

# CALIFORNIA STATE PARK and RECREATION COMMISSION

Peacock Room B of the Cambria Pines Lodge  
2905 Burton Drive  
Cambria, California

## Minutes of the Meeting - Tuesday, August 17, 2010

### COMMISSIONERS PRESENT

Lindy DeKoven  
Caryl Hart, CHAIR  
Alice Huffman  
Maureen Gorsen  
William "Bill" Kogerman  
Mario Santoyo  
Paul Junger Witt

### COMMISSIONERS ABSENT

Linda Briskman

### CALIFORNIA STATE PARKS STAFF

Ruth Coleman, DIRECTOR  
Nick Franco, SAN LUIS OBISPO COAST DISTRICT SUPERINTENDENT  
Louis Nastro, ASSISTANT TO THE STATE PARK AND RECREATION COMMISSION  
Juventino Ortiz, COASTAL SECTOR SUPERINTENDENT  
Dan Ray, CHIEF, PLANNING DIVISION  
Roy Stearns, DEPUTY DIRECTOR, COMMUNICATIONS  
Kathryn Tobias, SENIOR STAFF COUNSEL

### SPEAKERS REGISTERED/REPRESENTING

Nancy Anderson/Self  
Allen Baylis/Naturist Action Committee  
Elizabeth Bettenhausen/Self  
Mark Blum/El Sur Ranch - *Did not speak, agenda item canceled*  
John Brannon/Self  
Sharon Budge/Self  
Mahala Burton/Self  
Tina Dickason/Self  
Harry Farmer/Self  
Dennis Fox/Self  
Mary Golden/Central Coast Natural History Association  
Gary Gull/Self  
Lynne Harkins/Self  
Richard Hawley/Greenspace, The Cambria Land Trust  
Jeannine Jacobs/Self  
Victoria Krassensky/Self  
John O'Neil/Central Coast Lighthouse Keepers - *Did not speak, agenda item canceled*  
Lynne Paulson/Self

Catherine Ryan Hyde/Self  
Dennis Smith/Friends of Gaviota  
Jim Webb/Cambria Fishing Club  
Mary Webb/Greenspace, The Cambria Land Trust

**CALL TO ORDER**

Legal notice having been given, this meeting of the California State Park and Recreation Commission was called to order at 9:03 a.m. by Commission Chair Caryl Hart. Chair Hart introduced the commissioners and California State Parks staff who were present, taking a moment to thank Coastal Sector Superintendent Juventino Ortiz, Hearst Castle Museum Director Hoyt Fields, and Lynn Kelley and Bob “Kit” Kitamura of Friends of Hearst Castle for their hospitality.

**AGENDA ITEM 1:**

**APPROVAL OF MINUTES OF THE MAY 12, 2010 MEETING IN FRESNO**

Chair Hart asked for a motion to approve the draft minutes of the May 12, 2010 meeting. Motion Commissioner Kogerman, second Commissioner DeKoven. The commissioners voted unanimously to approve the minutes of the meeting as submitted.

**AGENDA ITEM 2:**

**CHAIR’S REPORT, COMMISSIONER REPORTS/COMMENTS, RECOGNITIONS**

**Recognition of Retiring California State Parks Employees**

Chair Hart explained that this portion of the meeting was used to recognize employees that had recently retired from careers with California State Parks. The Chair asked Commissioner Mario Santoyo to read the list. Commissioner Santoyo noted that many of the employees on the list had served for in excess of 30 and in some cases almost 40 years. The Commissioner noted that this represented a great loss of experience to the department, and he expressed his hope that new staff could be recruited to fill this void. Commissioner Santoyo read the following:

