

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

MEETING MINUTES

February 5, 2016
8:30 a.m. to 4:40 p.m.

Tracy City Hall
City Council Chambers
333 Civic Center Plaza
Tracy, CA 95736

OHMVR COMMISSIONERS PRESENT

Ted Cabral, Chair
Eric Lueder, Vice Chair
Erin Hafkenschiel
Tom Lemmon
Kevin Murphy
Edward Patrovsky
Paul Slavik

OHMVR COMMISSION ABSENT

Teresa Villegas

OHMVR DIVISION STAFF PRESENT

Christopher Conlin, Deputy Director
Maria Mowrey, Actin Division Chief
Kathryn Tobias, Legal Counsel
Vicki Perez, Clerk
Deborah Burgeson, Specialist (Audiovisual)

OTHER OHMVR DIVISION STAFF AND REGISTERED VISITORS

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

- (A) Pledge of Allegiance led by Deputy Director Conlin.
- (B) Roll Call – Seven Commissioners present at time of roll call, one Commission member absent, and one Commission member appointment vacant.

Chair Cabral introduced Fifth District Supervisor Bob Elliott.

Commissioner Hafkenschiel announced her resignation from the Commission due to relocating out-of-state. She thanked OHMVR Division staff for their support and assistance during her tenure as an OHMVR Commissioner. Former Commissioner Diana Pérez thanked Division staff for their assistance during her term as an OHMVR

Commissioner. She also expressed her gratitude for the opportunity to visit various OHV recreation areas throughout the state.

Supervisor Elliott complimented Carnegie SVRA staff for all the restoration efforts they have made throughout the SVRA.

AGENDA ITEM II – AGENDA MANAGEMENT

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

AGENDA ITEM III – APPROVAL OF MINUTES – OCTOBER 29, 2015 MEETING

Receiving no corrections to the minutes, Chair Cabral approved the minutes as distributed. Commissioner Lemmon abstained from commenting because he was not at the meeting.

AGENDA ITEM IV (A) – COMMISSIONERS' REPORTS

Commissioner Slavik reported that his second term as a Commissioner expired, but expressed interest in reappointment to the position. He spoke briefly about his tenure as an OHMVR Commissioner and the many accomplishments the Commission and the Division have made during his eight-year term.

Commissioner Patrovsky stated that he was very impressed with the diligence and competence of the Carnegie SVRA staff.

Chair Cabral briefed the Commission and the public about the status of the State Parks Transformation project. He stated that implementation of a service-based budgeting system and new hiring procedures would occur in the very near future. The Transportation Advisory Committee is also looking at ways to generate a dedicated sustainable revenue source for the Parks system.

AGENDA ITEM IV (B) – COMMISSION COMMITTEE REPORTS

ATV Safety Ad Hoc Committee: Deputy Director Conlin reported that DMV and Caltrans selected representatives for the Committee and OHMVR Division staff is looking at dates for the first meeting.

BLM Liaison Ad Hoc Committee: Commissioner Patrovsky stated that he is looking forward to meeting Jerry Perez, the new BLM Director for the State of California. Chair Cabral reported that he attended a meeting with the State's interim director of BLM and Deputy Director Conlin to discuss the WEMO plan in Southern California and its overlap with the DRECP plan.

CARB Liaison Ad Hoc Committee: Chair Cabral met with OHMVR Division staff and CARB staff regarding the red sticker study. He stated that the use of electric bikes for OHV recreation could address some of the criticisms the OHV community has faced over the years regarding noise and exhaust emissions. The newer fuel-injected red

sticker vehicles have much cleaner tailpipe emissions than carburetor bikes have had in the past.

Clear Creek Management Area Ad Hoc Committee: Chair Cabral acknowledged the extensive amount of work accomplished by former Commissioner Pérez regarding the Clear Creek Management Area.

Events/NOHVCC Ad Hoc Committee: Chair Cabral dissolved this Committee. Commissioner Slavik reported that the October 2015 Commission meeting held concurrently with the NOHVCC Conference was a success. Participants from all over the country went home with a good understanding of California's OHMVR program and thoroughly enjoyed their visit to Prairie City SVRA.

