

STATE OF CALIFORNIA  
OFF-HIGHWAY MOTOR VEHICLE RECREATION COMMISSION  
MEETING TRANSCRIPT - UNAPPROVED

May 17, 2013

Start time at 9:03 a.m.

Lake Natoma Inn  
702 Gold Lake Drive  
Folsom, CA 95630

IN ATTENDANCE:

**OHMVR COMMISSIONERS PRESENT:**

Paul Slavik, Chair

Ted Cabral

Kevin Murphy

Edward Patrovsky

Diana Perez

M. Teresa Villegas

**OHMVR COMMISSIONERS Absent:**

Breene Kerr, Vice Chair

**OHMVR DIVISION STAFF:**

Christopher Conlin, Deputy Director

Phil Jenkins, Chief

Maria Mowrey, Administrative Chief

Claire LeFlore, Chief Counsel

**OTHER OHMVR STAFF AND REGISTERED VISITORS**

1 **AGENDA ITEM I - CALL TO ORDER at 9:03 a.m.**

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

3 Commissioner Patrovsky led the meeting attendees in the  
4 Pledge of Allegiance.

5 CHAIR SLAVIK: Thank you, everybody, for coming.  
6 We've got an exciting format today and tomorrow, and I  
7 want to thank especially Dave Pickett and the Dirt  
8 Diggers North for the invitation for tomorrow. I think  
9 it's going to be an exciting time for everybody.

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

11 Six Commission Members present. One Commission Member  
12 absent. Two Commission Member appointments vacant.

13 **AGENDA ITEM II - APPROVAL OF AGENDA**

14 CHAIR SLAVIK: Approval of the agenda. Couple  
15 of modifications to the agenda that we need to make.  
16 The Director of BLM, Jim Kenna, which I do not believe  
17 is here at this point, he's coming at approximately  
18 ten o'clock. I would like the Commissioners to vote on  
19 the opportunity to let the director of the BLM -- the  
20 BLM's report would not fall in line with the agenda,  
21 what it looks like right now, but when he comes to make  
22 it available for him to do so. I call for a vote on  
23 that, please.

24 COMMISSIONER CABRAL: I'll make a motion to have  
25 it so we can have the time variable for the BLM report

1 based on the gentleman's arrival.

2 COMMISSIONER PATROVSKY: Second.

3 CHAIR SLAVIK: All in favor?

4 (Commissioners simultaneously voted.)

5 CHAIR SLAVIK: Motion passes.

6 Next item that needs to be changed in the Deputy  
7 Director's report, the 150th anniversary presentation  
8 is going to be made, but it's going to be moved under  
9 Item B No. 1 in the second place, in the second  
10 position there. Mike Lynch is his name, will give a  
11 report on the 150th anniversary. So if everybody is in  
12 favor of that, I don't think we have to vote on that,  
13 but just letting you know it's happening.

14 Approval of the agenda as it stands, then call  
15 for a motion.

16 COMMISSIONER CABRAL: I'll make a motion to  
17 approve the agenda.

18 COMMISSIONER VILLEGAS: Second.

19 CHAIR SLAVIK: All in favor?

20 (Commissioners simultaneously voted.)

21 CHAIR SLAVIK: Passes.

22 **AGENDA ITEM III - APPROVAL OF SUMMARY MINUTES**

23 CHAIR SLAVIK: The next item is approval of the  
24 summary minutes, and we'd like to thank the staff -- I  
25 know I would personally -- for the summary minutes. I

1 understand that Sara Fontanos has been the person in  
2 charge of that, and it's really nice to be able to read  
3 what's happened last time without getting so tediously  
4 involved. I don't know if everybody thinks that's a  
5 good idea or not. I personally do think it's a good  
6 idea. Anybody have any comments about the summary  
7 minutes?

8 COMMISSIONER PATROVSKY: They're done very well.

9 CHAIR SLAVIK: Much easier to read.

10 And for information to the public, the actual  
11 verbatim minutes will be posted. Phil, it's going to  
12 be on the website?

13 CHIEF JENKINS: Yes. Even though we have  
14 switched to minutes, as opposed to transcripts, enough  
15 people were still asking for the transcripts, which we  
16 do maintain, that rather than deal with those as  
17 individual requests, we're just going to post both the  
18 transcripts and the minutes. The purpose of the dual  
19 being that the minutes are a lot easier to digest, but  
20 the transcripts would give the full body of the  
21 discussion. We'll have both listed on the Internet to  
22 move forward.

23 CHAIR SLAVIK: There was an item that we  
24 discussed about the summary minutes. Before I move on  
25 that, Phil, do you remember what that was? Some

1 discussion that we had at the breakfast table.

2 DEPUTY DIR. CONLIN: You said you liked them.  
3 That was my memory. If we remember, we'll bring it up  
4 in a little bit.

5 CHAIR SLAVIK: I'd like to call for a motion  
6 then to approve the summary minutes.

7 COMMISSIONER VILLEGAS: So moved.

8 COMMISSIONER MURPHY: Second.

9 CHAIR SLAVIK: All in favor.

10 (Commissioners simultaneously voted.)

11 CHAIR SLAVIK: No abstentions. Then that  
12 passes, the summary minutes passes.

13 **AGENDA ITEM IV - COMMISSIONERS' REPORTS**

14 CHAIR SLAVIK: Next in line are the reports from  
15 the Commissioners.

16 I can start that, and I'll say that because the  
17 last commission meeting was so quick and so close by,  
18 it seemed to me that some of this thing we possibly  
19 already talked about, but I'm going to mention it  
20 anyway. I was asked by the National Off-Highway  
21 Vehicle Conservation Council, which I was involved with  
22 when I worked with Honda, to be a California partner.  
23 And after thinking about it for a while, I thought,  
24 well, I'll accept that invitation. But I asked Kane  
25 Silverberg, a previous commissioner, if he would be the

1 alternative partner. And that's kind of an interesting  
2 thing for Kane. As most of you know, he's pretty  
3 well-engaged in off-highway vehicle activity here in  
4 California, but we really needed somebody in California  
5 to be that point of contact. I've already gotten  
6 several calls from individuals in California who want  
7 to start clubs and organizations. And that's kind of  
8 the point of reference for those folks, is be able to  
9 get the information to start a club or an organization  
10 from somebody who is already involved in that. So  
11 that's kind of the job.

12 At any rate, in October they had their national  
13 conference, and it's going to be in Florida this year.  
14 I will not be able to attend, so we're going to throw  
15 Kane into the hot seat. And he doesn't know any of  
16 these folks. I think he'll find it quite enlightening  
17 from his perspective, give him another opportunity to  
18 be engaged in off-highway vehicle recreation at the  
19 level that we're at here, rather than be on the  
20 Commission. So I'm hoping Kane will do a good job, and  
21 my plan is to kind of pass the torch to him as time  
22 goes on.

23 I would like to talk a little bit about the Sand  
24 Show, the upcoming meeting, and I would like to bring  
25 this up for a little bit of discussion at this point

1 with the Commissioners. Let me give you my vision of  
2 this. I have been in contact with Don Murphy, who was  
3 the promotor that runs the Sand Show. This takes place  
4 in Orange County Fairgrounds in Southern California,  
5 and it's quite a large event.

6 COMMISSIONER MURPHY: What's the date, Paul?

7 CHAIR SLAVIK: Whatever the date is of our next  
8 Commission meeting. I believe it is the 17th and 18th  
9 of September. I'm going from memory. It's on the  
10 agenda.

11 COMMISSIONER VILLEGAS: September 20th and 21st.

12 CHAIR SLAVIK: So the 20th would be our meeting  
13 date. And my vision of this would be that we actually  
14 integrate our meeting into the Sand Show, and I'd like  
15 to have a discussion with the Commissioners if they  
16 have any ideas that would go along with that. What  
17 I've been able to find out so far is that there is a  
18 place within the fairgrounds that they do events -- or  
19 I'm sorry, not events, meetings, and it's a building  
20 that has room for about 75 people. It has egress from  
21 the outside where you wouldn't have to pay to get into  
22 this event. So you could come off the street and get  
23 into the building and attend a meeting, so the public  
24 could attend a meeting, as well as the people who are  
25 engaged in the Sand Show, they can come in from the

1 inside and get into the meeting. So everybody has  
2 access to this meeting.

3 I would like to see us somehow figure out a way  
4 to engage this community, these people that ride these  
5 vehicles and the manufacturers who supply their  
6 equipment, which is quite a big deal in Southern  
7 California, somehow to get them more involved in our  
8 Commission and let them know what we do here. So if  
9 there's any discussion, I'd like to entertain that  
10 here.

11 COMMISSIONER MURPHY: That sounds like a good  
12 idea to me. Sounds like a good idea to get more people  
13 involved. That's one of our mandates that we want to  
14 do.

15 COMMISSIONER PEREZ: What is the location?  
16 Where is this located?

17 CHAIR SLAVIK: It's the Orange County  
18 Fairgrounds in Costa Mesa, California, about ten blocks  
19 from my house, by Santa Ana Airport, John Wayne  
20 Airport, easy to fly in and out of for folks from  
21 Northern California. There's plenty of places to stay  
22 around there.

23 And then the second part of that would be the  
24 tour day. We would be able to walk and kick tires and  
25 talk to the people on the actual grounds of the event

1     itself. Looking at the website, virtually every  
2     building and every area on these fairgrounds, which is  
3     fairly extensive, is taken up by this Sand Show. In  
4     fact when we first started talking about this, we said  
5     there is no room for us to do this, for us to hold a  
6     meeting on the grounds, but it all looks like it will  
7     work out. They're very happy to entertain us in this  
8     event.

9             COMMISSIONER CABRAL: I think it's a wonderful  
10     idea. I think any time we have the opportunity to  
11     reach out to the public and let them know that we are  
12     the conduit between them and the government as far as  
13     OHV, we should take that opportunity. So I think it's  
14     important to try to expand how many people are showing  
15     up. No offense to these people here. You see a lot of  
16     them often, and the seats aren't filled. So I would  
17     like to see more participation.

18            COMMISSIONER VILLEGAS: So it would be like a  
19     combination of what we're doing today, similar in  
20     Southern California on the 20th and 21st, whether we do  
21     our meeting first or the tour or the other way around.

22            CHAIR SLAVIK: We'll probably do our meeting on  
23     the Friday, the 20th, and I would suspect that there  
24     are people involved in the politics in Southern  
25     California who might be interested in this and engaged.

1 So we have an opportunity to engage them. You've got a  
2 lot of contacts there, so we also have Los Angeles  
3 County, which we're going to hopefully do a tour on the  
4 end of this month, and their staff could be involved in  
5 this. So I think it's a wonderful idea.

6 And if anybody has any ideas about actually the  
7 format of the meeting, which could be a little  
8 different than we do here, we might want to think about  
9 that.

10 CHIEF JENKINS: Commissioner Slavik, one of the  
11 things that several Commissioners discussed in the past  
12 was setting up a workshop type setting. And in that  
13 environment, if that was what the Commission asked us  
14 to do, you could have a portion of the meeting taking  
15 care of traditional business, but if you've got access  
16 to that community of enthusiasts, having a workshop  
17 setting where you get to have more of a free flow, back  
18 and forth discussion, we can certainly work with legal  
19 counsel to make sure that we could set that up in a way  
20 that was appropriate.

21 CHAIR SLAVIK: Very good. That's a good idea.

22 COMMISSIONER PEREZ: I don't disagree with the  
23 idea. I think it's a great idea. In fact, I'm glad  
24 you mentioned that, Chief Jenkins, because while I'd  
25 love to see these programs and I certainly believe that

1 we need to be accessible to the public -- I mean even  
2 today we don't have a high turnout, given that we're  
3 here at Hangtown, and I'm always much more interested  
4 in going to parks or areas that we need to look at  
5 because our parks need certain attention or certain  
6 things that we need to get done. And I would like to  
7 see that we make a bigger effort to get the public and  
8 the locals more involved. I mean that's why I agree  
9 with you, Chief Jenkins, maybe finding a way to either  
10 combine it with a workshop or a way to really reach out  
11 to the public or to the folks that really do enjoy  
12 these programs. If we're going to the session, I'm  
13 fine. I would like to see more folks show up to the  
14 meeting if there is a way to get the word out and have  
15 us hear from them. That's what I think we're here to  
16 do. We're here to hear the public, let us know what  
17 they think.

18 CHAIR SLAVIK: You're right on target with that,  
19 and I'm thinking that, while you were saying that, they  
20 have a website that they advertise their event, and I  
21 notice that Chapperel, which I think is maybe the  
22 largest motorcycle dealer in the whole world, or  
23 something like that, they're going to literally bring  
24 their whole dealership to this event. So they'll  
25 occupy a large building with a lot of stuff.

1           There is no reason why we can't advertise some  
2 way creatively that the Commission is going to be  
3 there, and we're here to hear your concerns and your  
4 issues, et cetera, et cetera.

5           COMMISSIONER PEREZ: I'm not sure they would  
6 find us that exciting, but we could try.

7           COMMISSIONER VILLEGAS: I have just a comment.  
8 My only interest in going to these types of events,  
9 obviously, if we don't participate or attend, we have  
10 folks from the industry already in attendance, and  
11 we're kind of advocating and trying to regulate the  
12 cars and all of the side-by-sides that they do, and  
13 this would only be a good opportunity for us to make  
14 those inroads with conversations and discussions, even  
15 though we're legislating them in Sacramento and not  
16 necessarily directly talking to them. That would be my  
17 interest in going. Because if we don't do this, the  
18 industry is still going to take off anyways and build  
19 their cars or do whatever it is that they create,  
20 either motorcycles or what have you.

21           And I feel that for me, I am trying to talk  
22 about the issue like I know it very well, like I know  
23 it like the back of my hand. And since I'm not an  
24 off-roader, it is important for me to be able to know  
25 the players and be familiar with the industry and be

1 able to talk to it in a way that I have some  
2 understanding and ability to be able to say, look, what  
3 you're doing is X, Y, and Z, either it's right or it's  
4 wrong, or I need your help with X, Y, and Z. That's  
5 why I think it's a good opportunity.

6 And, frankly, this is why I'm, you know, going  
7 to Hangtown tomorrow. Even though it's not my cup of  
8 tea, I don't know how you say it, but I am part of this  
9 Commission, and I feel it's my responsibility to be  
10 able to know what we are all about. So that's why I  
11 feel that these types of events, whether it is we do  
12 them in combination in our meetings or I do them on my  
13 own, I feel they're important.

14 CHAIR SLAVIK: Well said. Any other comments?  
15 And so any other Commissioners have anything to report?

16 COMMISSIONER CABRAL: I had a question actually,  
17 Paul. As far as the subcommittee reports, how are we  
18 going to bring them in? Because it's not real clear on  
19 the agenda. Do we do them during our Commission  
20 reports, or do we do them as separate items?

21 CHIEF JENKINS: That would be during the  
22 Commission reports. You would give your updates now.

23 COMMISSIONER CABRAL: Right now, okay. I'll go  
24 first.

25 A couple of things, first off, on the statewide

1 motorized trail system, I've worked with staff to a  
2 degree on the idea of it and kind of looking at trying  
3 to get the old information that existed from that  
4 program. With that, we weren't sure exactly who was  
5 the other second member on the subcommittee because it  
6 wasn't real clear from the minutes from last time, so I  
7 want to see if we can clear that up before I start  
8 working forward on that.

9 COMMISSIONER PEREZ: I would like to make a  
10 comment, Commissioners. I would like to see that maybe  
11 we have an outline of who's on which subcommittee maybe  
12 on every meeting that we have. This is a friendly  
13 reminder. Because I think I'm on two, but I don't know  
14 what the second one is. I don't recall, I'm sorry. So  
15 maybe if we all had a short list to remind us what we  
16 need to report on.

17 CHAIR SLAVIK: I believe I asked for that at the  
18 last meeting or at least we had a conversation about  
19 that, but we should have that list.

20 CHIEF JENKINS: So just to clarify, are you  
21 saying that on the agenda itself we would list the  
22 subcommittees so you could kind of go down that list  
23 and see which subcommittees wanted to report in, or are  
24 you saying we need to create kind of a handy reference  
25 that would be attached, here is the subcommittee as a

1 list and who's on them?

2 COMMISSIONER PEREZ: Maybe a handy reference  
3 would suffice.

4 CHAIR SLAVIK: Maybe a tab in the book of  
5 subcommittees, and they could have their reports -- or  
6 at least could make notes in there.

7 CHIEF JENKINS: We can do that.

8 CHAIR SLAVIK: That actually brings to mind the  
9 discussion we had about that was in the notes, in the  
10 summary minutes, to clarify who was on the  
11 subcommittee. That was that discussion.

12 COMMISSIONER CABRAL: So with that, who was the  
13 second member of the subcommittee? Do we know at this  
14 point?

15 COMMISSIONER MURPHY: I believe it was myself.

16 COMMISSIONER CABRAL: I thought it was, too, but  
17 I wasn't clear.

18 COMMISSIONER MURPHY: So you can add me to that.  
19 Kevin Murphy will be on that.

20 CHIEF JENKINS: Officially noted.

21 COMMISSIONER CABRAL: Good, I'm looking forward  
22 to working with you.

23 So what we have is we're gathering up some  
24 information and being able to put something to be  
25 presented to the public at possibly the next meeting so

1 they can get an idea to kind of get a gauge of what the  
2 public opinion is to see if this is something we're  
3 going to move forward with or not.

4           There's some maps that exist for Southern  
5 California, and the Northern California sections I want  
6 to talk to a couple of different people that were  
7 involved in this project in the past and see if I can  
8 get Commissioner Murphy involved, and we can see what  
9 we can put together and maybe have like a real rough  
10 draft that we can present at the next meeting.

11           Secondly, I had a meeting with Amy Granat from  
12 the CORVA; had a call, got a meeting together for the  
13 forest synthesis discussion on the original draft  
14 document. That was in Albany, and I think that the  
15 overall theme of the meeting was is the scientists that  
16 are drawing this up, they weren't really experts on OHV  
17 usage or how OHVs affect the forests so much as far as  
18 just the general numbers of people. I think they had a  
19 very finite look at what an OHV use is.

20           And so I think the one big thing that came out  
21 of this meeting is we were able to explain to them how  
22 many people in the forest fall under the OHV umbrella,  
23 and it really broadened their view of the type of use  
24 that is considered OHV.

25           With that, they were real receptive to the

1 information we brought to them. I thought they were  
2 not only receptive but open. And the next draft, I'm  
3 really looking forward to seeing it because it sounds  
4 like they were really going to put some of the  
5 information we brought forward, and they were going to  
6 do some more research and have a larger scope in OHV.

7 Next, I also had the opportunity to meet with  
8 Kathy Mick from the Forest Service. And Kathy and I  
9 didn't realize this, but we were like neighbors when we  
10 were teenagers years ago. So we had a real nice  
11 meeting and kind of went over some old hometown stuff  
12 and things like that. But it was really good to get an  
13 understanding of the differences between how the  
14 federal-government-type agency operates versus a  
15 state-level government versus the -- just the different  
16 layers, because the stuff I do back home is county  
17 government and city government. To see all of the  
18 different stages and how each different part of the  
19 government operates is fascinating to some degree.

20 And with that I think communication is really  
21 key moving forward for all of these agencies that are  
22 involved. Because of my short time here, what I've  
23 noticed is that everyone, their hearts into this, and  
24 you guys are all working hard and trying to do the best  
25 job possible. And what's necessary is just to

1 understand that there's going to be differences of  
2 opinion and differences as far as communication styles,  
3 but that we're all on the same team. And if we have  
4 the same goals, we're going to be able to move forward.  
5 And that's really what I kind of got out of not only  
6 the meeting that I had with her, but also just with the  
7 OHV staff on the state level is just the commitment is  
8 there. And it really makes me feel good to know that  
9 me, as a volunteer, that the people that are in these  
10 paid positions, they have almost more heart into it  
11 than I do.

12 So I'm just excited to see this time we're at,  
13 with the new Deputy Director, a new head of State  
14 Parks, and just the staff that's in place. I think  
15 we're really going to start being able to move forward  
16 in a manner that's going to be effective and goal  
17 oriented. So I think that's a lot to -- just having  
18 that meeting with Kathy for me was a bit of a  
19 breakthrough, and I appreciate that. Having that  
20 meeting, that was great.

21 Lastly, the Eldorado Forest Subcommittee, I've  
22 had no action on that. I have made a couple of  
23 attempts to meet with staff because I'm a very big  
24 believer in meeting with people directly. I like to  
25 establish personal relationships, and I've had no

1 opportunity to meet with anybody from the Eldorado  
2 Forest Service staff, and that's going to my next step,  
3 and I'll report that at the next meeting.

4 That's my report. Thank you.

5 COMMISSIONER VILLEGAS: From the last meeting,  
6 which I think was in March or February -- I can't  
7 remember, I did a couple of meetings.

8 Commissioner Perez and Jeff Gaffney joined me  
9 for several meetings in Long Beach and in L.A. We met  
10 with Senator Lara and discussed SB 234 trying to get  
11 him to support the legislation and come on as an  
12 author. We were not successful in terms of getting him  
13 to come on as a co-author on this legislation; however,  
14 we were successful in educating him about off-roading  
15 and about our Commission. He is not one that  
16 participates in this activity a lot. So he welcomed  
17 the news that we had about the legislation and about  
18 our Commission. We did let him know that we would  
19 follow up with him on additional events and activities  
20 that we could possibly partner with him and with the  
21 Latino Caucus on. So we still have that pending.

22 Following that meeting, we also met with State  
23 Parks Commissioner Elva Yanez, and that was a good  
24 meeting, as well. We were able to discuss our  
25 Commission activities, and she was able to discuss some

1 of their items. The point to our meetings with our  
2 State Parks Commission is to engage and nurture a good  
3 working relationship with the other commission so we  
4 can exchange information. Commissioner Perez and I had  
5 been meeting probably quarterly now with their  
6 chairwoman. And since we were in the area, we reached  
7 out to Elva Yanez from Los Angeles.

8 On that day we also met with L.A. County Parks,  
9 who reviewed all of their OHV projects that are in  
10 queue and that they already have in place.

11 So we were able to also schedule a tour, which  
12 Commissioner Slavik will be joining me at the end of  
13 this month, going through some of what they call urban  
14 parks in the San Gabriel Canyon, and that will be a  
15 good meeting. We do have another kind of OHV urban  
16 park coming online in the north area of the county, and  
17 that will be up before the end of the year.

18 And, lastly, I met independently with our  
19 L.A. County Sheriff folks and discussed a little bit  
20 more about our urban parks and wanting to do a little  
21 bit more in terms of having more OHV recreation in the  
22 area. And that is it.

23 COMMISSIONER PATROVSKY: Good morning,  
24 everybody. I've had a couple of meetings since the  
25 last commission meeting.

1           The first one was with my new county supervisor,  
2 Robert Lovingood, who represents the first district for  
3 San Bernardino County. And I live in the high desert,  
4 Apple Valley, which is near Victorville, and I never  
5 met with Mr. Lovingood before, even though our  
6 daughters are classmates. And we discussed Johnson  
7 Valley quite a bit. I also gave him a copy of the  
8 County's OHV ordinance which he isn't familiar with  
9 yet.

10           And I'm happy to report that a week later that  
11 the county Board of Supervisors voted unanimously to  
12 endorse Congressman Cook's bill for Johnson Valley,  
13 which would leave most of the area open for OHV  
14 recreation and designated as an OHV recreation area.

15           I also met with Matt Knotts, the head fuel  
16 representative for Congressman Cook, and we met about  
17 an hour talking mostly OHV issues, including Johnson  
18 Valley. And also Matt is quite knowledgeable about OHV  
19 issues, and he gave me a good rundown on past  
20 legislation that Congressman Cook sponsored when he was  
21 an assemblyman regarding side-by-sides. And it's a  
22 controversial bill that passed a few years ago, so that  
23 was interesting. And I enjoyed both of those meetings.

24           COMMISSIONER PEREZ: I'm going to attempt to  
25 condense my notes.

1           Since my last commission meeting in March, I  
2 think a significant event that took place at Oceano  
3 Dunes is that we provided a tour for Supervisor Paul  
4 Teixeira and City Council Member Roberta Fonzi. This  
5 tour was led by Will Harris, Bonnie Kluge, and  
6 Superintendent Brent Marshall. We took them out there,  
7 showed them the dunes. And in my opinion it was just  
8 an outstanding tour for San Luis Obispo leaders, and I  
9 think that what made it unique and great was the way  
10 the staff delivered the information, the way the  
11 complexity of the dunes was explained and understood by  
12 the supervisor and the city council member. I think  
13 that they got a better understanding of the challenges  
14 that the staff face. And the comment that I received  
15 from Supervisor Teixeira was that it opened his eyes to  
16 information that he didn't have previously.

17           And so I greatly want to thank Will Harris and  
18 Bonnie and Brent. They did an outstanding job. I was  
19 completely impressed. I was there, as well, and I know  
20 that Deputy Director Conlin was there, and so we all  
21 got to spend some time together. And so obviously I  
22 was inspired. We ought to do some more.

23           And we did make some efforts to provide  
24 additional tours for the other Air Pollution Control  
25 District board members. To make a long story short, I

1 think these new additional tours were then perceived as  
2 potentially a Brown Act violation, and so we had to, in  
3 essence, postpone some of them because there was some  
4 concern there as much as what they really were just  
5 informational tours. So that's still a piece that  
6 we're working through.

7 I also had the opportunity to meet with  
8 Mr. Randy Jordan, who was here a couple of commission  
9 meetings ago. He is the owner of Sun Buggies, and I  
10 had an opportunity to sit with him and listen to some  
11 of his concerns. He was here, and I wanted to let him  
12 know that we were listening.

13 We also had the honor of having General Jackson  
14 visit us in Pismo Beach. He came for a meet and greet,  
15 and that was a lot of fun. I think it was a great  
16 turnout. The public showed up, and he had an  
17 opportunity to speak with anyone who wanted to just  
18 come up and ask him a question or say hello. I thought  
19 it was a great event. And the type of feedback that I  
20 heard once he left was it was very positive, the public  
21 was feeling that he was approachable, that he was  
22 listening. And it was a great opportunity and a great  
23 idea for him to come out and just meet the local area  
24 folks.

25 I also had a meeting with the Mayor from

1 San Luis Obispo, Jan Marx. We had a candid  
2 conversation sometimes over different views. And I  
3 think it was a good opportunity for us to get to know  
4 each other. I did invite her on a tour, and she did  
5 agree to take a tour at some point, and so that was a  
6 good meeting.

7 And then I took another tour of the Oceano  
8 Dunes. I'm going to ask for forgiveness. His name is  
9 Kyle. He works at Oceano Dunes. I can't remember his  
10 last name or maybe I might not pronounce it correctly.  
11 But I went out with him, and I got to see the  
12 day-to-day operations, the interactions that the staff  
13 have with the public, the types of things that they're  
14 dealing with on a daily basis. It was another great,  
15 insightful tour. Greatly enjoyed it.

16 And I think that the other piece that was eye  
17 opening for me was maybe the need in staff. I think  
18 they lost some staff there. And seeing how they have  
19 to juggle the multiple -- just, I mean it's  
20 unbelievable how much -- the constant interaction with  
21 the public because there's lot of things going on. And  
22 on various occasions he was flagged down for questions,  
23 concerns that visitors had, and it was nonstop action.

24 And then, of course, I had the opportunity to  
25 see maybe some of the needs there, some of the needs in

1 Oceano, not only staff but also equipment that they  
2 could use that maybe wasn't replaced, like a beach  
3 cleaner -- I just want to throw that in there -- to  
4 help keep up with the maintenance. They face some  
5 challenges, and I'm just very impressed with how much  
6 they do in such a large area and very popular area for  
7 the public.

8           And, finally, I do have another tour that is  
9 confirmed for this coming Monday with Supervisor Debbie  
10 Arnold. She has agreed to come out. Will Harris --  
11 the same team will be out there. I'll be out there.  
12 So we're very pleased that she wants to take time out  
13 of her busy schedule to learn about the Oceano Dunes.  
14 We're excited about that, and that's coming up on  
15 Monday.

16           And then the last tour that I put a little  
17 effort into, and I'm pleased that we have confirmation,  
18 is that we're also providing a tour for Congressman  
19 Farr of Clear Creek. And Deputy Director Conlin --  
20 it's on June 24th -- and I know you'll be there.  
21 General Jackson will be there. I'll be there, and I  
22 extended an invitation to Commissioner Villegas because  
23 neither of us have been there, and it would be a great  
24 opportunity for us to get caught up with Clear Creek.

25           And that's the end of my report.

1           COMMISSIONER MURPHY: Your last point there for  
2 the tour at CCMA, I'll have to get back to you on that,  
3 but I would like to be included if I can.

4           COMMISSIONER PEREZ: I don't know if there is a  
5 limit on how many Commissioners can attend.

6           COUNSEL LeFLORE: Actually, if there's more than  
7 two Commissioners attending, it has to be publicly  
8 noticed.

9           COMMISSIONER MURPHY: Okay. That's probably  
10 better. I have other issues I have to deal with that  
11 day.

12           Anyway, my report, we had the special meeting on  
13 May 3rd, and that was for the Clear Creek Management  
14 Area specifically, but really my activity had to do  
15 with that topic.

16           I did a tour of the CCMA with Dan Canfield and  
17 Matt Allen, and we were supposed to have a  
18 representative from the BLM that day, but they weren't  
19 able to make it. So we did the tour on our own. We  
20 basically went through the valley there and just looked  
21 at the different features that were there. And for  
22 somebody that's recreated there in the past, it was  
23 kind of sad to be in there to see the area just  
24 completely barren of any kind of activity, and it was  
25 noted that for a temporary closure, it looked like a

1 permanent closure. All of the trailheads were  
2 completely fenced off with steel fence, and there was  
3 just no activity there.

4 So, anyway, another item that was interesting,  
5 as we were leaving, we found this family of deer that  
6 was grazing right next to the fenced off  
7 decontamination area. We thought it was interesting  
8 that here are mammals living in there every day and  
9 they seem to be normal. But, anyway, that was just our  
10 observation.

11 Also, Commissioner Cabral and I worked with  
12 Dan Canfield on the protest letter, and we went with  
13 Option B. We added a couple of things to it. We added  
14 some photos -- we asked photos to be added. I think we  
15 just gave him direction just to try to put a personal  
16 touch on the letter because the action that they're  
17 taking there is going to affect a lot of families. And  
18 it looks very sterile when it's all on paper, but  
19 really when it gets down to it, we're talking about  
20 families that are not going to be able to recreate  
21 there when they have in the past for many years. There  
22 are many good memories there that I personally would  
23 like to see continued, but. So that was done, a few  
24 updates were made, the letter was sent.

25 The other part of that -- and I don't know if

1 this needs to come up later in the meeting for  
2 additional items, but I was curious if it would benefit  
3 the process for us to maybe have the AMA put out a  
4 political action alert to maybe contact their elected  
5 representatives in Washington to have them try to  
6 encourage the adoption of Option B. Does anybody have  
7 any discussion on that, or is that something that  
8 should be tabled later in the meeting or?

9 CHAIR SLAVIK: Representatives of BLM when they  
10 have their report would probably be the most  
11 appropriate time to discuss that, I believe.

12 COMMISSIONER MURPHY: That's my report. Thank  
13 you.

14 CHAIR SLAVIK: Thank you. Well, I am very happy  
15 that all of the Commissioners are engaged in this  
16 process, and I think the people out in the audience,  
17 and I used to be one of them myself, remember the days  
18 when the Commissioners weren't engaged. And so keep up  
19 the good work, folks. I think that's what we're all  
20 about here, is being the interface between the public  
21 and the agencies that are providing the recreation for  
22 us. So keep up the good work. Thank you.

23 I have a question about the Brown Act,  
24 Ms. LeFlore. There was mention by Commissioner Perez  
25 about possible violations of the Brown Act if there was

1 an informational tour that was being hosted and some  
2 Commissioners attended. I know we can't do more than  
3 two, but are there any issues there?

4 COUNSEL LeFLORE: Any state agency is subject to  
5 the Bagley-Keene Act, and if there's more than two  
6 Commissioners present at a meeting, it needs to be  
7 publicly noticed ten days I believe in advance, and the  
8 public needs to be given an opportunity to attend. So  
9 it's not like you can't go on the tour, but you do have  
10 to provide those opportunities.

11 The Brown Act is a similar law that applies to  
12 local government agencies, and it has similar  
13 requirements. So if there was more than two members of  
14 the Board of Supervisors or more than two members of  
15 the Air Pollution Control Board or any other entity,  
16 similar notice and opportunity for the public to attend  
17 would have to be provided.

18 So as long as you don't have more than two  
19 members of any one entity together, you do not have to  
20 do the public notice; you don't have to provide the  
21 public opportunity.

22 Now, a tour is doable provided public notice, so  
23 that is also an option if you wanted to have a tour  
24 with a larger number of people.

25 COMMISSIONER PEREZ: I think the concern was

1 that it potentially was going to appear to be a serial  
2 meeting, even though it was two members at a time.

3 COUNSEL LeFLORE: Two members of a single?

4 COMMISSIONER PEREZ: Board, and that it would  
5 appear as a serial meeting in part.

6 COUNSEL LeFLORE: Well, the public perception,  
7 if you have a number of public officials from different  
8 things, that would be a public perception that you're  
9 doing something with a bunch of public officials. But  
10 you don't violate the letter of the law unless there is  
11 more than two from any one.

12 And a serial meeting is more if you have a  
13 commissioner phone each other commissioner individually  
14 and talk about the same topic, so that's a separate  
15 issue. But I would agree that you would have a public  
16 perception issue, but it wouldn't technically violate  
17 the law.

18 CHAIR SLAVIK: In this case, let's say you have  
19 two members of the Board of Supervisors and you hosted  
20 a meeting at Oceano, and then they in turn went back  
21 and had a meeting, that would be a public meeting then.  
22 If they discussed that tour at their scheduled public  
23 meeting, there would be no violation.

24 COUNSEL LeFLORE: If I'm following you, if two  
25 members of the Board of Supervisors went on a tour and

1 then went back to the meeting and talked about it, that  
2 would be fine. That's kind of like when you, as  
3 commissioners, Commissioner Cabral and Commissioner  
4 Murphy together were speaking to people and then they  
5 came back here and reported it. That's not a problem.

6 COMMISSIONER CABRAL: I'm aware of some training  
7 I've had for the Brown Act to a different committee,  
8 and I was wondering if it's possible for us to get the  
9 Bagley-Keene training so we can be all on the same page  
10 because it seems to me this question has come up a  
11 couple of times in these meetings since I've been  
12 involved. If we were all current and knew exactly  
13 where we would stand on this stuff, then we would  
14 eliminate all of these problems.

15 COUNSEL LeFLORE: Yes, we can certainly provide  
16 that training. We try to do that with new  
17 commissioners. But if you would like to do that as a  
18 group, we can certainly do that on the agenda for next  
19 meeting.

20 DEPUTY DIR. CONLIN: Or perhaps is there sort of  
21 a guide, cheat sheet or something, that we could  
22 provide to them, just a quick explanation?

23 COUNSEL LeFLORE: I think, yes, there is a cheat  
24 sheet. I'm not so sure how short and concise it is.

25 DEPUTY DIR. CONLIN: Certainly not to be

1 derogatory, sometimes things are written in legalese,  
2 and we'd just like something that is kind of a quick  
3 explanation, you can do this, you can't do that.

4 COUNSEL LeFLORE: I know the Attorney General's  
5 Office, they have a booklet that they provide. There  
6 are other trainings like continuing legal education  
7 people, but we'll try to put something together and not  
8 take up too much time. We will work on that for next  
9 time.

10 DEPUTY DIR. CONLIN: That would be great.

11 And I think in reference to Commissioner Perez  
12 and what we were trying to do, the issue was that in  
13 this case the Air Pollution Control Board's legal  
14 counsel had a more stringent interpretation of what  
15 that tour was going to do and how it was going to be  
16 perceived and simply cautioned against the members. In  
17 a situation like that, where another legal counsel is  
18 making a recommendation to their entity, we're really  
19 kind of stuck. We really can't get past that.

20 However, our solution set was we have set up a  
21 public tour to bring as many of those members as we can  
22 in. By virtue of it being a public tour, then we are  
23 no longer under the requirements of the Brown Act, and  
24 we can get them all in there at the same time. That's  
25 our solution set right now.

1           COMMISSIONER PEREZ: I wanted to make another  
2 comment because I believe that in 2011 -- Chief Jenkins  
3 might be able to recall -- we did have some notes on  
4 Bagley-Keene, and I do have them where they seem to be  
5 okay. They were a little bit lengthy, but we made an  
6 attempt to do that training. And I think it's a very  
7 good idea to bring it back. It never hurts to know  
8 what the limitations are. And do you recall that,  
9 Chief Jenkins?

10           CHIEF JENKINS: Yes. And so what we'll do, we  
11 will dig that out. We had several things that we  
12 provided back in 2011. There's been enough turnover  
13 now, we'll just refresh that. Given that we're looking  
14 at like a list of the subcommittees, refreshing kind of  
15 the Bagley-Keene Act stuff, it's probably worth just  
16 putting together a commissioner resource book that  
17 includes all of your current policies and everything.  
18 So we'll work on a comprehensive toolkit booklet that  
19 we'll just reprint and get to each of you for the next  
20 meeting.

21           COMMISSIONER PEREZ: And just one final note on  
22 the Air Pollution Control District members, for the  
23 most part they are interested in taking a tour. I  
24 haven't received a note yet, but I haven't met with all  
25 of them, but there is interest.

1 DEPUTY DIR. CONLIN: And, again, we are not the  
2 arbitrators of the Brown Act in their case. That's  
3 something they take up with their own officials that  
4 appointed them.

5 COUNSEL LeFLORE: As you put together the tour,  
6 you need to let them know they should be talking with  
7 their attorney to set up a correct notice, and you need  
8 to make some provisions so that the public can go along  
9 when they come.

10 COMMISSIONER PEREZ: They'll come.

11 CHAIR SLAVIK: Thank you.

12 One final note, I'd like to thank Tina Williams  
13 with the staff on our shirts. We now have Commission  
14 polo shirts that have our logo and names on them, so  
15 when we're wandering the Dirt Diggers pit area and  
16 hopefully the Sand Show, they will know who we are.  
17 And let the commissioners know if they need more of  
18 those shirts, they're available. That was good and  
19 reasonably priced, too. So thank you, Tina.

20 Moving on to the Deputy Director's report.

21 **AGENDA ITEM IV(B) - DEPUTY DIRECTOR'S REPORT**

22 DEPUTY DIR. CONLIN: Thank you. First, just a  
23 quick administrative thing, looking back there I don't  
24 see Jim Kenna here yet, so I guess we're okay. Can you  
25 give me a thumbs up when he comes in so we can take a

1 break?

2 Well, on behalf of the Director, General  
3 Jackson, on behalf of myself, and the entire  
4 Off-Highway Motor Vehicle Recreation Division, welcome.  
5 Thank you very much for your participation, Commission  
6 Members. This is our lifeblood. You guys give us  
7 direction. You give us guidance. You do give us  
8 tremendous feedback from the community, and I deeply  
9 appreciate your involvement. I know it's a great  
10 personal requirement, and I know that you give up a lot  
11 of time on your own. I've seen you out at several of  
12 the parks, and you have given me phone calls. We have  
13 the opportunity to talk over and over again, and I  
14 deeply appreciate that. That's tremendous. I'm not  
15 familiar with past practices on the Commission, but I  
16 can tell you that from my perspective all of you are  
17 deeply involved, and that makes the program so much  
18 better.