- Karen Adams, Southern Service Center ..... 15 years, 9 months
- Sandra Almack, San Diego District ..... 30 years, 9 months
- Jose Amaro, Channel Coast District ..... 7 years
- Cynthia Anderson, San Luis Obispo District ..... 29 years, 8 months
- Edward Blanchard, Capital District ..... 23 years, 10 months
- Gayle Bohlmann, Contracts/Assessments ..... 32 years, 7 months
- Jonathan Burgasser, Sierra District ..... 25 years, 4 months
- Deirdre Cahill, Acquisition & Real Property ..... 25 years, 10 months
- Douglas Correia, North Coast Redwoods District ..... 37 years, 11 months
- Robert Davis, Northern Buttes District ..... 23 years, 7 months
- Rebecca Dominguez, Channel Coast District ..... 12 years, 1 month
- Gerald Duarte, Twin Cities District ..... 24 years, 1 month
- Matthew Farris, Grants & Local Services ..... 24 years, 3 months
- Charles Fell, Sierra District ..... 20 years, 10 months
- Albert Fimlaid, Jr., Channel Coast District ..... 26 years, 10 months
- Joann Giza, Santa Cruz District ..... 10 years, 7 months
- Phillip Gross, San Luis Obispo Coast District ..... 17 years, 4 months

Susan Hearne, Northern Buttes District .....	20 years, 11 months
Marsha Henderson, Central Valley District .....	22 years, 2 months
Steve Horvitz, North Coast Redwoods District .....	31 years, 1 month
James Houston, Capital District .....	20 years, 4 months
Ronald Imthurn, Off-Highway Motor Vehicle, Carnegie .....	22 years, 2 months
Michelle Kazemi-Nejad, Diablo Vista District .....	20 years
Valerie Laam, Administration/Accounting .....	33 years, 3 months
John Lundquist, Central Valley District .....	21 years, 7 months
Gary Lyons, Gold Fields District .....	11 years, 9 months
Elizabeth Martin, Business & Fiscal Services .....	22 years, 7 months
Gary Martin, Colorado Desert District .....	7 years, 1 month
Wilson Martin, Central Valley District .....	39 years, 8 months
John Mott, Interpretation & Education Division .....	26 years, 11 months
Lisa Mulz, Northern Buttes District .....	23 years, 9 months
Hank Pagliaroli, Contracts/Assessments .....	31 years, 11 months
James Pfluger, Santa Cruz District .....	28 years, 6 months
Phyllis Ragsdale, Capital District .....	8 years, 10 months
Neil Scott, Northern Buttes District .....	25 years, 10 months
Lee Sencenbaugh, Central Valley District .....	23 years, 8 months
Michael Smittle, Sierra District .....	22 years, 7 months
Daniel Templeton, Northern Buttes District .....	34 years, 2 months
Nori Tipon, Contracts/Assessments .....	35 years, 1 month
Andrew Urlie, Northern Buttes District .....	28 years, 1 month
Willie White, Central Valley District .....	23 years, 1 month
Laura Wong, Marin District .....	23 years
Robert Wood, Capital District .....	33 years, 11 months
David Wrightsman, Acquisitions & Real Property .....	24 years, 6 months

This list of employees retiring during the four-month period from April 1, 2010 through July 31, 2010 represents over 1,054 years of service to the State of California.

Commission Chair Caryl Hart thanked the retirees again for their many years of service and wished them well in their future endeavors.

### **Regarding Appointments to Commission Committees**

Chair Hart noted that though appointments to committees had been made at the Commission’s May 2010 meeting, it had come to her attention that commissioners who had not been present at the May meeting were also interested in serving on committees. The Chair explained that for the purposes of this discussion there were three committees of the Commission: the Concessions, Enterprise and Fiscal Committee, which incorporates the former program and policy committee, the Climate Change Committee, and the Local and County Government Committee. Chair Hart recognized Commissioner Lindy DeKoven’s interest in joining the Partnerships, Local and County Government Committee and appointed Commissioner DeKoven to this committee. After a brief discussion with Commissioner Alice Huffman, Chair Hart also appointed Commissioner Huffman to the Partnerships, Local and County Government Committee.

Following these actions by Chair Caryl Hart, membership on Commission Committee now stands as :

Climate Change Committee - Caryl Hart, Mario Santoyo, and Paul Witt.

Concessions, Enterprise and Fiscal Committee - Bill Kogerman and Paul Witt.

Executive Committee -Maureen Gorsen and Paul Witt.

Partnerships, Local and County Government Committee - Linda Briskman, Lindy DeKoven, Alice Huffman, and Mario Santoyo.

