

**Introduced by Senator Evans**

(Coauthors: Assembly Members Blumenfield and V. Manuel Pérez)

January 19, 2012

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An act to add Section 5080.45 to the Public Resources Code, relating to state parks.

## LEGISLATIVE COUNSEL'S DIGEST

SB 974, as introduced, Evans. State parks: proposed closures.

Existing law authorizes the Department of Parks and Recreation to enter into agreements between the department and the federal and local governments and other public agencies for the care, maintenance, administration, and control of lands under the jurisdiction of any party to this agreement for the purpose of the state park system, as prescribed.

This bill would require the department, by July 1, 2013, to conduct a review to reexamine the list of park closures in the state announced by the department in May 2011. The bill would also require the department to develop and implement a transparent park closure review process that includes specified elements. The bill would require the department, beginning on July 1, 2013, and annually by July 1 of each year thereafter, to make a determination on the status of any park included on the May 2011 park closure list and on any other park not on that list that may be scheduled for future closure, based on the above-described park closure review process. The bill would require the department, by July 1, 2013, to present to the State Parks Commission and the Legislature a revised list of park closures, based upon the park closure review process prescribed by the bill. The bill would prohibit the closure of any other units of the state park system until the requirements of the bill are fulfilled.

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

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

1 SECTION 1. Section 5080.45 is added to the Public Resources  
2 Code, to read:  
3 5080.45. (a) The department shall, by July 1, 2013, conduct  
4 a review to reexamine the list of park closures in the state  
5 announced by the department in May, 2011.  
6 (b) The department shall develop and implement a transparent  
7 park closure review process that includes all of the following  
8 elements:  
9 (1) An examination of proposed park closures recommended  
10 on the basis of a decision matrix developed by the department,  
11 which includes the criteria mandated by Section 5007.  
12 (2) An analysis of economic impacts on local communities  
13 resulting from a proposed park closure.  
14 (3) A formal determination by the department as to whether an  
15 analysis is needed under Division 13 (commencing with Section  
16 21000). The analysis, if necessary, shall be conducted by the  
17 department.  
18 (4) Consideration of the costs of park closures, including  
19 estimations of future costs for deferred maintenance, liability, and  
20 security.  
21 (5) An examination by the department of acquisition agreements  
22 entered into by the department and federal government pursuant  
23 to the California Wildlife, Coastal, and Park Land Conservation  
24 Act ( Division 5.8 (commencing with Section 5900) to ensure that  
25 those agreements are being honored and public access to the coast  
26 is being protected.  
27 (6) Provisions for the conduct of at least two public hearings,  
28 during which there is an opportunity for public comment and input.  
29 One of those meetings shall be held in northern California, and  
30 one shall be held in southern California. Public input and comments  
31 from those meetings shall be considered by the department in  
32 making any future park closure decisions.  
33 (7) The minutes of any meetings of the department discussing  
34 park closures shall be maintained and made available to the public,  
35 upon request.

1 (8) Consideration and documentation of any other cost savings  
2 measures that may be taken to prevent park closures and meet the  
3 department's budgetary goals.

4 (c) (1) By July 1, 2013, and by July 1 of each year thereafter,  
5 the department shall make a determination on the status of parks  
6 included on the May 2011 park closure list and any other state  
7 parks that may be considered for future closure, based on the park  
8 closure review process set forth in subdivision (b). By July 1, 2013,  
9 the department shall present to the State Parks Commission and  
10 the Legislature a revised list of park closures, based upon the park  
11 closure review process described in subdivision (b), accompanied  
12 by appropriate background and decisionmaking documents.

13 (d) This section does not affect or interfere with any existing  
14 agreements between the department and federal or local agencies  
15 and nonprofits to operate any unit of the state park system that was  
16 identified for closure in the May 2011 state park closure list, if  
17 those contractual agreements have not expired.

18 (e) On or after January 1, 2013, additional units of the state park  
19 system shall not be closed until the requirements of this section  
20 are fulfilled.