



Save the American River Association

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Guardians of the American River and Parkway Since 1961

REVIEW OF PROPOSED FOOD TRUCK FESTIVAL TRUCKIN' ON THE RIVER 2013

June 18, 2013

It is our task in our time and in our generation to hand down undiminished to those who come after us, as was handed down to us by those who went before, the natural wealth and beauty which is ours."

President John F. Kennedy, March 3, 1961

Save the American River Association
Review of Proposed Food Truck Festival, Truckin on the River 2013
June 18, 2013

AMERICAN RIVER PARKWAY PLAN	1
SAVE THE AMERICAN RIVER ASSOCIATION	1
BACKGROUND	1
SUMMARY OF FINDINGS, CONCLUSIONS & INDICATED CORRECTIVE ACTIONS.....	2
NEXT STEPS.....	6
THE EVENT.....	6
THE EVENT SPONSOR	7
THE PERMIT	9
FINDINGS.....	10
A. Truckin’ on the River 2013 in Discovery Park	10
B. Commercial Activities in the Parkway.....	10
C. Special Events & Parkway Plan Land Use Designations.....	12
D. Findings of Fact Required by Parkway Plan.....	12
CONCLUSIONS AND INDICATED CORRECTIVE ACTIONS.....	13
A. Truckin’ on the River Subject to Chapter 6 Requirements.....	13
B. Compliance with Parkway Plan Chapter 6.....	13
C. Compliance with Other Parkway Plan Requirements	18
D. Response to Regional Parks Staff Conclusions re: Parkway Plan.....	18
E. Regional Parks Permitting Process Defects Require Remedy.....	21
ATTACHMENTS	Following Page 22
A. Chronology	
B. SARA Letter dated November 8, 2012 to J. Leatherman, Subject: “Special Event Permit for Truckin’ on the River”	
C. Application submitted by ARPF dated January 8, 2013 for Truckin’ on the River 2013	
D. Email from J. Leatherman, Regional Parks Director to B. Weiland, SARA, March 15, 2013, Subject: “Truckin’ on the River” and Email from B. Weiland, SARA to J. Leatherman, Regional Parks Director, March 15, 2013, Subject: “Truckin’ on the River”	
E. Chapter 6, “Non-Recreational Use of the Parkway”, of the American River Parkway Plan 2008	
F. Basis for Conclusions Regarding Lack of Documentation	

Save the American River Association
Review of Proposed Food Truck Festival
Truckin' on the River 2013

June 18, 2013

Regional Parks Director Jeffrey Leatherman has contacted Save the American River Association ("SARA") President Clyde Macdonald via email¹ regarding an application submitted for a repeat of the "Truckin' on the River" Food Truck Festival in calendar year 2013. A chronology of events and actions to date is provided in Attachment A to this report.

AMERICAN RIVER PARKWAY PLAN

The American River Parkway ("Parkway"), by design and desire of the community as expressed in the American River Parkway Plan 2008, is primarily intended to be for individuals, families, and small (i.e. 20 persons or less) and medium (i.e. 40 persons or less) groups, and preserved and protected as a continuous open space green belt within the urban area. The Parkway Plan 2008 defines the policies and goals that control group activities and special events so that their occurrence is (a) consistent with the natural environment of the Parkway, (b) has no more than minimal adverse impacts other Parkway users and Parkway Resources, and (c) are otherwise compatible with the goals and policies of the Parkway Plan 2008.

State law specifies that actions by state or local public agencies with respect to decisions regarding use of lands located within the Parkway shall be consistent with the American Parkway Plan.² The application for the Truckin' on the River 2013 Food Truck Festival will require a decision regarding the use of land located within the Parkway.

SAVE THE AMERICAN RIVER ASSOCIATION

The Save the American River Association, (SARA) is a grass roots organization established in 1961 to spearhead the establishment of the American River Parkway (the "crown jewel" of the Sacramento County Park System) and adoption of the Parkway Plan. Our mission is to protect and enhance the wildlife habitat, fishery, and recreational resources of the American River Parkway. Our volunteer, non-profit group of over 600 members and Board of Directors work to ensure that the American River Parkway will survive and prosper for the benefit of future generations.

BACKGROUND

County Regional Parks issued a Special Event Permit dated September 25, 2012, to the American River Parkway Foundation (ARPF) for a Food Truck and Music Festival ("Truckin' on the River 2012") as a small special event that was held on Saturday, October 13, 2012, in William B. Pond Recreation Area. The application was dated

¹ Email from J. Leatherman, Regional Parks Director to C. Macdonald, January 25, 2013 3:31 p.m., Subject: "Special Event Permit for Truckin' on the River"

² California Public Resources Code Section 5480 et seq, the "Urban American River Parkway Preservation Act"

August 15, 2012. This was the first time that the Truckin' on the River Food Truck Festival was held in the American River Parkway.

The results of a review by SARA of the permit for Truckin' on the River 2012 were published in a report "Review of County Regional Parks Permit for Truckin' on the River Special Event" dated October 9, 2012. In summary, the review concluded that the permit should not have been issued and gave the reasons for said conclusion. The October 9, 2012 report formed in large part the basis for the SARA letter dated November 8, 2012 to Regional Parks Director Jeff Leatherman (See Attachment B) objecting to the issuance of the permit for Truckin' on the River 2012.

ARPF has subsequently filed an application with County Regional Parks for a permit for a Food Truck Festival to be held in Discovery Park on October 5, 2013 ("Truckin' on the River 2013). Attachment C hereto is a copy of the application provided to SARA by the Regional Parks Department staff.³ This review is based upon the information provided by Sacramento County Regional Parks, developed as a result of meetings with Regional Parks staff, and from review of the Truckin' on the River Food Truck and Music Festival held in William B. Pond Park on October 13, 2012.

SUMMARY OF FINDINGS, CONCLUSIONS AND INDICATED CORRECTIVE ACTIONS

The Conclusions and Indicated Corrective Actions contained in this report are heavily dependent upon the characteristics of Discovery Park and the features (e.g. access, large parking capacity, spatial distance to adjacent neighborhoods) associated with the Park and as such are applicable only to the proposal at hand. It would, therefore, be inappropriate to extrapolate these Conclusions or Indicated Corrective Actions to any other proposal or any other area of the Parkway.

Locating special events in Discovery Park is encouraged by the Parkway Plan; however, the requirements of the Parkway Plan are not waived for any special event or group activity simply because they are to occur in Discovery Park. The County has permitted special events in Discovery Park in the past presumably in compliance with the Parkway Plan.

The Parkway Plan contains policies that guide decision making with respect to commercial activities proposed to occur in the Parkway and land use designations which limit the location of proposed special events in the Parkway. The Parkway Plan also requires Findings of Fact, supported by substantial evidence in the record, that must be made with respect to any proposed use or facility before a permit can be issued. It is hard to see how supportable conclusions regarding impacts on Parkway resources can be made as part of the evaluation of any permit application without the mandated Resource Impact Monitoring Program.