**AGENDA ITEM 2A:**

**REPORT OF THE EXECUTIVE (NOMINATING) COMMITTEE  
and ELECTION OF COMMISSION OFFICERS**

Chair Hart introduced Commissioner Maureen Gorsen to provide the report of the Executive Committee on nominations and election of officers. Commissioner Gorsen reported that she and Commissioner Paul Witt had worked on developing a process by which the Commission could conduct election of officers. The Commissioner noted that the Commission had previously lacked such a process, as it had been unnecessary with only a single commissioner volunteering to serve as chair or vice chair.

A discussion took place during which Commissioner Gorsen explained that she had only recently learned that two commissioners wished to be considered for the position of chair. Commissioner Gorsen and Commissioner Paul Witt confirmed that it was the Committee's desire to develop and implement an impartial, open and democratic process for election of officers. Commissioners Alice Huffman, William Kogerman, and Chair Caryl Hart agreed that under the circumstances an election should not be conducted at this time, and that the Commission should instead hold elections at a teleconference meeting to be convened as soon as possible. The commissioners agreed that an election teleconference meeting should include as many of the members as possible, and that this was preferable to waiting until the next regular Commission meeting as budget constraints could prevent the Commission from meeting until 2011. Commissioner Alice Huffman made a motion that a special meeting to conduct elections should be convened as soon as possible, the motion seconded by Commissioner Maureen Gorsen. The commissioners voted unanimously to hold a teleconference meeting to elect officers as soon as it was possible to do so.

**AGENDA ITEM 3:**

**APPROVAL OF SPECIAL REDWOOD GROVES**

Chair Hart asked Commissioner Paul Witt to read the requests to establish special redwood groves in California State Park System units. Commissioner Witt read the following list of groves as requested by Save the Redwoods League:

Ruth Cottrell Morris Memorial Grove  
in Jedediah Smith Redwoods State Park  
*Estate of John Townsend Stepp Morris, donor*

Ruth Down Luckhardt Memorial Grove  
in Big Basin Redwoods State Park  
*Louis Oneal, donor*

Katherine W. and Lawrence C. Merriam Grove  
in Wilder Ranch State Park  
*Katherine W. Merriam, donor*

Chair Hart asked for a motion to approve these special redwood grove requests. Motion Commissioner Huffman, second Commissioner Gorsen. The commissioners voted unanimously to adopt the resolutions establishing these special redwood groves.

**AGENDA ITEM 4:  
DIRECTOR'S REPORT**

Chair Hart called on California State Parks Director Ruth Coleman to present her Director's Report.

Director Coleman noted that each of the commissioners had previously received a written copy of her report. The Director then highlighted the following items:

**Developing Partnerships** – Director Coleman stated that in spite of budget constraints California State Parks staff continued to develop innovative partnerships with private sector businesses and with unexpected partners like the Russian government. The Director noted that Viktor Vekselberg, the billionaire president of the Renova Group of Companies, had entered into an agreement to provide financial support for the operation of Fort Ross State Historic Park in Sonoma County, with the support of Russian President Dmitry Medvedev. Director Coleman added that this partnership would play an important part in the development of the Fort Ross bicentennial celebration in 2012.

Director Coleman also spoke of how California State Parks' successful 2009 partnership with Coca-Cola and Stater Bros. Markets had helped plant a million trees at fire-ravaged Cuyamaca Rancho State Park, and how for 2010 Coke and Stater Bros. had again partnered with California State Parks on a "cause-marketing" campaign that allowed shoppers to make donations at check-out that had so far generated \$500,000.00 to help make beaches in Orange and San Diego Counties safe and clean. The Director also highlighted the valuable partnership with Bosch Security Systems North America that allowed California State Parks to employ a sophisticated security system at Governor's Mansion State Historic Park in Sacramento, a project that would be financially impossible for State Parks without the company's support.

**State Budget** – Regarding the state budget, Director Coleman explained that the Senate Budget Committee had recently reduced State Parks' budget by \$7 million from the amount the governor had proposed in his January 2010 budget. The Director added that this was not entirely bad news as it meant the department would actually receive \$7 million more than it received during the 2009-2010 fiscal year. Director Coleman added that budget constraints were beginning to have a visible effect on park operations. She noted that the reduced budget and resulting vacant staff positions meant that the department was currently operating on what amounted to 1979-1980 levels of staffing. This is dramatic when it is considered that California State Parks has approximately one-half-million more acres to manage and at least 10 million more visitors each year than it did in 1979. Director Coleman added that while this placed a tremendous burden on staff, State Parks employees remained passionate and dedicated to California State Parks.