19 And to the members of the public, thank you for  
20 being here today. The numbers aren't important, the  
21 voices are. So we're glad you're here. We're glad  
22 you're going to make your presence known. We're glad  
23 you're going to talk to all of us.

24 For those that have not met me, I'm the new guy  
25 on the street. I was appointed in April and really

1 sort of picked up the job around 8 April. I was  
2 appointed by the Governor but selected by General  
3 Jackson. It should probably be no surprise that I'm  
4 sort of his brother by another mother, a hell of a  
5 Marine, known each other for many years. He selected  
6 me specifically because of the skill sets that I  
7 brought and the fact that leadership, decision-making,  
8 coalition building, it's all important. I am not fish  
9 or fowl. I'm not an OHV recreation person. I'm not an  
10 environmentalist, but I lived that world for 30 years.  
11 In the Marine Corps going over heavy terrain in  
12 off-road vehicles was a way of life, and preserving the  
13 environment is also a way of life. That's what we had  
14 to do. We're glad to do it. We took care of our  
15 environment here in California and all over the world.

16 So that's why I'm here, is to give a neutral  
17 perspective but to provide the leadership that we need  
18 to get to those great goals because this is a fantastic  
19 program. And I will tell you that over the course of  
20 the last month going out and looking at the recreation  
21 areas and talking to the people and getting on the  
22 ground and seeing the program, I've been consistently  
23 impressed. It's a tremendous balance between two  
24 seemingly opposing forces. This idea of broad access  
25 to our areas and then preserving the environment has

1 been done with tremendous finesse and agility, and I  
2 just love being out there and looking at all of that.

3           So where are we? What are we trying to do?  
4 General Jackson has put together a strategic plan, and  
5 we are in a period of great opportunity, and that's  
6 been alluded to a couple of times here. You have a new  
7 director that was appointed by the Governor. He also  
8 sits as sort of a neutral guy who has done this work  
9 before, but as somebody who can look at it with an open  
10 set of eyes and make the changes that we need to to  
11 keep this parks and recreation program surviving.

12           We also have an opportunity. When you have a  
13 crisis, you get opportunities. And in this case our  
14 opportunity is that we do have eyes on us from  
15 Congress, but we also have a lot of offers for help.  
16 And those help offers are being taken by us on a daily  
17 basis. And that's why the General is up on the Hill  
18 constantly talking to the legislature. He's talking to  
19 business and government officials all the time, and  
20 he's generating a lot of support for us, and that's  
21 tremendous. That opportunity is going to be built on  
22 trust. He had initial trust by his selection. We're  
23 going to build on that by maintaining the standards  
24 that have made this program so strong.

25           His strategic plan includes several of the

1 tenets that have made this program what it is today,  
2 and that is that public trust and restoring faith, by  
3 virtue of taking care of the environment in these  
4 recreation areas and by providing grants to others to  
5 do the same, you have sustained this program, but you  
6 have shown the public that we can cherish the  
7 environment, and that's critical.

8 At the same time we have been protecting and  
9 preserving archeological, environmental, all of those  
10 requirements that we have on this sacred land, and  
11 that's vital to our program, it's critical for public  
12 trust, and it is going to be what sustains us long  
13 term.

14 Connecting people to parks is what we're all  
15 about. If we were not connecting the people to the  
16 parks, we would not have a recreation program. And we  
17 connect not only the person that can backpack, but the  
18 person that maybe have those disabilities, the person  
19 that is young that doesn't have the ability to go  
20 hiking up the Yosemite trail, the person who is a  
21 wounded warrior who is coming back from serving their  
22 country that now wants to be able to jump on a vehicle,  
23 an ATV, and be able to see nature that he missed for so  
24 long when he was overseas. So we have provided a  
25 tremendous service to this, meaning to the public.

1           And then a foundation for sustainable future,  
2           and this has been talked about several times in this  
3           program. We have a sunset clause. We'd like to get  
4           rid of that. We want to be here as a permanent  
5           fixture, a permanent part of the architecture because  
6           we are a successful program because of the vital things  
7           we do provide.

8           So how do we get to the future? We have to  
9           identify our center of gravity, and that's what we do,  
10          guys like me from our military training. And our  
11          center of gravity really is public support because the  
12          taxpayers in the state of California decide what we do.  
13          We have a strong community, a strong community of  
14          people in OHV, but ultimately it's the taxpayers that  
15          provide the legislators that appoint this Commission  
16          and the Governor that determine where our taxes go,  
17          that decide the rules and laws that we're bound by.

18          We have probably for too long spent our time  
19          doing great things and not telling anybody about it.  
20          Holding back this great secret of all that care that we  
21          have for the environment and all that open access,  
22          because perhaps we're a little concerned that maybe  
23          because it is such a fine balance that we want to keep  
24          off the skyline. I don't think we can do that anymore.  
25          We need to get this great story out. Because it is a

1 fantastic story. We have a great byline, and our  
2 byline is that we provide this tremendous responsible  
3 recreation with remarkable results.

4 And those results are environmental savings,  
5 areas have been brought in some cases from being  
6 industrial wastelands to now being real, no kidding  
7 parks that people can go out enjoy, and they have the  
8 opportunity to get in and see that they don't have in  
9 other parks because they can't get on a vehicle, they  
10 can't get on a motorized asset, go look at those  
11 things.

12 You look at the trails in places like Hollister  
13 where you're going up the sides, pristine  
14 mountainsides, maintaining the nature but at the same  
15 time being able to look at that. That's a phenomenal  
16 capability, and we need to get that word out. We need  
17 to be our own best salesmen and tell the public how  
18 much they can enjoy and bring them into those parks to  
19 enjoy them, those that don't know that they can come to  
20 see that sort of thing.

21 So my charge really is we want to work together  
22 to do that. And I know this Commission is deeply  
23 interested in it. You're going to be putting out a  
24 report. We're going to talk a little bit more about  
25 that, and I talked to the Chairman a little bit about

1 this. It's important that we frame that report in  
2 those same strategic goals that our Director has put  
3 out because that will make more sense as he sells that  
4 again to our legislature and the public, and that's  
5 critical.

6 And I think we need to tell that good story,  
7 that good story of all of the great things that have  
8 been done by this program, not just for the access and  
9 ability to recreate, but the ability to recreate in a  
10 responsible way, take care of the environment, and give  
11 all of these options to people to go out and  
12 participate. And I think that is our charter. I'm  
13 looking forward to working with you on that, and I love  
14 this program, and I love what you guys have been able  
15 to do at this point.

16 With that, I'd like to let -- our advocate here,  
17 Claire LeFlore, is going to talk a little bit about one  
18 brand-new initiative that's taking place that's going  
19 to help us with the Park Forward issue.

20 COUNSEL LeFLORE: Thank you. I appreciate the  
21 opportunity to talk to you about the Parks Forward  
22 initiative that Director Jackson has asked me to let  
23 you know that this is coming up for a public launch in  
24 the next few weeks. It basically is a partnership  
25 between the Department of Parks and Recreation, the

1 entire department, our Resources Agency, and the  
2 Resources Legacy Fund to set up a commission to conduct  
3 an independent assessment over the next 18 months of  
4 the State Parks system and address some of the  
5 financial, operational, cultural, and other challenges  
6 that we are facing at this point in time.

7           And this is one of the good things that has come  
8 out of adversity. When the undisclosed funds were  
9 found, the legislature, as you may recall, enacted some  
10 legislation last September talking about how those  
11 funds were to be used. And part of that legislation  
12 directed the Department to put together a commission or  
13 a task force of independent people to look at some of  
14 the problems facing State Parks as a whole and try to  
15 find some solutions, come up with a long-term plan, and  
16 very importantly sustainable source of funding to keep  
17 the parks going.

18           And so in doing that, some private  
19 philanthropical organizations stepped forward and  
20 through the Resources Legacy Fund have stepped forward  
21 to help the Department fund that effort. It's a  
22 consortium of different philanthropical organizations.  
23 Two leading ones are the Bechtel Foundation and the  
24 Moore Foundation, and there's a group of other ones.

25           And the goal is to put together an independent

1 commission of people from all different sectors, the  
2 private sector, there are several business leaders,  
3 financial leaders in both the private and the public  
4 sector side, academics, people with a lot of government  
5 structuring type experience.

6 And we now have a Memorandum of Understanding  
7 between the Resources Agency, the Resources Legacy  
8 Fund, and the Department. And essentially the  
9 Resources Legacy Fund is helping us to contact these  
10 folks. We're hoping to have people that have enough  
11 gravitas that it will be taken seriously, and the  
12 recommendations that the commission comes up with will  
13 be taken seriously and followed through on by both the  
14 Governor and the Legislature.

15 The Resources Agency has committed to do  
16 everything they can to promote the recommendations with  
17 the Legislature and the Governor. The Resources Legacy  
18 Fund will be funding a project director, assistant  
19 project director, and some support staff. Those  
20 individuals will be housed in the 14th floor of the  
21 Resources Building, which is where the Director's  
22 office and the majority of the department management  
23 is. The Resources Agency and the Department have both  
24 committed staff to this effort, and Sedrick Mitchell  
25 will be leading the effort on behalf of State Parks.

1           And they're going to be asking the Parks and  
2 Recreation Commission to host a series of hearings or  
3 workshops throughout the state to get public input.  
4 They are going to be focused on particular issues at  
5 different times to get some meaningful input. There  
6 also is going to be a working group put together with  
7 both Department staff, and the Resources Legacy Fund  
8 will be funding some consultant work to come up with  
9 that, as well.

10           And right now they're in the final throes of  
11 identifying a commission chairman and vice-chairman and  
12 hoping to make a public announcement within the next  
13 few weeks. So we wanted to let you know about that  
14 before it happened.

15           There will be a role for this Commission in  
16 putting in input because this is part of the Department  
17 of Parks and Recreation. Exactly what form that will  
18 take has not been identified yet, and it will be  
19 identified as the work team comes together, so they  
20 will be looking.

21           So if you have any suggestions as to what form  
22 of input from the Commission, if you could let your  
23 division staff know, the division staff will also be  
24 working on this effort to an extent, and those things  
25 will be developing over the next few months.

1           The Director is very excited about this, and  
2 this is an example of some of the good that can come  
3 from adversity. As you all know, the Department is  
4 going to be commemorating an 150th anniversary in 2014,  
5 and the Director's hope is that this Commission will  
6 come up with a plan that basically ties into that in  
7 saying where is the department -- where the California  
8 State Parks system is going to be going in the next  
9 150 years.

10           So with that, if you have any questions or  
11 comments?

12           COMMISSIONER VILLEGAS: Thank you for the  
13 report. That's helpful and a good description of  
14 everything that's going to be laid out. It sounds like  
15 it's pretty intense.

16           If you could just give a little bit of clarity  
17 on the meetings that Parks and Rec Commission will  
18 host?

19           COUNSEL LeFLORE: At this point we only have a  
20 general idea. I do believe they have under contract  
21 somebody to be the project director, but he's putting  
22 his team together, so I don't want you to hold me to  
23 this, but the concept is to hold a series of possibly  
24 up to eight or so public workshops or hearings. They  
25 would be hosted by the commission, but not the full

1 commission. It would probably be one or two  
2 commissioners at each of these meetings. They would be  
3 at different parts of the state that they could  
4 incorporate a tour or presentations by local agencies  
5 showing things that are working in the area, things  
6 that are issues that are facing the parks. And the  
7 idea is that each meeting would be focused on one or a  
8 small group of questions. So it wouldn't just be  
9 everybody come and make a comment. It would be focused  
10 on particular issues and data gathering and that sort  
11 of thing. That's about what I can tell you at this  
12 point.

13 COMMISSIONER VILLEGAS: And I guess as this  
14 unravels, our own OHV staff will be involved with this  
15 process. I'm asking because obviously this is coming  
16 about as what took place in the last year and a half,  
17 and we were not directly responsible so we're not  
18 directly -- it seems the way that you described it, and  
19 maybe things could change, that we're not directly  
20 involved here or affected just yet.

21 So I'm wondering as this unravels how our  
22 participation -- and I see that you're asking us for  
23 input -- will be provided? I guess it's a work in  
24 progress.

25 DEPUTY DIR. CONLIN: It is very much a work in

1 progress, and what I would tell you is the genesis of  
2 the Parks Forward was people with great, tremendous  
3 resources coming forward and saying, we believe in you,  
4 what can we do to help? However, it's not necessarily  
5 directed just at the financial issue and all that.  
6 This is very much part of the strategem to take Parks  
7 and Recreation as a whole to the next level, to do  
8 whatever we need to do to make it sustainable, to make  
9 it better, more efficient, so we're a part and parcel  
10 on that.

11 We obviously -- in OHV we have some different  
12 legislation and some different funding and some  
13 different mandates, but we are part of Parks and  
14 Recreation. And as they move forward, so will we, and  
15 we will leverage, as well, the Parks Forward concept  
16 and what they do for Parks and Recreation in our own  
17 program.

18 COMMISSIONER CABRAL: Is it possible to have a  
19 member of this committee here, of this Commission to be  
20 on the other commission as far as -- I know that they  
21 have -- it's common in city and county government type  
22 positions and those different things to have it where  
23 they have a liaison as a member of each -- to be able  
24 to keep the lines of communication open, basically.

25 COUNSEL LeFLORE: That is not part of the plan.

1 State Parks has four commissions: The Park and  
2 Recreation Commission, this Commission, the Historic  
3 Preservation Commission, and soon the Boating and  
4 Waterways Commission. The Parks Forward Commission is  
5 going to be looking at all of those. None of those  
6 commissions have been invited to have a member,  
7 ex-officio or not.

8 Their meetings will be public meetings. It  
9 might be something that you as a commission will  
10 discuss, whether you want to make sure you have a  
11 commissioner present for some of these meetings or all  
12 of those meetings. But that's definitely not the plan,  
13 to have an ex-officio member on the committee.

14 COMMISSIONER PEREZ: I had a similar question to  
15 Commissioner Cabral. I think my question was how is  
16 our OHV going to be represented within the context of  
17 what's going to be going forward? Who's going to be  
18 our advocate or our speaker?

19 COUNSEL LeFLORE: I don't think we've gotten to  
20 that point yet. I think when the work team is put  
21 together and they have a structure going, I know that  
22 it will involve staff from the Division to have some  
23 guidance on the work team, but I really can't give you  
24 specifics on that yet. Hopefully by the next meeting  
25 we will have more.

1           COMMISSIONER PEREZ:  And I think one of your  
2 questions was how do we want to be involved.  I do like  
3 an idea of attending some of these public workshops  
4 nearby if there is one.

5           And then maybe a question for us as  
6 commissioners, what role do we want to take in terms of  
7 as a group?  I don't know if there's something that we  
8 can do to assure that we're supportive of Division  
9 staff moving forward with this.

10          DEPUTY DIR. CONLIN:  Well, again, they're in the  
11 process of writing the charter for this organization,  
12 trying to determine what its mandates are.  And a lot  
13 of that is going to be based on who the members are  
14 when they put it together.  And we will be involved in  
15 that, and we are involved as part of the executive  
16 staff of Parks and Recreation, I am.  So we're keeping  
17 our finger on it.  And as this thing progresses, we  
18 will continue to report and look for opportunities to  
19 participate.

20          COMMISSIONER CABRAL:  Personally I would like to  
21 participate.  I'm an avid State Parks user outside of  
22 the recreation, besides motor vehicles.  I have a great  
23 deal of interest in that just myself as a citizen.

24          COUNSEL LeFLORE:  We can certainly keep you  
25 posted as the workshops, et cetera, are scheduled.

1 CHAIR SLAVIK: I assume that the Director's  
2 weekly reports would maybe encompass -- would track  
3 this Parks Forward initiative. So far it's been very  
4 informative.

5 DEPUTY DIR. CONLIN: I mean this is something  
6 that's right under his eye, very involved in it every  
7 day. So he should be knowing that.

8 CHAIR SLAVIK: Any other questions?

9 COMMISSIONER PEREZ: I do have a question,  
10 slightly close but not quite close.

11 I received a letter from the Parks Foundation  
12 about becoming a member, and you pay a small fee, you  
13 get some free passes to the parks. And I noticed that  
14 it said, not OHV parks. You could use these passes at  
15 any of the parks except for OHV. And I'm assuming that  
16 this was a fund-raising kind of endeavor to bring funds  
17 to parks. And I made the assumption that if it didn't  
18 include OHV, none of those funds would be coming to our  
19 program.

20 So I was just wondering if you knew anything  
21 about that. I think they offered a free one-year  
22 subscription to Sunset Magazine. I'm still waiting for  
23 the magazine, by the way. But do you have any insight  
24 on that?

25 CHIEF JENKINS: I can give you a little bit of

1 update. So the day-use pass, the annual day-use pass  
2 issue has always been kept separate because of our  
3 separate funding source. And so when the Department  
4 sells a day-use pass for the General Funded parks, in  
5 other words, the Operations Parks, Operations Division  
6 Parks, that money goes into the State Park and Rec  
7 fund, which is analogous to our OHV Trust Fund.

8 We also sell a day-use pass, and everything you  
9 spend on the OHV day-use pass goes into the OHV Trust  
10 Fund. We've discussed over the years trying to combine  
11 those into one pass. Right now there is such a  
12 disparity in day-use fees between OHV parks and General  
13 Funded parks and trying to figure out how you  
14 accommodate the mixing of funds, it just has not been  
15 possible in the past.

16 When the State Park Foundation sells passes,  
17 they get a cut of the pass, and that helps them then  
18 promote State Parks. So that's a deal that's under  
19 review right now, like everything else in State Parks  
20 dealing with finances. That explains where we are.

21 Where we are going forward is more of the  
22 discussion of this Parks Forward, how do we handle all  
23 of the various parks which now include Boating and  
24 Waterways coming into the department, how do we keep  
25 everybody under one roof, how do we deal with day-use

1 passes, all of these things, all very relevant.

2 DEPUTY DIR. CONLIN: Mr. Chairman, I would like  
3 to recognize, we have Mr. Jim Kenna here from the  
4 Bureau of Land Management. We'd like to have him  
5 perhaps do his presentation. Are you ready to do that?

6 CHAIR SLAVIK: Director Kenna, State Director  
7 Kenna, would you like to approach the podium, please?  
8 Thank you for coming, happy to see you.

9 **AGENDA ITEM IV(C) - BLM REPORT**

10 BLM STATE DIRECTOR KENNA: I'm happy to be here.  
11 Well, I recognize some of my friends here. We've  
12 worked pretty closely together, good to see you both.

13 Commissioners, happy to be in front of you, and  
14 I had a few things I wanted to do, and then I'm  
15 certainly going to be making myself available for any  
16 questions that you might have for any discussion that  
17 you might want to engage in.

18 The first thing I wanted to do is talk a little  
19 bit about kind of the general relationship over time.  
20 And just recently we hosted the OHV Commission in  
21 March. You went up with our Redding Field Office to  
22 the Chappie-Shasta OHV area, hopefully had a good  
23 visit, hopefully saw a few things that you liked.  
24 We're pretty proud of the area and the progress that's  
25 been made up there, and the road and trails system is,

1 we think, something to be proud of.

2 I also wanted to talk a little bit about the  
3 Bureau of Land Management and generally where things  
4 are. We have over 15 million acres in California, so  
5 there's a lot of public land available. The lands in  
6 California are really important to the citizens of  
7 California and, frankly, to the citizens of the United  
8 States.

9 If you look at just the jobs and what the impact  
10 to local economies from public lands, the most recent  
11 estimate is about \$2.5 billion per year and 9,600 jobs  
12 in the State of California. That includes all of the  
13 various multiple uses that we have on public lands, but  
14 it does begin to put things in perspective.

15 But let me speak specifically to the recreation  
16 component of that. There are nine million visits for  
17 recreation on public lands in California. Of interest,  
18 I think in particular to this Commission, five million  
19 of those are for vehicle-based recreation. So it's a  
20 pretty significant component of the visitation. That  
21 includes both the open areas and those folks that are  
22 driving on the roads and trail systems or the limited  
23 areas, as well.

24 I wanted to, because it's getting a lot of  
25 attention in the press and for other reasons, talk a

1 little bit about just sort of the budget situation and  
2 the budget trend that we're in right now.

3 You probably heard about the sequestration and  
4 the continuing resolution. We are on a continuing  
5 resolution rather than a normal order of budget. We in  
6 California are seeing cuts in the range of about  
7 seven-and-a-half percent for recreation. That sends us  
8 looking for about \$600,000 statewide in terms of cuts.

9 And I say that not just to let you know what  
10 we're coping with but to emphasize the importance of  
11 the partnership that we've had over time with the OHV  
12 grants. And I ask folks to look back into our history,  
13 and our history is just about almost 30 years in terms  
14 of working with the OHV Commission. And if you look at  
15 the numbers on that, we're \$135 million over that  
16 30-year period in grants in California to do projects  
17 out on the ground and to provide services to  
18 recreationists in California. That's a pretty  
19 impressive long-term record and hopefully something  
20 that we can both be proud of going forward. It does  
21 mean that we're sort of joined at the hip in some ways  
22 in what the recreation amenities in California are  
23 going to look like now and into the future and what  
24 those opportunities are going to be.

25 I wanted to talk specifically about two areas

1 that are in front of us right now. I wanted to talk  
2 about the Imperial Sand Dunes. As you know, it's a  
3 really major recreation destination kind of place for  
4 the Bureau of Land Management and for California in  
5 general. It's 1.1 million visitors. We're right now  
6 doing the Resource Management Plan. We've been  
7 through -- it's a long, hard road that's gone about 12  
8 or 13 years. It's included some litigation, and we're  
9 closing in, I think, on the end of that process.

10 The next step is to get to the Record of  
11 Decision, and right now we're in the consultation  
12 processes related to that Record of Decision with the  
13 State Historic Preservation Office. So we're getting  
14 very, very close to the end and being able to finalize  
15 the long-term management plan and hopefully move on to  
16 the next step.

17 We've also conducted or prepared a business  
18 plan, and we're in the middle of that process. We  
19 still have some steps to go on that. The whole idea  
20 was to take a really hard look at the financial  
21 underpinnings for the Imperial Sand Dunes. And there  
22 are, broadly speaking, three components that represent  
23 the revenue side of what happens out there.

24 There's a set of appropriated dollars that come  
25 through Congress to us for recreation uses in

1 California, including the Imperial Sand Dunes. There  
2 is a grant component that comes through this group that  
3 supports many of the services that are available out  
4 there, and there are fees. So those three components  
5 make up the total of the budget out there.

6 There was a study that was done in about 2003  
7 that looked at what the operations cost for the  
8 Imperial Sand Dunes ought to be. It came in at over  
9 \$6 million. I need to tell you we're not operating  
10 anywhere close to that right now. We're probably right  
11 in the ballpark of about \$4.5 million. So they're  
12 always going to be -- or at least in the foreseeable  
13 future there will be some hard choices that have to be  
14 made in terms of service levels. We have the  
15 obligation to bring the budget in balance at the end of  
16 every single year.

17 We have been over the last three years -- and  
18 this is sort of my tenure here. Over the last three  
19 years we have been bailing out the red ink for the  
20 Imperial Sand Dunes to the tune of about a half a  
21 million dollars per year. That means that half a  
22 million dollars is not available for other recreation  
23 areas in other parts of the state. So it is not a  
24 sustainable situation, and we have to work forward.

25 That leads a lot of people to the next question,

1 and we certainly heard this in some of the public input  
2 that, well, do more to live within your means. And I  
3 do want to let people know that we are trying to do  
4 that. In some cases the partners that work with us  
5 down in Imperial County have been able to pick up some  
6 of the slack. But we've also had cases where we are  
7 cancelling, whether it's mini cleanup events or OHV  
8 registration events or information distribution points  
9 or the ATV courses, those thing sorts of things, we  
10 have had to drop some of those kinds of services.

11 We also have done some cutting in terms of the  
12 roads program. The long-term road maintenance has more  
13 or less stopped. The focus for the maintenance crews  
14 right now is on taking sand off of the primary  
15 accesses. The general staffing levels are down about  
16 49 percent. This is focused mostly on the holiday  
17 weekends, which is where we see the highest use levels.  
18 So the general staffing levels are down about  
19 29 percent, and law enforcement staffing levels are  
20 down about 28 percent. So we are looking at internal  
21 cost-cutting measures. We're also we're trying to  
22 maintain some of the emergency medical services, but  
23 we've dropped those by about a little over 40 percent,  
24 as well.

25 Let me stop briefly and talk about some of the

1 concerns about what we're already having to do in terms  
2 of service-level cuts. What we are seeing on the law  
3 enforcement side is there are some upward trends,  
4 particularly in terms of driving under the influence  
5 and narcotics. And what we certainly don't want to  
6 do -- I was in Southern California back in the '90s,  
7 and we don't want to get back to that point where we  
8 have a lot of people coming to us and saying this place  
9 isn't safe for families anymore. So we're trying to  
10 pay attention to some of those trends and make sure  
11 that we are being responsive to that concern.

12           The next steps in terms of sort of where we are  
13 and where things are going, I mean we are trying to  
14 look for efficiencies, but we're going to have to come  
15 to some conclusion about what the mix will be in terms  
16 of appropriated dollars. Our overall trend as I told  
17 you is downward in terms of appropriated recreation  
18 funding at the federal level. The grant component out  
19 of that \$4.5 million to \$5 million that we try to  
20 operate in as an operating range has been around the  
21 400,000 to \$700,000 range for Imperial Sand Dunes for  
22 that area in particular.

23           The balance of the component is fees. What  
24 we've heard loud and clear from folks is they do not  
25 want to see fees go up; or if fees are going to go up,

1 they don't want to see them go up a lot. That message  
2 is quite clear. We also got another message that says  
3 the strong interest in retaining the seasonal pass. So  
4 those messages are clear. I think we want to be as  
5 responsive to those as we can be, but we're also going  
6 to need to make sure that we can figure out some  
7 achievable way that's at the scale of this issue, and  
8 we can't solve it ten dollars at a time.

9 We're going to have to deal with the -- sort of  
10 the \$4.5 million to \$5 million scale. When we're in  
11 that realm, we're going to have to do some of these big  
12 things that are already indicated in terms of the  
13 changes in service levels if we keep the fees as low as  
14 they are.

15 So there is a difficult decision coming up. We  
16 are looking to make sure we have another increment of  
17 public participation before we come to any kind of  
18 conclusion on the business plan part, including the fee  
19 part. So we will look to -- and we're working with the  
20 Forest Service to run this through the Recreation  
21 Resource Advisory Council, the RecRAC, and/or we'll  
22 look at the local Desert Advisory Council, but there  
23 will be one more opportunity to have input, I think, on  
24 this fee decision. And then this summer I think we  
25 have to close on a decision and be able to tell people

1 how the season starting in September is going to work.

2           So that's the sort of the pathway that we're on.  
3 I've tried to give you a pretty honest recitation of  
4 the dollars and where things are. This is not going to  
5 be an easy decision, but my hope is that we can count  
6 on -- your part of what happens down there as one of  
7 the more stable components of the funding trend, and  
8 that we will able to then come to some way that  
9 balances service levels and the available funding.

10           The other thing that I wanted to be sure and  
11 mention is when I got to California a couple of years  
12 back, the Clear Creek Recreation Area issue was, I  
13 would call it, in sort of a dueling science mode, where  
14 folks were either in favor of one side of the science  
15 that said that the risks weren't significant or another  
16 side of the science, that the risks were significant.

17           And I appreciate the help that we've gotten from  
18 the OHV Division. They helped us, at my request, to  
19 let's convene both sides of the science question.  
20 Let's try and sort out the things that they agree on  
21 from the things where there's still opportunity for  
22 disagreement or further study or whatever, and then we  
23 need to have some sort of foundation to create a  
24 starting point and then move forward; and we need the  
25 agreement on the basic sort of risk questions, which I

1 think we got, and then what the opportunities are for  
2 answering the remaining questions, and what the  
3 management is that might be able to be attached to  
4 that. You know, for example, some of the issues of  
5 capping or hardening certain access routes, the user  
6 things like how do you solve the difference between the  
7 lead rider and riders that are following and some of  
8 those health risks?

9           And there are uncertainties. I think everyone  
10 would acknowledge that. Certainly with the health  
11 issue of this type, the possibilities for latency in  
12 individuals in terms of developing disease or symptoms,  
13 you know, there's a lot of room for disagreement. I  
14 want to acknowledge that upfront.

15           But I do think we have to have a point where we  
16 can start from, and then I think we need to begin to  
17 start progressively working through the other issues  
18 raised as we can. And some of those are going to need  
19 new science. They may need some pilot or test kinds of  
20 projects. We'll have to figure out how those things  
21 will get funded and what the interest levels are,  
22 support levels are. But I do think we need a starting  
23 point, and we need a decision so we don't just keep  
24 churning in the debate, which I guess is my observation  
25 when I got here.

1 Well, with that, I mean I kind of came here and  
2 talked to you about two really tough ones, but I also  
3 wanted to return back to your visit up to Redding. I  
4 think we are doing some things pretty well around the  
5 state. I think the partnership has a long and positive  
6 history, and that we will solve these problems, and we  
7 will find out ways to go forward, and we will find ways  
8 to make improvements over time.

9 So with that, I open myself to questions.

10 CHAIR SLAVIK: Thank you, Mr. Kenna. Yes, you  
11 did bring up some controversial issues obviously the  
12 Commission and the staff here at OHMVR has been  
13 wrestling with a long time.

14 You're aware that the Commission sent a letter  
15 just recently in favor of Alternative B; is that  
16 correct?

17 BLM STATE DIRECTOR KENNA: Correct.

18 CHAIR SLAVIK: And I must say just listening to  
19 you just now it seemed like you were leaving more  
20 openings than I heard in the preferred alternative that  
21 we were basically faced with, which seemed like OHV was  
22 pretty much eliminated I would say 100 percent from the  
23 national recreation area itself.

24 So are we hearing you correctly that this is a  
25 starting point, and there are options available in the

1 future?

2 BLM STATE DIRECTOR KENNA: What we have  
3 proposed -- and we're still in the protest period so I  
4 have to be a little bit careful here. There is a  
5 formal protest period that's run essentially by the  
6 Washington office, so they will resolve the protests.  
7 And I don't know what's all in that bucket, to be real  
8 honest about that. I will eventually, once we get a  
9 little further on.

10 What I do want to say, and I think this is an  
11 important component of the preferred, is that we needed  
12 to have an adaptive management component in the  
13 preferred. And I do believe it's there. And my  
14 reasoning is exactly what I gave you in my opening  
15 comments, that we have some areas where we can give  
16 almost any scientist who is aware of the asbestos  
17 questions and have done some work and study, we can get  
18 them to go this far together, and then there's a point  
19 where the uncertainty causes them to diverge. So what  
20 do you do with that in terms of setting up a management  
21 program?

22 And what I view in terms of the preferred is  
23 we've set a starting point. We've agreed to come back  
24 in a very prescribed time frame, I think it's three  
25 years, and revisit and look at what we've been able to

1 do in terms of new learning, new options, project  
2 proposals that might solve some problems.

3 But I think this creates a starting point. I  
4 don't think it's an ending point. I don't think you  
5 can solve this problem all in one fell swoop. That's  
6 my view of the design of the preferred alternative.  
7 Andy is here, the district manager for the area in  
8 particular, so if we wanted to get into some details,  
9 she probably would have to come up here and help me.

10 CHAIR SLAVIK: Thank you. I know other  
11 Commissioners will have input into this, but I wanted  
12 to personally thank you for the representatives that  
13 have been here in the past representing the BLM.  
14 Jim Keeler, for instance, who is retired, he was a  
15 wonderful representative for you guys. Jane Arteaga, I  
16 know she's had a death in her family, she couldn't be  
17 here at this time, she seems like she's getting up to  
18 speed real fast. We've been having a lot of  
19 conversations on the phone.

20 There is information that I think you guys could  
21 use that is available at staff level at OHMVR as we  
22 build these plans. There are other organizations out  
23 there, NOHVCC, that's one of them that has a library of  
24 information on off-highway vehicle recreation. So Jane  
25 and I have been talking about this, but I just wanted

1 to let you know we're real happy with her  
2 representation. Thank you.

3 BLM STATE DIRECTOR KENNA: I very much  
4 appreciate that, and I'm pretty proud of the quality of  
5 the staff here in the Bureau of Land Management in  
6 California. And I don't know how widely known this is,  
7 but we kind of harp on three values. One of them is  
8 service. That's what we're here for. The second is  
9 integrity, where it's walking the talk, so people can  
10 trust what they hear from us and we try to be honest.  
11 We try to make sure that the processes that we run are  
12 honest. And then accountability, we want you to be  
13 able to hold us accountable for what we commit to do  
14 and how we spend money and how we deliver the public  
15 services we try to deliver. And I think both of those  
16 people that you mentioned live to those values, and I'm  
17 pretty proud of them.

18 COMMISSIONER MURPHY: Sir, thank you very much  
19 for being here. Commissioner Kevin Murphy.

20 I had a question as far as the Commission  
21 submitted a letter recently to suggest and propose that  
22 we go with Option B on the options. And I was  
23 wondering if it would be beneficial for the thousands  
24 of people that recreate at the CCMA and the thousands  
25 of people that have a very vested interest in

1 recreating there to contact their elected officials in  
2 Washington and to encourage the Option B. Is that  
3 something that can benefit? But we are interested, but  
4 there's thousands of people in California that are  
5 interested, as well, and they want to see this open.  
6 They want their voices heard, and I would just like to  
7 see them to have some opportunity to weigh in on this  
8 because it seems like it's coming down to the wire, and  
9 I would just like to see the people of California have  
10 an opportunity to weigh in on this subject.

11 BLM STATE DIRECTOR KENNA: Well, two thoughts  
12 there, one is sort of a process answer in terms of  
13 where the process is. I think the protest period  
14 closed on May the 6th, if I'm remembering correctly.

15 COMMISSIONER MURPHY: It did.

16 BLM STATE DIRECTOR KENNA: So this process part  
17 is already in the analytical team's court. So that  
18 option probably isn't available. Hopefully, folks did  
19 get their ideas or their concerns into the protest  
20 bucket so that we can take a look at those when they  
21 all get pulled together. So that's part one.

22 Part two, the question of going to elected  
23 officials, I think that's always available to people,  
24 and I certainly am not one to encourage or discourage.  
25 I think folks are welcome to do that. I try and talk

1 to the elected officials, including members of Congress  
2 or Governor's office or Governor's appointees, on a  
3 periodic basis to see what their thinking is, and we do  
4 talk about issues like this. You know, I say people  
5 are welcome to do that. I think government should be  
6 open, and if they feel that that would be helpful to  
7 them, have at it.

8 COMMISSIONER MURPHY: Okay. Thank you.

9 COMMISSIONER PATROVSKY: Jim, I'm a retired BLM  
10 law enforcement ranger, and I was just wondering how  
11 you're doing on staffing, ranger staffing, in the  
12 California Desert District.

13 BLM STATE DIRECTOR KENNA: We're down. I don't  
14 know exactly the number right now. I know that with  
15 the sequester and the continuing resolution, so this  
16 fiscal year, we've gone through a period where we  
17 weren't filling any positions, so we sort of lose  
18 positions through attrition. We now reopened it so  
19 people could submit things for which they have a  
20 business case to support it.

21 But the one thing that I try and remind  
22 everybody of is that when we hire people, they usually  
23 expect a paycheck, and so we want to make sure that we  
24 can deliver that paycheck. So we are seeing -- and not  
25 just in law enforcement, we're seeing an overall

1 slowdown in positions in hiring. For a while it was  
2 touch and go whether we were going to be able to cover  
3 seasonal kinds of positions that we used to respond to  
4 recreation, for example, many parts of the state  
5 changes quite a bit season to season. We're a little  
6 different in that we kind of have both ends of that,  
7 the stuff in the desert versus the stuff we talked  
8 about in Redding. But we have freed up some of the  
9 seasonal positions to try and make sure that we provide  
10 as high level of service as we can, but we are in a  
11 constrained time, I guess. That's the truth of it.

12 COMMISSIONER PEREZ: If that's the case, facing  
13 the ability to cover staffing, I mean I have to come  
14 back to the point that you made about increasing fees.  
15 And I get that most of us don't want our fees to be  
16 increased in anything actually. But when I heard you  
17 say \$10, I thought that's -- that's a modest fee. I  
18 know I spend \$70 to go see a movie, that's if I buy  
19 popcorn. So I spend a lot more money, and I think that  
20 needs to be looked at, at least considered. \$10 is not  
21 a lot of money. I don't know how much each park costs,  
22 but I think that when we offer the public safety and  
23 maintenance, I think that they can appreciate the  
24 service that they're going to get in exchange for  
25 keeping up with our parks, all parks and all OHV areas.

1           And then in addition to that -- because I  
2 thought I heard you say that you want to continue our  
3 working relationship with the Division and the funding  
4 and the grants. And in the last couple of years that  
5 I've been on this Commission, there are times that I  
6 think, well, we need some of that funding to take care  
7 of some of our current parks. And I think there needs  
8 to be a little bit of a balance. I think we need to  
9 find ways to creatively cover our own costs, and  
10 everyone's own -- as you said, kind of living within  
11 our means and being able to pay for those things that  
12 we offer the public.

13           And so I don't know, I mean I know that folks  
14 don't like it when we say increased fees. I get that,  
15 because we're talking about access and we're talking  
16 about families. It's not like I don't understand. But  
17 it doesn't hurt to take another look because I think if  
18 it's it \$10 or \$15, I can assure you most families  
19 spend a lot more on other types of entertainment.

20           BLM STATE DIRECTOR KENNA: I think it's a really  
21 good point, and it really is the foundation concept of  
22 why we did the business plan, is to go look at how the  
23 money flows and what the revenue side looks like, what  
24 the service-level side looks like and how can we bring  
25 those into balance, and we tried to match it up.

1 I think you mentioned another point which I  
2 think is important. What are the priorities on the  
3 other end, and we pretty much try to match it up with  
4 public safety is the top priority, and that has  
5 different components. It has a law enforcement  
6 component. It also has a facility maintenance  
7 component. There is an access piece that goes with  
8 that. There's a resource protection piece that goes  
9 with it, too. And certainly those who have been around  
10 long enough to see the litigation over the sand dunes  
11 are aware of some of the risks of not paying some  
12 attention to those things, as well.

13 And then there's an education component around  
14 OHVs and safety. And, you know, some of the things  
15 that we encounter -- I mean another example of a  
16 concern area for me is if you look at our emergency  
17 medical services information for the dunes, one of the  
18 trends is an increase in the severity of those  
19 contacts, including one fatality here not that long  
20 ago. So if we're getting people hurt worse or even a  
21 fatality, that should cause us to pay some attention,  
22 and it's not just us. It's the County and all of the  
23 partners that work with us on some of those issues.

