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VIA FAX AND EMAIL

OHMVR Commission

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Re: Resolution 01-2021: Rescission of Resolution 03-2016 (Certifying the Carnegie SVRA Final Environmental Impact Report) and Resolution 04-2016 (Approving the Carnegie SVRA General Plan)

To the OHMVR Commission:

These comments to the Commission by Connolly Ranch Inc. on the above agenda item could not be provided earlier because the proposed resolution was only made available today.

The portion of the Resolution that states as follows does not comply with the Peremptory Writ of Mandate issued by the court:

“The Commission acknowledges that the peremptory writs of mandate require the Department of Parks and Recreation and the Off-Highway Motor Vehicle Recreation Division, which have authority over the day-to-day operations and management at Carnegie State Vehicular Recreation Area, “to suspend all activity associated with implementation of Resolution 04-2016 that could result in any change or alteration to the physical environment until Respondents have brought the Approval of the General Plan for Carnegie State Vehicular Recreation Area into compliance with CEQA.””

More than acknowledgment is required. Compliance is required. The day-to-day operations and management of Carnegie SVRA are activities association with implementation of Resolution 04-2016 that are resulting in changes and alterations to the physical environment. Although not required to provide comments to the Commission, and although I have provided these same comments to Parks Counsel in the absence of the Resolution, I am making them again as part of the record.

Sincerely,



Mark V. Connolly

cc: Danae J Aitchison