**Crime in Parks** – Director Coleman referenced a series of recent stories in *The Sacramento Bee* related to crime in state parks. The Director explained that though the stories included explanations of the crime statistics reported, the stories utilized headlines and graphics that gave the impression that a "crime wave" was taking place in state parks. She further explained that the statistical system employed to report crimes was incapable of distinguishing between a report of a noisy campsite and a serious crime that resulted in loss or injury. Director Coleman stated that though the department's antiquated computer system recorded 60,000 annual incidents as "crimes," in actuality California State Parks had only recorded 2.7 crimes per park unit per year, making California State Parks one of the safest places to be. She concluded by stating that California State Parks was working with the California Department of Justice to develop a more accurate system for recording and reporting crime statistics.

Director Coleman asked if there were any questions from the commissioners.

Commissioner Bill Kogerman asked if it would be possible to update the current reporting system to better represent the true nature of crime in parks. Director Coleman replied that the current system was so outmoded that it required obsolete computers to run. The Director explained that a project to develop a new system was currently in progress, but that it would be approximately one year until a new system was in place. Director Coleman also explained that the reporting system, which incorporated the dispatching of peace officers, was operated by California State Parks for both state park rangers and California

Department of Fish and Game wardens. Commissioner Kogerman added that it was unfortunate that many media sources had already carried stories that implied crime was on the rise in state parks.

Commissioner Alice Huffman commented that while it was unfortunate that the crime situation had been inappropriately reported, she believed it would be counterproductive to attempt to defend the situation, especially given other higher priorities at California State Parks. Commissioner Huffman also commented on the value of the Russian partnership at Fort Ross State Historic Park.

Director Coleman related that the U.S. State Department had inquired about Fort Ross State Historic Park, because this was something the Russian president planned to discuss with President Obama.

Chair Caryl Hart noted that if there were no other questions from commissioners she had received a request to comment from a member of the public:

Tina Dickason asked about the recent changes in laws related to guns in parks.

Director Coleman explained that the change in question applied to national parks, not California State Parks. San Luis Obispo Coast District Superintendent Nick Franco added that regulations related to the possession and use of firearms in state parks had not changed, and he assured Ms. Dickason that State Park rangers addressed this issue in the same manner with which it had been addressed for some time.

#### **AGENDA ITEM 5: PUBLIC HEARING**

Chair Hart opened the public hearing portion of the meeting at 9:40 a.m. The Chair added that she would like for those wishing to address the Commission to complete a speaker registration form.

#### **ITEM 5A: Consent Items**

Chair Hart explained that the Commission would now consider consent items. There being no comments from commissioners, and no public speakers on the single consent item, Chair Hart asked for a motion to approve the item. Motion Commissioner Huffman, second Commissioner Witt. The commissioners voted unanimously to approve agenda item 5A-I as follows:

#### **ITEM 5A-I: Concurrence on the Director's appointment of Thomas Spellman to the Board of Directors of California Citrus State Historic Park Non-Profit Management Corporation**

#### **ITEM 5B: Consideration and action on the Department's proposal to reclassify and rename Cambria State Marine Conservation Area as a state marine park**

Chair Hart introduced Dan Ray, Chief of California State Parks Planning Division, to make a short presentation on the Cambria State Marine Conservation Area agenda item.

Mr. Ray provided historical background on the state marine park proposal, noting that while California State Parks involvement with underwater parks is not well known, the department had been protecting underwater resources, both natural and cultural, for over 40 years, having established the nation's first underwater park in 1960. He explained something of the purpose of marine parks, including the recreational and educational opportunities they provide in addition to resource protection. Mr. Ray also explained the process by which the recommendation to classify the area as a state marine park had come to be, including the work of the California Fish and Game Commission, the extensive public input process, and the new laws established in 1999 and 2000. Mr. Ray described how the Fish and Game Commission had worked regionally to develop recommendations, with this being the first such recommendation to be brought before the State Park and Recreation Commission for concurrence. He also emphasized that the recommendation

before the Commission had the full support of the Fish and Game Commission, and called the commissioners' attention to a letter of support that had been included in their meeting materials.

