

CALIFORNIA STATE PARK and RECREATION COMMISSION

Community Room of the City of Brentwood Community Center
35 Oak Street
Brentwood, California

Minutes of the Meeting - Friday, January 27, 2012

COMMISSIONERS PRESENT

Caryl Hart, CHAIR
William "Bill" Kogerman, VICE CHAIR
Tommy Randle
Paul Junger Witt
Elva Yanez

COMMISSIONERS ABSENT

Alice Huffman
Maurice Johannessen

CALIFORNIA STATE PARKS STAFF

Ruth Coleman, DIRECTOR
Steve Bachman, FORMER ACTING SUPERINTENDENT, DIABLO VISTA DISTRICT
Rick Fitzgerald, SENIOR STATE ARCHAEOLOGIST
Ann Malcolm, CHIEF COUNSEL
Steve Musillami, CHIEF, PLANNING DIVISION
Louis Nastro, ASSISTANT TO THE STATE PARK AND RECREATION COMMISSION
Danita Rodriguez, ACTING SUPERINTENDENT, DIABLO VISTA DISTRICT
Roy Stearns, DEPUTY DIRECTOR, COMMUNICATIONS
Kathryn Tobias, SENIOR STAFF COUNSEL
Cyndie Walck, PROJECT MANAGER, UPPER TRUCKEE RIVER RESTORATION & GOLF COURSE RECONFIGURATION

SPEAKERS REGISTERED/REPRESENTING

Bob Anderson/Tahoe Area Sierra Club
Ellen Barth/Citizens for East Shore State Parks
Allen Baylis/Naturist Action Committee
Ed Bennett/Citizens for East Shore State Parks
Patty Bristow/Friends of Byron
Craig Bronzan/City of Brentwood
Ron Brown/Save Mount Diablo
Nancy Graalman/Defense of Place
Rick Hopkins/Self
Nancy Jameson/John Marsh Historic Trust
Carol Jensen/Contra Costa County Historic Landmark Advisory Committee
Patricia Jones/Citizens for East Shore State Parks
John Klimaszewski/Self
Beverly Lane/Self
Vicki Lee/Sierra Club California
Kathy Leighton/East Contra Costa Historical Society

Gene Metz/Self
Larry Myers/Native American Heritage Commission
Ruth Orta/Self
Beverly Ortiz, PhD/Self
Lynne Paulson/Self
Norma Santiago/El Dorado County Board of Supervisors
Doris Sloan/Citizens for East Shore State Parks
Steve Torgeson/Self
Jim Townsend/East Bay Regional Park District
Keith G. Wagner/Washoe Meadows Community
Rob Wood/Native American Heritage Commission

CALL TO ORDER

Legal notice having been given, Commission Chair Caryl Hart called this meeting of the California State Park and Recreation Commission to order at 9:05 a.m. The Chair thanked everyone attending the meeting and introduced the commissioners and California State Parks staff who were present. Chair Hart also explained that both Steve Bachman and Danita Rodriguez were representing State Parks' Diablo Vista District at today's meeting. She clarified that Danita Rodriguez was currently serving as Acting District Superintendent, though Steve Bachman had performed this role throughout much of the process to develop the general plan for the Cowell/Marsh project that would be before the Commission today.

INTRODUCTIONS AND WELCOMES BY THE CITY OF BRENTWOOD AND EAST BAY REGIONAL PARK DISTRICT

Chair Caryl Hart introduced Mayor Robert Taylor of the City of Brentwood. Mayor Taylor welcomed the commissioners and meeting attendees to the brand new Brentwood Community Center. Several commissioners commented on the beauty, size, and quality of the facility. The Mayor thanked everyone for visiting Brentwood. Mayor Taylor then read a proclamation to be presented to the Commission, which described some of the area's history and the City of Brentwood's partnership with California State Parks and their involvement in the structural stabilization of the John Marsh home. The commissioners posed for a photograph with the proclamation and Mayor Taylor.

Commission Chair Caryl Hart thanked Mayor Taylor and the City of Brentwood staff for their hospitality and for the proclamation. The Chair then introduced Beverly Lane, Ward 6 Director of the East Bay Regional Park District.

Beverly Lane welcomed the commissioners to Contra Costa County and provided background on the East Bay Regional Park District's important partnerships with California State Parks. Ms. Lane explained that the district currently managed 65 park units comprising approximately 111,000 acres, and that they also managed three units of the California State Park System. She thanked the state for administering the grant funds that had made many district projects possible, and she expressed the East Bay Regional Park District's support for the Cowell/Marsh general plan that the Commission would be considering today.

Chair Caryl Hart thanked Ms. Lane for her comments. The Chair continued that as a Regional Park Director in Sonoma County she could especially appreciate the value of the partnership California State Parks enjoyed with East Bay Regional Park District.

AGENDA ITEM A1:

APPROVAL OF MINUTES OF THE OCTOBER 21, 2011 MEETING IN SOUTH LAKE TAHOE

Chair Hart asked if there would be any changes to the draft minutes of the Commission's October 21st, 2011 meeting in South Lake Tahoe. There being no changes or corrections, the Chair noted that reading of the minutes would be waived and the draft minutes hereby approved by the Commission.

AGENDA ITEM 1:

CHAIR’S REPORT, COMMISSIONER REPORTS/COMMENTS, RECOGNITIONS

The Chair noted that this item provided an opportunity for commissioners to comment on matters of interest, provide direction to staff, conduct committee business, and provide recognitions. Chair Hart asked if the commissioners had any matters to discuss or report. There being none, the Chair asked Commissioner Paul Junger Witt to read the list of employees who had recently retired from their careers with California State Parks.