³ Email from A. Veselka, Recreation Supervisor, County Regional Parks to B. Davis, SARA and J. Leatherman, Director Regional Parks, May 7, 2013, Subject: Public Records Act Request Related to Truckin on the River – Discovery Park"

1. Parkway Plan Chapter 6 Requirements Apply

Truckin' on the River 2013 is a Food Truck Festival that includes commercial activities that trigger the requirements of Parkway Plan Chapter 6, "Non-Recreational Use of the Parkway." The Regional Parks Director's conclusion to the contrary is not supported by the Parkway Plan and is therefore unfounded. County Regional Parks will violate State Law⁴ if a permit for the Truckin' on the River 2013 Food Truck Festival is issued to allow the event to occur as it is proposed.

2. Locating the Event in Discovery Park may be Appropriate

Locating Truckin' on the River 2013 at Discovery Park, presuming compliance with the Parkway Plan, is appropriate given the setting of Discovery Park and other factors that are recognized in the Parkway Plan.

Moving the event to Discovery Park eliminates concerns with impacts on Parkway resources and neighbors that exist in other Parkway areas such as William B. Pond Recreation Area. If it can be reasonably demonstrated that Truckin' on the River 2013 will have minimal impact on Parkway resources and aesthetics, minimal impact on traffic and Parkway neighbors and is otherwise compliant with all Parkway Plan requirements, there should be no reason to expect that a permit could not be issued. This of course is a rebuttable presumption.

3. Truckin' on the River as Proposed Violates Parkway Plan

Truckin' on the River 2013 as proposed is not consistent with the Parkway Plan and should not be permitted until the following issues are resolved. Only those conclusions related to inconsistency with the Parkway Plan are discussed in this Summary. A full discussion of all Conclusions is provided in the body of this Report.

a) Commercial activities must be compatible with Parkway Plan goals and policies and consistent with Parkway⁵

Findings of Fact supported by substantial evidence that demonstrate compatibility with Parkway Plan goals and policies and consistency with the Parkway Plan have not yet been provided. It is difficult to see how all of the required Findings of Fact can reasonably be made in the absence of a complete inventory of Parkway resources and the lack of the Resource Impact Monitoring Program mandated by Parkway Plan.

Indicated Corrective Action: Regional Parks needs to complete the work necessary to develop the required Findings of Fact, including documentation with substantial evidence, and submit all information to the County Recreation and Park Commission for review before issuance of a permit.

⁴ California Public Resources Code Section 5480 et seq, the "Urban American River Parkway Preservation Act"

⁵ Parkway Plan Policies 6.1, 11.2 & California Public Resources Code Section 5480 et seq.

b) Commercial activities solely for the purpose of raising revenue to fund management of the Parkway are not allowed.⁶

Clearly, the sole purpose of ARPF, the sponsor and recipient of the revenue from the event, is to participate in the management of the Parkway by performing certain management activities on behalf of the County. Hence, Truckin' on the River 2013 is solely for the purpose of raising revenue to fund management of the Parkway and is inconsistent with this Parkway Plan policy.

Indicated Corrective Action: One option is to eliminate all commercial activities (e.g. food trucks, vendor sales to participants) and convert food and beverage arrangements to a catered affair with the admission charge paid by participants to ARPF to include the cost of food and beverage. This option would mean that Parkway Plan Chapter 6 requirements would not apply to Truckin' on the River 2013

In the alternative, more than a token amount of the revenue (i.e. at least 25%) could be used for purposes other than management of the Parkway. One obvious candidate to receive said revenue would be the effort to provide housing for the homeless which could help reduce pressure for illegal camping in the Parkway. If this option were selected, ARPF would need to identify and make arrangements with the appropriate entity to receive the funds and the permit for the event would need to include such as a condition.

c) All proposed commercial activities are subject to review by County Recreation and Parks Commission with final approval by Board of Supervisors.⁷

There is no provision for review of a proposed permit by the County Recreation and Park Commission or for appeal of the Regional Parks Director's decision to issue a permit to the County Board of Supervisors.

Indicated Corrective Action: Sacramento County should make provision for review of the permit and supporting evidence by the Sacramento County Recreation and Park Commission before the permit is issued.

The Parkway Plan text provides that the Regional Parks Director may approve vendor sales as part of a special event permit and also provides that commercial activities must be approved by the Board of Supervisors. Compliance with both of these requirements is only achievable by providing for appeal of the decisions of the Regional Parks Director to the Board of Supervisors.

If the public may not submit appeals to the Sacramento County Board of Supervisors of decisions by the Regional Parks Director to issue permits involving commercial activities because a formal "appeal process" has not been adopted, Sacramento County should promptly develop, publicly vet, and

⁶ Parkway Plan Policy 6.1.1

⁷ Parkway Plan Policy 6.1.2

adopt such a process so said permits can be issued. Lack of an “appeals process” would preclude the issuance of any permits since the public would be precluded from access to the Board of Supervisors and to the courts as provided in the Parkway Plan. Hence, said permits would, therefore, not be issued consistent with the Parkway Plan. Of course, this concern is moot if appeals may be submitted to the Board of Supervisors in the absence of a formally adopted “appeal process.”

d) Proposed commercial activities shall be designated on Area Plans.⁸

The area within which proposed commercial activities associated with Truckin' on the River 2013 are to occur has not been designated on the Area Plan map for Discovery Park

Indicated Corrective Action: Amend the Area Map for Discovery Park to designate a location for commercial activities in Discovery Park that are limited to specific special events and activities and the vet the amendment through a public process prior to adoption by the County Board of Supervisors, all in accordance with the requirements of the Parkway Plan.

4. Regional Parks Permitting Process Defects Require Remedy

Deficiencies in the Regional Parks permitting process need to be remedied to provide the following so that full compliance with the Parkway Plan is achieved:

- (i) A documented basis for decisions that is supported by substantial evidence and which is available for independent review by the public before a permit is issued,
- (ii) Transparency so that public input is possible before permits are issued and public knows when a permit is issued and appealable to the Board of Supervisors as provided in the Parkway Plan, and
- (iii) Implementation of a Resource Impact Monitoring Program to guide management of the use of the Parkway so as to protect Parkway resources.

Indicated Corrective Action: Sacramento County should promptly remedy the deficiencies in the Regional Parks permitting process that have been identified in this report before issuing further permits inclusive of the permit for Truckin' on the River 2013. Timely correction of these deficiencies should go a long way towards alleviating concerns of the public, hopefully reduce the need for appeals, improve the credibility of the County's decision making regarding the American River Parkway, and allow issuance of permits for special events and group activities that are consistent with the Parkway Plan that cannot be issued in the absence of the Resource Impact Monitoring Program.

⁸ Parkway Plan Policy 6.1.6

NEXT STEPS

1. SARA will seek to meet with ARPF to discuss the Truckin' on the River 2013 special event and the reasons for SARA's objections to the event, with a goal of establishing a mutual understanding of compliance with the Parkway Plan and need for modifications to Truckin' on the River 2013 that will allow the event to be consistent with the requirements of the Parkway Plan.
2. SARA will notify the County Executive and County Regional Parks in writing of SARA's intent to appeal any permit that is either issued for Truckin' on the River 2013 as described in the Regional Parks Director email of March 15, 2013 9:53 a.m. to B. Weiland, or that is otherwise inconsistent with the Parkway Plan.
3. Authorize SARA legal counsel to prepare, at the appropriate time, an appeal to the County Board of Supervisors so that it can be filed within the previously established time limits for appealing a permit decision.
4. In the event that the appeal to the Board of Supervisors is unsuccessful, consider filing of an appropriate petition with the court so as to initiate legal proceedings.

