

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

May 2, 2014

8:07 a.m. to 5:49 p.m.

Hilton Garden Inn
12603 Mariposa Road
Victorville, CA 92355

IN ATTENDANCE:

OHMVR COMMISSIONERS PRESENT:

Paul Slavik, Chair	Diana Pérez, Vice Chair
Ted Cabral	Breene Kerr
Kevin Murphy	Edward Patrovsky

OHMVR COMMISSIONERS Absent: M. Teresa Villegas

OHMVR DIVISION STAFF:

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

OTHER DRECP COORDINATOR AND REGISTERED VISITORS

1 **AGENDA ITEM I - CALL TO ORDER at 8:07 a.m.**

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

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

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

6 Commissioner Villegas not in attendance.

7 CHAIR SLAVIK: Teresa, if we all remember her in
8 our prayers, her mother had a pretty serious operation,
9 and she had to stay home.

10 **AGENDA ITEM II - APPROVAL OF AGENDA**

11 CHAIR SLAVIK: Can we have a motion for approval
12 of the agenda?

13 There is one minor change. The CARB report will
14 go before the BLM report, so it will be the first item
15 under program reports. So if that's all right with
16 everybody, can we have a motion to approve the agenda?

17 COMMISSIONER CABRAL: I'll make a motion.

18 COMMISSIONER KERR: Second.

19 CHAIR SLAVIK: All in favor?

20 (Commissioners simultaneously voted.)

21 CHAIR SLAVIK: Unanimous approval of the agenda
22 with a minor change.

23 **AGENDA ITEM III (A) - APPROVAL OF 2-28-2014 MINUTES**

24 CHAIR SLAVIK: And the next item of business
25 would be approval of minutes of the last meeting that

1 was held up in Upper Lake in Mendocino.

2 And I will say just as a comment, I noted that
3 there are several items that were requested by the
4 Commission during that meeting, and it looks like most
5 of them were all handled by staff, and I want to thank
6 staff for doing that.

7 DEPUTY DIRECTOR CONLIN: Thank you.

8 CHAIR SLAVIK: May I have a motion to approve
9 the minutes?

10 VICE-CHAIR PÉREZ: Motion to approve.

11 COMMISSIONER CABRAL: Second.

12 CHAIR SLAVIK: All in favor?

13 (Commissioners simultaneously voted.)

14 CHAIR SLAVIK: Unanimous.

15 **AGENDA ITEM IV (A) - COMMISSIONERS' REPORTS**

16 CHAIR SLAVIK: So Commission reports, who would
17 like to start?

18 COMMISSIONER PATROVSKY: Good morning,
19 everybody. Thanks for coming.

20 I had a great tour yesterday at the El Mirage
21 OHV area. I want to thank the BLM for showing us
22 around. I happen to live in Apple Valley, which is in
23 this local area, and love living here in the High
24 Desert, have a lot of great riding opportunities here,
25 also a lot of OHV issues and looked forward to this

1 meeting.

2 Everybody, we have a lot of differences of
3 opinions and be respectful of everybody, of each other,
4 and state your opinions, and we're here to listen.

5 Thank you.

6 COMMISSIONER CABRAL: Once again, nice to be
7 here in the meeting and to see we have a nice turnout
8 from the crowd.

9 As Ed was saying, we had a great tour yesterday.
10 I lived in Southern California many years ago, and I
11 knew the reputation of the area out there. The
12 El Mirage Dry Lake has been used by the Southern
13 California Timing Association for many years for their
14 speed run, activities, and they've done a fine job as
15 far as being stewards of the area, of the lake itself.
16 But the immediate area around there, I know it's been
17 kind of a rough go, and they had a lot of people of
18 questionable character and a lot of garbage and
19 different types of things like that surrounding that
20 area. And it was really nice to see how clean and well
21 run the facility was. And so good to see that it's
22 come that far. It was really nice to see.

23 You have to bear with me, I have a little bit of
24 a cold here, so I'm not going to go on too much.

25 Commission reports, a lot of things I've been

1 doing. I've been negotiating with the Forest Service
2 regarding their planning documents that are upcoming
3 for three forests here in California.

4 I've been working with the Air Resources Board
5 that will be making a presentation here. I'm very
6 grateful for the presentation by the California Air
7 Resources Board and also the willingness of the staff
8 members from the Air Resources Board to just be so
9 forthcoming and accessible, and they really have been
10 listening to the stakeholder groups. So hopefully with
11 this emissions issue that's coming up for the Red
12 Sticker vehicles, we're going to be able to have some
13 impact.

