

CALIFORNIA STATE PARKS  
THE NATURAL RESOURCES AGENCY  
OFF-HIGHWAY MOTOR VEHICLE RECREATION DIVISION

OHMVR COMMISSION  
REGULAR MEETING

September 9, 2016  
9:00 a.m. to 3:09 p.m.

Held at  
City of Folsom  
City Hall  
50 Natoma Street  
Folsom, CA 95630

Reported by THRESHA SPENCER, CSR No. 11788

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OHMVR COMMISSIONERS PRESENT:

TED CABRAL, Chair  
ERIC LUEDER, Vice-Chair  
EDWARD PATROVSKY  
TOM LEMMON  
KEVIN LITWIN  
PAUL SLAVIK  
KEVIN MURPHY

OHV DIVISION STAFF:

MAT FUZIE, Acting Deputy Director  
BRIAN ROBERTSON, Acting Chief  
KATHRYN TOBIAS, Legal Counsel

OTHER OHV DIVISION STAFF AND REGISTERED VISITORS

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1 **AGENDA ITEM I - CALL TO ORDER at 9:00 a.m.**

2 CHAIR CABRAL: I'd like to bring this meeting to  
3 order. If everyone can please find a seat. Okay.

4 **AGENDA ITEM I(A) - PLEDGE OF ALLEGIANCE**

5 CHAIR CABRAL: I'd like everyone to stand for  
6 the Pledge of Allegiance.

7 (Pledge led by Chair Cabral.)

8 CHAIR CABRAL: I believe everyone needs to get  
9 their exercise.

10 **AGENDA ITEM 1(B) - ROLL CALL**

11 CHAIR CABRAL: The first thing we're going to do  
12 is have our roll call.

13 So, Vicki, I'll let you get your readers there,  
14 okay.

15 THE CLERK: Commissioner Kevin Litwin from  
16 Monrovia, California.

17 COMMISSIONER LITWIN: Present.

18 THE CLERK: Commissioner Tom Lemmon from San  
19 Diego, California.

20 COMMISSIONER LEMMON: Here.

21 THE CLERK: Commissioner Kevin Murphy from  
22 Morgan Hill, California.

23 COMMISSIONER MURPHY: Here.

24 THE CLERK: Commissioner Ed Patrovsky from Apple  
25 Valley, California.

1 COMMISSIONER PATROVSKY: Here.

2 THE CLERK: Commissioner Paul Slavik from  
3 Huntington Beach, California.

4 COMMISSIONER SLAVIK: Here.

5 THE CLERK: Commissioner Eric Lueder from Mill  
6 Valley, California.

7 VICE CHAIR LUEDER: Here.

8 THE CLERK: Commissioner Ted Cabral from  
9 Penngrove, California.

10 CHAIR CABRAL: Here.

11 Thank you. Okay. As far as dignitaries go  
12 today, mainly what we're dealing with would be just  
13 with our staff, and that's an important thing because  
14 we have some new staff. And I want to start with we  
15 have our legal counsel, Kathryn Tobias, is here. Thank  
16 you, Kathryn.

17 And also Susan Brock is our Acting  
18 Administration Chief, thank you.

19 And Brian Robertson, welcome back. Brian is our  
20 new Chief for the Division. And for the people that  
21 don't know, Brian was with the Division for a long time  
22 and he has come back. And, thank you, we appreciate  
23 that.

24 And then I'd like to welcome Mat Fuzie as our  
25 new Acting Deputy Director, so Mat.

1 I had the privilege of meeting with these  
2 gentlemen over the last couple of months since they  
3 have been here, because it's been a while since we've  
4 had our last meeting. And I have to say that I'm  
5 impressed with the direction and the leadership they're  
6 providing the Division, and I'm looking forward to some  
7 bright things in the future.

8 I know there's a lot of stuff that's been out  
9 there in the past, issues that are -- have been hanging  
10 out there and nothing seems to have been happening with  
11 them, and that was just simply because of the turnover  
12 in leadership.

13 So they're working on prioritizing things,  
14 moving things forward, and I've seen a lot of good  
15 things starting to happen. So I appreciate your guy's  
16 leadership, and I'm looking forward to a future with  
17 you.

18 ACTING DEPUTY DIRECTOR FUZIE: Thank you.

19 CHAIR CABRAL: Okay. Oh, and we also have  
20 Lynn -- how do you say your last name?

21 LYNN SADLER: Sadler (pronouncing).

22 CHAIR CABRAL: Sadler from -- the Deputy Chair  
23 for the Department -- where are you, Lynn? Oh, thank  
24 you. I appreciate your coming here. It is nice to  
25 cross-pollinate, as they say. And, hopefully, we can

1 run through this meeting smoothly and we can be  
2 somewhat impressive.

3 The next item we have here is information  
4 regarding our public comment. We're going to have the  
5 public comment for the agenda items. They are these  
6 green cards, okay. They are in the back corner of the  
7 room on the table, so if anyone would like to fill out  
8 a green card, please get it to Vicki for public comment  
9 on agenda items.

10 Non-agenda items are the blue cards. That will  
11 be held promptly at 1:30 after our lunch break, and  
12 that's for any item that someone would like to speak to  
13 that's not on our agenda.

14 **AGENDA ITEM II - AGENDA MANAGEMENT**

15 CHAIR CABRAL: So, with that, we'll move on to  
16 Agenda Management, the next item.

17 Does anyone have any comments on the minutes  
18 from the -- I mean, excuse me -- on the agenda? Any  
19 changes to it? No?

20 So the agenda is approved as it's submitted.

21 **AGENDA ITEM III - APPROVAL OF MINUTES**

22 CHAIR CABRAL: Next would be the minutes.  
23 Commissioners, any comments or thoughts or adjustments  
24 to the minutes? No.

25 COMMISSIONER LEMMON: Move to approve.

1 CHAIR CABRAL: Okay. So they'll be approved as  
2 they were submitted.

3 **AGENDA ITEM IV - COMMISSIONER REPORTS**

4 CHAIR CABRAL: And we will move into our  
5 Commissioner Reports. So let's start over to my right,  
6 Commissioner Patrovsky.

7 COMMISSIONER PATROVSKY: Good morning,  
8 everybody. I'm glad to see you all. Since the last  
9 meeting which was held in June, on August 2 I attended  
10 the public meeting and workshop sponsored by the San  
11 Bernardino National Forest regarding the Baldy Mesa  
12 Project which is near Cajon Pass in the San Bernardino  
13 Forest, and this is an area that's been highly impacted  
14 by off-road vehicle use, uncontrolled, and the project  
15 is to replace a series of erosive hill climbs with the  
16 design trail system.

17 And the workshop went very well; I think it was  
18 constructive. There were some issues that Forest staff  
19 worked with some of the critics of the project.

20 Unfortunately, the Blue Cut Fire last month  
21 burned most of the project area. The project was  
22 scheduled to start in January with construction, and I  
23 think it's a pretty safe bet that that will be delayed  
24 and -- unfortunately. Because I think it's a very much  
25 needed project, it's funded by a Division grant, and,

1 hopefully, after whatever rehabilitation work and  
2 consideration they need, the thing can go forward.

3 On August 11, along with, I believe, most of the  
4 other Commissioners, I attended the State Parks  
5 Transformation meeting with the Director at Ontario.  
6 It was a public meeting. We had, I believe, over 100  
7 people in attendance, very supportive of the OHMVR  
8 program. A lot of good comments, and enjoyed hearing  
9 from everybody. And I think it was -- that was a  
10 constructive meeting. And that's all I have at this  
11 point.

12 CHAIR CABRAL: Thank you.

13 Commissioner Litwin.

14 COMMISSIONER LITWIN: Thank you. First, I'd  
15 like to thank the City of Folsom. These are phenomenal  
16 chambers, so I'm glad that they're allowing us to host  
17 our meeting today. The other thing I'd like to do is  
18 being that we're so close to the anniversary of  
19 September 11, I'd like to take a moment of silence, so  
20 if we can do that.

21 (Moment of silence observed.)

22 COMMISSIONER LITWIN: Thank you very much. God  
23 Bless America.

24 Okay. So this is my second meeting. I'm one of  
25 the newer-appointed Commissioners. At our last meeting

1 we were up in Plumas, and I think a lot of the  
2 questions that came up to my mind and during the course  
3 of that meeting had to do with budgetary items, so I  
4 had multiple follow-up conversations with Maria Mowrey  
5 about it, and we got on the phone call, I think -- I  
6 think you were on the phone call a couple of times too.

7 And my conclusion is there's definitely a method  
8 to the madness, and I believe there's even an agenda  
9 item here that we're going to talk a little bit more  
10 about -- the budget later on today.

11 I was very comfortable with the responses that I  
12 had received from the staff, and thank you very much  
13 for walking me through how the budgets are approved and  
14 how they're formulated and set up. Let's see. I  
15 think -- it was a total of about three calls I did.

16 The next one is that I wanted to get a better  
17 understanding of the grants and the grant process, so I  
18 got on the phone call with Sixto. I don't see him here  
19 today right now, but he and Martha, they walked me  
20 through that process, and that was very informative.  
21 They took me on the web page and showed me how you  
22 apply, showed me what's in the pipeline, showed me the  
23 projects that were approved. And that was very helpful  
24 too as well. So I have great confidence that that's  
25 being managed very well too. So thank you to the staff

1 on that one.

2 Let's see. I exchanged some communications with  
3 Commissioner Cabral and even Commissioner Murphy on  
4 some of our subcommittees that are brief. I was trying  
5 to get just some basics of where we are because I was  
6 appointed to subcommittees at our last meeting. So I  
7 had some conversations with the other Commissioners  
8 about that, especially with Steve in Ocotillo Wells,  
9 and some of the education outreach programs we were  
10 doing over there. And those are some really great  
11 efforts that were going on at the time.

12 Let's see. What else? I met with -- I'm  
13 working with Commissioner Paul -- Paul and I met with  
14 some folks with L.A. County. We had a meeting -- lunch  
15 with one of the folks there. It was the L.A. County  
16 Sheriffs, I think.

17 COMMISSIONER SLAVIK: Planner.

18 COMMISSIONER LITWIN: The planner, that's right.  
19 We're looking at some potential opportunities within  
20 L.A. County, which is where I'm from. I think we can  
21 do some more with OHV there. There is a current  
22 election going on from Supervisor Antonovich who is  
23 terming out, and it is a fairly heated run right now.  
24 There's two people in contention: There's Kathryn  
25 Barger and Darrell Parks, and I've met with both of

1 them. I met both of those candidates, and I've talked  
2 to them about some of the ideas that -- and some of the  
3 programs that the OHV brings, and I would like to look  
4 at expanding that to L.A. County and doing some joint  
5 operations with them. And they were both very  
6 attentive to that in those requests that I was asking  
7 for, so we'll see what happens in the elections and  
8 we'll see if they'll keep their promises.

9 Let's see. Oh, here's a real good one. So the  
10 other thing I realize is I think I'm probably one of  
11 the rare members here on the Board that doesn't have a  
12 dirt bike, so I went and I bought one. And I think it  
13 is pretty sweet.

14 It's a Honda TRX420, a Rancher, and I just  
15 acquired this, so I also had to acquire a Ford F150  
16 4X4. I had a Blaster when I was a teenager, so I had  
17 to get back out there.

18 I am scheduled for safety training tomorrow at  
19 8:00 in the morning, so we fly back late tonight,  
20 hopefully, depending on public comment. And I have to  
21 be up probably about 6:00 so I can drive up to El  
22 Mirage where I'm going to go and get acquired with my  
23 new vehicle.

24 So with the intent to be able to go and hit some  
25 of our lovely parks, probably primarily Hungry Valley

1 and probably Ocotillo Wells, I'll probably get down  
2 into the southern area, not to the liking of my  
3 girlfriend. She thinks I'm having a midlife crisis.

4 So the next thing -- let's see. Oh, I was also  
5 at the Open House with Commissioner Patrovsky on  
6 August 11, and that was very informative. That was  
7 great that Lisa came down and conducted, and we had a  
8 really great attendance out there and good responses to  
9 everybody.

10 So next I went to -- I was appointed by the  
11 Senate Rules Committee. So since our meeting I've been  
12 to Senator Kevin de Leon's office multiple times. I've  
13 had conversations with his staff, with his chief of  
14 staff and with his field deputies about the sunset,  
15 one.

16 And, two, I also talked to him about AB-2175 as  
17 well, I think that was it. I think that was the -- and  
18 I also talked to him about some things about budget and  
19 whatnot like that, so I have been communicating with  
20 him and his staff about the projects we're doing here.  
21 And so far, that I've seen, how great the OHV programs  
22 have been and what value that they bring to our State,  
23 so I'll continue to make sure that I am in his ear.  
24 I'm sure he's happy about that.

25 Let's see. And then last, I did request and

1 receive documents for Carnegie. I think Vicki, you  
2 sent me a packet, so I'm still reviewing those as well  
3 so I can get up to speed. Because I believe we're  
4 going to have a meeting sometime next month, and I'll  
5 probably request to do that so I can get up to speed  
6 about that General Plan. And that was about it.

7 CHAIR CABRAL: Thank you. I appreciate it.  
8 Commissioner Murphy.

9 COMMISSIONER MURPHY: I just want to thank  
10 everyone for being here and thank the City of Folsom  
11 for allowing us to use their beautiful facility. I  
12 just want to welcome the new staff personnel. We're  
13 very glad to have you on board.

14 I also want to thank everybody for the  
15 acknowledgment of September 11. As a firefighter,  
16 that's very near and dear to me, so thank you.

17 My activity just includes attendance of the two  
18 Open Houses for the Parks Transformation, and then as a  
19 follow-up to that, multiple phone calls to different  
20 stakeholders in trying to figure out what all this is  
21 going to mean to the OHV Division, and trying to figure  
22 out ways to move forward with what's best for the  
23 people of California and the OHV community.

24 So, with that, that's my activity.

25 CHAIR CABRAL: Okay. Thank you.

1 Commissioner Lueder.

2 VICE CHAIR LUEDER: Thank you. I just want to  
3 welcome all the new staff. That's great to have upper  
4 management acknowledge the fact that we needed to fill  
5 some seats, and so welcome aboard.

6 And since the last meeting, I attended the July  
7 19 State Parks Transformation Organizational Structure  
8 meeting in Sacramento. I was really happy to see that  
9 we had a great turnout, had our Director and, I think,  
10 our Chief Assistant Deputy Director and a new Deputy  
11 Director of the OHV Division, and legal counsel as  
12 well. So there was a lot of upper management staff to  
13 hear the public's concerns about some of the proposals  
14 that were -- that are being considered.

15 So it was great to hear from everybody out in  
16 the public, and I was really happy that they took their  
17 time to come and give us their comments.

18 And that's pretty much my report for now. And I  
19 just wanted to thank the staff for a great tour  
20 yesterday. It was great to see Prairie City again.  
21 I've been out there multiple times, but every time I'm  
22 out there I see something new and there's something  
23 different. It's great to see the progress that's going  
24 on. Thank you.

25 CHAIR CABRAL: Commissioner Lemmon.



1 Carnegie for the tour, although I will say it was too  
2 short. There was a lot of stuff there I think we could  
3 have seen. And we had a lot of resources on the  
4 ground, and it would have made sense, I think, to spend  
5 more time there, so just a little insert into that.

6 On July 26, I had -- well, let me back up a  
7 little bit. I had been talking to a gentleman named  
8 Mark Speller. He's the Executive Director of a program  
9 called National Youth Program Using Minibikes. He's  
10 based in Boston, and he and I have been having some  
11 conversations about the possibility of a partnership  
12 with that program with State Parks and kind of being  
13 able to integrate that into the Off-Road PAL program  
14 that we've been kind of struggling with for so many  
15 years.

16 So Mark agreed to fly out from Boston. I met  
17 him at the Orange County Airport, we had breakfast and  
18 that kind of thing, and then drove out to Hungry  
19 Valley. And Brian was kind enough to drive down,  
20 Chairman Cabral drove down, and several staff members  
21 from OHMVR were there as well. So I think we had a  
22 very informative meeting of what the potential of this  
23 partnership could mean to State Parks. And also a  
24 gentleman, Doug Varner, who I see in the back of the  
25 room there, a private citizen, but retired LAPD

1 officer, he was with Internal Affairs, I believe, and  
2 had a pretty good relationship with Chief Charlie Beck.

3 So, as we all know, it is always a difficult  
4 situation to get the cops organized, to get the kids to  
5 the park, and all those kinds of things. So it turns  
6 out that there is a potential meeting coming up in the  
7 very near future with Charlie Beck. Mark Speller will  
8 fly out again, and he and I will go meek with Beck's  
9 designated appointee. It is going to be a community  
10 relations person.

11 So that's some interesting potential there, if  
12 we can get LAPD involved in this Off-Road PAL kind of  
13 scenario with at-risk kids. So I want to thank  
14 everybody, and I hope we can move that project forward.  
15 I know we've had some discussions on that. I think  
16 Chairman Cabral and the Deputy Director are very  
17 supportive of this. We've just got to put all the  
18 right pieces in order.

19 August 11 I went to a listening session. I  
20 won't repeat what was happening, except for the last  
21 comment which I thought was really indicative of kind  
22 of the whole attitude of State Parks actually toward  
23 our Off-Road PAL -- our Off-Road Program, not our  
24 Off-Road PAL program, our Off-Road Program.

25 And the gentleman said, "I don't have to go to a

1 meeting to go to the beach." And, you know, it seems  
2 we've -- I've gone to thousands of hours of meetings to  
3 be able to ride a trail somewhere, so that seemed to  
4 make sense to me and it really resonated.

5 August 31 I attended an ATV Youth Safety  
6 Committee meeting, and there's some big issues dealing  
7 with rentals right there, so that ATV Safety Committee  
8 meeting is continuing to meet on a regular basis, and I  
9 want to thank Greg Schumaker for putting that together.

10 And then, just lastly, October 15 and 16 are  
11 going to be a Youth Recreation Day at Lake Castaic. I  
12 brought this up before but it is moving forward.  
13 Unfortunately, I won't be able to be there, but it's a  
14 nice collaboration between State Parks -- regular State  
15 Parks and OHMVR and Boating and Waterways as well, so  
16 that's something we ought to keep an eye on. Thank  
17 you.

18 CHAIR CABRAL: Thank you, Commissioner.

19 I'm grateful, too, for my fellow Commissioners  
20 for seeing that they're so active in this program, and  
21 I think it is important that when we have these  
22 positions that we take them seriously and that people  
23 are involved and, you know, given the proper public  
24 oversight on this program, so thank you.

25 My report, I'm going to start with -- really

1 I've been heavily involved in the Transformation  
2 process. Like I mentioned at some of the meetings,  
3 that I'm also on the Transformation Advisory Committee  
4 for the State Parks Transformation Plan. So not only  
5 do I get information that -- before it hits the street  
6 as far as public and involvement in that, but also I  
7 have a lot of communications with the upper management,  
8 with the Director and such with State Parks.

9 It's been fruitful in some areas, I have to say.  
10 I think that the comments that were made at some of the  
11 outreach meetings, I can see the changes in the -- in  
12 the attitude and what is being said as we're moving  
13 forward. It started as, "We're going to do this," and  
14 I don't think they understood the scope of the OHV  
15 program, especially with the Grants and Cooperative  
16 Agreements side of it, because it was looked at by a  
17 lot of the people from the Parks side. "Okay. They  
18 have nine State Parks."

19 And, well, it's much bigger than that. 80  
20 percent of our OHV opportunities are available through  
21 the Grant and Cooperative Agreement Program on  
22 properties other than State properties.

23 So that mindset has changed, and I think that  
24 we've seen a large shift in just the verbiage and how  
25 it's being presented. And now it was even acknowledged

1 at our last outreach meeting in Ontario that the --  
2 there is a bias, there is an existing bias towards OHV,  
3 and also Boating and Waterways, and that that has been  
4 addressed by the Director. So I appreciate the  
5 Director stepping up and recognizing that and  
6 addressing those things.

7 The other part of Transformation is I had these  
8 relationships that are developing, and I was able to go  
9 to a State Parks -- General State Parks meeting at  
10 Annadel State Park, which is right around the corner  
11 from my house up in Santa Rosa, California.

12 And it was interesting -- I'm a frequent visitor  
13 to Annadel; I like to mountain bike and hike there.  
14 And I received -- the difference -- I know I'm biased,  
15 okay, but the difference in the tour and the difference  
16 in just the presentation and how warm and fuzzy it was  
17 to begin with, and then talking to the on-the-ground  
18 ranger and hearing his -- getting his report off to the  
19 side after everything, it was quite a bit of  
20 difference.

21 And his frustrations, obviously -- they were  
22 around the obvious situation of the lack of funding,  
23 lack of employees, backlog of maintenance, trail  
24 maintenance that hasn't been completed, lack of law  
25 enforcement, marijuana gardens in the back of the

1 property, homeless people living in the property. I  
2 mean, it was just a very long laundry list.

3 So that -- the reason I'm bringing that stuff up  
4 is that's why Transformation is out there, is they're  
5 addressing the failures in areas of State Parks, and  
6 that's what's going on here.

7 But I keep coming back around to one of the main  
8 failures is that our elected officials haven't chosen  
9 to properly fund State Parks, is really what it comes  
10 down to, and they've played a shell game with our  
11 money. And I'm not talking our money as OHV money, I'm  
12 talking about our money as taxpayers, okay?

13 So, you know, Ted on the soap box once again,  
14 but, still, I think it is important that we pay  
15 attention and that we are involved with our elected  
16 officials for our regions and being able to discuss  
17 these issues with them, whether it's with Parks or with  
18 other issues that may concern us as citizens.

19 To move on, the next one -- oh, the other thing  
20 too, is with that you'll see in my reports coming up  
21 when we get into the ad hoc committees, usually I'm  
22 very active. The Transformation stuff has taken a  
23 tremendous amount of my time, and I apologize to my  
24 fellow Commissioners, because I've lost focus on the ad  
25 hoc committees and some of the other light duties of

1 the Chair of this Commission. So I don't think I've  
2 lived up to my standards because of how much effort  
3 I've had to put into the Transformation. And I'm  
4 greatly looking forward to the Transformation being  
5 over with, and I think -- I know I've made a large  
6 impact on it, but it's going to be really nice when  
7 that process is done, so --

8 The next thing is, is I'd like to make a formal  
9 request. I had a discussion with Commissioner Slavik,  
10 and the request I'd like to make is to have -- start a  
11 renaming process for Onyx Ranch. I think that that  
12 facility should be named after Ed Waldheim. I think if  
13 it wasn't for Mr. Waldheim and his friends at Jawbone  
14 and everything that goes -- and OHV recreation in  
15 Southern California and just -- and just the impact  
16 he's had on this program throughout the years, that  
17 it's something that's important.

18 Ed is battling some health issues right now, and  
19 a lot of times some of these types of things happen  
20 after a person is no longer with us. And I'd like to  
21 see if we can accomplish it sooner rather than later  
22 out of respect for his efforts over the years.

23 I also -- Commissioner Slavik alluded to the  
24 meeting that we had down in the Off-Highway PAL and the  
25 Anthem meeting down at Hungry Valley. I think it's a

1 wonderful partnership that could be developed and would  
2 be a really great benefit to the youth and also some  
3 mentorship type of program, is really what it is, is a  
4 mentorship program.

5           There are some areas, as we move forward with  
6 the renewal of the program, that should be addressed  
7 with -- in statute so we could have these programs  
8 participate on the Parks if they receive grant funds.  
9 We need to look at that. That's very important  
10 because, as it sits now, it's difficult, we can't have  
11 the nonprofit receive the grant, get the process up,  
12 and then go use the SVRA where we want them using it at  
13 a quality managed OHV recreation facility. So we need  
14 to kind of look at that.

15           Also, on that same trip, myself and the new  
16 chief, Brian Robertson, we met with the Kern County  
17 Sheriff's Department about their law enforcement  
18 activities on the PCT and how it relates to OHV. And I  
19 have to say that it was a very positive meeting, and I  
20 really appreciate the effort the Kern County Sheriff's  
21 Department has put into this. And, once again, it  
22 speaks to the quality and the scope of the Grants and  
23 Cooperative Agreement Program and what it can do  
24 through our law enforcement grants.

25           They will be making a presentation at our next

1 Commission meeting -- well, our next  
2 regularly-scheduled Commission meeting that we're  
3 hoping to have down in Southern California, and I'm  
4 looking forward to the presentation that we'll have.

5 And let's see here. I want to speak about that  
6 at the end of the meeting. I'll wrap it up with that  
7 right now because we're going to get into the ad hoc  
8 committee, so then we'll have some more information  
9 coming out then.

10 So thank you, once again, staff. Great job. I  
11 liked the tour. Commissioner Slavik had a point, there  
12 are a couple of more things I would have liked to have  
13 seen out there. I would have liked to have seen kind  
14 of the -- gone up in front and seen the new entrance  
15 and how it is. We'll discuss the Carnegie stuff here  
16 more in the future, but there's a couple of little  
17 spots it would have been nice to see.

18 **AGENDA ITEM V - AD HOC COMMITTEE REPORTS**

19 CHAIR CABRAL: With that, I'd like to just move  
20 gracefully into the next step which would be the ATV  
21 safety. Oops, I'm looking the wrong way. So we  
22 have -- ATV Safety, we have Commissioner Slavik and  
23 Commissioner Lemmon.

24 Do you have anything to report on that?

25 COMMISSIONER SLAVIK: Well, I did have a little

1 report on it. There's probably nothing -- going ahead,  
2 we just kind of looked at some, I want to say,  
3 information that we had before us to kind of get a  
4 sense of where this whole program is going and where we  
5 need to go, and I alluded to the fact that rentals is  
6 an issue.

7 But I would like to address -- Commissioner  
8 Lemmon called me and asked me, you know, something  
9 about how these committees were working and how his  
10 involvement was going to be in these things. And I  
11 wasn't really too sure about that, so maybe we need to  
12 clarify that. And, basically, that's my report.

13 CHAIR CABRAL: Okay. Thank you. Yes, there  
14 is -- that is an area that we need to clarify, because  
15 that was created with you being the lead and with, at  
16 the time, Commissioner Perez being the alternate, I  
17 believe, is how that went.

18 So there was a -- so I think how it should work  
19 is Commissioner Lemmon should be in the know, he should  
20 be involved in stuff, but when it comes to the  
21 official -- when we meet with the CHP and the Division  
22 and stuff, it needs to be just you, Commissioner  
23 Slavik. I'm pretty sure that's how it needs to be; is  
24 that correct, Counsel?

25 LEAD COUNSEL TOBIAS: That would generally be

1 okay. Remember that those are ad hoc committees so  
2 they can't really commit to anything. You know, they  
3 can listen and talk, but everything has to come back to  
4 the Commission for the decision.

5 CHAIR CABRAL: Okay.

6 COMMISSIONER SLAVIK: One additional comment. I  
7 did offer the opportunity -- I shouldn't probably be  
8 saying this. It wasn't my authority to do this, but  
9 I'd like to see the committee go to Oceano Dunes and  
10 view the situation there. We talked about how they  
11 could probably -- you know, the Highway Patrol and the  
12 DMV guys could get authority to do that, but we're  
13 looking at the possibility of actually having a  
14 Commission -- I'm sorry -- a committee meeting there  
15 and being able to review the rental situation there,  
16 which is really the 800-pound gorilla in the whole  
17 situation. Until you see something on the ground, and  
18 neither one of those gentlemen have actually seen that  
19 facility, so I thought it was important that we maybe  
20 have a meeting there at that location.

21 CHAIR CABRAL: That's a good point. I think  
22 that there's a lot of background stuff going on with  
23 Oceano Dunes, and I think that it might be appropriate  
24 for the Commission to have a meeting there next summer  
25 as a whole and as things are moving forward.