THE EVENT

The Application dated January 8, 2013, as submitted by ARPF and provided as Attachment C hereto, identifies Truckin' on the River 2013 as a "Food Truck Festival" to:

1. Occur on October 5, 2013 from 11:00 a.m. to 3:00 p.m. with setup occurring on October 4 and 5 and breakdown being completed by 6:00 p.m. on October 5,
2. Occur in Discovery Park,
3. Have a total planned attendance of 600 participants, who will be charged \$10 each to attend the Food Truck Festival, and
4. Include live music and twelve (12) to fifteen (15) food truck vendors.

A fee of \$150 was paid to Regional Parks with the application which specifies that the entire area of Truckin' on the River 2013 will be fenced the same as was the case for Truckin' on the River 2012.

Regional Parks has not received a site layout map for the Truckin' on the River 2013 event but advise that three (3) (i.e. Alder, Oak, Sycamore) of the four (4) picnic sites available at Discovery Park have been reserved by the ARPF and that details for the 2013 event are being worked out between the Regional Parks Director and the ARPF.⁹ The three picnic areas reserved by ARPF are shown in Attachment C and are situated immediately upstream (East) of the I-5 Bridge and north of the American River.

Regional Parks staff has also advised that (a) events are not limited in size by a designated picnic site capacity, and (b) the designated picnic site capacities are for purposes of reservations for family/company picnics. Regional Parks staff also report

⁹ Email from A. Veselka, Recreation Supervisor, Regional Parks to B. Davis, SARA and J. Leatherman, Director Regional Parks, May 7, 2013, Subject: "Public Records Act Request Related to Truckin' on the River – Discovery Park"

that the Fire Marshal has previously determined that Discovery Park picnic areas have a total capacity of 15,000 to 20,000 persons based upon use of all four of the picnic areas in Discovery Park.¹⁰

Until the site layout map is provided, it is assumed that Truckin' on the River 2013 will be substantially the same as described in the application for the 2012 Event. In summary, the application for the 2012 Truckin' on the River event approved by County Regional Parks allowed up to fifteen (15) commercial food trucks, vendor sales booths, an enclosed "Beer Garden", and live music with food, beverage and other vendor sales. Vendors were allowed to sell food, beverages, wares, and services directly to event participants who paid an entry fee to the sponsor, the ARPF.

THE EVENT SPONSOR

The American River Parkway Foundation (ARPF) is the event applicant and sponsor. The event is understood to be a fundraiser for the ARPF, a 501(c) (3) tax exempt organization. The ARPF website¹¹ describes the mission of the ARPF is to support the preservation, protection, enhancement, and appreciation of the American River Parkway by fostering environmental stewardship, facilitating volunteer opportunities, and funding and implementing Parkway projects and programs.

Created in 1983, ARPF is governed by a Board of Directors consisting of up to twenty-five (25) members. Five (5) officers are selected by the Board of Directors from the membership of the Board and serve as the Executive Committee of the Board. Board members serve as volunteers and are not reimbursed for service.

ARPF employs a full time Executive Director who is assisted by four (4) staff persons- a steward/office manager, conservation coordinator, volunteer coordinator, marketing/development coordinator, and volunteers. Table 1 lists the programs and Table 2 the fundraising activities of ARPF as reported on the ARPF website as of May 30, 2013.

For calendar year 2011, the last year for which data are available, ARPF reported revenues totaling \$254,713 and expenses totaling \$402,923. Employee compensation costs constitute nearly 62% of the total expenses. Expenses include various services to the American River Parkway and an Oak Tree Mitigation Program and Invasive Plan Management Program services provided under agreements with Sacramento County.

Sacramento County and ARPF have executed a lease agreement dated April 15, 1997, whereby the County has leased the Parkway Volunteer Center premises to ARPF which has undertaken the financing and construction of the Volunteer Center pursuant to the terms of the Lease. The term of the Lease Agreement is twenty-five years beginning on

¹⁰ Email from A. Veselka, Recreation Supervisor, Regional Parks to B. Davis, SARA, May 21, 2013 3:43 p.m., Subject: "Picnic Area Capacities at Discovery Park"

¹¹ www.arpf.org

April 15, 1997, however, the Agreement automatically renews for ten (10) year periods unless the County or ARPF gives a 1-year advance notice of termination.¹²

Table 1
ARPF PROGRAMS*
May 30, 2013

Program	Summary	Location	Frequency
Native Plant Garden	Creation and maintenance of a Native Plant demonstration garden	Adjacent to the ARPF office at 5700 Arden Way	Created in 2007. Ongoing
Oak Mitigation Project	Planting of oak trees	5 main areas of the Parkway	3-yr program ended May 2010
Invasive Plant Management	Removal of invasive plants	Parkway wide	Created in 2009. Ongoing
Great American River Clean Up	Removal of trash and debris	Parkway wide	Annual Ongoing
Volunteer Stewards	Maintenance & cleanup of 1-mile of Parkway	Parkway Wide	Annual Ongoing
Adopt a Grove	Watering, weed removal, & maintenance of a grove	Parkway Wide	Annual Ongoing
Youth Internship	Adopt a Grove during Summer Months	Parkway Wide	Annual. Summer Months
Pups in the Park	Provide animal waste collection bags	12 locations in the Parkway	Ongoing
Adopt a Kiosk	Restoration and maintenance of kiosks	5 kiosk locations	Ongoing
Kids Don't Float	Provide life vests annually	Distribution at River access stations	Founded in 2003
* Source: ARPF Website, May 30, 2013			

In 2012, Sacramento County and ARPF entered into an agreement for ARPF to act as the County's agent in the marketing and sale of annual park passes. The term of the Agreement ends on December 31, 2016. The Agreement includes reporting requirements, provides that ARPF may charge a fee of \$4 – 6 per pass, depending upon the type of pass purchased with a credit card or debit card, and provides that ARPF is to retain \$5 per pass sold to pay ARPF costs associated with parks pass marketing and sales program. All revenue from sales of park passes, less the amounts allowed to be retained by ARPF, is to be conveyed to the County. The Agreement requires submittal of a marketing plan by ARPF each February 1st and to provide an annual report for submittal to the County Recreation and Park Commission.¹³

¹² Lease Agreement Between Sacramento County and American River Parkway Foundation for Use of a Portion of the William B. Pond Recreation Area, April 15, 1997

