

**STATE OF CALIFORNIA  
DEPARTMENT OF PARKS AND RECREATION  
OFF-HIGHWAY MOTOR VEHICLE RECREATION COMMISSION**

**MEETING MINUTES**

September 25, 2015  
8:30 a.m. to 4:05 p.m.

Mammoth Mountain Inn Main Lodge  
10400 Minaret Road  
Mammoth Lakes, CA 93546

**OHMVR COMMISSIONERS PRESENT**

Ted Cabral, Chair  
Diana Pérez, Vice Chair  
Erin Hafkenschiel  
Eric Lueder  
Kevin Murphy  
Edward Patrovsky  
Paul Slavik  
Teresa Villegas

**OHMVR DIVISION STAFF PRESENT**

Christopher Conlin, Deputy Director  
Maria Mowrey, Administrative Chief  
Kathryn Tobias, Legal Counsel

**OTHER OHMVR DIVISION STAFF AND REGISTERED VISITORS**

**AGENDA ITEM I – CALL TO ORDER – 8:30 A.M.**

- (A) Pledge of Allegiance led by Chair Cabral.
- (B) Roll Call – Eight Commissioners present at time of roll call; one Commission member appointment vacant.

Chair Cabral introduced local dignitaries and OHMVR Division Deputy Director Chris Conlin. Danna Stroud, Sierra Nevada Conservancy, welcomed everyone to the Eastern Sierras. Deputy Director Conlin introduced OHMVR Division staff, Maria Mowrey and Kathryn Todias. Ms. Mowrey introduced recent staff hires.

**AGENDA ITEM II – AGENDA MANAGEMENT**

Receiving no objections to the agenda, Chair Cabral adopted the agenda as printed.

### **AGENDA ITEM III – APPROVAL OF MINUTES – MAY 29, 2015 MEETING**

Receiving no corrections to the minutes, Chair Cabral approved the minutes as distributed.

### **AGENDA ITEM IV (A) – COMMISSIONER REPORTS**

Commissioner Slavik introduced Honda Rider Education staff members, Gary Martini and June Villegas, and reported on the following:

- American Honda offered to donate 20 off-highway vehicles (OHV) to support the OHMVR Division's youth and safety training programs.
- The National Off-Highway Vehicle Conservation Council (NOHVCC) conference will be held October 27 – November 1, 2015, in Folsom, California, at the Lake Natoma Inn. The International Off-Highway Vehicle Administrators Association (INOHVAA) will host a Program Managers Round Table on October 27, 2015, from 5:00 – 9:00 p.m. Dan Canfield, OHMVR Division Planning Manager, will give a presentation on General Plans during a joint meeting of the INOHVAA and the OHMVR Commission on October 28, 2015. The OHMVR Commission, NOHVCC conference participants, and members of the public will tour Prairie City SVRA on October 29, 2015.
- Ernest Chung, past chair of the State Parks Commission, has been slowly recovering from the bicycle accident that occurred around February 14, 2015.

Commissioner Lueder thanked everyone for the warm welcome to the area.

Commissioner Hafkenschiel thanked everyone for the tour of the area and expressed her gratitude for the efforts put forth by various agencies to protect California's public lands.

Vice Chair Pérez also thanked everyone for the tour.

Commissioner Murphy thanked the host agencies and local communities for welcoming the Commissioners to the area.

Commissioner Villegas echoed the sentiments of her fellow Commissioners and thanked the host agencies for the tour.

Commissioner Patrovsky expressed his appreciation for the tour and the opportunity to see OHV Trust Fund monies spent in constructive ways. He thanked Dakota Higgins from Representative Cook's office for attending the Commission tour and meeting. Commissioner Patrovsky also reported that he attended a meeting with landowners, motorized and non-motorized recreationists, stakeholders, and various agencies regarding the use conflict on and near the Pacific Crest Trail.

Chair Cabral reported on the following:

- He expressed his appreciation for the tour of the area and for the collaboration and cooperation between Inyo National Forest and BLM. He also acknowledged their successful management of the multiple opportunities for motorized and non-motorized recreation.
- He attended the Pacific Crest Trail meeting with Commissioner Patrovsky.
- He continues to participate in the monthly Transformation Team Advisory Committee meetings.
- He has been working with the Governor's office and others regarding the Deputy Director's shared duties with the Division of Boating and Waterways, and the 2018 renewal of the OHV program.