1 I also kind of picked up on something that  
2 Commissioner Slavik has been critical about over the  
3 past, but the Bureau of Land Management puts out a  
4 News.Bytes email that goes out to many people, and I'm  
5 extremely disappointed with the recreation content in  
6 this newsbyte.

7 And I've addressed different people throughout  
8 the Bureau with that, and I'm just literally going to  
9 go to the Director. It's getting ridiculous. I mean,  
10 there was a little pamphlet that came out from the  
11 Bureau of Land Management, and I believe I have it  
12 here, and I think it's important to repeat this. And  
13 I'm going to bore you guys while I dig through my  
14 pictures in my phone.

15 But there is a little brochure that came out  
16 with -- it showed how many people use public lands in  
17 California, and I'm not going to get it exactly. These  
18 numbers are my estimated guesses, but it was, like, it  
19 was just under eight million of them where there was  
20 recreational uses of Bureau of Land Management  
21 properties in California annually. And, of that  
22 number, it was like around 6 million of them were  
23 OHV-related.

24 So that shows how much of this -- how much of  
25 their recreation opportunity is used by OHV. Now, when



1 I'm going to skip over that one.

2 Statewide Motorized Trail. This is where I was  
3 going to say Transformation has taken up all of my  
4 time. I've done virtually nothing on that, and I  
5 apologize.

6 Commissioner Murphy, do you have anything on  
7 the --

8 COMMISSIONER MURPHY: No, nothing to report.

9 CHAIR CABRAL: I've got the wrong one. That was  
10 Commissioner Lueder, I'm sorry. I'm looking at Clear  
11 Creek.

12 The next one, we have the Clear Creek Management  
13 Area. That's the same thing. We have a report that  
14 came out, and I covered that through the BLM stuff.

15 Cost Recovery, Commissioner Lueder.

16 COMMISSIONER SLAVIK: Can we back up a second?

17 CHAIR CABRAL: Yes, sir.

18 COMMISSIONER SLAVIK: That BLM letter -- the  
19 letter we got from BLM denying our protest letter --  
20 oh, yes. Can somebody explain that? And I know we  
21 don't have a representative here so we're kind of  
22 stuck.

23 CHAIR CABRAL: We were supposed to have a BLM  
24 report today, correct? Do we have a BLM? Yes, there  
25 we are. Yes, we will address that when we have the BLM

1 report.

2 COMMISSIONER SLAVIK: Thank you.

3 CHAIR CABRAL: Uh-huh. So Cost Recovery.

4 VICE CHAIR LUEDER: Yes. So I don't really have  
5 a report, but I note that in the Legislative Update  
6 there is mention of HR 5129, which relates to permit  
7 fees on events for public -- on public lands.

8 So the hope is if that legislation is  
9 successful, it would put a cap on fees that  
10 organizations are charged when they put on special  
11 events, which will include off-road events.

12 And right now it's kind of what I would call a  
13 sliding scale. That's very subjective and based on the  
14 federal land manager's assessment. So, hopefully, for  
15 cost recovery purposes, this legislation will go  
16 through and kind of unify and standardize permit fees.

17 Other than that, I don't have anything else to  
18 report at this time.

19 CHAIR CABRAL: Thank you. Education and  
20 Outreach. Commissioner Murphy and Commissioner Litwin.  
21 Commissioner Murphy, anything?

22 COMMISSIONER MURPHY: I have nothing on my end.

23 CHAIR CABRAL: Commissioner Litwin?

24 COMMISSIONER LITWIN: Well, I think in the  
25 process of me doing the purchase of the bike and the

1 truck and whatnot, I'm getting educated doing this.  
2 I'm learning how the green sticker process works, the  
3 registration process of this works.

4 I'm also learning even the basics of what gear  
5 you should buy, although I, as a promise to my  
6 girlfriend, bought all the gear. So I kind of look  
7 like the little kid from *A Christmas Story* with all the  
8 stuff on and I can't even put my arms down, but she  
9 wants to make sure I don't get hurt.

10 So I think there's a lot of education since I  
11 was oblivious to the OHV until I was appointed back in  
12 April. I'm starting from the ground, and this was my  
13 thought process in doing this besides Christmas coming  
14 early for me in July.

15 And so I've done that, and with the training  
16 program I'm going to do tomorrow, being able to get out  
17 into parks a little bit more, and that's going to help  
18 me get up to speed on how these programs work. And  
19 then, I think, I can start passing along that knowledge  
20 and doing outreach and whatnot.

21 The other thing too, though, the only other  
22 thing I did work on was some of the updates from  
23 Ocotillo Wells when I was talking with Steve and some  
24 of the stuff they were doing there, but I'm getting my  
25 feet up from under me at first.

1 CHAIR CABRAL: Good. Thank you.

2 Commissioner Murphy.

3 COMMISSIONER MURPHY: There's just one thing I  
4 wanted to say real quick, and it kind of dovetails in  
5 with the issue we had with the BLM newsletter. And  
6 what I'm going to say, and I'm as guilty of it as  
7 anybody, I know everybody here has lives and families  
8 and such, but I've said it before of where the OHV  
9 community has what I feel a problem with community  
10 outreach. It just seems like we are the black sheep of  
11 the recreational community and, you know, a lot of  
12 the -- the regular outdoor community who is not OHV,  
13 they don't really want to see us. So I would just like  
14 to, on the topic of Education and Outreach, just  
15 encourage the different groups out there and the  
16 different clubs to take opportunities to make outreach.

17 You know, if you have an event in November or  
18 something, make it a canned food drive or something for  
19 a local food bank or something. Dovetail something  
20 onto it where you're giving back to the community in  
21 some way.

22 I mean, we're all here and we appreciate you  
23 coming here and you're involved but, in essence, we're  
24 really just speaking to ourselves; we're speaking to  
25 each other when we really need to improve our public

1 image out there.

2 So along the lines of Outreach and Education, I  
3 would just encourage the clubs out there to try to do  
4 what you can to try to make public outreach to improve  
5 the public image of OHV in general. That's all. Thank  
6 you.

7 CHAIR CABRAL: Thank you. That's an excellent  
8 point.

9 Next we have the Fuel Tax Study and 2018 Sunset.  
10 Commissioner Lueder.

11 COMMISSIONER SLAVIK: Are we done with committee  
12 work?

13 CHAIR CABRAL: No.

14 COMMISSIONER SLAVIK: Okay. I'm sorry. I have  
15 a comment when we're done with committee work.

16 CHAIR CABRAL: Okay. You don't have anything,  
17 okay.

18 On the sunset side of this -- well, actually,  
19 they go together. The Fuel Tax Study and the sunset.  
20 The Fuel Tax Study is going to have to dovetail in with  
21 our sunset as things move forward and Transformation.  
22 They all kind of come together.

23 Yesterday the Governor signed a Greenhouse Gas  
24 Emission Carbon Program that -- it was two of them,  
25 actually. One is going to affect the makeup of the Air

1 Resources Board and how things are done there and also  
2 it's going to affect, you know, the future of vehicles  
3 in California.

4 With that, there's going to need to be an  
5 adjustment on the fuel tax formula that's going to need  
6 to keep moving with OHV use compared to on-road use,  
7 because on-road use vehicles are going to aggressively  
8 go to zero emission, possibly electric vehicles under  
9 this plan.

10 So I don't foresee fifth-wheel trailers or fun  
11 toy haulers in Southern California being towed by  
12 electric Ford F350 pickups, so that's one factor. And  
13 I don't foresee electric vehicles at this point being  
14 capable of going out into the furthest reaches of the  
15 desert after they go there and set up their campsite  
16 and everything.

17 So our percentage as we move forward on fuel  
18 tax, our percentage is going to grow, and that needs to  
19 be factored in, in my opinion, with the legislation and  
20 the sunset as we're going forward. That's not going to  
21 be a really popular topic with some folks, but it's  
22 real. And, with that, I intend to continue to make it  
23 an issue.

24 Also, there's a number of advocates that have  
25 been working on sunset for the OHV program, and I

1 intend to, since I'm on the subcommittee with  
2 Commissioner Lueder, I intend to meet with DPR staff,  
3 the Director, and I would -- and Commissioner Lueder,  
4 I've asked him to please be involved in it because he's  
5 a wealth of knowledge on this subject.

6 And to sit down and go over the requests of the  
7 OHV community as far as sunset moving forward so it can  
8 be worked in with how they're moving, putting the  
9 Transformation together. So that will be coming  
10 shortly, and that will be something I should be able to  
11 have a more comprehensive report on at the November  
12 meeting.

13 Next we have Law Enforcement, Private Property  
14 Interface. Commissioner Patrovsky and Commissioner  
15 Lemmon.

16 Commissioner Patrovsky.

17 COMMISSIONER PATROVSKY: Nothing to report at  
18 this time.

19 CHAIR CABRAL: Okay. Commissioner Lemmon?

20 COMMISSIONER LEMMON: Nothing to report.

21 CHAIR CABRAL: Thank you. Pacific Crest Trail.  
22 Commissioner Patrovsky.

23 COMMISSIONER PATROVSKY: Well, I'd like to talk  
24 a little bit about an unfortunate incident that  
25 happened to me about three weeks ago, and this is



1 the periphery of this area, contacting riders to  
2 educate them about what's going on.

3 After this incident, the unloading vehicle for  
4 this motorcyclist was still there, so I left on his  
5 windshield a polite note telling him that I observed  
6 him unlawfully riding on the Pacific Crest Trail. I  
7 didn't call him any names or anything like that, that's  
8 counterproductive, but advised him that the actions of  
9 a small minority of riders who disregard the law is  
10 detrimental to the motorized recreation community in  
11 general. It also leads to more pressure for more  
12 closures, which is detrimental to riding.

13 So, hopefully, this individual will get the  
14 message, and if Rick's group knows this rider, because  
15 I provided a vehicle description and a picture of the  
16 vehicle, that maybe somebody will talk to him and, you  
17 know, reinforce that this kind of behavior is  
18 obstructive. And there are lots of good riding areas  
19 in the forest, and you don't need to ride on the  
20 Pacific Crest Trail.

21 CHAIR CABRAL: Thank you, Commissioner. And I  
22 think that was a good way to handle it. You did an  
23 excellent job. It shows your experience in law  
24 enforcement over the years. I appreciate your efforts.

25 COMMISSIONER LITWIN: Mr. Chair, real quick.



1 why we have some law enforcement grants, and I'd like  
2 to see -- I think -- someone is obviously breaking the  
3 law there. And, if they get caught, I think they  
4 should be punished for it, personally.

5 The other thing that's going on with the Pacific  
6 Crest Trail is -- and I'm going to dovetail this into  
7 the U.S. Forest Liaison Report that's coming up, is  
8 that there's a planning effort with the three early  
9 adopters. And, once again, Transformation is taking me  
10 away from focusing on these issues. But I have had  
11 some conversations with Beth Boyst, the manager for the  
12 Pacific Crest Trail, that she worked with the Forest  
13 Service about this planning, and I've expressed my  
14 concerns on a couple of areas.

15 They're doing the planning for the forest -- for  
16 the Pacific Crest Trail forest by forest which, as we  
17 know in the OHV community, didn't work with the  
18 Statewide Motorized Trail because it was considered  
19 piecemeal and it was subject to a lawsuit.

20 So, with that, I guess our legal counsel,  
21 Kathryn, I'd like to see if you can maybe look into  
22 the -- with the Grant and Cooperative Agreements, any  
23 grants that have been accepted for an OHV crossings and  
24 stuff on the Pacific Crest Trail, if they're subject to  
25 CEQA and how that would affect their managed -- their

1 planning efforts right now.

2 Because I'm under the opinion that the Pacific  
3 Crest Trail needs to go through a planning process for  
4 the whole trail, and the manager is not, and I think  
5 they're going down to the rabbit hole in this one and  
6 going in the wrong direction.

7 LEAD COUNSEL TOBIAS: I can look into that.

8 CHAIR CABRAL: Okay. Thank you. I appreciate  
9 that.

10 All right. The next item will be Urban Parks  
11 Acquisition. We have Commissioner Slavik and  
12 Commissioner Lueder.

13 Any reports?

14 COMMISSIONER SLAVIK: Only that we're going to  
15 kind of reconstitute the Little Rock thing with  
16 Commissioner Litwin and his contacts. There's a  
17 potential site in Little Rock, California, Southern  
18 California that had -- it basically dissolved because  
19 of the political situation at the time.

20 CHAIR CABRAL: Okay.

21 VICE CHAIR LUEDER: I don't have anything to  
22 report on that.

23 CHAIR CABRAL: Thank you. And then last we have  
24 the Forest Service Report, and that would be the -- the  
25 only thing I have to report on the Forest Service is

1 that -- well, first off, it is obviously fire season so  
2 there's battles there, and I appreciate their efforts  
3 to be able to -- I mean, coordinate and do everything.

4 I know with a fellow firefighter here on the  
5 Commission, I understand a little bit about it, but not  
6 nearly enough, and I know it is a large task.

7 But these planning efforts, the three early  
8 adopters on the Sequoia, the Inyo, and the Sierra  
9 National Forests, I was not able to attend any of the  
10 meetings because I was at a Transformation meeting in  
11 Southern California for one of the meetings that would  
12 have worked with my schedule.

13 But I reviewed the documents, and I signed on a  
14 document that the Stewards of the Sequoia presented,  
15 which was a very in-depth document comment for the  
16 Sequoia National Forest. I think that they did a very  
17 fine job and, basically, really it was extremely  
18 detailed in their response, so I signed on that  
19 personally.

20 Commissioner Lueder, do you have anything to  
21 report on the Forest Service?

22 VICE CHAIR LUEDER: Not at this time. Thanks.

23 CHAIR CABRAL: Okay. We'll have a report after  
24 one of your enduros coming up in the fall?

25 VICE CHAIR LUEDER: Definitely. There's going

1 to be several events coming up in October and November  
2 that I'll be attending, so I'll definitely have a  
3 report in November.

4 CHAIR CABRAL: Great. Thank you.

5 All right. So, with that, we have made it  
6 through our ad hoc committees, and it looks like we are  
7 slightly ahead of schedule.

8 COMMISSIONER SLAVIK: Chairman?

9 CHAIR CABRAL: Yes.

10 COMMISSIONER SLAVIK: Comment. I need a  
11 clarification. I am on the ATV Safety Committee, but  
12 I'm also on ATV Youth Safety Committee that's a  
13 legislatively-mandated committee. I'm trying to get a  
14 clarification. Are they two different committees? I  
15 don't believe that's an ad hoc committee because it is  
16 mandated.

17 CHAIR CABRAL: Counsel?

18 LEAD COUNSEL TOBIAS: So when you talk about the  
19 Legislative Committee, is that a committee that the  
20 Legislature set up and appointed you to it?

21 COMMISSIONER SLAVIK: Well, I was appointed  
22 here, but it was set up through legislation.

23 LEAD COUNSEL TOBIAS: Okay. I'd have to look at  
24 that. That sounds to me like not an ad hoc committee  
25 but a committee that has to meet the public noticing

1 requirements.

2 COMMISSIONER SLAVIK: I'm the only Commissioner  
3 on the meeting --

4 LEAD COUNSEL TOBIAS: Okay.

5 COMMISSIONER SLAVIK: -- at the meetings, but I  
6 was under the impression that it was not an ad hoc  
7 committee.

8 LEAD COUNSEL TOBIAS: So who else is on the  
9 committee?

10 COMMISSIONER SLAVIK: There's some staff and a  
11 Highway Patrol representative and DMV representative.

12 LEAD COUNSEL TOBIAS: Okay. Let me look at  
13 that. I've not run into that before.

14 CHAIR CABRAL: Is that something that you -- do  
15 we need to do that in the public format or is that  
16 something you guys can just communicate via email and  
17 get to the bottom of that that way and maybe just have  
18 to report?

19 LEAD COUNSEL TOBIAS: No, I can just -- right.

20 CHAIR CABRAL: Okay. Thank you.

21 Yes, Commissioner Lemmon?

22 COMMISSIONER LEMMON: However I can serve on the  
23 ATV Safety Committee, that's what I'd like to do,  
24 whether it is as an alternate or actually part of the  
25 conversation. I want to be engaged; I want to be

1 involved. So that would be my request.

2 CHAIR CABRAL: Well, once we get clarification  
3 on this from the legal, because I think what we've done  
4 is we've kind of melded two things here, maybe  
5 unintentionally.

6 So what we can do then is if they do get  
7 separate, then you could really roll up your sleeves  
8 and do a lot of different things there. So I was under  
9 the impression that we had to keep you a little bit in  
10 the background on it, but if that's not the case, if  
11 these are separate, then we can -- then you can go  
12 100 percent, okay?

13 How long do you think your presentation is going  
14 to be? Probably about a half hour?

15 DAN CANFIELD: 40.

16 CHAIR CABRAL: So instead of taking -- we have  
17 here noted like a fifteen-minute break. Why don't we  
18 take a shorter break of about ten minutes. So take a  
19 ten-minute break and we'll come back.

20 (Returned at 10:15 from a break starting at 9:58  
21 a.m.)

22 **AGENDA ITEM VI - BUSINESS ITEM**

23 CHAIR CABRAL: I'd like to bring the meeting  
24 back to order, please. We're going to go into our  
25 business item here on our public hearing for the

1 Commission to consider the certification of the final  
2 EIR and the approval of the General Plan for Prairie  
3 City SVRA.

4 This is an item. If the public would like to  
5 comment on it, you're going to need to have one of  
6 these green cards filled out. So the green cards are  
7 in the back, and get them to Vicki, because after this  
8 presentation we'll be taking the public comment on it,  
9 and then the Commission will be discussing it, so --

10 DAN CANFIELD: Hello, Commissioners. Dan  
11 Canfield with California State Parks, OHMVR Division,  
12 presenting a business item on the Prairie City SVRA  
13 General Plan and Environmental Impact Report.

14 It's Item 5 on the agenda. The Commissioners  
15 have a report in your binders. This report is also  
16 available to the public on the back table.

17 This is a business item on the agenda because  
18 today we will be asking for the Commission to take  
19 action on consideration of approval of the Prairie City  
20 General Plan.

21 Now, for the first part of the presentation I'd  
22 like to introduce Sector Superintendent Jeanne Sisson  
23 for a Prairie City SVRA overview.

24 JEANNE SISSON: Thank you, Dan.

25 Good morning, Commissioners. Once again, this

1 is Jeanne Sisson, Superintendent of Prairie City.

2 Welcome. I enjoyed you on the tour yesterday.

3 Okay. So we're going to start with Prairie City  
4 historical use periods. The general area was  
5 originally occupied by the Maidu Native Americans  
6 before they were displaced by settlers in Gold Rush  
7 activities. It was a gold mining community from the  
8 1850s to 1860s.

9 What we call Prairie City now is actually not  
10 that site. There was a town about -- a settlement, a  
11 gold settlement about three miles north, and that's  
12 where Prairie City takes its name from. It was called  
13 Prairie City, and, at its peak, that community had  
14 about 2,000 residents after a few prosperous years, the  
15 gold gave out, and by the 1860s those residents did  
16 move away.

17 However, the Gold Rush continued in 1898 in the  
18 area with the invention of the gold dredge, and the  
19 search for gold continued in this era until World War  
20 II. That activity is what created the cobbles I was  
21 talking about yesterday on the trail at Prairie City.

22 After that and still presently in our  
23 surrounding areas are ranches. We currently also have  
24 neighbors with aggregate and mining.

25 Aerojet Rocketdyne, they were developing their

1 M1 engine -- rocket engine from the early '60s to 1972.  
2 They occupied and owned the land that is now Prairie  
3 City.

4 About eight -- it was 600, 800 acres, I think it  
5 was, was sold to the McGill family, and they operated  
6 it as a privately-owned cycle park from 1972 to 1975  
7 before selling it to Sacramento County who also  
8 operated it as an OHV park for a relatively short  
9 period prior to California State Parks taking it in  
10 1988.

11 Remnants of the rocket -- or of the Aerojet era  
12 can still be seen. The moon room is the most obvious.  
13 This bunker adjacent to the district office was built  
14 so that scientists could observe the testing of the M1  
15 rocket engine. This unique building is currently  
16 closed per the State Fire Marshal due to the presence  
17 of asbestos and mold.

18 The Prairie City General Plan proposed for  
19 approval identified the potential for this building to  
20 be used as a visitors center which would require the  
21 development and approval of both substantial funding to  
22 develop. And, by the way, on a side note, it was never  
23 really used for the M1. The M1 engine got replaced by  
24 something else, so they built this building and never  
25 really used it for its intended purpose.

1 Today, Prairie City SVRA is a State Vehicular  
2 Recreation Area. I'm sorry, from here on out that's --  
3 SVRA stands for State Vehicular Recreation Area. It's  
4 a diverse off-highway vehicle park that provides riding  
5 opportunities for everyone, from beginners and children  
6 to expert competitive riders and drivers.

7 The park has a variety of facilities which  
8 include a kart track and a quarter midget track. A  
9 quarter midget track racing is strictly for kids while  
10 go-karts can be operated by kids and adults. The  
11 go-karts go up to 80 miles an hour.

12 The Prairie City Flat Track hosts a variety of  
13 events from competitive motorcycle training courses to  
14 supercross, ATV racing, and even lawnmower races. We  
15 had the Lawnmower Nationals earlier this year at  
16 Prairie City, and they had a great time with wordplay  
17 with the mowing thing, "Mow Fun" and just all kinds of  
18 good stuff. It really does happen.

19 The Prairie City Motocross Track, a lot of  
20 people call it the Hangtown Track, because that's where  
21 Hangtown is held. We'll talk about that a little bit  
22 later, but it is called the Prairie City Motocross  
23 Track. It is a professional-level track for  
24 competitive and advanced riders. Riders pay a premium  
25 fee for an expertly-groomed track and advanced jumps.





1 ROVs, are currently rising in popularity in the world  
2 of off-highway vehicle recreation. These versatile  
3 OHVs come in a variety of designs that range from  
4 utilitarian to sporty, and it can be driven by people  
5 who might not be physically able to ride a motorcycle  
6 or even an ATV. Like other OHV types, they are safe if  
7 equipped and operated according to manufacturer's  
8 recommendations.

9 And then the ETC ranges give new riders  
10 controlled environments so they can develop the basic  
11 riding skills through a series of pattern exercises  
12 under the watchful eye of a trained instructor.

13 In addition to OHV training offered by park  
14 staff, facilities and terrain at Prairie City are also  
15 utilized by a variety of agencies and companies for  
16 in-house training to help drivers who will be traveling  
17 off-road as part of their duties to become proficient  
18 and safe. This includes branches of the military,  
19 utility companies, and fire departments.

20 Companies such as Toyota Motors has annual  
21 training at Prairie City to familiarize their sales  
22 staff with the off-road capabilities of their  
23 four-wheel drive trucks so they can better market their  
24 product.

25 Prairie City is the home to as many as 200

1 special events per year. The largest event is the  
2 annual Hangtown Motocross Classic, a  
3 nationally-televised motocross race that attracts  
4 professional riders from all over the world and up to  
5 25,000 spectators. It really transforms the park when  
6 this event is there.

7 The Hangtown Motocross Classic kicks off the  
8 12-race Lucas Oil Pro Motocross Series. This exciting  
9 motocross race is one of the oldest and one of the most  
10 notable trophies on the 12-race Lucas Oil AMA Pro  
11 Motocross Championship series and has been dubbed as  
12 the crown jewel of the series.

13 The Hangtown Motocross Classic is the only event  
14 on the Lucas Oil AMA Motocross Series schedule that is  
15 still run by a motorcycle club and is held on public  
16 lands, illustrating the successful partnership between  
17 California State Parks' Off-Highway Vehicle Division  
18 and the Dirt Diggers Motorcycles Club.

19 Rock racing is a motor sport that is growing  
20 significantly in popularity since it first appeared at  
21 Prairie City about ten years ago. With action like  
22 this, it is a real crowd pleaser. Some of the rock  
23 racing drivers are primarily motocross competitors.

24 Prairie City is also host to trials bike  
25 competitions once or twice a year. This is a

1 competition that focuses on precision and control over  
2 obstacles.

3 Prairie City holds ten-week mountain bike  
4 competition series with races held every Wednesday  
5 starting in the spring. Wednesday is the one day of  
6 the week that the park is closed. This kind of  
7 dual-use increases the park visitation by crossing over  
8 to other demographics which increases our user base and  
9 creates advocates for OHV parks. Some of our mountain  
10 bike competitors are motor sport enthusiasts as well.

11 The various promoters holding special events at  
12 Prairie City SVRA during the '15/'16 fiscal year  
13 collected a total of approximately \$1.8 million in  
14 revenue. Ten percent of that figure is paid to the OHV  
15 Trust Fund as rent for the events.

16 Spectator attendance ranges from dozens to  
17 thousands of persons per event to stimulate the local  
18 economy with purchases of food, fuel, lodging, and  
19 other goods and services from local businesses.

20 The park offers traditional programs as well as  
21 OHV safety and environmental responsibility. This  
22 picture was taken during our annual vernal pool tour.  
23 The vernal pool management area is part of a small  
24 network of buffer lands at Prairie City that are not  
25 open to OHV riding but yet indirectly serve and support

1 the OHV community. Buffer lands serve critical  
2 purposes such as providing habitat that can compensate  
3 for habitat loss due to riding impacts, buffering noise  
4 and dust between OHV recreation areas and neighboring  
5 residential areas, providing OHV riders or their  
6 companions with alternate things to do while they are  
7 visiting the park, and increasing support for OHV parks  
8 from local residents who are not OHV enthusiasts  
9 themselves.

10 One of the most important tasks for staff at  
11 Prairie City SVRA is the management of water during  
12 storm events. Best management practices such as  
13 increasing vegetative cover, maintenance of sediment  
14 basin, installation of infrastructure to slow, direct,  
15 and control water flow are all deployed at Prairie City  
16 SVRA to keep the park in compliance with laws and  
17 regulations such as the Clean Water Act.

18 One of the most successful environmental  
19 management practices at Prairie City is the Rotational  
20 Hill Climb Rehabilitation Program. The hillside is  
21 divided into sections. When a section is denuded of  
22 vegetation and active erosion begins to occur, as you  
23 see here, that section is temporarily closed and the  
24 rehabilitation process begins.

25 Soil collected from sediment basins within the

1 park is contoured to fill the gullies and rills. Straw  
2 wattles are placed on the hill to break up the vertical  
3 slope and slow water from creating more erosion. The  
4 mix of water, seeds, compost, and tackifier is sprayed  
5 on a hill, a process called hydroseeding.

6 The hillside is restored and will be open to  
7 riding season again while another section is closed off  
8 and rehabilitated. This is just one example of how  
9 staff at Prairie City SVRA achieved the balance between  
10 providing OHV recreation and being good stewards of the  
11 land.

12 The presence of mammals such as deer, coyotes,  
13 bobcat, and rabbits at Prairie City are the result of  
14 management efforts to maintain wildlife habitat as well  
15 as an ability by these species to adapt to some degree  
16 to the impacts of off-highway vehicle use.

17 Prairie City SVRA is also the home to a variety  
18 of birds. Environmental staff conduct bird surveys  
19 four times a year in the park. These surveys are  
20 valuable indicators of the overall environmental health  
21 of the park, and the results are important for  
22 management decisions and strategies.

23 The setting surrounding Prairie City is changing  
24 rapidly from the agriculture and light industrial to  
25 residential. Folsom Ranch is a planned development of

1 residential and commercial properties on 3,500 acres  
2 adjacent northeast to Prairie City. Construction of  
3 over 10,000 homes is anticipated to begin in late 2017.

4 Construction already has started on new homes to  
5 the west and southwest of Prairie City in the area of  
6 Douglas Road and Grantline Road. Although these homes  
7 are not directly adjacent to the park, park operations  
8 could be impacted by additional traffic and increased  
9 concerns from these new neighbors about dust and noise  
10 from OHV operations and special events.

