

# Assembly Accountability & Administrative Review and Water, Parks & Wildlife Committees

Dickinson and Huffman, Chairs

November 1, 2011 9am  
State Capitol Room 437

## JOINT OVERSIGHT HEARING: Impacts and Status of State Park Closures

### BACKGROUND

The Department of Parks and Recreation (DPR) on May 13, 2011 released a plan to close 70 of California's 279 state parks to achieve \$11 million in savings in fiscal year 2011-12, another \$11 million in FY 2012-13 and ongoing savings of \$22 million per year. The Legislature authorized park closures in AB 95, which outlined criteria to be used by the Department to determine which parks to close. AB 95 also sought to release the state from liability for injuries or damages occurring in a "closed" state park. AB 95 was signed by Gov. Jerry Brown on March 24, 2011.

Closing state parks has never been done before in California.

In an effort to keep open some of the parks scheduled for closure, the Legislature approved AB 42, by Assemblyman Jared Huffman, D-San Rafael, which allows DPR to enter into operating agreements with non-profit groups who agree to run a state park. AB 42 was signed by Gov. Brown on Oct. 4.

As the Department implements its park closure plan, it is simultaneously considering several alternatives to closures, including operating agreements with nonprofit organizations, offers of private donations and endowments to cover the costs of continued state operations at a few specific parks, and potential concession contracts at others. The National Park Service (NPS) also has agreed to assume operation of three parks that are on the closure list and adjacent to federal parks. The NPS takeover will enable those state parks to remain open for at least another year.

In preparation for this joint oversight hearing, the Assembly Committees on Accountability and Administrative Review and Water, Parks and Wildlife have reviewed the closure list and identified numerous issues and risks associated with closing these parks. Among those are:

- ***It is difficult to discern how the Department used the AB 95 criteria to determine which parks to close.*** AB 95 required the Department to select parks to be closed "based solely on all of" the 11 criteria outlined in the bill. Among the criteria was statewide significance of a park, visitation rates, net savings of closing a park, feasibility of closing a park and whether deed restrictions or grant requirements would prevent a closure.

The Department has told the Committees that it did use the criteria and did use data where it was available to make decisions. But there was no scoring system put in place to determine which criteria were most important, so final decisions were subjective. Thus, it is unclear why some parks were selected. For example, AB 95 instructed the Department to consider the relative statewide significance of each park and preserve to the extent possible parks identified as "Outstanding or Representative Parks." Yet nine parks

on the closure list were identified as either representative or outstanding parks in the Department's 2005 "Natural Parks Report," which was developed to help prioritize the Department's management resources.

Another of the AB 95 criteria is the feasibility of physically closing each unit. Several parks on the closure list are very large parks that may not be physically possible to close. One, Annadel State Park in Sonoma County, is near a large urban area and has 11 entrances, making it nearly impossible to truly close.

The criteria also include whether recent infrastructure investments were completed at a unit. The state recently completed ADA accessibility improvements at several parks on the closure list.

Another criterion is the estimated net savings from closing each unit so as to maximize savings to the system. The savings are difficult to evaluate because the department has provided the Legislature with operational cost data for only the parks on the closure list, not for all the other parks in the system.

- ***Costs of closing state parks may be higher than anticipated.*** The Department estimates it will spend \$3.5 million annually to close state parks, which includes posting closure signs, storing artifacts and other items in a Sacramento warehouse, and occasional patrols of closed parks. The Department acknowledges, however, that the figure is an estimate. Some parks may have significant costs associated with shutting down: Shasta State Park has more than 23,000 Gold Rush-era artifacts that may need to be brought to Sacramento for storage. One estimate there suggested it would take more than 5,000 hours to catalog all of the artifacts before they are stored.

Existing problems with vandalism, illegal marijuana growing and property destruction at parks already subject to reduced service levels may be exacerbated at parks that are closed. If significant damage occurs, it may be more expensive to reopen parks in the future. Water and sewer systems in closed parks also have to be maintained to prevent deterioration that would increase future costs.

- ***Risks to public safety may increase in closed parks.*** Although AB 95 and AB 107 provide qualified immunity to the state for injuries that may occur in closed parks, the Legislature still has an interest in protecting public safety. Particularly in more remote parks and state beaches, the lack of a ranger or lifeguard presence may pose significant public safety risks. Whether local law enforcement agencies are able to fill this gap, and what arrangements the Department may have negotiated with local entities to cover this need, is unclear.
- ***The California Coastal Act limits the state's ability to close coastal parks.*** The California Coastal Act is predicated on the importance of public access to California's coastline, and any move by the state that could limit access to public land along the coast could violate the act. The Department states that it plans to merely remove resources from coastal parks and not block access.

In a letter to the Committees, Charles Lester, executive director of the California Coastal Commission, said the commission "does not foresee any conflict" as long as park closures "do not fundamentally interfere" with access to public beaches and shoreline. Any closure-related barriers or signs intended to deter public use of coastal parks would require a permit from the Coastal Commission, Lester said.

- ***Closing some parks may violate agreements with the federal government and jeopardize future federal funding.*** Seventeen of the state parks on the closure list have received or are scheduled to receive money through the federal Land and Water Conservation Fund, which gives states money to buy or

improve public parks. The state has received nearly \$15 million through this program since 2007, and about \$286 million since its creation in 1965. According to a 2009 NPS letter to former Gov. Arnold Schwarzenegger regarding proposed state park closures, the grant contract between the federal government and the state requires continued public access to parks receiving money. The letter notes that a "significant decrease in both the quality and quantity of public outdoor recreation facilities" is "in conflict with the provisions of the contract between the state and the federal government." It also states that "the closure of state parks will jeopardize the state's future apportionment."