#### **AGENDA ITEM IV (B) – COMMITTEE REPORTS**

***ATV Safety Ad Hoc Committee:*** Commissioner Slavik restated American Honda's willingness to donate OHVs to the OHMVR Division for youth and safety education training.

***BLM Liaison Ad Hoc Committee:*** Chair Cabral reported that the BLM Ukiah Field Office has been dealing with wildfires.

***CA Statewide Motorized Trail Ad Hoc Committee:*** Chair Cabral stated that the Adventure Trail, through its connectivity to goods and services, is a good example how economic support can be provided to rural communities. He further stated that the Adventure Trail could serve as a model for the Statewide Motorized Trail. The City of Yreka and Siskiyou County are considering development of a similar trail—the Jefferson Trade Route. The Route could provide economic benefits to small communities within the County through increased recreational tourism.

***Events / NOHVCC Ad Hoc Committee:*** Commissioner Slavik encouraged everyone to review the NOHVCC website for details about the upcoming October Conference.

***Clear Creek Management Area Ad Hoc Committee:*** A brief discussion was held regarding the status of California Geologic Survey projects, including the Clear Creek Management Area (CCMA) Month-Long Risk Assessment Study. Rick Le Flore, OHMVR Division Program Manager, informed the Commission that Dr. Nolan continues to analyze air samples and expects to have preliminary results the end of October. A staff report will be presented to the Commission as soon as he receives the information.

Commissioner Murphy reported that the Clear Creek National Recreation Area and Conservation Act (Farr – H.R. 1838) was referred to Committee.

Chair Cabral and Vice Chair Pérez will draft a letter in support of Representative Farr's bill and present it to the Commission for review.

**USFS Liaison Ad Hoc Committee:** Chair Cabral encouraged the OHMVR Division to set up an emergency fund to assist public land managers with OHV recreation recovery efforts after catastrophic wildfires.

## **AGENDA ITEM V (A) – BUSINESS ITEM: PROPOSAL TO DRAFT A LETTER IN SUPPORT OF THE CALIFORNIA DESERT CONSERVATION RECREATION ACT OF 2015**

Katie Metraux, OHMVR Division staff member, presented a report on a proposal to draft a letter in support of the California Desert Conservation Recreation Act of 2015 (S 414). Senator Feinstein introduced S 414 on February 9, 2015. The bill proposes amendments to the California Desert Protection Act of 1994 to improve natural resource conservation and protect recreational opportunities within the California Desert Conservation Area (CDCA). Passage of S 414 would preserve and enhance OHV recreation within the CDCA through the designation of five national OHV recreation areas—Dumont Dunes, El Mirage, Razor, Spangler Hills, and Stoddard Valley. In addition, the bill directs the BLM to amend or develop new resource management plans and evaluate lands suitable for addition to Johnson Valley National OHV Area and other national recreation areas. The bill also designates national monuments, wilderness areas, a special management area, a national scenic area, and an area of critical environmental concern; it specifies land withdrawals, exchanges, and acquisitions; and establishes the Renewable Energy Resource Conservation Fund.

Chair Cabral introduced Dakota Higgins, field representative for Congressman Cook. Mr. Higgins provided a brief overview of Congressman Cook’s proposed bill—the California Minerals, Off-Road Recreation and Conservation Act of 2015 (CMORCA). CMORCA would designate six National OHV Recreation Areas in Southern California; expand Johnson Valley, Spangler Hills, and El Mirage by 57,000 acres; and direct BLM to transfer approximately 4,000 acres to the Town of Apple Alley and about 1,600 acres to the County of Riverside for OHV Recreation. The bill would also preserve approximately 1,200 miles of designated OHV trails in the Mojave Trails National Monument area, and prevent an Antiquities Act designation of any of the areas.

### **PUBLIC COMMENT ON AGENDA ITEM V (A)**

Comments were heard from the following individuals:

- John Stewart, California Association of Four-Wheel Drive Clubs
- Ed Waldheim, California Off-Road Vehicle Association, Friends of Jawbone, Friends of El Mirage, California Trail Users Coalition
- Dave Pickett, District 36, Motorcycle Sports Committee

After a brief discussion, Commissioner Lueder made a motion to take no action at this time and agendize the Business Item for the October meeting to consider both bills and draft a comment letter. Vice Chair Pérez seconded the motion. A roll call vote was taken; motion carried.