11 Current and future managers at Prairie City will  
12 have to be diligent in their efforts to establish  
13 relationships with the local community and to implement  
14 practices that minimize the potential for conflict with  
15 our neighbors.

16 Widening and other improvements on White Rock  
17 Road along the north boundary of Prairie City SVRA were  
18 completed in late 2013 by Sacramento County Department  
19 of Transportation. Although the project improved  
20 traffic flow in and out of the park during large  
21 special events, one of our access roads that we use for  
22 special events that we call Event Road was adversely  
23 impacted due to the project's requirement for  
24 minimalization of cross-traffic access.

25 As the project continues into its next phases,

1 Prairie City managers, with help from Division staff,  
2 are working closely with the Capital SouthEast  
3 Connector JPA staff to protect and improve ingress and  
4 egress in the park without conflicting with roadway  
5 design requirements.

6 In conclusion, Prairie City SVRA is a unique  
7 off-highway vehicle park that's characterized by its  
8 facilities and motor sports events all within  
9 20 minutes of the State's Capitol. This General Plan,  
10 if approved, gives Prairie City managers the direction  
11 and tools needed to make sure our visitors have and  
12 will continue to have high-quality riding opportunities  
13 in an increasingly urban setting.

14 Thank you, everyone, and I'm going to turn it  
15 back over to Dan.

16 CHAIR CABRAL: Thank you.

17 DAN CANFIELD: Thank you, Jeanne. I guess  
18 perhaps the reason -- one of the reasons we're here  
19 today is that California State Parks has developed an  
20 updated General Plan and Environmental Impact Report  
21 for Prairie City SVRA.

22 Previously, the Commissioners were provided  
23 copies of the July 2016 draft General Plan and final  
24 EIR for Prairie City SVRA. These documents were also  
25 posted up to the project website, which is

1 prairiecitygeneralplan.com for public review.

2 This 2016 Prairie City SVRA General Plan is a  
3 broad-based policy document that establishes a  
4 long-range vision for the SVRA and provides goals and  
5 guidelines to direct future improvements, services, and  
6 programs. By providing a clear purpose, a vision, and  
7 goals and guidelines, the General Plan defines the  
8 broadest possible management framework for program  
9 development, ongoing management, and public use of  
10 Prairie City SVRA.

11 While this presentation describes a process that  
12 is culminating with this Commission meeting, it should  
13 not be considered the end of the process, rather the  
14 beginning of the next 20 to 30 years of Prairie City  
15 SVRA.

16 This General Plan and accompanying program  
17 Environmental Impact Report are intended to guide  
18 future SVRA managers as they collaborate with the  
19 recreating public on the operation of Prairie City  
20 SVRA.

21 Future implementation plans and projects  
22 envisioned in the General Plan will be analyzed in  
23 light of the program EIR along with necessary  
24 project-level analysis and permitting.

25 The General Plan that you have before you was

1 developed with substantial stakeholder and public  
2 involvement. This process kicked off back in June of  
3 2013, right next door at the Folsom Community Center  
4 with the first public workshop, and that's one of the  
5 photos on the slides.

6 Subsequently, multiple public workshops were  
7 conducted to develop the preferred concept and, when  
8 possible, these workshops included on-site meetings.  
9 We recognize that the best way to get the input from  
10 the SVRA visitors is to go to the SVRA, so often times  
11 these public workshops were conducted along with  
12 Prairie City special events, like Visitor Appreciation  
13 Day or the Hangtown Motocross Classic.

14 To gather the desired experience of SVRA  
15 visitors, the project website,  
16 prairiecitygeneralplan.com, also hosted online surveys.  
17 This enabled folks that were not able to come out to  
18 Visitor Appreciation Day or were not in the SVRA during  
19 the Hangtown Motocross Classic to still provide their  
20 input and guide the development of the General Plan.

21 This project website also served as the main  
22 portal for the public to receive information on the  
23 General Plan, review documents, and provide feedback.

24 Through the development of the General Plan, the  
25 planning team did encounter issues associated with the

1 future operation of Prairie City SVRA. We heard from  
2 the visitors that they liked the various track  
3 facilities at Prairie City, but wished them to be made  
4 better. We heard from the visitors that they like the  
5 special events, like the Hangtown Pro Motocross event  
6 and would like to have the spectator facilities  
7 improved for those events.

8 We also heard from SVRA visitors loud and clear  
9 that they wanted to have overnight camping available at  
10 Prairie City SVRA. We also heard from visitors that  
11 the casual riding trails at Prairie City SVRA were  
12 relatively uninteresting and that the tread surface was  
13 very poor because of all the cobbles left over from the  
14 gold dredging period.

15 The planning team learned of the expansion of  
16 neighboring communities like Folsom and Rancho Cordova  
17 as well as the access issues caused by the widening of  
18 White Rock Road by Sacramento County, and Jeanne had  
19 touched on both of those issues as well.

20 The planning team also learned of the important  
21 vernal pools at Prairie City and some of the stormwater  
22 issues. These planning issues and others are discussed  
23 in greater detail in Chapter 3 of the General Plan, and  
24 these issues helped shape the planned components that  
25 I'm getting ready to speak of. So those issues were on

1 the minds of the planners as they developed the  
2 concepts that are before you.

3 Back in October of 2015, almost a year ago, some  
4 of the Commissioners may recall that the Commission met  
5 in Folsom, the meeting was at Lake Natoma Inn, and this  
6 meeting was held in conjunction with the NOHVCC  
7 Conference, which is a national OHV organization.

8 At that meeting, I presented a report to the  
9 Commissioners on the preliminary General Plan and draft  
10 EIR. This draft EIR, I will note, identified that no  
11 significant environmental impacts would arise from  
12 implementation of the General Plan.

13 The General Plan contains -- I mentioned it a  
14 couple of times already -- the General Plan contained a  
15 vision for the future of Prairie City SVRA, and it is  
16 important that I would like to read it into the record.  
17 It is in Chapter 4 of the General Plan, page 4-5.

18 "Prairie City SVRA will provide high-quality  
19 off-highway vehicle recreation and other recreational  
20 opportunities while protecting natural and cultural  
21 resources. Prairie City SVRA will develop and maintain  
22 a family-oriented model of an urban OHV recreation area  
23 that is flexible, responsive, and provides a high level  
24 of quality customer service. Opportunities will be  
25 provided for family and community outreach through

1 environmental awareness, environmental stewardship, and  
2 safety training programs at this multi-use OHV  
3 recreation area."

4 So that is the vision that was developed with  
5 public input and through these public meetings.

6 Additionally, the General Plan divides the SVRA  
7 into different use areas. The graphic you see is  
8 Figure 4-1 from the General Plan, which is also  
9 included as an attachment to your staff report. This  
10 identifies the various use areas.

11 For example, it identifies areas for facilities  
12 like the Pro Motocross track and other specialty  
13 tracks. It identifies areas for distributed OHV  
14 recreation which is similar to the experience that  
15 visitors have experienced at Prairie City since the  
16 1970s.

17 The General Plan also identifies use areas for  
18 Prairie City that, in the future, managers will be  
19 developing an interesting and -- an interesting and  
20 challenging trail network with an improved tread  
21 surface. The General Plan also identifies areas for  
22 resource management like our vernal pool areas and our  
23 storm water management areas.

24 Also, in Chapter 4 of the General Plan, a set of  
25 robust goals and guidelines are provided to guide

1 future SVRA managers in their everyday operation of  
2 Prairie City SVRA. These goals and guidelines cover  
3 subjects like visitor experience, water quality,  
4 natural and cultural resource management, and  
5 interpretation and education. So these are contained  
6 within Chapter 4 of the General Plan.

7 The 2016 Prairie City SVRA General Plan is a  
8 balanced plan that conserves sensitive resources while  
9 providing OHV recreational opportunities to SVRA  
10 visitors.

11 The General Plan and associated Environmental  
12 Impact Report have been prepared for consideration and  
13 approval by the OHMVR Commission. Attached to your  
14 staff report is a Commission Resolution, it's  
15 Resolution 01-2016, being that it is the first  
16 resolution of this year.

17 Now this resolution can assist the Commissioners  
18 once they've received public comment on the topic and  
19 had a chance to discuss the General Plan. The  
20 resolution can assist the Commission in forming a  
21 motion, which we hope is to the consideration of  
22 approval of the Prairie City General Plan.

23 That ends my presentation, and I would like to  
24 turn it back over to the Commission for public comment  
25 and discussion. And Jeanne and I are also available

1 for any follow-up questions. Thank you.

2 CHAIR CABRAL: Thank you, Dan.

3 So is there anyone else that wants to get a  
4 green public comment card in? I need some water here.  
5 No? Okay.

6 **PUBLIC COMMENT ON VI - PRAIRIE CITY SVRA GENERAL PLAN**

7 CHAIR CABRAL: Now, I just want to be -- as we  
8 move forward on this, I do want to remind people as we  
9 get into the comment here, this is a programmatic  
10 document here, so project-level stuff will be addressed  
11 as projects come forth. So, you know, there's going to  
12 be ample time to discuss project-level stuff as this  
13 just allows the pace -- the park to be developed and  
14 things to happen, so --

15 With that, I'll start off with the first person.  
16 It would be John Stewart followed by Amy Granat.

17 JOHN STEWART: Good morning, Commissioners.  
18 John Stewart, California Four-Wheel Drive Association.

19 I want to thank the staff for the hard work that  
20 they put in on the General Plan. I have done some  
21 cursory review of it. I know other people that are  
22 more familiar with it have put a lot more time into it.

23 I know I've been on some of the  
24 previously-defined tours of the area, but from reading  
25 and looking at this and listening to the presentations,

1 whether you give a good plan, a solid plan that's ready  
2 to go -- and I appreciate Dan Canfield for reading into  
3 the record the vision. And I think that is something  
4 that is important and should not be forgotten or  
5 overlooked as this project moves forward, because the  
6 vision gives an aspirational overview of what you  
7 desire to do.

8 Now the reality of it is can you meet the  
9 people's expectations when they come out to the park  
10 for that recreational opportunity? And this is  
11 where -- as it is now, hopefully this document is not  
12 too tight on regulations to allow these programs to  
13 build in the future and mold and morph in to  
14 accommodate the changes in recreation in the future.  
15 Thank you.

16 CHAIR CABRAL: Thank you. Amy Granat followed  
17 by Dave Pickett.

18 AMY GRANAT: Good morning, Commissioners. Amy  
19 Granat from the California Off-Road Vehicle  
20 Association.

21 Just very quickly, we want to appreciate the  
22 professionalism and the extent in which all the staff  
23 at Prairie City went to gather all the information, and  
24 they really did great outreach to the public.

25 That said, with the approach of people moving

1 into the area, this becomes the very definition of an  
2 urban park. Just think what we can do. I know there's  
3 a programmatic document, but the possibilities of  
4 changing the viewpoints of OHV are just huge, and we  
5 should do everything we can to take advantage of that.  
6 Thank you.

7 CHAIR CABRAL: Thank you. Dave Pickett followed  
8 by Brian, it looks like, Jordan (Sic).

9 DAVE PICKETT: Good morning, Commissioners.  
10 Dave Pickett, District 36, Motorcycle Sports Committee.

11 First and foremost, thanks for the staff for  
12 this, and thanks for Jeanne Sisson and Mike Canfield --  
13 Mike -- Mr. Canfield's report this morning.

14 What you didn't see was the years of people like  
15 me calling and harassing him on this document and  
16 asking him about every blade of grass and why it needed  
17 to be there. But, as Commissioner Cabral pointed out,  
18 it is a programmatic document. It is a living  
19 document, as far as I'm concerned, so adjustability can  
20 be made to fit whatever is needed by the folks.

21 Questions like I asked Commissioner Cabral  
22 yesterday about the distance between two trails, if  
23 that was accessible, and one-way trails, those type of  
24 things can come later as we move forward, but I think  
25 we've got a great piece of documentation here to

1 protect the facility long-term. I appreciate the  
2 efforts, and District 36 supports this as it's laid  
3 out. Thank you.

4 CHAIR CABRAL: Thank you. Brian Jordan (Sic)  
5 followed by Sylvia Milligan.

6 BRIAN JODER: Hello. Thank you, Commissioners.  
7 It is Brian Joder.

8 CHAIR CABRAL: I'm sorry.

9 BRIAN JODER: No problem there. Thank you again  
10 for actually inviting me to the meeting. I think it  
11 was Mark Hada, which I have met before, but Steve and I  
12 work with the folks out at Prairie City.

13 We've been doing mountain bike races out there  
14 for 21 years, and it's been great out there. The park  
15 looks excellent, the location off of 50 is perfect for  
16 access for after-work activity, and it's just another  
17 crossover for people, you know, in activity.

18 But, like I say, I've been doing that for  
19 21 years. Mountain bikers, as you guys probably know,  
20 have very similar issues, trail access issues, things  
21 like that. And so when you talk about reaching out and  
22 encroachment, like we're going to see in the Prairie  
23 City area and some of these buffer zones and some of  
24 the ways to alleviate potential perception problems of  
25 the park and so forth, I think an important group to

1 look out to is the mountain bike community.

2 You've already got one established at Prairie  
3 City, and at some of the other parks I might encourage  
4 similar things, you know, trying to offer things up to  
5 it.

6 And, I mean, I don't do motocross anymore, I  
7 used to road race motorcycles, so there's a lot of  
8 crossover with the people, especially in the mountain  
9 bike community.

10 And some of the other benefits of having it out  
11 there, of course, you're getting special event fees out  
12 there that are coming back into the park, and you're  
13 going to get advocates and supporters of your park and  
14 your attendance numbers up.

15 You know, we've -- out at Prairie City, I think  
16 the average mid-week attendance by the motorized  
17 population is maybe a couple hundred a day, you know,  
18 and in one evening we will bring 400 or 500 people in  
19 for ten weeks, so that's substantial, and that could be  
20 a substantial here, you know, when you're talking about  
21 some perception problems.

22 So as you move forward, what I would ask is  
23 that, you know, considering some of the buffer zone  
24 area and things like that that are off-limits to  
25 motorized use, would that be, you know, potentially

1 allowable for not a motorized -- something kind of in  
2 between. I think that would go a long way to help  
3 public perception and secondary use. So that's kind of  
4 about it, and I thank you all for the consideration.

5 CHAIR CABRAL: Thank you.

6 Sylvia Milligan followed by Nick Haris.

7 SYLVIA MILLIGAN: Good morning, Commissioners.  
8 Thank you for allowing me to speak. I am Sylvia  
9 Milligan, and yesterday was my first opportunity to  
10 visit Prairie City. And immediately my mind exploded  
11 with all kinds of ideas. Do you have an hour?

12 The first thing, though, that I noticed was the  
13 ingress and egress; that's deplorable. That is really  
14 bad. I came from the east and didn't have a clue where  
15 or how to turn.

16 One thing, too, that I've been thinking about is  
17 all kinds of ways to expand this park to make it  
18 incredible that meets the needs of the bicyclers, the  
19 hikers, the ATVs, the older people being able to ride  
20 there. And thinking about this subdivision, why don't  
21 you work with the subdivision, the person doing this,  
22 and create an OHV subdivision? Promote it as being  
23 right across the street from all of these  
24 opportunities. They could start planting trees, you  
25 guys could start planting trees to help take care of

1 the noise issue. But if you would work together and  
2 maybe make some kind of an underpass that people could  
3 come right out of this subdivision.

4 People are just dying for places to live close  
5 to these opportunities. And if we expanded these  
6 opportunities and, you know, I was thinking about  
7 making a path to go along the road, in the trees  
8 where you -- like the bushes and the areas that they  
9 have on the park now, do the same thing out by the road  
10 and make these meandering, make a hill, whatever, that  
11 the older people with the ATVs that would live in that  
12 subdivision can come over after work. Like he said,  
13 after work at night, people want a chance to go out and  
14 relax and do these things.

15 You could put in a natural landscaping there  
16 that would cut down -- you could use things like rice  
17 hulls for the paths to keep the dust down. I mean, you  
18 guys have an incredible opportunity out here to make a  
19 park that would just be incredible.

20 I hope you will expand on it and I hope you will  
21 look at doing some of these things. And, you know,  
22 you're missing us older people. We would love to be  
23 able to go in for a few hours at night as would be  
24 handy for us if we lived in that subdivision, so work  
25 with that developer. Okay.

1 CHAIR CABRAL: Thank you. And it looks like  
2 Nick Haris will be our final public comment on this  
3 item.

4 NICK HARIS: I'll be fast. Nick Haris, American  
5 Motorcyclist Association. And, yeah, I did really  
6 enjoy the tour yesterday. I've been lucky enough to be  
7 out there a few times. We did a really similar and  
8 very informative tour during the NOHVCC Conference last  
9 year, so there was certain things we didn't see  
10 yesterday, we didn't have time to do. In particular,  
11 kind of the back area where they have the issues for  
12 the turbidity and they deal with that, I thought that  
13 was fascinating when I was there about a year ago and  
14 saw it.

15 In general, we support their General Plan.  
16 We're very happy to see the work that has gone into  
17 this and the engagement with the affected communities  
18 as well as the riders. We heard a comment yesterday  
19 when we were outside of the moon room that we don't  
20 want to lose focus, we don't want to lose sight of the  
21 fact this is an OHV-providing facility, you know, first  
22 and foremost. I don't know that we're going to, but I  
23 just want to make that clear. That needs to still  
24 remain the reason this park exists; however, I do see  
25 tons of opportunities for electric, non-motorized, dog

1 walking, and all the different -- mountain biking, I  
2 mean, all of that. I think it's a great opportunity to  
3 make it into a park that these neighbors that we all  
4 know are coming will defend.

5 They all know, "Okay. The OHV guys are here,  
6 but there's this other thing here that I like,"  
7 whatever that may be, so I think that would be huge.

8 The last thing I'll mention, and maybe I missed  
9 it, is I still don't kind of know what the status of  
10 Deer Creek Hills is, and a number of years ago we  
11 acquired some property. I want to say it is five miles  
12 from the park, but it was said to be buffer at the  
13 time. I know it's still there, I know we still own it.  
14 So, if nothing else, I'd like to see us get credit for  
15 something we already published, so thank you.

16 CHAIR CABRAL: Thank you. At this point, I  
17 guess, what we'd like to do is see if we have any  
18 Commissioners that have any questions that they'd like  
19 to have staff come back up and answer.

20 So is there any questions or comments at this  
21 point?

22 Commissioner Litwin? You're on.

23 COMMISSIONER LITWIN: I'm still a little bit  
24 new, and approving a General Plan, obviously, is moving  
25 this towards the future of what we want the park to

1 become. Is there a price tag behind that?

2 DAN CANFIELD: Hello again. Dan Canfield,  
3 California State Parks.

4 Of course there was a price involved with the  
5 creation of the plan, you know, staff time, holding the  
6 meetings, consultants, the scientists that are involved  
7 in the Environmental Impact Report.

8 After that, the General Plan envisions, up over  
9 the next 20 or 30 years, a whole set of programs and  
10 projects that future SVRA managers will implement based  
11 on other circumstances; namely, the budget and how much  
12 support they're getting for their programs.

13 So it's built so that it's flexible that, based  
14 on the SVRA managers in the future, can implement the  
15 projects as the funding becomes available. So no  
16 funding comes with the approval of the General Plan.  
17 It's just a really great guiding document, I think,  
18 that will help future managers answer those questions  
19 and the questions that we heard from our speakers of  
20 the development of the SVRA, the connections with our  
21 neighbors, projects, landscaping projects, road trail  
22 projects. Those are all envisioned in the General Plan  
23 but would be subject to its own project-level funding  
24 and analysis to which I hope this Commission is  
25 involved with as we proceed on this.

1 CHAIR CABRAL: Okay. I do have a question too  
2 on the proposed new entrance or the area that could be  
3 used as an entrance, let's just say that.

4 That land -- I believe some of that land up  
5 there is owned by Aerojet, and is there a  
6 possibility -- because I think they may have that for  
7 mitigation-type purposes, is there a possibility maybe  
8 to do a swap with them for that land for the Deer Creek  
9 property?

10 DAN CANFIELD: I don't have enough details to  
11 speak if that's possible or not. I do know that the  
12 portion of the property that you're speaking of, which  
13 is adjacent to the SVRA near where Prairie City Road  
14 intersects with White Rock Road, part of that housing  
15 development plan calls for the City of Folsom to  
16 develop a corporation yard on a piece of that property,  
17 whether it's Aerojet property or property they've  
18 acquired, I'm not sure. So there are some other plans  
19 that we would need to work as a part of, and whether or  
20 not it would serve as some mitigation, I can't speak to  
21 that.

22 CHAIR CABRAL: Okay. Yeah, because I think that  
23 the staff, what you guys have created and stuff is very  
24 thoughtful, but I think there's also some stuff where  
25 we're going to have to be coordinating closely like

1 with the joint powers for the expressway going through,  
2 and they need to be aware of, you know, situations.

3 So how is that going to look moving forward  
4 at -- let's just say that this General Plan was  
5 accepted, how is that process going to work with those  
6 other entities?

7 DAN CANFIELD: Sure. And I think perhaps I  
8 didn't hit this hard enough during my presentation.  
9 Jeanne talked about some of the issues facing the SVRA;  
10 I touched on them as well involving the expansion of  
11 some of the local communities and the roadways. And  
12 what I said was those issues were on the minds of the  
13 planners as they wrote the plan, the concepts.

14 So what you'll find, as you read through the  
15 various goals and guidelines, is that there are  
16 directives for future SVRA managers to do what you just  
17 said, to work with the South Capital SouthEast  
18 Connector JPA to improve our access, which has been  
19 diminished by previous road constructions, work with  
20 the developers to educate them about what we do at the  
21 SVRA, the General Plan is a good tool for that. Some  
22 of the facilities -- the way that the land use areas  
23 are established were done in the mind -- with the  
24 mindset of "In the future we're going to have a bigger  
25 roadway with houses and businesses."



1 sunset, as we're looking at the program moving forward,  
2 I mean, the budgetary side of this is going to have to  
3 come up.

4 ACTING DEPUTY DIRECTOR FUZIE: Typically, in a  
5 General Plan or any other plan like this, as Dan said,  
6 it's not funded, but any plans that would come forward  
7 would go into the process of acquisition and  
8 development. They would get scoped, they would, in  
9 that scoping process, a budget would be identified,  
10 that would go into the funding budgeting five-year  
11 planning process and brought back to the Commission  
12 with meat on the bones for information as to how we  
13 want to move forward.

14 CHAIR CABRAL: But would that also include the  
15 daily tasks of the managers of the park as far as with  
16 the outreach efforts -- so say the joint powers  
17 authority and the City of Folsom and those types of  
18 things? Because it looks like that's going to be a  
19 significant part of their job description going  
20 forward.

21 ACTING DEPUTY DIRECTOR FUZIE: Yeah. That is  
22 our job to manage those daily tasks, and if we need to  
23 ask for a budget augmentation, then we would do that in  
24 the future.

25 Also, I offer Jeanne's assistance to the Chair

1 if you would like her to speak on the acquisition of  
2 Deer Creek and the intentions there.

3 CHAIR CABRAL: Okay. That would be great.  
4 Thank you.

5 JEANNE SISSON: Thank you, Mat.

6 So we've been having Deer Creek Hills is a  
7 multi-entity endeavor, we've been having -- Sac Valley  
8 Conservancy has put the whole thing together and was  
9 working with us when we acquired that. We've been  
10 having meetings and exploring our options about how to  
11 best serve the OHV community with that parcel of land,  
12 and nothing is off the table at this point.

13 We are considering land swaps, interpretive  
14 programs or riding programs out on the property, so we  
15 are in -- Sac Valley is working with us, but we haven't  
16 come up with a concrete plan yet. But everything is --  
17 definitely still have our OHV riders in mind as we move  
18 forward with that acquisition.

19 CHAIR CABRAL: Okay. I know I personally  
20 received criticism about that parcel being removed from  
21 the other branch, and not having an opportunity over a  
22 period of time -- not just today -- but over a period  
23 of time it's been a topic of discussion.

24 JEANNE SISSON: You say "being removed." You  
25 mean removed off-site?

1 CHAIR CABRAL: Yes, off-site.

2 JEANNE SISSON: I agree.

3 CHAIR CABRAL: So I think that, you know, any  
4 quality solution that would benefit the OHV recreation  
5 experience would be appreciated.

6 JEANNE SISSON: We're definitely on the same  
7 page on that.

8 CHAIR CABRAL: Okay, thank you.

9 JEANNE SISSON: Thank you.

10 CHAIR CABRAL: Commissioner Slavik.

11 COMMISSIONER SLAVIK: I'd like to follow up a  
12 little bit with Commissioner Litwin's request. These  
13 General Plans are expensive. How does the budget  
14 process work with the General Plans? And I know Onyx,  
15 you know, we understand that Onyx has not been funded  
16 so we can't move ahead with that General Plan, but  
17 specifically I would ask is there a price tag on this  
18 General Plan that can be identified?

19 DAN CANFIELD: Sure. The cost associated with  
20 this General Plan that the State of California paid an  
21 independent consultant are a matter of public record.  
22 It was about \$852,000 over this -- we talked about a  
23 three-year program here. That's not including my staff  
24 time, Jeanne's staff time. That's the amount that the  
25 State of California paid out to the independent

1 consulting firm for the development of the General Plan  
2 and the Environmental Impact Report. That money --  
3 that funding came, in part, through a budgetary  
4 augmentation that the Division received back in 2010.

5 With the advent of the Senate Bill 742, there  
6 was, back in 2008, as some Commissioners may recall,  
7 there was -- the programs were re-authorized, and at  
8 that point a budget augmentation was requested and  
9 provided for us to update the General Plans of our  
10 older General Plans.

11 So here we are -- I don't know if any of the  
12 Commissioners remember subsequent to that, we had the  
13 Heber Dunes General Plan and the Clay Pit General Plan  
14 in 2011 and 2012 funded from that bucket of money.  
15 Those were two SVRAs that didn't have a previous  
16 General Plan, so they were done first.

17 And then we started with that bucket of money,  
18 we started with the SVRA, the older General Plans,  
19 Carnegie, Ocotillo Wells, Prairie City SVRA, and those  
20 three are now coming towards the end of the race on  
21 those as that funding has now been used up. For all  
22 intents and purposes, I don't have funding going  
23 forward without a future budget augmentation to do big,  
24 multi-year, programmatic-level planning.

25 COMMISSIONER SLAVIK: Okay. So, additionally --

1 so you're not figuring staff time into this particular  
2 General Plan? Specifically Prairie City. How do you  
3 justify staff time for that in the budget cycle?

4 DAN CANFIELD: Absolutely.

5 COMMISSIONER SLAVIK: Because other jobs do,  
6 right?

7 DAN CANFIELD: And as part of the Department's  
8 budgetary process, we have a thing called -- we have  
9 this great thing called service-based budgeting. Each  
10 manager looks at their staff and says, in a given year,  
11 "We spend this percent of time doing General Plans,  
12 this percent of the time doing policy work, this  
13 percentage of the time doing these projects," and so we  
14 budget out by task, by employee and by task, in a given  
15 year what we estimate how much time we're going to use,  
16 and then that's -- the budget people use that to figure  
17 out, "Do we have enough people? Do we need more  
18 people? Do we need less people?" That's that  
19 service-based budgeting that's a big program going on  
20 in the Department now to better educate just that issue  
21 you brought up.

22 COMMISSIONER SLAVIK: Thank you for that  
23 clarification. That's something that has been on a lot  
24 of our minds is how do these things get paid for.

25 I have one question -- I probably have a couple,

1 but on page 2-1 of the document that we have, it talks  
2 about the "Land use designation for Prairie City SVRA  
3 has not been recently updated by Sacramento County."