¹³ Agreement for Park Pass Sales Program, 2012

Table 2
ARPF Fund Raising*
May 30, 2013

Program	Financial Goal	Use of Funds			
		Parkway Beautification	Safety	Education	Capital Projects
Connect	5-year campaign by ARPF to raise \$2.5 million	Restoration projects, invasive plant management, riparian forest restoration, biannual river cleanups , Arts at the Parkway programs, distribution of grants to stakeholders	Creating & updating Park Ranger dispatch, Homeless Program Coordination, Security cameras, Parkway signage, separate running and cycling trails, maintain all trails	Soil Born Farms, Effie Yeaw Nature Center, Animals of the Parkway, Nature Tours, Future Campfire Site, increased volunteers	Tiscornia Park, Shade structure over picnic tables at Wm. B. Pond, Fair Oaks Bluffs signage
Parkway Half Marathon	Annual Running Event by Sac Fit	Sac Fit Donates portion of net proceeds to ARPF for use at the discretion of ARPF			
Rex Ride	Cycling Event by Rex Cycles	Net proceeds to ARPF for use at the discretion of ARPF			
Down River Day	Sponsorships	Net proceeds to ARPF for use at the discretion of ARPF			
Truckin' On the River	Food Truck Festival	Net proceeds to ARPF for use at the discretion of ARPF			
Financial Stewards	2-yr commitment by individuals to contribute \$1,250 per year	Proceeds to ARPF for use at the discretion of ARPF			

* Source: ARPF Website, May 30, 2013

The ARPF website states that the ARPF is “a joint caretaker of the Parkway along with the County of Sacramento.” Clearly ARPF participates in the management of the Parkway by performing management activities for the County.

THE PERMIT

As of this writing, a permit for the Truckin' on the River 2013 Food Truck Festival has not been issued and Regional Parks staff will be working out the details of the permit “in the next couple [of] months.”¹⁴ Regional Parks staff has, however, also advised that the

¹⁴ Email from A. Veselka, Recreation Supervisor, County Regional Parks to B. Davis, SARA and J. Leatherman, Regional Parks Director, May 7, 2013, Subject: “Public Records Act Request Related to Truckin' on the River – Discovery Park”

2013 event has been previously approved by the Regional Parks Department but a formal approval letter has not been provided.¹⁵

The Regional Parks Director has informed SARA by email (See Attachment D) that the Regional Parks Director “will be issuing a permit for Truckin' on the River to take place in Discovery Park and will allow the sale of food from privately owned trucks. According to the email, the Regional Parks Director believes that page 107 of the American River Parkway Plan which includes the statement that “Vendor sales associated with special events may be approved by permission of the parkway manager as part of a special event permit” empowers the Regional Parks Director, acting as Parkway Manager to permit the vendor sales of food at the Truckin' on the River 2013 Food Truck Festival.¹⁶

FINDINGS

A. Truckin' on the River 2013 in Discovery Park

1. The Parkway Plan recognizes that Discovery Park is capable of accommodating large special events due to its unique amenities, location and access routes.¹⁷ While SARA has encouraged consideration of Discovery Park as the location for Truckin' on the River 2013,¹⁸ the Parkway Plan establishes requirements for special events and group activities and these requirements are not waived simply because the event or group activity is to be held in Discovery Park.
2. The County has allowed special fund raising events (e.g. “Brewfest” sponsored by Point West Rotary) and celebrations (e.g. Cinco de Mayo Festival) to occur in Discovery Park. Presumably, County Regional Parks, in allowing these events to occur in Discovery Park, has determined that they are compliant with the Parkway Plan. Hence, it may be possible for County Regional Parks to approve the “Truckin' on the River event in Discovery Park on the same basis as was the case for these other events.
3. The capability of Discovery Park to accommodate 15,000 to 20,000 participants, the capacity identified by the Fire Marshal, needs to be evaluated with respect to parking limitations, impacts on other users and Parkway resources and comply with other requirements of the Parkway Plan.

B. Commercial Activities in the Parkway

1. Commercial activities are defined in Parkway Plan Chapter 6, “Non-Recreational Use of the Parkway”, as commercial services and commercial

¹⁵ Email from A. Veselka, Recreation Supervisor, Regional Parks to B. Davis, SARA and J. Leatherman, Director Regional Parks, May 6, 2013, Subject: “Public Records Act Request Related to Truckin' on the River – Discovery Park”

¹⁶ Email from J. Leatherman, Regional Parks Director, to B. Weiland, SARA, March 15, 2013, Subject: “Truckin' on the River”.

¹⁷ American River Parkway Plan, Chapter 5, page 103, “Large Special Events”

¹⁸ Letter from C. Macdonald, SARA President, to J. Leatherman, Regional Parks Director, November 8, 2012, Subject: “Special Event Permit for ‘Truckin' on the River’ [2012]”

sales (See Attachment E hereto for Chapter 6 of the Parkway Plan). Commercial sales include “food and beverages, recreation equipment, ‘convenience items’ and other recreational or educational/interpretative merchandise.”¹⁹

2. Commercial activities “shall be permitted only if compatible with the goals of the Parkway, as determined by this [Parkway] Plan” subject to all of the following:²⁰
 - a) “Commercial activities shall not be permitted solely for the purpose of raising revenue to fund the management of the Parkway.”
 - b) “All proposed commercial activities, whether on land or water, shall be subject review by the Sacramento County Department of Regional Parks and Recreation and Parks Commission with final approval by the Board of Supervisors.”
 - c) “The following criteria shall be considered during the review of commercial proposals:”
 - i) “Services or sales shall be necessary to the enhancement of permitted recreational activities.”
 - ii) “Services or sales shall not attract customers who would not otherwise be Parkway users.”
 - iii) “Services or sales shall be dependent upon the Parkway environment and be consistent with its stated purpose.”
3. “Commercial activities determined to be compatible with the goals of the Parkway shall only be considered for location in Developed Recreation [land use] areas and only as an auxiliary component to permitted recreational or interpretive/educational facilities.”
4. “Commercial activities in association with special events, including the sale of food and beverage from mobile day-use units, will only be considered in fixed locations in association with a special event permit. Staff shall review each special event permit request on an individual basis to assess potential adverse impacts on the Parkway such as litter and other nuisances.”
5. “Proposed commercial activities shall be designated on appropriate area plans.”
6. The clear intent of the Parkway Plan is to restrain commercialization of the Parkway. This is evidenced by (a) the requirements of Chapter 6, “Non-Recreational Use of the Parkway”, (b) the readily evident emphasis throughout the Plan on compatibility all uses and facilities with the goals and policies of the Plan, (c) the existence of a Memorandum of

¹⁹ American River Parkway Plan 2008, Chapter 6, “Non-Recreational Use of the Parkway”, page 106, third paragraph under “Commercial Activities”

²⁰ American River Parkway Plan 2008, Chapter 6, “Non-Recreational Use of the Parkway”, page 105, Policies No. 6.1, 6.1.1, 6.1.2, 6.1.3, 6.1.4, 6.1.5, & 6.1.6

Understanding between the County and American River Natural History Association (ARNHA) which contains restrictions of the sale of items by ARNHA in the Parkway²¹, and (d) the text of Parkway Plan Chapter 6 that requires sale of food and beverages from mobile day-use units to fixed locations as part of a special event permit and specifies that “they shall not be permitted on a seasonal basis or as a regular facility or feature in the Parkway.”²²

7. The Parkway Plan provides for two approvals of commercial activities in the Parkway—approval by the County Board of Supervisors and approval of vendor sales by the Parkway Manager as part of a special event permit. Both of these requirements apply to Truckin' on the River 2013.