Commissioner Witt read the list of recently retired employees, noting that this list represented retirements announced since the Commission’s October 21, 2011 meeting, a total of over 1,047 years of service to the citizens of California:

Charles Bancroft, Monterey District	30 years
Miguel Barajas, Northern Buttes District	36 years
Ronald Bayhan, San Luis Obispo Coast District	10 years, 10 months
Donna Beane, Diablo Vista District	11 years, 8 months
Paul Carlson, Acquisition & Real Property Services	38 years, 6 months
Ben Cox-Frankenfield, North Coast Redwoods District	1 year, 6 months
Joanne Danielson, Marin District	27 years, 2 months
John Duggan, Marin District	6 years, 11 months
John Ekstrom, Russian River Sector	30 years, 6 months
Eva Forney, Capital District	20 years, 6 months
Susan Grove, Sierra District	25 years, 11 months
Marla Sue Hastings, Silverado District	32 years, 10 months
James Holt Jr., Grants and Local Services Division	23 years, 3 months
Stuart Hong, Planning Division	34 years, 1 month
Theodor Jackson Jr., Gold Fields District	30 years
Ethel Jones, Monterey District	30 years, 7 months
Neal Jones, Acquisition & Real Property Services	11 years, 2 months
Joanne Karlton, Central Valley District	38 years, 4 months
Antonina Karnaugh, Santa Cruz District	26 years, 7 months
Alice King, Natural Resources Division	23 years, 2 months
Min Min Ku, Business & Fiscal Services Division	10 years, 11 months
Douglas Lampman, Off-Highway Vehicle Division	24 years, 4 months
John Lane, Gold Rush District	11 years, 4 months
Miles Lundquist, Off-Highway Vehicle Division	30 years, 7 months
Walter Meyer, Tehachapi District	19 years, 11 months
Carol Milloway, Capital District	29 years, 4 months
Emerson Mills, Acquisition & Real Property Services	22 years, 6 months
Carolyn Momsen, Acquisition & Real Property Services	26 years, 2 months
John Mooberry, Sierra District	15 years, 1 month
Juventino Ortiz III, San Luis Obispo Coast District	29 years, 11 months
Holly Palmer, Northern Buttes District	10 years, 5 months
Alex Peabody, Public Safety Division	29 years, 3 months
Josefina Pizano, San Diego Coast District	4 years, 5 months
John Rivera, San Luis Obispo Coast District	35 years
Jan Saber, Capital District	38 years, 2 months

Mikal Sandoval, Angeles District	29 years, 6 months
James Serpa, Orange Coast District	21 years, 11 months
Moises Solis, Channel Coast District	35 years, 8 months
Stephen Soto, Public Safety Division	34 years, 5 months
Todd Thames, Public Safety Division	27 years, 4 months
J.R. Thompson, Russian River Sector	20 years, 9 months
Gary Walter, Facilities Management Division	38 years, 3 months
Laura Westrup, Northern Buttes District	12 years, 11 months

Commissioner Witt thanked these retirees for their dedication and service, and added a special thanks to the California State Parks staff who had assisted with the Commission’s briefing at the Cowell/Marsh property the previous day. The Commissioner noted that he had enjoyed his visit to Brentwood. He explained that he lived in the “other Brentwood,” the West Los Angeles community, but that he had gained a new appreciation for the Contra Costa County Brentwood.

Chair Caryl Hart also expressed thanks to the retiring staff members. She added that the Commission was especially grateful to staff for the many long years of service and dedication during these times that presented so many challenges to California State Parks.

**AGENDA ITEM 2:
APPROVAL OF SPECIAL REDWOOD GROVES**

Chair Hart then asked Commissioner Bill Kogerman to read the requests to establish commemorative redwood groves in units of the State Park System. Commissioner Kogerman read the following grove request and made a motion to approve this grove. The motion was seconded by Commissioner Paul Junger Witt.

As requested by Save the Redwoods League:

Fran B. Wolfe Grove
in Pfeiffer Big Sur State Park
Cameron Wolfe, donor

The commissioners voted unanimously to adopt the resolution establishing this special redwood grove.

**AGENDA ITEM 3:
DIRECTOR’S REPORT**

Commission Chair Caryl Hart introduced California State Parks Director Ruth Coleman to present her Director’s Report. Director Coleman noted that each of the commissioners had received a written copy of her report in advance of the meeting and that she would be highlighting just a few items at this time.

“America’s State Parks” organization – Director Coleman described how the National Association of State Park Directors (NASPD) had established a new entity called “America’s State Parks,” a 501c3 non-profit corporation. She explained how America’s State Parks had been created to advocate for state parks at the national level, where country-wide over eight thousand park units attract over 720 million visitors each year. The Director added that NASPD, of which she is currently serving as president, believed an organization like America’s State Parks was necessary given the challenges park systems were facing across the nation. Director Coleman explained the organization’s “First Day Hikes” initiative, where on January 1st, 2012 over 14,000 people celebrated the New Year by getting outdoors and hiking in state parks, choosing from 400 hikes sponsored by state park systems throughout the nation.

California State Parks budget – Director Coleman reminded the commissioners that the current state budget would complete the reductions introduced the previous fiscal year, meaning a \$22 million reduction

would go into affect fully on July 1st, 2012. The Director noted that she had good news to report in that an innovation permitted by the state Department of Finance would now allow California State Parks to spend more of the funds it generates in the current budget year, whereas in the past any unanticipated funds realized from revenue generation could not be used until the following year's budget cycle. Director Coleman stated that she believed this new process would be very helpful to California State Parks as the department worked to develop innovative solutions to the budget reductions.

Director Coleman explained another recent innovation involving two consulting firms, PROS Consulting and CHM Government Services, both of which had previously worked with Georgia State Parks, to develop a business plan for each unit of the California State Park System – something that had not existed in the past. The Director explained that California State Parks had always created budgets on a sector basis, because it was so often necessary to share resources amongst many parks. She further explained that this resulted in a lack of accurate data regarding the cost of operating individual park units. Director Coleman stated that when completed, this project would result in a business plan for each park that identified operational costs as well as revenue generating potential. She clarified that this would not result in an expectation that each and every park unit would be self-supporting, but rather that it would help to instill in park staff the desire incorporate innovation to improve the revenue stream in each park.