4 Is that an issue we need to deal with?

5 DAN CANFIELD: It's not. I can see where that  
6 was confusing, and what we're experiencing was that  
7 Sacramento County did their own planning, they do their  
8 own planning about what part of the county is going to  
9 be agriculture, city, what have you.

10 When we came on top of that to do our  
11 State-level SVRA planning, we acknowledged the  
12 county-level planning but we're not governed by it.  
13 And the reason it became, I think, confusing to some of  
14 the commenters that commented was that the property  
15 that you learned about yesterday, the Yost property,  
16 which was acquired by the State of California around  
17 2004, had never been updated by Sac County. So the Sac  
18 County map still shows it as general agriculture.

19 And so I can see where that was confusing, and  
20 so the responses I gave that the planning team  
21 developed was that's an -- that's an outdated county  
22 map, but the Prairie City SVRA designation is a  
23 State-level designation that trumps that.

24 LEAD COUNSEL TOBIAS: I will also add on that,  
25 that, actually, that is outside the jurisdiction of any

1 city or county to actually put in the General Plan or  
2 to zone a piece of State Park property. So they  
3 continued to do it, I don't know why, because it  
4 actually has no effect of them doing that.

5 I'll also add that on the General Plan, I think  
6 a lot of people are familiar with General Plans done at  
7 the county and city level. So they do a General Plan,  
8 then they wait for the private sector to come in and  
9 basically propose different types of uses that will  
10 occur on different pieces of property.

11 In our case, generally, we come up with those  
12 projects, so we will basically look, as I think Dan  
13 very ably presented, you know, the managers will be  
14 basically looking at that, the superintendents of each  
15 park are thinking every year, "What am I proposing this  
16 year? What can I get money for? How do I basically  
17 implement this General Plan?"

18 We also have the ability to do, you know,  
19 additional planning. We can do trail plans, we can do  
20 cultural resource plans. I don't remember which ones  
21 are proposed in this one. I don't think a lot.

22 Whereas you'll see when we do the Carnegie  
23 General Plan, we have a number of kind of step-down  
24 plans that we'll be doing after that.

25 And that helps guide us in terms of the more

1 specific projects, so I think as the Chair remarked at  
2 the beginning, when you have this programmatic plan,  
3 you know, it's very high level, and then we'll have  
4 additional plans coming in for additional projects that  
5 come in that basically implement the General Plan. But  
6 the General Plan gives us the ability to go forward and  
7 start planning the next steps.

8 CHAIR CABRAL: Okay. Yes, go ahead.

9 COMMISSIONER LITWIN: Can I add one more thing?

10 CHAIR CABRAL: Absolutely.

11 COMMISSIONER LITWIN: It was brought up some of  
12 our conversations yesterday too, especially from  
13 Commissioner Slavik and being on outreach and public  
14 education with this huge development that's going in  
15 across the street with the 20,000 homes and whatnot.

16 I think it is going to be very key that we're  
17 working in collaboration with them. So when they're  
18 buying a home, they know that that's there, and, you  
19 know, we're there first. So if you're going to build a  
20 house by an airport, you know, don't come complaining  
21 to me when the planes are taking off overhead. So I  
22 want to make sure that that is somehow, you know,  
23 incorporated into this.

24 And the other thing that -- because we were  
25 talking about in 25 years from now, we don't want them

1 to turn the tables on us and say, "This needs to be  
2 shut down."

3 LEAD COUNSEL TOBIAS: We have asked the City of  
4 Folsom to put -- and actually Rancho Cordova on the  
5 other side to put in deed restrictions that  
6 basically -- in each parcel that are sold that say  
7 that, you know, there is an OHV park, they acknowledge  
8 that. They've been very sticky about that. And, of  
9 course, it's part of that disclosure, "Do you really  
10 want to be putting in there? Will that deter people  
11 from buying a home if they know that park is there?"

12 So, you know, that's one of the things that's  
13 really in the jurisdiction of the City of Folsom to do,  
14 and we can't require them to do that.

15 I think all the discussion of how we work with  
16 the developers and with the city, you know, are well  
17 taken and those are things that we should do, but I do  
18 think that, in the long run, you really can't forestall  
19 people from moving to the area and then in 25 years,  
20 you know, trying to go against it.

21 We don't have -- we used to have, basically, a  
22 theory under nuisance law that said, "If you move to a  
23 nuisance, meaning, if you move close to a cement plant  
24 with the -- was in the case, but if you move close to  
25 an OHV park, you are deemed to be noticed that you know

1 about that, and that you can't come in later and say,  
2 "Hey, now I don't like the noise."

3 That theory is really not so strong anymore, and  
4 so there have been -- you know, I'm sure most of you  
5 are aware of the constant lawsuits over the Burbank  
6 Airport, that's kind of the best known. But, you know,  
7 that's the same all over the place. There's an  
8 abattoir that exists in the City of Folsom which from  
9 the very start of the General Plans that -- I actually  
10 worked on the private sector, you know, 25 years ago.  
11 It basically said we need to be here for agriculture.  
12 And now at this point they're being phased out because  
13 everybody is moving in and nobody wants to live next to  
14 a rendering plant.

15 So I think the real key is cooperating with  
16 these folks, you know, I think people have addressed  
17 quite well how we want to draw them in, you know, and  
18 not keep them out, but there's no guarantees.

19 CHAIR CABRAL: Commissioner Murphy.

20 COMMISSIONER MURPHY: I just had one question,  
21 and I don't know if it's relevant or not. But is there  
22 some way to document that we have made the effort to  
23 encourage these cities to include that on their deed  
24 statements? Is there --

25 LEAD COUNSEL TOBIAS: Well, we have it in the

1 letter to the City, and I just heard yesterday as we  
2 were doing it that that does seem to be sticking, so I  
3 was going to follow up with the City of Folsom and  
4 basically see if there's a way to work that out.

5 COMMISSIONER MURPHY: And one more comment to  
6 add. You know, it just might be that this sort of  
7 thing might be something that would encourage people to  
8 buy there. I mean, I would love to live right next  
9 door, to be able to access that anytime I want. I'd be  
10 all over that.

11 COMMISSIONER SLAVIK: A comment I had following  
12 the same thing that Commissioner Murphy said. It seems  
13 to me that we ought to be able to archive that  
14 information that is accessible 25 years from now,  
15 somebody is going to go, "What did we say?" But there  
16 ought to be some things that you can do internally  
17 staff-wise to make sure that that can be pulled out and  
18 say, "Yes, we asked the City to include that in the  
19 deeds, you know, as a disclosure. You refused." You  
20 know, so hopefully they wouldn't have any grounds to go  
21 back on.

22 ACTING DEPUTY DIRECTOR FUZIE: We can add that  
23 to our records with the General Plan. Also, I want to  
24 make clear that we are looking at our own advertising  
25 placement, where we put our signs in relation to the

1 community so that as people are coming to White Rock  
2 Road, they might see a sign, they might see a sign at  
3 another intersection, "Prairie City SVRA is right here"  
4 so that it's obvious.

5 CHAIR CABRAL: I appreciate that. That's been  
6 something I've been working --

7 COMMISSIONER SLAVIK: Take a Chief from the  
8 Indian casinos.

9 CHAIR CABRAL: Commissioner Lemmon, do you have  
10 a question?

11 COMMISSIONER LEMMON: I do. I appreciate the  
12 clarity between programmatic and projects in specific,  
13 and I think that helps me a lot here, and, Dan, your  
14 presentation was great.

15 But the big question for me is, as I look at the  
16 map, General Plan, land use map, I see the very large  
17 areas set aside for the vernal pools. And I'm just  
18 wondering, having looked, you know, across the horizon  
19 towards the intersection for the projected entrance to  
20 the park, it seems to me that the vernal pools are  
21 fairly isolated and different pockets, and closing that  
22 much of an area cuts off some things. And I heard  
23 today, you know, the various potential for some bicycle  
24 riding up there. As I stood and look into the pit, I  
25 could see the potential for -- if there was a big

1 venue, additional parking, maybe even some overnight  
2 staying as if the area is filled up on big weekends or  
3 whatever.

4 Is that a possibility down the road as we look  
5 at this General Plan right now?

6 DAN CANFIELD: Thank you. Very good question.  
7 You're looking and referring to Figure 4-1 from the  
8 General Plan, which is the use area zones. And there's  
9 a complementary piece, Table 4-1, which is a couple  
10 pages later that has, for each use area, a definition  
11 and allowable uses and other types of that.

12 Now, before that vernal pool management area  
13 that we're referring to, it is an area of the SVRA that  
14 has a concentration of these special things called  
15 vernal pools that California used to have a lot of, now  
16 we don't have. That's kind of the driving force behind  
17 setting aside that section of the SVRA -- or, actually,  
18 I should say continuing to set aside. That was a  
19 vision in the 1991 County Master Plan that when the  
20 State took over Prairie City SVRA from Sacramento  
21 County, it came with a Master Plan that had that area  
22 set aside where we wouldn't be doing OHV recreation.

23 As the planners developed this new plan that's  
24 going to look out another 20, 30 years in the future,  
25 then they decided to adopt that practice, but not in

1 that the area should be considered a quasi wilderness  
2 or being close to the public. So when the planners  
3 wrote the allowable uses in the Table 4-1 for the  
4 vernal pool management area, they did envision future  
5 managers might like to accommodate -- while we won't  
6 have OHV recreation in that area -- the future managers  
7 may want to accommodate non-motorized recreation, and  
8 also that the area should be allowed for what we call  
9 ingress and egress into the SVRA.

10 And being that there is a paved roadway that  
11 bisects that vernal pool management area and while  
12 currently -- the access is somewhat diminished by the  
13 road construction project that we spoke of, I think,  
14 that, yes, future managers could look at that roadway  
15 for ingress and egress to accommodate special events as  
16 you're describing.

17 So the idea was not to look at it as a  
18 wilderness or a quasi wilderness or an area that we  
19 don't want people in, instead we recognize that the  
20 planners from the '90s had a good idea by setting aside  
21 those areas for the vernal pools. But not that we --  
22 we still want that public access, so we're trying to  
23 find that balance. So I hope that comes out when  
24 people read -- or future managers read that allowable  
25 uses description.



1 DAN CANFIELD: The General Plan doesn't get down  
2 to that nitty-gritty.

3 CHAIR CABRAL: Right. So that would be project  
4 level. That would be something that would come out.  
5 And if you wanted to do an interpretive trail that went  
6 between a number of different vernal pools out there,  
7 then in that time it could be addressed to be able to  
8 have it, that the technology would come out that there  
9 was electric-assisted vehicles that could be used.

10 DAN CANFIELD: If future SVRA managers read this  
11 document, which I think that comes out of and  
12 interpreted that way, but keep in mind those projects  
13 won't be done in, you know, a closet. They have to  
14 come back to the public.

15 CHAIR CABRAL: Absolutely.

16 DAN CANFIELD: And the public will have a chance  
17 to say, "We want that experience."

18 CHAIR CABRAL: Okay. The flexibility is there.

19 DAN CANFIELD: Yes, I hope so.

20 CHAIR CABRAL: Yeah.

21 Commissioner?

22 VICE CHAIR LUEDER: Thank you. First of all, I  
23 just wanted to acknowledge Dan and your staff for all  
24 the hard work and Jeanne and your staff for all the  
25 hard work that you guys have been putting into this to

1 get us to this point. I know it's a lot of late nights  
2 and, you know, working through public meetings and all  
3 that stuff. So I don't want to miss an acknowledgment  
4 of that.

5 I do have a few questions. I'm glad that in the  
6 vision there is a note of flexibility. You know, we've  
7 heard some of the concerns today, and I'm sure also in  
8 the comments there's concerns about being too  
9 restrictive.

10 And when you look at the plans and the mapping,  
11 and then you consider if this is on a page here but yet  
12 it's over a thousand acres in reality, you know, it  
13 kind of is easy to look at a map in a book and say,  
14 "Well, that's too restrictive or that's not restrictive  
15 enough," in some cases.

16 So what I'm trying to get at is with the maps  
17 that are included in the General Plan, I want to be  
18 clear that there is some flexibility. So, for  
19 instance, in the vernal pool management area, you know,  
20 in the table it says 213 acres and it's roughly drawn  
21 on a map. But it is not, like, surveyed and there's  
22 boundaries established. Is that true or false?

23 DAN CANFIELD: There was no survey work done in  
24 conjunction with the General Plan. The main -- the  
25 vernal pool management zone has as its border a paved

1 roadway, so that's kind of the government border of  
2 that is that paved roadway -- I'm sorry, correction.  
3 It has an existing fence line that marks that border.

4 But as part of the General Plan, we did not  
5 survey that, in which future project level plans might  
6 do that and might need flexibility, which yes, there  
7 would be flexibility for that.

8 VICE CHAIR LUEDER: Okay. And then also in the  
9 table where it establishes acres, so in that particular  
10 case it is 213 acres. So if, for instance, at a  
11 project level you had a project where let's say a  
12 camping area or some area encroached into there and you  
13 wanted to, you know -- so now it's down to 210 acres.  
14 Does flexibility come into those numbers as well?

15 DAN CANFIELD: It does, and just keeping in mind  
16 that, in that instance, each project level -- or each  
17 implementation level project that we envision or  
18 encounter, whether it be camping or trail development  
19 or interpretive programs, is going to have its own  
20 level of environmental analysis.

21 If that project description involves a condition  
22 that, as you just described, we're going to ramp up our  
23 environmental review of that, because we're stretching  
24 beyond the bounds of what the program EIR looked at,  
25 and then I will ask for Kathryn to dovetail on that and

1 see if I'm on the right track.

2 ACTING DEPUTY DIRECTOR: She says yes.

3 VICE CHAIR LUEDER: Okay. And so -- and then  
4 shifting into a future entrance at the corner of  
5 Prairie City Road and White Rock. You know, I think  
6 that's key to the future of this park, just because of  
7 all the development. You know, one, for safety, but  
8 also just the public perception and acknowledgment that  
9 state you're at Prairie City SVRA.

10 And Commissioner Cabral and I have had many  
11 discussions over this of our vision of, you know, a  
12 grand entrance that looks beautiful. But it's also an  
13 opportunity, since it is moving through the vernal pool  
14 management area, which is going to be kind of a more  
15 natural setting, to provide the public with a nice  
16 entrance to the SVRA, and possibly some, you know,  
17 public education opportunities for environmental  
18 programs that are offered through the public school  
19 systems and things like that. So it could be a real  
20 opportunity to incrementally bring people into the  
21 park, show them multiple uses, and, you know, provide a  
22 real positive presentation of the park.

23 With that, I know that that particular project  
24 is tied to the expressway project. To some degree,  
25 it's an expensive undertaking to put an entrance at an



1 everyone up here.

2 Are we ready to kind of take a look at the  
3 Resolution 01-2016?

4 Any questions or thoughts on the resolution? Or  
5 a motion?

6 COMMISSIONER LEMMON: Move to adopt the  
7 resolution as written.

8 COMMISSIONER MURPHY: Second.

9 CHAIR CABRAL: Okay.

10 COMMISSIONER MURPHY: Second.

11 CHAIR CABRAL: Okay. Why don't we move forward  
12 with a roll call vote.

13 THE CLERK: Is it Kevin?

14 CHAIR CABRAL: Yes.

15 THE CLERK: Commissioner Litwin?

16 COMMISSIONER LITWIN: Yes.

17 THE CLERK: Commissioner Litwin, aye.

18 COMMISSIONER LITWIN: Aye.

19 THE CLERK: Commissioner Lemmon?

20 COMMISSIONER LEMMON: Commissioner Lemmon, aye.  
21 Commissioner Murphy?

22 COMMISSIONER MURPHY: Aye.

23 THE CLERK: Commissioner Murphy, aye.

24 Commissioner Patrovsky?

25 COMMISSIONER PATROVSKY: Aye.

1 THE CLERK: Commissioner Patrovsky, aye.

2 Commissioner Slavik?

3 COMMISSIONER SLAVIK: Aye.

4 THE CLERK: Commissioner Slavik, aye.

5 Commissioner Lueder?

6 VICE CHAIR LUEDER: Aye.

7 THE CLERK: Commissioner Lueder, aye.

8 Commissioner Cabral?

9 CHAIR CABRAL: Aye.

10 THE CLERK: Commissioner Cabral, aye.

11 (Audience applause.)

12 CHAIR CABRAL: I would like to take this time to  
13 thank the staff, the planning staff. I know you put a  
14 ton of effort into this and I know that you've had some  
15 management change as you've been going through this  
16 process. And I know there's challenges with public  
17 outreach and everything, and it's really a credit to  
18 you and your staff to be able to come up with this  
19 robust document, and I really appreciate your efforts.

20 The other thing is, like I brought up yesterday  
21 at the tour, for some of you that weren't at the tour,  
22 you know, this is exciting, this is something when  
23 we're -- this is an opportunity where we have  
24 possibilities. There's -- we can, like, Sylvia  
25 Milligan was saying earlier when she was making her

1 public comments, you know, my mind just goes, we can  
2 envision this and envision that. And a lot of times  
3 with off-highway vehicle recreation we're talking about  
4 restrictions and what's not going to happen and what we  
5 can't do.

6 And here we're looking at an urban SVRA that's  
7 looking forward, that is looking at integrating itself  
8 with the community, it's looking at integrating itself  
9 with the new expressway that's going through, it's  
10 looking at integrating itself with the environment and  
11 adding more high-quality OHV recreation.

12 So I really am proud of being a part of it, and  
13 I hope that the vision that's been offered comes to  
14 complete fruition and that we have something that is  
15 really high quality, really the best urban OHV park in  
16 the world is what I'd like to see happen out here since  
17 it's only 22 miles from the capitol. That would be  
18 just one of the most wonderful things we could possibly  
19 do for OHV recreation.

20 So Deputy Director, do you have something?

21 ACTING DEPUTY DIRECTOR FUZIE: Yes. If you  
22 could humor us and acknowledge that that was a  
23 unanimous vote with all Commissioners present.

24 CHAIR CABRAL: That was a unanimous vote with  
25 all Commissioners present.



1 report from the California Air Resources Board coming  
2 up. I would like to take a quick five-minute restroom  
3 break and then come back. So why don't we do that, and  
4 then we'll see everyone in about five minutes.

5 (Returned at 11:40 from a break starting at  
6 11:32 a.m.)

7 **AGENDA ITEM VII - PROGRAM REPORTS**

8 CHAIR CABRAL: Let's reconvene the meeting. The  
9 next item we have here is the Program Reports, and,  
10 with that, we're going to work right into the  
11 California Air Resources Board, the Red Sticker  
12 Off-Highway Recreational Vehicle Assessment.

13 **AGENDA ITEM VII (A) - CARB REPORT**

14 CASSIE LOPINA: Good morning, Commissioners. My  
15 name is Cassie Lopina, and, on behalf of the California  
16 Air Resources Board, I would like to thank you for  
17 allowing us to provide you with an update on the Red  
18 Sticker Off-Highway Recreational Vehicle Assessment  
19 that we are currently conducting.

20 In 2013, ARB went to our Board to propose  
21 evaporative controls for OHVs. At that time the Board  
22 approved the proposal for green sticker OHVs. Red  
23 sticker OHVs, which include uncontrolled off-highway  
24 motorcycles and ATVs, were excluded from the  
25 evaporative control regulation. At this time the Board

1 directed staff to conduct an assessment of the Red  
2 Sticker Program to investigate the evaporative and  
3 exhaust emissions impact of red sticker OHVs.

4 Since early 2014, ARB staff has been conducting  
5 population evaluations, emissions testing, and  
6 off-highway motorcycle or OHMC surveys to evaluate the  
7 effectiveness of the current program.

8 In the first section of this presentation, I  
9 will discuss results from the OHMC survey.

10 So U.C. Davis was elected to host an online  
11 survey of nearly 3,000 OHMC riders in California.  
12 Survey participants were selected to achieve a  
13 representative sample based on spacial allocation by  
14 county, DMV registration type, both active and inactive  
15 registration, and vehicle type.

16 Postcards were mailed to the riders as an  
17 invitation to participate in the survey. These  
18 postcards listed a specific OHV that the survey answers  
19 were to be based upon. Survey questions were developed  
20 with extensive feedback from industry, including  
21 manufacturers, rider groups, and the OHMVR Division.  
22 To encourage participation in the survey, the OHMVR  
23 Division provided free day-use passes to riders to  
24 complete the survey.

25 The purpose of the OHMC owner survey would

1 provide both ARB and the OHMVR Division with data from  
2 random riders throughout the State. ARV's interest in  
3 conducting this survey was to quantify OHMC usage and  
4 activity, understand differences in seasonal operation,  
5 evaluate the effectiveness of the Red Sticker Program,  
6 and update our emissions inventory.

7 The OHMVR's participation in the survey was to  
8 help quantify dual-sport usage off-road, understand  
9 factors influencing riding area preferences, evaluate  
10 the popularity of different riding areas, and to update  
11 findings from previous surveys.

12 While developing the survey, ARB staff worked  
13 with industry to decide how many riders to survey for  
14 each vehicle type. Both OHMC use and dual-sport were  
15 included in this survey.

16 OHMCs were broken down into three categories,  
17 red sticker, green sticker, and historic, which are  
18 vehicles prior to 1997, which was when the first  
19 exhaust emission regulation was adopted. During this  
20 presentation, I will refer to dual-sport as "dual" in  
21 these graphs.

22 A total of 2,596 complete responses were  
23 collected on the survey. For 2,877 responses --  
24 partial responses are for people went up to at least  
25 halfway through this survey, they are included.

1           To better understand riding area preferences, we  
2 asked participants to select up to five areas that they  
3 ride their OHV. The individual riding areas selected  
4 were then grouped into riding area types. SVRAs were  
5 found to be the most popular riding areas for red,  
6 green, and historic OHMC owners, while dual-sport  
7 owners were for U.S. Forest Service riding areas.

8           Looking at the same question addressed on the  
9 previous slide, we were also able to summarize the most  
10 popular OHMC riding areas in the State. Please keep in  
11 mind that the popularities of these riding areas are  
12 for OHMC owners only, so riding areas that are popular  
13 with ATV riders, such as Oceano Dunes, may not appear  
14 on this list.

15           The top riding areas in the State were all  
16 SVRAs, Hollister Hills, Ocotillo Wells, and Hungry  
17 Valley. Fourth is Jawbone Canyon, which is BLM  
18 property, followed by private property, Carnegie,  
19 Johnson Valley, El Dorado National Forest, San  
20 Bernardino National Forest, El Mirage, and we included  
21 Prairie City because that's our nearest park, and they  
22 ranked 14.

23           The next question was intended to determine the  
24 factors important in determining where riders -- where  
25 riders ride. Participants were allowed to select all

1 responses that apply. As you can clearly see, a wide  
2 range of factors influence riding area preference;  
3 however, cost was not a significant factor.

4 To further understand riding area preference, we  
5 asked riders how many miles on average they traveled  
6 from their home roundtrip to ride the OHMC seasonally.  
7 On average, OHMC riders travelled 95 miles roundtrip  
8 regardless of the season.

9 Next we asked what days of the week riders  
10 primarily use their OHVs. Not surprisingly, the  
11 majority of use occurred on the weekends.

12 And the next question we asked was how many  
13 gallons of fuel were used on a typical day of  
14 off-highway riding. Similar amounts of fuel were found  
15 to be consumed for each OHMC category. This finding  
16 was selected to be shown for this meeting because we  
17 believe it is particular interest for the OHMVR  
18 Division for the dual-sport fuel tax formula.

19 This graph can also be used to address the fuel  
20 tax formula. Participants were asked what percentage  
21 of their time is spent engaging in different riding  
22 activities. We found that dual-sport riders use their  
23 vehicles primarily for off-road recreation 72 percent  
24 of the time, commuting use is 24 percent of the time,  
25 other 3 percent of the time, and farm/ag use 1 percent

1 of the time.

2 In comparison, this graph shows time allocation  
3 for riding activity for OHMCs which included green,  
4 red, and historic vehicles. These vehicles ride  
5 recreationally 86 percent of the time, practice and  
6 race 4 percent of the time each, 3 percent of the time  
7 other, 2 percent of the time for on-road use/commuting,  
8 and 1 percent of the time for farm/ag use.

9 For the next question, we asked participants to  
10 identify any other OHVs in their household. The  
11 significant finding here is that we found that  
12 85 percent of participants owned at least one  
13 additional OHV.

14 In order to capture any additional feedback  
15 riders wished to share, the survey included this open  
16 response section. Over 1,300 comments were given from  
17 the participants. These comments were summarized and  
18 the graphs shown by identifying key concepts that were  
19 frequently mentioned.

20 The most common response addressed the need for  
21 additional closer riding areas, which was found in  
22 29 percent of these comments, followed by concerns of a  
23 reduced-riding opportunities, which occurred in  
24 24 percent of the comments.

25 Further analysis is being conducted in these

1 comments. There's a lot of really great data here.

2 For instance, the Red Sticker Program comments,  
3 which appeared in 18 percent of the responses,  
4 contained valuable information on rider concerns over  
5 the program, potential loopholes, and interesting  
6 solutions. While conducting this analysis, we flagged  
7 around 50 responses for the OHMVR Division to review  
8 that we believe contained interesting information  
9 and/or helpful feedback.

10 For the final question I will be presenting  
11 today, we asked participants to select all of the ideas  
12 that they would support to increase the availability of  
13 public riding areas. 58 percent of respondents  
14 indicated that they would support either increased  
15 riding areas by either increasing emission fees, higher  
16 registration fees up to a ten percent increase in OHMV  
17 costs, electric OHV parks, or other, which 45 percent  
18 of the time it was indicated as the appropriate use of  
19 fees.

20 So to summarize the six major findings that were  
21 reviewed on this portion of the survey, the riding area  
22 preference differs based on vehicle type, both red,  
23 green, and historic owners prefer SVRAs while  
24 dual-sport owners prefer U.S. Forest Service property.  
25 Dual-sports are primarily used off-road. Over

1 85 percent of red, green, and historic OHMC riders own  
2 an additional OHV. Cost does not significantly  
3 influence riding area preference. Riders were most  
4 concerned with riding area availability. And  
5 approximately 35 percent of riders would support  
6 increased admission fees.

7 In the next section of this presentation I will  
8 provide a brief update on the status of the OHV VIN  
9 decoder.

10 So ARB is currently in the process of developing  
11 an OHV vehicle identification or VIN decoder. A VIN  
12 decoder is used by State agencies to identify vehicle  
13 makes, models, and model years from the DMV  
14 registration database. No software currently exists to  
15 adequately decode OHV VINs. The current options  
16 available are basic, outdated, and/or incomplete.

17 The VIN decoder is an important tool for  
18 determining the statewide population of OHVs. Due to  
19 the absence of an adequate VIN decoder, each State  
20 agency has their own strategy on how to decipher DMV  
21 events, so this has lead to inconsistent population  
22 numbers and reports being generated from various  
23 agencies.

24 As a part of this process, we are working with  
25 other State agencies to try and resolve these

1 inconsistencies by developing one accurate OHV VIN  
2 decoder that can be used to generate all reports within  
3 the State.

4 One of the State agencies that has been highly  
5 involved in the OHV VIN decoder is State Parks OHMVR  
6 Division, particularly Tom and Mark. So I kind of  
7 wanted to thank them for that.

8 Our agency shared interests in the VIN decoder  
9 to generate reports that help identify changes in the  
10 annual OHV population shifts and technology over time,  
11 specific attributes of the OHV population provided by  
12 manufacturers, and the spacial distribution of OHV by  
13 type across the State.

14 Independently, ARB is interested in developing  
15 the OHV VIN decoder to update the current emissions  
16 inventory. And State Parks is interested in developing  
17 the VIN decoder to update the fuel tax formula.