24 But the fees, I think we are going to have to do  
25 something there. I think the really tough part of the

1 decision is what's a fair level and then how -- what  
2 kinds of things do we do on the service side to make  
3 sure that we can pay for what we've got or are  
4 providing.

5 COMMISSIONER PEREZ: And I think the point would  
6 be, at least on my end, assuring that we communicate  
7 with the public in terms of what they're getting in  
8 exchange for their fees, whatever those are. I think  
9 if they understood that, they would see that, even a  
10 modest increase they would accept if they knew what  
11 they got in exchange for it.

12 BLM STATE DIRECTOR KENNA: Your point is a good  
13 one.

14 CHAIR SLAVIK: We're starting to run up against  
15 our time frame. We haven't finished the Deputy  
16 Director's report, and we have public comment. I don't  
17 have any non-agenda items here. If anybody wants to  
18 have public comment on non-agenda items -- you've got  
19 that.

20 COMMISSIONER CABRAL: Thank you for coming, sir,  
21 really appreciate it. Also have to say that the  
22 meeting we had up in Redding and the staff that I met  
23 up there, they were fantastic, and the facility was in  
24 excellent condition, and everyone should be commended  
25 for it. It was great.

1           Like she was discussing, the Commissioner, that  
2           the fees be raised, I think being honest, like you are,  
3           with just saying, look, this is the shortfall. Letting  
4           the public know, being straightforward, I think, is  
5           probably the best avenue for being able to increase a  
6           fee. You're in a position where it looks like you're  
7           going to have to, just from my point of view.

8           But the main thing I wanted to discuss was the  
9           Clear Creek Management Area. First off, at the last  
10          special meeting we had to draft the letter to send up,  
11          it was unanimous support to reopen by all of the  
12          people, and it was a large meeting. It was  
13          well-attended, unanimous support for reopening it.

14          With that, one gentleman said something. He was  
15          kind of joking, but it created a lot of thought in my  
16          head and that is that if there's an inherent risk in  
17          living and there's an inherent risk in anything, so  
18          we're being -- there's an inherent risk with the  
19          asbestos in the area. Now, there is an inherent risk  
20          by recreating in Yosemite. He said people die there  
21          falling off rocks all the time, whatever. We went home  
22          and lo and behold in the newspaper two days later a  
23          gentleman died in Yosemite. And then three days later,  
24          a weekend, up in Sonoma County along the Sonoma Coast  
25          four abalone divers drowned that weekend. They were

1 all recreating, doing what they loved doing. And there  
2 has been no call to close the coast to abalone divers,  
3 and there's been no call to close people from climbing  
4 or taking trails in Yosemite.

5 And I think the risk has been looked at to be  
6 pretty minimal with the asbestos, down to just like  
7 smoking one or two cigarettes a year. So one of my  
8 friends that smoke, I'm worse off just standing next to  
9 him than I am to go ride at Clear Creek. I just think  
10 that that needs to be in focus, that part of the whole  
11 idea with the management when it comes down to it is  
12 that I think any recreationist of any type, whether  
13 it's motorized or non-motorized, realize they're taking  
14 a risk that could injure themselves or they could die  
15 from -- by doing that activity.

16 And with that, I just hope you hold that with  
17 you as you guys start moving forward and planning this  
18 and not be so restrictive that it just takes away from  
19 the experience from the people that would be able to  
20 operate there. So that's what I have.

21 CHAIR SLAVIK: Well-spoken.

22 I would like to close with inviting you to  
23 attend -- the next Commission meeting is going to be at  
24 the Sand Show in Orange County in Southern California  
25 September 21st and 22nd. You weren't here when we had

1 that discussion earlier, but we are trying to do  
2 something new and integrate our commission meeting with  
3 that Sand Show, the participants in the Sand Show,  
4 which are the people that you're talking about that  
5 recreate in Imperial Sand Dunes. If I'm not mistaken,  
6 probably a great majority of those people would be  
7 constituents of that recreation. So if it's possible,  
8 Mr. Kenna, for you to attend that show personally,  
9 we're going to try to do something like possibly a  
10 workshop setting, rather than just this typical  
11 commission setting. So you would probably get a lot of  
12 input there.

13 BLM STATE DIRECTOR KENNA: Well, I think it's --  
14 you know, and I do -- actually, until we hit this  
15 fiscal year, I tried to travel a lot. In my first  
16 year, I hit every single office in the state. Tried to  
17 hit venues like what you're talking about. In honesty,  
18 I've become more cautious because along with the budget  
19 trend I talked to you about, there's been a very  
20 deliberate cut from Congress in travel.

21 And what I'm trying to do, although it has a  
22 downside, is protect our travel capacity for  
23 field-going people to the greatest degree possible so  
24 that they can get out and work with visitors and that  
25 sort of thing. But I will be traveling some, and I

1 will take a look at it.

2 CHAIR SLAVIK: Thank you for your time.

3 BLM STATE DIRECTOR KENNA: And thank you to the  
4 Commission. I appreciate the opportunity to speak with  
5 you.

6 COMMISSIONER PEREZ: Just one last point,  
7 Mr. Kenna, before you leave, I did want to extend an  
8 invitation. If you would like to join us on June 24th,  
9 we will be visiting Clear Creek, and Congressman Farr  
10 will be there, General Jackson, and Deputy Director  
11 Conlin. And I'd like to let you know in advance if  
12 you're available and you can travel, June 24th we will  
13 be there.

14 BLM STATE DIRECTOR KENNA: I will mark that down  
15 and take a look at it. Thank you all again. I  
16 appreciate it.

17 CHAIR SLAVIK: We need to take a short break,  
18 and then we'll do that and come back at eleven o'clock  
19 and then have public comment.

20 (Returned at 11:08 from a break beginning at 10:53.)

21 CHAIR SLAVIK: Okay. Folks, we're going to  
22 entertain public comment on non-agenda items right now.  
23 Vicki, do I have that list? And Director Kenna has  
24 graciously obliged us that he would stick around for a  
25 little while, so he has to leave before 11:30, so we

1 have to make sure we get him off.

2 So I'm going to call the public up then on  
3 agenda items, and remember you have three minutes.

4 DEPUTY DIR. CONLIN: Chairman, one second,  
5 please. Is it supposed to be non-agenda?

6 COUNSEL LeFLORE: Are we going to have comments  
7 on the BLM report that Mr. Kenna just did so he can  
8 leave, and then do the general public comments?

9 CHAIR SLAVIK: So this will be only commenting  
10 on the BLM's report that the State Director Kenna was  
11 here for.

12 AMY GRANAT: Thank you, Commissioners.

13 Amy Granat with the California Off-Road Vehicle  
14 Association, also representing American Land Access  
15 Association and California Housing For Conservation.  
16 And I only say that to bring to the point of how many  
17 different people -- each one of those organizations has  
18 thousands of members throughout the state of California  
19 who use Clear Creek on a regular basis. And some of  
20 those uses were not recognized in the recent plan that  
21 was just up for protest. Rock hounders had areas  
22 recommended for off limits, where it's the only area to  
23 get to benitoite, the California state gem. Hunting  
24 access was also not awarded equal consideration. All  
25 of these uses deserve equal consideration. They all

1 are a form of vehicular recreation. I would like to  
2 ask BLM to please reconsider that.

3 But I also thank the State Director for really  
4 addressing what is a very difficult subject. My fellow  
5 recreationists and I are unwilling to give in on the  
6 fact that we will not get to see Clear Creek again, and  
7 I know we will fight very hard to do so.

8 And that's it. Thank you very much.

9 DAVE PICKETT: Good morning, Commissioners,  
10 Dave Pickett, District 36, Motorcycle Sports Committee.  
11 Quite pleased that State Director Kenna came today and  
12 addressed us, very refreshing to have some feedback  
13 from someone at that level taking time.

14 My comments mirror a lot of what Amy just said,  
15 but I wanted to zero in a little bit on the funding  
16 that he mentioned, about \$135 million given to the BLM  
17 by the user community of the green sticker program over  
18 the last 30 years. With the financial issues that are  
19 happening, coming out of the Federal Government right  
20 now, the numbers that we've gotten have averaged about  
21 \$375,000 a month for three years. Think about that  
22 figure. That is just an unbelievable amount of money  
23 to an agency.

24 We're doing our part, but I'm leading off into  
25 another direction on that because this stresses the

1 importance of our user-paid grant program. We must  
2 continue to get those folks to get that money, and this  
3 BLM agency is a perfect example of what works, and  
4 we've had it taken away from us.

5 The Clear Creek situation, I dislike the generic  
6 word "asbestos" used in content discussion because what  
7 it's come down to is a disagreement between types of  
8 asbestos strains, one from the EPA and one from the  
9 report that the Commission authorized a number of years  
10 ago. That's what it's coming down to, is the science  
11 of this. I like history, so I looked back to the Atlas  
12 Mine closure, the SuperFund cleanup, everything that  
13 was done through the years down there, and the amount  
14 of recreation that has taken place there since 1946 by  
15 motorized. It's almost 70 years, and it's come back to  
16 the same question, show me the bodies, just to be  
17 blunt. They're not there. Those numbers have not been  
18 researched on either side, and I have friends that are  
19 in their nineties that rode or recreated down there for  
20 over 50 years, and they're in better shape than I am.  
21 I mean that sounds a little goofy. But we're not going  
22 to give up. If we can't fix this legislatively, we  
23 will fix this legally. Thank you very much.

24 JOHN STEWART: Good morning, Commissioners,  
25 John Stewart, California Association of 4-Wheel Drive

1 Clubs. I appreciate the fact that Mr. Kenna was here  
2 to provide his brief for the BLM.

3 And I'd like to point out one thing about the  
4 Clear Creek Management Area and the protest deals. It  
5 seems that some protests that have been submitted have  
6 been returned to sender because a wrong address was  
7 used. Research indicated that the Final Environmental  
8 Impact Statement provided one address for submission of  
9 protest while the BLM website with the general public  
10 announcement provided a different address.

11 So I request that the BLM take a look and  
12 publicly acknowledge the address discrepancy and  
13 provide an opportunity for people who had their protest  
14 returned to have them resubmitted and accepted for  
15 review.

16 On the issue of Imperial Sand Dunes, it's a  
17 fairly good explanation about the appropriated dollars,  
18 the grant dollars, and the fee dollars that go to  
19 support that area. The recreationists that use  
20 Imperial Sand Dunes have supported the fee program for  
21 years. What they're finding a problem with now is the  
22 fact that there is contention as to whether the current  
23 proposal for a new fee program is actually being  
24 conducted and developed in accordance with the Federal  
25 Lands Recreation Enhancement Act.

1           In other words, within that act, they're  
2 supposed to be looking at and identifying what is the  
3 level of service that the agency will provide if that  
4 new requested activity were not there. BLM has been  
5 unable to define what they're going to provide  
6 completely, fully at all times. So there's no way to  
7 really establish a good correlation as to what is the  
8 extra overhead required to manage the dunes.

9           And along with that is how much of that extra  
10 money being looked at is for areas outside the dunes  
11 rather than within the dunes itself. Because the  
12 Imperial County District covers a wide range, and all  
13 of the Imperial County and the other OHV areas are all  
14 managed out of the same office. So it's a matter of  
15 clearly articulating the expenses required and where  
16 the money is going and providing the level of service.

17           And the argument of the sequestration, well, by  
18 all accounts the sequestration just rolled the budgets  
19 back to 2009 levels, and yet service levels provided  
20 now are below what they were provided for in 2009.

21 Thank you.

22           TOM TAMMONE: Thank you. Tom Tammone, speaking  
23 as an individual.

24           I heard this term "assumed risk" as far as if  
25 there even is any risk at Clear Creek. You try to get

1 a pilot to take you for a ride in an experimental  
2 aircraft, and he won't do it because he can't get  
3 insurance for it. Flying is an assumed risk, but  
4 they'll usually take other pilots for a ride because  
5 for some reason there is an understanding there that  
6 they're both taking an assumed risk. So it's kind -- I  
7 guess you can call it in the family thing or whatever.

8 But I wish there was some sort of a way that we  
9 can just get everybody to agree to a point where it  
10 will stick, and they're all agreeing that they're  
11 assuming a risk, you know, again, if there even is one,  
12 but -- you know, as opposed to having this fight of  
13 wondering about liability or whatever. But it's a free  
14 country. People assume risk all the time and should be  
15 some sort of arrangement as to that.

16 As far as the budget issues, I hate to say it,  
17 the fee structure thing is probably the way to go with  
18 that, but people have to be willing to accept it, and  
19 you can't expect everybody to pay for everything for  
20 all shots. We're paying taxes for other things, and  
21 some of that money should be coming back to us. I  
22 guess we'll need to write to Congress on that.

23 But other than that, everybody has heard from me  
24 about Clear Creek and as far as Alternative B and the  
25 Commission supporting it. The Division Chief stressed

1 what he called adaptive management. Adaptive  
2 management in another way means sustainability. And I  
3 don't know if that was in the plan B or not, but I  
4 would like to stress that there needs to be  
5 adaptability in all of our management plans because  
6 we're dealing with trails that they're not highways,  
7 they are not permanent. A highway, it washes away.  
8 The side of the mountain washes down, Caltrans will  
9 rebuild the whole side of the mountain to put the road  
10 back exactly where it was. That's a pretty rigid  
11 management plan, the road stays in the same place. Our  
12 trails, sand dunes, especially sand dunes, they blow  
13 around just by nature, so we have to be willing to  
14 adapt, and at some point we have to realize we're all  
15 assuming a risk. Thank you.

16 CHAIR SLAVIK: Mr. Kenna, would you care to  
17 comment on the fact of the address situation, just  
18 whether that can be corrected or not? And then you can  
19 go. Thank you.

20 BLM STATE DIRECTOR KENNA: I certainly  
21 appreciate the permission for release. On the address  
22 situation, I don't know, but I'll look into it.

23 I do think if we made a mistake like that, we  
24 need to figure out some sort of way to make sure we  
25 didn't lose any issues or concerns, but the technical

1 process answer to that is beyond me without talking to  
2 somebody who is a little more expert in that part of  
3 the process.

4 So but I will commit here that I will look into  
5 it, and we will -- I don't know who to get back to.  
6 Maybe the best thing is to get back to Chris and make  
7 sure he lets folks know what he found out.

8 CHAIR SLAVIK: We will get it on our website,  
9 too. Thank you very much. Thank you for your  
10 attendance. We all appreciate it.

11 BLM STATE DIRECTOR KENNA: All right. It's been  
12 great.

13 CHAIR SLAVIK: Deputy Director, would you like  
14 to continue your report?

15 **AGENDA ITEM IV(B)(5) - 150th Anniversary**

16 DEPUTY DIR. CONLIN: I think we would. I think  
17 next up was the discussion of 150th anniversary. If we  
18 could, we would like, Mr. Chairman, to let the folks  
19 from Prairie City talk right after that so we can get  
20 them out to start preparing for events tomorrow.

21 MIKE LYNCH: Thank you, Phil, Deputy Director,  
22 Claire, Commission Members, and Chairman. I'm  
23 Mike Lynch. I'm the co-chair of this Department's  
24 Statewide 150th Anniversary Committee. So I'm here to  
25 give you kind of a quick briefing on the 150th,

1 including an overview, a little bit of history, what  
2 has been done to this point, what could be done, and to  
3 answer any questions you might have.

4 So, first, as a quick overview, 2014 is going to  
5 be the 150th anniversary of California State Parks, and  
6 last year we had proposed a moderate program to  
7 commemorate that and to be able to do a little work on  
8 our history to honor those people that put together and  
9 put in the work. And this Commission and this group is  
10 a good example that brought about programs that we've  
11 had for a long time in some of the most successful and  
12 extensive park programs in the country.

13 This moderate program went through tremendous  
14 change after we briefed the General. Within two weeks,  
15 the new Director had adopted this program as the  
16 vehicle to try to help build, rebuild, the public  
17 trust, to remind people of the value of the parks, the  
18 recreation that we provide, to step back just for a  
19 moment from our -- we all have this -- in fact, I just  
20 retired again as a superintendent to spend full-time on  
21 the 150th -- the day-to-day challenges that we have,  
22 and just to remember for a moment all that we've really  
23 got and all those who brought us there. So he has made  
24 this one of the major goals of the Department and happy  
25 to be part of trying to carry it out.

1           So just a little background, if I can get the  
2 electronics working here, 2014 relates to Abraham  
3 Lincoln on June 30th, 1864, during the heights of the  
4 Civil War, signed a bill granting Yosemite Valley and  
5 Mariposa Grove to the State of California. It doesn't  
6 seem unique now, but it was totally unique.

7           The legislation said that it would be used for  
8 public resort use and recreation for forever. This was  
9 the start of the park movement in the United States.  
10 This park movement in the United States has spread all  
11 over the world. This is the beginning. It didn't  
12 happen in Yellowstone, which some people think, but it  
13 wasn't. It happened here in California, and it  
14 happened in a state park. And for the next 40 years,  
15 Yosemite Valley and Mariposa Grove were state parks.

16           Governor Low in September of 1864 signed a  
17 proclamation accepting it, and he appointed the first  
18 park commission, and that first park commission is the  
19 predecessor of all of our park commissions, including  
20 the OHV Commission.

21           Two years later -- it's not that the legislature  
22 is working slowly, they only met every two years, but  
23 it took them two years to actually pass the legislation  
24 formally accepting the area. And they set up the  
25 commission, and they provided for the hiring of a

1 guardian.

2 In the meantime, someone who is very famous in  
3 U.S. history, Frederick Law Olmsted, was the de facto  
4 chairman of the committee. He did a survey of Yosemite  
5 Valley. He's best known for designing Central Park in  
6 New York City. And he produced a report on the  
7 management of the area. If you look at that report  
8 today, it would look very similar to things that we're  
9 talking about, protecting the resources. People were  
10 already cutting trees, moving rocks, burning the place  
11 down. It was all happening back then. It's kind of an  
12 amazing concept that from the very beginning this  
13 balancing of recreational use and protection of the  
14 resources has been part and parcel of the job that  
15 we're all doing and that the public wants us to do.

16 In the world of politics, he was at odds at the  
17 time with the State Geologist, and his report was  
18 suppressed. And it didn't come to light until 1952, if  
19 you can believe it. It's kind of a bit of history.

20 But in 1866, the commission had its first  
21 meeting. They appointed Galen Clark, one of the  
22 original commissioners, as the first paid State Parks  
23 employee. Galen Clark had been instrumental in setting  
24 the area aside. It had been a big group. Just like  
25 all of our parks, none of them happened on their own.

1 The work that was done was done by a lot of individuals  
2 working hard even back then.

3 Clark had an eight-page letter of instruction,  
4 and it's our first duty statement, if you would. He's  
5 not only the first park ranger for California, but in  
6 the whole nation because up to this point there were no  
7 other national parks. It wasn't until 1872 that  
8 Yellowstone became a national park, so this predates  
9 all of our national parks. Clark was to do everything  
10 from inspecting the horses that were used, letting  
11 leases, protecting the area, and being on duty seven  
12 days a week during the season -- no labor laws then.  
13 So he had quite a job to do. I will say, though, if  
14 you look back at the attendance during that year, that  
15 they were getting like 1278 people to Yosemite Valley,  
16 so it wasn't quite the job that it is today.

17 Clark had been at Yosemite and been the State  
18 Guardian there for almost eight years when John Muir  
19 showed up on the scene, and in later years Clark was  
20 known as Mr. Yosemite. John Muir wrote some great  
21 things about Clark, "He served over 20 years as a  
22 guardian in two terms and including he's the best tree  
23 lover I ever knew."

24 In 1890, what we think of now as Yosemite  
25 National Park was formed. It was formed as a forest

1 reserve, and people use these terms, "guardian,"  
2 "forest reserve," you wonder it was just being invented  
3 at the time. We didn't have Parks. We didn't have  
4 what we call a park ranger today. That didn't come  
5 until the turn of the century. In a certain way,  
6 "guardian" is a good term. But the forest reserve  
7 later became Yosemite National Park.

8 Now, the Federal Government had their challenges  
9 in funding, but they had the military available to  
10 them, and they started putting the military in the  
11 national parks. And the military stayed in Yosemite  
12 and the other national parks, the federal parks, until  
13 1940.

14 In 1906, the Yosemite Valley and Mariposa Grove  
15 returned to the National Parks Service, but before  
16 then, the system started to grow. In 1890, the  
17 Marshall Monument was established, and the next year  
18 they hired a guardian to the monument. The Marshall  
19 Monument, of course, was the discovery of gold in  
20 California. In the 1890s, the historic preservation  
21 movement was very strong, and Sutter's Fort was  
22 established. In 1901, the Redwood Park at Big Basin  
23 was established. So by 1906, when it went back, we  
24 still had several state parks.

25 The system as we know it today started in 1927

1 with a big reorganization of State Government. And all  
2 of the 14 existing parks, and there were four or five  
3 commissions, were all consolidated to the Division of  
4 the Park. The park system continued to expand.

5 In 1928 they had the first bond issue. You'll  
6 see the slogan for the 150th is: A gift from the  
7 people to the people. That was the slogan of that  
8 first bond issue, and it's really what all of our  
9 various parks of the State Parks are about. They are a  
10 gift from the people to the people.

11 In the 1940s and '50s, there was a big expansion  
12 of use. And the bottom right is Folsom Lake, one of  
13 our first reservoirs. That central picture with the  
14 three-wheeler in the dunes will bring home memories for  
15 some people like Phil and others who have been around.  
16 1971, of course, was the establishment of the  
17 Off-Highway Vehicle program.

18 It also brought a lot of challenges in our  
19 management of parks. The Sleepy Park up in the  
20 redwoods somewhere was replaced with high-use,  
21 high-intensity recreation with everything from law  
22 enforcement to the lifeguard service was started in the  
23 1950s.

24 The system continued to expand in the 1970s and  
25 including the OHV Division, many innovative parts of

1 our department, our wilderness. No other states had  
2 wilderness parks or underwater parks. Really, without  
3 a doubt, it's good to remember we have the finest state  
4 parks system in the country, the most extensive one  
5 that has features, including our OHV, wilderness park,  
6 that no other state has. Today, of course, there's  
7 almost 280 parks and almost 70 million people visiting.

8 So 2014 will be the anniversary. I just want to  
9 talk about what's been done so far. We did at the end  
10 of last year get some money to start off the  
11 anniversary. Banners have been produced for every  
12 park. We have an exhibit that's going out to every  
13 park and will be available to the districts to go to  
14 any event and have things available to them.

15 The banner you see on the right with Yosemite,  
16 we've done a tremendous partnering with Yosemite  
17 because it's our shared heritage with the National  
18 Parks Service. Yosemite, they're doing a 150th  
19 anniversary. We're doing a lot of great things with  
20 them. We plan to have on June 30th, the anniversary  
21 date, a joint ceremony at Mariposa Grove. They are  
22 trying to get the President, and we hope to have the  
23 Governor on down in our department, so it will be a  
24 tremendous opportunity.

25 Pass around -- we haven't had a State Parks

1 history brochure, and some of this is our rollout  
2 internally. This is part of it for you guys so people  
3 can know their own history in the department. We've  
4 developed some promotional items. You got the pin last  
5 time, and if you've been around the General at all, you  
6 know that you better be wearing the pin if you're a  
7 staff person. We are going to be providing pins to all  
8 of our employees, seasonal and permanent employees, to  
9 wear during the anniversary. And they're basically a  
10 billboard. Everyone who sees that pin is probably  
11 going to ask -- rangers can buy an optional badge --  
12 what's that about? It gives a chance to talk about the  
13 history and heritage that we have.

14 We have a lot of other programs going. The OHV  
15 Division has been very supportive as our rollout has  
16 occurred in providing assistance, and we do appreciate  
17 that. Brian Robertson is on our committee from the OHV  
18 Division, so we've got quite a few things going.

19 We are going to have a strategic plan done in  
20 the near future to lay out some of those details. But  
21 a lot of it is still open, and one of the things that  
22 we're looking at is modelling the OHV's trailer, of  
23 having a 150th road show that would be high profile and  
24 could go to these events.

25 The other thing we're trying do, which I think

1 impacts everybody, we are trying to do added value. We  
2 want people to take events that they have, and they're  
3 oftentimes looking for their themes, what's our theme  
4 going to be next year? We want to say, hey, take on  
5 the 150th theme, and maybe it's the 150th anniversary  
6 and the history of Pismo Dunes. And then we can have  
7 the banners and the handouts and things to add to the  
8 events that you are already having. And that's one of  
9 our big goals, is to tag onto the events that they're  
10 already having and add something to it and have some  
11 things for them to add to it.

12 So we have a lot of events going with Yosemite,  
13 as I mentioned. One great thing is Caltrans is going  
14 to put up a poster in every rest stop for the Yosemite  
15 anniversary. And as part of our ongoing theme, we said  
16 we don't need all of that space so we're jointly  
17 designing and half of it is going to be Yosemite and  
18 half is going to be about the California State Parks.  
19 And so Yosemite is printing, the National Parks  
20 Service, and we're going to be able to have those in  
21 all of the rest stops. So that kind of just an example  
22 of some of the programs. Our traveling road show is  
23 one of the things that we've been working on a lot, and  
24 really OHV has helped us a lot because they've done the  
25 groundwork on their own program.

1           So we want to honor those who got us here. Most  
2 of them are gone, but a lot of them are still here.  
3 Our department has never tried to bring back all of our  
4 living directors at one point or all of our  
5 commissioners to honor them for the work that they did  
6 during their time. And we hope to have an event  
7 September 28th, which would be the 150th anniversary of  
8 Governor Low's proclamation, to have a big event to  
9 honor the directors, the commissioners that are still  
10 living, for their efforts. And I know that there are  
11 many OHV commissioners that are still here with us.  
12 Some of these people are gone, so we'll have to honor  
13 them that way. But it's just try to remember all of  
14 the people that went ahead of you, who brought us here  
15 and got us here.

16           And one of my key things as a ranger,  
17 supervising ranger, and superintendent, I'm in my 42nd  
18 year now with the Department, is the staff who day  
19 after day, week after week, year after year, decade  
20 after decade sustained the efforts -- you know, it  
21 wasn't always good or perfect. But from the redwoods  
22 to the OHV areas to the coast, what we have is a  
23 cumulative effort of a lot of people who should be  
24 recognized in some way.

25           So we're in the Director's strategic plan. You

1 will be seeing our strategic plan. OHV is already a  
2 part and will be working with us to incorporate the  
3 150th program. And with that I would be happy to  
4 answer any questions.

5 CHAIR SLAVIK: Thank you. Sounds exciting.

6 I might make comment that the picture of the  
7 ATV, the caption up there was in the '40s or '50s. I  
8 think you're about 15 years off on the ATV pictures.  
9 Staff has some pictures of some old motorcycles on the  
10 beach or something, if that would be appropriate.

11 Would any of the Commissioners like to comment?

12 COMMISSIONER MURPHY: Mike, I have one question.  
13 Other than the rolling road show, what other avenues  
14 are you using to get the message out to the public?  
15 Any social media, magazine articles, anything else to  
16 reach out to the public?

17 MIKE LYNCH: Yes, we are right now I should say  
18 in the internal rollout. We're looking at September of  
19 this year of having the public rollout where we would  
20 have it. We have kind of a whole set of things going  
21 for social media, working on the website. We're trying  
22 to kind of have -- looking at the kind of grand public  
23 opening in September.

24 We hope to have the Governor -- Governor Low  
25 hand wrote the original proclamation at the Stanford

1 House, hoping to have the Governor doing something that  
2 day. That's when we're looking to have all of this on  
3 board. So we have all the challenges that we all have.  
4 You know, we're working with a limited budget. I'm a  
5 retired annuitant, and I'm happy and have been wanting  
6 to do this and been seeing it coming for a lot of  
7 years. I was directly involved when we had the 125th  
8 anniversary 23 years ago, which was a very big success,  
9 and we're modeling some of it after that.

10 But, yes, we are now just kind of in the  
11 internal rollout. You're the first commission I've had  
12 the briefing for. The Parks Commission will be next.  
13 And we hope to work with staff to develop -- possibly  
14 for your next meeting -- for the Commission to adopt a  
15 formal resolution recognizing the 150th and to  
16 incorporate some of the milestones for the OHV program.

17 COMMISSIONER PEREZ: I just wanted some  
18 clarification. This is September 2014 when this event  
19 is going to happen?

20 MIKE LYNCH: So September 2013 will be the  
21 public kind of unveiling with the Governor sort of  
22 proclaiming next year as the year of California State  
23 Parks 150th anniversary, and it will go from there  
24 through approximately September, October of the next  
25 year, 2014.

1           COMMISSIONER PEREZ: And when you mentioned the  
2 Governor and the President, were you referring to the  
3 President of the United States?

4           MIKE LYNCH: The President of the United States.  
5 Yosemite is a national icon in the whole country.  
6 They're shooting high. Their goal is to have the  
7 President at this June 30th event. They definitely  
8 will have the Secretary of the Interior at it, but  
9 that's their goal, is to highlight Yosemite because it  
10 is the start of the park movement in the United States.  
11 We joke with the National Parks Service that they're  
12 Johnny-come-lately. They only got formed in 1916, but,  
13 nevertheless, they look to Yosemite as the start of it  
14 all also. So this is a big event for them, and they  
15 want to take it national.

16           Thank you very much.

17           CHAIR SLAVIK: Thank you.

18           DEPUTY DIR. CONLIN: Mr. Chairman, we may want  
19 to do the public comment at this point just so that  
20 people that are here get a chance to comment if they're  
21 going to break away after lunch.

22           CHAIR SLAVIK: Well, we've got the Triennial  
23 Report coming up, too, that we're going to talk about,  
24 too. This is just the generic public comment.  
25 Non-agenda items, eleven o'clock non-agenda items.

1 All right. We will have public comment on  
2 non-agenda items.

3 **AGENDA ITEM - PUBLIC COMMENT ON NON-AGENDA ITEMS**

4 BRUCE BRAZIL: Good morning, Bruce Brazil  
5 speaking as an individual. At our meeting two weeks  
6 ago, the special meeting that was held, the  
7 Recreational Trails Program was mentioned. And I was  
8 hoping that there would have been something maybe on  
9 today's agenda or in Division's report on it.

10 Over the two weeks, I did a little bit of  
11 research into it, and I apologize, not very thorough at  
12 this point. And it looks like the reason that people  
13 are saying that the RTP program has been opted out is  
14 because it's not included on the Governor's present  
15 budget under Parks and Recreation, which is where it's  
16 landed in the past.

17 There is something that I found, that there's a  
18 consolidation of similar programs that will be under  
19 the Department of Transportation. So I don't know if  
20 that's where this may be moving to or not. One of the  
21 Federal requirements for the states that want to  
22 receive the money for the RTP is that they have --  
23 basically it's a recreational trails advisory  
24 committee, and it's to be made up of -- similar to our  
25 OHMVR Commission here -- people of diverse background.

1 I did a little research looking for that to see  
2 who is on that in our state. Well, lo and behold, our  
3 Parks Department comes up, and first line in it says  
4 that their advisory committee sunsets January 1st,  
5 2013. So it's like someone has already figured that  
6 they didn't want to have the RTP going under State  
7 Parks. And like I say, I apologize I don't have any  
8 more information. I was interrupted a little bit doing  
9 my research. Thank you.

10 AMY GRANAT: Good morning, Commissioners, very  
11 briefly I wanted to mention two different items. And  
12 one I'm going to do first because I had no idea that  
13 Randy Caldera was going to be here. I really do want  
14 to recognize all of the work he's done with Carnegie  
15 and hopefully embarrass him a little bit because he has  
16 done numerous interviews with radio stations, with the  
17 press, and just done an outstanding job. And we all  
18 know how difficult the issues are at Carnegie. So when  
19 someone has done just really an extraordinary job, I  
20 think it's appropriate to recognize that in public.  
21 Thank you, Randy.

22 And the second thing, I wanted to thank  
23 Commissioner Cabral, along with the former chair of the  
24 Commission, Eric Lueder, and Chris Hewitt from the  
25 Division for coming with us to the Pacific Southwest

1 Research Station. And just to emphasize how important  
2 that was, the Pacific Southwest Research Station were  
3 extremely generous with us with both information and  
4 time, very nice individuals, but had no idea of the  
5 extent of the OHV program, nor the money that we had  
6 given to the Forest Service over the years. We just  
7 heard the BLM State Director state it was about  
8 \$135 million. And I can only guess at the Forest  
9 Service. I think it's a little bit more, and I  
10 apologize for not having the figures, but not being  
11 aware of millions and millions of dollars of recreation  
12 money that has gone into the Forest Service. All I can  
13 say is that somebody hadn't really done their homework,  
14 but it's also up to us to make the connection and go.  
15 So thank you for taking the time, Commissioner Cabral,  
16 to go with us. It was a really informative meeting.

17 And I know Congressman McCarthy's staff also had  
18 a meeting with them yesterday. I haven't heard about  
19 the results from that meeting yet, but I'm looking  
20 forward to doing so. And it's great to have a sitting  
21 congressman on our side, as well. All we want to do is  
22 get the best possible science involved in the science  
23 synthesis. Thank you very much.

24 DAVE PICKETT: Dave Pickett, District 36. I  
25 can't talk about Hangtown because it's an agenda item,

1 so I will go to what I have to say. I'll give a shout  
2 out for Randy Caldera also. I don't know if you know  
3 that he did a one-on-one tour with San Joaquin County  
4 Board of Supervisor Bob Elliott of the facility, and  
5 his whole attitude has changed to the positive about  
6 OHV. He will have representatives at Hangtown due to  
7 family conflict. But the outreach, Randy, kudos. He's  
8 doing a good job, as Amy said.

9 I also want to say something about a comment  
10 that Commissioner Teresa made earlier on not having a  
11 ton of knowledge on OHV and OHV not being her cup of  
12 tea. And I appreciate the comment when she says, "I'm  
13 going to get educated on this because I'm going to make  
14 decisions," and I applaud that effort. That's what we  
15 need, is that kind of involvement by all of you. And,  
16 Diana, I think you have the mileage record for visiting  
17 people in this state.

18 I did check a little while ago that none of you  
19 are on notice for Bagley-Keene violations with the IRS,  
20 so I thought I would pass that on this morning,  
21 something to break a little pressure.

22 And RTP, the 30/30/40 split, historically in the  
23 state, 70 percent went to non-motorized. And under the  
24 new program, it's 100 percent non-motorized yet it's  
25 funded 100 percent with off-highway vehicle federal gas

1 fuel taxes. I have a big problem with that. My  
2 organization has a big problem with that, and I hate to  
3 ask somebody to write another letter. Can the Governor  
4 please explain to me why he's going to take 100 percent  
5 of this money for non-motorized when we've been giving  
6 him 70 percent for years? That's not right.

7 When is it going to stop, guys? I hate to keep  
8 badgering about money. The AG says the State owes us  
9 \$160 million. Now we get the RTP taken. You know how  
10 I feel about Senator Leno and his \$10 million take two  
11 years ago. I'll keep going on and on forever at every  
12 meeting. I think it needs to be said in the record.

13 JOHN STEWART: Good morning, Commissioners, John  
14 Stewart, California Association of 4-Wheel Drive Clubs.  
15 I'll start off with the fact that during the  
16 Commissioners' report it was mentioned about the State  
17 Recreational Trails Program. Cal 4-Wheel has been a  
18 big proponent of that since it was popular, what,  
19 15-plus years ago. Cal 4-Wheel stands ready to be an  
20 active partner with the Commission, with the OHMVR  
21 Division, as that program moves forward into the  
22 future, and we appreciate the opportunity to work with  
23 the State and with the OHMVR Division as it moves  
24 forward.

25 Also, I'd like to look at the fact that in going

1 through the notes here provided for this meeting, I  
2 don't see a solid or a sheet that gives an update on  
3 the various general plans that are either out in  
4 circulation or due to come up into circulation. Now, I  
5 know there are some lists on websites, the Division  
6 provides a legislation update. Personally, I would  
7 like to see a general plan update on what the status of  
8 the plans are. Of particular interest are the  
9 Truckhaven Ocotillo Wells North General Plan as to what  
10 is happening with us. That's of high value and high  
11 interest to a lot of the Cal 4-Wheel members.

12 And not only is the OHMVR Division and the SVRA  
13 plans important, but there are at least two state parks  
14 that have OHV recreation opportunities that have  
15 general plans in progress with some unknown status.  
16 One is the Anza-Borrego Desert State Park, which is  
17 still yet to deliver on a roads and trails map for  
18 their general plan. And also there's a lack of  
19 information about what is really happening with  
20 Red Rock Canyon State Park, which is adjacent to  
21 another big popular OHV area. So these are just some  
22 things we would like to see more of a tracking of these  
23 general plans and more information readily available at  
24 the Commission meetings as to what is happening with  
25 them. Thank you.

1           NICK HARIS: Good morning, Commissioners,  
2 Nick Haris, American Motorcyclists Association. Just  
3 saw you guys a couple of weeks ago so I wasn't going to  
4 talk, but I just wanted to give you an update on the  
5 Johnson Valley bill, which is House Resolution 1676:  
6 Was heard and passed out of subcommittee, I think it  
7 was on Tuesday, and then was heard and passed out of  
8 the full committee like the next day. So that's good  
9 news.

10           There was some minor modifications to the  
11 language dealing with some private-end holdings, a  
12 little bit of water and mineral rights issues, but  
13 basically the bill is moving forward, and we're hearing  
14 good things, at least on the House side.

15           And I did talk about this last time, but just to  
16 clarify again on RTP. We were told specifically in our  
17 meeting with the Governor's staff that the Governor  
18 intends to opt out. There is some talk now about some  
19 sort of -- I'm not quite sure how they're potentially  
20 going to address some of the issues that have been  
21 raised, but at this point that's the official word  
22 we've gotten from the Governor's office.

23           There is a really good group of people that are  
24 together on this issue, and I'm really happy to say  
25 very, very diverse -- I can get a copy of the letter.

1 I think I gave it to Chairman Slavik, but there's over  
2 150 organizations that signed the letter, motorized,  
3 non-motorized, county, government, et cetera. So we  
4 feel like we have a real strong chance to turn this  
5 around, and frankly the impression we got at the  
6 meeting was they didn't quite understand how this  
7 relatively small amount of money in the overall budget  
8 terms is so important and so critical.

9 And I mentioned to Ed Waldheim -- I know a lot  
10 of you guys know Ed. I said you get Ed Waldheim a  
11 Sweco tractor, and you get 10,000 volunteer hours out  
12 of it, that kind of thing. I'm hoping we still have a  
13 chance to turn that around. There's kind of a big push  
14 going on right now, letters to the editor, things like  
15 that. A number of different groups have put out  
16 alerts, and I think it's something you're going to see  
17 more of in the near future. Thank you.

18 TOM TAMMONE: Tom Tammone, individual. I'm  
19 having a hard time following on the RTP issue, but I've  
20 always been baffled by the federal fuel tax. And to  
21 get any of this money, you have to be -- or to generate  
22 the tax, you have to be doing something with a motor on  
23 it off-road, so I don't understand how opting out  
24 exempts you from having to spend 30 percent of that on  
25 off-road. Maybe the problem is on the federal level.