Urban Parks/Acquisitions Ad Hoc Committee: Commissioner Slavik reported that a private motocross park would be opening in Riverside the near future.

USFS Liaison Ad Hoc Committee: Chair Cabral reported that the USFS is currently working on the over-snow travel management plan.

AGENDA ITEM V – ADMINISTRATIVE ITEM: ELECTION OF VICE CHAIR FOR 2016

Commissioner Murphy nominated Commission Lueder as the 2016 Commission Vice Chair and Commissioners Slavik and Patrovsky seconded. Chair Cabral called for a roll-call vote; motion carried.

Roll Call Vote

Approved: Commissioners Hafkenschiel, Lemmon, Murphy, Patrovsky, Slavik, and Cabral

No: None

Abstain: Lueder

Jerry Perez, Director of California's BLM office, acknowledged the Commission's work regarding OHV recreation throughout the state and expressed appreciation for the OHV Trust Fund grants program.

Mr. Perez met with CORVA and ORVA to discuss concerns regarding the DRECP. He stated the DRECP decision would be published mid- to late March.

AGENDA ITEM VI (A) – BUSINESS ITEMS: CARNEGIE SVRA GENERAL PLAN PROPOSED FINAL ENVIRONMENTAL IMPACT REPORT

Dan Canfield, OHMVR Division Planning Manager, presented a brief overview of the topics that would be discussed during this report.

Elise McFarland, Park Interpreter, presented a slideshow highlighting the park's history, the education and interpretation program, and the California Archaeological Site Stewardship Program (CASSP).

Native people from the Ohlone, Miwok, and Yokut tribes lived in the area until 1769. In 1855, coal was found in Corral Hollow and, in 1890, John Treadwell organized the San Francisco and San Joaquin Coal Mining Company. The Carnegie Brick and Pottery plant operated from 1902 to 1911.

The use of off-highway vehicles in the canyon began during the 1940s and became more popular after World War II. Carnegie Cycle Park, established in the 1960s, hosted the ever-popular MX motocross races in the 1970s. Today, hill climb events occur four times a year and 4x4 enthusiasts and trail riders recreate in other areas of the park throughout the year.

The education and interpretation program team staff special event and weekend information booths, create park panels and brochures, conduct school outreach programs, and post up-to-date information about the SVRA on social media and Internet web pages. In collaboration with Carnegie SVRA resource specialists, CASSP volunteers record and monitor over 60 archaeological sites throughout the park.

Clint Elsholz, Twin Cities District Senior Environmental Scientist, provided an overview of the trails program. The program includes trails planning, maintenance, restoration, and monitoring. Three operational regulatory program requirements for the SVRA include soil conservation, habitat monitoring, and stormwater management.

The Soil Conservation Standard and Guidelines includes protocols for trail evaluations. The evaluation considers the condition of the trail regarding water control features, excessive tread wear, and tread width.

Adopted approximately five years ago, the goal of the Stormwater Management Plan is to move stormwater through the park in as natural a state as practicable. A large part of the Plan focuses on the trail system because improper trail design can alter stormwater quality. The trails plan outlines the team's approach to trails management with an overarching goal of modernizing the trail system by reducing trail density and incorporating sustainable trail principles. The trails team works closely with the Carnegie Advisory Team to select and design trails that are interesting yet sustainable.

Key factors in the successful implementation of the Stormwater Management Plan include:

- Public education and outreach,
- Staff training,
- Facility inspections,
- Monitoring,
- Project planning, and
- Establishing and enforcing policies such as wet weather closures and zero tolerance to off-trail riding.

After habitat monitoring program protocols were reviewed and revised by a team of outside experts, scientific experimental design principles, including increasing and

randomizing sampling efforts, were incorporated into the program. Habitat monitoring occurs annually for the presence of amphibians, birds, and large mammals as well as small mammals and vegetation. In addition, the environmental team provides project-level oversight for all projects including regulatory compliance and pre-project surveys for rare plants, nesting birds, and endangered and sensitive species.

Randy Caldera, Carnegie SVRA Sector Superintendent, provided an overview of the park's safety program, entrance station operation, sound testing, spark arrestor enforcement, and emergency response. He stressed the importance of the entrance staff's interaction with visitors as they relay park rules, trail closures, resource projects, and other pertinent information to the visitors. In addition, entrance staff inspect all off-highway vehicle mufflers for proper spark arrestor installation.