14 And then the other thing would be is like a
15 commissioner here was just speaking about, it's
16 important that we work together and have a positive
17 attitude of things. One thing I've seen about people
18 that like to recreate outdoors is we all really have a
19 lot of common goals and have a lot of love for the
20 outdoors and the land, but we have maybe different ways
21 of recreating or different opinions. And I think the
22 important thing is to come together and agree upon
23 things we can agree upon, and then from there on our
24 differences, it's much easier to work through difficult
25 times with someone you're comfortable with and familiar

1 with, not someone that's an adversary.

2 So I really challenge people in the audience to
3 start looking at how we are participating in this
4 process. This is our process. This is our government
5 in action. And what we can do is if we bring a
6 positive attitude, some personal leadership to each
7 meeting we attend, each stakeholder group and stuff
8 like that and have that respect for someone that may
9 have a different opinion, and respect and understand
10 that we need to share our public lands, and if we can
11 do that, I think that's when we can start moving
12 forward along these issues. And no one is going to be
13 100-percent happy, but what we can do is make the best
14 possible scenario come true.

15 So that's my report for today, and I hope
16 everyone enjoys the meeting, and we can go on from
17 there.

18 VICE-CHAIR PÉREZ: I also want to thank
19 everyone, BLM, Division staff and everyone who provided
20 us the tour yesterday. It was a great tour. I did
21 enjoy it. And, in fact, it was my first time there,
22 and the dry lake is a pretty spectacular place. I was
23 very impressed with it. It did give me a sensation of
24 wanting to pull out my ice skates, just gave me this
25 feeling of wanting to skate there. So my first

1 impressions are that it's a very unique and sort of
2 magical place. And so I do appreciate everyone who has
3 that same passion for the area, because I do see it. I
4 see what a unique place it really is. So I do thank
5 everyone for that.

6 I did want to just make a couple of
7 observations. I wanted to also thank Rose and Katrina.
8 Everybody was kind of leading the tour, but I really
9 felt that they both stood out for me, and it's nice to
10 see the ladies come out and lead the tour and provide
11 that type of information, so I really did appreciate
12 them both.

13 I also wanted to thank Ed because Ed has such
14 great passion for the area. You always do, and I think
15 the OHV community should be very fortunate that you've
16 been on their side and always advocating for the best
17 or highest quality, so I really do appreciate that, Ed.

18 And I did notice that there was a training site
19 for the youth, and I want to say that there's an
20 extraordinary training site there, and I was very
21 impressed with it. I think Jimmy Lynn may have
22 designed it, and he did an extraordinary job with that
23 site. And I'm always pleased to see that we're working
24 for ways to assure that our youth and adults as well
25 that want to be trained and want to learn responsible

1 riding and safety. So I thought it was an outstanding
2 training site, and I wanted to thank Jimmy Lynn for --
3 I believe he designed it, so it was very well done.

4 And I know that we've gone on many of these
5 tours, and I usually don't see any -- I mean they run
6 very smoothly, and if there's anything that doesn't go
7 well, I don't ever notice it. So I definitely want to
8 thank Brian Robinson. I know his leadership is behind
9 that in making sure everything runs smoothly. I know
10 everybody does that, but he takes his job seriously,
11 and I do appreciate him for that.

12 A couple of items I want to share with everyone.
13 I did take a tour of Clear Creek since the last
14 Commission meeting. It was my second visit there, and
15 I want to thank Will Harris and Matt Allen because they
16 did another extraordinary job taking us out there.
17 Commissioner Cabral and I were out there. And I think
18 getting a second look, it's almost like reading a book
19 for the second time. You pay a little more attention
20 to that detail. And so that was very helpful for me to
21 go out there and be able to ask those questions and get
22 those answers from Will and Matt.

23 And to now hear that 300 permits have been
24 issued for visitors I think is great. I think it's a
25 step in the right direction, and I even went through

1 the permit process. I found it to be easy, and it was
2 quick. I got a quick answer, so I was pleased with
3 that. And I know that there is a study that's being
4 done, and I'd like to kind of hold off and see what
5 results come about with that study, and I know it's
6 coming out this fall. So I did want to mention that I
7 was at Clear Creek.

8 And the last item I want to bring up, I did also
9 take another tour of the Oceano Dunes SVRA. And the
10 purpose of my visit was to revisit the ATV safety
11 courses and this training site available for the public
12 there. And this has been somewhat of a thorn on my
13 side because Oceano Dunes is a very popular area for
14 families, you know, 1.2 to 2 million visitors. There
15 is a training site location; however, I'm concerned
16 about how well it's being utilized.