Chair Caryl Hart asked if there were any questions or comments from commissioners on Mr. Ray's presentation. There being none, the Chair formally opened public comment on this agenda item. She added that she would be limiting each speaker to a maximum of three minutes. Chair Hart proceeded to call five speakers related to the proposal to reclassify and rename Cambria State Marine Conservation Area as a state marine park:

Elizabeth Bettenhausen, concerning grammar school students' support for the reclassification proposal.

Mahala Burton, concerning support for the reclassification proposal.

Richard Hawley, of Greenspace, The Cambria Land Trust, concerning support for the reclassification proposal and the name Cambria State Marine Park.

Jim Webb, of the Cambria Fishing Club, concerning support for the reclassification proposal.

Mary Webb, of Greenspace, The Cambria Land Trust, concerning support for the reclassification proposal and the name Cambria State Marine Park.

Chair Hart asked if there were any other speakers on this agenda item. There being none, the Chair closed public comment on this item.

At 10:06 a.m. Chair Hart announced that she had just been informed by staff that agenda item 5C, concerning a general plan amendment for Point Sur State Historic Park, had been pulled from the agenda of the meeting. Chair Hart apologized to those who attended the meeting for the purpose of hearing or commenting on this item. California State Parks Senior Staff Counsel Kathryn Tobias clarified that the item had been pulled from the agenda at the request of the parties involved, that it would not be heard by the Commission, and that no public testimony would be heard. Ms. Tobias added that the item could be brought back to the Commission at a later date. Chair Caryl Hart apologized again to those who had attended the meeting to witness the Point Sur State Historic Park item.

Chair Hart then asked if there were any comments from the commissioners on the proposal to reclassify and rename Cambria State Marine Conservation Area as a state marine park.

Commissioner Bill Kogerman described the Cambria State Marine Park proposal as "historic," and added that he hoped it would be only the first of many such designations to come. Commissioner Kogerman made a motion recommending that the Commission adopt the resolution before it to reclassify Cambria State Marine Conservation Area as a state marine park named Cambria State Marine Park. The motion was seconded by Commissioner Paul Witt.

Chair Hart asked for further discussion on the item.

Commissioner Kogerman stated that he believed the designation of this area as a state marine park represented an incredible opportunity, and that he looked forward to participating in similar designations along the coast in Orange County. The Commissioner also praised the residents of Cambria for their lovely community and thanked them for their hospitality.

Commissioner Alice Huffman stated that she wished to confirm that the proposal before the Commission was to adopt the boundaries of the proposed marine park as specified in the materials provided to the Commission. Chair Caryl Hart confirmed that this was the case.

Chair Hart stated that she wished to acknowledge local community support and participation in the state marine park project, and that she wished to express her own support for the establishment of the park with the name Cambria State Marine Park.

Commissioner Paul Witt noted that as a part-time resident of the central coast he was continually remind-

ed of the great beauty to be enjoyed in the area. Commissioner Witt thanked the local community for serving as a “shining example” of how best to care for these precious resources. He thanked the local residents for their efforts.

Commissioner Lindy DeKoven stated that she wished to reiterate the comments of Chair Caryl Hart. Commissioner DeKoven explained that she initially believed that the marine park should be named as an extension of Hearst San Simeon State Park, but that after hearing speakers’ comments she realized that it was more appropriate for it to be named Cambria State Marine Park. The Commissioner added that the experience served as a reminder of the importance of public comment and community involvement.

Chair Hart noted that a motion had been made to adopt the resolution to reclassify Cambria State Marine Conservation Area as a state marine park named Cambria State Marine Park. The Chair called for a vote, and the commissioners voted unanimously to adopt the resolution to reclassify Cambria State Marine Conservation Area as a state marine park named Cambria State Marine Park. Chair Hart noted that this action marked the establishment of the state’s first marine park to be classified as such. She congratulated those who had supported the proposal and added and that it was “a great day for California.”

