



DEPARTMENT OF PARKS AND RECREATION

Rusty Areias, Director

NORTHERN SERVICE CENTER
ONE CAPITAL MALL - SUITE 500
SACRAMENTO, CA 95814
(916) 445-8791

December 24, 2002

Mr. Larry Minikes
Tamalpais Conservation Club
P.O. Box 2272
Mill Valley, CA 94942

RE: Extension of Public Comment Period
Mitigated Negative Declaration
Mt. Tamalpais State Park Coastal Trails Rehabilitation Project

Dear Mr. Minikes:

I am in receipt of the electronic version of your response letter, dated and emailed to me on December 23, 2002, and your comments and objections are noted. Following a telephone conversation with your attorney, Ms. LeMieux, and receipt of her letter requesting an extension of the public review and comment period for the Mt. Tamalpais Trails project referenced above, I prepared a written response, which I attempted to fax to Ms. LeMieux on the afternoon of Friday, December 20, 2002. Unfortunately, the number she provided would not accept the fax transmission. Upon returning to my office late Sunday evening, I found a message from Ms. LeMieux, indicating her fax machine had been malfunctioning earlier on Friday. In response to this message, I tried to fax the response letter again in the early hours of December 23 and was successful.

I have enclosed a copy of my response to Ms. LeMieux, following her faxed letter of December 23, 2002. My original letter and this response is based on information provided by Mr. Dave Boyd, Ms. Denali Beard, Ms. Patti Du Mont, and the administrative record associated with the preparation and filing of the MND related to the above referenced project.

As you noted, Mr. Boyd is listed as the DPR "contact" within the MND; he has been designated as the person most able to provide additional information regarding the proposed project elements. However, the assumption that he is the one to provide notice on behalf of the Lead Agency is incorrect. DPR's environmental coordinator for the project, Ms. Du Mont, was responsible for filing the environmental document (in this case, an MND) with the State Clearinghouse, distributing the required notifications via public postings and newspaper publication, and providing public review documents to one or more locations (e.g., local public libraries and park facilities). Distribution of additional notifications, information, and copies of the document is often shared by the District or project staff, because they are usually the ones most aware of local interested parties.

Mr. Boyd's letter to you was not the "official" public notice relating to the public review and comment period for this project; that was provided by the Notice of Availability published in the Marin Independent Journal on December 4, 2002 and posted with the Marin County Clerk. It was intended as a courtesy to those expressing an interest in the project, advising of the availability of the MND. Unfortunately, it was not adequately proofed. The word "today" in the first sentence of the letter should have been deleted. Additionally, it indicated that copies of the actual MND, rather than the NOA, were available at the Marin County Clerk's office. Because the potential for misunderstanding as a result of this wording does exist and could have resulted in the assumption that the public review and comment period would not close until January 1, 2003, all comments submitted by the Tamalpais Conservation Club or any other interested party, postmarked (or faxed, with proof of delivery) on or before January 1, 2003, will be accepted. As noted in my earlier correspondence, written comments should be addressed or faxed to Ms. Patti Du Mont, Environmental Coordinator, at the address or fax number previously provided. Emails or comments by telephone conversation or in person will not be accepted.

The Department of Parks and Recreation and its staff have consistently operated in an honest, forthright, and conscientious manner to provide interested agencies, organizations, and individuals with information on the proposed trails project at Mt. Tamalpais State Park, and have encouraged public participation and comment during the design process. Your comments in response to the MND for this project will be reviewed and responded to, as appropriate, following the close of the public review and comment period, as indicated above.

Please have your attorney contact me at (916) 445-8791 or by email at sraab@parks.ca.gov if you have any further questions.

Sincerely,



Shaelyn Raab Strattan
Statewide Environmental Coordinator

cc Patti Du Mont, Environmental Coordinator
DPR Northern Service Center - Sacramento, California

Kenneth Leigh, District Superintendent
DPR Marin District

Dave Boyd, Senior Resource Ecologist
DPR Marin District

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The Honorable Joe Nation
California State Assembly

Larry Minikes
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