Director Coleman explained that it was important to move the department in this direction because of the changes in funding that had taken place over the last 30 years. She described how when Governor Jerry Brown had been governor for the first time (1975-1982) almost 95% of California State Parks' budget came from the state's general fund, as unrestricted tax dollars that the department used to steward natural and cultural resources. Director Coleman further described how although California State Parks' mission and stewardship responsibilities had not changed, in July 2012 only 28% of the department's budget would be sourced from the state's general fund. She emphasized that while the mission remained inviolate, how the department was funded had changed significantly. The Director stated that this drastic change, made incrementally over the last 30 years, required different skills and a very different mindset as staff recognized that they must both steward these precious resources and also generate the revenue to do so.

The Director also described changes to staffing that would provide greater flexibility for both employees and the department. She explained that work was being conducted to create a "park manager" classification that would allow expanded promotional opportunities for staff. She added that the department would have to become more nimble and flexible on all levels.

Director Coleman stated that the department was working with the California State Parks Foundation on a fundraising campaign to create a "leadership institute" that would help State Parks staff to develop marketing and business plans and recognize opportunities for increasing revenue, and would also help build the capabilities of non-profit organizations that may be interested in operating some State Park System units. She emphasized that while the goal was to foster an entrepreneurial approach to park operation, projects generating or utilizing revenue would remain mission-based. Director Coleman stated that she hoped this would result in a positive transformation of the day-to-day operation of California State Parks.

Partnerships for operation of park units slated for closure – Director Coleman noted that considerable activity related to operational partnerships would be taking place during February 2012. The Director explained that during February, California State Parks would be conducting partnership workshops in the cities of Fort Bragg, Los Angeles, Redding, Santa Rosa, and West Sacramento. She further explained that the purpose of the workshops would be to provide information to potential partners interested in operating park units that would otherwise be closed because of budget reductions. Director Coleman described the detailed workbook – available at the workshops and online – developed to accompany the workshops, and how the workbook provided information related to the requirements of both the park units themselves (what is required to operate a park) and what would be required of potential partners who wished to be considered as park operators. The five workshops were designed to provide additional opportunities for interaction with potential partners and provide a venue for questions and answers. Director Coleman also

called the commissioners' attention to the summary of potential operational partnerships that had been included in the written copy of the Director's Report that they had received.

Director Coleman also described a proposal that the department had submitted to the state Public Works Board that, if approved, would permit California State Parks to "bundle" park units together if doing so would allow for operational arrangements that better served the department's mission.

Director Coleman concluded her report and asked if there were any questions from commissioners.

Commissioner Bill Kogerman asked if the changes the Director described related to expending funds in the year those funds were generated would require legislative action. Director Coleman replied that legislative action would be necessary to effect this change. The Director continued that this proposal was an innovative action of the Brown administration that had been included in the governor's January 10th budget that could go into effect on July 1st, 2012 if that budget was approved by the legislature.

Commissioner Kogerman then asked for clarification of the arrangement by which revenue generated at specific park units, such as the popular beach parks in Orange County, was placed into a single department-wide fund. The Commissioner noted that this process did not provide any incentive for the staff of individual park units to generate additional revenue as any additional revenue would only be distributed to this single fund. Director Ruth Coleman replied that there was an awareness of this in State Parks management and that a revolving fund was being created that would provide funding for individual State Park districts and park units to develop innovative revenue-generating projects which the districts would then repay once the projects were profitable, allowing a portion of any additional revenue generated to be kept within the district or park for local use. The Director noted that not all of the additional revenue would be available for local use, as a percentage of these funds would contribute toward the operation of the historic units that were so vital to the State Park System but that were not capable of being self-supporting. She emphasized that the new business plans being developed would provide incentives to encourage creative revenue generation at the park level that was consistent with the California State Parks mission. Commissioner Kogerman stated that he thought this was an excellent idea.

Commission Chair Caryl Hart asked if the new business plans would be available to the public online, so they could provide an opportunity for interested partners to identify where the potential existed for members of the public to participate in park operation. Director Coleman replied that the business plans would not be in place for a year or more, but that the plans would be made available to all interested parties. The Director added that the business plans would provide an understanding of the department's per-park operating costs, information that had previously been unavailable. Chair Hart stated that she would like to have updates on the progress of the business plans provided to the Commission.

The Chair asked Director Coleman if business plans would first be developed for the parks that were scheduled for closure. Director Coleman replied that parks scheduled for closure would not be the focus of the original business plans. She explained that the initial contract to develop the plans would focus on three representative districts – Central Valley District, Monterey District, and San Diego Coast District – over a period of nine months. She explained that these districts would provide model plans that could then be used for parks in other districts. Director Coleman added that these plans would be equally useful for staff and for others, for example, non-profit partners that wished to operate park units.

Chair Hart asked Director Coleman if a timeline for development of the park business plans could be provided to the commissioners and made available to the public. She added that "business plan" may not be the correct term to use in that these plans would be developed to emphasize partnerships, opportunities, and innovation while making parks – their natural and cultural resources – more appealing and more available to the public. The Chair added that Sonoma County Regional Parks had worked with PROS Consulting and been very impressed with the results this consultant had produced. Chair Hart also mentioned that herself and Commissioner Elva Yanez, as members of the Commission's ad hoc committee on park closures, planned to conduct "listening session" meetings to hear public ideas and suggestions related

to funding the State Park System and keeping all parks open. Chair Hart noted that she hoped a positive message could be communicated that would involve members of the public in creating a sustainable State Park System. She added that she would inform the commissioners of this plan as it developed.

Director Ruth Coleman explained that the commissioners would be informed of the contracting process as details became available. She added that she agreed with Chair Hart that “business plan” was not the best label for the plans that would be developed for State Park System units. Director Coleman also stated that these new ways of looking at park management would in no way alter the mission of California State Parks, which would continue to focus on stewardship of the state’s natural and cultural resources while providing recreation opportunities. The Director added that the mission was inviolate and that the plans being discussed related only to achieving the mission in a world where taxpayers were no longer contributing to State Parks to the extent they had in the past.