**Roll Call Vote**

**Approved:** Commissioners Hafkenschiel, Lueder, Murphy, Patrovsky, Slavik, Villegas, Pérez, and Cabral

**No:** None

**Abstain:** None

Jeff Griffiths, Inyo County Supervisor, welcomed the Commission and the public to the Eastern Sierras. He stated that finding a balance between the OHV recreation community and non-OHV recreationists has been critical to the success of the Adventure Trail and hopes this pilot program would serve as a model for similar projects throughout the state.

**AGENDA ITEM V (B) – BUSINESS ITEM: CONSIDER CONVENING THE OFF-HIGHWAY VEHICLE SAFETY EDUCATION COMMITTEE TO REVIEW POTENTIAL ISSUES FOR RESOLUTION**

Greg Schumaker, OHV Training Safety Coordinator, presented a report on convening the OHV Safety Education Committee to review potential issues for resolution. In 1987, Governor Deukmejian signed the ATV Safety Education Law that established the OHV Safety Education Committee. The Committee consists of the Commissioner of the California Highway Patrol (CHP), the Deputy Director for the OHMVR Division, the Director of Motor Vehicles (DMV), and a member of the OHMVR Commission appointed by members of the Commission. The Committee approves ATV safety training organizations that provide youth with ATV safety certificates as required by California Vehicle Code section 38503. Some of the current ATV safety challenges include updates in technology, ATV rentals, and out-of-state training certificates. The Committee has not met since 2001.

In response to Vice Chair Pérez’s question about ATV safety training organizations, Mr. Schumaker confirmed that the ATV Safety Institute is the only organization in use at this time.

**PUBLIC COMMENT ON AGENDA ITEM V (B)**

Comments were heard from the following individuals:

- John Stewart, California Association of Four-Wheel Drive Clubs
- Ed Waldheim, California Off-Road Vehicle Association, Friends of Jawbone, Friends of El Mirage, California Trail Users Coalition
- Mike Johnston, Eastern Sierra Four-Wheel Drive Club

A lengthy discussion ensued regarding ATV safety training challenges and Committee membership. In response to Chair Cabral’s question, Deputy Director Conlin stated that the OHV Safety Education Committee is an entity separate from the Commission. He also confirmed that staff would draft letters inviting CHP and DMV participation on the Committee. Commissioner Villegas made a motion to (1) reconvene the OHV Safety Education Committee, and (2) request a Staff Report at the October meeting clarifying

whether or not the Commission could appoint two members of the OHMVR Commission to the Committee. Commissioner Murphy seconded the motion. A roll call vote was taken; motion carried.

**Roll Call Vote**

**Approved:** Commissioners Hafkenschiel, Lueder, Murphy, Patrovsky, Slavik, Villegas, Pérez, and Cabral

**No:** None

**Abstain:** None

**AGENDA ITEM VI (A) – PROGRAM REPORTS: CARB RED STICKER REGULATION**

Katie George and Cassie Lopina, California Air Resources Board (CARB) staff, presented a report on the status of the Red Sticker Off-Highway Recreational Vehicle Assessment. In 2013, CARB directed staff to review the Red Sticker program to investigate the impacts of evaporative and exhaust emissions from Red Sticker OHVs.

CARB staff anticipates gathering approximately 2,900 responses from owners of 1,200 Red Sticker vehicles, 720 Green Sticker vehicles, 500 Historic vehicles (1996 or older), and 480 dual sport vehicles from the Activity and Usage Survey conducted by U.C. Davis.

Eighteen new and in-use off-highway motorcycles selected from 2004 to 2012 DMV registration data will be tested at two test facilities—a sealed housing for evaporative determination and a motorcycle and ATV dynamometer for exhaust.

During the next few months, CARB staff will continue emissions testing to complete the test matrix, evaluate responses from the Usage and Activity Survey, build a VIN decoder from the newly decoded data, host a stakeholder workshop to share the survey data, and update CARB in 2016.

Chris Real, DPS Technical, spoke briefly about his observations during the emission tests conducted at the CARB test facility in El Monte, California.

In response to Chair Cabral's question regarding the gas-to-oil mixture ratios used in the test vehicles, Mr. Real stated he was confident the new vehicles tested used the appropriate mixture; however, he could not make that same guarantee with vehicles secured from owners because maintenance records were not available.