While the Department states that it is discussing this issue with officials at the National Park Service, the federal government so far has not provided any written assurance that it will not seek to enforce its contracts.

One park slated for closure, Samuel P. Taylor State Park in Marin County, is scheduled to receive \$175,000 in federal funds in December. An agreement the state has reached with NPS to operate Samuel P. Taylor for one year may have addressed the immediate vulnerability of federal funds for this particular park.

- ***Closing some parks could threaten legally protected species.*** At least four state beaches on the closure list – Morro Strand, Manchester, Moss Landing and Zmudowski State Beach – include habitat for the western snowy plover, a species listed as threatened under the federal Endangered Species Act and as a "species of special concern" by the state. While the Department states that it will continue to monitor and care for these habitat areas when the beaches are closed, it is unclear whether beaches without the current level of services will degrade, possibly affecting these habitats.
- ***The proposed closures affect some regions much more than others.*** Seven state parks in Mendocino County are slated for closure, while five parks in Sonoma County and four each in Marin and Monterey counties are on the closure list. These closures could have a significant impact in these counties, and appear to concentrate the closures in such a way that some local communities will be far more affected than others. For example, the Committees received a letter signed by more than 40 local wineries and other businesses in the Anderson Valley concerned about the impact closing Hendy Woods State Park would have on the local economy.
- ***Closing certain parks could result in expensive litigation.*** The Committees are aware of at least two letters from local governments or groups warning that specific park closures may trigger legal action. The city of Whittier in Los Angeles County wrote to the Department in June to note that four cities and Los Angeles County had spent \$2.5 million in county bond money in 2000 to renovate Pío Pico State Historic Park. The letter notes that as part of the agreement between the local governments and the state, the contract requires the state to maintain the park, and closure of the park will violate the agreement.

An April letter from a law firm representing the Mono Lake Committee suggests closing Mono Lake Tufa State Natural Reserve may violate the lease between the Department and the land owner, the State Lands Commission, which requires the Department to maintain the reserve for "the public use and benefit." The letter suggests the Department could be sued by either the State Lands Commission or the public as a third party beneficiary.

State Lands Commission staff also has concluded that DPR would likely be in breach of the lease agreement if it closes the park. While the lease provides for termination upon agreement of the parties, termination would require the agreement of the Commission. Termination also would conflict with statutes in the Public Resource Code that created the reserve and mandate the Commission issue a lease to

DPR for "occupancy" and that DPR manage "all resources within the reserve's boundaries." The Public Resources Code additionally directs DPR to provide enforcement staff to protect defacement or destruction of the tufa, which is a misdemeanor. If the park is closed and funding withheld, DPR could be in breach of the lease and in violation of the governing statute.

The Department acknowledges that it is still reviewing deeds, grant contracts and other documents that could present legal problems should it close some of the parks on its closure list.

- ***Some of the parks slated for closure have important historic and cultural relevance to California.*** Pio Pico State Historic Park memorializes Pio Pico, who was governor of California in the 19<sup>th</sup> century when California was under Mexican control. The site has been open to the public for more than 100 years, and became a state park in 1917.

In Northern California, the Weaverville Joss House State Historic Park is the last remaining wooden Chinese temple in California, and is still used occasionally for religious ceremonies. China Camp State Park on San Pablo Bay was the site of a historic Chinese shrimp fishing village that thrived in the mid-1800s.

- ***Closure of State Parks will have adverse economic impacts on state and local communities.*** A 2009 study by researchers at California State University Sacramento found that state parks more than pay for themselves with state and local tax revenue generated through state park visitation. According to the study, the more than 75 million annual visitors to state parks make \$4.3 billion in park-related expenditures and generate \$300 million in sales tax revenue for the state each year. Of that, \$122 million comes from out-of-state visitors. The study estimated that each visitor spends on average \$24.63 per visit inside state parks, and \$33 outside, while out-of-state visitors spend an average of \$184.91 per person. An earlier study commissioned by the Department in 2002, "The Economic Impact of State Parks on California's Economy" by James R. King, found that in fiscal year 2001-02, 85 million visitors to state parks spent roughly \$2.6 billion in local communities, producing an estimated \$6.65 billion in total output and new sales, and supporting more than 100,000 jobs. The study found that for every \$1 spent on state parks, a conservative estimate of \$2.35 in state tax revenue is returned to the state's General Fund from spending in local communities. The overall economic return on state park budget expenditures was estimated at 30:1.
- ***Alternatives that might avoid or reduce the necessity to close parks may not have been fully explored.*** AB 95 directs DPR to achieve the required budget reductions by closing, partially closing, or reducing services at selected state park units. Addressing a budget deficiency requires either reducing expenditures or increasing revenue. The Department has struggled for years under declining budgets, and has been forced to reduce expenditures in many ways, including by deferring maintenance, which now totals more than \$1 billion. At the same time, some have argued that it is unclear whether all feasible alternatives to reduce expenses short of park closures have been fully explored. Potential options may include greater administrative efficiencies, elimination of bureaucratic redundancies, reductions in nonessential services and postponement of programs tangential to the core mission of operating state parks.