C. Special Events & Parkway Plan Land Use Designations

1. With one exception identified in Item 2 immediately following, Special Events may only occur within the Developed Recreation land use designation.²³
2. Special events associated with an interpretative program may occasionally be held in Protected Areas.²⁴
3. In addition to guidance provided in Chapter 7, “Land Use”, the Parkway Plan also provides that locations for special events are to be selected on the basis of the site’s ability to support the scope and scale of the event, and the ability to manage the event in a way that minimizes impacts to the Parkway’s natural setting, other Parkway visitors, and adjacent communities.²⁵

D. Findings of Fact Required by Parkway Plan

1. Before any activity, facility, use or development can be permitted to occur in the Parkway, the Regional Parks Director is required by the Parkway Plan to determine in each case that the activity, facility, use or development will occur in a manner that:
 - a) Minimizes the impacts on other Parkway users, natural resources and aesthetics in the Parkway,²⁶

²¹ Memorandum of Understanding dated April 18, 1985 between Sacramento County and American River Natural History Association.

²² American River Parkway Plan 2008, Chapter 6, “Non-Recreational Use of the Parkway”, page 107, top of page

²³ American River Parkway Plan 2008, Chapter 7, “Land Use”, page 119, “Developed Recreation”, top of page

²⁴ American River Parkway Plan 2008, Chapter 7, “Land Use”, page 117, “Protected Area”, “Activities”

²⁵ American River Parkway Plan 2008, Chapter 5, “Recreational Use of the Parkway”, page 102, “Special Events”

²⁶ American River Parkway Plan 2008, Chapter 5, “Recreational Use of the Parkway”, page 101, “Group Activities”, first paragraph

- b) Is otherwise in accordance with California Public Resources Code, Section 5480, et seq. (i.e. the American River Parkway Plan)²⁷ and applicable County ordinances, and
 - c) Is compatible with the goals and policies of the Parkway Plan.²⁸
2. The foregoing Findings of Fact must be supported by substantial evidence in the record that demonstrates the Findings are indeed factual and not unsubstantiated opinion that cannot be independently validated.

CONCLUSIONS & INDICATED CORRECTIVE ACTIONS

The Conclusions and Indicated Corrective Actions contained in this report are heavily dependent upon the characteristics of Discovery Park and the features (e.g. access, large parking capacity, spatial distance to adjacent neighborhoods) associated with the Park and as such are applicable only to the proposal at hand. It would, therefore, be inappropriate to extrapolate these Conclusions or Indicated Corrective Actions to any other proposal or any other area of the Parkway.

A. Truckin' on the River 2013 is a Food Truck Festival that includes commercial activities that trigger the requirements of Chapter 6, "Non-Recreational Use of the Parkway."

The application identifies the special event as a Food Truck Festival that includes vendor sales of food to participants. Other vendor sales to participants may be identified after the site plan is received.

A special event does not require the existence of a nexus between an allowable recreational or interpretative/educational facility in order to be permitted to occur in the Parkway. However, if the special event includes commercial activities, the provisions of all of Chapter 6, "Non-Recreational Use of the Parkway", as well as all other requirements of the Parkway Plan, apply to the special event.

Conclusion: Truckin' on the River 2013 must be found to be consistent with Parkway Plan Chapter 6 before a permit can be issued.

B. Compliance with the Parkway Plan Chapter 6

In order to be consistent with Parkway Plan Chapter 6, the permit for Truckin' on the River can be issued only if all of the following are found to exist:

1. Food truck and other vendor sales are compatible with the goals and policies of the Parkway Plan. (Parkway Plan Policies 6.1 & 11.2)

The goals of the Parkway Plan are to provide, protect and enhance for public use a continuous open space greenbelt along the American River by preserving the natural resources of the Parkway and River which providing appropriate access to passive, unstructured water-enhanced recreational activities appropriate to the natural environment of the Parkway. Use of the

²⁷ California Public Resources Code, Section 5480 et seq

²⁸ American River Parkway Plan 2008, Chapter 11, "Implementation", page 213, Policy 11.2

Parkway is to be limited through design and management tools to prevent overuse of the Parkway and to preserve the environmental quality of the Parkway. The Parkway Plan requires balanced management and sets forth policies to guide management of the Parkway.²⁹

To be compatible means to be capable of existing in harmony. Therefore, to be compatible with the Goals and Policies of the Parkway Plan and allowable in the Parkway, proposed uses and facilities must (a) not interfere with the attainment of the Goals of the Plan, (b) not conflict with the Concept Policies, and (c) be found to be in accordance with the detailed Parkway Plan policies that address specific subjects.

Special events must not impede or otherwise conflict with achievement of the goals and policies of Parkway Plan. This Finding and the remaining Findings of Fact (See Item D above under "Findings") must be made before any permit is issued by Regional Parks and the event cannot occur in the absence of said Findings supported by substantial evidence.

Conclusion: It is difficult to see how all of the required Findings of Fact can reasonably be made in the absence of a complete inventory of Parkway resources and the lack of the Resource Impact Monitoring Program that is mandated by the Parkway Plan.³⁰

However, if it can be reasonably be demonstrated that Truckin' on the River 2013 will have minimal impact on Parkway resources and aesthetics, minimal impact on Parkway neighbors and traffic, and is demonstrated to be compliant with all other Parkway Plan goals and policies, there is no reason to be expect that this requirement should necessarily preclude issuance of a permit.

2. Truckin' on the River 2013 must not be solely for the purpose of raising revenue to fund the management of the Parkway. (Parkway Plan Policy 6.1.1)

Truckin' on the River 2013 is a fund raiser for the ARPF. The sole purpose for the existence of the ARPF is to assist the County in the management of the Parkway by performing certain specified management activities.

Conclusion: Truckin' on the River 2013 as described in the application cannot be permitted is a commercial activity (i.e. Food Truck Festival) intended solely to raise revenue to enable ARPF to participate in the management of the Parkway.

Compliance with this Policy 6.1.1, however, can be achieved by eliminating all commercial activities (e.g. all vendor sales to participants) and by having the food and beverages catered, in which case, the admission charge would include the cost of food and beverage. In the alternative, more than a token amount (greater than 25%) of the revenue could be shared with other worthy

²⁹ American River Parkway Plan 2008, Chapter 1, "Introduction", pages 10 and 11, "Parkway Goals and Concept" and Chapter 2, "Goals and Policies", pages 15 -47

³⁰ American River Parkway Plan 2008, Chapter 3, "Resources of the Parkway", page 52, Policy 3.4

causes such as building housing for homeless people. The permit would need to include effective conditions to ensure that this happens.

- 3. Commercial activities associated with Truckin' on the River must be reviewed by the Sacramento County Recreation and Park Commission and decisions by Regional Parks are subject to appeal to the County Board of Supervisors. (Parkway Plan Policy 6.1.2)**

Chapter 6 of the Parkway Plan is very clear with respect to review by the Recreation and Park Commission.

Conclusions: The permit for Truckin' on the River must be reviewed in public by the County Recreation and Park Commission before it can become effective.