1 I remember talking about the Truckhaven/Freeman  
2 acquisition. \$400,000 was borrowed from our fund to  
3 buy half of what Parks bought. That's not being used  
4 for motorized use, and that was supposed to be paid  
5 back by Caltrans money. I'm not understanding the need  
6 to spend our tax money on fuel for stuff that's not  
7 motorized, but I was wondering if that money was even  
8 ever paid back. \$400,000 was borrowed out of our fund.  
9 But don't ask me why, the understanding that I have, it  
10 was supposed to be coming out of Caltrans money. I  
11 don't know. But I'm just not understanding this  
12 mentality that for some reason we owe everybody money.  
13 First off, that they don't have anything to do with the  
14 motorized use that generated the funds in the first  
15 place. Thanks.

16 CHAIR SLAVIK: Deputy Director, the questions  
17 about RTP, are we -- I shouldn't say we. Staff, you  
18 and the Chief, are you guys in a position to address  
19 that issue up the food chain in State Parks? That  
20 probably was a good way to put it.

21 DEPUTY DIR. CONLIN: In this situation, it's the  
22 Governor's decision, and he made the decision. So I  
23 will tell you that as far as us being able to address  
24 it up the chain, he's kind of made that decision at  
25 this point. The best way to address it now is via

1 voters and via the constituency groups coming up  
2 expressing the fact that they don't like the decision.

3 From our perspective we're underneath the  
4 authority of the Governor. It's not the kind of thing  
5 we can come up and say that's not a very good idea, so.  
6 We support obviously the OHV program. This is the  
7 Governor's decision, and he decided to put the money  
8 towards Caltrans.

9 But I would say to the public and to the people  
10 that have been expressing these opinions, there is an  
11 avenue. The avenue is the legislature and make your  
12 voices heard, and the Governor's Office, as well, if  
13 you have concerns. That's what we do as citizens.

14 CHAIR SLAVIK: Does that apply to the  
15 Commission, as well, as far as any of our opposition to  
16 that program?

17 DEPUTY DIR. CONLIN: Let me check with legal,  
18 but I believe the Commission, since it's duly appointed  
19 by the legislature, as well as the Governor, that they  
20 can express an opinion.

21 COUNSEL LeFLORE: Yes, you are Governor  
22 appointees, and you can express your opinions, just as  
23 any citizen would.

24 DEPUTY DIR. CONLIN: Can they express their  
25 opinion as a Commission, like they would in the protest

1 letter against BLM?

2 COUNSEL LeFLORE: I guess they would have the  
3 authority to do that.

4 COMMISSIONER MURPHY: Is there going to be an  
5 opportunity in the future for us to opt back into RTP?  
6 And might it be more appropriate that at a future date  
7 we can try to encourage decisionmakers to opt back into  
8 RTP rather than to protest what might have already been  
9 done at this point?

10 DEPUTY DIR. CONLIN: I believe the funds are  
11 allocated on an annual basis, so it was a decision made  
12 this year to direct the funds to Caltrans. But  
13 certainly that does not preclude them from being  
14 redirected to the actual old method or the new  
15 methodology in the coming years. So you're correct;  
16 what you may or may not be able to influence this year  
17 does not have any effect on the coming years, and you  
18 certainly could affect that decision.

19 COMMISSIONER MURPHY: Might that be a more  
20 appropriate answer?

21 CHAIR SLAVIK: I was going to say from a process  
22 standpoint, you can't vote on it at this point because  
23 it's not on the agenda anyway. So if we put it on the  
24 agenda for an upcoming meeting, then we could write a  
25 letter similar to what we did with the BLM. Is that

1 correct?

2 DEPUTY DIR. CONLIN: I believe so. And we will  
3 do the research for you and make sure that's all  
4 legitimate. My understanding is that you could express  
5 your opinions, certainly.

6 CHAIR SLAVIK: I would think that we could put  
7 together a white paper, if you will. Mr. Haris talked  
8 about Ed Waldheim. The resources that are created from  
9 that small amount of money are huge. The volunteer  
10 efforts are huge. And I think it's absolutely correct,  
11 people that made the decision didn't understand that.  
12 So moving on. Thank you.

13 CHIEF JENKINS: Just one point because I know  
14 sometimes these little issues will be brought up.  
15 Mr. Tammone brought up an issue about the Truckhaven  
16 properties. Just to clarify that, if you take the  
17 whole square that was Truckhaven, there was essentially  
18 legislation passed cutting a diagonal line saying  
19 everything on the north coast to Anza-Borrego,  
20 everything on the south goes to Ocotillo Wells. Some  
21 of the parcels purchased by OHV were in the north.

22 Then SDG&E came in and bought the rest of the  
23 checkerboard up. There was all the old estate lands.  
24 Some of those were north and some are south. So what  
25 we're doing is we're swapping the parcels in the south

1 with the parcels in the north. At the end of the day  
2 the OHV Trust Fund is being made whole in that  
3 situation so that Anza-Borrego is getting what's due  
4 them, and we're getting as many parcels as we paid for.  
5 And so in that case, OHV parcels that were paid for are  
6 not being taken for non-motorized, so we are being made  
7 whole in that situation.

8 CHAIR SLAVIK: So we're consolidating on  
9 ownership of that.

10 COMMISSIONER CABRAL: Do we need to make a  
11 motion to make that an agenda item at the next meeting?

12 CHAIR SLAVIK: I don't think we need to do that  
13 at this point.

14 COMMISSIONER CABRAL: I was just checking.

15 CHAIR SLAVIK: It's in the minutes.

16 **AGENDA ITEM IV(B)(7) - Hangtown-Prairie City**

17 DEPUTY DIR. CONLIN: I think next up, if I'm not  
18 correct, is Hangtown. Let's get that out.

19 DIST. SUPT. FEHLING: Good morning, for a few  
20 more minutes, and thank you for the opportunity to  
21 speak before you today. My name is Michael Fehling,  
22 and I'm the new Twin Cities District Superintendent as  
23 of mid-March. I'm not new to the OHV community, spent  
24 1993 to 2000 working at then Pismo Dunes, then it  
25 became Oceano Dunes. Prior to that, I actually lived

1 in Apple Valley and worked from '88 to '93 at  
2 Silverwood Lake, a small reservoir, but very active.  
3 The last 13 years I spent north of here, lived in Chico  
4 and worked a variety of positions in the Northern  
5 Buttes District from supervising ranger to six months  
6 last year as the district superintendent up there. So  
7 glad to be back in the Division and ready for round  
8 two.

9 My goal here today is to give you a brief  
10 overview of Prairie City Vehicle Recreation Area and  
11 kind of wet your whistle of what you're going to be  
12 seeing tomorrow way out there at Hangtown.

13 Our primary goal as an OHV State Park is to  
14 provide long-term sustainable recreational  
15 opportunities. And at Prairie City we do that a  
16 variety of ways by providing diverse riding  
17 opportunities matched with a real robust national  
18 resource and educational programs.

19 The park has many diverse facilities, which is  
20 really the draw for the park, everything from  
21 TT Supermoto to what's pictured here, which is a car  
22 track and quarter midget track. We have flat tracks  
23 and motocross tracks. We even have 70 cc and 110 cc  
24 tracks designed specifically for kids. And I can  
25 attest to being out there every day that I'm surprised

1 that the use that it gets. Every day I go by there,  
2 there's a mom or mom and dad or somebody out there with  
3 kids working on these tracks with them. So it's really  
4 good to see.

5 But the real draw to the park right now is the  
6 four-by-four riding areas, aside from Hangtown, of  
7 course. With the recent improvements in the facility  
8 design, the use of the area is really getting a lot of  
9 traction. The projects were really created to meet the  
10 demand out there for real extreme rock crawlers, a  
11 popular activity. And this hill here, you see some of  
12 the constructions in the final project, but it's  
13 basically four different domains there, everything from  
14 a beginner climber to the most extreme enthusiasts.  
15 Visitors really enjoy this course.

16 The mini Rubicon Trail is kind of what we call  
17 the rideable best management practice. It's basically  
18 a sediment reduction project. The hillsides were  
19 hydroseeded with native grasses, and then the water  
20 flows downstream and kind of bio filtrates through  
21 there. Water winds up at the bottom; sediment  
22 accumulates.

23 So the project entailed taking rocks and  
24 boulders and creating this mini Rubicon Trail down in  
25 the bottom of the basin. So we took this stormwater

1 management project and turned it into a riding trail,  
2 essentially. The water bio filtrates through the  
3 grass, comes down into the basin, under the rocks.  
4 People can now ride over the rocks and boulders and  
5 challenge themselves. The sediment falls out of the  
6 water, the water continues to flow through to another  
7 sediment basin further down into the park, really  
8 improving our stormwater runoff projects there.

9 I guess this was -- about 20- to 30,000 tons of  
10 rock was used on this project, and we got it from a  
11 local quarry, apparently had boulders that were too big  
12 to be put through their crushers. So basically for the  
13 cost of loading this stuff up, we got the rock to build  
14 this project. That was a very reduced unit cost.

15 So some of these projects, some of these  
16 obstacles, can look pretty extreme. That one coming up  
17 here is called the Alamo, and this is a feature again  
18 designed by park staff, who are very avid OHV  
19 enthusiasts, as well. So they design/construct these  
20 projects. The Alamo was designed basically to vehicle  
21 specification. It looks pretty crazy, but one side is  
22 designed for smaller vehicles like small SUVs and mini  
23 vehicles. Another one can be for the larger trucks,  
24 even to the rock space themselves was designed to  
25 specifications of a vehicle. So just about anybody who

1 wants to come out to the park driving their vehicle can  
2 pick one of these sides and test their skills.

3 Moving on to what we're really here for is  
4 that's our venue. That's what Prairie City is really  
5 known for. We hold a lot of special events, about  
6 120 days a year. And the unique aspect of the park is  
7 its ability to accommodate multiuse activities on the  
8 same day. We have multiple events. Most commonly we  
9 will have is a venue being used as a special event, and  
10 the park itself is still open, the general riding area  
11 is still open for general park use.

12 Another event that we have is the Ten Week, and  
13 it's a mountain bike event that goes on on Wednesdays,  
14 the one day of the week that the park is closed.  
15 Afternoon and evening a very large contingency of  
16 mountain bikers come out and hold courses out there  
17 using our facilities. It's a real neat dual use of our  
18 facilities. It really increases our constituency. A  
19 lot of these mountain bikers are also motocross riders.  
20 In fact, this morning coming out, Hangtown is kind of  
21 in full swing, and there are groups of people walking  
22 the trails for their morning exercise, but there's  
23 mountain bikers out using the single tracks, but  
24 they're there for the motocross event, but they're also  
25 mountain bikers so they're taking advantage of the

1 ability to use their mountain bikes in the park, as  
2 well. Brings in a lot of different demographics,  
3 increases our user base, and creates and advocates for  
4 our OHV parks.

5 Mud Mart Concession also serves the park. It  
6 provides parts and supplies, food services, rentals,  
7 and repairs. It's a prominent point of contact for our  
8 park visitors. It's important to point out for our  
9 concessionaires in our parks, they're real important  
10 partners to us and promote a positive OHV experience.

11 And another unique facility we have at the park  
12 is the Environmental Training Center. That's where we  
13 teach safe, environmental and responsible off-highway  
14 vehicle use. This building here is actually equipped  
15 with solar panels, and it generates about 10 percent  
16 more energy than it uses, so we actually put power back  
17 into the grid.

18 The facility consists of a classroom. It has  
19 two training ranges, a three-acre trail system  
20 landscaped with native plants representing five  
21 bio regions of California throughout the state. The  
22 plant design was actually donated to us by American  
23 Honda Corporation. It's based on their home facility,  
24 so again partnered with Honda Motors that provided the  
25 blueprints for this facility.

1           The Environmental Training Center trail systems,  
2 we allow the trainers to teach classes. They instill  
3 the Tread Lightly principles. The Off-Highway Pals  
4 program is also a product of ETC, and they take --  
5 youths ages 12 to 17 are taught to ride ATVs, dirt  
6 bikes, and ROVs. Actually, completing the training,  
7 the youth are allowed to ride off-highway trails in a  
8 safe, supervised environment.

9           And along with the safety simulator pictured  
10 here teaching the dirt bike, ATV, and ROV classes, we  
11 also then can promote to use safety features,  
12 especially the newer ones with the neck braces and  
13 youth chest protectors.

14           The goal of the interpretive team at Prairie  
15 City is to help preserve sustainable off-highway  
16 vehicle recreation, educating the public on  
17 environmental responsible or safe riding practices.  
18 The park visits elementary schools in the local area,  
19 as well as providing tours out at the park in our  
20 natural resource environment. The last year they  
21 interpreted to 10,000 students.

22           We also have a very proactive Habitat Management  
23 Plan. This is an active re-vegetation site on a hill  
24 where basically the soil sediment is taken from the  
25 sediment basins within the park and put back across the

1 hillside to recontour, and then straw waddles are put  
2 in place to hold everything in place and to slow the  
3 flow of water and further sedimentation, which reduces  
4 runoff. And then the hill is hydroseeded with native  
5 grass seed mixes, and then it's temporarily closed for  
6 about a year until the vegetation re-establishes  
7 itself. At the same time, we will take a section that  
8 was closed and open it back up. So we basically have a  
9 neutral balance there of closing and opening up riding  
10 opportunities for the riders. So this is an example  
11 here of what the hillside looks like after it's been  
12 restored.

13           Volunteers at the park, both young and not quite  
14 so young, serve a very vital role at Prairie City.  
15 This picture was taken during the last tree planting  
16 project. Obviously it was raining, planted about 100  
17 trees. Our volunteers still showed up for this  
18 project. They could have easily just said no. They're  
19 devoted, and we appreciate that. The irrigation system  
20 ensures that the long-term survival of our native  
21 vegetation project will continue.

22           Prairie City is a regional resource for local  
23 agencies such as the Sacramento County Fire Department.  
24 They actually come out a couple of times on Wednesdays  
25 and train their fire engine technicians, a lot of the

1 grassland fire engines come out and practice on our  
2 trails, on driving. We also coordinate with a variety  
3 of different agencies, including U.S. Forest Service,  
4 the U.S. Army, Bureau of Land Management, National  
5 Guard, Fish and Wildlife Service, and Cal Fire is  
6 mentioned.

7 Prairie City SVRA has been working on their  
8 management plan since 1991, and obviously changes have  
9 occurred over the years with acquisitions and changes  
10 to the facility, so the time has come now for a general  
11 plan to be completed. You approved the general plan  
12 for Clay Pit last year, so we're coming up on Prairie  
13 City just kicking off this year.

14 We're just now in the initial stages on Phase  
15 One collecting data, information, doing the initial  
16 studies and getting the word out. Likely have people  
17 out tomorrow handing out flyers for more information  
18 and getting information to the public with the hopes of  
19 having the first public meeting sometime next month.  
20 We will have a website up with more information.

21 So with the close proximity to a large  
22 metropolitan area, with diverse riding opportunities  
23 and immense special events venue, Prairie City will  
24 continue to provide sustainable, high-quality off-road  
25 recreation for years to come.

1 Thank you. Do you have any questions?

2 COMMISSIONER MURPHY: I was just curious, you  
3 had your environmental restoration program there. What  
4 personnel do you have on your team to ensure  
5 environmental protection at the park?

6 DIST. SUPT. FEHLING: We do have an  
7 environmental scientist on staff that runs our Habitat  
8 Management Plan, and we have resources that are within  
9 the Division and within the Department that we'll  
10 utilize. In some cases we'll even use contract  
11 agencies to come in to help us out.

12 COMMISSIONER CABRAL: Yes, I'd like to make a  
13 comment while asking a question, and that is:

14 I've been a competitor and have used the OHV  
15 facility at Prairie City since its beginning, and I  
16 just want to commend everyone that's been involved with  
17 this over the years because that place was a dump. I  
18 mean it had no topsoil on it. It was terrible riding  
19 conditions. When the first Hangtown National moved  
20 there, it was like, oh, God, why did they go there of  
21 all places? Now it's a world-class facility.

22 I think what you have done to it, especially  
23 that training center and how that is, I think that can  
24 be used as a model for something to go into urban areas  
25 and be able to make urban-type parks that can do the

1 same type of program, where we train the youth and be  
2 able to move forward because in my opinion there's just  
3 such a huge step to go from learning in your backyard  
4 with your parents or wherever you're at to getting to a  
5 public riding area.

6 It can be like -- if we want to use an SVRA as  
7 an example, Hollister or Carnegie, those are very  
8 difficult terrain areas. And if we wanted to use like  
9 national forests or other BLM properties, same type of  
10 thing, you're taking someone from a very low-level of  
11 need of competency to ride from just a flat field into  
12 something very extreme.

13 And to have that intermediate thing along with  
14 training, and really a key thing would be the  
15 environmental training, the environmental  
16 responsibility, I think that's just an area I'd love to  
17 see this program grow in the future.

18 So I just wanted to kind of say that. Thank  
19 you, guys, for all of the work you've done, and it's  
20 really nice to see such a fine facility close to a very  
21 large urban area.

22 CHIEF JENKINS: Just on the heels of that, let  
23 me just add -- first of all, thank you for those  
24 comments -- and recognize Bob Williamson, who got us to  
25 this point in that park. So when I first started in

1 the Division, Bob was just kind of filling in, trying  
2 to fill in at the time for the leaving superintendent  
3 and has tremendously improved that park. He's getting  
4 ready to retire soon. That's why we're transitioning  
5 to a new superintendent.

6 So I just wanted to acknowledge all of those  
7 good things you said. The whole team there is  
8 responsible, but it was under the leadership of Bob  
9 Williamson, and so you've got to give a lot of credit  
10 to the leadership.

11 DIST. SUPT. FEHLING: Phil, you stole my shout  
12 out. I was going to give a shout out to Randy, as  
13 well. Randy Caldera and Bob Williamson really takes  
14 the credit for us, which was for me personally a big  
15 draw to come back to the Division with the work they've  
16 done, the staff they have there, and what you've seen  
17 over the years. Gives me opportunity to build upon a  
18 real successful program, and it really got me excited.

19 And I'll segue with that to the next presenter  
20 to give you your taste of Hangtown and introduce  
21 another new employee with the OHV Division, but not new  
22 to OHV, and that's the Prairie City Sector  
23 Superintendent Jeanne Sisson, who will be giving you on  
24 Hangtown.

25 CHAIR SLAVIK: Thank you, Michael.

1           SECTOR SUPT. SISSON: I'm very pleased to be  
2 here today and returning. I started in OHV at what is  
3 now called Oceano Dunes in 1986, so I feel kind of like  
4 I'm coming home returning to the OHV Division.

5           So I'm going to just talk about motocross in  
6 general, but Hangtown. And motocross racing is  
7 generally believed to have started in the United  
8 Kingdom in 1924. It evolved from motorcycle trial  
9 competitions where the riders were scored in technique  
10 as well as speed. Early motocross racing was known as  
11 scrambles, so named because unlike its predecessor, the  
12 race was won by the fastest rider to the finish, so  
13 hence your scramble, scramble to the finish.

14           A similar early form of motocross racing began  
15 in New York about two years after that first British  
16 scramble. And as the sport caught on in France, the  
17 French tweaked it a little bit and they shortened the  
18 courses, they added manmade jumps, and that started  
19 leading up to that exciting event that you're going to  
20 be seeing tomorrow. They also coined the term  
21 motocross, a combination of motorcycle and  
22 cross-country. And by the 1940s motocross racing went  
23 international, and what some people call the original  
24 extreme action sport had been born.

25           So now let's get to the meat of this. In 1967,

1 a group of motorcycle enthusiasts from the local area,  
2 they met with the dream of bringing big-time motocross  
3 racing to the region. And by 1968, the Dirt Diggers  
4 North Motorcycle Club had been formed, and the first  
5 race was held in 1969 outside of Placerville. And  
6 that's where the name came from. From the Gold Rush  
7 era, Placerville had been known by Hangtown, so that's  
8 where the name Hangtown came from. And it had a  
9 turnout of about 150 riders, three pros, and about  
10 2,000 spectators. The event with its \$600 purse set  
11 the stage for Hangtown's future.

12 The Placerville location that had inspired the  
13 name for the early version of the Hangtown Classic  
14 could not be secured for the 1970 Hangtown motocross  
15 race. With only a month left before the Hangtown race,  
16 Dirt Diggers North found a track near the small  
17 foothill town of Plymouth in Amador County.

18 By 1977, the purse was up to \$17,000, and the  
19 Plymouth venue saw 30,000 spectators for that race.  
20 Some conflicts began to develop. Some local residents  
21 in the community were having trouble with that number  
22 of people converging upon the town, and Dirt Diggers  
23 realized that they had outgrown their current venue,  
24 and the search was on for a new track.

25 By 1979, the event was moved to Prairie City,

1 which at the time was owned and operated by Sacramento  
2 County Parks and Recreation. A small, beginning  
3 permanent track facility was installed for the Hangtown  
4 event. And in 1988, California State Parks and OHMVR  
5 Division enters the picture. California State Parks  
6 assumed ownership and management of Prairie City State  
7 Vehicular Management Area, and a new partnership  
8 between California State Parks OHV Division and Dirt  
9 Diggers North was formed that still exists today.

10 The weather over the years for Hangtown Classic  
11 has not always been friendly for the spectators and the  
12 riders. In 1991, it rained from 9:00 in the morning  
13 until 6:00 at night. And when you get those kinds of  
14 conditions, that really tells you who's the best of the  
15 best as far as being able to ride in a variety of  
16 conditions.

17 Temperatures at Hangtown has also been very warm  
18 on some years. These conditions can result in a lot of  
19 sunburned spectators and test the endurance of the  
20 riders who are in full riding gear. While some people  
21 aren't familiar with this sport might not realize that  
22 it is very grueling, it is very physically demanding.  
23 But these guys are dedicated professionals, and there's  
24 nothing that stops them. They're so passionate about  
25 their sport. They're not detoured by heat or danger.

1 I've already met a couple of riders who have scars from  
2 wrecks, and they think nothing of it. These guys are  
3 tough.

4 Hangtown Track at Prairie City has seen numerous  
5 improvements over the years with Dirt Diggers North and  
6 State Parks OHV working together. These improvements  
7 include permanent irrigation, restrooms, an  
8 announcement tower, gazebos, and other facilities.

9 And today, the Hangtown Motocross Classic is a  
10 nationally televised event, and it kicks off a 12-race  
11 Lucas Oil Motocross series. This exciting motocross  
12 race is kind of considered the crown jewel of that  
13 series, and it is one of the oldest and most notable  
14 trophies. And it's now up to, I believe, a \$70,000  
15 purse. So it's come a long ways from that first race  
16 in 1969.

17 In 2012, Hangtown drew 20,000 spectators and  
18 generated a gross revenue of over \$70,000. Dirt  
19 Diggers North donated 30- to \$35,000 of those proceeds  
20 to notable nonprofits like American Red Cross and local  
21 schools and things of that nature.

22 Hangtown is big business with scores of vendors  
23 selling food, beverage, souvenirs, goods and services.  
24 And as you can guess, the local communities benefit a  
25 great deal from -- local businesses all around the

1 region benefit from the influx of up to 30,000 people  
2 for the weekend.

3           Dirt Diggers take possession of the track in  
4 early May, and thousands of dollars are spent on  
5 equipment and materials to prepare the track. State  
6 Park employees begin preparing for the event weeks in  
7 advance. I see a lot of passion and enthusiasm with  
8 that. Everyone seems very proud. The things that they  
9 do for this event also benefit -- buildings get  
10 repainted, the roads get improved. So all of the  
11 visitors really over the years benefit from the  
12 preparations for Hangtown.

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 ongoing partnership  
17 between Dirt Diggers and California State Parks that  
18 we're very proud of.

19           So I hope you enjoy the event tomorrow. I  
20 watched the amateurs yesterday, and that is exciting,  
21 and I'm told that the pros are just something to see,  
22 so be prepared.

23           CHAIR SLAVIK: Thank you. Any questions?  
24 Looking forward to a day in the dirt.

25           DEPUTY DIR. CONLIN: I'd just like to add to

1 that that this year in particular my hat's off to both  
2 the staff that are out at the venue in Prairie City,  
3 the organizers, Dirt Diggers and all of the various  
4 clubs that put this together because -- and everybody  
5 knows we've had some recent security developments from  
6 the Boston bombing. And because of that, prudently,  
7 we've put some additional security issues in there,  
8 some additional security protective procedures  
9 prudently for the people that are going to be going.  
10 The public deserves that, and we need to be good  
11 stewards of their protection, as well as the race. And  
12 people have really come forth. They've really  
13 participated well, been very accepting of that, and had  
14 a good team effort as we try to make all that work. So  
15 thank you very much. That's deeply appreciated.

16 CHAIR SLAVIK: Deputy Director, can you let us  
17 know who's coming? I know we have some VIPs that were  
18 slated to come to this event.

19 DEPUTY DIR. CONLIN: I believe we have -- I can  
20 put you on the spot, since I think you have a better  
21 count on the actual events.

22 DAVE PICKETT: Well, in this room the most --  
23 excuse me, James Stewart, District 36. Well, in this  
24 room the most important guest is sitting right there,  
25 Deputy Director of the Division. We also have General

1 Jackson, Director of the State, as well as Aaron  
2 Robertson representing the full State Parks thing.  
3 Mr. Jenkins is going to miss his first Hangtown in  
4 many, many a year. But after paying for his son's  
5 college education I think he deserves to go see that  
6 graduation, congratulations to you.

7 Last I heard we have United States Congressman  
8 Ami Bera and his daughter and two people coming who  
9 represents this congressional district. We have  
10 Kirsten Olsen, Assemblywoman, staff representatives  
11 Senator Gaines -- both Senator Gaines and  
12 Assemblywoman Olsen have folks that are coming. We  
13 have Sheriff John D'Agostini from El Dorado County  
14 coming with his family. We have -- representatives  
15 from San Joaquin and Amador County Board of Supervisors  
16 are coming, and that would be some of the highlights  
17 that is there.

18 We have some industry folks with deep industry  
19 ties that were selected to come in and kind of  
20 represent industry to educate any of you that might  
21 have questions concerning employee base, number of  
22 employees, California manufacturers that are exporting  
23 to other countries, time involved and know this sport  
24 backwards and forward.

25 There are some tours I understand that are set

1 up going into the Asterisk Mobile Medical, safety  
2 rolling semi truck is phenomenal, state of the art, as  
3 well as American Honda. This morning I heard something  
4 that I don't know if Deputy Director Conlin is going to  
5 be going to that yet because he may not even know about  
6 it, but American Honda president has asked -- he heard  
7 about this and asked specifically to please come by,  
8 and they want to show the factory rigs, as well as most  
9 of the major teams. They're excited that the  
10 Commission is coming to this, as well as senior  
11 management. The club is excited. There's security,  
12 Superintendent Robertson, if he has any hair left by  
13 the end of the weekend, a lot of behind-the-scenes  
14 stuff going on in security, as was mentioned.

15 It's live television. The General, I believe,  
16 Deputy Director Conlin is going to be there, as well as  
17 Congressman Bera, so that's a big respect thing. And  
18 it just has gone through the amateur ranks, and people  
19 are talking about it.

20 The fact is Dirt Rider Magazine will have an  
21 individual they're sending up from Los Angeles just to  
22 talk to you guys in there to kind of get your reaction  
23 because some of you have never done anything like this,  
24 just the fanfare, fun, excitement and the tie-in on the  
25 whole thing.

1 I did want to mention a couple of things on the  
2 club real quick. This club subscribes, along with the  
3 other eleven organizations on a national basis, is  
4 called VetTix, and they got together, and they bought  
5 \$24,000 worth of tickets for veterans currently  
6 serving, retired, disabled. Works out to 50 free  
7 top-of-the-line tickets for Hangtown across the nation.  
8 That's kind of the backbone of this club. They give  
9 back to the community. We've also given \$500,000 in  
10 charitable contributions back to Boy Scouts, Girl  
11 Scouts, and everything you can possibly think of just  
12 in Sacramento County.

13 Two nights ago, some of the club members went to  
14 UC Davis, the Childrens Cancer and Burn Center, with  
15 two or three of the top riders; gave the kids posters,  
16 T-shirts, jerseys, this kind of thing. Awesome, that's  
17 just the way this club is. Their backbone is strong.

18 Geanne mentioned something about the Plymouth  
19 event, that the community asked them to leave. It was  
20 really the CHP because they got tired of traffic being  
21 backed up on Highway 16 for 17 miles getting in and  
22 getting out, and there was a big fight in the early  
23 days between the homeowners and business community  
24 because they sold more beer in one day than they did  
25 the entire year combined. So there was some real

1 conflict there because it was a huge money-producing  
2 weekend, as it is here.

3 Some of you were here before when the Business  
4 Journal of Sacramento did a socioeconomic impact  
5 report. In 2006, that number was between \$3.5 million  
6 and \$4.5 million in positive economic impact for  
7 Folsom, Rancho Cordova, and the community. That was  
8 seven years ago. We're putting it closer to  
9 \$7 million, maybe \$7.5 million. And if you try to get  
10 a hotel in the last month, there isn't anything.  
11 Folsom is totally sold out. Rancho Cordova, it's hard  
12 to find anything right now.

13 Anyways, just a few little highlights, shout out  
14 to the State Parks people that were working behind the  
15 scenes on this. As mentioned, the problems we've had  
16 came to light, and it was addressed, and it's going to  
17 be an awesome Hangtown.

18 I appreciate all of you for coming and taking  
19 the time to do this. I think you're in for a treat.  
20 It's the best of the best. You're going to see some of  
21 these 23-year-old kids that make \$3.5 million a year to  
22 fly higher than the roof in here at speed. It's  
23 phenomenal. Thank you. Any questions?

24 CHAIR SLAVIK: Can you give us a little  
25 itinerary of what we're expected to do tomorrow just so

1 we have kind of an understanding of that?

2 DAVE PICKETT: Your job assignment is to have  
3 fun, and I mean that. Because you are going to  
4 witness -- I think, Phil, help me here -- this is the  
5 largest public/private partnership event in any state  
6 park. Correct me if -- I think that's right. One of  
7 the biggest, how is that?

8 CHIEF JENKINS: I have to check that. With  
9 single point of entry, there's some qualifications in  
10 there. There are some others from other events that  
11 don't have the controlled entry that get a lot larger.  
12 Of this nature of event, one of the biggest in the  
13 State Parks.

14 DAVE PICKETT: Look and learn, see what you can  
15 do with a thousand acres, watch the control, see the  
16 race, enjoy the heats. There will be people there who  
17 will educate you about the heats, and the motos and  
18 what everything means. Just pay attention to what's  
19 going on so you can see what can be done at this scale  
20 that not only benefits the fans, but the whole  
21 community, working with this wonderful former, you  
22 know, rocket fuel dumpsite. And it's just phenomenal,  
23 and tree planting and all of the volunteer work, all of  
24 that tied in over the years and years and years.  
25 That's pretty much it.

1           Some of you will probably get private tours,  
2 dragged away to go meet the stars. I know there are  
3 security issues. Because of the hot pits, you can't go  
4 in there unless you have an escort. But get there  
5 early so you can go into the professional pits from  
6 9:00 to noon. It's just fascinating to watch.

7           I'm burning up way too much time. Thanks for  
8 the time. I'm glad you're coming.

9           CHAIR SLAVIK: You're not excited about it or  
10 anything.

11           We're close to lunchtime. You want to break for  
12 lunch?

13 (Returned at 1:39 from lunch break beginning at 12:33.)

14 **AGENDA ITEM IV(B)(1) - GENERAL PROGRAM UPDATE CONTINUED**

15           DEPUTY DIR. CONLIN: Chairman, you had asked me,  
16 and I just wanted to pass along, for some of you that  
17 weren't aware -- just to get it on the record and  
18 obviously we have a lot of our riders out here.

19           There is a fire that started about two days ago  
20 that burned into our Hungry Valley SVRA. So about  
21 1500, 2000 acres burned at Hungry Valley, about 4,000  
22 in Los Padros Forest, 35 percent contained. It was  
23 about 1500 people fighting the fire. Obvious concerns  
24 is that it doesn't burn towards L.A. or populated  
25 areas. The oak reserve there in Hungry Valley was

1 threatened several times, but with the efforts of Cal  
2 Fire and Hungry Valley resources they were able to  
3 protect it. They did lose some of the grasslands, and  
4 a couple of pine groves, and two small ramada  
5 facilities, camping facilities. Tejon and Frazier  
6 Trails, two single-track trails, and the surrounding  
7 terrain were damaged. The Forest Service is going to  
8 be hesitant to reopen them for a long time.

9 And in addition, they're going to probably keep  
10 the park closed until Tuesday or Wednesday, and that's  
11 more because the fire is still burning. And in order  
12 to give the fire services access, they have to use a  
13 lot of the routes inside of Hungry Valley. So it's  
14 just in order to let those guys do the work they need  
15 to, we need to keep the place shut down. But once  
16 that's finished, we should be able to turn the place  
17 around and get it back up and running very shortly  
18 after.

19 CHAIR SLAVIK: Thank you for that report. How  
20 do we let the people know in the city that are going to  
21 be taking that hour-and-a-half-or-so trip up there  
22 looking for a place to recreate?

23 DEPUTY DIR. CONLIN: Good question, thank you.  
24 It's on the website, and it's been reported in the  
25 media and the news outlet. But primary way, as always,

1 get on the website, check it out there, and it will  
2 have additional weather data, closure data -- I'm  
3 sorry, the Chief just reminded me Facebook page also  
4 for those young kids that use Facebook.

5 And also wanted to take the opportunity to  
6 introduce in absentia the new Parks Superintendent  
7 there, Kent Miller, who literally took over the same  
8 day the fire started. And you talk about jumping in  
9 under fire, he literally did out at Hungry Valley.

10 And we also have -- is Garrett still here?  
11 Garrett is our new District Superintendent down in  
12 Ocotillo Wells and Heber Dunes and has been doing one  
13 heck of a good job. He is under fire but in a  
14 different way, as he's trying to set up a general plan  
15 and everything out there and watching over our  
16 holdings, but he's been doing an absolutely terrific  
17 job.

18 **AGENDA ITEM IV(B)(2) - LEGISLATION UPDATE**

19 DEPUTY DIR. CONLIN: Okay. I think the next  
20 thing on the agenda is the legislative update.

21 OHMVR STAFF WILLIAMS: Good afternoon,  
22 Tina Williams, Public Relations Communications,  
23 California State Parks.

24 I promised a couple of folks out in the audience  
25 that I would immediately update you on AB 64. AB 64 is

1 now mirroring SB 234, and they both have the urgency  
2 clause in the bills, so I made that promise.

3 COMMISSIONER MURPHY: It's under tab four in our  
4 binders.

5 OHMVR STAFF WILLIAMS: Under Tab 4 (B) (2).

6 COMMISSIONER VILLEGAS: I have a quick question.  
7 Do you know when one member will drop?

8 OHMVR STAFF WILLIAMS: I do not know. We do  
9 know that as of May 10th, the urgency clause was added  
10 to the Donnelly bill, which was AB 64. We do know that  
11 Fuller, who is sponsoring 334, is working with the  
12 author of 234. A lot of fours.

13 CHAIR SLAVIK: Is that the end of your report on  
14 legislation?

15 OHMVR STAFF WILLIAMS: Yes, it is. We were  
16 directed to just address the questions unless you have  
17 anything further.

18 CHAIR SLAVIK: My only question would be on the  
19 Cook legislation and Farer legislation; is there any  
20 new movement on that?

21 OHMVR STAFF WILLIAMS: I do not have any  
22 information on that as far as new movement.

23 CHAIR SLAVIK: But we got a report from -- I  
24 don't know, Nick Harris or somebody gave us a report  
25 that there was -- in Washington it was passed through

1 committee. That was the Cook legislation that passed  
2 through committee? All right.

3 Any questions about legislation?

4 COMMISSIONER VILLEGAS: I have one more, and  
5 it's just more background or context.

6 When we get just the narrative for the bills, if  
7 maybe the next legislative session if we could either  
8 find out what is the Division's intent moving forward,  
9 like what is it that the Division wants to see in  
10 trying to get that goal through, because this year it  
11 seems like it's a lot of corrective language for  
12 previous legislation, so if we could get that.

13 CHIEF JENKINS: Just to comment in response to  
14 that, we have to be extremely careful to remain neutral  
15 on all legislation.

16 COMMISSIONER VILLEGAS: I see, so you're  
17 basically just reacting to whatever is introduced.

18 CHIEF JENKINS: We're proactive. So the way it  
19 works is when we become aware of a bill that involves  
20 OHV legislation, we have an office that tracks  
21 legislation, and they alert us any time there is a bill  
22 that affects Parks or in our case it affects our  
23 program, whether it's our resource program or our  
24 recreation program. So we get a heads-up.

25 And so we see usually the first draft of the

1 bill, and then we always offer, when appropriate, to  
2 the author's office for technical advice. So they can  
3 come to us, and we can answer any of their questions,  
4 and let them know how that might affect existing law or  
5 existing programs. But we are very careful because we  
6 represent the administration, we can't go advocate.

7 COMMISSIONER VILLEGAS: Okay. But are there  
8 still ideas or intents that the Division wants to move  
9 forward?

10 CHIEF JENKINS: For instance, these ROV bills,  
11 when they first came to us for technical advice and  
12 input, the ROV bill that was presented, they were using  
13 a blind template to take to all of the states, a  
14 standardized template, had a lot of conflict with  
15 existing California state law.

16 So we were able to just point out that what  
17 you're saying here is in direct conflict with existing  
18 law or duplicative of existing law. So we had an  
19 opportunity to help them create a piece of legislation  
20 that was not going to just fall apart and result in  
21 conflict.

22 They will ask us, as they did in this case, what  
23 do you think the community's reaction would be to help  
24 or assist us? We'll tell them if they ask a direct  
25 question what we've heard from the community. But we

1 can't go in and say I'm reading this, and I see a  
2 problem here, and did you guys bring up -- you know,  
3 did you guys realize that if you write this, then this  
4 is what's going to happen? That's when we're crossing  
5 the line because now we're trying to write the  
6 legislation, and we can't do that, delicate balance.

7 CHAIR SLAVIK: And the Commission has a role at  
8 some point in legislation like we did, like with the  
9 lead youth vehicle legislation several years ago, that  
10 was federal.

11 CHIEF JENKINS: On the federal legislation, the  
12 Commission has in the past, during the period that the  
13 public would normally comment on legislation, sent in  
14 your collective comments as a body. With state  
15 legislation history, you've done the same thing.  
16 Usually, the question is at what point does that come  
17 into conflict with the administration point of view.  
18 Because once the administration has taken a position or  
19 even if the administration hasn't taken a position, it  
20 gets to be a little dicey since you are part of the  
21 Resources Agency, and the Resources Agency is part of  
22 the administration. It really is a very gray area  
23 about the appropriateness or not of when and how the  
24 Commission weighs in on these things.

25 CHAIR SLAVIK: Thank you, Ms. Williams.

1 **AGENDA ITEM IV(B)(3) - PUBLIC SAFETY UPDATE**

2 DEPUTY DIR. CONLIN: Our next report is Public  
3 Safety.

4 OHMVR STAFF LAIR: Good afternoon,  
5 Commissioners. Mike Lair from the law enforcement  
6 section at Division. I'll be providing the law  
7 enforcement update. I'll cover three points of  
8 interest. The first would be the law enforcement  
9 training grants and then upcoming law enforcement  
10 deployments.