18 As I previously mentioned, ARB is currently in  
19 the process of developing this VIN decoder. The steps  
20 listed in green have already been completed. The  
21 orange step is where we currently are, and the blue  
22 steps are what still need to be completed.

23 For the first step, what we had actually done is  
24 we went through 2.6 million records in the DMV  
25 database, and we manually decoded all of the OHVs that

1 it contained. For the second step, we used this  
2 devoted database, that was the 2013 database to create  
3 look-up vehicles for each vehicle type including OHMCs,  
4 dual-sports, ATVs, ROVs, utility vehicles, golf cars,  
5 minibikes, and dune buggies.

6 Then we went ahead and began developing the  
7 decoding program that would automate this process. And  
8 we currently are verifying the results using the  
9 decoding program and then comparing it to what we  
10 manually did with the DMV database.

11 The next step is to add technology  
12 characteristics to look-up tables such as engine ties  
13 and displacement. And we actually sent an email out to  
14 the various agencies to see what all should be included  
15 and what other State agencies would like to see in  
16 these reports.

17 Step 6, we will update look-up tables to include  
18 new model years. Since this was done in 2013, we  
19 needed to include 2014, 2015, 2016, and so on, and we  
20 also are working out a methodology as we move forward  
21 with our certification staff to input this so it never  
22 becomes useless, so it's continually evolving over  
23 time.

24 And then for step 7, we'll run the program on  
25 the 1998 to 2016 DMV databases to look at population

1 trends over time.

2 So next steps. So the next step in this process  
3 in the red sticker analysis is to conduct an in-depth  
4 analysis of survey responses. So what I showed today  
5 was we just received the data in late July, and what we  
6 did is we hand picked out questions that we thought  
7 would be most important for the Commission, and so we  
8 did a basic analysis on those.

9 As we move forward, there is a ton of data that  
10 we are looking at, and we want to make sure that the  
11 way that we analyze it is very accurately, and so we're  
12 being very careful to go through and look at questions  
13 that cross-reference each other and validate every  
14 single response that we see.

15 So that's going to take a significant amount of  
16 time, and, as soon as that's done, we plan on  
17 presenting that and sharing it with our stakeholders.  
18 We hope to share it at a workshop, and then we're also  
19 willing to come back and share it with the Commission.  
20 And then we also need to complete the VIN decoder. And  
21 then, as we move forward, we plan on working with  
22 stakeholders to continue to look for solutions for the  
23 Red Sticker Program.

24 So if anyone has any questions, I would  
25 encourage them to reach out to us. I'm Cassie Lopina.

1 I'm the first name on here. Katie George is kind of my  
2 partner in crime on this. You could also reach out to  
3 her or manager Scott Bacon.

4 CHAIR CABRAL: All right. Questions.  
5 Commissioners, do we have any questions?

6 Commissioner Litwin.

7 COMMISSIONER LITWIN: I'd just love to get all  
8 that data so we have it.

9 CASSIE LOPINA: Yeah. No problem. I'll send it  
10 to you.

11 CHAIR CABRAL: Anyone else?

12 COMMISSIONER SLAVIK: I was going to say, I  
13 don't have it under our tab.

14 CHAIR CABRAL: I think it was emailed out to  
15 us -- or I recall getting it in an email a couple days  
16 ago.

17 Okay. Well, I have a question on the VIN  
18 decoder.

19 CASSIE LOPINA: Yeah.

20 CHAIR CABRAL: I know that the manufacturers  
21 have information in their VINs to determine what type  
22 of vehicle they are. So is that something that you  
23 guys can use or are you looking for something that's  
24 very State specific?

25 CASSIE LOPINA: No, no. It is the

1 manufacturer's information that's in their VINs. The  
2 problem is that the commonly-used VIN decoder for  
3 on-road is Polk, but it actually can't be applied to  
4 off-road vehicles. It doesn't work.

5 So it's what we were using before, but we found  
6 that 40 percent of the vehicles were unknown. And so  
7 we were making estimates based on, like, body type,  
8 which it's not very accurate, something we confirmed  
9 with DMV. So it is incomplete, and plus there's a lot  
10 of these Chinese ATVs that are coming out, and they're  
11 really difficult to trace down. And we've been on top  
12 of that. And so, like we were saying, we found that  
13 14 percent of the ATVs produced since 2010 were Chinese  
14 vehicles.

15 So we're interested in identifying all of those  
16 vehicles and then also making sure that we're  
17 identifying dual-sports because those are sometimes  
18 pulled into on-road and sometimes they're pulled into  
19 off-road, so making sure that we are able to identify  
20 those vehicles.

21 CHAIR CABRAL: Okay. Yeah. Because I know that  
22 the other -- the other identifier on a DMV registration  
23 would be there's a two-digit letter code, actually, and  
24 that is something that the dealership when they sell  
25 the vehicle new puts it in.

1 CASSIE LOPINA: Uh-huh.

2 CHAIR CABRAL: And that could be misrepresented.

3 CASSIE LOPINA: That's exactly the problem. And  
4 when we had this State meeting with all the different  
5 State agencies that are interested in this, that's one  
6 of the concerns that came up is DMV says every  
7 dealership kind of inputs this differently. And so  
8 running the reports based on body type, which is what  
9 typically is done, you'll get passenger cars in there,  
10 you'll get the incorrect vehicle types.

11 We actually -- I have the statistic, and I'm not  
12 exactly sure, but when we went through and manually did  
13 it, a large number of vehicles that were listed as ATVs  
14 were actually off-road vehicles and vice versa, so --

15 CHAIR CABRAL: Yeah. Because what DMV has,  
16 there's a process when you register a vehicle from a  
17 dealership where some of the stuff you can't enter in  
18 and have it computer printed. It has to be handwritten  
19 as part of their rules.

20 CASSIE LOPINA: Yeah.

21 CHAIR CABRAL: So it's up to whoever the  
22 employee is that's actually filling out the paperwork  
23 in some areas. And I know that default on printing the  
24 documents is something where there's not a list of what  
25 your choices are, you have to actually have your cheat

1 sheet and remember to put it in the right one. So a  
2 lot of times they just break it down to codes to people  
3 that will know it will go through or if it's a street  
4 vehicle or a dirt vehicle.

5 And an example would be like an off-road  
6 vehicle, you just put "TR," that's a trail bike. And  
7 then off it goes, and it will get a green sticker.

8 CASSIE LOPINA: Uh-huh.

9 CHAIR CABRAL: So that's kind of where I think  
10 you're on to something. This is important for us to be  
11 able to break down this data. Because it is -- when  
12 you look at the OHV law, what is considered off-highway  
13 vehicle use in the State of California, we're not  
14 collecting the appropriate fees for the vehicles at  
15 this point.

16 You're supposed to be dual-registered if you're  
17 a dual-sport to use in green sticker areas. License  
18 plates trump everything, but, still, to be -- that's  
19 part of the program. I mean, it could even be argued  
20 that four-wheel drive vehicles should have a green  
21 sticker, so it depends on how the person wants to read  
22 the law.

23 So having that, being able to break down a  
24 four-wheel drive vehicle, a motorcycle, dirt, a  
25 dual-sport bike knowing that that's an important

1 component for this program as it moves forward. So I  
2 think this is a good first step --

3 CASSIE LOPINA: Uh-huh.

4 CHAIR CABRAL: -- as we kind of look through  
5 this.

6 VICE CHAIR LUEDER: I had a quick question on  
7 the statistics for the OHMC survey. So you noted that  
8 3,000 surveys were sent out and that a certain number  
9 came back. What percentage of all OHVMCs did you base  
10 that survey on?

11 CASSIE LOPINA: So 3,000 wasn't the number that  
12 was sent out. It actually -- oh, goodness -- I think  
13 it was around 90,000 postcards. It was really  
14 difficult to get the number of respondents that we  
15 needed. We tried numerous times with numerous  
16 postcards as well.

17 So our goal was -- it was 2,900. It was 3,000  
18 total, but we fulfilled a 100-person pilot.

19 So we were -- with our final response rate, we  
20 were within 90 percent of the full responses that's  
21 within our goal. And then if you include the partial  
22 responses, we were within 99 percent of our goal. So  
23 looking at OHMCs statewide, we had about -- looking at  
24 it with active and inactive registration, it was about  
25 a half million vehicles from when we decoded the

1 events, and we were looking at the 2013 database.

2 And so part of this is -- part of the low  
3 response rate we believe to be because we also targeted  
4 those inactive vehicles. But that's also really  
5 interesting because we were trying to understand how  
6 many of those vehicles are actually still operating on  
7 private property or private parks. So we haven't  
8 finished that part of the analysis yet, but all that is  
9 coming. It takes a little bit longer.

10 VICE CHAIR LUEDER: Okay. Great. Thank you.

11 CASSIE LOPINA: Uh-huh.

12 CHAIR CABRAL: Commissioner Slavik.

13 COMMISSIONER SLAVIK: Have you -- do you think  
14 that these statistics are valid for the whole  
15 population of vehicles out there?

16 CASSIE LOPINA: Yes. So that's exactly what we  
17 were intending it to be.

18 COMMISSIONER SLAVIK: It's statistically valid?

19 CASSIE LOPINA: It is all statistically valid,  
20 and that's why we worked with U.C. Davis to allocate it  
21 spacially so we had a lot more responses from L.A. and  
22 from a rural county up in Northern California. So not  
23 only that, but then the amount of responses that we got  
24 from each vehicle group, that was also negotiated with  
25 industry based on statistical significance and how much

1 data we had previously acquired from those groups and  
2 how much we needed. So, yeah, it's definitely  
3 defendable.

4 COMMISSIONER SLAVIK: It seems like a lot of  
5 valid information there.

6 CASSIE LOPINA: Yes. And overwhelmingly.

7 COMMISSIONER SLAVIK: Good job.

8 CASSIE LOPINA: Thank you.

9 CHAIR CABRAL: Well, you know, bringing it back  
10 to moving forward, I think that it's obvious by some of  
11 the information we just saw that the red sticker  
12 vehicles are being used recreationally --

13 CASSIE LOPINA: Uh-huh.

14 CHAIR CABRAL: -- and not for racing purposes.  
15 And it's also, I think, it's a very important component  
16 of off-highway vehicle recreation, and they should be  
17 able to use them year round.

18 CASSIE LOPINA: Uh-huh.

19 CHAIR CABRAL: So I'd just encourage -- you guys  
20 have been wonderful to work with at this point, I've  
21 really been happy to see the collaboration between the  
22 Air Resources Board, the staff, and the OHV Division  
23 staff. I think you guys have done a wonderful job. I  
24 think, you know, as you guys are moving forward, making  
25 sure that you have the public involved and the



1 balancing out the emissions from their dirt vehicles  
2 with other outside of their dirt fleet. So they have  
3 to look at when they get into the actual transportation  
4 sector.

5 CASSIE LOPINA: Uh-huh.

6 CHAIR CABRAL: And then that would be where we  
7 can get the balance necessary. And then just like the  
8 electric vehicle credit type stuff and having those  
9 things available and all set vehicles, all the steps  
10 and things that have been done with the auto industry,  
11 I think we can somehow emulate that, that would be  
12 great. So, I mean, I know we've talked about this  
13 stuff. I also want the public to understand that there  
14 is a lot of concepts being thrown around and nothing is  
15 set --

16 CASSIE LOPINA: Uh-huh.

17 CHAIR CABRAL: -- but we're looking and talking  
18 about, and you guys are looking at many different  
19 angles. And the stated goal that you had from the  
20 beginning has always been there, that you don't want to  
21 regulate these vehicles out of existence, that you want  
22 to have the people to be able to use them and to  
23 recreate as they desire.

24 So I really applaud you guys on that part of it.  
25 You have really done a good job there.

1 CASSIE LOPINA: Thank you.

2 CHAIR CABRAL: So any other comments or  
3 questions? Okay. No?

4 CASSIE LOPINA: Thank you.

5 CHAIR CABRAL: Thank you very much. Appreciate  
6 it.

7 Okay. How are we doing on time? 12:07, so next  
8 we have another program report with the Bureau of Land  
9 Management -- oh, public comment. We can do the public  
10 comments together on these two because they're  
11 non-actionable items, so that's what I want to do. So  
12 let's go ahead and try to get Bureau of Land Management  
13 through, and then we can take the comments both at  
14 once.

15 **AGENDA ITEM VII (B) - BLM REPORT**

16 SANDRA MCGINNIS: All right. Good morning. I'm  
17 Sandra McGinnis. I'm the Branch Chief of Resources at  
18 the Bureau of Land Management, California State office,  
19 standing in for our off-highway vehicle program  
20 manager, Jane Arteaga, today. She was on a fire, then  
21 she got sick. So she couldn't be here twice today.

22 My presentation is going to be broken into two  
23 pieces. One is just going to be some updates to the  
24 report that Jane prepared and was sent out earlier, and  
25 then I also have a short presentation on BLM's special

1 recreation permit process that I understand was  
2 something that had been requested in the past so we  
3 prepared a short presentation today.

4 As far as updates on other issues that -- other  
5 activities for the BLM, the Desert Renewable Energy  
6 Conservation Plan, which the BLM has been working on  
7 for a number of years now in conjunction with several  
8 other agencies and entities, is going to have a record  
9 of decision signed next week in Palm Springs on the  
10 14th, and the Secretary of Interior, Secretary Sally  
11 Jewell, is going to be there for that.

12 I also wanted to touch briefly on Planning 2.0.  
13 It's BLM's updated planning process, and the reason I  
14 wanted to let the Commission and everybody else here  
15 know about it is that a major goal of Planning 2.0 is  
16 to facilitate public involvement by making it much more  
17 easily accessible and online.

18 So, for example, when we have projects that we  
19 put in Planning 2.0, we are beginning to do it now, and  
20 the process is going to continue to improve over time.  
21 But it is going to be more and more interactive online,  
22 so you can go find projects in certain locations just  
23 by pointing on a map, and some of that functionality is  
24 already there.

25 And so I want to encourage you if you're

1 interested in BLM's planning process, because, of  
2 course, that's one of the best ways to get early  
3 involvement in BLM's decisions is to check out Planning  
4 2.0 on the BLM internet and get familiar with the  
5 process.

6 Along with Planning 2.0, another goal of  
7 Planning 2.0 is landscape scale planning. They want to  
8 improve and expand on larger scale planning, especially  
9 planning with other partners and agencies. And to that  
10 end, even though Planning 2.0 isn't formally approved  
11 yet and finished, in order to meet the spirit of intent  
12 that we expect the final planning meeting to come out  
13 as, we are already beginning a large landscape scale  
14 planning project in Northern California called the  
15 Northern California Integrated Plan. And that is going  
16 to be a revision of the Resource Management Plan of the  
17 Arcadia Field Office and the Redding Field Office. And  
18 so they've already begun doing their outreach,  
19 envisioning, scoping for that effort. So I wanted to  
20 direct you to that if you're interested in issues up in  
21 that area.

22 I would like to respond to the question that  
23 came earlier, if this is an appropriate time, about  
24 News.Bytes.

25 VICE CHAIR LUEDER: Yes.

1 SANDRA McGINNIS: I was told that you were --  
2 that that's an ongoing concern and to be ready to  
3 answer that. So I have kind of a two-pronged approach  
4 to that, and I hope it is going to help to some degree.

5 First of all, I am more than happy to carry your  
6 concern to Jerry Perez, our new State Director. And I  
7 will be sure to do that, to mention to him that the  
8 Commission is hoping that we include more stories that  
9 focus on such a large segment of our recreation which  
10 is the OHV use. And I expect he'll be open to that,  
11 and so I will carry that message to him.

12 Second, a lot of our stories come to News.Bytes  
13 from the public, and so that is always welcomed input  
14 from the public. So if there's any kind of a formal  
15 event, even informal event that you would like to get  
16 into News.Bytes, I talked to our News.Bytes editor,  
17 Samantha Storms, and she is more than happy to include  
18 anything that is submitted to her.

19 Now, that can be in the form of a press release,  
20 a picture, a GoPro video. Any pictures or videos,  
21 though, she said, "Make sure you tell them that they  
22 have to involve BLM lands and they have to show all the  
23 proper appropriate safety process and gear." But she  
24 said, "Bring it on. I am happy to put any of that in  
25 News.Bytes." So get that out there to your users, and

1 we would love to publish more of that.

2 Okay. I think now I'm going to move on to our  
3 short -- the short presentation that I have prepared  
4 along with our recreation program lead for the State,  
5 Brian Bellew, on recreation permits on public lands.

6 Unfortunately, I don't have it for the screen,  
7 but there are copies that are available. I think  
8 there's enough for everybody here if they want one.

9 In 2015 -- I'll tell you which slide I'm on. So  
10 the introduction slide. In 2015, off-highway vehicle  
11 use on BLM lands in California accounted for 50 percent  
12 of all commercial permits issued for organized groups  
13 and events.

14 As you can see, BLM California -- as you know,  
15 BLM California has one of the largest, most complex  
16 commercial permit programs in the Bureau, possibly the  
17 largest and most complex, but I didn't double-check  
18 that data specifically. That would just be my gut  
19 instinct.

20 How do we manage this commercial workload?  
21 Through BLM Special Recreation Permit process.

22 So if you'll move on, if you'll turn the page to  
23 the next slide, it shows a cover -- it shows a picture  
24 of the cover of our Recreation Permit and Fee  
25 Administration Handbook that was just issued and

1 revised in 2014.

2 What is a Special Recreation Permit? An SRP  
3 authorizes recreational use of public lands under the  
4 authority of the Federal Lands Recreation Enhancement  
5 Act. SRPs can be issued for an overnight camping for a  
6 small group on up to a large scale event such as OHV  
7 races in the California desert. SRP can cover  
8 everything from hiking to horseback riding, river  
9 running to off-road rock crawling all on public land.

10 How does BLM issue SRPs? BLM's revised 2014  
11 Recreation Permit Administration Handbook is available  
12 online, and I have given that link. Permits are  
13 typically issued at the field office level. So all of  
14 our SRP process is governed by this handbook that I  
15 have mentioned.

16 Why and when does BLM issue SRPs? SRPs are  
17 issued as a means to control visitor use, protect  
18 recreational and natural resources, ensure that  
19 visitors know the rules, and provide for health and  
20 safety of visitors.

21 ACTING DEPUTY DIRECTOR FUZIE: Excuse me. I'm  
22 sorry. Can you make sure the audience can see the  
23 slide as well?

24 SANDRA MCGINNIS: I don't have it.

25 ACTING DEPUTY DIRECTOR FUZIE: You don't have

1 that?

2 SANDRA McGINNIS: No, but I did prepare handouts  
3 that were back there if people wanted copies of them.  
4 I apologize for not having --

5 ACTING DEPUTY DIRECTOR FUZIE: I keep expecting  
6 to see that.

7 SANDRA McGINNIS: I know. And I'm sorry about  
8 that. It makes it a little awkward.

9 ACTING DEPUTY DIRECTOR FUZIE: Okay.

10 SANDRA McGINNIS: And if I start talking too  
11 fast, tell me, "Just slow down." I know people are  
12 hungry for lunch.

13 Types of SRPs. Commercial uses. They  
14 provide -- the permit commercial uses provide a fair  
15 return to the United States for the commercial  
16 recreational use for public lands.

17 Competitive SRPs. Two or more competitors  
18 constitutes a competitive event with either the  
19 presence of registration requirements or the  
20 predetermined or a predetermined designed course.

21 Vending. Temporary, short-term permits to sell  
22 goods associated with a recreational activity.

23 Two more types of SRPs on the next slide. We  
24 issue SRPs for activities in special areas, and that  
25 could be a variety of different types of special areas,

1 which is anything that requires special management for  
2 resource protection and where a permit could help  
3 achieve management objectives.

4 And, finally, the last type of large category of  
5 an SRP is for organized groups. Usually organized  
6 groups -- recreational activities in a high-use area or  
7 where resource concerns, potential user conflicts, or  
8 public health and safety issues are present. And most  
9 of these definitions are taken straight out of that  
10 handbook.

11 So it's actually -- I learned a lot preparing  
12 this presentation, so it is really a useful handbook to  
13 get familiar with if you are interested in knowing more  
14 about BLM's SRP process.

15 The next slide, I broke a cardinal rule of  
16 PowerPoint presentations, which is a really ugly slide  
17 with way too small a font and lots of graphics. But I  
18 did that on purpose to show you that the SRP process is  
19 not straightforward, it is not simple.

20 So there are a lot of who to, wherefores, if  
21 thens.

22 So the next slide, understanding and using the  
23 SRP process. Coming this fall, BLM California is  
24 developing a website that will have an online  
25 application packet, that will provide example documents

1 of completed application materials, and we're trying to  
2 have it available for the off-highway vehicle season,  
3 the fall/winter season in the desert. I don't know if  
4 it's going to be quite there yet, but we're trying to  
5 make it a fully online process. If it's not fully  
6 online or it's submittable online, we will at least  
7 have the materials available to be printed online, to  
8 be submitted in a traditional hard copy manner. As  
9 well as we'll have that link to the handbook that I've  
10 been discussing.

11 Okay. What's next? The BLM is happy to offer  
12 training on the handbook to the Commission or any other  
13 groups or individuals that would like to become more  
14 familiar with it upon request. And if you have any  
15 questions, you can let me know, and I will pass it on  
16 to our State Outdoor Recreation Planning lead, Brian  
17 Bellew, and we'll get any questions you have answered.

18 CHAIR CABRAL: Okay. I have a quick question  
19 here on the types of SRPs. The second panel you have  
20 on it, we'll say "organized groups." So that's kind of  
21 vague. So, with that, if an organized group is, say, a  
22 group of a couple families that got together and  
23 they're going to go down into the desert and camp out  
24 and go riding in a spot and recreating with their  
25 different types of OHVs, would they need to technically

1 file for a permit? Because if they -- I mean, if  
2 they've exchanged emails and talked on the phone, we've  
3 organized it and they're going down there, I mean, it  
4 is pretty common when people go to a place to buddy up  
5 because that's kind of the responsible thing to do when  
6 you're off-highway vehicle recreating, you don't do  
7 things by yourself, so that's kind of a --

8 SANDRA MCGINNIS: Not necessarily.

9 CHAIR CABRAL: Okay.

10 SANDRA MCGINNIS: It would depend on, like I  
11 said on the slide, organized groups. They become  
12 permissible activities, typically, when they're in an  
13 area that requires a little bit closer management. So  
14 you wouldn't automatically be triggering an SRP just  
15 because it's a couple of large families that have  
16 communicated ahead of time on where to meet and when.

17 CHAIR CABRAL: Okay. Because I know there used  
18 to be -- 25? If it was over 25 people, it used to be  
19 you had to get a special permit. If there was more  
20 than -- that was the magic number on federal  
21 properties, but it looks like a hard number has  
22 changed.

23 SANDRA MCGINNIS: I don't think there is a hard  
24 number.

25 CHAIR CABRAL: Okay.

1 SANDRA MCGINNIS: It depends on the issues and  
2 resources, the issues at hand in that area.

3 CHAIR CABRAL: And is there anything on the  
4 websites for the different use areas to say -- about  
5 these types of permits, if they -- as far as, like,  
6 say, I wanted to go to the Ukiah Field Office website  
7 because I wanted to get information about the Cow  
8 Mountains. And if it told me, "Well, this is what you  
9 need a permit -- you may need a permit, click on this,  
10 and I can find out that information."

11 SANDRA MCGINNIS: That's a really good point.  
12 We don't have that at this point, I don't think, but  
13 that's something that we'll think about as we're  
14 beefing up our website.

15 CHAIR CABRAL: Yeah. Because I know that that  
16 is something that you guys are doing is kind of going  
17 through your website presence, and I think it would be  
18 important to be able to have that there and have it  
19 when they're researching their spot they may be going  
20 to.

21 Because a lot of times people will go to a place  
22 like this -- and there's day trips, but a lot -- like  
23 the report we had previously from the Air Resources  
24 Board, when a day trip, that's a shorter 90-mile-type  
25 thing. But when people are doing a vacation, they're

1 going more to like a Federal property, like your guys,  
2 and going out and spending a week there or something  
3 with their RVs and their friends and things like that,  
4 and they may need a permit in that instance, so it  
5 would be good to have that information.

6 SANDRA MCGINNIS: That's a good suggestion.

7 CHAIR CABRAL: Okay. Any other Commissioner  
8 comments, questions, concerns?

9 Yes, Commissioner Slavik.

10 COMMISSIONER SLAVIK: I'm kind of an old guy.  
11 This seems like a major shift in the use of public  
12 lands, from my perspective. I mean, when -- you know,  
13 people could go out and recreate on public lands that  
14 they paid for with their taxes, you know, that whole  
15 scenario.

16 But now that it's like big brother is watching,  
17 and big brother wants to have you have a permit. It  
18 seems like it's a huge cultural shift for the use of  
19 public lands, and why isn't the Forest Service doing  
20 the same thing? I mean, I could see them following up,  
21 and, all of a sudden, you know, it's a very draconian  
22 situation here for the citizens of our fair state and  
23 the rest of the country.

24 I mean, this doesn't -- I'm not comfortable with  
25 something like this. I mean, I understand that there

1 are permits for recreation -- competitive events, like,  
2 you know -- and the big accident we had out in the  
3 desert several years ago, I'm guessing perpetrated this  
4 kind of response from, you know, Washington D.C.

5 I don't know, it's -- I know there's nothing we  
6 can do about it, but it sure seems to be, you know,  
7 this big brother breathing down our necks one more  
8 time.

9 CHAIR CABRAL: Well, I get concerned with the  
10 legal implications that come up with this. I mean,  
11 what kind of lawsuit could be created if someone is out  
12 recreating if they didn't have a permit, because it is  
13 pretty vague.

14 COMMISSIONER SLAVIK: Yeah.

15 CHAIR CABRAL: You know, and who is going to  
16 determine whether or not they're -- a group that would  
17 bring the suit doesn't necessarily -- they don't  
18 have to -- I mean, if there was a gathering, if there  
19 was a group and they think they needed a permit in a  
20 special area, and I can see this being a tool for  
21 anti-access people --

22 COMMISSIONER SLAVIK: Absolutely.

23 CHAIR CABRAL: -- down the road, so I am  
24 concerned with it.

25 COMMISSIONER SLAVIK: And where does the open

1 areas fit in, you know, existing open areas, how do  
2 they fit into this parameter?

3 SANDRA MCGINNIS: Well, you know, the  
4 limitations of any type of five-minute presentation of  
5 an entire BLM policy handbook is going to definitely  
6 not tell the whole story. And there's, of course, a  
7 huge amount of casual use that is not required to be  
8 permitted.

9 And so this presentation focuses on those types  
10 of activities that may be permitted. It's not an  
11 automatic. That handbook outlines each of those types  
12 of SRP activities in much, much greater detail. And it  
13 would be easier to understand whether or not a certain  
14 activity would fall under an SRP if you were to read  
15 the entire handbook, which I'm not able to present  
16 today or even know myself.

17 CHAIR CABRAL: Okay. No, no. It's actually --  
18 this really dovetails into something else that I've  
19 talked with the Division about, and I think it is  
20 really important that we have really strong  
21 communications between the Division and the agencies,  
22 whether it is the Bureau of Land Management and the  
23 Forest Service. I think we need to have a dedicated  
24 employee that's just on these subjects, because this  
25 would be critical information that should be on the

1 State OHV website for when we're going out and using  
2 federal properties. When, you know, you need to have a  
3 special permit for this and that, and that is the type  
4 of stuff of having it really broken down, so it's  
5 asking a lot for the recreationalists to go get a  
6 handbook and read through it.

7 I mean, I, myself, am going to get the handbook  
8 and read through it, but I think we need to have a  
9 simple solution through the State level. And that  
10 starts with, you know, having that direct communication  
11 on a regular basis.

12 So I know we're conscious of our budgets and  
13 what we're doing, but I think just moving forward  
14 because of the amount of OHV recreation that's on  
15 federal properties, it requires that level of  
16 dedication from the OHV Division side.