Also, the text of Parkway Plan Chapter 6³¹ specifies that commercial activities in the Parkway must be approved by the County Board of Supervisors but also authorizes vendor sales via the issuance of special event permits by the Regional Parks Director. Compliance with both Policy 6.1.2 and the text of Chapter 6 is only possible by providing for an appeal of the decision of the Regional Parks Director to the County Board of Supervisors.

Consequently, if the lack of an "appeals process" is in fact an impediment to filing an appeal with the Board of Supervisors, a permit for Truckin' on the River 2013 cannot be issued until the "appeals process has been approved by the Board of Supervisors.

- 4. Commercial activities associated with Truckin' on the River must comply with all of the criteria set forth in Parkway Plan Policy 6.1.3.**

Parkway Plan Policy 6.1.3 requires careful review of commercial proposals and specifies the criteria that are to be met by each such proposal. To be consistent with the Parkway Plan, any failure to comply with each and every one of the specified criteria must result in denial of a permit for Truckin' on the River 2013.

Conclusions: Compliance with all three of the criteria specified in Policy 6.1.3 (as well as all other requirements contained in Parkway Plan Chapter 6) can be achieved by eliminating all commercial activities (e.g. all vendor sales to the public) and by having the food and beverages catered, in which case, the admission charge would include the cost of food and beverage.

Status of Compliance with each of the three criteria is as follows:

- a) "Services or sales must be necessary to the enhancement of permitted recreational activities."

³¹ American River Parkway Plan 2008, Chapter 6, "Non-Recreational Use of the Parkway", page 107, top of page

Food truck sales will provide food and beverages for consumption within the picnic areas reserved for Truckin' on the River 2013. Picnic facilities are permitted recreational facilities.³²

- b) "Services or sales shall not attract customers who would not otherwise be Parkway users."

According to the Application, the event area will be fenced and access controlled by security personnel. ARPF will charge a fee for admission to the event. Also, security personnel will be present throughout area and time of the event to discourage criminal behavior. This will tend to discourage persons who would not otherwise be Parkway users. The permit should take care to include these and other reasonable measures.

- c) "Services or Sales shall be dependent upon the Parkway environment and be consistent with its stated purpose."

The Parkway Plan recognizes that Discovery Park is uniquely capable of accommodating large special events due to its unique amenities, location and access routes.³³ This is certainly not the case with other areas of the Parkway which are bordered in close proximity by neighborhoods and which contain more sensitive Parkway resources.

The conclusions described in the foregoing are heavily dependent upon the characteristics of Discovery Park and the features (e.g. access, large parking capacity, spatial distance to adjacent neighborhoods). It would, therefore, be inappropriate to extrapolate these Actions to any other event or group activity or any other area of the Parkway.

5. Commercial activities associated with Truckin' on the River 2013 are restricted to Developed Recreation Areas and must be an auxiliary component to permitted recreational or interpretive/educational facilities. (Parkway Plan Policy 6.1.4)

The Developed Recreation land use designation is the most intensive land use category and is applied to areas able to withstand heavy use.³⁴

Conclusion: The picnic facilities reserved for Truckin' on the River 2013 are a permitted recreational facility under the Parkway Plan and are located in the Developed Recreation area of Discovery Park.

³² American River Parkway Plan, Chapter 7, "Land Use", page 121, Table 7-2 "Recreational Facilities"

³³ American River Parkway Plan, Chapter 5, page 103, "Large Special Events"

³⁴ American River Parkway Plan 2008, Chapter 7, "Land Use", page 118, "Developed Recreation"

6. Sale of food and beverages from trucks as part of a special event permit must only be allowed to occur at fixed locations. (Parkway Plan Policy 6.1.5)

This policy precludes the “roving” vendor trucks. Vendor trucks must remain parked throughout the duration of the special event. Also, the text on page 107 of Chapter 6 specifies that sales of food and beverages from trucks and other mobile day use units “shall not be permitted on a seasonal basis or as a regular facility in the Parkway.”

The clear intent of the Parkway Plan is that sale of food and beverages from trucks is to be the exception and not the rule.

Conclusion: The permit will need to require that the food trucks and other vendor facilities to be at fixed locations within the Developed Recreation area.

Assuming that other events and activities are not permitted in the Parkway, the subject proposal has been and is understood to continue to be an annual occurrence.

7. Commercial activities associated with Truckin' on the River 2013 must be designated on appropriate area plans. (Parkway Plan Policy 6.1.6)

Area Plans are contained in Chapter 10 of the Parkway Plan and are intended to serve as a guide to implement a vision for specific areas of the Parkway. State law provides that Area Plans may be amended with the approval of the County Board of Supervisors provided that said amendments remain consistent with the land use designations in the Parkway Plan, Parkway goals and policies and the text describing the intent of the Parkway goals and policies.³⁵

Area Plan amendments are required to be reviewed by the County Recreation and Park Commission to determine the appropriateness of the change. Area Plan amendments are subject to the public review and approval process described in Chapter 11, “Implementation” which provides for approval by the Board of Supervisors.

Discovery Park is within the Discovery Park Area Plan and subject to the Area Plan policies identified in Chapter 10, “Area Plans”. Discovery Park is located at the western end of the Discovery Park Area Plan.

Conclusion: The Area Plan for the Discovery Park Area does not identify any commercial activities. An Area Plan amendment for Discovery Park that is compliant with the Parkway Plan goals and policies and subjected to the public review and approval process called for in the Parkway Plan is needed before the permit can be issued.

Also, the area designated for commercial activity in the Area Plan Amendment must include paved areas for parking vendor trucks; paved parking for

³⁵ American River Parkway Plan 2008, Chapter 10, “Area Plans”

participants in the events and activities associated with the commercial activities, and not lead to significant impacts on Parkway resources or neighbors.

C. Compliance with Other Parkway Plan Requirements

The Findings of Fact required by the Parkway Plan, supported by substantial evidence in the record, are the culmination of the review of the proposal against all requirements of the Parkway Plan.

Conclusions: The Findings of Fact and supporting evidence have not been provided and must exist before a permit can be issued for Truckin' on the River 2013. The Findings of Fact and supporting evidence must be available for review by the public and County Recreation and Park Commission. It is hard to see how supportable conclusions regarding impacts on Parkway resources can be made as part of the evaluation of any permit application without the mandated Resource Impact Monitoring Program.

D. Response to Regional Parks Staff Conclusions Regarding Parkway Plan

1. **The conclusion that the Regional Parks Director is authorized to approve vendor sales without regard to the requirements of Chapter 6 of the Parkway Plan is not supported by the Parkway Plan and is, therefore, unfounded.**

Regional Parks staff has concluded that the sentence at the top of page 107 of the Parkway Plan (i.e. "Vendor sales associated with special events may be approved by permission of the Parkway Manager as part of a special event permit.") excuses the Regional Parks Director from compliance with the requirements of Chapter 6, "Non-recreational Use of the Parkway".³⁶ (See Attachment D) This conclusion is not supported by any language or provision of the Parkway Plan.

If such conclusion were the intent of the Plan, specific language to exclude the rest of the provisions of Chapter 6 would have been included at the beginning of the sentence. Further, sentences immediately following the sentence referenced by Regional Parks staff clearly restrain the decision making authority of the Regional Parks Director. It is therefore unreasonable to conclude that the other requirements of Chapter 6 do not also apply to the issuance of permits by the Regional Parks Director for special events that include commercial activities.

