

A PETITION FOR DESIGNATION OF CLOTHING-OPTIONAL AREAS

WHEREAS, the California Department of Parks and Recreation (DPR) is authorized by California Code of Regulations, Title 14, Section 4322, to designate portions of State Parks for clothing-optional use; and

WHEREAS, more specifically, Title 14 (Natural Resources), Division 3 (Department of Parks and Recreation), Section 4322 of the California Code of Regulations reads, in pertinent part: "No person shall appear nude while in any unit except in authorized areas set aside for that purpose by the Department;" and

WHEREAS, as declared in its California Outdoor Recreation Plan 2008, the published mission of the California Department of Parks and Recreation includes "creating opportunities for high-quality outdoor recreation;" and

WHEREAS, DPR has declared, in its publication entitled The Health and Social Benefits of Recreation, that "[d]uring recreation and leisure time, people are less concerned with differences and more concerned with having fun;" and

WHEREAS, a DPR policy known as the Cahill Policy successfully guided the Department's management of and for clothing-optional recreation for more than 30 years, from 1979 to 2009; and

WHEREAS, a public letter from DPR Deputy Director for Operations Jack V. Harrison in 1988 interpreted and affirmed the Cahill Policy as the continuing policy and ongoing intent of the Department in the matter of managing for the inclusion of clothing-optional recreation in State Parks; and

WHEREAS, in a national survey conducted in 2006 by the independent and prestigious Roper polling organization, 74 percent answered YES to the question: "Do you believe that people who enjoy nude sunbathing should be able to do so without interference from local officials as long as they do so at a beach that is accepted for that purpose?"; and

WHEREAS, in that same national opinion poll, 54 percent answered YES to the question: "Local and state governments now set aside public land for special types of recreation such as snowmobiling, surfing and hunting. Do you think special and secluded areas should be set aside for people who enjoy nude sunbathing?"; and

WHEREAS, in an opinion survey conducted in November, 2009, by Zogby International, specifically asking the opinions of adult California residents, 79 percent

of Californians AGREED with the statement: "Do you agree or disagree that people should be able to enjoy nude sunbathing on a beach or other location that is designated for that purpose?"; and

WHEREAS, in that same poll of California residents, 70 percent AGREED that "areas should be set aside for people who enjoy clothing-optional recreation such as nude sunbathing and swimming?"; and

WHEREAS, 62 percent of California residents in that same poll AGREED when asked: "Do you agree or disagree that the California Department of Parks and Recreation should exercise the legal authority it has to designate clothing-optional areas in state parks?," and

WHEREAS, there is a demonstrated acceptance and demand, both nationally and specifically in California, for high-quality outdoor clothing-optional recreational opportunities on public land; and

WHEREAS, the Department has intentionally abrogated the Cahill / Harrison Policy as a management tool in State Parks; and

WHEREAS, the Department has directed rangers and lifeguards to issue citations to the public under CCR 14, Sec. 4322, in places where clothing-optional recreation has been historically established under the Cahill-Harrison regulation; and

WHEREAS, recent efforts by DPR seem intended to leave California Parks without an articulated policy for managing for the inclusiveness and diversity of clothing-optional recreation as a high-quality outdoor recreational use;

THEREFORE, the Petitioners identified below do hereby formally request and petition the California Department of Parks and Recreation to set aside, designate and manage clothing-optional areas in the following units of the State Park system:

Bonny Doon - Santa Cruz County
Gray Whale Cove State Beach - San Mateo County
Auburn State Recreation Area - Placer County
Henry Cowell Redwoods State Park - Santa Cruz County
Gaviota State Park - Santa Barbara County
Torrey Pines State Park - San Diego County
San Onofre State Beach - San Diego County
Fort Ord Dunes State Park - Monterey County

as well as in other State Parks, State Beaches and State Recreation Areas as may be added from time to time by request of the public.

The date of this petition is June 8, 2010.

PETITIONERS

Naturist Action Committee, a nonprofit organization representing naturists across the United States and Canada, including naturists who are residents of California and those who are frequent users of California State Parks.

Friends of San Onofre State Beach, a California naturist group dedicated to the stewardship of the Trail 6 area of San Onofre State Beach and the preservation of traditional clothing-optional recreation at San Onofre State Beach.

BeachFront U.S.A., a California organization devoted to keeping beaches, rivers, springs, lakes and trails nude, that is, open to use by people who want to enjoy a textile-free life or moment in accordance with the long and widespread American tradition of skinny dipping.

Black's Beach Bares, a group dedicated to the clothing-optional use of Black's Beach at Torrey Pines State Park.

Friends of Gaviota, a non-profit organization dedicated to preserving the clothing-optional status of Gaviota State Park by educating visitors and working with state park officials.

San Diego Camping Bares, a California group participating in and supporting social nudity, especially the enjoyment of nudist and clothing-optional activities in outdoor settings where such practices are customary.

Bay Area Naturists, a collection of people in the San Francisco and Monterey Bay areas who advocate the acceptance of suitable areas for nude recreation. Naturist stewards of Bonny Doon Beach.

Clothes Free International, a membership organization that believes "[b]eing nude is fun and good for the soul. It promotes body acceptance, age acceptance, family unity, freedom, and increased self confidence."

Southern California Naturist Association, an organization actively promoting and encouraging clothing-optional recreation and personal growth opportunities for all ages, and striving to create and provide access to clothing-optional environments where the unclothed human body is celebrated, where human sensuality is accepted,

and where personal choice is respected.

Whales Cave Conservancy, naturist stewards of Pirates Cove, San Luis Obispo County.

Naturists in the OC, a family friendly naturist club based in Orange County, California.

Laguna del Sol, a destination resort in Sacramento County, CA, for "those who know that what's inside is more important than what's outside; that being comfortable with your body and those of others has nothing to do with age, size or shape."

Nude Beach Alliance, a coalition of coastal Californians who support responsible family-friendly clothing-optional recreation on California's beaches.

Living Waters Spa, European-style clothing-optional spa located in Southern California.

Naked Volleyball, family-oriented volleyball enthusiasts, who find the warm Southern California climate to be perfect for outdoor sports and recreation, and who frequent nudist resorts and clothing optional beaches.

Central Coast Naturists, a membership group from the Pismo Beach area that participates in California nude recreation.

EXHIBITS

1. California Code of Regulations [Title 14, Section 4322]. Allows DPR to designate portions of State Park units for clothing-optional use.

2. California Outdoor Recreation Plan 2008, published 2008, CA DPR.
http://www.parks.ca.gov/pages/795/files/2009-2014_corp.pdf
Includes California Department of Parks and Recreation mission statement.

3. The Health and Social Benefits of Recreation, published 2005, CA DPR.
http://www.parks.ca.gov/pages/795/files/health_benefits_081505.pdf

4. NEF-Roper Poll, 2006. U.S. public opinion poll: "Updating American Attitudes on Skinny-dipping and Nude Sunbathing."

5. NEF-Zogby California Poll, 2009. California-specific public opinion survey. Asks specifically about the designation of clothing-optional areas in California State Parks.

6. Cahill Policy, 1979. Establishing management policy for clothing-optional recreation in California State Parks.

7. Harrison letter, 1988. Affirming management policy for clothing-optional recreation in California State Parks.

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