17 So, you know, I'd like to discuss it and,  
18 hopefully, that's something that can be an issue as we  
19 move forward.

20 COMMISSIONER LITWIN: Mr. Chair.

21 CHAIR CABRAL: Yes.

22 COMMISSIONER LITWIN: So with all that being  
23 said, then I would like to request the training that  
24 you're offering here. So can somebody reach out to me  
25 or do you want me to reach out to Brian?

1 SANDRA McGINNIS: Either way.

2 COMMISSIONER LITWIN: Okay.

3 SANDRA McGINNIS: I will let him know that you  
4 would like to set up a training for the Commission.

5 COMMISSIONER LITWIN: Okay. Well, for me at  
6 least.

7 SANDRA McGINNIS: For you.

8 COMMISSIONER MURPHY: Him, personally.

9 COMMISSIONER SLAVIK: It seems like that would  
10 be an appropriate thing to do.

11 COMMISSIONER LITWIN: Our next meeting is going  
12 to be in the BLM down at the Glamis, right?

13 CHAIR CABRAL: Actually, you know, we're talking  
14 about the possibility of our next scheduled meeting,  
15 which would be in November, to be down in Imperial Sand  
16 Dunes, so it's BLM's property. And maybe this could be  
17 part of the presentation when we're down there, there  
18 can be something worked around that.

19 SANDRA McGINNIS: Okay.

20 CHAIR CABRAL: Just a thought.

21 COMMISSIONER LEMMON: Do you know what, you're  
22 going to stay on track?

23 CHAIR CABRAL: Commissioner Slavik.

24 COMMISSIONER SLAVIK: The point I was going to  
25 make, most of the people that are going to apply for

1 these permits are operating on land that get -- to get  
2 grant money from OHMVR, so there is another facet of  
3 the situation.

4 CHAIR CABRAL: True. Commissioner Lemmon?

5 COMMISSIONER LEMMON: So, as we look at our next  
6 meeting, I'd like kind of more of a robust explanation  
7 of the Desert Renewable Energy Conservation Plan. I  
8 have some concerns on, first, mining or whatever on  
9 State Park land and the labor involved, so I'd like  
10 kind of a clearer understanding of that.

11 SANDRA MCGINNIS: So, to clarify, at the  
12 November meeting you'd like a more detailed discussion  
13 of what the DRECP record of decision entails in terms  
14 of which aspects?

15 COMMISSIONER LEMMON: Both use, as far as the  
16 actual facilities that can be built, and then any labor  
17 issues that may be tied to that.

18 Specifically, if they're talking about building  
19 facilities --

20 CHAIR CABRAL: No, I understand. Just the DRECP  
21 documents, like the one on the end of the table there.  
22 But I guess -- are you talking specifics to like, say,  
23 Ocotillo Wells? Because they have the renewable energy  
24 prospects and stuff down there, something along --

25 COMMISSIONER LEMMON: Would that make it easier

1 if we talked about Ocotillo Wells? That would be  
2 perfect.

3 CHAIR CABRAL: I don't know, but that would be  
4 something we could drill into that one area, because I  
5 think that's where we're kind of looking at.

6 COMMISSIONER LEMMON: Yes, thank you.

7 SANDRA MCGINNIS: So more information then on  
8 how the DRECP affects Ocotillo Wells?

9 CHAIR CABRAL: SVRA, yes.

10 ACTING DEPUTY DIRECTOR FUZIE: So if I can  
11 interject. Is that something that would come better  
12 from State Park staff or BLM's staff? Are we talking  
13 specifically State lands or are we talking --

14 CHAIR CABRAL: Well, actually, the DRECP, how it  
15 works, is the State could -- it would be both.

16 ACTING DEPUTY DIRECTOR FUZIE: Okay.

17 CHAIR CABRAL: Because you have that  
18 checkerboard of property out there, and it would affect  
19 the State-owned lands also, so -- or, no, wait. Does  
20 it affect -- no, it just affects the BLM.

21 LEAD COUNSEL TOBIAS: Just the BLM.

22 CHAIR CABRAL: So it is not the State, so it  
23 would be -- the BLM sections of Ocotillo Wells.

24 And then I also want to clarify my earlier  
25 statement was the document that I have here shows

1 that's there is 7.1 million recreation visits to public  
2 lands on BLM lands, and 5.6 million are motorized. So  
3 that was just what the numbers were. I was guessing  
4 earlier, and I pulled the document at a break to make  
5 it correct, so --

6 Well, thank you. I appreciate your  
7 presentation. Any more questions?

8 COMMISSIONER SLAVIK: One more. I'd like to go  
9 back to the electronic newsletter.

10 SANDRA MCGINNIS: Yes.

11 COMMISSIONER SLAVIK: In the past we had asked  
12 for that information and Phil Jenkins had, basically,  
13 offered staff to take care of supplying the stories to  
14 BLM for the use on public land. Through Sixto, through  
15 the grant process, through all the things that are  
16 going on there, you guys have the resources to do that.

17 ACTING DEPUTY DIRECTOR FUZIE: I'd certainly  
18 think there's an opportunity for us to provide links  
19 and information to users on our website and share  
20 information.

21 COMMISSIONER SLAVIK: Yeah. But the situation  
22 is, I've looked at these things now for as long as  
23 they've been on there, and there's probably been three  
24 stories about OHV out every week. There was always  
25 something about eight or ten other things, no OHV. But

1 you guys have some resources that actually, through  
2 interpretives and people and stuff, to provide that  
3 information to those folks and get it out to the rest  
4 of the world.

5 CHAIR CABRAL: Well, I can see what you're  
6 saying, but I also have to -- I want to jump in, and we  
7 have members in this audience that I know publish stuff  
8 on the internet on a regular basis, and I think that  
9 what she stated a few minutes earlier was that the  
10 editor of this is looking for content. So if stuff  
11 that's on BLM properties and has a -- whether any type  
12 of OHV recreation, if they can provide something with a  
13 little story and a photo or a video, the possibility of  
14 getting in the News.Bytes is rather high.

15 SANDRA MCGINNIS: And, to reiterate, our  
16 News.Bytes editors said even if you just sent a video  
17 or a photo, she can put attachments on it. She can  
18 contact you to figure out what we need to add in there.  
19 So a story or a blurb would be great but not necessary.

20 CHAIR CABRAL: Great. Okay. Anything else?

21 All right. Thank you very much. I appreciate  
22 the presentation and hope Jane feels better soon.

23 SANDRA MCGINNIS: You're welcome.

24 CHAIR CABRAL: So right now we're here at the  
25 lunch break, but I do want to do a couple quick things

1 before we come back. When we come back in from lunch  
2 at 1:30, we're going to do public comment on non-agenda  
3 items, so that's the blue card. If you want to do  
4 something non-agenda-wise, you need to have that card  
5 up here, and we're going to go right to that.

6 As soon as that period is over, then we're going  
7 to take the public comment on both the California Air  
8 Resources Board report and the BLM report. So that  
9 will be these green cards.

10 So, with that, I think, Commissioners, we're  
11 going to have a photo op quickly before we grab some  
12 lunch, so we're going to do that.

13 And the crowd, we'll see everyone here shortly.

14 (Returned at 1:30 from a lunch break starting at  
15 12:32 p.m.)

16 **PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA**

17 CHAIR CABRAL: Okay. Let's bring the meeting  
18 back to order. It's now 1:30. That means it will be  
19 time for public comment for the non-agenda items.

20 So we have -- I have four cards right now, four  
21 sheets. Is there anyone else that would like to fill  
22 out a blue sheet? Going once, twice, gone.

23 Okay. So the first person up would be Sylvia  
24 Milligan followed by Dave Pickett.

25 SYLVIA MILLIGAN: Sylvia Milligan, Recreation

1 Outdoors Coalition, and I just wanted to toot my horn a  
2 little.

3 Our Bagley OHV Area that we've been working on  
4 for probably four or five years, the Forest Service  
5 came to us and asked us to do on their forest, and you  
6 know the Shasta-T is known for not being OHV-friendly.

7 Anyway, we just finished it, we sent our last  
8 billings out, made our last payments on it. It started  
9 out 110,000 acres, by the time we got to what we could  
10 work on, it came to about 68,000 acres. But we now  
11 have dedicated roads that cannot be taken away from us.  
12 This is our first step. We're very happy to have this  
13 completed.

14 Then I also want to make a push for the  
15 Backcountry Discovery Trail. I just keep preaching on  
16 it, you know. Pacific Crest Trail has their trail all  
17 the way through, why can't we? The roads were already  
18 there. It's not like you have to go out and build  
19 anything. We just have to designate them.

20 Then I wanted to talk just a little bit about  
21 the Lassen National Forest. We have been working -- I  
22 work with six counties, all the elected officials.  
23 Anybody that I can get to listen to me to try and  
24 reopen the ML3 and 4 roads in this forest. We have  
25 done traffic studies, my group has -- or my coalition

1 has. We have gotten all the traffic history of any  
2 accidents. There are none. I mean, what we have done  
3 has been incredible. The counties are really pushing  
4 for this because they see the economic value. We need  
5 those roads to do our Share the Dream Trail which will  
6 bring in unbelievable revenue to those counties.

7 We are having a real problem because the forest  
8 now has adopted this attitude, "We're not going to do  
9 it and what are you going to do about it"?

10 I'd like to see the Commission come forward and  
11 maybe help us out a little bit, if you can. I don't  
12 even know if it's in your purview, but I would  
13 appreciate it. I'm working very closely with Shane,  
14 and now I've forgotten his last name at LaMalfa's  
15 office. He has dug into this, and he said, "Sylvia,  
16 I'm going to do this for you."

17 So any help that we can get would be  
18 appreciated. In also subpart C, I'm not sure subpart C  
19 is coming out like we want it to because we can't get  
20 any information from the Forest. They put out the ROD  
21 and they put out a map that you can't read, so we've  
22 asked them for a breakdown on the map. I sat down with  
23 Bob Roland, the attorney for Snowlands. We came out  
24 with what we thought together was a very good plan.  
25 When I left, we were both happy. Then he turned around

1 and asked for a whole bunch more area that is good  
2 snowmobile area and, according to the maps, for what I  
3 can read of them, they got it. So that's going to be a  
4 big one in question, so thank you.

5 CHAIR CABRAL: Thank you. I'm sorry. Before  
6 you go, the OHV area that you spoke of that you guys  
7 worked with, where is that located?

8 SYLVIA MILLIGAN: That's off of Fenders Ferry  
9 Road in the Shasta-Trinity National Forest off of 299.

10 CHAIR CABRAL: Off of 299? And that would be on  
11 the west side of I-5 or east side of I-5?

12 SYLVIA MILLIGAN: East side of I-5, uh-huh.

13 CHAIR CABRAL: You know, Deputy Director,  
14 Northern California is a highly-underrepresented area  
15 with the OHV on the Commission. I'm the furthest  
16 person north and I live in Sonoma County, and I think  
17 that would be -- at some point, the last time that we  
18 had a meeting that far north was we had one in Redding  
19 in 2013, I believe it was mine and Commissioner  
20 Patrovsky's first meeting was there.

21 So it would be nice if sometime in our schedule  
22 throughout the next year if we can somehow get up and  
23 look at what they have got going on in the Lassen and  
24 those areas. Because I personally recreate up there  
25 often, and it is a very dependent region on all forms

1 of recreation, and OHV is a large one.

2 SYLVIA MILLIGAN: Yes.

3 CHAIR CABRAL: So I think if we can do that, get  
4 up in that area and kind of see maybe some of the work  
5 that you guys have done, because it is a good  
6 partnership type of thing.

7 SYLVIA MILLIGAN: Yes.

8 CHAIR CABRAL: Okay. Thank you.

9 SYLVIA MILLIGAN: Thank you.

10 CHAIR CABRAL: So we have Dave Pickett followed  
11 by Amy Granat. Dave Pickett is passing.

12 Amy Granat followed by John Stewart.

13 AMY GRANAT: Commissioners, good afternoon. Amy  
14 Granat, California Off-Road Vehicle Association.

15 First, CORVA wants to thank you very much for  
16 the recognition of Ed Waldheim. For those that don't  
17 know, Ed Waldheim was president of CORVA for 16 years.  
18 That's got to set a record somewhere. But we count him  
19 as one of our family. He's one of our own, and  
20 everyone on the Board of Directors expresses their  
21 appreciation and thanks.

22 I was very interested when I attended the Parks  
23 Forward Commission meeting, and perhaps this is about  
24 the Transformation, but it is actually going to be a  
25 little bit different. And I was really pleased to see

1 the support for everyone at the meeting, for Lisa, for  
2 everyone on her team. There was a very real expressed  
3 support. And one thing I noticed, and everyone was  
4 talking about the beaches and the wonderful  
5 opportunities in Berkeley for the children to go out  
6 and have interpretive programs, but no one was talking  
7 about the wonderful opportunities in Redding or the  
8 wonderful opportunities near Placerville or the  
9 wonderful opportunities near Turlock because they don't  
10 exist.

11 The reality is the OHV program provides the only  
12 opportunities in many, many rural California areas.  
13 And that holds a responsibility and it also is a source  
14 of pride. We should be proud for what we do, because  
15 we can really encourage multiple use in those areas.  
16 But it's also our responsibility to get out and make  
17 sure those people recreate.

18 And I'm pleased to be on SCORP, which is the  
19 Statewide California something Outdoor Recreation Plan,  
20 and was asked to be a member. And it's been a while  
21 since they've had an OHV representative on that plan,  
22 so I was very pleased to be out there. I'm going to  
23 push very hard for OHV recreation to be recognized as a  
24 source of real recreation, because it is not currently  
25 within one of the categories.



1 they do or the geocachers, but I make that a priority.  
2 Thank you.

3 CHAIR CABRAL: Thank you. And the next one we  
4 have is John Stewart.

5 JOHN STEWART: Good afternoon, Commissioners.  
6 John Stewart, California Four-Wheel Drive Association.

7 There was a discussion earlier today about the  
8 various ad hoc committees, and I'm going to offer up  
9 that what transpired on the ATV Safety Committee, that  
10 perhaps the Commission looked at the fact that rather  
11 than an ATV-only ad hoc committee, you look at an OHV  
12 safety committee to bring in four-wheel drives, dirt  
13 bikes, and everything for a comprehensive OHV or an  
14 Off-Road Recreation Safety Committee and oversight from  
15 that and direction from that perspective.

16 Also, at our meeting -- at the last meeting up  
17 at Graeagle, there was some talk about social economic  
18 impacts. I would like to request that at some future  
19 point that there be an agenda item on the Commission  
20 meeting for discussion about what are the demographics  
21 of the users of the public lands, whether it be the  
22 Forest Service or BLM or even the Bureau of  
23 Reclamation, you know, for the entire breathe of what  
24 State Parks considers to be a recreation opportunity  
25 from the active recreation. This not only includes the

1 OHMVR Division, but I would request you also look at  
2 the Boating and Waterways Division also to put it into  
3 perspective, to see what the overall scope of the issue  
4 is.

5 And then look at the, you know, within the  
6 demographics of where are the people residing? The VIN  
7 number decoding that the CARB people were talking  
8 about, there is a promising way to begin to identify  
9 and locate as far as county, even city to where the  
10 people with the four-wheel drive vehicles live and, you  
11 know, where their county of residence is and how many  
12 there are and start looking at it. I think this is  
13 important information that this Commission should have  
14 available to it moving forward.

15 And also the economic impact is, yes, there is a  
16 significant economic impact. What is the -- and this  
17 is something that is not quantified. What is -- this  
18 group went out there, and there's a lot of voodoo magic  
19 in the calculations. I would like to see a more  
20 comprehensive study to look at what the impact of the  
21 OHV program is to the various rural city -- rural  
22 counties and the various rural locations in the places  
23 where recreation actually exists. Thank you.

24 CHAIR CABRAL: Thank you.

25 That's been a subject that has come up in the

1 past. And I think it would be a huge benefit to the  
2 OHV community, I think it would be a benefit for the  
3 budget process, and many things, to be able to know  
4 exactly what we're looking at as far as the economic  
5 impact and having more data on what OHV recreation,  
6 what it actually does in California.

7 And it also would dovetail into the gas tax  
8 stuff too. So it's something that -- the talk that I  
9 had with the previous deputy director was to partner  
10 and do some type of study with the University and --  
11 but that was towards the end of his tenure, so I guess  
12 we could maybe -- that's something we could start  
13 discussing and go from there.

14 I'll throw it towards you and see what you say.

15 ACTING DEPUTY DIRECTOR FUZIE: I definitely  
16 think that more information is better. The Economic  
17 Impact Study that was done with the CSU Sacramento  
18 department-wide was a big talking point in 2010.  
19 Specific to OHV, I think it would be a good -- a good  
20 talking point to have. And I think we should start  
21 having a discussion on how we'd like to move forward,  
22 if the Commission would like to move forward. We can  
23 agendize that for a future meeting.

24 CHAIR CABRAL: Yeah. Why don't we do that. Why  
25 don't we take a look at the -- what we've had on that



1 wonderful. Thank you.

2 COMMISSIONER SLAVIK: Comment.

3 CHAIR CABRAL: Yes, Commissioner.

4 COMMISSIONER SLAVIK: So this discussion has  
5 come up in the past, and I believe that there has been  
6 some previous economic surveys done on a national scale  
7 by industry -- by not necessarily the off-road vehicle  
8 industry but the industry as a whole -- the recreation  
9 industry, I should say.

10 And if I'm not wrong -- if I'm not wrong, there  
11 is also a move right now in Congress. There was a bill  
12 going through Congress that was going to require the  
13 federal government to do that, to actually look at the  
14 recreational impact on rural communities.

15 Do you remember reading something about that?

16 CHAIR CABRAL: Uh-huh.

17 COMMISSIONER SLAVIK: Nick Haris isn't here  
18 right now, but I believe he would have that  
19 information. What I'm saying is, let's not reinvent  
20 the wheel if there's already a lot of stuff that has  
21 been done.

22 ACTING DEPUTY DIRECTOR FUZIE: I agree with  
23 that. And I think maybe the first discussion we can  
24 have would not require public comment and actually  
25 might take place in the Transformation process.

1 Because the subject of recreation has come up often,  
2 and the Department does have information and data from  
3 previous years. So we might go mining that first, but  
4 agendize it for specific discussion for OHV.

5 CHAIR CABRAL: Yeah. That sounds like a plan.  
6 The more general information that's available, I know  
7 like the Western Governors Association has a -- they  
8 had a report on recreation in the western part of the  
9 United States. Some people have accused that report of  
10 being a politically-motivating report, so it's kind of  
11 something that is something that we need to --  
12 something that could be, you know -- wouldn't be too  
13 popular with moving that information directly forward,  
14 but certainly there's some good information in that  
15 report that I've been able to see.

16 ACTING DEPUTY DIRECTOR FUZIE: I asked Tom to  
17 come up because I figured he would know if there's  
18 existing data. And we do have some economic impact  
19 information from Oceano Dunes that is ongoing, so we'll  
20 talk to staff and start pulling together what we do  
21 have in anticipation of a more direct discussion.

22 CHAIR CABRAL: Okay. Thank you.

23 Okay. So now what we're going to do is we're  
24 going to move into the public comment on the agenda  
25 items, we had two on the program reports earlier. So

1 we have both the California Air Resources Board and the  
2 Bureau of Land Management, so I'm going to start off  
3 with -- yes, Vicki.

4 THE CLERK: I don't see a representative from  
5 CARB here.

6 **PUBLIC COMMENT ON VII (A-B)**

7 CHAIR CABRAL: They left. But we're going to  
8 take the public comment.

9 THE CLERK: Right. I just wanted to make sure  
10 that you weren't expecting a response from CARB.

11 CHAIR CABRAL: Thank you.

12 Okay. So we're going to start with John Stewart  
13 followed by Amy Granat.

14 JOHN STEWART: Good afternoon, Commissioners.  
15 John Stewart, California Four-Wheel Drive Association.

16 I appreciate the information that BLM provided  
17 with respect to the various actions ongoing and some of  
18 their planning efforts going.

19 What I would like to see, though, is some  
20 expected completion dates on when they expect to have  
21 them or -- either up to a final draft or into a final  
22 record of decision. Because the information is there,  
23 but it lacked any completion dates.

24 And then with respect to the special recreation  
25 permits, it's a very sensitive topic to me, and I would

1 have to take exception to some of the items that the  
2 representative from BLM talked about.

3 To put it in perspective, the recreation permits  
4 and the ability for the federal agencies, not only the  
5 BLM but the Forest Service, Bureau of Reclamation, that  
6 are pretty much laid out in OMB circular A25. Within  
7 that document, it defines different categories of what  
8 the government can enter into as far as an agreement  
9 with private entities that look to make a profit off of  
10 government property, lands, or at the expense of the  
11 government.

12 From that, in the mid '90s, there were a couple  
13 of governmental affairs or GAL reports dealing with how  
14 the government is not getting a good fair shakeout of  
15 their costs and their portion that led to some rule  
16 making in the early 2000 time frame of where the rules  
17 for special recreation permits, as it impacts  
18 recreation groups, hikers -- or backpackers or the --  
19 yeah, the backpackers and guides -- outfitters and  
20 guides-type people, those were laid out, and those are  
21 pretty much the basis for what exists today.

22 The BLM representative kind of compounded some  
23 confusion factor, but introducing FLREA, the Federal  
24 Lands Enhancement -- Recreation Enhancement Act. FLREA  
25 entitled or provided for the agencies to create special

1 fee management areas, such as are applied at Imperial  
2 Sand Dunes and Dumont Dunes on the BLM side, and other  
3 places in California. For the Recreational Cabin  
4 Program, there is a certain lease that is also under  
5 the guidance of FLREA.

6 So combining those two now has compounded the  
7 questions of what is a Special Recreation Permit and  
8 what constituted and who is required to have it.

9 Basically, when you strip away all of the  
10 bureaucratic fluff, it has come down to if you are  
11 going to make a profit of any type on public lands, you  
12 are required to have a permit of some sort. There are  
13 other permits that are required, depending on your  
14 expected impact, even though you do not make a profit,  
15 and this is where the BLM should come back and come a  
16 little bit clearer on their explanation of what's  
17 happening. Thank you.

18 COMMISSIONER MURPHY: John, what was that  
19 original statute you referenced, the first one?

20 JOHN STEWART: OMB A25, that's Office of  
21 Management and Budget Circular A25.

22 COMMISSIONER MURPHY: Okay. Thank you.

23 CHAIR CABRAL: Okay. I'll bring you back up in  
24 a moment. Let's go through these.

25 Dave Pickett followed by Sylvia Milligan.

1 DAVE PICKETT: Dave Pickett, District 36.

2 On the BLM thing, John was talking about the SRP  
3 H2930-1 which is the permit booklet that is issued out  
4 to folks to get permits on BLM.

5 If you noticed on that very first page that --  
6 what was her name, Sandra McGinnis, showed 50 percent  
7 of all SRPs are from OHV in this State for BLM. That's  
8 incredible, and that really ties into the comment  
9 earlier about the Financial Impact Statement that we're  
10 looking to get on OHV.

11 Anyway, for those of you that -- I think there  
12 were two of you in years past, I brought up this  
13 H2930-1 with BLM, and the issue that Forest Service is  
14 different from BLM, but it is identical in, like,  
15 95 percent. And I've tried to coordinate those two  
16 together and come up with one permit book that would  
17 apply to all OHV, and I have been unsuccessful.

18 So I'd like to -- you guys to think about how  
19 can we put that together so the confusion doesn't cross  
20 over and we're all talking about the same thing.

21 They've done the work, but there's been changes  
22 made to it, but it confuses the clubs out there that  
23 try to homestead with us because the Forest Service  
24 rules are a little bit different from BLM rules, et  
25 cetera, et cetera, et cetera.

1 That's what I have to say on that. Thanks.

2 CHAIR CABRAL: Thank you.

3 Sylvia, are you passing? Okay.

4 Nick Haris followed by Amy Granat.

5 NICK HARIS: Good afternoon, everybody. Nick  
6 Haris, American Motorcyclist Association. I'll start  
7 with the CARB presentations. I've been encouraged from  
8 what I've been hearing from CARB; I think their eyes  
9 have been opened a little bit. I did have a copy of  
10 the PowerPoint that I looked at before that Cassie had  
11 sent me, and I think the most interesting thing was the  
12 four gallons of use per day of fuel that most people  
13 reported on the chart. It was under four gallons was  
14 the average use, and I think that surprised a lot of  
15 people. It surprised me. I kind of knew that was the  
16 case, but I think when people see that number, it  
17 really helps put it in perspective. And, likewise, the  
18 areas of use.

19 So I think that's all good information, and I'm  
20 glad that they're collecting that and they're getting a  
21 better feel for where use occurs, what the public wants  
22 to do, the days of use and all that stuff. So I'm  
23 encouraged by that, and I'm encouraged by their  
24 outreach and continuing work with the OHV community. I  
25 talked with Cassie before they left. I knew they were

1 leaving.

2 And then as far as the BLM presentation, I guess  
3 this just -- and I'm not super familiar with all the  
4 issues, but it summed it up really well that no one  
5 seems to know how to do this. I mean, even the person  
6 who came said she had been learning about this and  
7 getting some ideas, but it's very difficult.

8 You think of a club that has one or two people  
9 that are maybe involved in getting the permit, one or  
10 two people that maybe are changing over the years. I  
11 mean, you've got one guy who is the guy and he's moved  
12 on. And you've got a new club member, a new officer.

13 And I've seen in some places, District 37 in  
14 particular, has a liaison for the district that all the  
15 clubs work through to work with the BLM and vice versa.  
16 If BLM has a question for your club, they call this  
17 person and they make sure there is a consistency there.

18 I think that's really useful, but that is a  
19 small example, and Dave just commented on what about  
20 when you have an event that crosses multiple  
21 jurisdictions? You go from state to federal to BLM to  
22 Forest Service, maybe private property is thrown in the  
23 mix. The ability to have consistency and  
24 predictability and at a reasonable cost remains a  
25 significant concern, so thank you.

1 CHAIR CABRAL: Thank you. And I think Amy may  
2 have stepped out here -- or she may have left.

3 UNKNOWN SPEAKER: Amy said she would have to  
4 pass.

5 CHAIR CABRAL: She would have to pass. Okay.  
6 So I'm going to put her back in the mix for the next  
7 round of public comment.

8 So would you like to come up and address the  
9 issue that was brought up?

10 SANDRA MCGINNIS: Hello, Sandra McGinnis with  
11 the BLM. I hope I -- I was madly taking notes, so I  
12 hope I kept -- I'm able to touch on what people were  
13 mentioning.

14 Regarding the question as to whether or not I  
15 was citing the right law regarding the BLM SRP policy,  
16 I can't speak to that because I'm not well-versed in  
17 the governing laws. I'm trying to get familiar with  
18 the policy as far as the laws that provide the basis  
19 for that policy. I cannot speak to you on that, but I  
20 will get informed about those, and I'll make sure that  
21 any talking points or presentations we have reflect the  
22 proper governing laws, and that any implications we  
23 have for the way we implement the management is  
24 captured.

25 And I'll certainly welcome anybody to contact me

1 at the office, and we can work through this and get it  
2 all straightened out.

3 Another point that I wanted to address had to do  
4 with events that crossed jurisdictional boundaries.  
5 BLM California, over the last several years, has worked  
6 very hard to become a more collaborative manager with  
7 sister agencies and other local, state, and federal  
8 agencies and user groups. So that's an ongoing -- it  
9 is a priority for us, it's an ongoing struggle that we  
10 have to become better landscape managers at a larger  
11 scale to work with partners in making sure the  
12 bureaucracy isn't any bigger or nastier or more  
13 confusing than it absolutely has to be.