**ITEM 5B CANCELED:**

**Consideration and action on the Department’s recommendation to approve a general plan amendment for Point Sur State Historic Park, pursuant to settlement of litigation**

Chair Hart explained once again that for a variety of reasons the agenda item to consider a general plan amendment for Point Sur State Historic Park had been pulled from the agenda of the meeting. The Chair again expressed her most sincere apologies to those who had attended the meeting to hear and/or comment on the item.

**AGENDA ITEM 6:**

**OPEN PUBLIC COMMENT**

Chair Hart stated that she had received a number of speaker registration forms for Open Public Comment. She then called the speakers in the order they had registered:

Dennis Fox, concerning clarification of fishing regulations and boundaries in the new state marine park, and the loss of “in-lieu fees” by county governments.

Richard Hawley, concerning protection of the Santa Rosa Creek Natural Preserve and the request for a right of entry into this protected area.

After Mr. Hawley spoke, Chair Hart noted that given the number of speakers who wished to comment on this topic and related issues, and given that this item was not on the agenda of the meeting, she would like to hear a brief explanation of the project in question from San Luis Obispo Coast District Superintendent Nick Franco. The Chair assured the balance of the speakers that they would be called to speak after Superintendent Franco’s comments.

Superintendent Franco explained that the Cambria Community Services District was considering the construction of a seawater desalination plant, and that the district had obtained the services of the U.S. Army Corps of Engineers to investigate the feasibility of such a plant to meet the district’s needs. The Superintendent described how the Corps of Engineers was designing a study to make determinations related to the location and operation of the desalination plant. He added that the Corps of Engineers wished to drill test wells on California State Parks property at Santa Rosa Creek Natural Preserve, and that the Corps had made a determination that California Environmental Quality Act (“CEQA”) documentation would not be required for the project. Superintendent Franco also explained that it was up to California State Parks to determine whether or not a right of entry would be granted, and that this decision would be dependent on a California Environmental Quality Act determination, and a complete project description, which had not yet been provided by the Army Corps of Engineers.

Commissioner Bill Kogerman asked if there were there any other issues related to the desalination project. Superintendent Franco replied that there were many concerns related to the project, but that a CEQA document should address each of these. The Superintendent listed vehicle use on the beach, water draw-down, and the presence of endangered species as potential issues.

Commissioner Alice Huffman asked if the Army Corps of Engineers considered itself exempt from CEQA requirements.

Superintendent Franco replied that this was apparently the case, and that technically a federal project would be exempt from CEQA requirements. He added that California State Parks disagreed with this as project-related activities would take place on State Parks' property. The Superintendent stated that activity on California State Parks property could trigger CEQA requirements whether or not the project was undertaken by the federal government.

Commissioner Huffman suggested that the Commission, in its role as a protector of state parks, move to state that the project operations would not be allowed to take place on California State Parks property until proper CEQA procedures had taken place.

Senior Staff Counsel Kathryn Tobias noted that since such an action had not been agendized, it would not be possible for the Commission to take action. Ms. Tobias added that the California State Parks legal office would be discussing this matter in the near future.

Chair Caryl Hart noted that all public comment heard by the Commission was "on the record" and could be included in the CEQA proceedings for the project. Kathryn Tobias agreed that the comments heard by the Commission today could be included. The Chair then called 13 speakers who commented on matters related to the Cambria Community Services District seawater desalination plant project, the U.S. Army Corps of Engineers, and Santa Rosa Creek Natural Preserve:

Nancy Anderson  
Elizabeth Bettenhausen  
John Brannon  
Sharon Budge  
Mahala Burton  
Tina Dickason  
Harry Farmer  
Gary Gull  
Lynne Harkins  
Jeannine Jacobs  
Victoria Krassensky  
Catherine Ryan Hyde  
Mary Webb

Chair Hart then proceeded to call four additional speakers who made comments as follows:

Mary Golden, of Central Coast Natural History Association, concerning support for Proposition 21, the State Parks and Wildlife Conservation Fund Act.

Dennis Smith, of Friends of Gaviota, concerning the designation of clothing optional areas on state park property.

Alan Baylis, of the Naturist Action Committee, concerning the designation of clothing optional areas on state park property and Commission support for such designations.