17 And the reason I'm going to take a little longer
18 on my report is because I do want to get the
19 Commissioners' support in addressing ATV safety in our
20 next Commission meeting. I'm interested in taking an
21 in-depth look at that statewide and what are we doing,
22 et cetera.

23 But on my tour at the Oceano Dunes, one of my
24 concerns is -- and I want to make it public today is
25 that we require minors who are under 14 to have their

1 parents or they themselves an ATV certification. And
2 the law does also say that we can -- if they don't have
3 it, they can use an out-of-state permit and
4 certification.

5 My concern is at the Oceano Dunes, they have
6 been -- we have concessionaires there. They rent ATVs
7 and off-road vehicles, and we have been using an online
8 component through the State of Oregon to issue a permit
9 to ride and a certification to ride. It's a two-hour
10 online course. And so I've had some concerns about
11 that it is from Oregon state.

12 And so the way I can explain it is if I as a
13 parent, I want to take my 13-year-old and I don't have
14 an ASI card and I have not taken the four-hour
15 California course, then I can go online, take a
16 two-hour test, print out a little certificate, take it
17 to one of the concessionaires and rent an ATV with
18 basically no hands-on training except for when you ride
19 at the site. The concessionaires to my understanding
20 offer a 10- to 30-minute hands-on type of training.

21 And so yesterday when we were on the tour -- and
22 I'm sorry, I don't remember her name, but I remember
23 she was an ATV instructor yesterday, Nicole, she said
24 she was teaching a course for a couple of kids who
25 asked her, "What are you going to teach me? I know

1 everything," you know, which is a typical answer for
2 most kids, by the way. And I thought about that
3 because actually the answer is a lot.

4 We can teach our youth quite a bit about safety,
5 responsible riding, and how they can protect the
6 environment. So I'm taking it back to Oceano, and the
7 fact that we do allow this online version to be used by
8 the public.

9 And so what I'd like to do is ask for my fellow
10 Commissioners and Deputy Director Conlin that at the
11 next Commission meeting I'd like to address ATV safety
12 concerns. I'd like to know statewide how are we doing,
13 what parks are providing it or not. I think the ATV
14 Safety Institute can provide us some data on that, and
15 I'd like to take a look at that online course through
16 Oregon state.

17 And I'd also like to address another concern at
18 the Oceano Dunes in particular rangers and law
19 enforcement, they do issue warnings when minors are not
20 with their parents and they're off riding on their own,
21 and not that I want them to ticket every parent, but
22 not a whole lot of ticketing is going on. And I think
23 that the perception is you just get a warning, and they
24 bring you back to your parents, and that's it. So I
25 just want to address that concern. I'd like to see if

1 that really is the case.

2 And so my request is that at the next Commission
3 meeting that we invite the ATV Safety Institute to
4 provide a presentation on what they have seen with some
5 of their data. I'd also like to see that we invite
6 Dr. Larry Foreman, who is a doctor at Arroyo Grande
7 Community Hospital, and see if he'd like to provide
8 some information about some of the concerns in that
9 area.

10 And the last thing I want to say -- I'm sorry
11 I've been going on and on. The last thing I want to
12 say -- and I don't know if Rose is here, but Rose, I
13 thought I heard her say yesterday that she did not want
14 to see not one child, not one more child hurt. And I
15 really do believe that that should be the standard for
16 this Commission, that our goal should be not one, not
17 one more. That one is too many, and we need to do
18 whatever we can to ensure the safety of our children
19 and the public.

20 That's my report.

21 COMMISSIONER KERR: Well, I guess now is not the
22 time to have an open discussion about this; although, I
23 will say that my son got a ticket down at Oceano Dunes
24 one time, and it took me about six months to work
25 through all of that.

1 Anyway, the only thing I'd like to bring to the
2 community's attention is that I am continuing to
3 generate interest on improving the Metcalf facility on
4 the part of the County of Santa Clara and ranching. I
5 have talked to Supervisor Chavez's office, and what
6 we're scheduling is a meeting with her and her county
7 parks director to try and come to understand what their
8 long-term vision for Metcalf is, if they have one. And
9 then hopefully Kevin will be able to make that meeting
10 as well. I think it's okay for the two of us to do
11 that.

12 DEPUTY DIRECTOR CONLIN: Absolutely, that's
13 appropriate.

14 COMMISSIONER KERR: Then we can continue to talk
15 about how we might be able to improve that very
16 important urban park and make it more -- modernize it
17 and potentially expand it either with or without the
18 County's help, so going to continue to pursue that.

