



TAMALPAIS CONSERVATION CLUB

P.O. Box 2272 • Mill Valley, CA 94942

415.389.9914 • www.tamalpais.org

December 23, 2002

Shaelyn Raab Strattan
Statewide Environmental Coordinator
California Department of Parks and Recreation
Acquisition and Development
One Capitol Mall - Suite 500
Sacramento, CA 95814
2 page fax including this page: 916 445-9100

Dear Ms. Raab Strattan,

This is a follow up to my phone message left for you at 1:08 PM, 12/23/02.

Your letter to our attorney, Dotty LeMieux, dated December 20, 2002 but inexplicably held and not faxed until today, December 23, 2002, stating that you have rejected our request for an extension to comment and intend to end the comment period of the Mitigated Negative Declaration tomorrow is unacceptable.

The Mitigated Negative Declaration, page 2, states "the contact person for the lead agency is David Boyd." Mr. Boyd, in the attached correspondence, which was emailed and also mailed on December 2, 2002 to the Tamalpais Conservation Club states:

"This letter is to inform you that a Mitigated Negative Declaration has been filed today for the Mount Tamalpais State Parks Coastal Trails Rehabilitation Project. This document allows the public to review and comment on the proposed project, as required by the California Environmental Quality Act (CEQA). The document will have a 30 day public review period."

As the MND states he is the lead person, his letter therefore convincingly serves as official notice to the public. Regardless of your clear unwillingness to work in a cooperative manner with the public, we and other interested parties intend to comment through January 1, 2003 and expect our comments to be accepted up to and including this date.

In correction to your fax received by Dotty LeMieux on December 23, 2002:

At the beginning of the week of November 24, 2002 I contacted Denali Beard to ask if the MND had been released yet. She informed me it had not been released and that she would notice us as soon as it was. I also made several attempts to personally locate official notice of the filing of the MND at the Marin Civic Center between November 25 and November 29, 2002 to no avail.

Denali Beard did send the attached notice on the morning of December 2, 2002. I immediately called Ms. Beard to ask if a copy had been sent to the TCC. She informed me it had not. I requested that she send a copy to my attention. She indicated it would go out that day. It was received two days later.

On December 9, 2002 I requested a second copy of the MND after providing the first copy to Dotty LeMieux on the afternoon of December 6, 2002. Your claim that Denali Beard asked me on December 9 if I wanted a copy is untrue. It infers that we took a passive approach to the process and did not act in a timely manner, which is a wholly inaccurate portrayal of the true situation. Your comments may very easily mislead others to believe the Club has been less than diligent in our efforts to stay on top of this situation.



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Furthermore, your December 23, 2002 fax incorrectly states that the MND was mailed to the Civic Center Branch of the Marin County Library. However, the MND states it was mailed to the Novato Branch of the Marin County Library. There was no way for us to possibly know it was being provided at this location prior to December 2, 2002.

As Mr. Boyd and DPR staff is acutely aware of our interest in this project and our repeated comments to him and to you that we had not been properly noticed and excluded from the process from the onset, it was of some surprise though not totally unexpected that a copy of the MND was not sent to TCC on November 25, 2002. Are you able to provide an explanation?

Please respond to the following comments:

Why was the following information withheld or not freely offered and why only today are we learning the following information?

1. That we should have checked the CEQA website for the most updated information. As we had an extended conversation with Mr. Boyd regarding its availability and where we could find notice, he certainly should have known it would be available on the CEQA website and should have informed us to check this website when we met and discussed this point with him on November 21, 2002.
2. That according to you Mr. Boyd's December 2, 2002 letter to us is simply invalid. It did not inform us that the actual 30 day period commenced on November 25, 2002 as we have only learned today, not on not on December 2, 2002 as his letter states.
3. That we were not informed a copy was sent on November 25, 2002 to the Marin County Clerk.
4. That Denali Beard, who has been a prime contact person, was not aware of its availability prior to December 2, 2002.

We have deep reservations concerning the integrity and honesty of the process in dealing with the public and intend to pursue this matter to the fullest extent possible.

Sincerely yours,

Larry Minikes
Corresponding Secretary, Tamalpais Conservation Club

cc: Patti Du Mont, Environmental Coordinator
The Honorable Joe Nation
California State Assembly
Dotty LeMieux
David Boyd
Denali Beard