On the revenue side, it is also unclear whether DPR has fully explored all feasible options to maximize collection of existing fees at state parks. Many state parks either charge no entrance fees or have little or no enforcement of fee collection at the gate. Installation of new fee collection technologies may require some initial capital investment, but also may be fundable through infrastructure bonds. Other revenue ideas suggested include development and marketing new regional state park pass options, increased fees on

high demand days, and installation of additional hook-ups at popular campgrounds that routinely fill up.

California voters in November 2010 rejected Proposition 21, which sought to impose a new \$18 vehicle registration fee to fund state parks in exchange for a free park access pass. The measure would have provided enough revenue to fully fund the state park system. Although voters defeated Proposition 21, there may be other new revenue options that voters would support. For example, other states collect parks funding from voluntary vehicle license fees and state tax check offs, specialized license plates and a dedicated sales tax on outdoor equipment.

<b>Totals</b>		<b>5,274,261</b>	<b>\$20,327,539</b>	<b>\$5,225,249</b>	<b>\$15,102,290</b>	<b>\$11,527,290</b>	<b>\$3,575,000</b>	
<b>District Name</b>	<b>Unit Name</b>	<b>2009/2010 Attendance Closed Parks</b>	<b>Estimated Unit Cost</b>	<b>2009/2010 Revenue Closed Parks (including concessions and Leases)</b>	<b>Unit Savings from Closures (Unit Expense minus 09/10 Revenue)</b>	<b>Ongoing Savings Including Likely Closure Costs</b>	<b>Likely Closure Costs Ongoing</b>	<b>Notes: Cap Outlay / Closure Complexity / Maintenance Issues</b>
Angeles	Los Encinos SHP	24,105	\$209,967	\$50	\$209,917	\$159,917	\$50,000	Cost to Operate
Angeles	Pio Pico SHP	2,786	\$135,169	\$0	\$135,169	\$85,169	\$50,000	Low Attendance
Angeles	Santa Susana Pass SHP	11,975	\$0	\$0	\$0	\$0	\$0	
Capital	Railtown 1897 SHP	38,758	\$463,554	\$0	\$463,554	\$313,554	\$150,000	Museum collections/hazmat issues
Capital	Leland Stanford Mansion SHP	25,252	\$914,112	\$41,388	\$872,724	\$722,724	\$150,000	No, operational modification special events
Capital	Governor's Mansion SHP	31,979	\$208,208	\$54,730	\$153,478	\$128,478	\$25,000	Museum collections, complex issues, electrical
Central Valley	Turlock Lake SRA	52,145	\$556,945	\$177,639	\$379,306	\$329,306	\$50,000	Water system problems/Old bathrooms
Central Valley	George J. Hatfield SRA	9,603	\$33,476	\$21,259	\$12,217	\$12,217	\$0	Possible conditional lease issue, water/wastewater
Central Valley	McConnell SRA	33,113	\$149,752	\$99,152	\$50,600	\$25,600	\$25,000	Tied to Hatfield
Central Valley	California Mining & Mineral Museum	12,694	\$188,817	\$0	\$188,817	\$138,817	\$50,000	Museum collections - low attendance
Channel Coast	McGrath SB	160,543	\$996,352	\$582,388	\$413,964	\$263,964	\$150,000	Trustee Council, infrastructure instability, water/wastewater, electrical, exposed sewer line
Colorado Desert	Palomar Mountain SP	142,746	\$297,464	\$140,022	\$157,442	\$132,442	\$25,000	Water system issues, roads disrepair
Colorado Desert	Picacho SRA	161,607	\$414,042	\$69,004	\$345,038	\$195,038	\$150,000	Generator system, water/wastewater
Colorado Desert	Salton Sea SRA	62,821	\$549,105	\$66,279	\$482,826	\$432,826	\$50,000	Water/wastewater system issues, low visitation

Diablo Vista	Candlestick Point SRA	149,806	\$582,285	\$0	\$582,285	\$507,285	\$75,000	Concession parking revenue remains (park can still close), major city project to start soon.
Diablo Vista	Annadel SP	120,093	\$570,940	\$17,590	\$553,350	\$403,350	\$150,000	Complex infrastructure issues
Diablo Vista	Bale Grist Mill SHP	10,022	\$78,936	\$16,948	\$61,988	\$36,988	\$25,000	Water, electrical issues, tied to Bothe-Napa
Diablo Vista	Benicia Capitol SHP	8,274	\$119,260	\$19,760	\$99,500	\$24,500	\$75,000	Museum collections
Diablo Vista	Benicia SRA	180,896	\$261,459	\$31,909	\$229,550	\$204,550	\$25,000	Tied to Benicia Capitol
Diablo Vista	Bothe-Napa Valley SP	56,523	\$550,499	\$291,743	\$258,755	\$233,755	\$25,000	Museum collections issues, close sector
Diablo Vista	Jack London SHP	46,289	\$267,386	\$104,697	\$162,689	\$137,689	\$25,000	Museum collections, water lines
Diablo Vista	Petaluma Adobe SHP	20,865	\$158,585	\$9,818	\$148,767	\$123,767	\$25,000	Museum collections
Diablo Vista	Sugarloaf Ridge SP	105,957	\$275,234	\$172,158	\$103,077	\$53,077	\$50,000	Water storage issues/ if we can fix, will take off
Gold Fields	Brannan Island SRA	118,445	\$740,121	\$411,715	\$328,406	\$278,406	\$50,000	Water/septic issues / staff vacancies
Marin	China Camp SP	95,654	\$580,940	\$143,022	\$437,918	\$287,918	\$150,000	work with county parking issues
Marin	Olompali SHP	14,673	\$153,385	\$11,334	\$142,051	\$67,051	\$75,000	Museum collections, water issues, low visitation
Marin	Samuel P. Taylor SP	129,967	\$1,075,901	\$450,557	\$625,344	\$575,344	\$50,000	High cost for operation
Marin	Tomaes Bay SP	84,277	\$232,987	\$84,838	\$148,149	\$123,149	\$25,000	Water issues/ Partner NPS
Mendocino	Greenwood SB	44,799	\$158,987	\$0	\$158,987	\$133,987	\$25,000	
Mendocino	Hendy Woods SP	49,712	\$468,450	\$239,635	\$228,815	\$203,815	\$25,000	Water/septic issues
Mendocino	Jug Handle SNR	101,342	\$30,276	\$0	\$30,276	\$5,276	\$25,000	Tied to sector closure
Mendocino	Manchester SP	55,193	\$283,979	\$45,992	\$237,987	\$187,987	\$50,000	Low attendance
Mendocino	Point Cabrillo Light Station	51,606	\$105,432	\$0	\$105,432	\$80,432	\$25,000	Partner opportunity/low attendance
Mendocino	Russian Gulch SP	156,780	\$237,730	\$138,902	\$98,828	\$23,828	\$75,000	Infrastructure instability, water/wastewater