Lynne Paulson, concerning the preservation of Wahsoe Meadows State Park and issues related to trading parkland for commercial interests.

Chair Hart announced that there were no other registered speakers for open public comment. She asked if there were any unregistered speakers. There being none, the Chair closed Open Public Comment.

The Chair announced that the Commission would conduct a teleconference meeting to elect officers in approximately three weeks or as soon as such a meeting could be convened. She also announced that the Commission's next regular meeting would take place in Del Norte County on October 7th and 8th, 2010.

Commissioner Alice Huffman asked staff for clarification of whether or not a CEQA process would be required for the work being proposed for the desalination plant project. The Commissioner added that she suspected that proponents of the project would challenge State Parks' right to protect the park's resources by indicating that the community's need for the project should outweigh this.

Senior Staff Counsel Kathryn Tobias responded that CEQA considers environmental impacts. She stated that it was possible for the project's proponents to make "overriding findings" with regard to the effects of the project, in a sense stating that the community's need could override significant environmental effects. Ms. Tobias added that the issue was complex in that there was some question as to who owned the project. She stated that if in fact it is a federal government project it could be possible for the Army Corps of Engineers to perform testing without a CEQA evaluation. She clarified that typically the entity that instigated such a project – in this case the Cambria Community Services District – would be required to provide the appropriate CEQA documents.

Commissioner Alice Huffman asked Director Ruth Coleman if there were any plans to resolve the issues raised by those who spoke in support of clothing optional areas in state parks.

Director Coleman replied that as this issue was subject to litigation she would ask Senior Staff Counsel Kathryn Tobias to respond. Ms. Tobias stated that while she had not been responsible for matters related to the clothing optional issue, she was aware that California State Parks had faced a legal challenge to its policies related to clothing optional areas. She explained that since state agencies are required to establish policies of this nature as regulations, State Parks could no longer employ such policies. Ms. Tobias added that while this issue may be addressed at some point no action had yet taken place.

Commissioner Bill Kogerman stated that he noticed local residents were very well informed of issues specific to their community, and he assured them that no action would be taken by the Commission that was not fully informed and consistent with Commission authority.

**AGENDA ITEM 7:  
ADJOURNMENT**

After a motion to adjourn by Commissioner Paul Witt and a second by Commissioner Maureen Gorsen, Chair Hart adjourned the meeting at 11:36 a.m.

ATTEST: These minutes were approved by the California State Park and Recreation Commission on October 8, 2010, at its duly-noticed public meeting in Crescent City, California.

By:                     ORIGINAL SIGNED BY                     Date:   10-8-10  

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  
Peacock Room of the Cambria Pines Lodge  
2905 Burton Drive, Cambria  
Tuesday, August 17, 2010 - 9:00 a.m.

**Agenda of the Meeting**

1. Approval of minutes of the May 12, 2010 meeting in Fresno
2. Chair's Report, Commissioner reports/comments, Recognitions
  - A. Report of the Executive (nominating) Committee and election of Commission officers
3. Approval of Special Redwood Groves – as requested by Save the Redwoods League
4. Director's Report
5. Public Hearing
  - A. Consent Items\* (*reflecting staff recommendations*)
    - I. Concurrence on the Director's appointment of Thomas Spellman to the Board of Directors of the California Citrus State Historic Park Non-Profit Management Corporation
    - B. Consideration and action on the Department's proposal to reclassify and rename Cambria State Marine Conservation Area as a state marine park
    - C. ~~Consideration and action on the Department's recommendation to approve a general plan amendment for Point Sur State Historic Park, pursuant to settlement of litigation – Agenda item canceled~~
6. Open Public Comment (on subjects other than the above agenda items)
7. Adjourn

Copies of this agenda and the public notice of the meeting are available on the Internet at [www.parks.ca.gov/default.asp?page\\_id=936](http://www.parks.ca.gov/default.asp?page_id=936)

\* The Commission may approve consent items all at once without discussion. Any person requesting an opportunity to be heard with regard to consent items must complete a Speaker Registration Form (names are not required) prior to the announcement at the meeting of agenda item 5A, Consent Items. If such a request is made, the item(s) in question shall be pulled from the consent list for discussion and/or public comment.