14 So I welcome working with other groups in making  
15 it easier for people to enjoy the public lands, to know  
16 how to use it, to be aware of the rules, the laws, the  
17 processes. So anything we can do to that end, I  
18 welcome.

19 Yeah. BLM recognizes we can't manage in  
20 isolation and should not. And I particularly noted the  
21 request that we try to make our processes -- provide  
22 greater consistency and predictability. So I value  
23 that as well, and we continue to try to do that and we  
24 welcome input on how to do that.

25 CHAIR CABRAL: All right. Well, thank you. I

1 appreciate it. Thank you.

2 COMMISSIONER SLAVIK: Question?

3 CHAIR CABRAL: Yes, Commissioner.

4 COMMISSIONER SLAVIK: So I'm going to ask a  
5 question, and you tell me whether you can answer it or  
6 not.

7 But in regard to situations where there's a  
8 checkerboard pattern of land ownership and, for  
9 instance, Ocotillo Wells where you have State lands and  
10 BLM lands and the Onyx recent acquisition for State  
11 property, I don't know if you're familiar with that or  
12 not?

13 SANDRA MCGINNIS: I'm not familiar with it.

14 COMMISSIONER SLAVIK: Well, then there's no use  
15 of going down that road. Thank you.

16 SANDRA MCGINNIS: Sorry.

17 CHAIR CABRAL: So no question then?

18 COMMISSIONER SLAVIK: No question.

19 CHAIR CABRAL: All right. Thank you. I  
20 appreciate it.

21 Okay. Where we're at is we're ending the  
22 program reports, and I notice that we don't have a  
23 Forest Service report at this time -- oh, we have a  
24 hand going up.

25 **AGENDA ITEM VII (C) - U.S. FOREST SERVICE**



1 point in time, so it's out for the public to object.  
2 And the Regional Office has been doing our own  
3 investigations in determining what we anticipate may be  
4 objection comments or points and doing some analysis  
5 and preparations for that.

6 I believe the objection period closes on October  
7 14.

8 The next draft Environmental Impact Statement  
9 that will be out the shoot, it will be the Tahoe, and  
10 that will be ready for the Regional Office's review on  
11 Monday, so we will be looking at the draft EIS starting  
12 Monday for the next two weeks, and then providing our  
13 comments back to the Tahoe.

14 I have no -- I'm not entirely certain of the  
15 schedule for release of the draft for the public at  
16 that point in time.

17 The next one out of the shoot will be the  
18 Eldorado, and the Eldorado's draft Environmental Impact  
19 Statement will be at the Regional Office at the end of  
20 September, so we anticipate probably about the first  
21 couple of weeks of October in order to be reviewing  
22 that document.

23 And then the next one will be the Stanislaus,  
24 and that probably won't occur until about January.

25 VICE CHAIR LUEDER: Okay.

1 DEB SCHONBERG: Does anybody having any comments  
2 or questions regarding our Over Snow Program? Nope?

3 CHAIR CABRAL: Okay.

4 DEB SCHONBERG: Would you like me to answer some  
5 of the questions about the Federal Lands and Recreation  
6 Enhancement Act?

7 CHAIR CABRAL: Yeah. The question was brought  
8 up earlier. Yes, I'd like to hear an answer to that.

9 DEB SCHONBERG: Okay. The Forest Service and  
10 BLM have two different handbooks in terms of special  
11 use authorizations, but authorizations are essentially  
12 issued or allowed under a variety of Acts of Congress,  
13 including the Organic Act and other sorts of laws like  
14 that.

15 The Federal Lands Recreation Enhancement Act was  
16 a fee retention authority provided to public agencies  
17 so that we could help support diminishing budgets for  
18 recreation program management. There are criteria that  
19 have to be met in order for fees to be charged, and  
20 they're very closely over -- overseeing. We have to be  
21 reporting back to Congress about accomplishments using  
22 those fees that have been retained. In some cases,  
23 there's a -- fees cannot be -- cannot be retained for  
24 special areas. There used to be a High-Impact  
25 Recreation Area Authority which was challenged in court

1 and is no longer active. That was used in Southern  
2 California for a lot of the OHV parking passes and et  
3 cetera. You can't charge fees for parking areas, so  
4 you have standard amenity fees and enhancement amenity  
5 fees.

6 Standard amenity fees have to have all of the  
7 criteria met in order for something to qualify as being  
8 eligible for a fee, and those are typically day-use  
9 sites. That expanded amenity fee sites are basically  
10 over our camping fees, and you have to have six of nine  
11 in order to qualify for that. But they have to go  
12 through a Recreation RAC in order to be approved, and  
13 there hasn't been new fee approvals because there  
14 hasn't been a RAC in place, and there hasn't been a  
15 number of fee increases or changes to the fee  
16 structures for a number of years. However, that may  
17 change.

18 CHAIR CABRAL: Okay. Well, thank you. I  
19 appreciate you just popping up and having this  
20 information available.

21 DEB SCHONBERG: Sorry about that.

22 CHAIR CABRAL: No, no. That's great.

23 DEB SCHONBERG: Any there other questions?

24 CHAIR CABRAL: Well, I have a comment.

25 DEB SCHONBERG: Yes.

1 CHAIR CABRAL: The early adopters on the -- for  
2 the new Forest Service Forest Plan Revision. I'm very  
3 concerned with the Pacific Crest Trail plans that  
4 they're putting together that are doing it forest by  
5 forest, and doing it, in my opinion, piecemeal.

6 DEB SCHONBERG: Okay.

7 CHAIR CABRAL: I believe that the Pacific Crest  
8 Trail needs to have a management plan for the entire  
9 trail system.

10 DEB SCHONBERG: It does have a management plan,  
11 but it hasn't been updated for a number of the years.

12 CHAIR CABRAL: Right. So, I mean -- what I'm  
13 seeing happening is they're trying to create new  
14 project-level-type planning in a programmatic  
15 document --

16 DEB SCHONBERG: Uh-huh.

17 CHAIR CABRAL: -- and that's concerning.  
18 They're trying to put larger viewsapes in multi-use  
19 areas that would be consistent with wilderness  
20 designations. And they're not wilderness areas,  
21 they're multi-use areas, and it's different from one  
22 forest to the next.

23 And what that does is it leads to confusion for  
24 OHV users. So let's just say one part of the year I'm  
25 going to have -- go to the Sequoia when the conditions

1 are prime there and, you know, then it is starting to  
2 get too hot and I want to go to the Sierra National  
3 Forest, and they have different conditions there. And  
4 I would be, as an OHV user, be able to operate near the  
5 Pacific Crest Trail, and it's going to impact my  
6 experience significantly.

7 So to have a uniform plan for the whole trail  
8 all the way through is something that I would like to  
9 see and not have these -- this, you know, things move  
10 around.

11 Discuss this with Beth Boyst --

12 DEB SCHONBERG: I'll bring it back to that.

13 CHAIR CABRAL: We have a difference of opinion  
14 on this, I think, a little bit, but I think it needs to  
15 go up the ladder in the chain of command, and it needs  
16 to be looked at from a higher level. Because I do  
17 believe this could be legally challenged.

18 DEB SCHONBERG: Okay.

19 CHAIR CABRAL: And I think that -- in any case,  
20 I've always advocated not doing that. I think this is  
21 something that just ends up costing us money and time  
22 that's unnecessary.

23 DEB SCHONBERG: I'll glad to take it back to  
24 Beth.

25 CHAIR CABRAL: Okay. Thank you. I appreciate

1 that.

2 DEB SCHONBERG: Any other questions, anybody?

3 **PUBLIC COMMENT ON VII(C) - U.S. FOREST SERVICE**

4 CHAIR CABRAL: Okay. Thank you very much. I  
5 appreciate it.

6 So where we're at now is -- shall I take some  
7 public comment on the Forest Service report that came  
8 in out of the blue? I probably should. I probably  
9 should run through that. It would be proper.

10 So, with that, John Stewart followed by Dave  
11 Picket, Forest Service.

12 JOHN STEWART: Good afternoon, Commissioners.  
13 John Stewart, California Four-Wheel Drive Association.  
14 I want to thank the Forest Service representative for  
15 bringing some information forward. And it underscores  
16 a concern that -- lingering concern, an ongoing  
17 concern, a serious concern dealing with the recreation  
18 permits and how they are handled on a consistent basis.

19 Yes, she is correct that there are a multitude  
20 of laws, and it is not just FLREA, there's a multitude  
21 of levels to look at that have to be looked at.

22 And this impacts the user, this impacts events,  
23 this impacts family gatherings that go out on the  
24 public lands, and especially within the Forest Service  
25 where a lot of the OHV recreation does occur. And, you

1 know, I asked earlier -- I was talking earlier about  
2 the demographic studies. This is a primary to look at,  
3 is it within the Forest Service, just what is the  
4 impact of the recreation opportunity there that has to  
5 be looked at, contend with, and supported.

6 This is something that would impact the OHV  
7 program in the long-term along with what the users  
8 expect when they go out on the ground. Thank you.

9 CHAIR CABRAL: Thank you.

10 Dave Pickett, pass.

11 Sylvia Milligan, pass.

12 Nick Haris, he stepped out.

13 Amy Granat is also -- okay.

14 Those were our public comment on that. Thank  
15 you.

16 **AGENDA ITEMS VIII (1-3) - DIRECTOR'S REPORTS**

17 CHAIR CABRAL: So next we have, as we move  
18 through the agenda, we're getting towards the end here.  
19 We have the Director's Report.

20 So I like the -- our Deputy Director first time  
21 doing his official report. Mat, before you even get  
22 going, I appreciate how you've been stepping into the  
23 fire, really, on this whole thing. You're just real  
24 straightforward, you want to get things moving, and I  
25 appreciate your attitude and what you're bringing to

1 the Division, so I'm looking forward to the future with  
2 this program and your input.

3 ACTING DEPUTY DIRECTOR FUZIE: Well, thank you  
4 very much for that. I'll start off by saying that  
5 Director Mangat and Chief Deputy Liz McGuirk are sorry  
6 that they can't be here. They've both been pulled away  
7 to other things.

8 And so I intended to be here anyway, so I'm  
9 happy to be here and have these conversations. It's  
10 been quite a learning curve for me. It was interesting  
11 to -- first, be pulled into the Transformation process,  
12 then be asked to take on this role, and then be  
13 elevated into the discussions on the future of the  
14 Department and to be elevated in that role.

15 And representing OHV has been quite the brain  
16 tickler for me. I'm using many, many different parts  
17 of my brain, and that has required me to log probably  
18 about 3,000 miles just this month going to learn --  
19 learning different parks.

20 Between my daughter's volleyball and my job, I'm  
21 on the road about six days a week and enjoying every  
22 bit of it. It's been a lot of fun.

23 I'm really impressed with the work that the  
24 Division does. I'm very impressed with the resources  
25 and the commitment that are there. I'm also very

1 impressed with the makeup of the Commission and the  
2 dialogue that we've been able to have.

3 I really look forward to digging into the issues  
4 at hand, which we will do in a few minutes, but I want  
5 to give you a little background where I came from so  
6 that you can understand the lens that I'm looking  
7 through, and then you can help me change or use that  
8 lens as we move forward.

9 I've been in what Brent Marshall calls General  
10 Parks my entire career. I had an opportunity to foray  
11 into OHV, and that opportunity alluded me early on.  
12 And so my journey has been through General Parks. And  
13 I've been all over the place, and I've seen good years  
14 and bad years.

15 But one of the things that defined me was that  
16 every day in General Parks -- and I don't think it's  
17 any different from OHV. Every day you're trying to  
18 find ways to get things done within a bureaucracy that  
19 creates some hair-pulling moments and trying to work  
20 within the gray to get that outcome which is the  
21 visitor-based outcome.

22 So in my last -- in every district that I've  
23 worked in, it's been transforming those, and I hate to  
24 use the term but it's true, transforming those  
25 districts from a somewhat dysfunctional bureaucracy

1 into a well-oiled machine that works for the good of  
2 the public. And, really, that's the way I view my role  
3 in the Transformation process is to bring that -- those  
4 30 years of learning how to work the system into a  
5 situation where we're going to try to rewrite the  
6 system so that it works better.

7 In my last assignment, when I arrived at  
8 Monterey, the district budget was \$11 million, and we  
9 were bringing in about \$4 million in revenue. And in  
10 my last year, my district budget was \$8 million and we  
11 brought in 8.6. And it was the only district in the  
12 State that was actually making more money than it was  
13 spending.

14 So I came in and looked at this job, and the  
15 first thing I wanted to do was show me -- show me the  
16 economics. Show me the money of the program.

17 And, you know, I'm taking a big risk by jumping  
18 right into this, but I think that's where most of the  
19 discussion in OHV seems to center around. "Where is  
20 the money? Where is it coming from and where is it  
21 going in order to support this recreation that people  
22 love so much?" So if you're okay with that, we'll jump  
23 right into the budget report?

24 CHAIR CABRAL: Yes.

25 ACTING DEPUTY DIRECTOR FUZIE: So now you know

1 the lens that I came in with, and so having that in  
2 mind. Do we have the slide for -- thank you.

3 Okay. So this is our budget, and we'll run  
4 through it real quick. This year we had a beginning  
5 balance of \$77.618 million in the trust. And I think  
6 it's important -- everybody in this room understands  
7 this, but I'll say it anyway. What we take from the  
8 trust and what we don't use, we put back into the  
9 trust. And what we make in revenue goes into the  
10 trust. It can't be -- it can't be placed in -- or it  
11 should not be placed in another dedicated fund.

12 So this year instead of \$56 million in fuel tax,  
13 we received \$25.95 million. We had \$3 million in SVRA  
14 entrance fees, \$17 million in OHV registration fees,  
15 miscellaneous revenues of close to \$2 million. A loan  
16 repayment of \$112 million, which gave us a balance of  
17 \$237.4 million in the Trust Fund.

18 Our spending authority is \$105 plus million, \$26  
19 million of which went to -- is going to local  
20 assistance, and \$17 million in capital outlay, and then  
21 \$62 million in support operations, with an ending  
22 balance of \$131 million.

23 I just give you that as an overview. One of the  
24 things that I was told when I took this job was that  
25 the Division spends approximately \$15 to \$17 million

1 annually more than it brings in. And the thinking on  
2 the other side of the -- I'll say the other side of the  
3 aisle, which is General Parks budget office, is that  
4 the Trust Fund given -- and nothing changes, if we just  
5 do business the way we're doing business, the Trust  
6 Fund will run out of funds in seven years.

7 And it's been my point of view, and we can have  
8 a broader discussion on it, and I think we should, that  
9 that should not be the case. Sunset or no, we should  
10 be running more of a business-like division and  
11 operation.

12 So that's the lens that I have when I look at  
13 this. I think I'm much better off if I can say to the  
14 Governor's Office or somebody else, "Not only do I have  
15 a sustainable budget, but we have a plan. We have a  
16 capital outlay plan, we have an acquisition plan, we're  
17 actively seeking things that will make the Division  
18 stronger, both economically and structurally."

19 And so, with that, I will end my Budget Report,  
20 since I think I just generated some questions.

21 CHAIR CABRAL: Commissioner Litwin.

22 COMMISSIONER LITWIN: Yeah. This is awesome.  
23 This is exactly what I was trying to get to in our last  
24 meeting back in June.

25 But we talked about something briefly, in that

1 in your seven-year depletion to zero, that accounts for  
2 the fact that we would still be receiving the same  
3 amount of fuel tax. Now, if we get real aggressive  
4 here in the State and we start going more electric and  
5 we see a diminishment in the purchase of fuel, then  
6 that can have an impact. So we're speculating that  
7 it's seven years. It could be shorter.

8 ACTING DEPUTY DIRECTOR FUZIE: Well, that  
9 assumption, it also includes \$31 million not being  
10 diverted. So where it was this year, what's diverted  
11 this year, we're hopeful -- it won't be diverted in  
12 future years, and that number will go up. So if it  
13 were the same of year, it would be even faster.

14 COMMISSIONER LITWIN: And how many more of these  
15 loan repayments do we have?

16 ACTING DEPUTY DIRECTOR FUZIE: Apparently, we  
17 have no more loan repayments. There was \$21 million  
18 that had a special tag on it from the '80s. It doesn't  
19 appear that that is something that the Legislature is  
20 required to loan -- to pay back, and I'm sure that Dave  
21 Pickett will correct me if I'm wrong.

22 COMMISSIONER LITWIN: There was also a comment  
23 that was made -- there was additional borrowing of  
24 funds, \$60 million, right?

25 COMMISSIONER SLAVIK: 10.

1 COMMISSIONER LITWIN: Was the \$10 million?

2 COMMISSIONER SLAVIK: Well, \$10 million take on  
3 a yearly basis.

4 COMMISSIONER LITWIN: Oh, a \$10 million, that's  
5 right, but it rolled up. What was the final tally on  
6 that? I forget.

7 UNKNOWN SPEAKER: It's ongoing.

8 COMMISSIONER LITWIN: It's still ongoing. And  
9 was that AB-2175? I don't even know why I wrote down  
10 AB-2175. I'm not sure what that was.

11 But wasn't there a bill that one of the assembly  
12 members put in to stop that?

13 CHAIR CABRAL: Yes. Assembly Member Jones put  
14 that through. I believe it passed and opposed at one  
15 point, but it didn't get the same type of support on  
16 the other side in the Senate.

17 COMMISSIONER LITWIN: Oh, so it didn't  
18 completely pass?

19 CHAIR CABRAL: No.

20 ACTING DEPUTY DIRECTOR FUZIE: So that's a  
21 factor, but it's not a factor that's been added to this  
22 formula. So while I do think it is something that we  
23 need to discuss as a fact or a factoid or a factor, I  
24 think that it's my recommendation that we look at our  
25 budget holistically and have some very serious

1 discussions regarding future.

2 COMMISSIONER LITWIN: And that being really from  
3 certain SVRA entrance fees, certain things that haven't  
4 been moved since the '90s.

5 ACTING DEPUTY DIRECTOR FUZIE: Well, from my  
6 lens, there are things we can do here to improve the  
7 program, both from looking at fees and looking at  
8 expenses, also questioning support, maybe even  
9 questioning support from General Parks and make sure  
10 that we get that laid out and that's reasonable.

11 I just feel like my first order of business is  
12 to recognize that there is a discussion here regarding  
13 budget and the health of the fund.

14 COMMISSIONER LITWIN: I look forward to being  
15 self-sustained, and I believe that you can get there  
16 with your past experiences. So that's a lot where I  
17 was trying to get to in our last meeting. I did have  
18 some follow-up phone calls, and I felt comfortable with  
19 some of the ideas that even Lisa has moved forward to.  
20 So this is great. This is exactly what I was looking  
21 for.

22 ACTING DEPUTY DIRECTOR FUZIE: Yeah. I think  
23 what I'm looking for, as far as the direction from the  
24 Commissioners, is to temper my aggressive nature  
25 towards revenue generation and expense with reality.

1 Because I am new to the politics in the OHV community  
2 somewhat, and so what I need is a realistic discussion  
3 that has, you know, that has a public view and we get  
4 to some direction.

5 CHAIR CABRAL: Commissioner Slavik, go ahead.

6 COMMISSIONER SLAVIK: My understanding is that  
7 through the Fuel Tax Study, that we don't receive the  
8 actual number that was identified in the Fuel Tax Study  
9 that was attributed to off-highway vehicle recreation;  
10 is that correct?

11 ACTING DEPUTY DIRECTOR FUZIE: I'm not  
12 well-versed in that study. Brian or Tom?

13 ACTING CHIEF ROBERTSON: I don't have that  
14 answer at this time. Just getting back.

15 ACTING DEPUTY DIRECTOR FUZIE: Yeah. Tom says  
16 we get the money.

17 COMMISSIONER SLAVIK: We get all the money that  
18 is attributed to off-highway vehicle recreation goes  
19 into the Trust Fund?

20 TOM BERNARDO: Except for the \$10 million.

21 COMMISSIONER SLAVIK: Except for the \$10  
22 million.

23 TOM BERNARDO: \$31 million this year.

24 COMMISSIONER SLAVIK: Okay.

25 ACTING CHIEF ROBERTSON: The \$10 million never

1 really arrives to the Trust Fund, it is routed before  
2 that.

3 CHAIR CABRAL: Okay. We're kind of screwing up  
4 our record with people not announcing who they are and  
5 things like that.

6 ACTING DEPUTY DIRECTOR FUZIE: Tom was  
7 referenced. Tom Bernardo, works for the Division.

8 CHAIR CABRAL: Thank you.

9 ACTING DEPUTY DIRECTOR FUZIE: Brian Robertson  
10 weighed in on knowledge, as did I.

11 CHAIR CABRAL: Okay. Commissioner Lueder.

12 VICE CHAIR LUEDER: Yes. Well, thank you for  
13 the report, and certainly I am encouraged because I'm  
14 usually one of the Commissioners that asks a lot of  
15 budget questions.

16 I think it is really important that the  
17 Commission and your staff get together at a future  
18 date, maybe possibly in a workshop format or something,  
19 and, you know, throw ideas out so that you can get a  
20 sense of where we're coming from, the public concerns.  
21 And I think all of us would be encouraged for the  
22 Division to sharpen its pencil and work on a long-term  
23 plan of capital outlay priorities and a higher level of  
24 budget planning, so I'm definitely encouraged on that.

25 ACTING DEPUTY DIRECTOR FUZIE: To the end of

1 capital outlay priorities and schedule line and things  
2 like that, that have somewhat been separate from the  
3 Department's process. We're integrating those  
4 processes so that we get the full support of the  
5 Department and the Department of Finance. So that's  
6 one way we're looking to improve our structural  
7 position.

8 Another way is that we've just -- we just did a  
9 cursory look this year, and we believe, based on just  
10 putting some restrictions, that we're somewhere around  
11 \$5 million that we can put back into the Trust Fund  
12 this year, just from poorly-planned capital outlay and  
13 some overspending.

14 VICE CHAIR LUEDER: Great.

15 CHAIR CABRAL: Well, that's good news. I like  
16 to hear that.

17 I do want to comment towards, though, because I  
18 would like to have this in the public record as we move  
19 forward into the future.

20 The dependency on fuel tax is problematic as we  
21 move forward, and we have recreationalists that are  
22 not -- do not have a license fee involved with their  
23 vehicles. So we're either going to need to look at  
24 dual registration or an in lieu of fee with the  
25 four-wheel drive vehicles and with the dual-sport

1 motorcycles.

2 As we saw with the Air Resources Board's  
3 presentation, there is a significant number of  
4 motorcycles, and obviously four-wheel drives are a huge  
5 number in California. But that would be a more stable  
6 funding source that would be much less likely to be  
7 diverted.

8 And then the fuel tax fund, we can still get our  
9 share based off of our percentages. And with the  
10 program moving forward, I think we need to look at  
11 going back to the old-style way we did Fuel Tax Studies  
12 where there was a study done every five years that was  
13 a comprehensive study and not these estimated ones that  
14 can get political.

15 And I think it's something that, you know,  
16 that's something that we could look at with  
17 Transformation and renewal of the program is to get --  
18 because one of the key components of this moving  
19 forward is they're talking about doing this program  
20 with no sunset, and we're hearing it from many  
21 different sides, so it's a very realistic possibility.

22 Well, to do that, we need to look back at our  
23 history and say, "Okay. What worked before and what  
24 hasn't worked before, and let's put the right program  
25 together." And when it comes to the funding side of

1 things, I think that's the most important part of  
2 putting this together.

3 So I think the Commission, it's going to be, you  
4 know, excited to be involved in that process. And I  
5 think, you know, with you being able to go directly to  
6 the Department of Finance and dealing with those folks  
7 and with Lisa's experience with the Department of  
8 Finance, that we would have our best opportunity to  
9 craft a real solid program for the future. So if we  
10 can kind of have that kind of an overall focus on it, I  
11 would appreciate it.

12 ACTING DEPUTY DIRECTOR FUZIE: I agree, and I  
13 really do get the feeling that that is the focus that  
14 is wanted by this administration.

15 CHAIR CABRAL: Okay. Great.

16 So I guess any more budget questions?  
17 Commissioners? No.

18 ACTING DEPUTY DIRECTOR FUZIE: So for the grants  
19 program, we've heard time and time again what a  
20 rockstar that Sixto is, so we've asked him to make a  
21 presentation.

22 SIXTO FERNANDEZ: I'd like to know where he is  
23 also.

24 Good afternoon, Commissioners. My name is Sixto  
25 Fernandez. I'm the grants manager. I was hoping

1 George MacDougall would be here this afternoon because,  
2 as most of you guys know, he provided the Commission  
3 Report for quite a few years. He did a great job.  
4 Fortunately for him and unfortunately for us, he  
5 promoted out of the Division to the CHP, so he's no  
6 longer here. But I do want to thank him for his work  
7 here.

8 Just my report to be quick. In Tab 9 of your  
9 binder, you'll see the Grants Report. You'll also have  
10 the sheets of the Final Rewards that were posted on our  
11 Division website. They're also on the back table for  
12 the public.

13 Just a few notes I wanted to say on those.  
14 Although the Final Rewards were approved by the  
15 Director as required by our regulations, they've also  
16 been posted on our Division website.

17 There was a total of 137 projects for a total of  
18 \$23.25 million awarded out of the \$26 million that was  
19 available.

20 So just a couple of notes. Every category  
21 except for Restoration was oversubscribed. So in the  
22 Operation and Maintenance category, there was  
23 \$1 million oversubscribed; meaning, there was more  
24 requests for funding than was available.

25 Education and Safety was oversubscribed for by

1 \$482,000.

2 The Restoration category was undersubscribed by  
3 approximately \$2.7 million. So \$2.7 million sits in  
4 the Restoration category.

5 So the grant staff is currently busy working on  
6 the successful grant awards, so they're working with  
7 the grant teams to do the grant agreement. They're  
8 also doing the site visits and working on requests, so  
9 they've been piling up, so they're quite busy.

10 Pretty soon we're going to start working on our  
11 next grant cycle which starts January of 2017, so it  
12 just seems like it's just a continuous cycle here. It  
13 goes very fast.

14 Just a quick note on our Recreational Trails  
15 Program. That's a smaller program that we also  
16 administer within the Grants Program. We anticipate  
17 having a grant cycle this year with applications being  
18 submitted by October 31. So at the next Commission  
19 meeting I can give you an update on the applications we  
20 received at that time.

21 Other than that, I'm available for any  
22 questions, if you have any.

23 CHAIR CABRAL: Okay. When do you notice your  
24 workshops for the grants?

25 SIXTO FERNANDEZ: So for the grants, we notice

1 them either the end of November/early December is when  
2 we send out the notices to all the potential applicants  
3 and the interested parties.

4 CHAIR CABRAL: Could you also be able to send  
5 out that notice to the Commissioners so we can --  
6 because I know I get asked on a semi-regular basis, and  
7 that way I don't have to go digging on the website.  
8 But if we can all get an email on that maybe from Vicki  
9 or something, that would be wonderful. Because then we  
10 could be -- when someone asks us that question, we  
11 could point them in the direction.

12 SIXTO FERNANDEZ: We can definitely do that.

13 CHAIR CABRAL: Thank you.

14 SIXTO FERNANDEZ: Sure.

15 CHAIR CABRAL: Commissioner Slavik, why don't  
16 you go first.

17 COMMISSIONER SLAVIK: Okay. Undersubscribed and  
18 oversubscribed --

19 SIXTO FERNANDEZ: Yes.

20 COMMISSIONER SLAVIK: -- so help me understand  
21 this. If you're undersubscribed and you have money  
22 left over, that money stays in that particular category  
23 until the next round of grants?

24 SIXTO FERNANDEZ: Correct. So, for instance,  
25 the Restoration category was undersubscribed by

1 \$2.7 million.