A discussion ensued regarding the Red Sticker Assessment testing process and types of vehicles tested.

In response to Commissioner Hafkenschiel's request, Ms. Lopina provided a brief overview of why CARB requested the Red Sticker assessment.

## **AGENDA ITEM VI (B) – PROGRAM REPORTS: BLM**

Jane Arteaga, OHV Travel Management Lead, reported on the following:

- State Director Jim Kenna retired effective October 2, 2015.
- The Ukiah Field Office held public scoping meetings in September to gather comments for a Recreation Management Plan for Cow Mountain.
- Youth Summits are scheduled for November 13, 2015, in Southern California at Mt. San Antonio College and February 19, 2016, in Northern California at California State University, Sacramento.
- The Fort Sage OHV Special Recreation Management Area was awarded two OHMVR Division acquisition grants to purchase 12 parcels of land totaling 2,800 acres to expand OHV recreation opportunities.
- Approximately 90,000 acres of BLM land burned in California this year.

A brief discussion was held regarding the inclusion of OHV recreation articles in the BLM newsletter. Ms. Arteaga announced that she would apply for a grant next year to create public outreach videos related to OHV recreation on BLM lands.

Karl Symons, Field Manager, Ridgecrest Field Office, presented a report on the West Mojave (WEMO) Trail Management Plan. Based on a joint motion with plaintiffs, the Court approved an extension of the due date to November 2016 for the WEMO Record of Decision (ROD). The Court also ordered re-opening the public comment period for an additional 120 days, and scheduling two more public meetings. With the extension of the WEMO ROD due date, the Desert Renewable Energy Conservation Plan (DRECP) will be published before the WEMO Plan and could have an effect on route designations.

Este Stifel, Central California District Manager, expressed her appreciation for the strong partnerships between the agencies that manage public lands.

Becca Brook, Resources Branch Chief, Bishop Field Office, reported that the Field Office manages approximately 750,000 acres that includes two wilderness areas, 14 wilderness study areas, five developed campgrounds, and over 2,500 miles of OHV recreational opportunities. They issue dozens of recreation permits for special events, have numerous grazing permits, and manage the geothermal plant. She also expressed her appreciation for the grants program administered by the OHMVR Division.

Rich Williams, Outdoor Recreation Planner, Bishop Field Office, presented a slideshow showcasing a number of projects completed by staff and volunteers.

Ms. Arteaga presented a video about OHV recreation in the Chappie-Shasta OHV area.

## **AGENDA ITEM VI (C) – PROGRAM REPORTS: U.S. FOREST SERVICE**

Ed Armenta, Forest Supervisor, Inyo National Forest, presented a brief report on the Inyo National Forest. He expressed his appreciation for the grant funds that help maintain the OHV program. A brief discussion ensued regarding the Travel Management Plan and potential wilderness designations.

Marty Hornick, Trail Coordinator, Inyo National Forest, presented an informational slideshow regarding the Inyo National Forest trail system and restoration projects. The Forest is comprised of approximately two million acres with half of it wilderness and the other half open for OHV recreation on 2,200 miles of roads and trails. The Inyo National Forest staff began implementing its Travel Management Plan in 2010. During a five-year period, 2010-2015, the Forest spent \$3 million on ground operations, \$100,000 on development, \$500,000 on planning, and \$2 million on restoration. In addition, the law enforcement program receives approximately \$100,000 annually in grant funding.

Garrett Villanueva, Acting Trail Program Lead, Region 5, presented an update on the Pacific Southwest Region. The Region has nearly 40,000 miles of designated routes for OHV recreation.

At a recent meeting with Pacific Crest Trail Association and OHV stakeholders, key discussion topics included reducing conflicts between user groups, improving compliance, and maximizing recreational opportunities.

The 2013 Accountability Office Report identified only 25 percent of the National Forest trail system is maintained in accordance with U.S. Forest standards.

Mr. Villanueva also provided a brief overview of the Travel Analysis Process (TAP). The TAP creates a programmatic document used for transportation planning. CFR 36, Part 212, requires the U.S. Forest to identify the minimum road system needed for safe and efficient travel in the administration of National Forest System lands. If a forest has not completed the TAP or developed its Travel Analysis Report (TAR), it cannot expend maintenance dollars on roads. After a TAP has been developed, the forest goes through the NEPA process and gathers public input. Travel Management Planning does not require the inclusion of motorized trails in its analysis.