11 As you know, we've been really pushing hard for  
12 the law enforcement training, and we've had a lot of  
13 requests, got a lot of agencies to do this year. We  
14 hit two law enforcement training classes for five  
15 agencies, a total of 33 officers. We do have some  
16 upcoming classes at Hollister Hills on June 20th, and  
17 then Placer County the date is to be determined.

18 As far as Grants go, we just went over the next  
19 grant review. We had a total of 87 applications for  
20 law enforcement grants for a total dollar ask of  
21 \$8.5 million, and currently we only have available  
22 \$2 million. That could change, so you can see it's  
23 four times ask of what we actually have to offer so far  
24 this year.

25 And upcoming law enforcement deployments or

1 agency assists, we are on our fourth annual Rubicon  
2 detail. In the past we've helped out on the El Dorado  
3 side. We are now partnering with Placer County  
4 Sheriff's Department, and the U.S. Forest Service on  
5 the Placer side, so exciting to now move across into  
6 Placer County.

7 We have also started with Johnson Valley BLM to  
8 come out and participate with King of the Hammers event  
9 again. So that's encouraging. And one other thing we  
10 have would be the Thanksgiving deployment down to  
11 Red Rock, Dove Springs, Jawbone area. So that's a  
12 highlight of the season, to go down there and help out.

13 That's it for my report unless you have anything  
14 for me.

15 CHAIR SLAVIK: Do we help out with Imperial Sand  
16 Dunes?

17 OHMVR STAFF LAIR: We do. We participated with  
18 them not last year or the year before, so we could  
19 bring down some officers, ten officers or so. We've  
20 been down there in that general area, we help out.  
21 Last year was Johnson Valley, King of the Hammers. The  
22 year before that Imperial Sand Dunes, and the year  
23 before that was Dumont Dunes. So we make our rounds  
24 south when it's their season. We definitely help out  
25 whenever we can. Whenever we're asked, we're glad to

1 assist.

2 CHAIR SLAVIK: Any questions? Thank you.

3 **AGENDA ITEM IV(B)(4) - OCEANO DUNES/PMRP UPDATE**

4 DEPUTY DIR. CONLIN: Next is the Oceano Dunes.  
5 This is the requirement that we've had placed on us by  
6 San Luis Obispo Air Pollution Control Board Rule 1001.  
7 You have a document there that kind of outlines some of  
8 the history and some of the requirements. A quick once  
9 over, the rule was levied on us. It went to court.  
10 Friends of Oceano Dunes challenged it. We were  
11 participants in that court proceeding on the side of  
12 Oceano Dunes; however, the court ruled against us.

13 It appears there may be an appeal. We will see  
14 what comes of that, but in the meantime we are under  
15 strict requirements by that rule to start monitoring  
16 the PM10, which is particulate matter below ten  
17 microns, that has been blowing into the mesa area. It  
18 is alleged under that particular rule that the study  
19 that was done for that Rule 1001 is being caused by OHV  
20 use in Oceano Dunes. We have a problem with the study.  
21 We don't necessarily agree with it, but we're still  
22 bound by Rule 1001 and especially by this court  
23 proceeding.

24 So we're currently on a timeline. We've  
25 negotiated the timeline with the Air Pollution Control

1 Officer for San Luis Obispo for this Air Pollution  
2 Control Board. He sent us a letter outlining the  
3 timeline. As he sees it, we're responding to that.

4 In the meantime, we've received authorization  
5 from the California Coastal Commission, and they have  
6 allowed to us go ahead and start doing wind monitoring.  
7 The importance of that is this will allow us to figure  
8 out where the best places are to actually do the  
9 monitoring of the particulate matter as it comes on in.  
10 The wind monitoring is a major effort. It required the  
11 installation of 22 trailers and platforms into Oceano  
12 Dunes. This was all done on the dime of OHV, of our  
13 funds. We had to build them ourselves. We had to get  
14 the monitoring equipment and all of that. So it's  
15 levied a pretty heavy burden on us right now to get it  
16 done.

17 Those are installed. We're currently operating  
18 nine of the twelve monitoring stations that are out  
19 there, plus the other trailers and support. We'll be  
20 doing that for the next several months, and then we  
21 start into this timeline of submissions. Our plan for  
22 doing the temporary monitoring, followed by our plans  
23 for permanent monitoring, all of this will result in  
24 permanent monitoring stations being set up  
25 approximately October, depending on when the schedule

1 says, of next year, October of 2014.

2 And then if we are not able to show a reduction  
3 of the PM10, Particulate Matter 10, by the next summer,  
4 summer of 2015, then we start getting levied a heavy  
5 fine, about a thousand dollars a day, for days on which  
6 we're doing it. So needless to say, major issue,  
7 costly issue. We're doing what we can because it is an  
8 identified problem. We may disagree with what they  
9 identified is the problem, but we're doing our piece to  
10 do the wind monitoring and to ensure that if there is  
11 anything coming from our area, we're trying to reduce  
12 that in any way that we can. But we're obviously  
13 making every effort to continue with the recreation  
14 that's being done out at Oceano Dunes.

15 CHIEF JENKINS: The fourth page in, you can see  
16 the actual citation that was issued to me, which is my  
17 first ticket.

18 DEPUTY DIR. CONLIN: The Chief takes this very  
19 personally.

20 COMMISSIONER MURPHY: I had a question. I know  
21 that there's just an ambient amount of sand that's  
22 going to blow off of any beach. What's being done to  
23 just try to separate what is OHV caused and what is  
24 just natural blowing sand that occurs on any beach up  
25 and down the state?

1           DEPUTY DIR. CONLIN: I know Will Harris is  
2 chomping at the bit to jump up and tell you that, but  
3 if he did, we'd probably be here for another couple of  
4 hours. So let me give you the quick layman's  
5 discussion, and Will can jump up if I get it wrong.

6           The real issue is not sand. Sand is much larger  
7 than PM10. The real issue is there is sediment that  
8 naturally comes into that large basin, into that area  
9 there off the beach, that this sediment is basically  
10 PM10. It's clay sediment and all that runoff from the  
11 streams, heavy ag going on out there, but it's also  
12 been going on for literally thousands of years, this  
13 sediment flowing down from all of the rivers.

14           That sediment gets out into the area. It gets  
15 pushed back along with the sand -- that's what causes  
16 the dunes, that's basically wind action on the surf --  
17 pushes that sand and sediment up onto the beach. And  
18 then it gets blown, the sediment effectively gets  
19 separated from the sand, and that's the PM10 that comes  
20 in.

21           It's our contention that if you stood at the  
22 shoreline, you know, before you even got back into the  
23 dunes area, you're already getting a large amount of  
24 that PM10 just simply coming off the ocean, the  
25 evaporative properties and the wind coming off the

1 surface of the ocean. You can literally stand there  
2 and kind of look down the wind at the coast and see  
3 some of that coming in.

4 And then there's also the additional stuff  
5 simply coming off from the dunes, a natural thing  
6 that's been going on there for years. I mean we've  
7 looked at reports of the guys that put the railroad  
8 through years ago who planted eucalyptus trees because  
9 they were complaining about the wind and dust that was  
10 flowing on through. So this is not a new event. It's  
11 something that's been going on all along. It's sort of  
12 a natural occurrence.

13 So it's our contention that we may cause some  
14 slight amount of that, but in the large scheme of  
15 things, you're getting all of that PM10 as a natural  
16 occurrence. There's a highway out there. The highway,  
17 it looks like, throws a lot of it up in the air, the  
18 Route 101 as cars are driving, because it looks like  
19 there's elevated levels during normal traffic periods  
20 outside of when we're normally out there on the OHV.

21 So we're fighting that. We're fighting that  
22 science. The problem is that the courts when they made  
23 the ruling, they chose not to rule on the science.  
24 They chose simply to rule on the legality of this  
25 Rule 1001 being imposed on us. Maybe the appeal will

1 look at the science again, I don't know.

2 Part of the wind monitoring -- or part of the  
3 wind mapping that we're doing and/or monitoring is  
4 honestly to be able to kind of show that this is not  
5 really the result of the vehicles. It's a natural  
6 occurrence, but that does not preclude our  
7 responsibility to still try and help in the mitigation  
8 of this because obviously there is a health hazard.

9 CHIEF JENKINS: So part of your question was how  
10 do we know the difference between what we're causing  
11 and what's natural? The rule is set up to provide for  
12 a comparison, exactly to compare those two issues, so  
13 that there would be a control monitoring site where  
14 it's inland from a sandy area where there's no vehicle  
15 activity, and then another site -- or it could be  
16 multiple sites, but at least these two sites, so you  
17 could measure what's coming off the dunes where we're  
18 operating vehicles. You can measure what's coming off  
19 the dunes where there is no activity. The difference  
20 would be assumed to be what's caused by the vehicles.  
21 And the rule allows for up to a 20-percent difference  
22 in those two numbers before the fines begin to be  
23 charged. So if we can find a truly comparable site,  
24 then the rule would allow us to do this direct  
25 side-by-side comparison.

1           COMMISSIONER PEREZ: I have a question. When I  
2 look at the timeline and I look at the dates, it  
3 appears to go into 2015. How is it that we can  
4 communicate to the public and the local residents about  
5 the reasonable time that it's going to take to do this  
6 work? Because sometimes there's this perception that  
7 needs to happen quickly because they see it as a severe  
8 health issue. I mean that's sometimes the way it's  
9 presented. And I think that sometimes the public needs  
10 to at least get an understanding of reasonably -- it's  
11 not going to happen quickly. I mean they're not going  
12 to get an answer quickly.

13           DEPUTY DIR. CONLIN: Right. I mean the plan  
14 right now is that I'll be appearing before the board,  
15 the next meeting of the Air Pollution Control Board,  
16 and we're going to talk about where we are and what  
17 we're doing, discuss a little bit about the timeline.  
18 That's being done very much in order to get kind of our  
19 face out in front of the public and in front of this  
20 entity so that we understand that we are trying to  
21 contribute as much as we possibly can and with the cost  
22 figures and with the idea of exactly the extent of the  
23 work that we're doing right now.

24           Again, our standpoint is we are doing everything  
25 physically possible to meet this. The timeline is

1 there, and the timeline was created for us to execute  
2 these requirements by Rule 1001. We also had some  
3 input into that. And based upon our input, that's  
4 pretty much what we received back from them on, okay,  
5 that's the timeline, let's go forth and execute it.

6 There is some allowances if there are external  
7 agencies that are holding us up, but we have to in good  
8 faith try to execute this or we will be encumbered by  
9 this rule and acquire heavy fines, which we can't  
10 afford to do.

11 COMMISSIONER PEREZ: I'm pleased that the  
12 Coastal Commission is on board now. Are they providing  
13 a permit? Is that what has been approved?

14 DEPUTY DIR. CONLIN: They provided initially an  
15 emergency authorization for us to put in what are  
16 called wind monitoring stations, which are the towers.  
17 I think you've been out and seen them of them, because  
18 they are short duration, basically three months.  
19 However, we will have to get a permit from them in  
20 order to set up both the temporary monitoring stations,  
21 which if any of you have been out to Hollister and you  
22 have seen, they have a monitoring station up there. It  
23 looks like a small windmill setup, and it's got a  
24 collector of the particulate matter, and it's got some  
25 solar panels and stuff like that to continue to make it

1 operate. It's no small thing, but we have to get their  
2 allowance to be able to put that in because it's  
3 considered to be a semi-permanent structure. So we'll  
4 have to get their authorization to do both the  
5 temporary monitoring and the permanent, which will be  
6 the final fixtures that we put in that the Chief was  
7 talking about as we continue to do our continuous  
8 monitoring out there.

9 COMMISSIONER PEREZ: One last question. Since  
10 we're on Oceano, and I don't know if it's still related  
11 to Oceano, but is there -- the La Grande tract, I heard  
12 it was going to be an agenda item in San Luis Obispo,  
13 but I don't know if that has occurred or not. Do you  
14 know of any...

15 DEPUTY DIR. CONLIN: We received a letter from  
16 the mayor of Grover Beach saying that she was  
17 interested; however, as far as being able to allocate  
18 those funds...

19 CHIEF JENKINS: That's part of that budget  
20 process that at this point is well beyond our ability  
21 to direct, which we can never do.

22 So I haven't seen any change in the current  
23 position that the money looks like it will revert at  
24 the end of the year. And what we're doing is trying to  
25 look at buying an option or securing an option with the

1 County if we can get an option with the County that  
2 shows both the State that they're interested in selling  
3 for real and it shows the County that we're willing to  
4 go back and try to secure funding again.

5 And so right now our best course is to try to  
6 secure an option and move forward unless -- like I say,  
7 the budget process at this point happens outside of our  
8 kind of visual reference. So whether or not something  
9 happens on the budget process, I really can't speak to  
10 because that's way above our heads at this point.

11 DEPUTY DIR. CONLIN: The budgetary year ends 30  
12 June, so that's why we're talking our ability to make a  
13 change here with less than a month and a half to go.  
14 That's the problem. However, when we discussed this  
15 with the mayor about buying an option, she was  
16 supportive of that, as well. So the good news is  
17 they're interested, and that helps us if we want to try  
18 to regenerate that money.

19 CHAIR SLAVIK: Moving on.

20 DEPUTY DIR. CONLIN: And I think we hit all of  
21 the other cases here.

22 CHAIR SLAVIK: Item No. 6, the Triennial Report,  
23 if I would interject here a moment, can we ask Forest  
24 Service to give their report? Because the reason I'm  
25 asking this or proposing this is because I'd like to

1 have a real robust discussion on the Triennial Report,  
2 and I don't know if Kathy would like to hang out for  
3 another two hours.

4 DEPUTY DIR. CONLIN: No problem with me if  
5 that's fine with the rest of the Commissioners.

6 **AGENDA ITEM IV(D) - USFS REPORT**

7 CHAIR SLAVIK: Kathy, would you like to come up  
8 and give the Forest Service report? I know you're just  
9 itching to talk.

10 USFS KATHLEEN MICK: Well, since you all have  
11 missed me so much, I'm sure that you're dying to hear  
12 from me. Good afternoon, Commissioners, Deputy  
13 Director, Division staff, and members of the public.  
14 My name is Kathleen Mick, and I'm here to represent the  
15 Forest Service.

16 We're going to talk about a couple of things  
17 today, but first I'm going to defer my part of the  
18 report to allow my colleagues to speak on their  
19 portions of the report, and then I'll follow up at the  
20 end. So I have the pleasure of having our social  
21 scientist from the regional office, Debra Whithall,  
22 here to talk about our planning process, the Living  
23 Assessment, our collaboration efforts in regard to  
24 that, and give you kind of an overview of what we're  
25 doing with our new planning rule and how it will affect

1 what we call the early adopter forest, which are three,  
2 the Inyo, Sierra, and Sequoia, and then the  
3 relationship of the planning process to OHV recreation.

4 After that I have Diana Erickson here to speak  
5 about the Eldorado travel management decision, what you  
6 all might know as the 42 Routes Project, and give you  
7 more details and answer some questions.

8 And we're also very lucky today to have Lester  
9 Lubetkin, who has spent many years on the Eldorado  
10 National Forest, who has recently retired but has been  
11 very gracious to join us here today to answer your  
12 questions should you have questions that neither Diana  
13 nor I can answer. And Lester has spent a lot of years  
14 working with OHV recreation in particular on the  
15 Eldorado and has done a fabulous job. And so we are  
16 very lucky to have him here on his own dime and his own  
17 time to speak with all of you today.

18 So with that, I'll introduce Deb Whithall, and  
19 she'll speak with you about our planning process.

20 DEBRA WHITHALL: Thank you, Kathy. Good  
21 afternoon. Again, my name is Debra Whithall. I'm the  
22 Region 5 social scientist for the Pacific Southwest  
23 Region. And you might be wondering why a social  
24 scientist is here to talk to you. Our Regional  
25 Planning Director, Joe Stringer, and our Deputy

1 Regional Planning Director, Ron Pugh, retired on  
2 May 3rd, so you get me.

3 So I'm going to spend a little bit of time  
4 talking to you about forest planning, forest planning  
5 revisions, like Kathy said. I'm going to touch on the  
6 relationship of forest planning to travel analysis  
7 planning. I'm also going to touch on best available  
8 scientific information. You've spent a little bit of  
9 time talking about a science synthesis, and I'm going  
10 to refer back to that, in addition to some other  
11 scientific information that we will be referring to in  
12 our assessment work.

13 So, again, I'm going to run through our plan  
14 revision process under the new 2012 National Planning  
15 Rule. I'll talk about travel analysis process and its  
16 relationship to planning, best available scientific  
17 information, and some of our public involvement  
18 strategies.

19 So under the 2012 National Planning Rule, I  
20 think of it as painting the Golden Gate Bridge, we  
21 start with assessment, we go through revision, we  
22 monitor based on the requirements outlined in the plan,  
23 and then we start the process all over again.

24 The 2012 Planning Rule directs that forest plan  
25 provides for social, economic, and ecological

1 sustainability within Forest Service authority and  
2 consistent with the inherent capability of the planning  
3 area. I want to come back to this word  
4 "sustainability". The 2012 Planning Rule defines  
5 sustainability as the capability to meet the needs of  
6 the present generation without compromising the ability  
7 of future generations to meet their needs.

8 So what is an assessment? An assessment is a  
9 report that synthesizes existing information related to  
10 social, economic, and ecological conditions and trends.  
11 It's intended to be conducted rapidly using available  
12 information and existing data. It identifies knowledge  
13 and information gaps. It provides a source of  
14 information in context for forest plan revision.

15 While forest level assessments are required by  
16 the 2012 Planning Rule, there is no requirement for a  
17 Bio-Regional Assessment. Based on what we heard from  
18 stakeholders, input is being gathered and conclusions  
19 are being formed at this larger scale to help guide  
20 forest plan revisions and to help identify overarching  
21 need.

22 The assessment is really based on three critical  
23 components. The first is 15 topic papers located on  
24 what's called the Living Assessment, and I'm going to  
25 spend some time talking about the Living Assessment a

1 little later on. It also consists of the Bio-Regional  
2 Assessment and forest-level assessments. And as Kathy  
3 mentioned, we have three early adopter National  
4 Forests. These are three of eight nationally, and the  
5 three here in California are the Sierra, Sequoia, and  
6 Inyo National Forests.

7 These 15 topic papers are going to continue to  
8 be developed throughout the planning process, and they  
9 provide an in-depth view of each topic. This is in  
10 contrast to what the Bio-Regional Assessment will do.

11 The Bio-Regional Assessment is essentially a  
12 snapshot of current conditions and trends associated  
13 with overarching themes that have been identified by  
14 the regional planning team.

15 And I want to take just a second to explain who  
16 our regional planning team is. This is a group of  
17 individuals that include a social scientist, an  
18 economist, an ecologist, a team leader, and a  
19 writer/editor, and there's one more, and a GIS analyst.  
20 This regional planning team serves all of the national  
21 forests in the State of California, and they're under  
22 my direction.

23 So in order to reach overarching themes in this  
24 Bio-Regional Assessment, we focussed on three different  
25 aspects. We looked at consistency with the Region Five

1 leadership intent for ecological restoration. This  
2 document essentially is a value statement, a policy  
3 statement, if you will, that was prepared by our  
4 regional leadership, that identifies the need to  
5 increase the patent scale of ecological restoration  
6 work across all forests in the region.

7 We're also looking to identify themes that are  
8 consistently addressed throughout all 15 topic papers.  
9 We're also looking to pull out themes that focus on  
10 sustainability and integration of social, economic, and  
11 psychological integrity, as we're directed to by the  
12 2012 Planning Rule.

13 What the assessment does is it's going to  
14 identify a series of trends. These are very  
15 coarse-filtered trends, and what I mean by that is the  
16 document is going to refer to trends that are  
17 increasing, decreasing, or stable. They're not going  
18 to be very specific. They're based in actual data, but  
19 they're not going to be identified by any particular  
20 numbers.

21 So based on this process, we've identified the  
22 following five overarching themes: Water quality and  
23 quantity, fire resilience, ecological integrity,  
24 sustainable recreation, and community resilience.  
25 These might seem like fairly nontraditional topic

1 headings, but they really help us to integrate social,  
2 ecological, and economic factors.

3           So here's an example: Under the overarching  
4 theme of sustainable recreation, the Bio-Regional  
5 Assessment identifies this trend: In California  
6 activities such as off-highway vehicle recreation,  
7 mountain biking, boating, and adventure recreation has  
8 increased dramatically in recent years, while at the  
9 same time population growth, urbanization, and  
10 alternative energy production compete for suitable  
11 lands.

12           Travel management is the example of a specific  
13 issue that's going to be covered in a variety of ways  
14 under multiple themes. Particularly you're going to  
15 find information related to travel management in the  
16 sustainable recreation and the ecological integrity  
17 theme area.

18           So this Bio-Regional Assessment provides a  
19 backdrop for our early adopter forests, the Inyo,  
20 Sierra, and Sequoia. And management themes cross  
21 boundary and will allow those forests to integrate this  
22 overarching story as they develop their forest-levels  
23 assessments.

24           So going back to your cycle, forest assessments  
25 lead to the NEPA phase of forest plan revisions. So a

1 little bit more about plan revisions. They're  
2 programmatic documents. They do not make site-specific  
3 decisions. Forest plans consist of one decision that  
4 includes five plan components. And those components  
5 are desired conditions, objectives, suitability of  
6 uses, standards and guidelines.

7 The first step in the actual NEPA phase is to  
8 identify the need to change existing forest plans. The  
9 Notice of Intent to Prepare an EIS and Revised Land  
10 Management Plan is the mechanism used by the  
11 responsible official, in this case the forest  
12 supervisor, to identify the scope of issues that need  
13 to change in an existing forest plan. We expect to  
14 publish these notices of intent for each early adopter  
15 National Forest early next calendar year.

16 Depending on the issues driving a need to change  
17 an existing forest plan, the responsible official's  
18 decision, meaning those five plan components, could  
19 influence future project-level decisions concerning  
20 motorized use. So to say that in another way, a forest  
21 plan revision will not make site-specific decisions on  
22 motorized use, but could influence future project-level  
23 decisions concerning motorized use based on the five  
24 plan components that include desired conditions,  
25 objectives, suitability of uses, standards and

1 guidelines.

2           So switching gears just a little bit, I want to  
3 talk about the relationship of the travel analysis  
4 process and forest planning. First, the Travel  
5 Management Rule and the planning rule are separate  
6 rules, and they're not interdependent. Completion of  
7 Travel Management Subpart A is not a requirement for a  
8 forest plan revision. The travel analysis process does  
9 provide us useful information to the plan revision  
10 process, including up-to-date road information and  
11 increased understanding of road-related issues.

12           Switching again, I want to talk a little bit  
13 more about best available scientific information and  
14 forest planning. The 2012 Planning Rule requires the  
15 use of best available scientific information in the  
16 development of forest planning documents. Scientific  
17 information used in the planning process comes from a  
18 variety of sources with differing degrees of scientific  
19 certainty and can include the following: Peer-reviewed  
20 scientific literature, government reports, professional  
21 associations and interest groups and the public. I  
22 want to make a note that this is different than the  
23 Science Synthesis.

24           To support the scientific basis of the  
25 assessment, the region sponsored the Science Synthesis,

1 which was researched and written by scientists at the  
2 Pacific Southwest Research Station, and at the time of  
3 the writing of the draft Bio-Regional Assessment, the  
4 Science Synthesis was still in draft form.

5 The Science Synthesis integrates scientific  
6 information across disciplines to inform managers and  
7 stakeholders. The research station provided additional  
8 research opportunities after the draft Science  
9 Synthesis was released and expects to publish a final  
10 version in late July or early August. This document  
11 will be used during the NEPA phase of forest plan  
12 revision.

13 So getting involved, Our Forest Place is a  
14 website designed to improve public participation in the  
15 planning process. It gives folks an opportunity to  
16 participate. Folks are able to interact with each  
17 other and members of our regional planning team. It  
18 also provides a venue for sharing ideas and opinions.

19 CHAIR SLAVIK: Can you go back one slide? I  
20 just saw your website there.

21 DEBRA WHITHALL: And that web address is  
22 <http://ourforestplace.dot.ning.com/>.

23 CHAIR SLAVIK: Why the .com?

24 DEBRA WHITHALL: Because it's not an official  
25 Forest Service website.

1 CHAIR SLAVIK: So it's a contractor?

2 DEBRA WHITHALL: No, it's a public space.

3 There's one other use of this platform that the Forest  
4 Service is currently using, it's called RecLink. Part  
5 of why we chose to use it is it allows members of the  
6 public to interact with one another and not through us.  
7 We wanted to find a platform that would allow folks to  
8 communicate directly with one another.

9 A little bit more about the Living Assessment,  
10 this is a separate website that can also be accessed  
11 from Our Forest Place. It's a Wiki-style website that  
12 contains the 15 topic papers that informed the draft  
13 Bio-Regional Assessment. These 15 topics are required  
14 by the 2012 Planning Rule directives. It consolidates  
15 relevant existing information across jurisdictional  
16 boundaries. Regardless of the edits that are made to  
17 this document, all information is captured and all  
18 versions are saved. It focuses on relevant  
19 information, scientific understanding and monitoring  
20 results and is a living expression of Forest Service  
21 and public input. We intend to keep it open throughout  
22 the planning process. And I've also listed this  
23 website at the bottom of the slide.

24 CHAIR SLAVIK: Debra, would you mind being  
25 interrupted a little bit? You're giving us an awful

1 lot of real good information, but I'm afraid we'll lose  
2 some of the topics as you move on.

3 This website, how is this different than the  
4 previous website that I asked you to go back to?

5 DEBRA WHITHALL: Right, that's a very good  
6 question.

7 So Our Forest Place is designed for folks to  
8 interact directly with one another through blogs,  
9 through groups, posting pictures, videos. It's a place  
10 for conversation. It's a place where people can  
11 express their opinions.

12 The Living Assessment, these are the actual  
13 documents. If you think about Wikipedia, these are  
14 actual documents that folks are able to get into,  
15 review, and edit along with Forest Service personnel.

16 So 15 topic papers is a lot of information, and  
17 what I'd like to do is direct your attention to where I  
18 think you might be most interested, and that's  
19 Chapter Six, Social, Cultural, and Economic Conditions;  
20 and Chapter Nine that contains information on  
21 recreation settings, opportunities and access, and  
22 scenic area.

23 In addition to these websites, each of the early  
24 adopter forests has a collaborative communication plan.  
25 These plans identify a range of activities that include

1 public meetings, webinars, podcasts, workshops, and  
2 forest-level websites. And, again, here is a whole  
3 long list of more websites. So each of these websites,  
4 these are the websites for each of the early adopter  
5 national forests, as well as our main regional office  
6 website that's focused on land management planning.

7 And with that, I would like to open it up to  
8 questions. I know that was a lot of information, so I  
9 appreciate your patience.

10 COMMISSIONER CABRAL: I have a number of  
11 questions. Actually thinking about this, I would  
12 probably like to talk with you outside of this public  
13 arena because the questions would lead to another and  
14 it could go on and on, and I don't want to waste the  
15 public's time. I do want to get educated on this  
16 subject. It's important to know this in a little more  
17 depth because the thing that strikes me is just, you  
18 know, first off, being a social scientist, I mean how  
19 do you judge the difference between -- someone's social  
20 experience between someone doing some type of  
21 recreation versus another or someone that sits at home  
22 and enjoys the idea of a national forest being left  
23 alone?

24 So I mean there's a number of questions, like I  
25 said, I'd like to have. I would like to see how that

1 fits into the planning process because this is a tool  
2 that you're going to be using to plan forest management  
3 basically down the road, is what this is. Is that  
4 correct?

5 DEBRA WHITHALL: You're talking about the Living  
6 Assessment, yes.

7 COMMISSIONER CABRAL: It's basically a tool  
8 that's going to be used for future planning. So,  
9 anyway, I guess instead of, like, going on and on with  
10 questions, would it be possible to meet in a private  
11 setting or something like that and go over a number of  
12 questions?

13 DEBRA WHITHALL: Absolutely.

14 COMMISSIONER CABRAL: Great, thank you.

15 CHAIR SLAVIK: I would like to thank you for --  
16 I'm not trying to limit the other discussion here to  
17 your point, but first of all, I'd like to thank you for  
18 bringing this information to us and tailoring it to the  
19 OHV recreation side of the things. I know you went to  
20 great effort to do that, and I appreciate that.

21 Any other comments about this planning rule, the  
22 input? I think the Living Assessment thing is  
23 something we all need to kind of figure out how to get  
24 involved in.

25 As far as the community, the OHV community out

1 there, you guys need to figure out how to get your  
2 constituents involved in this Living Assessment. We  
3 know some people have been involved in it. We need a  
4 lot more involved in it.

5 COMMISSIONER MURPHY: Just one point of  
6 clarification, and I could reiterate what Commissioner  
7 Cabral said, there's a conversation that needs to be  
8 had here.

9 But is it true that by people going on the  
10 website and submitting their opinions and views and  
11 needs that that will be taken in and be just as valid  
12 as any kind of vetted-out scientific information that's  
13 collected? Is that true that that information would be  
14 just as valid?

15 DEBRA WHITHALL: That's a really good question.  
16 So in the assessment phase of this planning process,  
17 there's no formal comment period. So what we've done  
18 instead is created this Living Assessment as a way to  
19 cocreate these documents that form the basis for  
20 drafting this snapshot in time, this draft Bio-Regional  
21 Assessment in the three separate forest-level  
22 assessments.

23 What we have the ability to do in the plan  
24 revision process is use a whole spectrum of  
25 information. So like I said before, we're looking at

1 peer-reviewed literature, like what's in the Science  
2 Synthesis. We're also able to look at other government  
3 reports, other interest group reports, and information  
4 from the public. So we are considering that full range  
5 of information.

6 CHAIR SLAVIK: So the question is, though, how  
7 is that -- when you go through your assessment and  
8 you're looking at all of these reams of information,  
9 how does that all come together as a -- I don't want to  
10 say peer-reviewed, but you guys are the experts at this  
11 point, right? You're going to have to judge,  
12 prioritize maybe, an activity, and we're obviously  
13 biased with OHV activity as opposed to some other  
14 activity, maybe a passive activity as opposed to an  
15 active activity. How are you going to make those  
16 recommendations as it moves forward?

17 DEBRA WHITHALL: That's a good question, as  
18 well. So the purpose of the assessment is simply to  
19 identify current conditions and trends, not to draw any  
20 conclusions. What addressing current conditions and  
21 trends allows us to do is to then compare that to the  
22 existing forest plan, and based on that, if we're able,  
23 to then determine whether there's a need to change  
24 these existing forest plans.

25 So that's really the purpose of the assessment.

1 It's not going to make judgments between any  
2 activities. It's simply helping us all understand what  
3 the existing condition and trends are right now, and  
4 how that then relates to what the existing forest plans  
5 are telling us to do or not do, and whether or not  
6 there's inconsistency between those two, which would  
7 cause a need to change the existing forest plan.

8 CHAIR SLAVIK: So I've kind of been involved  
9 with the Forest Service for 30 years or so in different  
10 things, San Bernardino Forest mostly down in Southern  
11 California, and we've kind of been through these things  
12 several times, planning processes, you know, route  
13 designation processes, et cetera, et cetera.

14 It seems to me that we're always operating -- or  
15 the Forest Service, I should say, as a bureaucracy  
16 seems to be operating from a deficit of information  
17 about the form of recreation that we're most interested  
18 in here, in other words, if you don't understand  
19 there's a thousand people out on the forest on a  
20 certain day, and someone sitting in an office thinks  
21 it's an insignificant number of people that are  
22 recreating, and we can push that aside because there  
23 are more people fishing, for instance, or something  
24 like that.

25 So you're operating, it seems to me, in a lot of

1 ways from not a complete set of information, and that's  
2 where this Living Assessment thing hopefully can get us  
3 back all on the same page with accurate information,  
4 and I'm hoping it's going to work, quite frankly.

5 DEBRA WHITHALL: I hope so, too.

6 COMMISSIONER CABRAL: So with that, I was  
7 wondering what are you guys doing for quality control  
8 of the information? Because it seems to me this could  
9 be an area where it could be that the information  
10 that's fed to it could be very critical. So if someone  
11 wanted to manipulate it or an organization or I think  
12 an interested group could change the feel of how  
13 everything would be just by organizing and/or even  
14 writing a simple program to be able to throw  
15 information out, something like that. So are there any  
16 safeguards against that?

17 DEBRA WHITHALL: Here are the safeguards that  
18 we've put in place, and one of these I mentioned  
19 before. One thing that's working well for us using  
20 this platform is that all versions are saved. So every  
21 time someone goes in to the document and something is  
22 changed, it's captured. So it's captured and then it's  
23 saved, and we can go back in time to any previous  
24 version.

25 In order to get into the Living Assessment, you

1 have to tell us who you are. So we're able to track  
2 where these comments are coming from over time, as  
3 well. So those are two things.

4 Another thing is we have a content manager.  
5 This a Forest Service -- this is our regional analyst.  
6 He is on the Living Assessment daily, and he's  
7 monitoring activity to ensure that people -- we have a  
8 code of conduct that you're agreeing to when you  
9 register to participate in the Living Assessment. And  
10 he's monitoring to ensure that that code of conduct is  
11 being adhered to.

12 On certain occasions what happened is folks have  
13 started to dialogue instead the Living Assessment, and  
14 what our content manager has done in that case he's  
15 moved the material to Our Forest Place so that folks  
16 can continue to have the conversation just on the blog  
17 side of the website.

18 COMMISSIONER CABRAL: And then the follow-up  
19 will be, how long has this been available to the  
20 public?

21 COMMISSIONER MURPHY: And how long will it be  
22 available?

23 DEBRA WHITHALL: We have no intention to close  
24 it. It's open for the duration, and it was opened, I  
25 want to say, months ago. I'll have to check on exactly

1 when. It's been a while.

2 USFS KATHLEEN MICK: January, February.

3 DEBRA WHITHALL: Kathy brought me another note.

4 There's another venue that we have available  
5 that I would really like for you all to know about. We  
6 call it the Sierra Cascades Dialogue. This is a public  
7 meeting. We've been holding a series of them. We're  
8 getting ready to hold our tenth, it's May 30th. It's  
9 here in Sacramento. It's actually out at McClellan.

10 These dialogues, like I said, they're open to  
11 the public. We generally have about 150 people show  
12 up. The dialogue is a conversation around a certain  
13 topic that's not associated with a specific decision or  
14 project. So these are open-ended conversations that  
15 are topically based. The topics are agreed upon by a  
16 20-person steering committee. Amy Granat is a member  
17 of the steering committee, and we've talked about a  
18 whole range of topics.

19 The topic on May 30th is the draft Bio-Regional  
20 Assessment. So if you don't have anything better to  
21 do, that would be great if you wanted to come join us.  
22 The meeting is from 1:00 to 4:00, and information for  
23 the dialogue is on the website. If you didn't capture  
24 it, I can make sure -- you've got the PowerPoint,  
25 right? So the PowerPoint has all of those websites on

1 it, and you can get much more detailed information  
2 about the dialogue and all of the other public  
3 involvement that we're doing.

4 COMMISSIONER PEREZ: Thank you. It is a lot of  
5 information, and I almost feel like I need to go on the  
6 website to take a look at it first to kind of  
7 understand.

8 But I think what's making it difficult for me to  
9 kind of figure out how this all is going to work is  
10 when you said that it was not site specific, aren't  
11 most comments that are coming in site specific?  
12 Because you did mention that sometimes you did need to  
13 move them over, but aren't they primarily site  
14 specific?

15 DEBRA WHITHALL: This is a challenge, frankly,  
16 in forest planning. When we're talking about  
17 Bio-Regional Assessment and forest-level assessments,  
18 and forest plan revisions, they're very strategic in  
19 nature, and they're not site specific. And that's very  
20 hard. It's hard internally because for us most of our  
21 work is project based, and the first thing we want to  
22 do is talk about a place. That's what we all can  
23 relate to. It's hard for all of our stakeholders, as  
24 well.

25 So these are high-level documents, and that

1 tends to be very frustrating for some of us, myself  
2 included. That's the strategic nature of them. They  
3 set the framework then for how projects will come from  
4 that. So it's a step in our process that's a little  
5 different.

6 CHAIR SLAVIK: Does Judy Tapia work for you?

7 DEBRA WHITHALL: Judy Tapia does work for me.

8 CHAIR SLAVIK: We've been talking. For some  
9 reason she couldn't come to this meeting.

10 DEBRA WHITHALL: That's because she's our team  
11 leader, and she's getting ready to publish the draft  
12 Bio-Regional Assessment today.

13 CHAIR SLAVIK: We really appreciate you coming  
14 here and laying this out for us. It's a hugely complex  
15 issue to get involved in, and I'm sure you're aware  
16 that mostly we've got people that ride motorcycles,  
17 would rather be riding somewhere, not spend hours and  
18 hours trying to digest these materials. Please be  
19 patient with us. There's a lot of very dedicated  
20 people out there recreating in the national forests and  
21 would like to keep them open and doing it in an  
22 environmentally sustainable manner.

23 USFS KATHY MICK: Just a couple of things before  
24 we move on to the Eldorado. In your packet I believe  
25 you received a three page -- I don't know what tab it

1 is in your binder, so I apologize for that. You  
2 received sort of a Forest Service outline, and in that  
3 outline was a map. So what I did want to share with  
4 you is if you take a look at that map, but it doesn't  
5 have to be now, the forests -- and I forgot to remind  
6 Deb to mention the Modoc is in the Bio-Regional.

7 So if you look at your map and you carve your  
8 map starting up here at the Modoc and you just come  
9 down around the middle of the state and go all the way  
10 from the Modoc down to the Sequoia and around in this  
11 big old circle right, these are the forests that are in  
12 the Bio-Regional Assessment. We forgot to mention  
13 that, and I apologize for that.

14 COMMISSIONER MURPHY: Could you go over those  
15 boundaries again?

16 USFS KATHLEEN MICK: Up here on the Modoc, so if  
17 you go right down the middle of the state along that  
18 edge there from the Modoc all the way down around the  
19 "E" on the Eldorado, down to the Sequoia and back  
20 around cutting through the middle of Lake Tahoe and  
21 Nevada and make a big circle, those are the forests.  
22 And I can send them to the Division in terms of names  
23 so that you know which forests are included in the  
24 Bio-Regional Assessment.

25 CHAIR SLAVIK: Kathy, is that because they're on

1 the eastern side of the Sierras and they're in this  
2 bio-region that's a specific ecosystem?

3 USFS KATHLEEN MICK: I believe so, and Deb can  
4 give you more the specifics on what the decision was in  
5 regard to that.

6 DEBRA WHITHALL: So the boundary is the same as  
7 the '06 map boundaries. We're using the same boundary.  
8 So I believe it's all eleven national forests that are  
9 within the Sierra Cascades bio-region.

10 KATHLEEN MICK: So hopefully that will help you.

11 Two other things is at the last meeting, the one  
12 in Redding, there was a lot of material in your binder  
13 in regard to the synthesis and the planning. So if you  
14 take what you learned today and what you got last time  
15 and you sort of start to meld those together, it might  
16 help you to have a little more clarity and also  
17 formulate some questions for the future that might be  
18 more specific to help you with your understanding.