Commissioner Elva Yanez suggested that the plans be referred to as “strategic plans” rather than business plans, as this more accurately described the plans’ function in the world of non-profits and public service. Commissioner Yanez added that she believed it was important to identify the challenges of establishing such a new paradigm for park management, and that it was critical to explain the nature of this change to citizens and gain public support.

Chair Caryl Hart stated that while she and other commissioners intended to participate in the upcoming park partnership workshops, she believed it was even more important that California State Parks respond appropriately to those who participated in the February workshops.

Director Ruth Coleman agreed with Chair Hart and explained that State Parks’ Deputy Director for External Affairs, Sedrick Mitchell, would be managing the partnership workshop program. She went on to explain that Mr. Mitchell had a great deal of experience administering State Parks’ grant program, that he had developed the partnership workbook, and that he would be utilizing his skills and staff to conduct the workshops in the same efficient manner as their many successful grant-related outreach programs.

Commissioner Tommy Randle asked if the business plans would serve for multiple years, and how frequently the plans would be evaluated for efficiency. The Director replied that the plans would serve for multiple years, and that as management tools the plans would be evaluated on a year-to-year basis.

**AGENDA ITEM 4:
CLOSED SESSION**

Chair Hart noted that the Commission would now conduct a closed session pursuant to the authority of California Government Code Section 11126E. The closed session would be to consider pending litigation involving the Commission, including but not limited to Washoe Meadows Community versus California State Park and Recreation Commission, California Department of Parks and Recreation, Alameda Superior Court Case number RG11605742. The Chair apologized for the necessity to briefly adjourn the meeting and reconvene in closed session in another room. She noted that the closed session was not open to the public and added that the Commission would reconvene in open session to provide an account of any reportable events as soon as possible. The Chair adjourned to closed session at 9:52 a.m.

Chair Hart reconvened the Commission in open session at 10:22 a.m. She introduced Senior Staff Counsel Kathryn Tobias to provide an account of reportable items from the closed session. Ms. Tobias reported that the Commission had discussed litigation related to the adoption of the Lake Valley State Recreation Area general plan amendment as well as litigation involving Shea Properties in Contra Costa County.

**AGENDA ITEM 5:
PUBLIC HEARING**

Chair Caryl Hart opened the public hearing portion of the meeting at 10:24 a.m. The Chair described the speaker registration process and requested that each speaker complete a registration form.

ITEM 5A:

Consideration and possible action on the Department recommendation to approve the general plan and environmental impact report for the state historic park property known as Cowell Ranch/John Marsh

ITEM 5B:

Consideration and possible action on the Department recommendation to name the state historic park property known as Cowell Ranch/John Marsh as Los Meganos State Park

Chair Hart explained that because of their close relationship, agenda items 5A and 5B would be presented to the Commission together, though action on each item would be considered separately. She further explained that in addition to the materials they had already received, the commissioners would now hear a short presentation on these two agenda items by Steve Musillami, Chief of State Parks' Planning Division.

Mr. Musillami provided an overview of the general plan and environmental impact report for the unnamed state historic park property known as Cowell Ranch/John Marsh. He explained the property's history and how it came to be a State Park System unit. Mr. Musillami reviewed the park's natural and cultural resources, including the sensitive species and habitats contained within the park and the many documented archaeological sites. He referred the commissioners to the proposed general plan and the information provided during the briefing in the park that had been conducted the previous day. Mr. Musillami called particular attention to the staff recommended changes that had been added to the general plan which replaced the original Cultural Resource Management section of the plan found on pages 3-42 through 3-44. An important component of these changes was the Memorandum of Understanding (MOU) to be created which would develop a multi-representational advisory group to direct the future implementation of site specific projects at this park.

In conclusion, Mr. Musillami formally requested that the Commission approve the preliminary general plan and certify the program environmental impact report for the state historic park known as Cowell Ranch/John Marsh. State Parks' recommended name for this park was Los Meganos State Park (classified as a state historic park). He asked if the commissioners had any questions.

Commissioner Elva Yanez asked Mr. Musillami to review the objective of the discussions that took place with Native California Indian representatives during the planning process and how these objectives related to the cultural goals and guidelines of the proposed general plan. Mr. Musillami explained that the general plan goals described what State Parks would like to accomplish, while the guidelines identified how this would be done. He noted that the plan includes a goal known as "CUL1" which calls for the stabilization and preservation of all cultural resources in the park. Mr. Musillami added that the Memorandum of Understanding with the Native American Heritage Commission would establish a group that would develop the process by which this goal would be carried out. He also explained that before any development work took place at the park a cultural resources management plan would be created. This plan would, among other things, identify the extremely sensitive areas of the park – historic and prehistoric – and specify the types of activities, if any, that would be permitted there, including provisions for access by Native California Indians. Mr. Musillami added that the plan did not separate the prehistoric and historic resources or emphasize one over the other.

Commission Chair Caryl Hart asked if the proposal to name the park included an opportunity to designate a separate name for the park's historic zone. Senior Staff Counsel Kathryn Tobias replied. Ms. Tobias explained that the historic zone could be named as a "feature" or management zone in the general plan, and that existing Commission policy provided an opportunity to take such an action.

Commissioner Tommy Randle asked Mr. Musillami if he believed the public workshops conducted in conjunction with the development of the general plan provided a fair representation of the community, particularly with regard to the Native California Indian community. Mr. Musillami replied that he believed

the representation had been fair. He added that Most Likely Descendants identified by the Native American Heritage Commission attended many of the public meetings, and that State Parks' archaeologist Rick Fitzgerald had worked closely with the designated Most Likely Descendants over the last several years.

Commissioner Elva Yanez asked Mr. Musillami to characterize the significance of the prehistoric archaeological sites in this park in relation to other parks in the State Park System. Mr. Musillami replied that while he was not an archaeologist, he was aware that the archaeological sites in this park were extremely significant, given that the prehistoric artifacts, situations, and conditions found at this park did not exist in any other State Park System units.