The Pacific Southwest Region is expanding its partnership with TreadLightly!® to develop a statewide “Ride On” campaign.

The Lassen, Plumas, Tahoe, Eldorado and Stanislaus National Forests released proposals to designative over-snow vehicle (OSV) use and identify snow trails for grooming.

The U.S. Forest Service is working on a Wet Weather Trail Management implementation strategy and test scenario with Missoula Technology Development Center and Region 5 forests. The Wet Weather Trail Management Study identifies the parameters for trail closures based on soil conditions. Region 5 will publish the study for distribution.

Mr. Villanueva also presented a brief overview of the National Forest Service Volunteer Program.

## **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Comments were heard from the following individuals:

- Don Amador, Blue Ribbon Coalition and Quiet Warrior Racing
- Jeff Blewett, California Four-Wheel Drive Association
- John Stewart, California Association of Four-Wheel Drive Clubs
- Mike Johnston, Eastern Sierra Four-Wheel Drive Club
- Ed Waldheim, California Off-Road Vehicle Association, Friends of Jawbone, Friends of El Mirage, California Trail Users Coalition
- Dave Pickett, District 36, Motorcycle Sports Committee

## **AGENDA ITEM VI (C) – PROGRAM REPORTS: U.S. FOREST SERVICE continued**

In response to Commissioner Hafkenschiel’s question concerning fire management on U.S. Forest lands, Mr. Villanueva provided a brief summary about the challenges the agency faces when dealing with the impacts of fire damage.

Responding to Vice Chair Pérez’s inquiry about the TreadLightly!® Ride On campaign, Mr. Villanueva said the Forest Service is using promotional materials developed by TreadLightly!®, but the campaign is funded by the U.S. Forest Service.

A discussion was held regarding the Travel Analysis Process and the 2005 Travel Management Rule, Subpart A, that requires forests to “identify the minimum road system needed for safe and efficient travel for administration, utilization and protection of National Forest System lands. ...” Mr. Villanueva cautioned everyone to remember the Rule refers to “roads” not “trails.” Recreational analysis occurs during the NEPA process—a process that requires the Forest Service to look at the socio-economics of a proposal as well as proposed changes to existing opportunities.

In response to Commissioner Slavik’s inquiry about the difference between a road and a trail, Mr. Villanueva stated that the U.S. Forest Service manages roads through a Road Classification System—Maintenance Levels 1 through 5. Level 1 is a closed road only available for use in an emergency, while a Level 2 road is a high-clearance vehicle road typically used by OHV enthusiasts. Trail-maintenance objectives focus on the trail experience; whereas, the road-maintenance objective focuses on access needs.

A discussion ensued regarding forest management challenges due to the changing climate and landscape. Forest plans are currently being developed for the 2012 Planning Rule using a programmatic approach versus the prescriptive approach used under the previous Planning Rule.

## **PUBLIC COMMENT ON AGENDA ITEMS VI (A) – (C)**

Comments were heard from the following individuals:

- John Stewart, California Association of Four-Wheel Drive Clubs
- Ed Waldheim, California Off-Road Vehicle Association, Friends of Jawbone, Friends of El Mirage, California Trail Users Coalition
- Mike Johnston, Eastern Sierra Four-Wheel Drive Club
- Dave Pickett, District 36, Motorcycle Sports Committee

Commissioner Slavik suggested a Regional Forester start attending the OHMVR Commission meetings.

A discussion ensued regarding U.S. Forest Service Travel Management Plans.

## **AGENDA ITEM VI (D) – DEPUTY DIRECTOR’S REPORTS**

Deputy Director Conlin thanked staff from Inyo National Forest and the BLM Bishop Field Office for the hosting the tour and meeting. He provided an update on the status of the Transformation Team and, in particular, the service-based budgeting proposal. Implementation of service-based budgeting will provide a better accounting method for the OHMVR Division to capture administrative costs associated with SVRAs, as well as document the unique services provided to the public. At least one SVRA will be selected for the service-based budgeting pilot test program.

The OHMVR Division continues to work through the process for hiring a Division Chief.

Red Rock Canyon State Park will issue a District Superintendent closure of Cudahy Camp due to concerns about the riparian area. With the closure, staff will be able to continue work on the General Plan. If the closure continues for any length of time, park staff will attempt to create connectivity with upper and lower Last Chance Trails by using other trails in the area.