19 And then Commissioner Cabral, in terms of your  
20 question, Deb gave you a very good answer, but I just  
21 wanted to follow up that in the Living Assessment, each  
22 of us as staff in the regional office, we've worked on  
23 these white papers. So I was part of the Chapter Nine  
24 piece that would help inform the Bio-Regional  
25 Assessment. So those white papers were posted in the

1 Living Assessment. It's in Binder Tab 6 in case you  
2 need to find your map.

3 And so one of the things that -- although the  
4 assessment is open and people can put information in  
5 there, one of the things that we tried to ask folks  
6 when we had our public meetings and had these breakout  
7 sessions at one of the Sierra Cascade dialogue sessions  
8 is that to give us information that's cited in some  
9 source, which is different than what's in the Science  
10 Synthesis, which is peer-reviewed literature, but in  
11 the Living Assessment it's okay to have that sort of  
12 gray literature. It can't just be, you know, Ted's  
13 opinion. It's got to come from somewhere, some cited  
14 source so that we can then use it. Because if it's  
15 just someone's opinion, that's really more for the blog  
16 and the conversational piece. So I just wanted to  
17 clear that up.

18 So with that, I'd like to introduce  
19 Diana Erickson, who is going to talk about the Eldorado  
20 National Forest, their travel management, and kind of  
21 where they are on this, what I think you all have  
22 become familiar with as the 42 Routes Project.

23 DINAH ERICKSON: Hello, my name is Diana  
24 Erickson. I'm on the Eldorado National Forest, and I'm  
25 a landscape architect, also involved in a wide variety

1 of recreational planning projects for the forest over  
2 the last couple of years. And this is Lester Lubetkin.  
3 He just recently retired as our forest recreation  
4 officer and has extensive background in our off-highway  
5 vehicle program for the Forest Service, so he  
6 volunteered to come and help field questions on this  
7 project.

8 So I'm here to talk about our travel management  
9 SEIS, which is currently underway and have just a few  
10 slides about that. So if you are not familiar with the  
11 Eldorado National Forest, it lies primarily between  
12 Placerville, Pollock Pines up to the crest of the  
13 Sierra here at Highway 50, an urban forest between  
14 Sacramento and the Bay Area, 2.2 million people within  
15 an hour's drive, so very popular destination for  
16 recreation.

17 A little bit of background about this. The  
18 Eldorado National Forest completed a travel management  
19 EIS in 2008 in which extensive public involvement  
20 occurred. We had over 4,000 comments on that project.  
21 That plan essentially created a designated route  
22 system, roads and trails on the forest for off-highway  
23 vehicle travel, and it did result in some litigation.

24 In 2011, the Eastern District Court ruled that  
25 the Forest Service had failed to evaluate 42 of the

1 many, many routes that we considered, just 42 that  
2 crossed meadows in light of the Forest Plan Standard  
3 and Guideline 100 that addressed hydrologic  
4 connectivity and directed the Forest Service to prepare  
5 an SEIS, Supplemental Environmental Impact Statement,  
6 to address the 42 routes that crossed or bordered  
7 meadows to determine whether they were affecting the  
8 hydrologic connectivity of those meadows. And in  
9 addition, a court order was issued that resulted in the  
10 forest needing to close those portions of those 42  
11 routes pending the outcome and the decision to be made  
12 in the Supplemental Environmental Impact Statement. So  
13 last summer most of those routes were closed and are  
14 continuing to be closed until we've completed this  
15 supplemental planning process.

16 In 2011/2012, we began to go back and take  
17 another look, as directed by the court, at those  
18 routes, and field inventory field surveys were  
19 conducted by our hydrologists at each the routes. And  
20 we found -- actually, the original plan had been done  
21 based on GIS layer of where the meadows were located.  
22 We actually found that 14 of the routes didn't coincide  
23 with a meadow, and so then another 10 of the routes did  
24 cross a meadow but weren't impacting the hydrologic  
25 connectivity of the meadows, and then the remaining

1 routes, 18 of them, were found to have some impact on  
2 hydrologic connectivity.

3 So in 2011, we came out -- our Forest  
4 Supervisor, Kathy Hardy, issued a proposed action for  
5 public comment, and we conducted some scoping. The  
6 proposed action was essentially to designate the 42  
7 routes for public motor vehicle use with the land  
8 management plan amendment to be included for the 18  
9 routes, which did not meet that standard and guideline.  
10 These were routes that we recognize are very valuable  
11 to the recreating public. Most of them are at high  
12 elevations. It's kind of a rare commodity to have  
13 off-highway vehicle opportunities at that high  
14 elevation. Unfortunately, that's where the meadows  
15 are, so they affected most of the high-elevation  
16 recreation opportunities on the forest.

17 And our Forest Supervisor did recognize that  
18 they were originally proposed for off-highway vehicle  
19 use, and that was our intent, and that's how we came to  
20 that proposed action to designate them with the land  
21 management plan amendment.

22 We did have a series of public scoping  
23 opportunities. We had open houses held in Placerville,  
24 Markleeville, and Jackson. And we received  
25 approximately 247 letters, e-mails, and comment forms

1 from groups and individuals.

2 In February, the forest released a Draft  
3 Supplemental Environmental Impact Statement addressing  
4 the meadows and the 42 routes in February of this year.  
5 And the Draft Supplemental Environmental Impact  
6 Statement covered four potential alternatives. The  
7 first was the proposed action, which I've already  
8 described. The second was a no action alternative,  
9 which we're always required to address. The third was  
10 our preferred alternative which I'll go into more  
11 detail in a moment, and the fourth one was an  
12 alternative that was developed from public scoping  
13 letters, as well.

14 The NEPA process is designed to get input on  
15 proposed actions so the decisionmaker can make informed  
16 decisions. Alternative 3 was developed based on public  
17 comment from the proposed action, as well as further  
18 review of all of the field data that we collected  
19 during the meadows surveys. And the effects of the  
20 four alternatives were analyzed in the draft document,  
21 and our Forest Supervisor did select Alternative 3 as  
22 the preferred alternative.

23 This alternative will repair the impacts that  
24 were found at the meadows, and it also addresses  
25 minimalization criteria set forth which required the

1 Forest Service to consider effects to forest resources  
2 with the objective of minimizing those effects. So we  
3 did make a change from the public scoping to the Draft  
4 SEIS with Alternative 3 coming out as our preferred  
5 alternative.

6 And what Alternative 3 consists of, the 14  
7 routes that did not cross the border meadows would be  
8 designated for public motor vehicle use and be opened  
9 as soon as the decision and field process is completed.  
10 The ten routes that cross or border meadows that meet  
11 the standard or guideline would be designated for motor  
12 vehicle use and reopened. And then for the 18 that  
13 didn't meet the standard and guidelines and are  
14 currently closed, they would remain a part of the  
15 transportation system but not be designated for public  
16 motor vehicle use until corrective actions are analyzed  
17 and implemented.

18 Corrective actions could include such things as  
19 repairs to the routes themselves, drainage  
20 improvements, dips, turnpikes, drain rocks such that  
21 the hydrologic connectivity of the meadow can be  
22 restored. Some situations, segments of routes that are  
23 impacting meadows may be relocated or rerouted around  
24 the meadow with the restoration work done on the part  
25 that's no longer being used in the meadow itself.

1           And in Alternative 3, on-the-ground activity  
2 actions would be analyzed and implemented on a  
3 route-by-route basis in a separate planning process.  
4 The corrective actions could take a number of years to  
5 plan and implement to the point that the routes could  
6 be reopened.

7           And so then we looked at, you know, how would we  
8 prioritize for those 18 routes? Some of them noted in  
9 Tier One that they're relatively easy corrective  
10 actions and high demand for public use, so we would  
11 kind of focus there first. Tier Two were relatively  
12 difficult corrective actions with high demand for  
13 public use, and Tier Three were difficult with a little  
14 bit lesser recreation demand.

15           And a number of the routes -- you know,  
16 recognizing that people want to get these open right  
17 away, a number of the routes we've already been looking  
18 at funding sources to do the planning and design for  
19 the corrective actions, and those are the ones in red  
20 there. We have three separate grant proposals in right  
21 now for the Off-Highway Vehicle grant funds to address  
22 a number of these routes. We also have some other  
23 outside grant funding for, I think, two of the routes.  
24 So the objective being over the next few years to  
25 address all 18 of them, figure out exactly what the

1 corrective actions that are needed on those routes and  
2 then move into implementing them and reopening those  
3 routes.

4           So this is our proposal. And the draft EIS, we  
5 did have public open houses again in Placerville,  
6 Markleeville, and Jackson to explain this to folks. We  
7 received 232 forms and letters with comments on the  
8 draft. The draft comment period closed April 8th. We  
9 also did receive some other possible alternatives,  
10 suggestions or changes to alternatives from the public,  
11 and we're in the process of reviewing those right now.  
12 And it's anticipated that our Final Supplemental  
13 Environmental Impact Statement will be completed and  
14 released next month in June.

15           CHAIR SLAVIK: Another one of these big things  
16 to deal with.

17           It seems to me, not knowing what the  
18 on-the-ground situation is there, this is a fair shake  
19 from the off-highway vehicle community, what you folks  
20 are dealing with. And I might hear differently from  
21 the community, but you realize that you've got -- you  
22 have your planning rule that has to be adhered to and  
23 you have regulations that have to be adhered to,  
24 et cetera.

25           And, Lester, you have a long history in this

1 thing. Does this all seem practical and doable? Are  
2 you involving volunteers in some of these projects and  
3 all those kind of things?

4 LESTER LUBETKIN: Lester Lubetkin, formerly with  
5 the Forest Service. Yes, I feel it's the most  
6 appropriate. One of the real advantages, there were  
7 24 routes that either don't go through a meadow or  
8 aren't impacting the hydrologic connectivity, and by  
9 not doing all of the analysis on those additional 18,  
10 we're able to move forward at least of getting those  
11 other routes open, that they would have been held up  
12 until all of the planning was done. So that was one of  
13 the reasons for separating, kind of postponing the  
14 detail site specific analysis on the 18 individual  
15 routes.

16 It does allow us to move forward. Some of the  
17 planning, we can utilize volunteers to an extent with  
18 information of helping us with some of the even  
19 site-specific suggestions. We've been trying to, as we  
20 met with some of the clubs, for instance, encouraging  
21 them to go out and collect some of the information on  
22 where are the specific problems, where are the fixes.  
23 We're collecting that information, as well, but trying  
24 to find ways to work with clubs. But really a lot of  
25 that analysis really has to be done by the agency, and

1 so there's a limit of how involved the public can be in  
2 some of that aspect.

3 CHAIR SLAVIK: But the implementation side?

4 LESTER LUBETKIN: The implementation would be  
5 strongly dependent on volunteers and working with  
6 groups. The majority of these are four-wheel drive  
7 routes. There's just a few motorcycle routes. So the  
8 capacity to bring in some of the materials and whatnot  
9 via four-wheel drive -- although they're rough routes  
10 and so the kind of equipment that can get in is  
11 limited, but still the ability to bring in a bit more  
12 material and whatnot, rock, things like that.

13 CHAIR SLAVIK: Are these user-created routes for  
14 the most part?

15 LESTER LUBETKIN: No, actually most -- well,  
16 let's see, when we did -- in 2008, our travel  
17 management plan, we did not designate any user-created  
18 or unauthorized routes through meadows so -- because of  
19 our forest standard and guidelines, but we had at the  
20 time felt that we could designate system routes through  
21 meadows and with forest -- there was a forest plan  
22 amendment that was done, but it wasn't completed.

23 Anyways, no, these are all older system routes.  
24 Some were -- some date back to the mid-1800s, and some  
25 of them are roads that the Forest Service constructed.

1 CHAIR SLAVIK: Thank you.

2 COMMISSIONER MURPHY: I have a question. Can  
3 you define for me what the problem is exactly? What is  
4 hydrologic connectivity, if that's what the term is,  
5 and just explain to me what's happening out there, and  
6 what the problem is, and what's being mitigated by  
7 rerouting or closing these areas.

8 LESTER LUBETKIN: Let's see, when they mentioned  
9 before about the Bio-Regional Assessment that  
10 referenced to the Sierra Cascades area, there was an  
11 amendment made to all of the national forests land and  
12 resource management plans within the Sierra Nevada, the  
13 eleven forests, and one of the standards and guidelines  
14 in there refers to identifying where roads and trails  
15 are affecting hydrologic connectivity, which is  
16 intercepting surface or subsurface flow within meadows.  
17 The standard and guidelines goes beyond just meadows as  
18 aquatic or riparian areas. But in our case because of  
19 the judge's ruling it was specific to meadows.

20 And the hydrologist when he was out there what  
21 he was seeing was you have some places where the road  
22 or trail is coming down into a meadow carrying  
23 additional water that otherwise wouldn't be in the  
24 meadow, bringing it into the meadow, and then  
25 concentrating that water causing scouring and

1 downcutting within the meadow below the road or trail.  
2 When that stream cuts into the meadow, it starts to  
3 bring out -- creates an incision, groundwater then is  
4 able to move into there, and that actually starts to  
5 dry out the meadow below the road. In some cases it's  
6 not real -- that apparent, although when you start to  
7 actually look at the vegetation, some of the plant  
8 changes and whatnot that occur below it.

9           The second character would be where the road or  
10 trail is instead of diverting water into the meadow,  
11 it's actually carrying surface water away from the  
12 meadow, therefore, again drawing the meadow down below  
13 where the road or trail is.

14           And then the third problem that was used as  
15 characteristic of where the hydrologic connectivity is  
16 being affected is, where you have a road or trail  
17 coming into a meadow area, sediment actually being  
18 eroded either off of -- from the road or sediment that  
19 was moving might have otherwise been moving as sheet  
20 flow over the land but gets moved, brought in via the  
21 roadway or trail, and then deposits in the meadow. So  
22 you start burying the meadow and again, through that,  
23 affecting the vegetation and the hydrologic  
24 connectivity within that meadow.

25           So it's a look at the surface and subsurface

1 water movement within the road and trail. Again, some  
2 of them are -- there's characteristics, features that  
3 are observed looking at the vegetation, the depth of  
4 incision of streams, sediment deposits within the  
5 meadows. So using those types of characteristics, not  
6 necessarily having to be there watching the individual  
7 water droplets moving through the meadow.

8 COMMISSIONER MURPHY: So it sounds like --

9 CHAIR SLAVIK: I'm going to have to stop the  
10 questioning for a minute. Cheryl's fingers are about  
11 ready to fall off, so if we can take a 10-minute break,  
12 quarter after, and we will come back and continue this.  
13 (Returned at 3:20 from a break beginning at 3:05.)

14 CHAIR SLAVIK: U.S. Forest Service report.

15 LESTER LUBETKIN: I'm not sure if there were any  
16 other questions or if that answered your questions  
17 about hydrologic connectivity.

18 COMMISSIONER MURPHY: Yes, I had more, if  
19 anybody else needs anything.

20 If a portion of the route is closed, how much of  
21 those routes behind that closure is closed as well?

22 LESTER LUBETKIN: It depends on whether it's a  
23 one-way route or continuous and where the location of  
24 the meadow is, and also to some extent if there was  
25 some other logical reason for either terminating the

1 route before -- an example -- well, the closures go  
2 back to the commitment we had made with the judge in  
3 2012.

4 One route, for instance, went up -- came up to a  
5 ridge top where there was a pretty good turnaround.  
6 The meadow was down a steep hill, and at the point  
7 where it intercepted the meadow, it was still again a  
8 very steep hillside. There was no turnaround there.  
9 So if people were going down, if you had designated it  
10 or kept it open all the way to the meadow, you would be  
11 creating a -- get people stuck in a spot where they  
12 couldn't get turned around. So we ended up stopping  
13 the route, which we told the judge we would stop it at  
14 the logical place where people could turn around.

15 Other routes that had access from both  
16 directions, in some case it was just that area where  
17 the meadow was the only portion closed, so it might be  
18 a two-, three-mile route with only a 300-foot closure.

19 COMMISSIONER MURPHY: And then how much priority  
20 is being placed on the corrective measures, and is that  
21 something that can be done very quickly? I would hate  
22 to see an area closed and just have no access to it,  
23 waiting. What's being done to reroute?

24 LESTER LUBETKIN: As Diana had mentioned, we  
25 actually had just submitted three grant applications

1 through the OHV funds for some of the planning -- well,  
2 two of them are for planning, and one of them would be  
3 actually some corrective measures on Barrett Trail  
4 where at this point, from the fieldwork that we've  
5 done, fairly simple, some drainage improvements and one  
6 that we think is a pretty simple reroute. So those we  
7 think we should be able to turn around fairly quickly.

8 I need to preface all of that with a final  
9 decision has not been made, and so in the event that  
10 the decision was not to designate that route, obviously  
11 we would be looking at something different. But at  
12 this point, the grant application that we had  
13 submitted, based on the preferred that was showing up  
14 in the draft SEIS, would be that that route would be  
15 designated once the corrective actions are taken.

16 So some of them are fairly quick turnaround, and  
17 some of them are going to be much more complicated  
18 either because of the need to reroute through some  
19 rough terrain or just limits in the type of equipment  
20 and whatnot you can get in there for what are the  
21 corrective actions that are reasonable and appropriate.

22 DINAH ERICKSON: Several members of our  
23 leadership team met last weekend, and the corrective  
24 actions are pretty high on the priority list of the  
25 forests among the various projects that we have. But

1 to do all 18 in the first year, probably isn't going to  
2 happen just because of limited resources in terms of  
3 specialists to do reviews and that kind of thing. But  
4 we did develop a plan for the next several seasons of  
5 how we could tackle them.

6 Most of the routes, like I say, either --  
7 already have a grant application in to get the planning  
8 for us to do that. Some of them we would be doing in  
9 conjunction with other projects, restoration projects  
10 on the forests. If they're in the same geographic  
11 area, we would tag it on to that.

12 COMMISSIONER MURPHY: That's good.

13 DINAH ERICKSON: Some of them may move around in  
14 terms of which year we do them based on what other  
15 projects we can attach them to or whether we can do a  
16 group of trails in a particular geographic area  
17 together makes it more efficient. But definitely we're  
18 already looking at how we can get them done in the most  
19 expedient manner.

20 COMMISSIONER MURPHY: That's good. Thank you.

21 COMMISSIONER CABRAL: I just wanted to say -- we  
22 had this as a side conversation, but I'd just like to  
23 have this on the record, that I think you guys  
24 addressed the main criticism, at least the Forest  
25 Service with the Eldorado specifically to address the

1 main criticism, that I've read and heard from people,  
2 that all of the routes weren't -- didn't have meadows  
3 in them and shouldn't have been affected.

4 So by taking and pulling them off to the side,  
5 doing your due diligence and pulling them off,  
6 reopening those, I think you've definitely addressed  
7 that issue that's been coming up through the OHV  
8 community. And to fix these in the fastest manner as  
9 possible, it looks like that's what you trying to do,  
10 you've graded them out on that slide that was up there  
11 and everything. You guys are doing a good job on it,  
12 so I appreciate that.

13 And I think I want to make a motion, Lester, you  
14 can't retire.

15 LESTER LUBETKIN: Too late.

16 COMMISSIONER CABRAL: Thank you.

17 CHAIR SLAVIK: Thank you, Diana and Lester.  
18 Thank you for spending your time out here.

19 USFS KATHY MICK: Okay. I know you're all  
20 tired. It's been a long time, but we are going to  
21 actually get to the fun part of the day.

22 So I'm going to run through this really quickly  
23 for a couple of reasons, one, because it's been a long  
24 day and, two, my coffee from of afternoon seems to be  
25 working apparently much better than you all. From

1 where I stand, you all look really tired right now,  
2 just saying.

3 So there's just a couple of things I want to  
4 hit, and I'm going to -- so just really quickly, Paul,  
5 I know you've got questions about OHV visitation and  
6 the MVUM and all of that, so we will get to that.

7 Let me skip down, so OSV litigation -- OSV  
8 stands for over-snow-vehicles, for those of you who are  
9 not familiar with the term. You don't have to look at  
10 the slides because I'm not there yet, so sorry for  
11 that.

12 So we had two sets of litigation. One, we had a  
13 national lawsuit, which was a facial challenge to our  
14 Travel Management Rule. That's a lot right there, just  
15 in that statement. So what did that mean? It meant  
16 that there were some folks out there that disagreed  
17 with how we put our Travel Management Rule together.  
18 And in just really plain English, we had some executive  
19 orders. They felt we didn't follow them to the letter  
20 of the law, so they brought a facial challenge. They  
21 said you exempted this thing over here, and we think  
22 you should have made it mandatory, so that was this  
23 argument.

24 What complicated that argument is that although  
25 the suit was heard in Idaho, it had implications

1 nationally for all of the regions within the Forest  
2 Service, and there are nine. We are Region Five in  
3 California, 18 national forests.

4 Secondly, the OHV Division had their own chapter  
5 to this, some litigation in regard to the over-snow  
6 program here in California. The original challenge  
7 came to the document that the OHV Division did to allow  
8 them to help provide over-snow-vehicle recreation by  
9 giving the Forest Service money to then provide the  
10 program. You all have the money. We have the land.  
11 We have a partnership. We allow the public to  
12 recreate.

13 So the regional litigation has still never gone  
14 to court for the Forest Service side. We're still  
15 talking with the plaintiffs, and those discussions  
16 continue. That unfortunately is all I can say about  
17 that because it is a matter that's still in litigation.

18 In regard to the national lawsuit, not so good.  
19 We kind of failed in one aspect, which was a major  
20 aspect, in our rule promulgation according to the judge  
21 in Idaho, and he ruled against us. And so what does  
22 that mean?

23 Ultimately, what it will mean is that in some  
24 form or fashion the U.S. Forest Service will have to do  
25 over-snow planning. Beyond that, what it means

1 specifically for the national forests in California  
2 that have over-snow-vehicle programs, we're not sure.  
3 We're still trying to figure that out. What we do know  
4 is that the judge ordered us to go back in 180 days and  
5 change our Travel Management Rule in regard to what we  
6 said about over-snow-vehicle planning.

7           So we're in the process of figuring out how to  
8 do that. It's going to be a little difficult because  
9 within our own rules and regulations, I'm sure the OHV  
10 Division is more aware of this than probably the  
11 Commissioners, they have their own regulatory process.  
12 It's part of the Administrative Procedures Act for the  
13 Forest Service. It's a little difficult to do anything  
14 in 180 days, as you can well imagine. Look at the  
15 Federal Government, get somewhere in 180 days, it's a  
16 little difficult. So we're going to try.

17           So beyond that, that's all I'll really share, is  
18 that there are some implications for future  
19 over-snow-vehicle management and planning. And as we  
20 have more details, I'll be sharing them with the OHV  
21 Division and with all of you on the Commission because  
22 it ultimately will have implications to the national  
23 forests, and there are eleven or twelve national  
24 forests that have snow programs within the state. So  
25 any questions on that?

1           And then at the request of Chair Slavik, we are  
2 trying to put a meeting together between our Regional  
3 Forester, Randy Moore, some of our executive  
4 leadership, and the executive leadership from State  
5 Parks, which would include General Jackson and Deputy  
6 Director Conlin. That's being worked on. I've been  
7 talking to Vicki a little bit. We have to get -- sort  
8 of in the business world -- their people and our people  
9 together to make a schedule because I'm sure as you  
10 probably are well aware the General is very, very busy,  
11 as is our Regional Forester. So it's just one of those  
12 things that you just can't make a meeting next week.  
13 It doesn't happen that easily at times. And so we're  
14 working on that. I spoke to the Deputy Director about  
15 that, something that State Parks is very interested in,  
16 as are we, and we'll let you know as more details come,  
17 Paul, how that goes. And I still have hopes to get our  
18 Regional Forester here to one of the meetings and  
19 working on that, as well.

20           So with that, it brings me to -- before I get to  
21 the accomplishments piece, which is the fun, I'm  
22 promising you fun today -- the OHV visitation. And so  
23 there was a question to the Commission about how the  
24 Forest Service uses our NVUM numbers not to be confused  
25 with MVUM. NVUM, with an N-V-U-M, is National Visitor

1 Use Monitoring, not to be confused with Motor Vehicle  
2 Use Map.

3 At any rate, we have a national protocol that  
4 all national forests in the United States use to  
5 determine what people are doing when they come to the  
6 national forests. It's on a rotational basis, so each  
7 forest does it once every four years. In addition to  
8 that, we provide the OHV Division some information each  
9 year to apply for OHV grants.

10 The questions that the OHV Division asks in  
11 terms of information to go into the grant are different  
12 questions than what we ask the public when they come to  
13 recreate on the national forests, so now we have  
14 oranges and we have apples. So that's just one thing.

15 Now, in terms of National Visitor Use  
16 Monitoring, what we typically do with those numbers is  
17 because they're -- think of it as gross, high-scale  
18 numbers. It's like when somebody asks you, well,  
19 what's your gross pay, and then you know what your net  
20 pay is, and there's a lot of room in the middle where  
21 the government takes a whole big chunk of that.

22 So the National Visitor Use Monitoring is just  
23 gross numbers that helps us match up and monitor trend  
24 information, nationally, regionally, and by forest. It  
25 does things like if Paul comes to the national forest

1 and I'm out there doing the survey, I say, sir, why are  
2 you coming to the national forest today? I'm coming to  
3 ride my dirt bike. He just self-assessed as an OHVer  
4 coming to ride his dirt bike. So he would be counted  
5 as OHV main activity. He's coming to the national  
6 forest because his main activity is to go ride his dirt  
7 bike.

8 Vastly different than what the Division asks us  
9 in terms of, well, what are your visitor days? We're  
10 looking at percentage of activity. They're asking for  
11 visitor days. Again, oranges/apples.

12 Then we have another thing. Paul comes to the  
13 national forest, I say, sir, why are you here? He  
14 says, I'm coming to fish. Great, he's just  
15 self-assessed that his main activity for that  
16 particular visit is fishing. Well, why else are you  
17 here? Oh, I brought my dirt bike, and I might go for a  
18 ride. Ah, okay, so he is coming to OHV, but not as his  
19 main activity. His main reason for visiting is he  
20 wants to catch some fish, but while he's there he might  
21 also enjoy a dirt bike ride.

22 So as we go through the questions, and I can do  
23 a whole thing on this for you at a much different day,  
24 you're going to get answers to the questions that are  
25 asked. And you can make all of the assumptions that

1 you want in terms of the numbers, but we're only going  
2 to be able to give you the number to the questions that  
3 were asked, not the questions that were not asked.

4 So there's been a lot of talk about, well, what  
5 about access and why aren't you measuring access, and  
6 why are the numbers in the NVUM different than what you  
7 give on the grants? Well, I sent all of the forests,  
8 about ten of them replied back, and I can tell you that  
9 for the numbers that they give the OHV Division, and  
10 trust me we have nothing to hide, about every one of  
11 those ten forests give the OHV Division a number that  
12 they believe is their true number to address the  
13 question asked in the grant.

14 But all ten of them do it just a little bit  
15 different, so there's no standardization, imagine that.  
16 So they go from the NVUM number, and then they  
17 extrapolate based on what they think what else is  
18 happening on their national forest, and they give the  
19 OHV Division the best number that they can knowing that  
20 we don't have entrance gates, we don't have counters,  
21 none of that stuff. So they look at it and they say,  
22 okay, we get X percentage of visitors each year, the  
23 main activity for OHV is X percent, and then we know  
24 that people that are hunting, fishing, dispersed  
25 camping, bird watching, all of those things in

1 California, the minute they leave a paved road, by the  
2 State they're considered an OHVer. I could be just  
3 bird watching all day long, but because I'm on dirt  
4 roads, the State tells me that I'm an OHVer. We're  
5 okay with that; that's their definition, but it's not  
6 ours.

7 So what the forests do, they try and take a  
8 percentage of all of those other activities that people  
9 are doing on dirt roads and put them in and include  
10 them as the OHV visitation annually that they give the  
11 OHV Division as their number in the grant.

12 So hopefully that clears up a little bit of the  
13 discussion about the numbers. We're not sitting at the  
14 Forest Service trying to gin things up and make things  
15 look better than they are or make visitation seem  
16 higher than it is. And we're also not trying to  
17 squelch visitation and keep OHV down, and there's no  
18 black helicopter CIA theory to oppose OHV and make it  
19 so that it's not popular.

20 We're just trying to do the best we can. Our  
21 system is what it is. We work with the statisticians  
22 and the researchers that develop the questions. It all  
23 has to go through OMV, by the way, because we have to  
24 have all of our surveys approved. So each year we try  
25 to modify the questions, ask better questions, get to

1 some better numbers, but it's a work -- it's a  
2 continual work in progress, and so we've done that this  
3 year.

4 Earlier in the year, I think it was about  
5 January, they asked us, well, what are some of the  
6 questions we can modify, how can we ask the questions  
7 better, how can we get better numbers? So each  
8 regional office provides that to the national office,  
9 then they tweak the survey knowing that there're all  
10 these different regions and they can't make everybody  
11 happy. So they try to make some changes. So think  
12 about that as work in progress. Rome wasn't built in a  
13 day, and we're trying to get there.

14 So with that, are there any questions? And I  
15 would be happy to give you more information. I would  
16 be happy to give you specifically what every national  
17 forest does. I just don't have that today, and I don't  
18 know that you want it today.

19 CHAIR SLAVIK: Any questions?

20 COMMISSIONER MURPHY: That was very well done.  
21 I was just curious, what is your background?

22 USFS KATHY MICK: My background, professionally?  
23 I have a bachelor of science in natural resource  
24 management from the University of Nevada, Reno. I have  
25 two associate certificates, and an associate degree

1 from Santa Rosa Junior College, and I've worked for the  
2 Forest Service for 26 years. And OHV has been, I don't  
3 know, I think about 18 years. I've been doing this job  
4 for 11.

5 COMMISSIONER MURPHY: And that's your primary --  
6 do you recreate in the forest?

7 USFS KATHLEEN MICK: Absolutely. I own a Nissan  
8 Xterra off-road package 2005 edition, and I take my  
9 daughter out four-wheeling and camping and fishing as  
10 much as we can.

11 CHIEF JENKINS: It's worth noting that you also  
12 served a stint working in the OHV Division, was very  
13 helpful in making some really significant changes early  
14 on in the program. She has very deep experience in the  
15 OHV program.

16 USFS KATHLEEN MICK: That's right; I worked for  
17 OHV Division for about a year under Deputy Director  
18 Greene and worked with Phil for about six months.

19 CHIEF JENKINS: She taught me how to do it when  
20 I first got there.

21 USFS KATHLEEN MICK: So I've been doing this a  
22 long time, and my background from national forest is I  
23 worked on the Mendocino National Forest and managed  
24 their OHV program on the Upper Lake Ranger District.  
25 And if you've not been there, you should go because

1 it's a world-class opportunity. And you'll see some of  
2 that, as I promised you some fun, which I will give you  
3 now.

4 So with that, I know that some of the  
5 Commissioners are new, you haven't had an opportunity  
6 to see all of the national forests. We definitely have  
7 a Deputy Director who is new. You got to go up to the  
8 Shasta Trinity, but that was really all about BLM.  
9 There are a lot of slides. Don't focus on the words,  
10 focus on the pictures because they're worth a lot of  
11 words.

12 So this is just a tour of the national forest.  
13 This is via Ted's recommendation. Excuse me,  
14 Commissioner Cabral, I think I can call you Ted. And  
15 it's really just showing some of the accomplishments  
16 that we've had I think in about the last year. This is  
17 only a couple of the national forests. They were very  
18 enthusiastic to show off, and so this is what we have  
19 for you, if I can work this stuff.

20 So the Stoney Ford OHV area, they had a fire.  
21 It's called the Mill Fire. It started in July. It  
22 started to head toward the town, and it burned 30,000  
23 acres. You may have heard Don Amador talk about it.  
24 This is one of his areas of passion, and he's been  
25 instrumental in helping us get funding and volunteerism

1 to help us take care of some of the fire burned area,  
2 as has the OHV Division through their funding through  
3 Trails Unlimited and restoring some of the trails. So  
4 the arrow shows the Fouts Springs OHV area. It's hard  
5 to see, but that sort of big, red, kind of purple line  
6 that goes around, that's the fire boundary.

7 So this is the Nail Track out in the Fouts  
8 Springs area. On the left you have what was the fire,  
9 and then some restoration that the volunteers did  
10 afterwards in replacing the burnt barriers, and they  
11 had some big volunteer days. There's just some  
12 pictures of the fire as it was in action, and there is  
13 the dozer line that came down the ridge that helped to  
14 save the OHV campgrounds and help to extinguish the  
15 fire from moving any further. So there is a picture of  
16 Trail 20 that burnt, more of the burn. You'll notice  
17 not very many pine needles, lots of white ash, lots of  
18 black trees. The less needles, the higher the  
19 intensity of the fire.

20 So after the fire, they needed some help with  
21 trails being cleared of debris, put in water control  
22 measures. So imagine, I just saw all that ash, now the  
23 rain comes. What happens? All that is going to wash  
24 somewhere. Imagine dumping your barbecue out, and then  
25 you put water on it, sometimes the water beads up

1 because it makes -- what's the term, Lester? So it  
2 repels it. Other times it just sheets off and keeps  
3 moving.

4 So some more debris that needed to be cleared,  
5 and there's the dozer putting in some water control  
6 features. A little bit of before and after, where you  
7 can see on the left the trail was pretty beat out with  
8 gullying running down. They've been out there doing  
9 great works with funds provided from the OHV Trust Fund  
10 to put some of the trails back with their hope of  
11 getting the area open by this June.

12 So we had inmate crews in there taking trees  
13 out. They had volunteers doing barrier replacement.  
14 Don Amador has put in several hours out there working.  
15 More barrier replacement work, and a huge thank you to  
16 all of the volunteers that have been helping them out  
17 there with that project. Just the tractor working.  
18 This is all boots-on-the-ground stuff, folks. This is  
19 all what you're paying for, what we're doing, this is  
20 it. This is what people want. This is what people are  
21 out there doing.

22 Before and after, the trail beat out because  
23 some of the erosion of water running down the trail,  
24 and they fixed it, although they've still got the hay  
25 bales across because the trails aren't open yet. More

1 maintenance work, and I'm going to blaze through these.  
2 If you want me to stop, holler out. I'm going to just  
3 try and go real quick.

4 So they've got designated OHV trails there.  
5 They've got one of the best systems in the region. It  
6 needs to be carefully constructed, and they are trying  
7 to do what they can to get those trails back up.

8 So now we move to the Upper Lake Ranger  
9 District, which is where I got my -- I have my roots  
10 and cut my teeth, and they are putting in some bricks  
11 at a stream crossing.

12 COMMISSIONER CABRAL: That might have been the  
13 Marin Motorcycle Club I was involved in.

14 USFS KATHLEEN MICK: Yes, this was the Marin  
15 Motorcycle Club.

16 COMMISSIONER CABRAL: I'm probably in that  
17 picture somewhere.

18 USFS KATHLEEN MICK: Oh, I didn't even know  
19 that. So there is the finished product, pretty good  
20 work by a group of volunteers probably over a Saturday  
21 or a weekend. They utilized the California Department  
22 of Correction crews a lot. Because they don't --  
23 they're sort of essentially free, but we kind of have  
24 to reimburse for the gas and things like that, but it's  
25 inexpensive labor that you can get, other than a

1 volunteer, which typically sometimes they're free.

2 Culvert installation on Trail 37, which is one  
3 of the trails I built with the help of Don Amador and  
4 others, putting in some rock gabions.

5 Now, we're switching to Georgetown. This is the  
6 Eldorado Forest now. They did an advanced trail  
7 tractor training. They were able to use Trails  
8 Unlimited, again funded by the OHV Division, and they  
9 did a twofold thing where they trained some Forest  
10 Service operators to learn how to operate the trail  
11 tractor, and they did maintenance work while they were  
12 there, so they got double the enjoyment of that.

13 Some more installation of barriers, culverts,  
14 they did some bridge building. The Eldorado, as you  
15 probably will come to know, they have great folks  
16 there. Jon Jue in Georgetown does a great job.  
17 They're really active in trying to make the trail  
18 system as sustainable as they can. It's not great  
19 pictures, but on the left the trail is pretty beat-out,  
20 and then that's after maintenance; again a beat out  
21 trail and then maintenance.

22 Some more trail hardening, rolling in some rocks  
23 for keeping people out of places where they don't want  
24 them to go. On the left they were establishing some  
25 monitoring points, so they were lining some drainage

1 structures on the Barrett Jeep Trail.

2 Some improvements of the signing, you can see  
3 that. Look at that beat-out board; then on the right,  
4 nice beautiful information easy, hopefully, for the  
5 public to read. Some more signing to let people know  
6 where they can go.

7 And then volunteers, instrumental in helping on  
8 the Eldorado, providing information, new restrooms, new  
9 bridge, more bridgework. And you'll see that these  
10 bridges are beautiful structures. They had some  
11 restoration projects where they were planting some  
12 native plants, and that's probably one of the Forest  
13 Service folks getting their hambone in there on the  
14 picture there.

15 So then we move to the Tahoe, again, a different  
16 forest, different trails, different opportunities.  
17 Yuba River Ranger District, they've got single track.  
18 And Butcher Ranch Trail, single track. There's the  
19 map. I'm just trying to get to the pictures. They  
20 created -- you can see up there in the left going  
21 around the turn there, they're trying to create some  
22 flowing turns. There is some rock gabion work. Some  
23 more trail work, lining a stream crossing, some more  
24 trail work.

25 Now, this trail here, they haven't completed it

1 yet. You can see all of a sudden it stops, and they're  
2 expecting to complete that in the fall of this year.  
3 So they've got three-quarters of a mile more to go, so  
4 that's some new opportunity right there.

5 CHAIR SLAVIK: Is that tractor work, Kathy?

6 USFS KATHLEEN MICK: I believe so. If not, it's  
7 probably mini excavated.

8 The Chimney Rock Trail, which is north of  
9 Downieville, beautiful country, different. Now, you're  
10 up, up out of the trees a little bit. You can see the  
11 trail off there going off on the left-hand side in the  
12 background there. Closer view now, Downieville is  
13 known for world-renowned single track for motorcycles  
14 and mountain bikes. Motorcyclists help to maintain  
15 that trail, and they're very fond of that. This might  
16 be happening by itself, and I apologize for going so  
17 fast. It is. It's doing that all by itself. I  
18 thought I took that out.

19 So clearing out some snowdrifts that are  
20 persistent. Now you can see the work that they've done  
21 to improve the trail in July. Some more bridge  
22 projects. You can see that old ratted-out bridge on  
23 that stream crossing. They had to fly in some  
24 materials. They had a Forest Service crew  
25 constructing. They put in the bridge abutments, some

1 more abutment work. Now they started to put in the  
2 decking, and look at that beautiful bridge.

3 Some more stuff in Downieville, volunteer day  
4 doing some work on some trails. Making that flowing  
5 turn you can see in there to try to make the trail fun,  
6 but then also have it shed water, which is very  
7 important.

