



Save the American River Association

4441 Auburn Blvd., Suite H • Sacramento, CA 95841-4139

916-482-2551 • E-mail: info@SARAriverwatch.org • www.SARAriverwatch.org

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September 8, 2015

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Mr. Michael Doane, Chief Ranger, County Regional Parks

SUBJECT: ILLEGAL CAMPING IN THE AMERICAN RIVER PARKWAY

Ladies and Gentlemen:

Hopefully, you will agree that illegal camping in the American River Parkway, the crown jewel of the Sacramento Region, requires your attention so as to build upon the hard work and existing efforts of the Park Rangers by improving their capabilities. County ordinances, state laws, and illegal camping enforcement efforts, although extensive and well organized, have not been sufficient to preclude illegal camping on the Parkway. Simply put, every reasonable effort must be made to protect public safety and to protect the natural and cultural resources of the Parkway from the harmful effects of illegal camping.

Enforcement of illegal camping ordinances is understood to occur against the background of applicable community standards. For the American River Parkway, the applicable community standard is protection of public safety and protection of the natural and cultural resources of the Parkway from risk of damage and degradation. This community standard is embodied in the American River Parkway Plan, the result of a 2-1/2 year effort involving the public. SARA believes that illegal camping in the Parkway violates this community standard.

SARA believes that the occurrence of illegal camping in the Parkway would likely be reduced if adequate housing and services were available as an alternative. However, SARA firmly believes that lack of such housing and services does not justify cessation or reduction of efforts to enforce illegal camping ordinances in the Parkway so as to achieve and maintain the community standard embodied in the Parkway Plan. Our community must do both and must not use the Parkway as the proverbial rug under which to sweep the homeless problem.

Guardians of the American River and Parkway since 1961

SUBJECT: ILLEGAL CAMPING IN THE AMERICAN RIVER PARKWAY

The Parkway Plan requires that the protection of the Parkway from the impact of illegal camping “shall remain a high priority” until the County, as Parkway Manager, deems that such is no longer necessary.¹ The Parkway Plan has been approved by the County Board of Supervisors, City of Sacramento City Council and endorsed by the City of Rancho Cordova. State law (the Urban American River Parkway Preservation Act) mandates that decisions by state and local agencies regarding the use of land in the Parkway be consistent with the Parkway Plan. The Park Rangers have labored under very difficult conditions to protect public safety and the Parkway from the impacts of illegal camping. Illegal camping in the Parkway is a use of land that is not consistent with the Parkway Plan.

Chapter 9.36 of the Sacramento County Code prohibits (a) the igniting, maintenance or use of any fire without a permit issued by the Director of Regional Parks,² (b) smoking of any substance in any park facility where smoking is prohibited,³ and (c) camping in any park facility during the hours, or any part thereof, that the Parkway is closed.⁴ Clearly, these prohibitions have, for whatever reason, been insufficient to prevent fires in the American River Parkway. Some may focus on illegal camping in the American River Parkway as a possible cause of fires.

SARA understands that County Regional Parks staff have developed arrangements with Sacramento Steps Forward whereby Park Rangers and Sacramento Steps Forward will work together to refer illegal campers to social services including housing. Also, SARA understands that County Regional Parks’ staff have been working in co-operation with the staffs of the City of Sacramento Fire Department and Sacramento Metro Fire District to develop a Fire Fuel Reduction Plan for the Parkway.⁵

Despite these provisions of law and valiant efforts by County staff and others, fires continue to occur and illegal camping continues in the American River Parkway. SARA believes it is time for the following to occur as part of an effort to improve the capability to control illegal camping and to prevent fires in the American River Parkway.

1. Review County ordinances to identify changes necessary to strengthen the capability of Park Rangers to control illegal camping in the Parkway and to take measures to reduce the risk of fires in the Parkway.
2. Review the experience that has been gained since the inception of the Stipulation of Settlement Agreement⁶ to determine if the provisions of the Agreement need to be modified in order to improve the capability to control occurrences of illegal camping and reoccurring fires in the American River Parkway.
3. Discuss the results of the review of the Stipulation of Settlement Agreement and County ordinances with the other parties to the Agreement (a) to achieve mutual understanding of the potential for improved capability to protect public safety and to protect the natural and cultural resources of the American River Parkway, and (b) to define needed modifications for submittal to the Court for approval.
4. Throughout the process, consult with private and public interests to obtain ideas that can be implemented within the requirements of the American River Parkway Plan or to identify

¹ American River Parkway Plan 2008, Chapter 11, “Implementation,” Implementation Measure 6(e), page 234

² Sacramento County Code, Chapter 9.36, “Park Regulations,” Section 9.36.058, “Fires”

³ Sacramento County Code, Chapter 9.36, “Park Regulations,” Section 9.36.057, “Smoking”

⁴ Sacramento County Code, Chapter 9.36, “Park Regulations,” Section 9.36.067, “Hours of Use”

⁵ Jeffery R. Leatherman, Director of Regional Parks, Director’s Report, Recreation and Park Commission Meeting, August 27, 2015

⁶ US District Court, Eastern District of California, Case No: 2:07-CV-01565 MCE GGH, “Stipulation of Settlement Agreement Between Plaintiffs and County of Sacramento,” November 6, 2009

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revisions to the Parkway Plan that are needed in order to provide better capability for protection of public safety and protection of natural and cultural resources in the Parkway.

5. Initiate exploration of night patrols in the Parkway when fires are more easily observed.
6. Provide resources for additional Park Rangers and Regional Parks maintenance personnel to improve the capability to locate and identify campsites and to eliminate and cleanup campsites and to implement the outcomes of all of these efforts.
7. Take timely action to implement results.

On the surface, it is possible to believe that the whole issue of illegal camping in the Parkway would be solved if our community just made sure that safe and decent housing and services existed for the illegal campers. Assuming for the moment that this is done, what happens when the next person or persons arrive in the Sacramento area without a place to stay? Our community needs to manage what we have and help those who need help. Our community also needs to move beyond the idea that camping in the American River Parkway is an acceptable lifestyle choice.⁷

We hope you find these comments helpful as we work together to protect the American River Parkway for present and future generations.

Sincerely,



Stephen Green, President
Save the American River Association

cc: SARA Board of Directors
SARA Advisory Council
Liz Williamson, ARNHA
Paul Tebbel, ARNHA
Shawn Harrison, Soil Born Farms
Aimee Rutledge, Sacramento Conservancy
Jim Hill, Board Member, ARPF
Dianna Poggetto, Executive Director ARPF

⁷ After San Francisco Chronicle, "Tough choices needed to battle homelessness," C. W. Nevius, August 29, 2015.
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