Deputy Director Conlin asked for a moment of silence to honor District Superintendent Liz Burko.

## **AGENDA ITEM VI (D) (1) – DEPUTY DIRECTOR’S REPORTS: BUDGET**

Administrative Chief Maria Mowrey presented the budget report. Governor Brown signed the 2015/16 Budget Act on June 24, 2015. An additional capital outlay project was added to the OHMVR program budget—the waterline expansion at Hollister Hills SVRA. As of May 4, 2015, the OHV Trust Fund received one loan payback in the amount of \$10 million. Another loan payback in the amount of \$11 million is scheduled for 2015/16.

In response to Commissioner Lueder’s inquiry about the OHV Green and Red Sticker fees and the SVRA entrance fees, Ms Mowrey stated the figures listed in the report are estimates.

In response to Vice Chair Pérez's inquiry about increasing the health and safety grant allocation, Ms. Mowrey said the allocation would have to be legislatively changed. Deputy Director Conlin said there is a potential to change the current grant allocation percentages and add an emergency fund when the Legislature looks at the Program sunset legislation.

Ms. Mowrey informed Commissioner Villegas that loan paybacks are deposited into the OHV Trust Fund.

A discussion ensued regarding the payback of loans. The 2009 loan of \$22 million is scheduled for payback in 2017/18; paybacks for the \$90 million loan were not listed in the Budget Acts.

#### **AGENDA ITEM VI (D) (2) – DEPUTY DIRECTOR'S REPORTS: GRANTS PROGRAM**

George McDougall, OHMVR Division Grant Administrator, presented the Grants Program update. Approximately \$4.8 million is available for this year's Recreational Trails Program grant cycle. Applications are due September 30, 2015.

The revised Regulations will be sent to the Office of Administrative Law for final approval after the Director approves the revisions. Finalized Regulations should be in place at the start of the 2016 Grants cycle.

Grants staff recently toured a proposed site for an urban OHV park and camping facility near the City of Portola. The City plans to apply for an Acquisition Grant to purchase the property. Staff also discussed a new Acquisition Grant with the County of Madera to purchase property for an urban OHV park. The City of Tehachapi completed the CEQA process for an urban OHV park.

#### **AGENDA ITEM VI (D) (3) – DEPUTY DIRECTOR'S REPORTS: SVRA GENERAL PLANS**

Dan Canfield, OHMVR Division Planning Manager, presented a report on the status of the SVRA General Plans. The Preliminary General Plan and Draft Environmental Impact Report (EIR) were published for public review April through June 2015. Over 1,000 comments were received. The planning team is reviewing, analyzing, and responding to all comments and making changes to the documents as appropriate. The revised General Plan and Final EIR should be ready for review at the first OHMVR Commission meeting in 2016.

The current General Plan for Hungry Valley SVRA was adopted in 1981. The Division will begin the process of updating this General Plan when the planning team meets with the consulting firm, AECOM, in the next few weeks.

In response to the Commission's inquiry about costs associated with General Plans, Mr. Canfield presented a chart listing the estimated consultant budget for each major task associated with the Hungry Valley SVRA General Plan project.

#### **AGENDA ITEM VI (D) (4) – DEPUTY DIRECTOR’S REPORTS: KERN COUNTY ONYX RANCH SVRA MANAGEMENT UPDATE**

Dan Canfield, OHMVR Division Planning Manager, presented an update on the Eastern Kern County Onyx Ranch SVRA management actions since the acquisition in December 2014. The SVRA is managed by the San Andreas District and intermingled checkerboard style with BLM lands managed by the Ridgecrest Field Office and the Friends of Jawbone.

The OHMVR Division is pursuing the acquisition of three additional parcels commonly referred to as the Kelso Valley parcels. The goal of this 1,200-acre acquisition is to consolidate public land ownership on the western end of the property to help facilitate future planning efforts. This acquisition was approved for site selected by the Public Works Board in August 2015.

#### **AGENDA ITEM VI (D) (5) (a) – DEPUTY DIRECTOR’S REPORTS: LEGISLATION – CALIFORNIA AND FEDERAL LEGISLATION SUMMARY**

Tina Williams, OHMVR Division staff member, presented an overview of the legislation report. The Legislature concluded the 2015 session and all enrolled bills were sent to the Governor on September 11, 2015. The Governor has until October 11, 2015, to either sign, veto, or do nothing with the enrolled bills. No action has occurred on the bills listed in the federal legislation summary report.