								system
Mendocino	Westport-Union Landing SB	221,892	\$161,438	\$76,887	\$84,551	\$59,551	\$25,000	Accommodate use to Mackerricher - efficiency
Monterey	Henry W. Coe SP	34,207	\$702,523	\$106,878	\$595,645	\$445,645	\$150,000	High cost to operate, low visitation
Monterey	Garrapata SP	132,109	\$113,524	\$0	\$113,524	\$88,524	\$25,000	
Monterey	Moss Landing SB	212,560	\$340,642	\$0	\$340,642	\$315,642	\$25,000	Similar beach access elsewhere
Monterey	Zmudowski SB	34,764	\$32,615	\$0	\$32,615	\$7,615	\$25,000	Tied to Moss Landing
North Coast Redwoods	Benbow Lake SRA	18,223	\$194,246	\$87,891	\$106,355	\$81,355	\$25,000	Water, dam safety
North Coast Redwoods	Fort Humboldt SHP	36,911	\$205,736	\$0	\$205,736	\$155,736	\$50,000	Museum collections issues, low visitation
North Coast Redwoods	Grizzly Creek Redwoods SP	23,765	\$136,360	\$51,028	\$85,332	\$60,332	\$25,000	Water, septic, electrical issues - visitors use Humboldt Redwoods
North Coast Redwoods	Standish-Hickey SRA	7,665	\$206,082	\$158,458	\$47,624	\$22,624	\$25,000	Revenue likely tied to Richardson Grove
North Coast Redwoods	Del Norte Coast Redwoods SP	43,330	\$337,747	\$239,637	\$98,110	\$73,110	\$25,000	Water system issues/National Park partner opportunity
Northern Buttes	Castle Crags SP	60,779	\$306,312	\$136,258	\$170,054	\$145,054	\$25,000	Water system, water issues
Northern Buttes	Shasta SHP	35,917	\$340,838	\$16,170	\$324,668	\$174,668	\$150,000	Museum collections, low visitation, sector closure
Northern Buttes	Weaverville Joss House SHP	8,837	\$110,862	\$8,730	\$102,132	\$77,132	\$25,000	Museum collections, low visitation
Northern Buttes	Anderson Marsh SHP	6,726	\$31,876	\$3,092	\$28,784	\$3,784	\$25,000	Museum collections
Northern Buttes	Bidwell Mansion SHP	33,624	\$380,464	\$51,674	\$328,790	\$253,790	\$75,000	Museum collections, low visitation, high cost
Northern Buttes	Colusa-Sacramento River SRA	39,565	\$218,077	\$51,632	\$166,445	\$141,445	\$25,000	
Northern Buttes	William B. Ide Adobe SHP	24,925	\$127,110	\$2,234	\$124,876	\$99,876	\$25,000	Museum collections issues, sector closure
Northern Buttes	Woodson Bridge SRA	13,077	\$269,705	\$39,603	\$230,102	\$205,102	\$25,000	Low visitation