19 And, again, I'd like to join the other
20 Commissioners in thanking the locals that took us
21 around and all of the BLM folks and Ed and everybody
22 that arranged the tour. And just my impression is that
23 interestingly the OHV area, the 25,000 acres that have
24 been designated as an OHV area at El Mirage, are some
25 of the best kept, cleanest, and there's no trash out

1 there. The trails are marked. There's restrooms and
2 shade ramadas. And as I go drive around some of the
3 other areas around town, I don't find -- I mean I find
4 the desert is not in as good a shape as it is in our
5 OHV areas.

6 So this is what we -- the message that we want
7 to get out to people, politicians that are
8 decisionmakers and other folks that are concerned about
9 OHV use in the desert, that a properly run OHV area is
10 probably a cleaner, safer, more environmentally
11 friendly place than many of the other areas that aren't
12 under that type of designation.

13 So, again, thanks to everyone who took us
14 around, and thanks to that little lizard that I took a
15 picture of. Everybody wants a photo of the lizard.
16 Come see me at the break if you want to see him.

17 COMMISSIONER MURPHY: I'll give my brief report.
18 The only thing wrong with going last is everybody has
19 pretty much said what you want to say.

20 I just want to reiterate what everyone said. I
21 just want to thank the Friends of El Mirage and all of
22 the BLM staff that hosted us yesterday. It was a
23 fantastic tour.

24 The only thing I can add to what was said is
25 that you guys are providing a model out there of what

1 can be done when an OHV area is managed by a dedicated
2 and educated group of people. I hope you have some
3 photographs of what it looked like before and what it
4 looks like now, because what it looks like now is just
5 beautiful. It's just like Commissioner Kerr said,
6 you're driving around town, the other parts of the town
7 were not as clean as the OHV area. So that is a
8 success story, and that's something that needs to be
9 repeated, you know, throughout the OHV and the lands
10 and parks that are accessible to OHV.

11 The only thing I have to add is I was talking to
12 Commissioner Kerr, and we would like to try to make
13 some kind of video of the tour that happens at
14 Hollister where we showcase the things that happen
15 there to manage the park in an environmentally correct
16 way.

17 I think the general public's perception of the
18 OHV community is that of wanton disregard. And the
19 reality on the ground and today, that's not the case.
20 That's not the case at all. That's not the case up
21 here, and I don't think it's the case out there.

22 So the more we can do to try to document and try
23 to make our efforts visible to those outside and inside
24 the OHV community, I think the better. So we can talk
25 about that and work on that, but I think that would be

1 a good thing to do.

2 COMMISSIONER KERR: I forgot to mention that we
3 could really use that video for that meeting. I know
4 you've got some stuff that we might be able to edit,
5 but it's hard to get a politician to spend a day going
6 to Hollister Hills. So if we can just kind of give
7 them a five-minute version, that would be very helpful.
8 And I'm willing to edit it if you give me some of the
9 raw material you've got.

10 COMMISSIONER MURPHY: That's all for my report.
11 Thank you.

12 DEPUTY DIRECTOR CONLIN: If I can just respond
13 real quick? Thank you very much.

14 That's a great idea. We've got some raw video,
15 as you alluded to, and I think that's a terrific idea
16 to try to put together a virtual tour, if you will, of
17 some of those areas. It certainly opens a lot of eyes.
18 I don't own El Mirage, but I would tell you that
19 another place is this place as you highlighted. Again,
20 kudos to the staff at BLM, and, Ed, your team working
21 with them, just an amazing area out there.

22 On Metcalf, thank you. I'm glad to hear that
23 you're looking at the expansion possibilities with them
24 on that. It is a great area. We've talked about it on
25 the urban park side. It opens up a lot of

1 opportunities. Thank you for that.

2 We will try to agendize a discussion on the
3 training. Obviously, there's some confusion. Just to
4 correct the record, Oregon's policy now is that 15 and
5 under, in other words, less than 16 has to do a
6 hands-on training in addition to online training. So
7 it's only the adults that can do the online training in
8 two hours and get a certificate. If you go online, try
9 to do it as an underaged, under the age of 16, you have
10 to do hands-on as well in Oregon state. That's a
11 change. That's good news for us.

12 VICE-CHAIR PÉREZ: I would agree. I think that
13 changed just this year.

14 DEPUTY DIRECTOR CONLIN: Right, that's very
15 good. I think those were all of the business items for
16 you as well.

17 CHAIR SLAVIK: I'd like to reiterate as well,
18 thank you to BLM staff, Katrina, Rose and Jimmy, the
19 volunteers out there, Ed with Friends of Jawbone, you
20 could tell the passion out there that's in the people's
21 eyes when you talk with them about the place out there,
22 and it's just incredible. So kudos to all of you. I'm
23 a long-time resident of Southern California. I
24 remember that place back in the '60s, and it's a whole
25 different ball game.