The SVRA employs five full-time law enforcement officers. All officers are certified EMTs or first responders. Carnegie SVRA also has an active volunteer safety patrol that logs over 1,000 hours annually.

Mr. Canfield presented an overview of the acquisition of neighboring lands to expand Carnegie SVRA and the Carnegie SVRA's General Plan process.

The current General Plan project began in February 2012 and involved considerable stakeholder input and concept development. A document library located on the project website, CarnegieGeneralPlan.com, integrates all documentation for the project including resource studies that support the project. In April 2015, the Preliminary General Plan and Draft Environmental Impact Report (EIR) were published for review. The planning team received over 1,000 comment letters from agencies, organizations, and individuals and developed responses to those comments as well as proposed edits to the documents based on these comments.

Petra Unger, AECOM, provided information about the program EIR and its development process. An experienced team of AECOM experts, with support from KD Anderson for traffic and transportation issues, prepared the draft EIR. It received rigorous review from OHMVR Division staff and the Division's legal counsel and environmental consultant prior to publication. After the team reviewed the public comments, they concluded that there were no new impacts identified that were not previously discussed in the document; therefore, recirculation of the draft EIR would not be required.

Mr. Canfield briefly discussed the structure of the proposed Final EIR and encouraged public review. He assured the Commission and the public that feedback received during the public comment period would be incorporated into the EIR.

PUBLIC COMMENTS ON AGENDA ITEM VI (A) – CARNEGIE SVRA GENERAL PLAN PROPOSED FINAL ENVIRONMENTAL IMPACT REPORT

Comments were heard from the following individuals:

- Katherine Boxer, Alameda County Resource Conservation District
- Jesse Hahm
- Lynn Seppala
- Carol Garberson
- Jennifer Loda, Center for Biological Diversity
- Mark Connelly
- Don Amador, Blue Ribbon Coalition
- Jean King
- Michael Fredrich
- Celeste Garamendi, Friends of Tesla Park
- Kane Silverberg
- Michael Damaso
- Norman Nather
- Cleo Home, Tri-Valley Trailblazers
- Janis Turner, Sierra Club
- Anthony Godrich, California Enduro Riders Association
- John Stewart, California Four-Wheel Drive Association
- Sherry Stortroen
- Karen Whitestone, California Native Plant Society
- Luann Tung, Alameda Creek Alliance and Friends of the Arroyos
- Carin High, Ohlone Audubon Society and Citizens Committee to Complete the Refuge
- Dave Pickett, District 36 Motorcycle Sports Committee
- Jennifer Byous
- Erika Johnston, Friends of Springtown Reserve
- Amy Granat, CORVA
- Kathleen Noonan
- Linda Garcia, Society of American Indians
- Lesley Hunt
- Terry Rossow
- Stephanie Byous, Friends of the Vineyards
- Bruce Jensen, Alameda County Planning Department
- Sandra Grafroth, Livermore Heritage Guild
- Dean Stanford
- Scott Brooks
- Diana Mead
- Nancy Wenninger, Mt. Diablo Audubon Society
- Juan Pablo Galván, Save Mt. Diablo
- Jennifer Spence, Society of American Indians
- Roger Brown, Tesla Road Residents Alliance
- Marilyn Russell
- Delia Taylor

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Comments were heard from the following individuals:

- Amy Granat, CORVA
- John Stewart, California Four-Wheel Drive Association
- Dave Pickett, District 36, Motorcycle Sports Committee
- Jeff Blewitt, California Four-Wheel Drive Association
- Bruce Brazil
- Dean Stanford