There being no further questions for Mr. Musillami, Chair Hart announced that the Commission would now here public comment on agenda items 5A and 5B, concerning the unnamed state historic park known as Cowell Ranch/John Marsh. The Chair called 14 speakers in the order they had registered:

Gene Metz, concerning the naming of the park for John Marsh.

Rob Wood, of the Native American Heritage Commission, concerning the interpretation of the Euro-American and 5,000-year-old prehistory of this park in a balanced manner.

Larry Myers, of the Native American Heritage Commission, regarding opposition to rehabilitating the Marsh house, and not excavating or relocating the human burials in the park.

Ruth Orta, concerning her agreement with Larry Myers' statements, her feeling that burial sites should not be disturbed, and her suggestion that the park be named "Volvone."

Jim Townsend, representing East Bay Regional Park District, regarding the successful partnership of his district with California State Parks, congratulations on completion of the general plan for Cowell/Marsh, the importance of trail linkages, the continuation of managed grazing at the park, and his request that the Commission direct staff to develop a long-term use agreement with East Bay Regional Park District for operation of the Round Valley staging area.

Carol Jensen, representing the Contra Costa County Historic Landmark Advisory Committee, regarding the inappropriateness of referring to this property as "Cowell," and her recommendation that the park be named John Marsh State Historic Park.

Craig Bronzan, representing the City of Brentwood, regarding the city's successful partnership with California State Parks, Brentwood's contributions to both the park's general plan and the stabilization of the Marsh house, and his commendation of State Parks' staff and the unique relationship between the city and State Parks.

Ron Brown, representing Save Mount Diablo, regarding his organization's successful partnership with State Parks, Save Mount Diablo's contributions to the acquisition of the Cowell/Marsh property, his support for a long-term agreement with East Bay Regional Park District, the continuation of grazing, and the inclusion of "Marsh" in the park's name.

Steve Torgeson, concerning his appreciation for the Cowell/Marsh park, and the importance of incorporating the history of Native California Indians, the Spanish, and John Marsh in the park's name.

Beverly Lane, concerning her appreciation for the City of Brentwood's support of this park and general plan, and the importance of including Marsh in the park's name.

Patty Bristow, representing Friends of Byron, regarding her desire to see the park named John Marsh State Historic Park.

Nancy Jameson, representing the John Marsh Historic Trust, regarding the desire to have John Marsh be incorporated into the park's name while also being respectful of all cultures.

Beverly Ortiz, PhD, regarding the interpretive plan for the park, the naming of trails, and her desire to see the park named Volvone State Park, with park features like trails named for John Marsh and others, inter-

preting Native California Indian peoples in contemporary society, and establishing a connection with the greater Bay Area Miwok community.

Kathy Leighton, representing the East Contra Costa Historical Society, concerning the desire to see the park named John Marsh State Historic Park.

There being no other registered speakers, Chair Hart called for unregistered speakers. There being none, the Chair closed public comment on agenda items 5A and 5B at 11:37 a.m. The Chair asked staff if they had anything to add in response to the comments received. There being no additional information from staff, Chair Hart called for questions or comments from commissioners.

Commissioner Elva Yanez noted that she was pleased to hear that the department would be continuing to work with the Native American Heritage Commission on the many culturally sensitive issues in this park. She added that it was her desire that future park plans better accommodate sacred sites and burial grounds at an earlier stage in the planning process. She noted that her mind was not made up regarding the park's name and that she looked forward to hearing from her fellow commissioners on this topic.

Commissioner Paul Junger Witt stated that Commissioner Yanez had expressed his own concerns very well. He added that it was his hope that the park's name could be one that the public would embrace so as to increase awareness and visitation at this park.

Commissioner Bill Kogerman stated that he was in favor of approving the park's general plan so long as the goal of returning the park to its pre-1840 condition of all-native vegetation could be omitted. Commissioner Kogerman explained that this was an unrealistic goal that should be removed from the plan. He added that he would also like to see a greater commitment to the continuation of grazing and the preservation of farmland in the general plan. The Commissioner asked Senior State Archaeologist Rick Fitzgerald if a method existed by which the matter of the Marsh house being constructed on a burial site could be appropriately mitigated.

Senior State Archaeologist Rick Fitzgerald replied, noting – as the commissioners had recognized – the very great challenge of mitigating the effects of the historic Marsh house being constructed on a sacred burial ground. Mr. Fitzgerald stated that he believed that the new language inserted in the staff recommended changes to the general plan, along with the cultural resources management plan that would be developed for this park, would provide a solution to this challenge. Commissioner Kogerman and Mr. Fitzgerald briefly discussed the interpretation of the prehistoric and historic resources at the park.

Regarding the park's name, Commissioner Kogerman referenced Commission policy on naming, noting that park units should utilize a name with which the public has been accustomed due to location, association, history, natural features, or general usage. The Commissioner noted that he favored a park name that included "John Marsh," though he believed it was also acceptable to include "Meganos" if desired. Commissioner Kogerman stated that he did not believe it was acceptable to propose new and unfamiliar names at this time.

Commissioner Tommy Randle thanked all of the speakers for their comments. The Commissioner stated that he appreciated the passion that had been expressed, but suggested that because of this passion it could be appropriate that a name for the park be selected objectively by the commissioners who reside in different parts of the state. Commissioner Randle noted that the naming decision would be difficult, and that he hoped the Commission's decision would be one that everyone could live with.

