State Park
 - B. Consideration and action on the Department's recommendation for approval of a proposed concession, including approval of the sale of alcoholic beverages, for specialty food and/or retail sales at Old Town San Diego State Historic Park
 - C. Selection of a commissioner to represent the Commission on the Los Angeles State Historic Park Design Committee
 - D. Discussion and possible consideration and action on issues related to the proposed alignment of the Foothill-South Toll Road (South Orange County Transportation Infrastructure Improvement Project) through San Onofre State Beach
 - E. Report of the nominating committee and election of Commission officers
6. Open Public Comment (on subjects other than the above agenda items)
7. Adjourn

Notice of meetings of the State Park and Recreation Commission and copies of this agenda are available on the Internet at www.parks.ca.gov/default.asp?page_id=936