If the above described conclusion by Regional Parks staff is left unchallenged, the Regional Parks Director would be free to allow any commercial activity that is not included in the list of prohibited activities and facilities in Parkway Plan Chapter 5 of the Plan or that is otherwise precluded by other law or regulation.

³⁶ Email from J. Leatherman, Regional Parks Director to B. Weiland, SARA, March 15, 2013, Subject: Truckin' on the River"

Further, the above conclusion by the Regional Parks staff enables the Director to pick and choose what goals and policies, if any, of the Parkway Plan are to be applied in any given circumstance. Said another way, if the single sentence can be used to ignore the provisions of Chapter 6, there is no impediment to the Regional Parks Director's decision to ignore all or parts of the rest of the Parkway Plan as well.

Clearly, the conclusion by Regional Parks staff is contradicted not only by the foregoing but also by the extensive detailed goals and policies contained throughout the Plan. All of the provisions of Chapter 6, "Non-recreational Use of the Parkway", not just the single sentence on page 107 referenced by Regional Parks staff, apply to the Truckin' on the River 2013 Food Truck Festival.

2. Parkway Plan makes no provision for continuation of past errors in permitting decisions as a justification for issuance of subsequent permits.

Regional Parks staff has in the past argued that, since an event called "Breakfast on the River"³⁷ was allowed to occur in the Parkway in the past, the Truckin' on the River event can be allowed to occur.³⁸

The Parkway Plan makes no provision for issuing a permit based upon on the prior occurrence of any activity or event excepting Eppie's Great Race. Eppie's Great Race is specifically allowed by the Parkway Plan as an example of a permitted special competitive event.³⁹

The Parkway Plan requires that: "Group activities and events that are specifically approved by the Parkway Manager shall occur in a manner that minimizes impacts on other Parkway users, natural resources and aesthetics in the Parkway."⁴⁰ The Parkway Plan does not provide an exception to this requirement based upon the prior occurrence of any other event.

Chapter 6 of the Parkway Plan makes no provision for exemption from the requirements of the Chapter based upon the prior occurrence of any other event. This is clear from the provision on page 107 that "Staff shall review each special event permit request on an individual basis to assess potential adverse impacts on the Parkway such as litter, nuisances, impacts on vegetation, wildlife or other permitted Parkway users."⁴¹

There is no recognition of the prior occurrence of any other event included in Chapter 11 in the criteria provided to facilitate determinations regarding

³⁷ American River Parkway Plan 2008, Chapter 5, "Recreational Use of the Parkway", Page 103, "Small Special Events", third line

³⁸ Email from J. Leatherman, Director Regional Parks, to C. Macdonald, SARA, paragraph number 6.

³⁹ American River Parkway Plan 2008, Chapter 5, "Recreational Use of the Parkway", page 102, last sentence of the first paragraph

⁴⁰ American River Parkway Plan 2008, Chapter 5, page 101, first paragraph under "Group Activities"

⁴¹ American River Parkway Plan 2008, Chapter 6, Page 107, last sentence of first paragraph at top of page

establishment of commercial activities in the Parkway provides for “proposed” commercial activities.⁴²

The Parkway Plan does not contain an exemption from the requirement of Policy 11.2 that: “All uses and facilities in the Parkway shall be compatible with the goals and policies of this Plan.”⁴³

Regional Parks staff has identified “concert vendor sales” as a previous commercial activity that would not be allowed.⁴⁴ This has not been examined but may well be a case of noncompliant activity being allowed in the past.

- 3. Regional Parks staff have in the past contended that, excepting “competitive events on the trail, size, location, and the need to minimize impacts to the Parkway’s natural setting”, that the Parkway Plan does not “put any [other] restrictions around what a special event is or can be.”⁴⁵**

The Parkway Plan is clear that the following apply to special events:

- a) “Group activities and events that are specifically approved by the Parkway Manager [Leatherman] shall occur in a manner that minimizes impacts on other Parkway users, natural resources and aesthetics in the Parkway.”⁴⁶
- b) “All uses and facilities in the Parkway shall be compatible with the goals and policies of this Plan.”⁴⁷
- c) All impacts, including frequency, cumulative effect of all activities and not just those associated with the number of participants, on other users must be minimized.⁴⁸
- d) “Adverse impacts on adjacent land, such as dust, traffic congestion or noise, caused by Parkway uses shall be eliminated or mitigated.”⁴⁹
- e) Sale of food and beverage from “mobile day-use units”, (e.g. food trucks) shall not be permitted on a seasonal basis or as a regular facility or feature in the Parkway.⁵⁰

⁴² American River Parkway Plan, 2008, Chapter 11, Section 6.0, “Implementation Measures”, page 233, Item 4. “Commercial Activities”

⁴³ American River Parkway Plan 2008, Chapter 11, page 213, Policy 11.2

⁴⁴ Email from J. Leatherman, Director Regional Parks to B. Weiland, SARA, March 15, 2013, Subject: “Truckin’ on the River”

⁴⁵ Email from J. Leatherman, Director Regional Parks to C. Macdonald, SARA, January 25, 2013, Subject: “Special Event Permit for ‘Truckin’ on the River”

⁴⁶ American River Parkway Plan 2008, Chapter 5, page 101, Group Activities, first paragraph

⁴⁷ American River Parkway Plan 2008, Chapter 11, page 213, Policy 11.2.

⁴⁸ American River Parkway Plan 2008, Chapter 1, “Introduction”, page 10 - 11, “Goals” and Concept Policies”

⁴⁹ American River Parkway Plan 2008, Chapter 7, “Land Use”, page 110, Policy 7.18

- f) Criteria set forth in Chapter 11, "Implementation" that are intended to be used to facilitate determinations regarding establishment of commercial activities in the Parkway.⁵¹
- g) Results from implementation of a Resource Impact Monitoring Program are to be used to guide monitoring of impacts on Parkway resources and to develop additional constraints necessary to the protection of Parkway resources from overuse.⁵²
- h) Uses of the Parkway are required to be oriented to "passive, unstructured water-enhanced recreation activities which are appropriate in a natural environment, and which are not normally provided by other County recreational facilities, to be limited to prevent overuse, and the Parkway is required to be managed to balance specified goals."⁵³
- i) Measures need to protect Special Status Species are required by the Parkway Plan.⁵⁴
- j) Additionally, Mitigation Measures identified in the EIR for the Parkway Plan need to be examined for constraints that were identified during the environmental review of the Parkway Plan.

E. Regional Parks Permitting Process Defects Need Remedy

The following have been identified via previous analysis as flaws in the Regional Parks permitting process that need to be corrected. Timely correction of these deficiencies will go a long way towards alleviating public concern regarding the Regional Parks permitting process and the events and activities approved to occur in the Parkway, likely reduce the need for appeals of permits to the Board of Supervisors, and improve the credibility of the County's decision making regarding the Parkway.