CONTINUE PUBLIC COMMENTS ON AGENDA ITEM VI (A) – CARNEGIE SVRA GENERAL PLAN PROPOSED FINAL ENVIRONMENTAL IMPACT REPORT

- Chris Real speaking for Nick Naris
- Celeste Garamendi speaking for Kevin Wiseman, Friends of Tesla Park
- Nancy Bankhead
- Rick Lavello
- David Lunn
- David Tam, Alameda County Parks and Historical Commission
- David Duffin
- Ken Clarke, CORVA and Wandering Wheelers Jeep Club
- David Furst, Livermore Area Recreation and Park District
- Mary Power, UC Berkeley
- Sarah Kupferberg
- Bruce Brazil
- Chris Cameron
- Sky Lovill
- Paul Wolfson
- Kelly Smith, SPRAWLDOF
- James Watson
- Beverly Ortiz
- Pete Krunich, Carnegie Forever
- Dionisio Rosario, Regional Parks Association and Alameda county Parks, Recreation, Historic Commission
- Jerry Fouts, AMA District 36
- Lee Younker
- Jeff Blewitt, California Four-Wheel Drive Association
- Nancy Rodrigue, Friends of Tesla Park

Chair Cabral closed public comment on the proposed Final EIR for Carnegie SVRA. He thanked the public for their comments and stated that a public hearing to determine the future of the Carnegie SVRA General Plan and Final EIR would be held in approximately six months or so.

AGENDA ITEM VI (B) – BUSINESS ITEM: PROPOSED OHMVR COMMISSION TRIENNIAL PROGRAM REPORT PROJECT SCHEDULE

Katie Metraux, OHMVR Division staff member, presented a report on the proposed schedule for the OHMVR Commission Triennial Program Report. The Commission has the responsibility of reporting to the Governor and the Legislature on the status of California's OHMVR Program every three years. The Triennial Report is due January 1, 2017. The Division provides staff support to accomplish this task. The contents of the Triennial Report must be discussed at a minimum of two Commission meetings.

PUBLIC COMMENTS ON AGENDA ITEM VI (B) – PROPOSED OHMVR COMMISSION TRIENNIAL PROGRAM REPORT PROJECT SCHEDULE

Comments were heard from the following individuals:

- Dave Pickett, District 36, Motorcycle Sports Committee
- John Stewart, California Four-Wheel Drive Association

After a brief discussion, Vice Chair Lueder made a motion to adopt the proposed schedule as drafted. Commissioner Lemmon seconded the motion. A roll call vote was taken; motion carried.

Roll Call Vote

Approved: Commissioners Hafkenschiel, Lemmon, Lueder, Patrovsky, Slavik, and Cabral

No: None

Abstain: None

Absent: Murphy

AGENDA ITEM VII (A) – PROGRAM REPORTS: BLM

Jane Arteaga, BLM OHV Program Manager and Travel Management, reported on the following:

- She thanked Commissioner Slavik, Chair Cabral, and the OHMVR Division Outreach team for participating in the Youth Summit.
- Iberdrola Renewables submitted an application for development of a wind testing facility just outside of the Stoddard Valley OHV Area. After the DRECP is signed and implemented, developments would not be allowed in the area because Stoddard Valley OHV Area would be in the Stoddard/Johnson Valley Special Recreation Management Area (SRMA). Mitigation would be required for any proposed developments adjacent to the SRMA if it affects access to the area.

Sarah Matthews, Outdoor Recreation Planner, Ukiah Field Office, reported on four fires that burned approximately 64,236 acres of land in the Ukiah Field Office area in 2015—the Wragg Fire, Rocky Fire, Jerusalem Fire, and the Valley Fire. The Jerusalem Fire affected OHV recreation because of its proximity to the Knoxville Recreation Area. She stated that no permanent trail closures would occur because of the fire. All four fires received federal rehabilitation funding: \$28,000 – Wragg Fire, \$469,000 – Rocky Fire, \$284,000 – Jerusalem Fire, and \$42,000 –Valley Fire.

In response to Vice Chair Lueder’s inquiry, Ms. Matthews stated that the Knoxville Recreation Area would undergo a total revamp with an emphasis on OHV recreation.

AGENDA ITEM VII (B) – U.S. FOREST SERVICE

In lieu of an oral presentation by USFS staff, Chair Cabral summarized the written report as follows:

- The Pacific Southwest Region collaborated with TreadLightly!® to develop a Ride on California! campaign.
- The Inyo, Sierra, and Sequoia National Forests plan to release draft environmental impact statements soon.
- The National Trail Strategy will be released for stakeholder comments in February.