#### **AGENDA ITEM VI (D) (5) (b) – DEPUTY DIRECTOR’S REPORTS: LEGISLATION – 2014 SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

Doug Rischbieter, Senior Environmental Scientist, presented a report on the 2014 Sustainable Groundwater Management Act (SGMA). SGMA applies statewide, but only to groundwater basins that are designated as medium or high-priority.

SGMA was designed to allow local entities to create solutions to their groundwater management problems. Local entities are required to establish a Groundwater Sustainability Agency. This Agency would be responsible for producing a Groundwater Sustainability Plan (GSP). The Department of Water Resources (DWR) will revise the basin priorities and boundaries, provide technical assistance to the local entities, and review Sustainability Plans.

Sustainability is achieved by ensuring future yield of groundwater, but success would also be measured by the avoidance of “undesirable results,” such as lowering of groundwater levels, reduction of groundwater storage, seawater intrusion, land subsidence, and impacts to surface water.

DWR is adopting regulations to revise the basin boundaries and developing procedures for local agencies to use when preparing their GSPs. Local agencies must be developed, established, and active by 2017, and their first GSPs completed by 2020

(for medium and high-priority basins determined to be critical overdraft) or 2022 (for all other high and medium-priority basins).

Eight SVRAs are in designated groundwater basins: Oceano Dunes (high priority, adjudicated); Prairie City (high); Eastern Kern County, Onyx Ranch (medium); Hollister Hills (medium); Clay Pit (medium); Ocotillo Wells (3 basins – medium, low and very low); Hungry Valley (2 basins – very low); and Heber Dunes (very low).

In response to Commissioner Slavik's inquiry about the implications of SGMA on future residential development near Prairie City SVRA, Ms. Tobias stated that new developments are required to prepare a Water Supply Study before receiving approval.

#### **AGENDA ITEM VI (D) (6) – DEPUTY DIRECTOR'S REPORTS: LAW ENFORCEMENT**

Mark Hada, OHMVR Division Visitor Services Manager, provided the following Law Enforcement / Public Safety update:

- Law Enforcement Grant site visit reports will be posted on the OHMVR Division website beginning in 2016.
- Over Labor Day weekend, Law Enforcement teams deployed to the Rubicon Trail to assist the U.S. Forest Service and Placer and El Dorado Counties with the Cantina on the Con event.
- Kern County Sheriff's Office sent a letter of appreciation to Hungry Valley SVRA rangers for their efforts in support of the manhunt for the murder / kidnap suspect in the Jawbone area.
- The Wind Resource Management Group on-site manager agreed to work with OHMVR Division staff to locate two additional sites to install Pacific Crest Trail information kiosks.
- On August 19, 2015, staff attended the U.S. Forest Service meeting about recreation and the Pacific Crest Trail.

A discussion ensued regarding the Pacific Crest Trail meeting. Chair Cabral expressed concerns about the lack of prominent signage on the Trail.

#### **PUBLIC COMMENT ON AGENDA ITEMS VI (D) – DEPUTY DIRECTOR'S REPORTS**

Comments were heard from the following individuals:

- John Stewart, California Association of Four-Wheel Drive Clubs
- Ed Waldheim, California Off-Road Vehicle Association, Friends of Jawbone, Friends of El Mirage, California Trail Users Coalition
- Dave Pickett, District 36, Motorcycle Sports Committee

Deputy Director Conlin addressed concerns regarding the status of the flat-tailed horned lizard in Ocotillo Wells SVRA. The one-year temporary listing for the flat-tailed horned lizard has put severe restrictions on the SVRA. Staff continues to negotiate with Fish and Wildlife to resolve the situation.

In response to a question regarding the livestock grazing permit on the Eastern Kern County Onyx Ranch SVRA, Deputy Director Conlin stated that the OHMVR Division is still in negotiations with the rancher.

Deputy Director Conlin encouraged everyone to attend the upcoming Commission meeting scheduled for October 28, 2015, in Folsom, California, and held in conjunction with the NOHVCC conference.

Commissioner Murphy made a motion to adjourn; seconded by Commissioner Slavik; motion carried. Meeting adjourned at 4:05 p.m.