8 Now, we're into the extreme stuff, you know, the  
9 rock crawling, jeep stuff, because it's not all about  
10 dirt bikes. That trail, not for the timid. Crossing,  
11 probably got to work on that. May or may not be  
12 environmentally sustainable, you never know if they're  
13 putting oil or other fluids into the water. Those are  
14 some of the same concerns that they had on the Rubicon.  
15 So those are the kind of things, they look cool, nice  
16 pictures, fun for the OHV community. We have to  
17 determine whether or not that that can be  
18 environmentally sustained. It may just be a little  
19 pool. You don't know.

20 So those are some of the things that we deal  
21 with because, remember, it's not just about the  
22 recreation, it's also about providing for environmental  
23 sustainability, which is incredibly important.

24 They're chipping out rock to make a safer line.  
25 That one is hard to tell, but you can kind of go around

1 that now that they chipped out all that rock.

2 Then the Truckee District using their mini  
3 excavators, so a little bit different equipment,  
4 armored drainage crossing, taking out some trees,  
5 repairing some signs. Some more drainage work, trying  
6 to blaze through these, some more bridges. And you can  
7 see these bridges are really complex. So you drive up  
8 to a stream, and you see it, but in order to get dirt  
9 bikes across, we have certain standards and guides that  
10 we have to follow to make the bridges hold up in those  
11 100-year water events. And so it's no easy task to put  
12 a bridge in the woods. And you can see just a nice  
13 beautiful bridge, the OHV folks enjoying that. And  
14 there's the location of the second bridge. Another  
15 former crossing, they moved the bridge upstream.

16 COMMISSIONER VILLEGAS: Are they purposefully  
17 made narrow?

18 USFS KATHLEEN MICK: Yes, they try to keep the  
19 bridges narrow. One, it keeps down the cost, but if  
20 it's just an ATV and motorcycle trail, it doesn't need  
21 to be any wider. And there is the bridge that was  
22 complete.

23 And then just a thank you from the forest to the  
24 OHV Division and the community for the funding and  
25 helping us to provide this recreation because without

1 you we can't do it. Our funding is just like BLM's,  
2 it's down, and without the partnership, there isn't a  
3 program like the one that we can provide with the  
4 partnership.

5 So now we move to the Stanislaus, and I believe  
6 this is the restoration project that they did. They  
7 got a grant. They had a lot of different partners,  
8 including the environmental community, which is -- if  
9 you're familiar with the Stanislaus, that's -- the  
10 Central Sierra Environmental Resource Center is an  
11 environmental group that's very involved in the  
12 national forest. They do a lot of work. They help  
13 with volunteerism, but they also let us know quite  
14 frequently when they're unhappy with us.

15 So you can see some of this restoration stuff  
16 that they did at the meadow. They raked out -- they  
17 had some people in there, and, you know, this was also  
18 part of the education. So think about who are the  
19 people that are doing that, those are those families,  
20 those are those OHVers. It's not always just families.  
21 There's a lot of bad apples in the OHV community, too,  
22 that we need to educate to get them to not do this kind  
23 of stuff because it wastes money, and it affects the  
24 environment. So there's the meadow afterward, a lot of  
25 really good work. The meadow has grown back.

1           Some more work that they did. That was an  
2           unauthorized route that they're starting to close some  
3           of those that weren't -- and then now the more recent  
4           picture, that was May 3rd. You can see that's real  
5           recent work that they've done. And then just some  
6           signage to let folks know what's going on and what they  
7           should and shouldn't do out there.

8           And with that, I'm done. Any questions?

9           COMMISSIONER CABRAL: Yes, I have one, actually.  
10          I noticed that a couple of those slides mentioned that  
11          they were -- either that a trail was adopted or  
12          sponsored by a company and other things. And I know  
13          when we met, we talked about the Adopt-a-Trail program  
14          briefly. And I was wondering if there's anything that  
15          this Commission or myself can do to maybe get that  
16          program to be more effective and to be more out there  
17          in the open, promoted more, I guess.

18          USFS KATHLEEN MICK: Yes, I think there is. And  
19          I think that's an ongoing conversation that we need to  
20          have as a group, as individuals, and then also with the  
21          national forests, and with the user community because  
22          the fact of the matter is that the OHV Division doesn't  
23          have limitless funds. It's not just a water faucet  
24          that you can turn on and the money is going to keep  
25          flowing.

1           And certainly we're all aware of the  
2           sequestration, the woes of the Federal Government  
3           budget, not just for the Forest Service, but  
4           nationally. We all probably watch the news and know  
5           where we are, and that's not a secret. So our funds  
6           are down, but we are trying not to dwell on that  
7           because right now we don't know the extent of the  
8           decrease this year for our trail funding. We thought  
9           we weren't going to get hit until 2014, but it looks  
10          like we may get hit and hit hard in 2013. We're  
11          already in May, so we're halfway through the year, and  
12          we're going to feel the pinch. We just don't know how  
13          hard the pinch is going to be yet.

14                 So what does that mean and how does that relate  
15          to Adopt-a-Trail? Well, the more volunteerism, the  
16          more that clubs and organizations can step up and adopt  
17          trails or pieces of trail systems and be willing to  
18          take care of them in terms of the maintenance, the  
19          signing, the brushing, that just allows us to leverage  
20          our dollars and stretch the money further. The more  
21          volunteers we get, probably the more opportunity we can  
22          provide.

23                 But, again, the national forest acreage is  
24          finite, but the population is not. So at some point in  
25          time I just would like to have folks realize, whether

1 you're an OHV enthusiast, an environmentally passionate  
2 person or maybe those two things come together in the  
3 same person, the resources aren't infinite and that  
4 there isn't enough room on any piece of public land for  
5 everybody to have their own.

6           And in America, we kind of all want what we want  
7 when we want it, and we all want our own, and it's not  
8 there. It's not available. In some cases and in some  
9 context, it is. But we have to be aware that at least  
10 for the Forest Service we have a job, and that's to  
11 serve the American people and any other visitors that  
12 come, and it's also to preserve the environment, and  
13 that in and of itself is always at tension.

14           So now you start adding more people, more  
15 people. Talk about California, I think our population  
16 is about almost 40 million right now and growing, and  
17 what does that mean, and what are the pressures that  
18 are going to be out there on any landscape, whether  
19 it's Prairie City or the Eldorado National Forest? So  
20 we have to be very cognizant of the fact that there's a  
21 lot of work that can be done.

22           The minute you put a trail in the woods, whether  
23 it's for mountain bikes or dirt bikes, you've affected  
24 the environment, but now it's up to us to help to keep  
25 the effect or the impact to a minimum. Okay. That

1 gets back to that thing Deb talked about earlier, about  
2 that minimization criteria. It's not elimination of  
3 effect. People in the woods, that's already an effect,  
4 but it's about keeping it to a minimum over time.

5 So the Adopt-a-Trail, we really need to figure  
6 out ways to expand that by forest. One of the things  
7 that came out of Travel Management is a lot of the  
8 national forests had -- you know, we have Friends of  
9 the Sequoia. Chris Horgan does a great job  
10 volunteering and adopting trails. The Sierra National  
11 Forest, out of Travel Management came a whole group  
12 that formed and is now helping the Sierra National  
13 Forest with volunteerism. But we need to get those  
14 folks even more organized to say, well, what is it that  
15 you can take care of and want to take of and how, when,  
16 and where?

17 COMMISSIONER CABRAL: I was thinking maybe if  
18 you guys can produce maybe like a catalog, whether it's  
19 on the web or whether it's a print item, that would  
20 make it easy for volunteers to be able to pick a trail  
21 that they could adopt, and it could be something where  
22 you guys could estimate how many, roughly, man-hours --  
23 because you have the experience on this, roughly  
24 man-hours and dollars would have to be put at it. Or I  
25 should say person-hours, excuse me.

1           But with that, then they can know kind of what  
2 they're getting into because people that are maybe new  
3 to working on trails and volunteering don't understand  
4 exactly what they're getting into. Because I've  
5 noticed in some of these programs, you get these people  
6 really excited, and they want to go out and do  
7 something. They get there, and they go, whoa, we have  
8 a lot of work to do. And then they've got to come back  
9 and do more, and they go, and then we'll leave it  
10 alone, so the job isn't getting completed.

11           So if it was organized and cataloged where they  
12 just kind of say, I want to do that one, and a group  
13 could come in and do that, that would be beneficial.  
14 Myself, personally, I'd promote that. I don't know how  
15 the Commission could do it, but if it's possible for us  
16 to do it, I think it's something we can work with, too.

17           USFS KATHLEEN MICK: That's certainly an idea I  
18 can take back. I know that it's something -- and  
19 Lester may remember this -- that internally with the  
20 Forest Service, we always tried to have kind of a  
21 website where volunteers could go out and identify the  
22 type of volunteer work that's out there and available  
23 and in what location so that they can hone in on their  
24 interest.

25           It's not really come to fruition in a way that's

1 really accessible and easy for the public to use. But  
2 one of the things that is great about the Forest  
3 Service is that we're starting to embrace more than  
4 ever technology. We have wikis, we have executives  
5 using iPads now. I think we've kind of turned the  
6 corner on being able to be embrace technology and doing  
7 things in a different way. And it's certainly  
8 something I'm willing to work with you to try and  
9 identify those opportunities for the public. Because  
10 without us being able to leverage those funds, we can't  
11 provide near the number or quality of recreation  
12 experience that folks are really seeking.

13 So with that, unless anybody has any more  
14 questions, you've probably had more than enough of  
15 hearing me.

16 CHAIR SLAVIK: I want to thank you, Kathy. But  
17 before I do that, I just had an idea. Maybe the next  
18 November Commission meeting, maybe a tour could be a  
19 restoration project that the Commissioners could get  
20 involved in out on the forest somewhere, someplace  
21 where it's not knee deep in snow or something.

22 USFS KATHLEEN MICK: So you said  
23 November because you don't want to leave the Sand Show  
24 to go to the Cleveland, I suppose.

25 We can work on that because there's a lot of

1 national forests in November. The Mendocino comes to  
2 mind, some of the stuff on the Eldorado where they're  
3 not under snow. And if we have another winter like  
4 this one, then January is even good because we didn't  
5 have too much rain or snow either. I'm sure we can  
6 find something and get you all hard hats, gloves,  
7 boots, and get out and do some work.

8 CHAIR SLAVIK: How about it, girls?

9 Okay. I want to say that's probably the best  
10 presentation that the Forest Service has given in all  
11 of the times that I can remember hearing presentations,  
12 Kathy, and I want to thank you. I think we need to  
13 continue the dialogue in between meetings and stuff.  
14 The quality of the presentations was beyond what my  
15 expectations were.

16 USFS KATHLEEN MICK: You just have to ask;  
17 that's all you have to do. Give me a call, ask, and it  
18 happens. And I think Diana and Ted can speak to that  
19 because we had some lovely conversations.

20 CHAIR SLAVIK: Absolutely, thank you.

21 COMMISSIONER PEREZ: I want to thank you, Kathy,  
22 for coming. It was very helpful. I do want to echo  
23 the Chair's comments, very helpful for me to learn  
24 quickly.

25 DEPUTY DIR. CONLIN: Thanks, Kathy. Enough

1 information?

2 Chief, you recommended we do public comment and  
3 then the Triennial?

4 CHAIR SLAVIK: Yes, I think public comment would  
5 be appropriate at this point. We don't have too many.

6 **AGENDA ITEM - PUBLIC COMMENT ON AGENDA ITEMS**

7 AMY GRANAT: Good afternoon, Commissioners,  
8 Amy Granat, California Off-Road Vehicle Association.  
9 Just in the interest of time, I'm going to point out  
10 three points with the Forest Service and -- but, first,  
11 thank you very much because that was really a wonderful  
12 presentation.

13 I was sentenced by a jury of my peers to be the  
14 OHV representative on the Sierra Cascades Dialogue. At  
15 the time I didn't know if it was a blessing or a curse,  
16 but it is very interesting. The Forest Service should  
17 be recognized for trying something new, and it is out  
18 there. There are not enough motorized representatives  
19 who either come or participate. And I know it's really  
20 hard for people. It's a whole day. It's during the  
21 week. It's off from work.

22 But the two greatest things that I have to argue  
23 against constantly in steering committee meetings are a  
24 preference for human-powered recreation. They want  
25 that written into the plan. And the other is something

1 I don't quite understand, but restoration of the forest  
2 to pre-European conquest times. Can't really picture  
3 that, but these are very passionate people who make  
4 their points very well known. So we have to counter  
5 that.

6 But I do want to recognize that the Forest  
7 Service is listening with this process. Deb Whithall  
8 is a pleasure to work with. She's great.

9 The problems we have with the numbers is point  
10 number two. The Forest Service is a very regimented  
11 agency, and they have rules and regulations they must  
12 follow. We learned through Travel Management that  
13 there was an interconnective nature on all of the roads  
14 and trails in our forests. And that's why in  
15 California in its wisdom defined OHV as anything off of  
16 a paved road. So we have an interconnected system  
17 that's not being recognized by the Forest Service as  
18 interconnected. Rather, if you see an NVUM, the  
19 National Visitor Use Monitoring, you'll see so many  
20 different categories of activities. At least half of  
21 those require some kind of off-a-paved-road motorized  
22 vehicle to attain or to get to. That's something they  
23 can't wrap their heads around. I think maybe they get  
24 it, but the rules and regulations are so strict they  
25 can't account for it.

1           And the third thing was a recognition with the  
2 Science Synthesis, we are constantly being inundated by  
3 peer-reviewed science that throws a negative light on  
4 OHV recreation. At one time I said to Deb, I don't  
5 know what to do, but I can't find peer-reviewed  
6 science. She said the problem is we need more  
7 peer-reviewed science that recognizes OHV as an  
8 activity as environmentally sustainable as Chair Slavik  
9 has mentioned. That perhaps is something that we can  
10 work to resolve. We need peer-reviewed science that  
11 will uphold our need for motorized recreation. Thank  
12 you.

13           CHAIR SLAVIK: Amy, before you go, you probably  
14 already answered this. Chris Horgan, as many of you  
15 know, has given us or at least passed along a  
16 presentation he worked long and hard on about this  
17 visitor use discrepancy between the grant numbers and  
18 the NVUM numbers. I didn't want to discredit the time  
19 that he spent with doing this, but, once again, he's an  
20 individual, and he's not here, and, you know, he gets  
21 his three minutes.

22           But what I would suggest is that link be passed  
23 on to all of the Commissioners, that we have a chance  
24 to take a look at it individually. Does that sound  
25 like something that would work? So I think you

1 answered the question before that...

2           AMY GRANAT: I think there is one point that has  
3 to be understood. In a lot of land use planning, no  
4 one is the bad guy. And we so want to blame. It's  
5 human nature, you want to blame somebody. There is no  
6 one to blame in this. There is a difference in  
7 methodology. There is a difference in the way of  
8 looking at the way a forest works. We are trying to  
9 overcome it. The first thing is understanding it. The  
10 second is finding methods or ways to communicate to  
11 overcome it.

12           But what Chris found was a very different way of  
13 measuring OHV activity. And part of that, as Kathy  
14 said and she's absolutely correct, is the way  
15 California defines OHV activity is not the way that the  
16 Forest Service defines OHV activity. We have a much  
17 broader definition. So what happens, we have great  
18 people on the ground in all of the forests -- and  
19 Lester is a perfect example of that, and we will miss  
20 him on the Eldorado -- we have people that understand  
21 the interactive nature of the roads and trails and  
22 apply for the OHV grants recognizing all of the people  
23 who use those regardless of the fact that they  
24 self-identify as OHV enthusiasts or not.

25           So the differences between what we're being hit

1 with on an NVUM, which is a miniscule amount of OHV  
2 recreation, to what the people on the ground are  
3 recognizing as OHV recreation could be as much as 15,  
4 17, 20 percentage points in one occasion. That's a big  
5 difference.

6 The Forest Service isn't using those numbers  
7 against us on the NVUM, but our opponents, anti-access  
8 groups, are using those numbers against us. So, no,  
9 the Forest Service doesn't put that much stake in it,  
10 but when someone comes along from CVD and says, well,  
11 according to the Forest Service figures, OHV is only  
12 .8 percent of the use, you don't deserve all of those  
13 roads and trails, and we're left without a comeback.

14 And that's what Chris represents. Chris  
15 represents the ideology difference. We don't know what  
16 we can do about it. I don't think anybody is doing  
17 anything maliciously or wrong, and Chris does not  
18 present it that way. And he did appoint me as a  
19 representative, so he wouldn't have to drive to Lake  
20 Isabella. So excuse the fact that he's not here. It's  
21 a distance.

22 So we have to find a way to resolve it, and  
23 maybe the talks that the Commission and the Division  
24 are going to have with the regional authorities can  
25 help do that, can help resolve those differences.

1           Because the money in the OHV Trust Fund, we look  
2 at it as our money. You guys know that. We're very  
3 passionate, where does that money go? And if it looks  
4 like they're trying to inflate their figures to get  
5 more money from us, we will respond, not so nicely  
6 sometimes. But it doesn't look like that, it's just a  
7 difference in methodology. Chris explains it very  
8 well. And thank you for passing out his link. I know  
9 he'll appreciate that.

10           USFS KATHY MICK: Paul, can I address something  
11 real quick?

12           CHAIR SLAVIK: Sure.

13           USFS KATHY MICK: At the Forest Service, we're  
14 not as obtuse as we're being given credit for, and we  
15 do get the fact that there is all types of access, and  
16 much of the access for all types of recreating,  
17 including non-motorized recreation happens with a thing  
18 with a motor to get there. We get that, and we've  
19 gotten that for a long time.

20           But what you have to understand is that the  
21 forest plan revisions, the Bio-Regional Assessment,  
22 that's not transportation planning. And I think as you  
23 saw in Deb's slide Subpart A, which is our  
24 transportation planning effort at a broad scale -- and  
25 if you want a presentation on that at some future

1 meeting because most of you are new, I'm happy to give  
2 that to you -- is going to -- it will help inform the  
3 forest planning revision, but it's not necessary to  
4 have in order to move on the forest planning revision.  
5 I think Deb outlined that, as well.

6           But what Subpart A will do, it will look at the  
7 whole entire transportation system, not just for  
8 recreation, for administration use, for permitted use,  
9 for fire use, contractor use, all those things. And  
10 then we'll look at what drives a need for change within  
11 our transportation system based on risks and benefits.  
12 Because for every road that provides a benefit, whether  
13 it's for recreation or all of those other things that I  
14 named, there also may be an inherent risk of having  
15 that road, whether it be environmental or some other  
16 thing. So those two things will be looked at,  
17 analyzed, in Subpart A.

18           And then the third thing is that what we're  
19 looking for when we're looking at not only the National  
20 Visitor Use Monitoring, but when we're asking people to  
21 give us input, we're looking for a voice that's not a  
22 vote. It's a voice. We want everyone's input and  
23 not -- no one person or interest, their voice isn't  
24 more important than the other voice, even if they're  
25 conflicting voices.

1 I just want to make that clear, that there is no  
2 one with a tally that's saying, well, the environmental  
3 community, one voice equals two points and the OHV  
4 community, their voice equals one. That's not  
5 happening. We want to hear from everyone and come  
6 forth. That's why we are trying to do these new  
7 out-of-the-box things that may or may not work, maybe  
8 might fail, but we are trying, is to hear what people  
9 have to say and create a forest plan, much like the  
10 Division creates their general plan, that has a future  
11 desired condition for that national forest that helps  
12 people do what they want to do today and 50 years from  
13 now. And if we can focus on that, we'll come a long  
14 way.

15 CHAIR SLAVIK: Two more.

16 JOHN STEWART: Good afternoon, Commissioners,  
17 John Stewart, California Association of 4-Wheel Drive  
18 Clubs. I have to thank the Forest Service for a very  
19 informative presentation. It did present a lot of  
20 information, and couple of things I'd like to key in  
21 on.

22 First off, Commissioner Slavik, you made the  
23 observation with Deb Whitehall's presentation about the  
24 complexity. Yes, it is complex. The Forest Service is  
25 trying something new. They're trying to implement in

1 some terms what is termed as adaptive management  
2 concept of planning. Well, adaptive management is  
3 geared towards project management not process planning,  
4 which are two different animals. It's like apples and  
5 oranges, and yet they're trying something, trying  
6 something new.

7           And it is interesting that I have -- you know,  
8 1991 time frame I became involved when I was working  
9 with the Navy with adaptive management and management  
10 processes. I know the struggles that they're going  
11 through. I see it, and I see what they're trying to  
12 do. I think they're doing a relatively good job.  
13 They're learning as they're going.

14           Now, that being said, there are some questions  
15 and some issues that I have with some of the  
16 definitions they're coming up with and some of the  
17 concepts and verbiage they're using. Now, to preface  
18 that, Deb mentioned something about a forest planning  
19 rule, new forest planning rule. Yes, a new forest  
20 planning rule is out and has been improved, except the  
21 means to implement that forest planning rule and the  
22 guidance to implement that rule was recently pulled and  
23 is back for further review. So the Forest Service now  
24 is basically trying to interpret something where they  
25 don't have any guidance of how to interpret it.

1 I see that this is going to lead and could lead  
2 to problems as we move forward in the future. And,  
3 yes, it is a very important as recreation groups become  
4 very much involved and attend the various meetings that  
5 are coming up because of the complexities.

6 Sustainability is a problem and assessments.  
7 Assessments should be factual based and not editorial  
8 comments. Right now some of the earlier drafts I found  
9 there is more editorial comments in these assessments  
10 than there is scientific fact, and that becomes a  
11 problem.

12 Bio-Regional Assessments, regions cover areas of  
13 many different characteristics, vegetation, wildlife,  
14 topography and annual rainfall. This becomes  
15 problematic when you try to apply the characteristics  
16 from an Eastern Sierra slope to a Western Sierra slope  
17 or vice versa for coming up with, all right, this is  
18 what the region says, this is something that we may  
19 experience. Now, there is completely different.

20 The Inyo Mountains and the White Mountains  
21 outside of Bishop are a completely different  
22 environment than what the mountains just 50 miles east  
23 or west of them on the Sierra side are.

24 So there's a lot of issues that have to be  
25 carefully considered as we go through. I see my time

1 is up. There are a few things I believe are important  
2 here.

3 But the best available science and information  
4 should be, again, science and not edited or  
5 editorial-type content. It's got to be based on fact,  
6 got to reference some study, something that is peer  
7 reviewed.

8 And finally when you talk about the National  
9 Visitor Use Monitoring, Congress back in the  
10 early '80s, I believe it was -- I don't have the exact  
11 dates, but in the early '80s required the Forest  
12 Service to begin reporting visitor use of the forest.  
13 It wasn't until about the early '90s that OHV rose to  
14 the level of something that is recognized as a  
15 recreation type, although hunting, fishing, rock  
16 hounding, driving for pleasure, these were identified.

17 So a Forest Service statistician, a guy by the  
18 name of Ken Cordell from the Southern Research Station,  
19 has done significant work in refining the national  
20 visitor use data. And in the early 2003/2004 reports,  
21 it was determined that the fastest growing segments of  
22 any recreation in the forest was OHV recreation by  
23 Hispanics and women under 30. Those numbers still hold  
24 valid today, and Southern Research Station is actually  
25 updating their research with more current information.

1 It's not been published yet -- well, as of two months  
2 ago it had not been published, but they expect to have  
3 more information out which will --

4 CHAIR SLAVIK: I'm going to have to ask you to  
5 be fair to everybody else.

6 TOM TAMMONE: Tom Tammone as an individual. As  
7 far as the adaptive management, what I heard today in  
8 Deb's speech, it's real interesting. We seem to be  
9 adaptive at finding new ways to paint us into a corner,  
10 at least as far as what I've been experiencing down in  
11 Southern California. They have a court-ordered land  
12 plan over there, and the forest seems to be under  
13 extreme stress, under duress of court action to  
14 basically find as much non-motorized background uses as  
15 they can. And I don't see where they're going to  
16 find -- one of their representatives was at the meeting  
17 in Redding -- from one of their partners say they have  
18 900 miles of roads and trails, 170 of which are for OHV  
19 opportunity. It ain't going to fit in a thousand  
20 acres. So I don't know where they're coming up with  
21 their numbers. I'm very concerned.

22 And you know a lot of these trails aren't kind  
23 of, you know, the Trails Unlimited, you know, new  
24 technology breaks and grades with proper drainage and  
25 everything. They have an Adopt-a-Trail club that has

1 recently hit a half million volunteer hour landmark.  
2 These trails, a lot of them require a lot of  
3 maintenance.

4 And they painted us into a corner. We've got  
5 nowhere to reroute them. Like I said, they're not like  
6 highways. When they wash out, we don't rebuild the  
7 whole side of the mountain to put the trail back  
8 exactly where it was. The trail is rerouted sometimes  
9 miles away to a completely different area.

10 So there's nothing that's going to hurt the  
11 environment just leaving the back country that could be  
12 used for motorized use alone. We could have it -- you  
13 know or having adaptive management in practice as far  
14 as having to reroute trails. Completely forgotten all  
15 about that and are leading us, you know, with basically  
16 a very unsustainable condition. That's not going to  
17 pass the test of time.

18 Going back to Amy Granat's remark about the  
19 post-European contact or condition, I don't know where  
20 that came from. I know archeologists have two ways of  
21 categorizing history in this hemisphere. If it's over  
22 50 years old, it's history. If it's pre-European  
23 contact, pre-Columbus, then it's called prehistoric.  
24 And it's just a very easy way to categorize history in  
25 this hemisphere. And how it's gotten somehow twisted

1 into the need to return us to that state, I have no  
2 idea. It's just history. All archeologists are trying  
3 to do is record it, and somehow this simple splitting  
4 point has gotten prorated into something weird. I just  
5 don't understand. We're here. We're history, and we  
6 exist, and we have a right to exist. Thank you.

7 CHAIR SLAVIK: Okay. We have one more business  
8 item under the Deputy Director's report.

9 **AGENDA ITEM IV(6) - OHMVR PROGRAM TRIENNIAL REPORT**

10 CHIEF JENKINS: This item we've mentioned  
11 before, but we're needing some input from the  
12 Commissioners. So just in review, this is about the  
13 Triennial Report, which is due next year, January of  
14 next year, 2014. It is the report of the Commission,  
15 you all, reporting as required by statute to the  
16 Governor, to the Legislature, to the Assembly, on the  
17 status of the program, and what we've accomplished and  
18 how we've met our mission, where we need to be focusing  
19 when we move forward, all those sorts of things.

20 Public Resources Code also requires that you  
21 discuss the contents of that report at two public  
22 meetings. And so by having this meeting today, what  
23 we're soliciting from you all is based on a little bit  
24 of discussion we had at the last meeting, some input on  
25 the table of contents. If you go into your binders

1 behind Tab 4, you can find the B-6 tab. You'll find  
2 this report.

3 So on the front page of the report, you can see  
4 today on this little table we're reviewing the proposed  
5 outline for the report and looking for input from you  
6 all. And then we will come back to you in  
7 September with the first draft of the report. The  
8 purpose of that, coming back to you with that first  
9 draft, is to see if what we're creating as we staff  
10 you, if we're sending the correct message that you want  
11 to send, because this is not our report. This is your  
12 report, so we want to make sure twice.

13 So we'll come back in September, and you can  
14 tell us, yeah, you're capturing the general tone, here  
15 is where you want to make corrections. We will come  
16 back to you again in November. You'll give us one more  
17 correction on that, then we'll incorporate those final  
18 edits working with the subcommittee, and then present  
19 it in January to the required parties. So that being  
20 said, if you flip over --

21 CHAIR SLAVIK: And the subcommittee is?

22 CHIEF JENKINS: The subcommittee is, I believe,  
23 you and Diana.

24 CHAIR SLAVIK: Just make sure we've got the  
25 right people onboard.

1 CHIEF JENKINS: So the back of that first page  
2 lists the things that are required in legislation to be  
3 addressed in the report. There's a list of eight items  
4 that you have to address in the report per legislation.

5 In addition to that, you can put anything in the  
6 report that you feel is relevant to be communicated to  
7 both the required parties, the Governor and the  
8 Legislature, but also to the public. As you're  
9 probably all aware, the 2011 Report, the last time that  
10 this was created by the Commission was a great  
11 marketing tool to demonstrate what's been done and also  
12 a great guide to the Division to get direction from the  
13 Commission about where you'd like to go in the future.

14 So this is a lot more than just an  
15 administrative report that goes on a shelf somewhere.  
16 It's a living document that really gets used and passed  
17 around a lot.

18 Next, you can see Attachment One, which is the  
19 suggested outline that we have currently developed  
20 based on talking with, hearing from you all at the  
21 Commission meetings and whatnot. So that's just our  
22 opening thoughts on trying to capture what we believe  
23 we've heard from you all.

24 And so what we need you to do is discuss this a  
25 little bit, talk about this outline. We don't have to

1 solve the outline today. But this is your chance to  
2 talk as a group so that your subcommittee of  
3 Commissioner Perez and Chair Slavik can have enough  
4 direction to continue to work with the Division to  
5 polish up this outline, so we can start actually  
6 flushing out the items.

7 With that, back to you, Chair.

8 CHAIR SLAVIK: So I just want to make sure that  
9 the Commissioners, we're all clear, we are all on the  
10 same page of this thing. This is our report. We don't  
11 necessarily have to duplicate the previous report,  
12 which was rather involved, rather detailed, a lot of  
13 reading if somebody wanted to get into it.

14 We can have a much smaller report. We still  
15 have to meet the statutory requirements, but we can  
16 fill in some gaps of things that we may be interested  
17 in. I think at this point that what I would like to  
18 address is beyond the statutory requirements. What are  
19 the things that you'd like to see in the report?

20 COMMISSIONER PEREZ: Commissioner Slavik, I just  
21 want to make a comment before we open it up because I  
22 think that if I recall correctly, you and I have  
23 already made some suggestions, and so we've already  
24 done some of that work. I know that I wanted -- there  
25 are certain things I wanted to see, and also I was

1 pleased with this particular list because it was  
2 addressing many of the areas that currently we're  
3 working on or are issues that I think the public would  
4 be interested in and some of our legislators. So  
5 before we open it, I want you to know that Chair Slavik  
6 and I have already made some contributions to this  
7 list.

8 COMMISSIONER MURPHY: What are those?

9 COMMISSIONER PEREZ: I don't have my list right  
10 in front of me, but I know that --

11 CHAIR SLAVIK: Well, one of them would be the  
12 history of the OHMVR Commission. That's one of our  
13 suggestions, for instance, about the fourth one down  
14 under the introduction.

15 COMMISSIONER PEREZ: I know for me in particular  
16 it was important to highlight the economic benefit that  
17 our parks provide in the public. That was like my  
18 number one. I wanted to make sure that that was there.  
19 I also wanted to see the diversity of usage highlighted  
20 in this report, and I think that I did request a  
21 thinner, easier to read, maybe a couple of nights  
22 because I was concerned about how many folks would  
23 really read a lengthy report, but something that was a  
24 little more condensed, and there was a few other minor  
25 things I suggested.

1 CHIEF JENKINS: An aside, on the existing 2011  
2 Report, we did struggle with the Commission at the time  
3 on the length because we wrote a report that was about  
4 that long originally, and the Commission said, no, we  
5 need it down to 40 pages. And so we rewrote it as 40  
6 pages, and we brought it back for the second review,  
7 and they said you've got to add this, you've got to add  
8 that, and it went back to the original size.

9 I think we can get it down to a much smaller  
10 report. Part of the reason that was so long was it had  
11 been such a long gap between when we had done the  
12 previous, back then they were biennial reports. So I  
13 think that's very achievable to meet that goal of  
14 having this be a much more concise document that's more  
15 accessible to the public.

16 CHAIR SLAVIK: And at this point in time, it's  
17 the Commission's job to participate in this as a  
18 commission. Once we leave here, it's Diana and I  
19 dealing with staff. We can't talk to you folks about  
20 it, but you can talk to staff, okay? So all of you can  
21 contribute to the report through Dan Canfield, who  
22 would be the contact person. Is that correct? Okay.  
23 So we all have an opportunity to participate, we just  
24 can't discuss this amongst ourselves, to make sure that  
25 we're all clear on that.

1           COMMISSIONER CABRAL: Well, I'd like to start  
2 with I'm going to kind of maybe go in a little  
3 different direction with this. I'm looking at  
4 Attachment One, and it looks awfully detailed, and I'm  
5 looking at the General's strategic action plan here,  
6 and it's, I think, what this should be based around as  
7 far as like the outline of, and it's not incredibly  
8 detailed. It's more -- I mean the core values that are  
9 listed in his strategic action plan I think are kind of  
10 the framework that this should be built within. So  
11 that is my opinion on this. Because they're excellent  
12 values, and I think we can portray the program within  
13 the parameters of this.

14           A lot of this information I see in here on the  
15 Attachment One is stuff that can be acquired through a  
16 meeting. It can be acquired through the Division and  
17 stuff like that. And I think we can be looking at this  
18 document to be something more, that's more like -- for  
19 the lack of a better term, I did sell things for a long  
20 time -- so a sales document, a brochure that allows us  
21 to go in to and the legislators and the people that  
22 would be looking at extending the program and hopefully  
23 making the program have no sunset on it so it can just  
24 continue to thrive without having to be renewed every  
25 ten years or something like that.

1           So that's the kind of document I personally  
2 would rather see is something that's more on the vein  
3 of what the General has put forth because I think his  
4 style is proving so far to be quite effective with what  
5 needs to happen to make things go forward.

6           CHAIR SLAVIK: That's a good point. We did  
7 discuss that previously, that it should reflect the  
8 General's vision of Parks in general moving forward.

9           COMMISSIONER CABRAL: Because that's what we're  
10 really looking to do, is we need to get this program  
11 renewed. And the ultimate goal would be a program to  
12 have no sunset clause.

13           COMMISSIONER PEREZ: I'm thinking it's still a  
14 helpful report to have if you wanted to go into  
15 additional detail. Maybe we could have a summary,  
16 shorter version of it, that's something that we could  
17 hand out, that could be quickly read, but I'm still  
18 interested in the actual report that has all of this  
19 information in it.

20           I wouldn't want to switch one for the other. I  
21 mean I'm sure the General has a thicker version  
22 somewhere in his office that has all of the details of  
23 all of the parks, and that's the one that we hand out  
24 to the public.

25           COMMISSIONER MURPHY: Maybe one suggestion, and

1 this might not be feasible, but maybe change the format  
2 of the document so that the front of it is a more  
3 condensed version, and then it has references to  
4 attachments in the back of the document. So if you  
5 don't want -- you don't necessarily need to read every  
6 little detail on Oceano Dunes. You can just read this  
7 much quicker brief part of it, and if you want to go  
8 further, you can go to the back to Appendix C or  
9 whatever and find it there.

10 CHAIR SLAVIK: Like an executive summary, which  
11 I don't think this actually has. It's got an  
12 introduction. It does have an executive summary.

13 COMMISSIONER MURPHY: And maybe something to  
14 show the difference. Maybe make that front part, the  
15 pages a different color or something so that when  
16 somebody picks it up, you know, hopefully we can give  
17 these to some elected officials. When they pick it  
18 up -- nobody wants to read a book, I don't think.  
19 They're not going to be as likely.

20 But if the front part pages are blue, you can  
21 see magazine size and you can get through that  
22 relatively quickly, and they know that the back half is  
23 the supporting documentation, maybe they would be more  
24 likely to pick it up and go through it.

25 COMMISSIONER CABRAL: I really like that idea.

1 I think that would be a good way to manage both,  
2 hitting my concerns and Diana's concerns and being able  
3 to put it in one type of a thing. And it would also  
4 probably be a way that the document can be compiled a  
5 little easier by the staff because a lot of the  
6 reference materials would be stuff that possibly  
7 already exists.

8 COMMISSIONER PEREZ: I like the pictures.

9 COMMISSIONER MURPHY: Pictures are always good.

10 CHAIR SLAVIK: Maybe that's something we ought  
11 to talk about right away, too. Are we going to reorder  
12 these pictures, get fresher pictures, or is there some  
13 stuff in here it's probably not worth going and looking  
14 through the archives?

15 DEPUTY DIR. CONLIN: We can frame what you write  
16 with the latest versions of pictures and all of that, I  
17 think. The critical stuff is the verbiage, and we can  
18 work on the refining it and getting the right stuff in  
19 there.

20 Part of the messaging that you write in there,  
21 that will be specific to that picture, we want to back  
22 it up, so.

23 COMMISSIONER VILLEGAS: I just wanted to provide  
24 my comments on this, as well. And I agree with  
25 condensing it. Whether we put it in as an appendix or

1 go a whole another -- entirely new route, is fine.

2 I want to emphasize that folks, when they look  
3 at this type of a book, it's really thick, and they are  
4 only going to look at the first couple of pages.

5 I think we have to make our key pitch in the  
6 introduction, and we have a lot that's really heavy on  
7 the introduction. I think we should really focus on  
8 the OHMVR Commission and discuss the '018 program  
9 sunset.

10 And the others we should either appendix or not  
11 include because we're really talking about the  
12 Department's for the Division's mission and not our  
13 principal goals or missions, which I don't know what  
14 they are, nor have I seen them on our website. So if  
15 we can make that distinction because we seem to be  
16 using them very interchangeably, whether it's the  
17 Division's program or whether it's our missions or  
18 goals. So that's why I was thinking just focus on our  
19 Commission and the ask, which is the sunset.

20 I'm asking for editing on the introduction.

21 CHAIR SLAVIK: A mission statement?

22 COMMISSIONER VILLEGAS: That's a whole separate  
23 conversation aside, because we're focusing on what the  
24 Department does, what the Division does, as separate  
25 from what we do. And this is our report. This is a

1 reflection of our Commission.

2 And then the introduction should be on the  
3 history of our Commission and the ask for why this  
4 report is being done in the first place. And that  
5 would include the program sunset and probably fold into  
6 the requirements for even having this type of a report,  
7 which we're calling the Triennial Report, which then  
8 leads into the eight requirements.

9 That would be my suggestion because I think it's  
10 too heavy on the introduction. Because when you give  
11 that to a legislator, they're not going to be reading  
12 the entire thing. They may read the executive -- the  
13 table of contents alone is three pages. So I'm just  
14 suggesting that, and just try to focus on what this  
15 Commission -- how we want to put our presentation.

16 I don't know if that's making it clear enough.  
17 I would just focus on the history of the Commission and  
18 then our ask.

19 COMMISSIONER CABRAL: So what you're looking at  
20 is these two items here, and then go into this?

21 COMMISSIONER VILLEGAS: Yes.

22 COMMISSIONER CABRAL: What I just asked  
23 Commissioner is -- the outline suggests content, the  
24 bottom two bullet points in the introduction as the  
25 history of the OHMVR Commission, and also discussion of

1 2018 program sunset and benefit of permanent  
2 authorization. So those are the items that she wants  
3 to focus on, so I just wanted to clarify that.

4 And then at that point jumping into the why did  
5 we have the Triennial Report, which are the bullet  
6 points on the preceding page.

7 COMMISSIONER VILLEGAS: And that's just my  
8 suggestion.

9 CHAIR SLAVIK: I understand. Okay. In the  
10 beginning of the document, there's a message from the  
11 Chair and a message from the Deputy Director. Are we  
12 okay with that?