Commission Chair Caryl Hart stated that she was very happy with the park's general plan, and expressed her thanks to the organizations that had contributed so much to making this property a state park: the State Coastal Conservancy, the Trust for Public Land, the S.H. Cowell Foundation, Save Mount Diablo, the California Department of Fish and Game, Caltrans, the Wildlife Conservation Board, and the U.S. Bureau of Reclamation. She also thanked East Bay Regional Park District for their role in managing the park. Chair Hart stated that she also had struggled with deciding an appropriate name for the park, but had

decided to recommend Marsh Creek State Park as the name. She explained that this name recognized not only the influence of John Marsh, but also the contributions of his wife and family whose experiences were also well documented though they had been virtually forgotten. Chair Hart added that she believed the name Marsh Creek State Park also provided appropriate recognition for the descendents of John Marsh who occupied the house and rancho. She further explained that by naming the park after the creek, which had long ago been named Marsh Creek, the park's name could better represent the entire landscape without discounting the long history of Native California Indians on this site. Chair Hart also recommended that the Commission name the 16.4-acre historic zone surrounding the Marsh house the "John Marsh House Historic Zone." The Chair asked for a motion related to the actions before the Commission.

Commissioner Bill Kogerman made a motion that the Commission adopt the resolution before it to approve the general plan and environment impact report for the state historic park property currently known as Cowell Ranch/John Marsh, with the proviso that the requirement to return the park entirely to native plant species be removed, and an emphasis placed on the importance of the preservation of prime farmland. There was no second to Commissioner Kogerman's motion. The motion failed.

Commission Chair Caryl Hart and Commissioner Kogerman discussed the motion. Commissioner Kogerman explained that he had been informed by staff that the goal to return the park to native plants was an unrealistic one, and that he believed the success of the general plan could be dependent on this. Chair Hart stated that staff were aware of Commissioner Kogerman's concerns and that she did not feel it was necessary to modify the general plan to incorporate this concern.

Commissioner Kogerman amended his motion to adopt the resolution before the Commission to approve the general plan and environment impact report for the state historic park property currently known as Cowell Ranch/John Marsh as presented to the Commission. The motion was seconded by Commissioner Tommy Randle. The commissioners voted unanimously to adopt the resolution to approve the general plan and environmental impact report for the state historic park known as Cowell Ranch/John Marsh.

Commissioner Kogerman then made a motion to name this park John Marsh Meganos State Historic Park. There was no second to the Commissioner's motion. The motion failed.

Chair Caryl Hart made a motion that the park be named Marsh Creek State Park, with the historic zone named John Marsh House Historic Zone. Commissioner Elva Yanez seconded the motion.

Commissioner Yanez stated that while she found the name Marsh Creek State Park acceptable, she would not be satisfied if other, better alternatives could be made available. Commissioner Kogerman, Chair Hart, Commissioner Randle, and State Parks' Planning Division Chief Steve Musillami discussed the proposed name and confirmed that while it was not the staff recommended name, Marsh Creek State Park had been one of the names proposed during the general planning process. Chair Hart explained that her proposed name recognized the Marsh family name while also recognizing an important geographic element of the park (the creek). The Chair further explained that she believed that by recognizing the larger landscape of the park, the name Marsh Creek State Park also acknowledged the thousands of years of occupation of this area by Native California Indians.

Commissioner Paul Junger Witt noted that this naming presented a challenge and that it would be impossible to please everyone. The Commissioner stated that while the name Marsh Creek State Park was imperfect, he believed it represented an elegant solution which he would support.

Chair Hart asked if there would be any further discussion. There being none, the Chair called for a vote. Commissioners Hart, Randle, Witt, and Yanez voted aye, Commissioner Kogerman voted no. The motion passed to name the state historic park property known as Cowell Ranch/John Marsh as Marsh Creek State Park. The Chair added that in adopting this name the Commission acknowledged this park as the site of thousands of years of native occupation, the location of the historic John Marsh homestead, and suggested the natural resource values and wildlife habitats that will continue to be important elements of the park in the years to come.

State Parks' Planning Division Chief Steve Musillami explained for the record that the classification of this park would remain "state historic park" although this was not reflected in the park's new name.

The Chair then noted that she wished to return to the recommendation that the Commission formally establish a name for the park's historic zone surrounding the Marsh house. Chair Hart asked for a motion to name the park's historic zone, as delineated in the newly-adopted general plan, as the John Marsh House Historic Zone. Motion Commissioner Yanez, second Commissioner Witt. The commissioners voted unanimously to name the park's historic zone the John Marsh House Historic Zone.

During a very brief break in the proceedings, Commissioner Kogerman addressed Jim Townsend of East Bay Regional Park District. Commissioner Kogerman noted that he believed State Parks had been waiting for an approved general plan for the Cowell/Marsh park (now Marsh Creek State Park) before entering into a long-term operating agreement with East Bay Regional Park District. The Commissioner suggested to Mr. Townsend that he make a formal request to California State Parks to develop a new operating agreement. Mr. Townsend replied that it was his intention to make such a request of State Parks.

ITEM 5C:

Reconsideration of, and upon reconsideration, action on approval and findings for the Environmental Impact Report, General Plan Amendment & Classification Adjustment related to the Upper Truckee River Restoration & Golf Course Reconfiguration Project

Commission Chair Caryl Hart explained that California State Parks staff had recommended that the commission reconsider their October 21st, 2011 vote concerning this item. She explained that the Commission must first vote to reconsider their previous actions concerning both the final environmental impact report and the project. The Chair further explained that the Commission would then consider taking a new action on this environmental impact report, the project, and act to adopt related findings. Chair Hart asked for a motion to take up this item. Motion Commissioner Kogerman, second Commissioner Randle. The commissioners voted unanimously to take up this item for reconsideration.

Chair Hart introduced Senior Staff Counsel Kathryn Tobias to present item 5C to the Commission.