1. Lack of Adequate Documentation Supporting Permitting Decisions.

County Regional Parks does not prepare nor maintain documentation of the basis of the conclusions required to be made during the analysis of applications and which underlie decisions to issue permits. Consequently, there is no record of decisions by professionals as to Findings of Fact required by the Parkway Plan that can be independently reviewed by the public before the permit is issued.⁵⁵ The reference for this conclusion is provided in Attachment F.

⁵⁰ American River Parkway Plan 2008, Chapter 6, page 107, first paragraph at top of page, third sentence

⁵¹ American River Parkway Plan 2008, Chapter 11, "Implementation", Page 233, "Specific Implementation Measures, Item No. 4, "Commercial Activities".

⁵² American River Parkway Plan 2008, Chapter 3, page 52, Policy 3.4

⁵³ American River Parkway Plan 2008, Chapter 1, page 11, "Concept Policies, Policies 1.1 and 1.2

⁵⁴ American River Parkway Plan 2008, Chapter 3, Pages 53 & 54

⁵⁵ Email from J. Leatherman to B. Davis, October 22, 2012 5:06 p.m., Subject: "My Understanding of Your Interpretations of the Parkway Plan with Respect to Permit for Truckin' on the River Event"

Conclusions reported without supporting documentation or evidence of decisions by competent professionals can only be given the same weight as unsubstantiated opinion.

2. Lack of Transparent Permitting Process.

There is no way for a member of the public to be aware of proposed activities and events that are being considered for the Parkway so as to be able to provide input into the Regional Parks permitting process. Further, any appeals process will need to provide the opportunity for the public to be aware of a pending permit, including proposed terms and conditions, so that the opportunity to appeal the decision to the County Board of Supervisors is not lost.

Providing opportunity for public participation in all decisions affecting the Parkway is a requirement of the Parkway Plan, can minimize the need for appeals, and can demonstrate a commitment to protect the Parkway.⁵⁶

As the governing body for Sacramento County, the designated Parkway Manager, the Board of Supervisors is the final authority for decisions regarding the Parkway. The Parkway Plan provides that decisions by the Board are final and may be overturned only by an appropriate court of law.⁵⁷ Unless the opportunity exists for the public to have contemporaneous knowledge of the issuance of a permit, the public is precluded access to this remedy.

3. Lack of Resource Impact Monitoring Program required by Parkway Plan.

The Parkway Plan mandates that the Parkway is to be managed to ensure the protection of the Parkway's resources, its environmental quality and natural values. The Plan requires the development of a resource impact monitoring plan that clearly defines criteria and standards to monitor, evaluate and protect the Parkway's resources from overuse, and provides steps to be taken to restore areas that have been overused.⁵⁸

It is hard to see how supportable conclusions regarding impacts on Parkway resources can be made as part of the evaluation of any permit application without the mandated Resource Impact Monitoring Program and in the absence of objective determinations of carrying capacity as provided in the Parkway Plan.

⁵⁶ American River Parkway Plan 2008, Chapter 11, "Implementation", and "American River Parkway Public Notification Procedures", March 11, 2009.

⁵⁷ American River Parkway Plan 2008, Chapter 11, "Implementation", Page 227, "County of Sacramento Board of Supervisors"

⁵⁸ American River Parkway Plan 2008, Chapter 3, "Resources of the Parkway", Page 53, Policy 3.4

CHRONOLOGY

Date	Event and/or Actions
08/05/2012	Application for Truckin' on the River 2012 filed by American River Parkway Foundation (ARPF) for a Food Truck festival to be held in William B. Pond Recreation Area.
09/25/2012	Permit for Truckin' on the River 2012 issued by County Regional Parks Dept.
09/27/2012	Meeting with Regional Parks Director and SARA regarding Truckin' on the River 2012 at Ancil Hoffman Main Event Restaurant
09/28/2012	Email from B. Davis, SARA to Regional Parks Director describing understandings reached as a result of meeting on 09/27/2012 with B. Weiland, C. Macdonald, W. Truitt & B. Davis
10/02/2012	Email from Regional Parks providing application to SARA and advising that site plan for Truckin' on the River 2012 had not yet been received.
10/04/2012	Email from Regional Parks providing site plan sketch and email from ARPF referencing the food truck group computer program for a site plan in progress.
10/10/2012	APRF Flyer soliciting volunteers received by SARA
10/13/2012	Truckin' on the River 2012 Food Truck Festival held in William B. Pond Park
10/22/2012	Email from Regional Park Director responding to understandings set forth in email from Davis to Leatherman dated 9/28/2012
11/08/2012	SARA letter to Regional Parks objecting to Regional Parks Department issuance of the permit for Truckin' on the River 2012.
01/25/2013	Email from Regional Parks Director to SARA President setting forth the Director's interpretation of the American River Parkway Plan with respect to Truckin' on the River 2013.
02/19/2013	Meeting of Regional Parks Director and B. Weiland & B. Davis from SARA at SARA office to discuss Regional Parks Director's interpretations of the Parkway relative to Truckin' on the River 2013 Food Truck Festival
02/20/2013	Email from B. Davis, SARA to Regional Parks Director describing understandings resulting from meeting on 2/19/2013
	Email from Regional Parks Director to B. Davis advising that the question being considered by the Department is compliance with the American River Parkway Plan
	Email from Regional Parks Director to B. Weiland & B. Davis responding to Email from B. Davis dated 2/20/2013 that attempts to set forth the understandings resulting from the discussion at the 2/19/2013 meeting.
03/12/2013	SARA Executive Committee approves response to email from Regional Parks Director to SARA president dated 1/25/2013.
03/15/2013	Email from B. Weiland, SARA to Regional Parks Director providing SARA's conclusions regarding need to modify design of the Truckin' on the River 2013 Food Truck Festival so as to be compliant with American River Parkway Plan

**Attachment A (Continued)
Chronology**

Date	Event and/or Actions
03/15/2013	Email from Regional Parks Director to B. Weiland reiterating Regional Parks interpretation of the Parkway Plan and advising SARA that a permit will be issued for Truckin' on the River 2013 to take place in Discovery Park
05/05/2013	Public Records Act Request⁵⁹ for application, permit and supporting documentation for Truckin' on the River 2013 is submitted.
05/06/2013	Email from Regional Parks Staff advising that application would be provided and that Truckin' on the River 2013 had been approved previously.
05/07/2013	Application⁶⁰ provided by Regional Parks Staff via email advising that details of the permit would be worked out over the next couple of months and advising that ARPF had reserved 3 of the 4 picnic sites available at Discovery Park.
05/22/2013	Picnic site information received from Regional Parks staff via email.
06/11/2013	Proposal and Draft Report reviewed by SARA Executive Committee
06/18/2013	SARA Board of Directors approves Report "Review of Proposed Food Truck Festival Truckin' on the River 2013"

⁵⁹ Email from B. Davis to J. Leatherman & A. Veselka, May 5, 2013, 2:50 p.m., Subject: "Public Records Act Request Related to Truckin' on the River – Discovery Park"

⁶⁰ Email from A. Veselka, Recreation Supervisor, to B. Davis, SARA and J. Leatherman, Regional Parks Director, May 7, 2013, Subject: Public Records Act Request Related to Truckin' on the River – Discovery Park"