



Questions & Answers on SB 231

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Thank you!

1. How will the tribal nonprofit manage public access to Blues Beach?

Answer: The beach will remain open for public access between sunrise and sunset. The California Coastal Act requires public access be maintained - after the transfer process of state land is completed - to a local government or non-profit.

2. Will the law ensure free public access with no entry fees?

Answer: The bill requires public access remains in place. Senator McGuire will clarify that specific entry fees associated with beach access would be prohibited in perpetuity.

3. After the Tribal nonprofit owns the property what is to stop them from developing a hotel casino complex on the property?

Answer: The bill strictly limits the land use of the property. The current version of the bill states that the 172-acre parcel can only be used for environmental and cultural reasons.

Senator McGuire will be making further amendments to the legislation that explicitly state all commercial activity, including, retail and casino/gaming activity will be prohibited on the land.

The legal intent will be enforced through deed restrictions that's implemented via the transfer authorized by SB 231.

4. What were the terms and conditions that Caltrans agreed to when it acquired the property?

Answer: Scenic Easement funding was used to acquire the property, which means the property must be used for the purpose of protecting its natural qualities.

This law, SB 231, mirrors that intent by limiting the use of the property to be used for natural habitat and cultural purposes only and would require the property to revert back to Caltrans if the property is not maintained.

5. Has the qualified non-profit been formed? If not how / when will it be formed?

Answer: The nonprofit is still in development, the bill states that the nonprofit must be centered specifically on environmental protection and cultural resources.

In addition, Senator McGuire will be making an amendment to the bill stating that the non-profit must be organized by one or more of the following local tribes: Sherwood Valley, Round Valley and Coyote Valley.

6. The draft of SB 231 implies, but does not state, that the California Transportation Commission will participate in verifying that the qualified nonprofit is organized to meet the "terms, standards, and conditions approved by the commission". How will Dot (Caltrans)/CTC participate in the formation of the non-profit, prior to transfer of the property?

Answer: Caltrans will verify all conditions are met prior to proposing a transfer agreement and will oversee the nonprofit's compliance.

The three local tribal governments - Sherwood Valley, Round Valley and Coyote Valley - are responsible for the formation of the nonprofit that meets the requisite standards of this law. Once a proposed agreement is made, the document needs to go to the California Transportation Commission for approval, which is done at a public Transportation Commission Meeting.

7. What is the criteria and who/how is it monitored by to ensure that maintenance and use meets “terms, standards, and conditions approved”?

Answer: There is no direct day-to-day management or monitoring over the property now.

The bill defines explicit criteria including a restriction limiting the use of the property to environmental/natural habitat and cultural resources.

In addition, beach public access is maintained.

The bill requires the nonprofit to assume the long-term responsibility of the property, and if conditions of the bill are not met, then the property could revert back to Caltrans. Caltrans will continue to monitor.

8. What, if any, role does the public have in influencing the “terms, standards, and conditions approved” prior to transfer and after transfer monitoring that they are being met?

Answer: Public input is being taken now as SB 231 moves through the legislative process. Senator McGuire, along with staff from Senator McGuire’s Office, meet regularly with local residents about the proposed legislation.

Only after the conditions outlined in the bill are met, can the proposed transfer agreement be made, and then the proposed agreement would need to be shared with the Legislature and subsequently brought before the California Transportation Commission for approval at their public meetings. This would initiate another round of public participation.