Kathryn Tobias explained that at the Commission's October 21st, 2011 meeting, the Commission unanimously approved the general plan amendment for Lake Valley State Recreation Area and the classification adjustments for Lake Valley State Recreation Area and Washoe Meadows State Park. Ms. Tobias explained that a legal action had been filed in objection to these decisions and that this had raised some concern that the procedure employed could be considered deficient. She stated that the procedure had been extensively reviewed, and that the situation was unique in that a project of this nature would typically come solely under the jurisdiction of the Director of California State Parks. Ms. Tobias explained that since the proposal involved a general plan amendment and the classification adjustment of two park units, Commission approval was required. The Senior Staff Counsel clarified that it was not required that the Commission reconsider its October 21st, 2011 actions, but that this was being proposed as an abundance of procedural caution. Ms. Tobias further explained that the Director of California State Parks had already certified the project's environmental impact report, and had approved the findings and mitigation measures attached to the project. She described how these approvals were conditional upon the Commission's action, and how once the Commission approved the general plan amendment and classification adjustment the Director's actions would become final. Ms. Tobias added that all the letters, testimony, and presentations from the October 21st, 2011 Commission meeting were incorporated here by reference, and that the commissioners had each received a staff report, the findings, and a proposed resolution forwarded from the Director. She explained that the findings were dated January 20th, 2012, as this was the date this document had been forwarded to the Director. Ms. Tobias added that the commissioners had also received a copy of the transcript of the October meeting. She stated that these documents had also been provided to the neighborhood association, the plaintiff in the lawsuit that had been brought against State Parks.

Senior Staff Counsel Tobias also explained that the commissioners were likely to hear allegations that

California State Parks had committed violations of the Bagley-Keene Open Meeting Act and the Public Records Act. Ms. Tobias explained that this project had undergone an extensive public involvement process over the many years that the project had been in development. She called the commissioners' attention to the staff report that described this process, adding that there had been 18 Public Records Act requests up to and including one made on January 18th, 2012. Ms. Tobias explained that the plaintiffs had alleged that they had been denied access to records, but that these allegations failed to acknowledge that the Public Records Act allows ten days to identify records relevant to such requests. She further explained that State Parks had responded to requests to review records, had offered alternative dates, and had made staff available to assist with record review when an individual appeared to review records after being told the review materials were not yet available. Ms. Tobias described how the law permits records to be inspected, but only once documents had been identified as the records in question. She also explained that an allegation had been made that materials provided to the State Park and Recreation Commission had only been made available to interested parties less than 24 hours prior to the Commission meeting. Ms. Tobias clarified that the documents provided to commissioners were virtually identical to those distributed at the October 21st, 2011 meeting, only differing in the first paragraph of the staff report which explained the actions before the Commission today. Ms. Tobias continued that the findings has been slightly revised to reflect the fact that the commissioners would be adopting findings that had now been adopted by the Director. She also stated that park neighbors had proposed the concept of a "recreational hub" and that this recommendation would be addressed as a management plan is developed for the parks.

Ms. Tobias reiterated that State Parks utilizes a tiered planning process in which a very broad general plan is adopted and then followed by project-level or zone-level plans for implementing specific projects, and she explained that only proposals that are inconsistent with the approved general plan trigger additional environmental review. Ms. Tobias asked if there were any questions from commissioners.

Commissioner Bill Kogerman and Kathryn Tobias discussed the alleged Public Records Act violation. Ms. Tobias explained that a request was made to review records that had not yet been compiled, making them unavailable. She added that those who had made the allegations could explain further.

Commission Chair Caryl Hart opened public comment on agenda item 5C, concerning the Upper Truckee River Restoration and Golf Course Reconfiguration Project, at 12:18 p.m. Chair Hart again explained the speaker registration process and noted that the Commission had previously conducted a public meeting on this subject. She then called seven registered speakers on this item:

Norma Santiago, representing the El Dorado County Board of Supervisors, concerning her objections to the project and her request that decisions pertaining to this matter be postponed for three months.

Lynne Paulson, regarding her objections to the October 21st, 2011 Commission actions and the inadequacies of the environmental impact report for this project.

John Klimaszewski, regarding the funding and economic infeasibility of the river restoration and golf course project.

Keith G. Wagner, attorney representing the Washoe Meadows Community organization, regarding his firm's representation of this organization in the lawsuit challenging State Parks, the Commission actions related to the river restoration and golf course project, and his request that for a continuance of the decisions to be made at today's meeting.

Bob Anderson, representing the Tahoe Area Sierra Club, regarding the infeasibility of the river restoration and golf course project's "Alternative 2," and his request for additional time to develop a new alternative.

Rick Hopkins, regarding scientific objections to the river restoration and golf course project and his desire to seek a more cost-effective approach to the river restoration.

Nancy Graalman, representing Defense of Place, regarding her organization's mission and the protection of Washoe Meadows State Park from development.

Chair Hart called for unregistered speakers. There being none, the Chair closed public comment on agenda item 5C at 12:42 p.m. She asked staff if they wished to respond to the public comments on this item.

Senior Staff Counsel Kathryn Tobias noted that she wished to clarify what had been said about the findings that had been presented to the Commission. Ms. Tobias stated that since the project had not been approved at the time of the October 21st, 2011 meeting, the findings document presented at that time was in draft form. She reiterated that the findings document had been available to the public at the October 21st meeting. Ms. Tobias further explained that findings such as these were legally required in order to trace the connection between substantial evidence and the adopted conclusion. She added that all the information contained in the findings had been taken directly from the project's environmental impact report, and that this EIR had been made available to the public throughout the planning process.

Commissioner Bill Kogerman noted that some of the speakers had implied that new information had been provided to the commissioners within the last 24 hours; he asked for clarification of this point. Ms. Tobias replied that the only new information that had recently been made available were the statistics regarding the number of golf course rounds played on the existing golf course.

Commissioner Kogerman addressed Cyndie Walck, manager for the Upper Truckee River Restoration and Golf Course Reconfiguration project, asking if any of the public speakers had provided information that was new or had not been previously considered. Ms. Walck stated that she had not heard any new information. Ms. Walck continued that while she understood there were different opinions regarding the project, State Parks had conducted extensive studies to affirm its position and proposals. She also stated that the method of reducing sediment by armoring the stream channel, as proposed by Andrew Simon, would not provide the habitat benefits of the solution proposed by State Parks. Ms. Walck clarified that in the past only revenue statistics for the existing golf course had been available, so she had requested from the operator and subsequently provided to interested parties the information on the number of rounds of golf played; this had been shared the previous evening. She added that the number of rounds had been decreasing over the last several years and that this correlated with the revenue data that had been provided. Ms. Walck also noted that the golf course reconfiguration would result in a decrease in irrigated acreage and require less water than is currently used, and she clarified that the fen area the commissioners saw when visiting the park on October 20th, 2011 was situated up-slope and outside the project area.