Russian River	Austin Creek SRA	214,736	\$55,978	\$0	\$55,978	\$5,978	\$50,000	Separated from coast units
San Diego Coast	San Pasqual Battlefield SHP	6,421	\$55,106	\$0	\$55,106	\$30,106	\$25,000	Low visitation
San Luis Obispo Coast	Limekiln SP	0	\$95,889	\$1,702	\$94,187	\$94,187	\$0	Road/trail system, water system
San Luis Obispo Coast	Morro Strand SB	232,287	\$461,551	\$256,041	\$205,510	\$155,510	\$50,000	Drainage issues
Santa Cruz	Santa Cruz Mission SHP	8,892	\$101,968	\$0	\$101,968	\$76,968	\$25,000	Museum collections, low visitation
Santa Cruz	Twin Lakes SB	524,801	\$414,917	\$257	\$414,660	\$364,660	\$50,000	Complex with city parking meters - no revenue
Santa Cruz	Gray Whale Cove SB	31,898	\$41,819	\$0	\$41,819	\$16,819	\$25,000	
Santa Cruz	Castle Rock SP	82,856	\$242,808	\$56,263	\$186,545	\$136,545	\$50,000	Tied to Portola Redwoods
Santa Cruz	Portola Redwoods SP	43,256	\$260,255	\$199,975	\$60,280	\$10,280	\$50,000	Major water /wastewater issues
Sierra	Mono Lake Tufa SNR	271,590	\$113,635	\$2,357	\$111,278	\$86,278	\$25,000	NPS partner
Sierra	Malakoff Diggins SHP	11,936	\$419,254	\$43,585	\$375,669	\$225,669	\$150,000	Museum collections, generator system only, low visitation
Sierra	Plumas-Eureka SP	64,164	\$263,194	\$112,914	\$150,280	\$100,280	\$50,000	Hazmat/low visitation
Sierra	South Yuba River SP	354,871	\$646,017	\$0	\$646,017	\$621,017	\$25,000	High cost/no revenue. Can't physically close, bridge stability, water system
Tehachapi	Antelope Valley Indian Museum	6,059	\$186,345	\$200	\$186,145	\$36,145	\$150,000	Museum collections
Tehachapi	Fort Tejon SHP	36,375	\$316,846	\$13,270	\$303,576	\$253,576	\$50,000	Water system issues
Tehachapi	Saddleback Butte SP	2,067	\$25,407	\$11,528	\$13,879	\$13,879	\$0	
Tehachapi	Tule Elk SNR	6,369	\$209,803	\$1,990	\$207,813	\$182,813	\$25,000	No longer icon, elk relocated/low visitation
Tehachapi	Providence Mountains SRA	15,507	\$150,852	\$52,466	\$98,386	\$73,386	\$25,000	Water system, generator issues

**Parks Specific Closure Issues**

<b>PARK</b>	<b>COUNTY</b>	<b>NOTES</b>
Anderson Marsh SHP	Lake	Listed by DPR as a "Representative Park Unit"
Annadel SP	Sonoma	Received money through Federal Land and Water Conservation Fund/This park has 11 entrances, no way to close off all
Antelope Valley Indian Museum	Los Angeles	Spent at least \$500,000 of Prop. 84 and other state money on renovation completed in 2011
Austin Creek SRA	Sonoma	Borders Armstrong Redwoods park, shares resources with that park. Nonprofit group working to keep open.
Bale Grist Mill SHP	Napa	State Historic Landmark.
Benbow Lake SRA	Humbolt	Received money through Federal Land and Water Conservation Fund
Benicia Capitol SHP	Solano	City of Benicia and nonprofit working to keep open
Benicia SRA	Solano	Received money through Federal Land and Water Conservation fund/City of Benicia working to keep open
Bidwell Mansion SHP	Butte	
Bothe-Napa Valley SP	Napa	Received money through Federal Land and Water Conservation Fund/Listed by DPR as a "Representative Park Unit"
Brannan Island SRA	Sacramento	Received money through Federal Land and Water Conservation Fund
California State Mining and Mineral Museum Park Property	San Joaquin	
Candlestick Point SRA	San Francisco	Received money through Federal Land and Water Conservation Fund. First state urban recreation park.
Castle Crags SP	Shasta	Listed by DPR as an "Outstanding Park Unit" and "Representative Park Unit"
Castle Rock SP	Santa Cruz	Received money through Federal Land and Water Conservation Fund
China Camp SP	Marin	Listed by DPR as a "Representative Park Unit"/Some kind of arrangement with family that lives there
Colusa-Sacramento River SRA	Colusa	
Del Norte Coast Redwoods SP	Del Norte	National Park Service may take over. Awarded \$650,000 grant from WCB this year for Mill Creek restoration.
Fort Humboldt SHP	Humbolt	
Fort Tejon SHP	Kern	
Garrapata SP	Monterey	Beach may require Coastal Commission permit
George J. Hatfield SRA	Merced	
Governor's Mansion SHP	Sacramento	
Gray Whale Cove SB	San Mateo	Beach may require Coastal Commission permit
Greenwood SB	Mendocino	Beach may require Coastal Commission permit

