

1 Elva P. Kopacz SBN 140274
2 LAW OFFICE OF ELVA P. KOPACZ
3 9043 Garfield Ave. Suite 306
4 Huntington Beach, CA 92646
5 Telephone: 714-593-8943
6 Facsimile: 714-962-0930
7 Attorney for Petitioner: Petitioners

8 SUPERIOR COURT FOR THE STATE OF CALIFORNIA
9 COUNTY OF ORANGE

10 NATURIST ACTION COMMITTEE (a Non-) Case No.: _____
11 profit Corporation); FRIENDS OF)
12 SAN ONOFRE BEACH (an) DECLARATION OF R. ALLEN BAYLIS
13 Unincorporated Association); R.)
14 ALLEN BAYLIS and GERDA HAYES)
15 (Individuals))
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)
Petitioners,
v.
CALIFORNIA STATE DEPARTMENT OF)
PARKS & RECREATION; RUTH COLEMAN,)
in her Official Capacity as)
DIRECTOR of the CALIFORNIA STATE)
DEPARTMENT OF PARKS & RECREATION)
Respondents.)

I, R. Allen Baylis, declare:

1. I have first-hand knowledge of the facts asserted herein and would and could competently testify thereto if called upon to do so in a court of law.
2. I have visited Trail 6 of the San Onofre State Beach for the purpose of nude sunbathing for over 32 years.
3. I am active in Friends of San Onofre and am on the board of directors of the Naturist Action Committee.
4. Due to the uncertainty of the status of the "Cahill Policy", I am in imminent danger of arrest and criminal prosecution if I participate in nude sunbathing at San Onofre.

1 5. As a member of the public, I have relied on the "Cahill Policy" as
2 a statement of regulation regarding the enforcement at San Onofre.

3 6. As a member of the public, I have not had legally-prescribed
4 notice of revocation of the "Cahill Policy". Nor have I been afforded
5 an opportunity to be heard regarding revocation.

6 Request for Hearing Denied by RUTH COLEMAN

7 7. On 7-2-08, Robert Morton, Executive Director of the NATURIST
8 ACTION COMMITTEE and I met with RUTH COLEMAN at her office in
9 Sacramento. During that meeting, we requested that the DEPARTMENT OF
10 PARKS & RECREATION hold public hearings on the rescission of the
11 "Cahill Policy", as former Director Cahill held prior to implementing
12 the Policy in 1979. Director COLEMAN denied this request out of hand.

13 Regarding Risk to the Public at Large

14 8. I've done a preliminary survey of the internet and have found the
15 following public informational references to San Onofre State Beach,
16 Trail 6 Area, as a clothing-optional area:

17 www.thebeachcities.com/recreation/beaches-tidepools;

18 www.geocities.com/rvcampingformooners;

19 www.communitywalk.com/clothing-optional-places;

20 www.friendsofsanonofre.org;

21 www.bayareanaturists.org; and

22 www.cspra.com -the California State Park rangers Association
23 official website.

24 9. I know that numerous print publications commonly used by tourists
25 refer to San Onofre as a clothing-optional site.

26 10. I believe that the general public is in imminent danger of arrest
27
28

1 and prosecution at San Onofre due to its reliance on the long-standing
2 and wide-spread dissemination of the "Cahill Policy".

3 I declare under penalty of perjury under the laws of the State of
4 California that the foregoing is true and correct.

5 Dated this 8th day of July, 2008 at Huntington Beach, California.

6
7

R. Allen Baylis, Declarant