13 COMMISSIONER VILLEGAS: Yes.

14 CHAIR SLAVIK: And then there's the mission  
15 statement, kind of sets the tone.

16 COMMISSIONER VILLEGAS: That's the mission  
17 statement for the Division.

18 CHAIR SLAVIK: You're saying a mission statement  
19 for the Commission?

20 COMMISSIONER VILLEGAS: Commission is separate  
21 from the Division.

22 CHAIR SLAVIK: Do we have a mission statement?

23 COMMISSIONER VILLEGAS: I'm only mentioning it  
24 because we have other commissions within the State  
25 Parks system that have their own mission statements

1 separate from the Department or the Division's.

2 CHAIR SLAVIK: I don't believe we have a mission  
3 statement for the Commission.

4 COMMISSIONER PEREZ: I think we do.

5 CHIEF JENKINS: We have not at this point -- or  
6 I should say, you have not at this point as a  
7 commission developed your own mission statement.

8 The mission statement that we have as a program  
9 is what we put in our strategic plan. It was developed  
10 between the Commission and the Division, but it is  
11 clearly identified as the Division's mission statement.

12 COMMISSIONER VILLEGAS: And it's not an issue  
13 that needs to be ironed out today. That's a larger  
14 conversation. But whether it is that we want to stick  
15 with this, this is fine. But I'm just raising it as,  
16 if this is going to be our report, then it should be a  
17 reflection of the Commission, a representation of what  
18 we want.

19 CHAIR SLAVIK: I understand what you're saying.  
20 In thinking this through, the Commission is kind of an  
21 evolutionary thing, members come and go, where the  
22 Division is an entity that sticks around for a long  
23 time, they have their mission statement. Could we  
24 actually craft a Commission mission statement? To me,  
25 that takes a couple of days in itself, just people

1 putting their heads together. Is it practical?

2 COMMISSIONER CABRAL: Well, I would say that we  
3 could possibly have a subcommittee to look into  
4 creating, crafting a mission statement that we could  
5 look at at the next meeting, and we can compare the  
6 two.

7 COMMISSIONER VILLEGAS: I don't think we need to  
8 make a decision on that today.

9 CHAIR SLAVIK: We kind of do because we  
10 basically have two meetings or three meetings before --  
11 we have two meetings. And then the third one is the  
12 publication that we review. So essentially we have two  
13 meetings. That's why I'm trying to push this thing a  
14 little bit.

15 COMMISSIONER MURPHY: Can we hear the OHV's  
16 Division's mission statement and see if we really  
17 differ far from that?

18 CHAIR SLAVIK: I can read it here if you'd like.

19 COMMISSIONER MURPHY: Do you want to read it  
20 into the record? Is it necessary?

21 CHAIR SLAVIK: I thought you were going to read  
22 it out loud.

23 COMMISSIONER MURPHY: No. I'll read it real  
24 quick.

25 "The mission of the Off-Highway

1 Motor Vehicle Recreation, OHMVR,  
2 Division is to provide leadership  
3 statewide in the area of off-highway  
4 vehicle, OHV, recreation to acquire,  
5 develop and operate state-owned  
6 vehicular recreation areas, and to  
7 otherwise provide for a statewide  
8 system of managed OHV recreational  
9 opportunities through funding to  
10 other public agencies. The OHMVR  
11 Division works to ensure quality  
12 recreation opportunities remain  
13 available for future generations by  
14 providing for education,  
15 conservation, and enforcement efforts  
16 that balance OHV recreation impacts  
17 with programs that conserve and  
18 protect cultural and natural  
19 resources."

20 So that's a big sentence. If we're going to  
21 craft our own, I can't imagine it being too far from  
22 this.

23 CHAIR SLAVIK: Well, I would think your own  
24 would be something to the effect that the Commission  
25 strives to interpret the public's issues and redirect

1 them to the staff of OHMVR. I mean that, I would  
2 think, is fairly simple, show up at meetings, you know,  
3 the Commission. The mission statement would be to show  
4 up at meetings and do a good job and reflect the  
5 public's comments. We're not going to do any of this  
6 other stuff here.

7 DEPUTY DIR. CONLIN: And what I might suggest is  
8 perhaps instead of crafting a mission statement --  
9 which a mission statement is a pretty significant thing  
10 that takes a lot of work, a lot of integration, all  
11 that.

12 Just simply a statement at the beginning of the  
13 thing that the Commission sees itself as the public's  
14 ability to interact with the Division and to express  
15 the concerns of the citizens that were appointed by the  
16 Legislature and Governor, something like that. I think  
17 a lot of that language you would find in the  
18 legislation that created you, and in SB 742, that  
19 language is probably already there.

20 So it would just be paraphrasing that basically  
21 as the upfront, and then that would give you the why.  
22 Why are you writing the report, who are we? We're the  
23 Commission. This is what we do, you know, and that way  
24 you stay out of the water of trying to create a  
25 mission, because the mission, you've got to get it

1 right.

2 COMMISSIONER MURPHY: That's a whole project.

3 CHAIR SLAVIK: Maybe that's already been done  
4 for us.

5 DEPUTY DIR. CONLIN: Probably in the beginning  
6 of some of the verbiage here.

7 COMMISSIONER PATROVSKY: We have probably almost  
8 quoted word for word from enabling that.

9 CHAIR SLAVIK: Okay. In the first paragraph on  
10 page 4, I know all of you don't have this, but on  
11 page 4, the OHMVR Commission Act also establishes the  
12 commission code quoted:

13 "To provide a public body of  
14 appointed members having expertise in  
15 various areas related to off-highway  
16 vehicle recreation and environmental  
17 protection. The Commission is  
18 dedicated to reviewing and commenting  
19 on program implementation,  
20 encouraging public input on issues  
21 and concerns reflecting the OHMVR  
22 program, considering and approving  
23 general plans for SVRAs, and  
24 providing advice to the Division of  
25 the OHMVR program."

1 COMMISSIONER CABRAL: That's fine.

2 CHAIR SLAVIK: We can bold that or put it up in  
3 front somewhere, make that more appropriate.

4 COMMISSIONER CABRAL: That's fine.

5 COMMISSIONER MURPHY: Do we need to take it  
6 either out of this format or just leave it as it is  
7 without going so formal as making it --

8 CHAIR SLAVIK: I think Teresa's point is if  
9 somebody is going to read that, they may not go into  
10 all of these pages, you think it's important that it's  
11 right up front.

12 COMMISSIONER VILLEGAS: Yes.

13 CHAIR SLAVIK: A statement from the Commission  
14 itself.

15 COMMISSIONER MURPHY: Because this page could be  
16 write up front.

17 COMMISSIONER VILLEGAS: That we don't have --  
18 it's just a cut and paste.

19 COMMISSIONER CABRAL: That would be simple.

20 CHAIR SLAVIK: Change that picture.

21 Shall we go down the bullet points? Does  
22 anybody want to add anything to this? Diana and I kind  
23 of talked about this, and Dan Canfield, we had a couple  
24 of discussions about this.

25 Let me read through the bullet points real

1 quick, and if anybody wants to add anything, make a  
2 note. "Review foundational principles and mission of  
3 program." Maybe that's too much.

4 COMMISSIONER CABRAL: I agree.

5 CHAIR SLAVIK: I'm going to put a cross on that.

6 "Discuss requirements of the Triennial Program  
7 Report." Do we need to do that as the statutory  
8 obligation?

9 CHIEF JENKINS: All the statute says is that  
10 language, these little bullet points. So interpreting  
11 those is up to you as you write the report. So --

12 CHAIR SLAVIK: My question is do we need to have  
13 that in text?

14 CHIEF JENKINS: I'm not sure I know what you're  
15 asking.

16 CHAIR SLAVIK: I'm trying to cut down the number  
17 of pages here.

18 CHIEF JENKINS: Like I said, you could -- at its  
19 most basic level, you could have answered these eight  
20 bullet points in eight paragraphs. In the most  
21 extensive, we could write a catalog. Somewhere in that  
22 continuum is where you want to be. You just point us  
23 in the right direction, and we will work with you to  
24 get it right.

25 DEPUTY DIR. CONLIN: I might suggest that the

1 Commission just takes a quick look down here, and if  
2 they see an obvious missing bullet point underneath one  
3 of these categories, a glaring error that we left  
4 something particularly critical, let the Chairman know  
5 and we can just jot that down.

6 And, again, this does not directly correlate to  
7 a page or a paragraph or anything, just simply that we  
8 think that in some way, shape, or form these should be  
9 mentioned in the report in some fashion. For instance,  
10 several of these could be combined. We talked about it  
11 before. General plans and grant programs, I mean many  
12 of them can be combined into the verbiage as we craft  
13 this thing with appendices if we need it for specifics  
14 on there.

15 COUNSEL LeFLORE: Can I make a suggestion? I  
16 think you've given the staff some direction on  
17 formatting and setting it up. And I would suggest if  
18 two of the Commission Members have already reviewed  
19 this and made comments, if there's something that you  
20 are aware of right now you want to comment on, that's  
21 good. But to sit here and read it and think about it  
22 for the first time is probably not a productive use of  
23 time.

24 Any of the Commission Members between -- you  
25 know, in the next few weeks, can get to either

1 Chief Jenkins or Dan Canfield with any additional  
2 comments. Then we can pull together a draft. So at  
3 the next meeting you'll have a more complete thing, and  
4 hopefully you'll be able to take a look at it ahead of  
5 the meeting and discuss it further then.

6 CHAIR SLAVIK: I understand what you're saying,  
7 but it seems to me that we are on a pretty short leash  
8 on this thing, and we're all here today. I know those  
9 folks are getting bored out there. But I mean we don't  
10 have any other time to really introduce ourselves, and  
11 we have new Commissioners. I've been through this  
12 process. I'm the only one that's been through this  
13 process.

14 So I mean I'll throw it out to the Commission if  
15 you guys want to roll with this.

16 COMMISSIONER CABRAL: I'm just going to try to  
17 kind of put this all in one plate. This is kind of  
18 where I would like to go with this and that is that I  
19 think what Teresa suggested as far as how to lay out  
20 the document to start with, because I agree with you  
21 100 percent as far as you want to have an impact on the  
22 first three to five pages. And then after that,  
23 people, if it's not their cup of tea, they're going to  
24 start getting disinterested. So too much technical  
25 information up front, not a good thing.

1           With that, looking at the Attachment One, if you  
2 go to the very end of Attachment One, the second page  
3 of it, "Review statewide OHV recreation needs," those  
4 bullet points there, I think if those things are  
5 brought forward in the document and brought up into  
6 right past the introduction -- or actually past the why  
7 we have this document and have those.

8           And then we can go into all of the technical  
9 stuff and let Dan and staff do what they need to do to  
10 really craft something nice. And because he's  
11 talented, it's just laying out the basic format and  
12 then we can edit it from there.

13           CHAIR SLAVIK: Let's take a quick break.

14 (Returned at 5:00 from a break beginning at 4:50.)

15           CHAIR SLAVIK: Let's continue this conversation.  
16 I think everybody seems to agree, the fact that we need  
17 an executive summary, maybe a separate document -- does  
18 that make sense -- that you can take into a legislator  
19 or interested party. So a separate document could have  
20 these visionary kinds of discussions.

21           And the second document maybe we have the  
22 beginning of that, plus the appendix of all of the  
23 details of the actual requirements of the document.

24           DEPUTY DIR. CONLIN: Again, we've talked a  
25 little sidebar, but my other life in the Marine Corps,

1 that's what we did, was the flashy 10-, 20-page  
2 document that you walked in and you gave that to the  
3 supporter, the congressman, whoever you wanted to  
4 provide the information to as a quick, easy read. And  
5 then you offered, and if you'd like, here is the  
6 details for your staff members to evaluate and give  
7 that over to them. That way you ensured that it was  
8 read and had those impact statements, that strategic  
9 communications you wanted to get out, but you weren't  
10 overburdened with details.

11 COMMISSIONER MURPHY: I like that.

12 DEPUTY DIR. CONLIN: I would strongly recommend  
13 that. I think that would be a win/win.

14 CHAIR SLAVIK: Beyond that, I think Diana and I  
15 could probably work on that. The letter from the Chair  
16 is -- I'd have to redo that completely, obviously, and  
17 then the Deputy Director has his own letter.

18 Is there anything else anybody would have to add  
19 to this?

20 COMMISSIONER PEREZ: No, except for I agree with  
21 Counsel LeFlore, if there are any additional comments,  
22 send them forward. Sometimes you need some time to go  
23 through it. That's what I did.

24 CHAIR SLAVIK: Right. So we're thinking that  
25 it's appropriate that once this information gets

1 sent to staff, and Dan Canfield, being the staff, can  
2 then return that information back to the individual  
3 Commissioners, all of us, so a complete document would  
4 be sent to everybody, and we'd have an opportunity to  
5 comment on that document individually, as long as we  
6 don't talk to one another.

7 COMMISSIONER PEREZ: Wouldn't that be the draft  
8 document at that point?

9 CHAIR SLAVIK: Yes, most certainly.

10 DEPUTY DIR. CONLIN: We can create a working  
11 document. You can comment on that individually. What  
12 we cannot allow, other than you two, that we cannot  
13 allow people to correspond in between each other. But  
14 you can make additions, deletions to the working  
15 document, and that will allow us to collaborate.

16 CHAIR SLAVIK: And we use tracked changes  
17 probably?

18 DEPUTY DIR. CONLIN: Whatever everybody is  
19 comfortable with. You can use crayon. Dan is a good  
20 guy, he can figure it out.

21 CHAIR SLAVIK: We'll use tracked changes, Dan.

22 COMMISSIONER MURPHY: I know we're talking about  
23 slimming the document down, but I just wanted to know  
24 if it would be appropriate for us to add any kind of  
25 reference to the 150-year anniversary. I wouldn't want

1 to be remiss in leaving that out.

2 CHAIR SLAVIK: Absolutely.

3 DEPUTY DIR. CONLIN: And I could even include  
4 that in my letter, something like that. We can hit the  
5 touch points somewhere in there.

6 COMMISSIONER CABRAL: And now I'm going to stick  
7 my chest out a little bit. I mean at some point does  
8 the OHV Division say we are one of the best and well  
9 run and most -- you know, if you think about it,  
10 compared to State Parks, the OHV Division is the one  
11 that's on solid ground. The reason it's on solid  
12 ground is because we have a solid funding source, and  
13 then something is going to have to happen in State  
14 Parks for it to move forward. So I think highlighting  
15 that, I don't know if that's good or bad, I just wanted  
16 to point it out.

17 DEPUTY DIR. CONLIN: I think any opportunity to  
18 tell the public the good things we're doing with the  
19 money, and the fact that we are a well-run  
20 organization, goes right back to the General's concept  
21 of restoring the public trust.

22 I would stay away from comparative assessments,  
23 i.e., we're better than those other slob over there,  
24 probably not the right way to say things. But I think  
25 any opportunity in writing I was -- getting to my

1 initial discussion here when I was talking at the  
2 beginning is we cannot make it a secret that we are  
3 having success, and this is an opportunity to really  
4 bring that out.

5 COMMISSIONER CABRAL: I'm comfortable with the  
6 direction that we've talked about us going, and I would  
7 think to see us maybe move on to the next agenda item.

8 CHAIR SLAVIK: Public comment on the Triennial  
9 Report?

10 JOHN STEWART: Good afternoon, Commissioners,  
11 John Stewart, California Association of 4-Wheel Drive  
12 Clubs.

13 Just a couple of items under when you look at  
14 the program overview, I believe that somewhere in  
15 that -- I don't see it highlighted, but something  
16 should be talked about on program growth and highlight  
17 SVRA visitorship days, and how many people visit the  
18 SVRAs.

19 And also down there where you have the Prairie  
20 City SVRA four-by-four project area, that could be  
21 expanded to also include Ocotillo Wells' challenge area  
22 and the fact that maybe even Hungry Valley -- or  
23 retitling that to the point where your highlighting of  
24 the SVRAs are not just for motorcycles, ATVs, but  
25 they're also being equipped with four-wheel drive

1 challenge opportunities and obstacle courses such as  
2 Hungry Valley, Ocotillo Wells, in addition to  
3 Prairie City.

4 And then where the SVRA special events and  
5 volunteer coordination, that might be recommended a  
6 retitling of that, say something like public/private  
7 partnerships.

8 CHAIR SLAVIK: Where are you with that?

9 JOHN STEWART: Down in the OHMVR program review,  
10 about mid, SVRA Special Events/Project Coordination or  
11 Volunteer Coordination, that might be more appropriate,  
12 more meaningful if it were entitled or changed into a  
13 public/private partnerships, just to highlight  
14 something like what the Tierra del Sol does or with  
15 what the Hangtown is as far as how you handle special  
16 events with public interaction, both private groups.

17 COMMISSIONER MURPHY: That sounds doable.

18 JOHN STEWART: That about covers it. Thank you.

19 CHAIR SLAVIK: And for everybody's information,  
20 I'm guessing some of the things that John brought up  
21 are in the context of the existing document, and I  
22 believe the public/private partnership piece is  
23 highlighted in there. And actually each specific park,  
24 SVRA, there's a whole list of the items that are in  
25 those parks. It's not items. It's activity places.

1           COMMISSIONER MURPHY: His mention of the growth,  
2 I think, is very important, and that should be in the  
3 executive summary. And maybe if there's a line added  
4 in there of California population growth, because I  
5 would imagine the OHV use is going to outpace the  
6 population growth. Because I wouldn't want somebody to  
7 just look at that statistic and think, well, of course,  
8 state population has grown. But I want them to see the  
9 correlation that OHV use has increased and that there's  
10 a pretty high number of Californians who recreate in  
11 this method, and therefore it's important.

12           CHAIR SLAVIK: The graphs are there. They need  
13 to be updated. And your point is well-taken about them  
14 being up front. Visitor-use graphs in the front part.

15           COMMISSIONER MURPHY: Including a line for  
16 population growth in California so that they can see  
17 the correlation, that there's a difference.

18           COMMISSIONER CABRAL: Shouldn't there be any  
19 kind of a relationship also added to that of our  
20 funding going down and maybe chained to the General  
21 Fund?

22           CHAIR SLAVIK: That was in the general report,  
23 as well. You're getting into the situation where  
24 you're starting to add more and more into the executive  
25 summary, and what's important.

1 COMMISSIONER CABRAL: Maybe that would be good  
2 to be in the second, more detailed document.

3 CHAIR SLAVIK: I don't know. It might be good  
4 to be in the front.

5 COMMISSIONER CABRAL: That's stuff that we can  
6 put together.

7 CHAIR SLAVIK: Yes, we can work on that. All  
8 that information is being tracked by staff, and it's  
9 all available in the graph forms. Anything else?

10 **AGENDA ITEM V(A) - CHANGES TO GRANTS REGULATIONS**

11 CHAIR SLAVIK: All right. Moving on. What's next?  
12 Changes in grants regulations under business items.  
13 Does anybody have any comment on this?

14 OHMVR STAFF LONG: I do. Good evening,  
15 Commissioners. My name is Kelly Long. I'm a grants  
16 administrator with the Division, and I would just  
17 briefly direct you to Tab No. 7 where we discuss one of  
18 your many responsibilities.

19 One of the things that the Off-Highway Motor  
20 Vehicle Commission is required to do is to conduct a  
21 public meeting before the beginning of each grant cycle  
22 in order to receive public input concerning the  
23 program, recommendations for program improvements, and  
24 specific project needs for the system.

25 And you might realize that we're actually in the

1 middle of our current program -- or our current cycle.  
2 We'll be making our funding recommendations in June.  
3 But the reality of it is, if we are to get any input  
4 and have them in place for the next grant cycle, which  
5 would kick off in January, we need to be collecting  
6 that now because it's about a six-month process to take  
7 any regulatory changes and work through the  
8 Administrative Procedures Act, send our regulations off  
9 for publication by the Office of Administrative Law.  
10 There is Public Review Opportunity 45(a) comment  
11 windows, then revisions, things like that when we go  
12 out for public review. So just timeline-wise that's  
13 why we're talking about it today so we can be ready for  
14 January.

15 We do have a couple of possible changes to the  
16 existing regulations, and you'll notice that  
17 realistically they're pretty minor. They are actually  
18 sort of polishing off the rough edges. We think we  
19 have a program that is working, but every year we go  
20 through the grant cycle, and we realize there's  
21 something that might need a little tweak. Many of our  
22 suggested changes are actually with the evaluation  
23 criteria, the questions that we're asking the grantees,  
24 some of them are a little ambiguous. So we're trying  
25 to work out some of the confusion for the grantees. So

1 we're going to be making some improvements -- or  
2 suggesting some improvements, clarification to the  
3 evaluation criteria for the different project types.

4           There are some changes to what we call our  
5 Habitat Management Program. We actually are currently  
6 referring to some outdated plant and animal  
7 classifications. That sort of thing we need to update  
8 because they are in part in our regulations.

9           And then one of our suggested changes within the  
10 operation and maintenance category that includes four  
11 funding areas of ground operations, acquisition,  
12 planning, and development. The acquisition planning  
13 and development currently are restricted to 10 percent  
14 in each of those categories for the allowable or for  
15 the apportioned amount of money.

16           So this year right now we're working with  
17 \$10 million total available for the program.  
18 \$5 million goes to the operation and maintenance  
19 category. Within that, only \$500,000 could go to  
20 acquisition, only 500,000 to development, only 500,000  
21 to planning. We are suggesting we provide some more  
22 flexibility where conceivably those three subcategories  
23 might be competing for up to 30 percent. In the past  
24 we've seen potential acquisition projects that an  
25 applicant would want to come in with where \$500,000

1 really might not get you very far if you're looking to  
2 acquire a substantial amount of property. So if we  
3 revised it, it would increase that cap if it was the  
4 highest scoring project in there up to that 30 percent  
5 rather than the 10 percent. So that's one of the  
6 things that we're suggesting.

7 But really the opportunity here is for the  
8 Division to hear any suggestions from the Commission,  
9 and also you guys need to take any suggestions from the  
10 public at this point. And also keep in mind any  
11 suggestions that we make and incorporate, anything that  
12 we want to change, we will be going through the  
13 Administrative Procedures Act. All of these will be  
14 publicly available. There's going to be opportunity  
15 for more public comment through that process, more  
16 revision. And everything doesn't have to happen here.  
17 We can capture things, work on things later. If we can  
18 get some -- if there are some ideas that people would  
19 like to present right now, this would be a great time  
20 to do it. So with that, you're on your own.

21 CHAIR SLAVIK: All right. Thank you. Having  
22 said that, do any of the Commissioners have any burning  
23 desire to change regulations in the grant process?

24 COMMISSIONER CABRAL: I would like to support  
25 the submitted changes that they have on this document

1 and move forward from there.

2 COMMISSIONER PEREZ: I agree.

3 CHAIR SLAVIK: Shall we have a motion?

4 COMMISSIONER PEREZ: I think we should have a  
5 motion.

6 CHAIR SLAVIK: Entertain a motion then to  
7 support --

8 AUDIENCE MEMBER: Public comments before?

9 CHAIR SLAVIK: Well, I was going to wait for  
10 that.

11 AUDIENCE MEMBER: I believe it to be appropriate  
12 for public comment before you make any motions.

13 TOM TAMMONE: Tom Tammone speaking as an  
14 individual. We recently had a letter drafted, a  
15 protest letter from both the Commission and Division  
16 about Clear Creek and the money that we have vested in  
17 there that is apparently getting thrown into the wind,  
18 and a lot of us have some concerns with the land plan  
19 revision down south with the Forest Service.

20 We need to have some way to look at some of  
21 these applicants that may not be working in our best  
22 interest, you know, possibly adjust their scores down  
23 through some kind of criteria. I'm thinking you might  
24 want to look into the sustainability of the applicant's  
25 land plan. If you've got radical changes in the work

1 where a large position of the opportunity could all of  
2 a sudden become available, maybe we consider that, too.

3 You're the stewards of this fund, and we're  
4 relying on you to be sure that the applicants are  
5 actually working in our best interest. And it would be  
6 nice to have a way to have the public a little more  
7 involved with that, too. Thank you.

8 JOHN STEWART: John Stewart, California  
9 Association of 4-Wheel Drive Clubs. The grants program  
10 is something that is very important to the entire OHV  
11 program, and being able to leverage the comments that  
12 they generate in order to improve the program I think  
13 is a wonderful idea and is something that you would at  
14 least acknowledge the grant participants and show them  
15 that, yes, their comments are valid. I think it's  
16 something that -- and these are recommended changes,  
17 and they should be pursued. Let's make the program  
18 better. Thank you.

19 BRUCE BRAZIL: Bruce Brazil. Thank you. And  
20 thank you for allowing me to interrupt your other  
21 process.

22 CHAIR SLAVIK: It's been a long day.

23 BRUCE BRAZIL: Well, there are only a couple of  
24 us out here, and I'm as interested in going home, also.

25 On the caps, there was mention, I'm not real

1 clear on the way it was presented, but something I  
2 would be interested in seeing is a cap on the amount  
3 that any applicant could request, and that cap would be  
4 based on the amount of funds available.

5 For instance, if there's only a million dollars,  
6 whatever, for land acquisitions, one applicant came in  
7 there requested a million dollars, they get it all if  
8 they scored higher. If there are multiple applicants  
9 that are looking for funds out of that category, they  
10 would be out of luck.

11 And if you change that over to some of the other  
12 project types, it would be a way of making sure that no  
13 single entity, no single agency, garners all of the  
14 funds. It hasn't been a real problem in the past, but  
15 I would like to see us put it in now before it is a  
16 problem.

17 Second, I would like to see stronger  
18 requirements in linking the project to off-highway  
19 vehicle use. In the past there have been a few  
20 projects that have been funded that are very vague as  
21 far as how their project related to any sort of OHV  
22 activity. For instance, and it's not in this year's  
23 request, but in the past BLM had asked for money for  
24 studying the bats in the mine shafts down in Southern  
25 California. I had the opportunity to ride by a couple

1 of these mines, at least the horizontal ones, and I  
2 don't see any tire tracks going in or out of the mine  
3 shafts. So what I'm saying, link the project more to  
4 an actual OHV activity, even if it's a study, just make  
5 sure it's linked.

6 Another one that they had was bird counts down  
7 in Southern California. Reading through their grant  
8 requests, I couldn't see a real link to how that  
9 related to OHV activities. And on some of these  
10 studies that are valid, I would also like to see an end  
11 date on them. Don't just study them to collect data in  
12 perpetuity. My time is up.

13 CHAIR SLAVIK: Kelly, when you get done writing  
14 there, we have some questions here.

15 So some of the points that were brought up, are  
16 there safeguards in place in the application process to  
17 address some of the things like Mr. Brazil...

18 OHMVR STAFF LONG: So actually right now there  
19 are caps that do exist, but there are situations where  
20 we don't have very much money where realistically one  
21 applicant could receive all of the funding in some of  
22 the smaller categories, particularly the development,  
23 the planning, and the acquisition. So I take to heart  
24 what he said about coming up with a system that would  
25 prevent a single applicant from acquiring all of that

1 funding.

2           Alternatively, it becomes a battle because if  
3 you are the highest-scoring applicant, that would  
4 suggest that that is the best project, and if they  
5 happen to be taking all of the funding, they have a  
6 valid claim to it, too.

7           But it's a situation right now we're looking at.  
8 We know that we have \$10 million. That's very  
9 different from when we had \$26 million, and it really  
10 comes into play when it's a smaller amount. So it  
11 might be something that we would -- you know, you might  
12 want to incorporate on the situations where the funding  
13 is decreased, so.

14           CHAIR SLAVIK: Having one applicant have enough  
15 money to make an acquisition as opposed to distributed  
16 to five or six people that maybe it won't happen  
17 because they don't get enough money; that's a choice,  
18 right?

19           OHMVR STAFF LONG: Right. And something that we  
20 definitely will have to -- we'll ponder. We have to  
21 pick a direction, go with it. And, again, that's -- we  
22 will make that recommendation and again be open to  
23 public comment on that and change our statement.

24           CHAIR SLAVIK: Again, the subject has come up  
25 several times, and Clear Creek is a good example where

1 we put a bunch of money into the project and then tour  
2 the thing and the stuff is all laying on the side of  
3 the road destroyed.

4 OHMVR STAFF LONG: I will say one of the  
5 things -- and this is actually the fourth bullet point  
6 that we had, language to ensure developments funded  
7 through the grants program remain available for use.  
8 Related or very much in a similar vein, we're looking  
9 at the ability to have a warranty of continued use sort  
10 of thing. Much like if we fund an acquisition, the  
11 applicants have to tell us this land will be available  
12 in perpetuity or at least 25 years for OHV recreation.

13 We're pondering saying the same thing  
14 essentially for development. If we give you money to  
15 develop a facility, we expect that it's going to be  
16 available for OHV recreation for at least 25 years.  
17 And if not, if you do tear it out or whatever, we would  
18 like to see those funds returned to the Trust Fund. So  
19 I think that would give it some feet.

20 CHAIR SLAVIK: I think that's fine.

21 DEPUTY DIR. CONLIN: We're working on that.  
22 There are some entities that we can do that with, and  
23 there are some we cannot. So it's sort of a  
24 unit-by-unit or grant-by-grant process as we explore it  
25 with the legal guys what we can and can't do. But the

1 message is clear to these people coming in to the  
2 grants that we do not want to squander money.

3 CHAIR SLAVIK: All right. We've heard public  
4 comment. Do we have any comments from Commissioners on  
5 changing grants?

6 COMMISSIONER CABRAL: I'd like to make a motion  
7 that we have staff move forward with their proposals on  
8 changing the grant program, and then we can review this  
9 at the next meeting.

10 COMMISSIONER MURPHY: Second the motion.

11 CHAIR SLAVIK: Call for a vote.

12 (Commissioners simultaneously voted.)

13 CHAIR SLAVIK: So it passes unanimously.

14 OHMVR STAFF LONG: So let me just point out the  
15 next meeting is scheduled for September. So at that  
16 point, we will have already had to have submitted our  
17 proposed regulations. So we will be moving forward  
18 with this. At that point I will be updating you on the  
19 regulations that have been submitted, and realistically  
20 in September I believe the public comment period would  
21 have closed. So I will be updating you on what we have  
22 submitted and potential changes that we may be creating  
23 from there.

24 CHAIR SLAVIK: You're the experts.

25 OHMVR STAFF LONG: Thank you.

1 COMMISSIONER MURPHY: Is that going to hinder --  
2 what I'm understanding, is that going to hinder?

3 OHMVR STAFF LONG: No.

4 **AGENDA ITEM V(6) - CHANGES TO THE OHMVR COMMISSION**

5 **MEETING SCHEDULE TO ELIMINATE WEEKEND MEETINGS**

6 CHAIR SLAVIK: Moving on, Item B, Changes in the  
7 OHMVR Commission Meeting Schedule to Eliminate Weekend  
8 Meetings. I don't know if we need to have a discussion  
9 on that. The next meeting is going to be Friday/  
10 Saturday, with the tour being on Saturday. So we kind  
11 of eliminate that situation.

12 But in the future we need to probably make that  
13 determination. Do we need to do that here or we can  
14 wait, I guess?

15 DEPUTY DIR. CONLIN: Well, for September, you're  
16 right, it's a lock. For November, right now we've got  
17 15/16, which is another Friday/Saturday, so.

18 CHAIR SLAVIK: The rationale, does everybody  
19 understand the rationale why people would rather have  
20 it on a Friday, the actual meeting date and a tour date  
21 on a Friday? Do we all understand that?

22 COMMISSIONER VILLEGAS: Are we just asking to  
23 flip, have the meeting on a Friday and do a tour the  
24 following day?

25 CHAIR SLAVIK: Right. My understanding is the

1 agencies and a lot of the folks in the community would  
2 rather be there on a Friday. It's a workday for them,  
3 but a lot of these folks are engaged in this process,  
4 and that's their workday. The Saturdays and Sundays  
5 are maybe not such a workday. As far as the staff here  
6 and OHMVR staff and Forest Service and BLM staff, a  
7 Friday is a much easier day for them to show up at a  
8 meeting.

9 DEPUTY DIR. CONLIN: That's correct. They just  
10 work it out a little bit better.

11 COMMISSIONER PEREZ: I just have a question.  
12 What about the public? Is it easier for them to show  
13 up on a weekend or workday?

14 CHAIR SLAVIK: Well, we can have public input on  
15 it, and I welcome that. But what we've heard so far is  
16 that most of them would rather come on a Friday for a  
17 meeting. In the past, the reason we changed it was  
18 hopefully getting more public on the Friday. But you  
19 can see here, it doesn't work.

20 But there may be times, may be meetings that  
21 meet a certain objective that would require us to have  
22 a meeting on a Saturday for public input for some  
23 reason, so we have that flexibility.

24 COMMISSIONER PEREZ: Maybe we could agree to  
25 change it and be flexible.

1 CHAIR SLAVIK: We have that flexibility.

2 DEPUTY DIR. CONLIN: Okay.

3 CHAIR SLAVIK: Do we want to have any public  
4 input on this?

5 JOHN STEWART: Good afternoon, Commissioners,  
6 John Stewart, California Association of 4-Wheel Drive  
7 Clubs. Being one of the individuals, I will be here  
8 whether it's a Friday or Saturday. That's -- you know,  
9 whichever day you call for to me is immaterial.

10 I would offer up, though, if the intent is to  
11 reduce overtime costs on the part of the agencies,  
12 you're going to have to balance the cost that the  
13 agency and even the Division would incur by having the  
14 public meeting on a Saturday versus what the agencies  
15 would incur if you scheduled a tour and had the tour on  
16 a Saturday. Because they would incur overtime costs  
17 for their employees. So it's kind of a -- it's a six,  
18 one half dozen another type deal, but it could come  
19 into play as far as it impacts your ability to actually  
20 conduct a tour if the tour required assets or resources  
21 that the agency could only bring together during the  
22 normal working hours, and yet you are pushing that off  
23 to saying that will be only on a Saturday, so.

24 And as far as getting more public involvement,  
25 the public involvement will come when they become

1 interested in the topics of the agenda and in the  
2 program, whether it's on a weekday, an evening, or a  
3 weekend.

4 CHAIR SLAVIK: Thank you. Tom Tammone.

5 TOM TAMMONE: Tom Tammone as an individual. I  
6 agree with John Stewart and the fact that it doesn't  
7 seem to matter. We've changed it to Saturday, to  
8 weekends, and nobody shows up. So personally for me  
9 Saturdays is easier, gives you time off from work.  
10 Fridays are hard for me, and Mondays are hard for me.  
11 Tuesdays, Wednesdays, and Thursdays are easy for me to  
12 get. That's my personal schedule. But historically I  
13 found as far as participation it really doesn't matter  
14 when you have them. Thanks.

15 CHAIR SLAVIK: Bruce Brazil, you didn't put that  
16 on the topic, but I know you're probably interested in  
17 this. You can speak for somebody else if want to get  
18 up.

19 BRUCE BRAZIL: Just keep it flexible.

20 **AGENDA ITEM V(C) - ELECTION OF NEW CHAIR**

21 CHAIR SLAVIK: All right. Last item, Election  
22 of the New Chair. Do we want to have an election of a  
23 new chair at this meeting?

24 COMMISSIONER CABRAL: I'd like to speak to that.  
25 I believe that we should get our election of a chair

1 back on its normal cycle. I know that you came in as  
2 an intern and then was brought into -- I think you're  
3 doing a good job, and I think that if we got ourselves  
4 back to our normal cycle, would probably the best thing  
5 that would bring us in line with the other commissions  
6 within State Parks. So I would like to see the  
7 structure stay as it is throughout this cycle.

8 COMMISSIONER PEREZ: What is the normal cycle?

9 CHAIR SLAVIK: January to January.

10 DEPUTY DIR. CONLIN: It would be January to  
11 January on the calendar year.

12 COMMISSIONER PATROVSKY: So we would wait until  
13 January for this item?

14 DEPUTY DIR. CONLIN: That's right. You could do  
15 an election now. And if you did, there would be now  
16 two additional choices. One choice would be that the  
17 new electee would then undergo another election in the  
18 normal time, which would be at the beginning of the  
19 calendar year, or you would have another sort of an  
20 off-cycle period that the person would serve, and then  
21 you would have to figure out when you were going to  
22 have another election.

23 The preference for a lot of reasons right now  
24 coming from the Department is to try and align the  
25 commissions and to get them back to elections on a

1 normal period just like we do for the legislature and  
2 other things, which is on the calendar year, which is  
3 January to January.

4 COMMISSIONER PATROVSKY: If Paul is willing to  
5 serve until January, I would just as soon defer until  
6 then.

7 CHAIR SLAVIK: And I must add, too, that at the  
8 end of January, there's nothing that says that you have  
9 to elect a new chair, just for that information. A  
10 chair could continue if he's elected, he or she.

11 COMMISSIONER PEREZ: Well, I'd just like to add  
12 that I would be interested in the chair position. I am  
13 interested. I think I can contribute to the new  
14 directions that we're heading, and I mean I do want to  
15 throw that out there, that I do have that interest, and  
16 I have the time and the energy and certainly the  
17 interest to move forward on that.

18 And now when this occurs, I'm assuming that's  
19 the topic of discussion.

20 CHAIR SLAVIK: November meeting.

21 COMMISSIONER PEREZ: Because if I recall  
22 correctly, I think it was former Commissioner  
23 Eric Lueder was nominated -- I think it was in June,  
24 and then he wasn't reappointed, is what occurred, and  
25 that's how, you know, we need to fill that slot in.

1           So I'm not sure how we got to June, you know  
2 what I mean, why that was the month. If I understood  
3 correctly, I think that that was the time period for  
4 selecting a new chair. I don't know if that was the  
5 history, how long that was occurring. I don't know.  
6 Do you know when?

7           DEPUTY DIR. CONLIN: My understanding from the  
8 history was it had gotten off cycle, and then it got  
9 further off cycle, and we're simply trying to align it  
10 back to when it should be; is that correct?

11          CHIEF JENKINS: Yes.

12          COMMISSIONER PEREZ: So if we would all like to  
13 get back on cycle, I would certainly support that, but  
14 I would like to see it as an agenda item in January if  
15 that's what we agree to.

16          COMMISSIONER CABRAL: Would it be a  
17 November election?

18          DEPUTY DIR. CONLIN: November for January.

19          COMMISSIONER PATROVSKY: November, start in  
20 January.

21          COMMISSIONER PEREZ: November, start in January.

22          CHAIR SLAVIK: Any closing comments from the  
23 Commissioners? Closing comments from the Deputy?

24          DEPUTY DIR. CONLIN: Good meeting, long, but I  
25 think you got everything in.

1 CHAIR SLAVIK: I thought this was going to be a  
2 two o'clock meeting.

3 DEPUTY DIR. CONLIN: Thanks for everybody's  
4 participation, particularly the public. You guys are  
5 very patient; thanks for sitting in there.

6 A lot of these action items will be taken care  
7 of. We will be publishing the minutes as normal. On  
8 your report we will be working with you interactively,  
9 and we will be sending out things to you so you get a  
10 chance to look at that.

11 CHAIR SLAVIK: Before we close the meeting,  
12 Connie, you have five minutes you said?

13 Call for a motion to adjourn the meeting.

14 COMMISSIONER VILLEGAS: Motion to adjourn.

15 COMMISSIONER CABRAL: Second.

16 CHAIR SLAVIK: All in favor.

17 (Commissioners simultaneously voted.)

18 (Meeting adjourned at 5:36 p.m.)

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