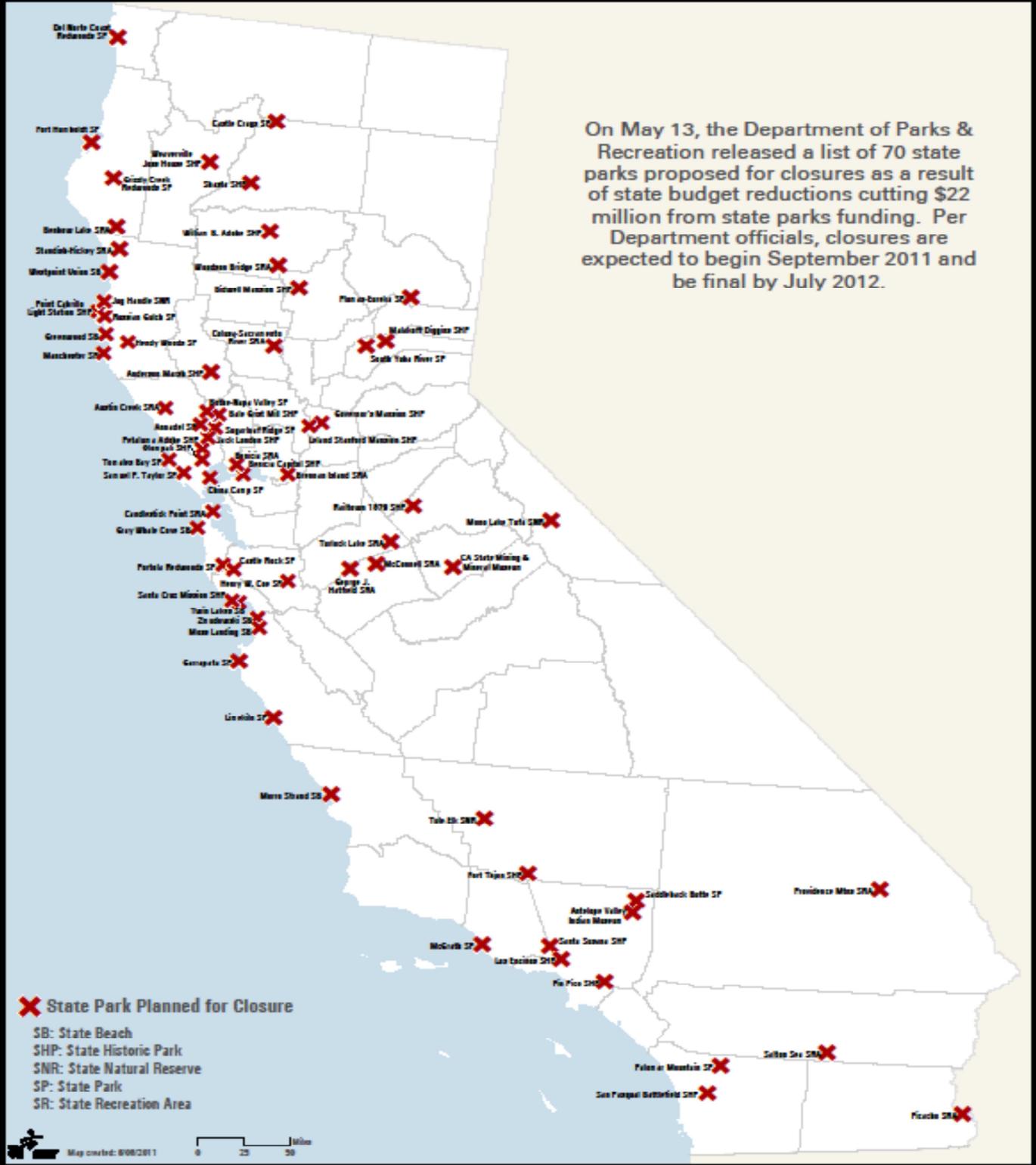
Grizzly Creek Redwoods SP	Humbolt	
Hendy Woods SP	Mendocino	May be subject to deed restriction requiring continued access and public trust protection for people of California in perpetuity.
Henry W. Coe SP	Santa Clara	Listed by DPR as a "Representative Park Unit"/Coe Park Preservation Fund seeking to create an endowment
Jack London SHP	Sonoma	Nonprofit Seeking operating agreement
Jug Handle SNR	Mendocino	
Leland Stanford Mansion SHP	Sacramento	\$22 million invested in renovations. National and state historic landmark.
Limekiln SP	Monterey	Received money through Federal Land and Water Conservation Fund
Los Encinos SHP	Los Angeles	
Malakoff Diggins SHP	Nevada	
Manchester SP	Mendocino	Received money through the Federal Land and Water Conservation Fund/May require Coastal Commission permit
McConnell SRA	Merced	First state park in San Joaquin Valley.
McGrath SB	Ventura	May require Coastal Commission permit
Mono Lake Tufa SNR	Mono	Listed by DPR as a "Representative Park Unit". Subject to lease agreement with SLC and statutory requirements. State staffing now supported by Bodie Foundation.
Morro Strand SB	San Luis Obispo	May require Coastal Commission permit/Habitat for snowy plover
Moss Landing SB	Monterey	May require Coastal Commission permit. Habitat for snowy plover.
Olompali SHP	Marin	Received money through Federal Land and Water Conservation Fund
Palomar Mountain SP	San Diego	Matching funds provided by San Diego County and Palomar Park Assoc.
Petaluma Adobe SHP	Sonoma	
Picacho SRA	Imperial	Received money through Federal Land and Water Conservation Fund
Pio Pico SHP	Los Angeles	City of Whittier threatening litigation; city property around park that state maintains; spent \$2-\$3 million in state bond \$ to renovate
Plumas-Eureka SP	Plumas	Listed by DPR as a "Representative Park Unit"
Point Cabrillo Light Station Property	Mendocino	State spent \$4 million of bond money in 2002-2006 to restore property/Point Cabrillo Lightkeepers Association interested in operating
Portola Redwoods SP	San Mateo	Received money through Federal Land and Water Conservation Fund
Providence Mountains SRA	San Bernardino	Listed by DPR as an "Outstanding Park Unit" and a "Representative Park Unit"
Railtown 1897 SHP	Tuolumne	
Russian Gulch SP	Mendocino	Received money through Federal Land and Water Conservation