Chair Caryl Hart asked for a motion to adopt the resolution before the Commission concerning the approval of findings for the environmental impact report and approval of the general plan amendment and classification adjustment related to the Upper Truckee River Restoration and Golf Course Reconfiguration Project at Lake Valley State Recreation Area and Washoe Meadows State Park. Motion Commissioner Kogerman, second Commissioner Yanez. The commissioners voted unanimously to adopt the resolution as presented.

AGENDA ITEM 6: OPEN PUBLIC COMMENT

Chair Hart opened the Open Public Comment portion of the meeting at 12:47 p.m. She proceeded to call seven registered speakers:

Patricia Jones, representing Citizens for East Shore State Parks, regarding her organization's request that Eastshore State Park in Alameda County be renamed McLaughlin Eastshore State Park in honor of Sylvia McLaughlin, founder of Save the Bay, and Citizens for East Shore State Parks' willingness to pay for updated signs depicting this name change.

Chair Caryl Hart asked for clarification regarding legislative action related to this naming request. State Parks Director Ruth Coleman and Patricia Jones replied that the action that had taken place was in the form of an Assembly Concurrent Resolution. This resolution had been filed with Secretary of State on September 6, 2011. The resolution requested that California State Parks rename Eastshore State Park as

McLaughlin Eastshore State Park. The resolution also requested that the department determine the cost of appropriate signage incorporating the new name, and, upon the receipt of donations from non-state sources sufficient to cover the cost of that signage, erect these signs in the park. Director Coleman noted that Assembly Concurrent Resolutions are not signed by the governor.

Chair Hart requested that this matter of renaming Eastshore State Park be agendaized at the next meeting of the Commission. The Chair continued to call the registered speakers:

Doris Sloan, representing Citizens for East Shore State Parks, regarding the importance of Sylvia McLaughlin's contributions to Save the Bay and the proposal to rename Eastshore State Park for Ms. McLaughlin.

Ed Bennett, representing Citizens for East Shore State Parks, concerning Sylvia McLaughlin's importance to Bay Area environmental issues and the proposal to rename Eastshore State Park for her.

Vicki Lee, representing Sierra Club California, regarding support for the proposal to rename Eastshore State Park for Sylvia McLaughlin.

Ellen Barth, of Citizens for East Shore State Parks, regarding Sylvia McLaughlin's environmental work and the proposal to rename Eastshore State Park for her.

Allen Baylis, representing the Naturist Action Committee, regarding the tradition of clothing optional use in state parks and the lack of department policy on this issue, and his organization's request that State Parks conduct a study and hold public hearings on this topic.

Norma Santiago, representing the El Dorado County Board of Supervisors, concerning her request that State Parks develop greater partnerships with local jurisdictions for the economic, social, and environmental benefit of all.

In response to Ms. Santiago's comments, Commission Chair Caryl Hart stated that she wished to again acknowledge the unique partnership that State Parks enjoyed with the City of Brentwood. The Chair added that she believed that State Parks would be conducting more intensive outreach efforts and seeking expanded partnership arrangements in the future.

The Chair asked if there were any other registered or unregistered speakers. There being none, Chair Hart closed Open Public Comment at 1:05 p.m. and asked for a motion to adjourn.

Commissioner Bill Kogerman noted that he wished to go on record as supporting the concept of employing more than one bridge in the Upper Truckee River Restoration & Golf Course Reconfiguration Project.

**AGENDA ITEM 7:
ADJOURNMENT**

There being no further comments or questions, Chair Hart adjourned the meeting at 1:06 p.m.

ATTEST: These minutes were approved by the California State Park and Recreation Commission on September 28, 2012, at its duly-noticed public meeting in Santa Monica, California.

By: ORIGINAL SIGNED BY Date: 9-28-12

Louis Nastro
Assistant to the Commission
For Janelle Beland, Acting Director, California Department of Parks and Recreation
Secretary to the Commission



Meeting of the
CALIFORNIA STATE PARK AND RECREATION COMMISSION
City of Brentwood Community Center, 35 Oak Street
Brentwood, California
Friday, January 27, 2012 - 9:00 a.m.

AGENDA of the MEETING

- A1. Approval of minutes of the October 21, 2011 meeting in South Lake Tahoe.
 1. Chair's Report, Commissioner reports/comments, Recognitions.
 2. Approval of Special Redwood Groves – as requested by Save the Redwoods League and Sempervirens Fund.
 3. Director's Report.
 4. EXECUTIVE (CLOSED) SESSION* pursuant to the authority of Government Code section 11126(e), to consider pending litigation involving the Commission as defined by Government Code section 11126(e)(2), including but not limited to Washoe Meadows Community vs. California State Park and Recreation Commission, California Department of Parks and Recreation, Alameda Superior Court Case No. RG11605742.
 5. Public Hearing:
 - A. Consideration and possible action on the Department recommendation to approve the general plan and environmental impact report for the state historic park property known as Cowell Ranch/John Marsh.
 - B. Consideration and possible action on the Department recommendation to name the state historic park property known as Cowell Ranch/John Marsh as Los Meganos State Park.
 - C. Reconsideration of, and upon reconsideration, action on approval and findings for the Environmental Impact Report, General Plan Amendment & Classification Adjustment related to the Upper Truckee River Restoration & Golf Course Reconfiguration Project.
 6. Open Public Comment (on subjects other than the above agenda items).
 7. Adjourn.

* Please note that the closed session will not be open to the public. The meeting room will be cleared during the closed session. At the conclusion of the closed session the Commission will reconvene in open session to provide an account of any reportable events as required.

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