Chair Cabral stated that anyone interested in volunteering for the Rim Fire recovery tree-planting program should email volunteer@Tuolumne.org.

PUBLIC COMMENTS ON AGENDA ITEMS VII (A) AND (B) – BLM, AND USFS

Comments were heard from the following individuals:

- John Stewart, California Four-Wheel Drive Association

AGENDA ITEM VII (C) – DEPUTY DIRECTOR'S REPORTS

Deputy Director Conlin thanked the public for their involvement in the public comment process regarding the proposed Final EIR for Carnegie SVRA. He expressed his appreciation for the great work the Carnegie SVRA staff has been doing in the park.

AGENDA ITEM VII (C) 1 – DEPUTY DIRECTOR'S REPORTS: BUDGET REPORT (FY 2016/2017)

Acting Division Chief Maria Mowrey informed the Commission that the Governor's proposed budget was released on January 7, 2016. The budget includes a \$112 million payback of 2009, 2010, and 2011 OHV Trust Fund loans to the General Fund. Planned expenditures for the 2016/2017 budget include \$26 million for OHV Grants and \$7 million for RTP grants. Ms. Mowrey confirmed that the \$34.5 million listed under off-highway vehicle fees on page 1 of the fund condition statement was a misprint and should be \$17 million.

Ms. Mowrey presented a brief overview of the budget process. In response to Vice Chair Lueder's inquiry, she confirmed that the public's first opportunity to comment on the proposed budget would be during the budget subcommittees' hearings.

In response to Commissioner Slavik's inquiry, Ms. Mowrey stated that there is a plan to pay back \$31 million of the \$112 million around July 1, 2016, and the remainder paid back within the budget year. A brief discussion ensued regarding the proposed \$31 million redirect from the Motor Vehicle Fuel Account, the budget flowchart, and capital outlay projects.

AGENDA ITEM VII (C) (2) – DEPUTY DIRECTOR'S REPORTS: GRANTS PROGRAM

George McDougall, OHMVR Division Grant Administrator, provided the following Program update:

- 268 people attended the annual Grants workshops.
- Preliminary applications for the 2015/2016 grants cycle are due March 7, 2016.
- Final applications are due May 2, 2016.
- Intent to Award posted on June 6, 2016.
- Final Awards posted on July 7, 2016, after a 30-day appeal period.

Matt Whamond, OHMVR Division Grant Administrator, provided the following Recreational Trails Program (RTP) update:

- Application review completed in December 2015.
- Combining the 2014/2015 and 2015/2016 RTP funds brought the total available grant funding to \$5.7 million. The combined funding afforded the Grant team the

opportunity to recommend funding approval to 28 out of 29 FTP project applications.

AGENDA ITEM VII (C) (3) – DEPUTY DIRECTOR’S REPORTS: LEGISLATION – CALIFORNIA AND FEDERAL LEGISLATION

Tina Williams, State Parks Superintendent, presented the legislation update. The report contains a summary of 2015 legislation that might have had an impact on the Department of Parks and Recreation as a whole. The California State Legislature reconvened on January 4, 2016.

Federal legislation updates include:

- HR 1838 (Farr Bill) – Clear Creek National Area and Conservation Act would reopen the Clear Creek Management Area. Referred to House subcommittee.
- HR 3668 (Cook Bill) – California Minerals, Off-Road Recreation and Conservation Act would designate six federal OHV recreation areas. A hearing was held on December 9, 2015, in the Natural Resources Subcommittee of Federal Lands.

PUBLIC COMMENTS ON AGENDA ITEMS VII (C) (1), (2) AND (3) – DEPUTY DIRECTOR’S REPORTS

Comments were heard from the following individuals:

- Dave Pickett, District 36, Motorcycle Sports Committee
- John Stewart, California Four-Wheel Drive Association

In response to Dave Pickett’s comments regarding the Pavley Bill (SB 204), Deputy Director Conlin stated that the bill had three goals:

- Improving and expanding partnership opportunities;
- Adding additional resource protection to General Fund parks; and
- Providing more flexibility with park projects before a general plan is finalized.

Vice Chair Lsueder made a motion to adjourn; seconded by Commissioner Slavik; motion carried. Meeting adjourned at 4:40 p.m.