		Fund
Saddleback Butte SP	Los Angeles	
Salton Sea SRA	Imperial/Riverside	Received money through Federal Land and Water Conservation Fund
Samuel P. Taylor SP	Marin	National Park Service may take over/Expected to receive \$175,000 from feds in December as part of a \$350,000 trail renovation project
San Pasqual Battlefield SHP	San Diego	
Santa Cruz Mission SHP	Santa Cruz	
Santa Susana Pass SHP	Los Angeles	
Shasta SHP	Shasta	23,000 artifacts, including 300 Gold Rush-era paintings, would take 5,000 curator hours to catalog and store
South Yuba River SP	Nevada	1-2 deaths there already, need law enforcement/public safety
Standish-Hickey SRA	Mendocino	Received money through the Federal Land and Water Conservation Fund
Sugarloaf Ridge SP	Napa	Listed by DPR as a "Representative Park Unit"
Tomales Bay SP	Marin	National Park Service may take over
Tule Elk SR	Kern	
Turlock Lake SRA	Santa Clara	
Twin Lakes SB	Santa Cruz	Received money through Federal Land and Water Conservation Fund/May require Coastal Commission permit
Weaverville Joss House SHP	Trinity	Last wooden Chinese temple in CA, still used for religious ceremonies/Weaverville Joss House Association raising money to keep intact
Westport-Union Landing SB	Mendocino	May require Coastal Commission permit
William B. Ide Adobe SHP	Tehama	
Woodson Bridge SRA	Tehama	
Zmudowski SB	Monterey	May require Coastal Commission permit/snowy plover habitat

# Planned 2011 State Parks Closures



On May 13, the Department of Parks & Recreation released a list of 70 state parks proposed for closures as a result of state budget reductions cutting \$22 million from state parks funding. Per Department officials, closures are expected to begin September 2011 and be final by July 2012.



**CALIFORNIA COASTAL COMMISSION**

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October 21, 2011

Assemblymember Jared Huffman, Chair  
Assembly Water, Parks and Wildlife Committee  
1020 N St., Room 160  
Sacramento, CA 94249

Assemblymember Roger Dickenson, Chair  
Assembly Accountability & Administrative Review Committee  
1020 N St., Room 357  
Sacramento, CA 94249

**RE: Joint Oversight Hearing on State Park Closures**

Dear Assemblymembers Dickenson and Huffman:

I write on behalf of the Coastal Commission and in response to your staff's request to Coastal Commission Chair Shallenberger, in preparation for your November 1, 2011 oversight hearing, for information from the California Coastal Commission regarding possible future closures of state parks in the coastal zone. Specifically, your committees are interested in whether or how Coastal Act (PRC Sec. 30000 et seq.) policies may apply to certain state-mandated actions to close beach park facilities to effect budgetary cost-savings.

The Coastal Commission is charged with implementing and enforcing the coastal resource protection policies of the Coastal Act. Public access policies are contained in Sections 30210-30214. The Act calls for maximizing public access in balance with resource protection and private property rights, and prohibits any new development from interfering with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. Of particular note, Coastal Act 30210 explicitly references section 4 of Article X of the California Constitution as a fundamental basis for the Act's mandate to provide maximum coastal access and recreational opportunities. The public access provisions of the Act are a cornerstone of the State's coastal management program. As such, these policies receive heightened scrutiny by the Commission. For example, local government actions on a coastal development permits between the first public road and the sea are, by definition, appealable to the Commission.

The Coastal Commission realizes that this is a difficult and challenging time for the Department of Parks and Recreation (DPR), and the decision to close parks anywhere in the state is not undertaken lightly. In addition, our agency has a long history of partnership and collaboration with DPR borne of a shared mission, values and vision for the state to provide maximum public access and coastal recreational opportunities for all Californians. We understand that due to budget cuts, it may not be possible to continue to operate some coastal park facilities at their

current levels of service to the public. While it would certainly be regrettable should DPR find it necessary to close or reduce hours of operation of a park, including amenities such as restrooms, visitor centers, interpretive centers, etc., the Commission does not foresee any conflict between such actions and Coastal Act policies, as long as these actions do not fundamentally interfere with the public's ability to get to and along the shoreline, as elaborated below.

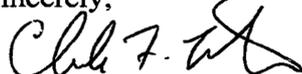
On the other hand, the Coastal Act does establish clear coastal permitting requirements for new development in the coastal zone. In this case, for example, any closure-related actions requiring the construction of physical structures such as fences, gates, or other physical barriers would meet the definition of development under the Coastal Act and thus normally require a Coastal Development Permit (CDP) review from the Commission or local governments where there is a certified LCP. In fact, in most cases above the mean high tide a local government is more likely to be the lead coastal permitting agency as approximately 88% of the shoreline is covered by a certified LCP. Depending on the situation, such developments may or may not trigger a more in-depth permit requirement. Consultation with the relevant local government, as well as the Commission, would be in order to determine any permitting requirements in specific cases.

In addition, any action resulting in significant physical interference with existing public access to or along the coast could also require a CDP depending on the facts of the situation. Actions such as permanently dropping logs or boulders across accessways, or posting signs that deter public use of areas currently used by the public typically would require a coastal development permit authorization. Similarly, establishment of new or stricter curfew for access to or along beaches or the shoreline would also require a CDP. The need to obtain permits for parking lot closures would need to be determined on a case-by-case basis, depending on whether adequate parking was available nearby and other relevant factors. Finally, in some circumstances, proposed development might qualify for an exemption or a permit waiver. The Commission would be available to confer with DPR and local governments regarding the eligibility of proposed development for an exemption or waiver.

