

Introduced by Senator Gaines

February 14, 2012

An act to amend Section 5002.2 of the Public Resources Code, relating to state parks.

LEGISLATIVE COUNSEL'S DIGEST

SB 1073, as introduced, Gaines. State parks: development of new facilities: general plan.

Existing law vests with the Department of Parks and Recreation control of the state park system. Existing law requires the department, prior to the development of any new facilities in any previously classified unit of the state park system, to prepare a general plan or revise any existing plan for the unit.

This bill would require that the department, revise instead any relevant existing plan for the unit.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 5002.2 of the Public Resources Code is
- 2 amended to read:
- 3 5002.2. (a) (1) Following classification or reclassification of
- 4 a unit by the State Park and Recreation Commission, and prior to
- 5 the development of any new facilities in any previously classified
- 6 unit, the department shall prepare a general plan or revise any
- 7 *relevant* existing plan, ~~as the case may be,~~ for the unit.
- 8 ~~The~~

1 (2) *The* general plan shall consist of elements that will evaluate
2 and define the proposed land uses, facilities, concessions, operation
3 of the unit, any environmental impacts, and the management of
4 resources, and shall serve as a guide for the future development,
5 management, and operation of the unit.

6 ~~The~~

7 (3) *The* general plan constitutes ~~a~~ *an environmental impact*
8 report on a project for the purposes of Section 21100. The general
9 plan for a unit shall be submitted by the department to the State
10 Park and Recreation Commission for approval.

11 (b) The resource element of the general plan shall evaluate the
12 unit as a constituent of an ecological region and as a distinct
13 ecological entity, based upon historical and ecological research of
14 plant-animal and soil-geological relationships and shall contain a
15 declaration of purpose, setting forth specific long-range
16 management objectives for the unit consistent with the unit's
17 classification pursuant to Article 1.7 (commencing with Section
18 5019.50), and a declaration of resource management policy, setting
19 forth the precise actions and limitations required for the
20 achievement of the objectives established in the declaration of
21 purpose.

22 (c) Notwithstanding the requirements of subdivision (a), the
23 department is not required to prepare a general plan for a unit that
24 has no general plan or to revise an existing plan, as the case may
25 be, if the only development contemplated by the department
26 consists of the repair, replacement, or rehabilitation of an existing
27 facility; the construction of a temporary facility, ~~so long as such~~
28 *if the* construction does not result in the permanent commitment
29 of a resource of the unit; any undertaking necessary for the
30 protection of public health or safety; or any emergency measure
31 necessary for the immediate protection of natural or cultural
32 resources; or any combination ~~thereof~~ *of these activities* at a single
33 unit. Any development is subject to the requirements of the
34 California Environmental Quality Act (Division 13 (commencing
35 with Section 21000)).

36 (d) ~~Any~~ A general plan approved prior to July 1, 1972, may be
37 used as the basis for development if the director finds that there
38 has been no significant change in the resources of the unit since
39 approval of the plan and that the plan is compatible with current

1 policies governing development of the unit and the classification
2 of the unit.

3 (e) Consistent with good planning and sound resource
4 management, the department shall, in discharging its
5 responsibilities under this section, attempt to make units of the
6 state park system accessible and usable by the general public at
7 the earliest opportunity.

8 (f) The department may prepare a general plan ~~which~~ *that*
9 includes more than one unit of the state park system for units ~~which~~
10 *that* are in close proximity to one another and ~~which~~ *that* have
11 similar resources and recreational opportunities if that action will
12 facilitate the protection of public resources and public access to
13 units of the state park system.