2 COMMISSIONER SLAVIK: Right.

3 SIXTO FERNANDEZ: Per statute, we can't move  
4 that funding anywhere else, so that has to stay there.

5 COMMISSIONER SLAVIK: I would suggest that when  
6 the re-authorization comes around, those are one of the  
7 things we need to correct.

8 SIXTO FERNANDEZ: Yes. There's been some  
9 internal discussions already on that.

10 CHAIR CABRAL: Commissioner Lueder.

11 VICE CHAIR LUEDER: Yes. I have just one  
12 question on Planning Projects.

13 SIXTO FERNANDEZ: Sure.

14 VICE CHAIR LUEDER: So the last one, Madera  
15 County, has a planning project for Black Hawk Ranch  
16 Recreation Area which is fully supportive of that  
17 project, but they requested a significant amount of  
18 money, half a million dollars, and they only got  
19 \$60,000. I'm just wondering if a grant of that scale  
20 when they -- you can only fund a very small portion if  
21 it's still a sustainable project at that funding level?

22 SIXTO FERNANDEZ: So what actually happened is  
23 originally they fell below the cut line, so there were  
24 two applicants above them that scored higher. At the  
25 time, the County of Inyo had submitted an application,

1 and they were funded right at the cut line, so they  
2 requested approximately \$200,000, they received  
3 \$150,000. So they declined that award, so we went down  
4 to the next one, I forget exactly who it was at the  
5 time. But they requested \$26,000. They received that  
6 award, and the remaining -- actually, my figures might  
7 be off.

8 So at the end, Madera County, there was \$26,000  
9 left. We called them up and asked them, "Is this  
10 something you can use?"

11 And the reason they wanted the planning  
12 projects, they needed to do several studies --

13 VICE CHAIR LUEDER: Uh-huh.

14 SIXTO FERNANDEZ: -- as part of their CEQA  
15 process. So \$26,000 would have completed one other  
16 project or one other study so they did accept that  
17 amount.

18 VICE CHAIR LUEDER: So, in essence, they're  
19 taking an incremental approach to the project?

20 SIXTO FERNANDEZ: Correct. So they intend to  
21 come back next year for another project.

22 VICE CHAIR LUEDER: All right. Thank you.

23 CHAIR CABRAL: Commissioner Litwin.

24 COMMISSIONER LITWIN: Sorry, I missed it. So  
25 for next year, January 2017, what is the total amount

1 possible to be awarded out again?

2 SIXTO FERNANDEZ: So I think this year we put  
3 into the budget proposal \$30 million.

4 COMMISSIONER LITWIN: Okay, thanks.

5 CHAIR CABRAL: Any other questions? So the  
6 budget proposal was \$30 million for this year?

7 SIXTO FERNANDEZ: For next --

8 CHAIR CABRAL: The next grants cycle. Yeah,  
9 because I've had discussions with the Director about  
10 the possibility of increasing the grants amount, and  
11 she was receptive to that idea. So I'm glad that  
12 you're asking for more.

13 SIXTO FERNANDEZ: Yes.

14 CHAIR CABRAL: Great. So I guess that would be  
15 the end of the report. Thank you very much, Sixto.

16 SIXTO FERNANDEZ: All right.

17 ACTING DEPUTY DIRECTOR FUZIE: And Tina Williams  
18 will be giving the Legislative Report.

19 TINA WILLIAMS: Good afternoon. Tina Williams,  
20 OHMVR Division.

21 I'm here to provide a summary of legislative  
22 activity for September 2016. And thank you for  
23 possibly saving the best for last.

24 I want to also take a moment to thank Marivel  
25 Barajas and her staff at DPR Legislative Office. We

1 work closely together. They helped develop this report  
2 and they do a lot of research, so I really want to  
3 thank them on the record. And they have been for quite  
4 some time, as many of you know.

5 I have a script that I want to follow, but I'm  
6 going to have to jump off script a little bit because  
7 we've already discussed several pieces of the  
8 legislation. And I really want to keep them straight  
9 because we're basically talking about the same funding,  
10 but they're a part of three different pieces of  
11 legislation.

12 My report is located behind Tab 10. I apologize  
13 for all of the trees that we might have used to  
14 photocopy the information about the bills, but we  
15 thought it would be important in case you needed to  
16 research them.

17 I would like to discuss, in my presentation, 5  
18 of the 12 goals that are in my report.

19 Those 5 goals have had some type of major action  
20 within the last six months. So this is where I jump  
21 off script. We've already talked about AB-2175. This  
22 was a piece of legislation that would have  
23 prohibited -- prohibited diverting Trust Fund money to  
24 the General Fund. That piece of legislation failed,  
25 okay?



1 is in three different pieces of legislation. I just  
2 want to make that very clear.

3 This is not an attempt to take an additional  
4 take from the Trust Fund. And if there should be any  
5 questions about that, please stop me.

6 COMMISSIONER LITWIN: Can I stop her?

7 CHAIR CABRAL: Yes, okay. Commissioner Litwin.

8 COMMISSIONER LITWIN: Thank you, Mr. Chair.

9 So does that stop the \$10 million? Or, no, this  
10 just keeps going, which it's not going to take any  
11 more?

12 TINA WILLIAMS: It is not going to take any more  
13 currently. The \$10 million that we're talking about is  
14 going to the General Fund.

15 COMMISSIONER LITWIN: Right.

16 TINA WILLIAMS: And it has been since 2012.

17 COMMISSIONER LITWIN: Right.

18 TINA WILLIAMS: So the Governor's office and  
19 Legislators have gone through and looked for special  
20 funding to fund the deferred maintenance for our  
21 highways --

22 COMMISSIONER LITWIN: Right.

23 TINA WILLIAMS: -- and they identified that  
24 \$10 million -- to stop it from going from the General  
25 Fund to the Highway Users Tax Fund, which would help

1 repair our highways.

2 COMMISSIONER LITWIN: Okay.

3 CHAIR CABRAL: Okay. I'm going to jump in.

4 TINA WILLIAMS: Okay.

5 CHAIR CABRAL: So what this means, really, is it  
6 means they've determined at a higher level that they  
7 still think we're overfunded. So instead of us just  
8 supporting the General Fund when it was in a dire need,  
9 now it's not in a dire need because they keep building  
10 up money, but they're just going to divert to the other  
11 things that they've put off for a long time. So it's  
12 kind of like paying off credit card bills with other  
13 credit cards.

14 COMMISSIONER LITWIN: Yeah.

15 CHAIR CABRAL: So it's just simply ridiculous,  
16 and I just can't believe that we're dumb enough to  
17 elect officials that continuously do this. I mean,  
18 it's just -- I mean, what the hell?

19 COMMISSIONER LITWIN: Right.

20 CHAIR CABRAL: People -- I mean, I'm a native  
21 Californian. My family goes back here to the 1850s,  
22 okay, and it's getting embarrassing. It really is how  
23 the State is being run.

24 And, I'm sorry, I'm doing one of the Ted things,  
25 you know, get up on the soapbox and do this. But it's

1 still realistic. I mean, if a few of us start acting  
2 and doing things on this level -- I mean, I'm meeting  
3 with Senator Mike McGuire, we're discussing this very  
4 issue. We're going to say, "Look, he wants to do a  
5 Constitutional Amendment that makes it not possible for  
6 these fuel taxes to be diverted like this," and that's  
7 what needs to happen. Dedicated funds need to go where  
8 they're supposed to go, and then you can take the other  
9 areas that aren't funded, and then you figure out what  
10 you need to do with them.

11 So I appreciate our Governor trying to be  
12 fiscally responsible, but I don't pay my bills that  
13 way. So anyway.

14 COMMISSIONER LITWIN: I think we set the  
15 precedence because it's been going on since 2012,  
16 right? 2012.

17 TINA WILLIAMS: That's correct.

18 COMMISSIONER LITWIN: So we set the -- I think  
19 in 2012, we should have been pounding the war drums  
20 right away.

21 CHAIR CABRAL: Did you want to speak?

22 COMMISSIONER LITWIN: All right. Well, welcome  
23 to California politics.

24 CHAIR CABRAL: Actually, I think it would be of  
25 benefit for you to have a conversation with

1 Commissioner Lueder who was the Chair of the Commission  
2 at a time when it went through a very difficult  
3 financial period, so he would be able to fill you in on  
4 a lot of the history and stuff that we would be able to  
5 kind of get the background on it.

6 COMMISSIONER LITWIN: Got it. Mat, this is why  
7 you have no hair?

8 ACTING DEPUTY DIRECTOR FUZIE: Since I work for  
9 the administration, I'm not even allowed to comment.

10 CHAIR CABRAL: Tina Williams.

11 TINA WILLIAMS: Are there any more questions?

12 Okay. Currently, where are those bills? Like I  
13 say, I think I need to summarize where those current  
14 bills are.

15 COMMISSIONER MURPHY: Yeah, I'm sorry. Kevin  
16 Murphy. Can you just clarify for everyone what that X  
17 means in that and how significant that is?

18 TINA WILLIAMS: The X means that it is a part of  
19 the extraordinary session.

20 COMMISSIONER MURPHY: And that means?

21 TINA WILLIAMS: That means that it is on a  
22 different track than the current session, which the  
23 Governor just received more than 200 bills. This is  
24 not a part of that session.

25 COMMISSIONER MURPHY: So this is sped through

1 faster than anything else; is that true?

2 TINA WILLIAMS: I can't really speak to that,  
3 but what I can say is that it is -- let's see. It's an  
4 extraordinary session, and their session would end  
5 November 30.

6 COMMISSIONER MURPHY: When does the rest of the  
7 session end?

8 TINA WILLIAMS: August 31.

9 ACTING DEPUTY DIRECTOR FUZIE: It simply means  
10 that it is not subject to the standard rules of the  
11 regular session.

12 COMMISSIONER MURPHY: Okay.

13 ACTING DEPUTY DIRECTOR FUZIE: It has -- it has  
14 a different -- yeah. The session just ended, this one  
15 ends in November, so they created a different special  
16 track -- a different track.

17 COMMISSIONER MURPHY: Thank you.

18 TINA WILLIAMS: The Governor, by proclamation,  
19 can ask for an extraordinary session. And usually -- I  
20 said "usually," I rarely use those words, can ask for  
21 an extraordinary session when the revenues and the  
22 taxes are involved in any of the bills.

23 COMMISSIONER MURPHY: All right. Thank you.

24 TINA WILLIAMS: Hopefully, I didn't confuse  
25 anyone on that. Go ahead.



1 collaborate with Inyo County to develop and submit a  
2 report for an evaluation of the project by  
3 January 2019.

4 Okay. And, lastly, bill number 5 is a federal  
5 bill. I believe it's already been discussed, and it is  
6 on the bottom of -- or the Sam Farr bill which is  
7 located on page 4 of my report.

8 I just want to give you an update, because there  
9 was some action on that Clear Creek bill. Among other  
10 things, it would open Clear Creek, and the last major  
11 action was on July 16 of 2016.

12 That concludes my report. I'd like to turn it  
13 back to the Commissioners and answer any questions.

14 CHAIR CABRAL: Commissioners, any questions on  
15 any of these bills?

16 Okay. Thank you, Tina.

17 ACTING DEPUTY DIRECTOR FUZIE: I'm not sure that  
18 it is critical information, but Sam Farr has chosen not  
19 to run for reelection, so this is his final term.

20 CHAIR CABRAL: Okay.

21 COMMISSIONER PATROVSKY: So this has just been  
22 received by the Senate, this late in the legislative  
23 session, it doesn't seem like this bill is very  
24 promising to be passed.

25 CHAIR CABRAL: Not this year, yeah.



1 email, and that's for general public or anyone else,  
2 and I look and hope to be very responsive.

3 CHAIR CABRAL: Well, thank you. I appreciate  
4 the attitude and direction we're going here. I believe  
5 we have a Commission meeting coming up in November  
6 that's going to be one of our regularly-scheduled  
7 meetings, and we're talking about being down in the  
8 Southern California region and possibly discussing with  
9 Chief Robinson the possibility of going down to  
10 Imperial Sand Dunes.

11 And how is that looking? Is that looking like a  
12 real possibility or where are we at with that?

13 ACTING CHIEF ROBERTSON: We've been talking to  
14 Neil Hamada down there, the regional manager. It's  
15 working out. We're looking at El Centro locations. So  
16 I think if you guys choose that's your next location,  
17 we can make that happen.

18 CHAIR CABRAL: Okay. Yes, I think it's an area  
19 that we need to take a look at down there. We've been  
20 promising or talking about going down there for quite  
21 some time. And what we'd be looking at is we'd be  
22 between the Halloween holiday where it really kind of  
23 kicks everything off and the Thanksgiving holiday where  
24 it peaks, so it would be kind of good to see how they  
25 have to ramp up and how they have to work things and be

1 able to, you know -- whether it's law enforcement and  
2 everything that goes with the process.

3 Also, the next meeting, I would like to request  
4 officially on the agenda that we have an item for the  
5 Commission to be able to -- an actionable item to  
6 review Transformation and make an official comment to  
7 the Resources secretary and to the Governor's office  
8 and to the Director based on the public comment that  
9 we've received.

10 This is not us telling them what to do, but this  
11 is just our feedback from the public so we can present  
12 that so they have a purely public process that they can  
13 have with their, you know, Transformation process.

14 ACTING DEPUTY DIRECTOR FUZIE: So we just made a  
15 note of that, Brian?

16 ACTING CHIEF ROBERTSON: Yep.

17 ACTING DEPUTY DIRECTOR FUZIE: Okay.

18 CHAIR CABRAL: Great. So, with that -- and the  
19 last thing is there's some -- we went through a General  
20 Plan process today, and we have another one that's --  
21 what's that?

22 THE CLERK: Any comments?

23 CHAIR CABRAL: We'll get to that in a second.

24 But the last thing is on the dates, as we're  
25 talking here, is the dates for the possibility of a

1 Carnegie, their General Plan is -- that General Plan is  
2 very close to being complete. And it's going  
3 through -- there's some tentative dates that we may  
4 have a meeting coming up in the near future.

5 So I encourage everyone to follow the Division's  
6 website, and I'm sure that there will be some stuff out  
7 on social media and things like that coming up. But we  
8 just have to wrap up a couple of fine details on it,  
9 and we'll see what it's like, but there could be  
10 something towards the end of October or it could be  
11 after that, and we'll know probably -- have it  
12 confirmed the next week, hopefully, but we'll see how  
13 that is going to work.

14 COMMISSIONER SLAVIK: A request. Having to do  
15 with the Carnegie meeting, we have two Commissioners  
16 here who have never been to the site, and I would like  
17 to formally request that they would be able to do a  
18 tour of Carnegie in the near future prior to that  
19 meeting so that we don't get caught in a situation  
20 where they're voting on something they've never seen.

21 CHAIR CABRAL: Tremendous idea.

22 ACTING DEPUTY DIRECTOR FUZIE: So there's a  
23 couple of working things there. One, is we really need  
24 to make that happen, get the Commissioners a tour of  
25 Carnegie. And then in regards to a meeting day for

1 Carnegie, we're feeling real support from the  
2 Department for holding that -- they're tying up the  
3 lose ends with the agency and Governor's office, so  
4 we're feeling like that's coming pretty soon.

5 CHAIR CABRAL: So, with that --

6 COMMISSIONER LEMMON: Quick?

7 CHAIR CABRAL: Yes. I'm going to need to do  
8 some public comment on the Director's Report, so why  
9 don't you go ahead.

10 COMMISSIONER LEMMON: On the Carnegie, should  
11 that be motion form or is that just something internal?

12 ACTING DEPUTY DIRECTOR FUZIE: It's internal.  
13 We're just working dots and Ts.

14 **PUBLIC COMMENT ON VIII - DIRECTOR'S REPORTS**

15 CHAIR CABRAL: Okay. Public comment on the  
16 Deputy Director's Report.

17 So I'm going to start with John Stewart followed  
18 by Dave Pickett.

19 JOHN STEWART: Good afternoon, Commissioners.  
20 John Stewart, California Four-Wheel Drive Association.

21 Thank you, Director Fuzie, for your informative  
22 report and your supportive attitude that you're  
23 bringing forward to the program. It's appreciated.

24 And welcome, Brian, glad to see you back.

25 I can't pass up the opportunity to comment on

1 Tina's report for this legislative action that is  
2 always a -- sometimes a laughing matter in the State of  
3 California.

4 Just at a time when you think that the  
5 Legislature has hit a new low, they actually do  
6 something and surprise you and go for a new low.

7 It looks like they're going with the limbo game  
8 of how low can you go with legislation.

9 Commissioner Cabral, I agree that something has  
10 got to change with the way the legislation is and the  
11 shell games that are being played on the funding. I'm  
12 hoping that, in the future, we can work towards  
13 stopping that kind of shell game and get directed funds  
14 back to where it is that people on the ground expect  
15 that money to go, and they receive the expectation that  
16 they pay for.

17 And when you look at the fees and knowing that  
18 the gas tax funding will be decreasing over time just  
19 due to more fuel-efficient vehicles and the consumption  
20 of fuel in light of the newly-assigned legislation by  
21 Governor Brown. You mentioned something about maybe  
22 dual registering a lot of vehicles. This goes back to  
23 some of the point of looking at the demographics and  
24 where the vehicles are and being able to quantify that.

25 Not only is it -- well, it is going to be a very

1 controversial point in order to tack on a special fee  
2 on a license, as has been tried in the past, has met  
3 additional failure. But somehow there's room to talk  
4 about this, but if you're going to look and promote an  
5 increased fee that is going to apply to a four-wheel  
6 drive vehicle, my recommendation is you save yourself  
7 the trouble and begin looking at it statewide for every  
8 single four-wheel drive all-vehicle or all-wheel-drive  
9 vehicle in the state so that it applies across the  
10 board and doesn't look to single out an individual or  
11 an individual group.

12 And also, within that, look to redefining what  
13 OHV recreation is to show that it is much more  
14 inclusive than just a motorcycle and an ATV, so thank  
15 you.

16 CHAIR CABRAL: Thank you. Dave Pickett followed  
17 by Sylvia Milligan. Sylvia is passing. So then we  
18 would go to Nick Haris.

19 So Dave Pickett followed by Nick Haris.

20 DAVE PICKETT: Dave Pickett, District 36. Are  
21 you sure, Ted, you want me up here? Unbelievable. On  
22 the Director's Reports, there's three of them. It's  
23 kind of hard to handle all three in three minutes, but  
24 I'm going to do what I can.

25 On that sheet that was shown up there during his

1 report, the Trust Fund sheet. It said ending balance  
2 of \$131 and a half million dollars, and we can't seem  
3 to get that money to help fill positions of open  
4 employees for the SVRAs. And again, I'll ask for \$1  
5 million per SVRA for each of them for discretionary. I  
6 mentioned this before, \$900,000 to fill in for fill-in  
7 projects and \$100,000 for environmental.

8 I don't know what the best process or best way  
9 to do this is, but I won't bring it up again. They all  
10 seem to need it for those little projects that need to  
11 be taken care of and there's never enough funding.

12 And I'm going to switch now to Tina's report.  
13 AB-2175, it did pass the Assembly, but language in SB1X  
14 killed it because the author Beale would not allow it  
15 to go to Senate for committee confirmation.

16 So, hence, what Ted mentioned about low, low,  
17 low, or John Stewart mentioned low, low, low  
18 politicians. So I would suggest all of you to be up to  
19 speed on that, pull down SB1X, as Tina pointed out, and  
20 go back and look at AB-2175. And let's all keep  
21 \$10 million coming out of our fund reviews for  
22 non-purposes -- purposes that are not related to OHV.  
23 It's just pathetic.

24 Now, in 2011, I was at that subcommittee  
25 hearing, and I did testify, and I watched the

1 Department of Finance and the LAO fight that over. And  
2 the LAO side said it was legal, the DOS side said it  
3 was not legal, and it was a complete down-the-line  
4 partisan vote. Democrats worked with the LAO because  
5 they said it was legal, and the Republicans went with  
6 the Department of Finance and said it was not legal.

7 And it ended up going to the Attorney General,  
8 submitted by Commissioner Slavik, and it took two and a  
9 half years to get an answer back. Well, there went \$20  
10 million. And the LAO took that and used that legal  
11 opinion from the AG as if it was the law of the land.

12 DPR should be challenging that, in my opinion,  
13 on my behalf of District 36. So that's a mess. And  
14 Senator Mark Leno, he told me personally at that  
15 meeting, "Dave, it will be for one year, two at the  
16 most, to help us get through this rough spot because of  
17 the economy."

18 And I called him on it, and he said, "Sorry,"  
19 and, you know, five years later and now it is six  
20 years. Myself in the OHV community, I am ticked. This  
21 is legal theft as far as I am concerned. I am over  
22 time. Thank you for your time.

23 CHAIR CABRAL: Thank you.

24 Nick Haris followed with Amy Granat.

25 Pass?

1 So, Nick, you'll be the last speaker.

2 NICK HARIS: All right. I'll take two hours.  
3 Nick Haris, AMA. I just want to read from the podium.  
4 I realized I had this in my bag from the hearing where  
5 they were discussing taking the -- not so much the \$10  
6 million which has been ongoing, we were assured it  
7 would be one year, but when they took the additional  
8 \$16 million. So the proposal requested says "A  
9 one-time increase of \$31 million in fuel tax revenue."  
10 It says "another one-time increase." That's the staff  
11 comment in the committee, which was just classic, so it  
12 is another one-time increase.

13 So it really does bother a lot of us. I mean,  
14 quite frankly, if they had a rational reason and a  
15 defensible reason, I think we would hear it. Instead,  
16 it's just one time, one time, one time. So that part  
17 gets really old. And Dave touched on a lot of stuff I  
18 don't want to go back on and re-visit what he said, but  
19 I will say on the Sam Farr bill, there's talk of his,  
20 you know, time ending in Congress. And maybe in the  
21 lame duck session after the presidential election when  
22 we see a lot of stuff move, we may see some movement,  
23 maybe on the Feinstein bill, maybe on the Farr bill for  
24 Clear Creek. So it's possible, and things kind of tend  
25 to move in a strange manner there, much like this

1 special session that we're seeing in Sacramento. Thank  
2 you.

3 CHAIR CABRAL: Thank you.

4 COMMISSIONER LITWIN: Real quick.

5 CHAIR CABRAL: Yes.

6 COMMISSIONER LITWIN: How many members do you  
7 have?

8 NICK HARIS: In California?

9 COMMISSIONER LITWIN: Yes. I think the last  
10 number I saw was around 30,000. How many riders do we  
11 have total in the state?

12 NICK HARIS: 1.4 million registered motorcycles.  
13 But that gets into surveys of CARB about people that  
14 have ten bikes versus people that have one, so there's  
15 got to be a million.

16 COMMISSIONER LITWIN: That's a lot of folks.

17 CHAIR CABRAL: Absolutely.

18 Any Commissioner comments on the public comment?  
19 No? I think we're winding down here.

20 So are there any closing comments from you,  
21 Deputy Director?

22 ACTING DEPUTY DIRECTOR FUZIE: I don't normally  
23 respond to public comment, but I would just like to  
24 stay to Dave Pickett that I'm willing to look at  
25 anything in the SVRAs that needs fixing or funding, but

1 it's got to be justified.

2 CHAIR CABRAL: Okay. Thank you.

3 Okay. Well, fellow Commissioners, did you have  
4 something, Commissioner Lueder? I saw your hand  
5 moving. You're just wanting to get your keys and get  
6 out of here. I see what's going on.

7 Seriously, though, I appreciate your guy's  
8 effort in going through this on the Prairie City  
9 General Plan and getting it approved. I'm excited for  
10 this area/this region to be able to see this facility  
11 move forward, and I'm looking forward to the future  
12 there.

13 I'm also going to remind you that the next  
14 General Plan with the Carnegie one is going to be a  
15 different experience as far as how it's going to have  
16 to work. We're going to have, I'm sure, a considerable  
17 amount of public comment, and I would recommend that  
18 you definitely, if you haven't visited the facility,  
19 that you do. And even the ones of us that live in the  
20 area, we may want to go out there and re-visit it,  
21 whether it is recreationally, whatever -- no, I mean as  
22 far as an individual, not as a group. We're not going  
23 to -- I want to make this clear. And just -- now I'm  
24 actually going to get serious for a second.

25 It is very important as we move forward from

1 this point on, and we have watched it completely  
2 beforehand, but we don't want to have any perceived  
3 violations of Bagley-Keene as we move forward.

4 So, occasionally, someone will respond to an  
5 email by responding to "all" when something comes out  
6 of Division or whatever, but please do not -- and even  
7 if it is just the one saying, "Hey, this is when the  
8 meeting is going to be." Respond to the person that  
9 sent the email; please do not respond to all.

10 And expect your emails to be requested  
11 publically, because I'm sure we're going to see that  
12 here in the near future after the hearing, the final  
13 vote on Carnegie, whatever direction it goes.

14 But the last thing is I encourage you to read  
15 both the General Plan -- the proposed General Plan and  
16 the EIR thoroughly and be aware of the situation  
17 completely. I think that's important. This park that  
18 I'm talking about, Carnegie, is one that has generated  
19 a lot of controversy, and it's going to be very  
20 important that we are completely up to speed with  
21 everything surrounding it.

22 COMMISSIONER SLAVIK: Do we have a revised plan?

23 CHAIR CABRAL: No. The plan that we have was  
24 the final plan, and if we look -- if you go back to the  
25 minutes from that, the record from that meeting when we

1 did it, the public comment period was closed and the  
2 plan was -- and the EIR were both sent back to Division  
3 to be certified, so nothing has changed. Everything is  
4 where it's supposed to be.

5 COMMISSIONER SLAVIK: Clarification on that.  
6 But I thought there were items that were brought up  
7 that had to be reviewed and there would be new  
8 information?

9 CHAIR CABRAL: Actually, we do happen to have  
10 the lead planner sitting directly in front, so this  
11 would be a perfect time for him to answer that  
12 question.

13 DAN CANFIELD: Hi, Commissioners. Dan Canfield,  
14 OHMVR Division Planning Manager.

15 First of all, all those documents are available  
16 for everyone to look at at [carnegieplan.com](http://carnegieplan.com). And I  
17 echo the Chair sentimentally, please do that.

18 In the February Commission meeting, there was a  
19 hearing on the Carnegie General Plan Environmental  
20 Impact Report. We had about 60 folks testify at that  
21 meeting. The transcript of that testimony, along with  
22 any letters that were submitted in that part of that  
23 process, were added into the environmental document,  
24 and the Planning Team responded to those comments.

25 So it has -- we've incorporated that hearing

1 into the documents. The documents that are available  
2 on the project website are prior to that, so you can  
3 look at the plan and the environmental document prior  
4 to that meeting what will be released in the future in  
5 combination with a future hearing of the Commission  
6 will be the updated document that incorporates that  
7 testimony.

8 COMMISSIONER SLAVIK: Does that mean we get a  
9 printed version or it's online?

10 DAN CANFIELD: The documents will be made  
11 available online for everybody to review and,  
12 typically, Commissioners get a printed copy. You'll  
13 also have a printed copy at my office if folks wanted  
14 to come in and look at it.

15 CHAIR CABRAL: Okay. Thank you for the  
16 clarification. Okay. I think we're done.

17 So adjourn this meeting?

18 VICE CHAIR LUEDER: Motion to adjourn.

19 CHAIR CABRAL: Motion to adjourn.

20 COMMISSIONER LITWIN: Second.

21 CHAIR CABRAL: We have two, okay.

22 I forgot, how do we have to close? Do we have  
23 to do the damn roll call?

24 LEAD COUNSEL TOBIAS: You do not need to do  
25 that. If you have a consensus of the whole, then you

1 can just say the meeting is adjourned.

2 CHAIR CABRAL: No one objects, meeting  
3 adjourned. Thank you, everybody.

4 (Meeting adjourned at 3:09 p.m.)

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