To reiterate, the Commission is concerned about the closure of any state park facility, but also realizes that in the current fiscal and political climate it may well be necessary. However, absent the construction of new structures, the only closures that the Commission would assert regulatory jurisdiction over would be those that would significantly reduce or impede the public's current ability to access shoreline areas, and particularly those areas below the mean high tide. We are committed to continuing to work closely with DPR concerning specific situations as we do our best to meet our state's coastal access and recreation needs in these challenging budgetary times.

Please do not hesitate to contact us if we can be of further assistance in this matter.

Sincerely,



Charles Lester  
Executive Director  
California Coastal Commission

cc: Ruth Coleman, Director, California Department of Parks and Recreation  
Bill Herms, Deputy Director, California Department of Parks and Recreation

CARMEL J. ANGELO  
Chief Executive Officer  
Clerk of the Board



**COUNTY OF MENDOCINO  
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October 25, 2011

Assembly Member Jared Huffman, Chair  
Assembly Water, Parks, and Wildlife Committee

Assembly Member Roger Dickinson, Chair  
Committee on Accountability & Administrative Review

Members of the Committees

P.O. Box 94249  
Sacramento, CA 94249-00119

Dear Chair Huffman, Chair Dickinson, and Members of the Committees:

Thank you for taking the time to convene a hearing to consider matters relating to State Park closures. Of the 70 parks originally designated for closure, eight are located in Mendocino County. We are gravely concerned that the severity of these closures will result in a substantial negative effects on the economic well-being of our county and our local businesses. We find it short-sighted that the parameters the Parks Department was required to use when considering which parks to close did not include consideration of the economic effects of such closures on businesses, communities, and counties.

Tourism is arguably the most important driver of the Mendocino County economy. According to a study by Dean Runyan Associates commissioned by the California Tourism Bureau, in 2009 tourism pumped \$297 million into the Mendocino County economy, directly employing 4,800 people. Mendocino County tax revenues attributable to tourism amounted to \$6.7 million. An additional \$12.3 million in tourist-related tax revenue went to the State. According to a 2008 Mendocino County Travel Research Study, 74% of our visitors visit our state parks and they consider the quality of our parks as "high," rating them a 4.6 on a scale of 5.

Each of our parks is unique and valuable, but some are also of vital economic importance to businesses in the community where they are located. Many of our communities are geographically isolated, often at least a 45 minute drive to a neighboring community. One cannot assume that money not spent in one community will be spent in the next. To better understand our concerns, consider each of the following parks, all slated for closure:

- Hendy Woods State Park near Philo in Anderson Valley has 94 individual campsites, the only easily accessible old growth redwood groves of significant size not only in Anderson Valley but in virtually the entire county, and is the only public place in the community where residents and visitors can hike other than along a road or highway. Annual visitor attendance is at least 49,712 persons annually. Without these campsites, middle-income visitors and families will have very few options for overnight accommodations in Anderson Valley. Visitors will be cut off from one of the most iconic features of our region—old growth redwoods.

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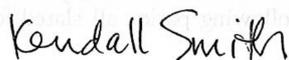
October 25, 2011

- Russian Gulch State Park is located just north of the town of Mendocino. There is a cove that accommodated landings from the sailing ships that used to ply the waters up and down the coast and a huge natural blowhole formed when pounding waves forged an inland tunnel and left a hole 100 feet across and 60 feet deep. The park has 31 individual camp sites that provide reasonably priced accommodations in an area where staying overnight can strain a visitor's budget. Another popular attraction is the magnificent fern canyon trail that leads up to a waterfall in the redwood forest. The most significant cultural resource of Russian Gulch State Park is the Recreation Hall that was built by the Civilian Conservation Corps (CCC) and enjoyed today to host weddings and special events in the park. Federal dollars have been invested in park improvements, which will be left unused if the park is closed.
- Westport-Union Landing State Beach, located north of Ft. Bragg along an isolated stretch of Highway 1 near the village of Westport, has 82 individual campsites, and a total visitor attendance of 221,892 people. It is a unique beachfront campground that is heavily used by RV campers, often favored by retirees and families. Alternate overnight accommodations in the community are extremely limited and there is no other public beach.
- Standish-Hickey State Recreation Area (SRA) is situated along the South Fork Eel River just north of the small, economically depressed community of Leggett. With 163 individual campsites and total visitor attendance of 7,665, it provides easy access to camping and the river. It is the only state park in Mendocino County along the heavily traveled Highway 101 corridor that has any visitor facilities. Unless Standish-Hickey is there to provide a reason to stop and spend some time, many tourists are likely to traverse the entire length of Mendocino County without enjoying our scenic beauties and without spending any money outside of our major towns.

We are highly sympathetic to the need to identify cost savings and balance the state budget. However, closing state parks, particularly those that have great economic importance to their communities and our county, will not result in the desired outcome. Doing so may make the budget in the Parks Department look better, but is highly likely to diminish overall tax revenues to both the county and the state and endanger the economic viability of many small businesses. Our County and our local businesses simply cannot afford to absorb losses associated with closing parks, and ultimately the state budget will suffer if our economic interests are harmed.

We suggest you reconsider whether closing parks is an economically sound way to help balance the state budget. If some parks must be targeted, we strongly urge you to revise the criteria the Parks Department uses to identify closures to include consideration of the economic effects of the proposed closure on both community businesses and the county where the park is located.

Sincerely,



Kendall Smith, Chair  
County of Mendocino Board of Supervisors

Cc: Governor Jerry Brown  
Senator Noreen Evans  
Assemblymember Wesley Chesbro  
Ruth Coleman, Director, Department of Parks and Recreation