1 So I've been busy as well, and I'm going to kind
2 of meld some of my Commission reports in with committee
3 reports, which I think we all kind of did anyway to
4 keep moving on.

5 But March 10th, I attended a Parks Forward
6 meeting with Greg Schumaker, and then we went on to an
7 urban parks meeting with L.A. County, and I have to say
8 we are still working on this Urban Parks Initiative and
9 trying to keep L.A. County in the loop as a partner.
10 We are in the beginning stages of developing a -- I
11 should say reinstating Beach Play Day, which was done
12 at Huntington State Beach some years ago and was very
13 successful. For some of the people in the audience who
14 may not have heard of it, at one point we had 900
15 at-risk kids at the beach, and they had an opportunity
16 to have a short demo on ATVs right on a state beach,
17 youth-sized ATVs in a very controlled environment.
18 Absolutely no problems at all.

19 We're trying to reinstate that at an L.A. County
20 beach with partners of L.A. County Sheriff's
21 Department. And if we get the permits through, that
22 will be a goal, and there would be a lot of help
23 required obviously from our State Parks partners.

24 On the 18th, I met Brian, and we scouted out
25 this place. So that's how long we've been working.

1 From the 18th of March, Brian has been working on this
2 tour. So, Brian, thank you, awesome job.

3 The 19th, the next day, I started working on a
4 letter to Mike Antonovich, and as we talked about how
5 good this place is, El Mirage, just not too far west of
6 here there is a proposed site that L.A. County is
7 working on called Littlerock, about 550 acres. There's
8 a few folks that don't understand how good that land
9 could become if it went under a management plan instead
10 of being allowed to be just a free-for-all out there
11 like El Mirage used to be. Anybody in the audience
12 that has any opportunity to comment on and could see
13 what the El Mirage success story is there, that success
14 story could be duplicated at Littlerock, and it can
15 only be good for everybody in the community.

16 The 27th, I attended a State Parks Foundation
17 dinner, which was historic in the fact that all four of
18 the State Park chairmen of the commissions were in
19 attendance. That had never been done before, and there
20 is a picture available. Connie, did you get that
21 picture of all of the Commissioners? It was in the
22 General's newsletter, but that was pretty neat. That's
23 the first time that all four commissions -- that's the
24 Historic Preservation Commission, State Parks and
25 Recreation Commission, Boating and Waterways Commission

1 and the Off-Highway Vehicle Commission, all of them
2 under the same umbrella, and we had all met together.
3 It had never before happened, so things are moving
4 along. Sometimes you think things are just dead in the
5 water, but things are actually moving along.

6 April 17th, I was invited up to Hungry Valley
7 for an electric vehicle presentation and discussion.
8 I'm sure that will come up later on in your report,
9 Deputy. So that was pretty slick. We had an
10 opportunity to ride zero ATVs, and I forgot the name of
11 that small manufacturer from Czechoslovakia, I believe.
12 It's an emerging technology, and we've got to get a
13 handle on it.

14 On the 28th, I had another meeting for this
15 Beach Play Day at Dockweiler Beach. We hope we can get
16 it there. It's right underneath the runway for LAX.
17 There's a state beach there that's managed by
18 L.A. County. It should be a perfect site. We've just
19 got to get through the politics.

20 And, lastly, I would say that I've been working
21 on -- with staff, with Dan and Teresa, on a letter that
22 was requested by the Commission at the last meeting to
23 basically express from the Commission's standpoint our
24 position on urban parks and asking you guys, you folks
25 as a Division, to make that a high priority in your

1 day-to-day operations. So that letter should be coming
2 at any moment. I think we're on the third draft of
3 that.

4 Also, that letter I'm hoping can go to the Parks
5 Forward Commission and as far as the Governor and
6 Secretary, because those people need to know where we
7 stand as far as youth, safety and urban parks. And we
8 think that's an important opportunity for the
9 Commission to express their views. And we'll share
10 that all with you guys.

11 One last thing, on the 14th of this month, there
12 is an Outdoor Recreation Professionals conference in
13 San Francisco. And for the first time in their
14 history -- they meet all around the country -- they've
15 invited State Parks. Dan Canfield is working on a
16 presentation, a 90-minute presentation on our program,
17 our off-highway program here in State Parks, to a
18 national audience of park professionals. I'm hoping I
19 can attend that as well. So it's a real good
20 opportunity to talk about that.

21 COMMISSIONER KERR: Could you send everybody an
22 e-mail with details on that event?

23 CHAIR SLAVIK: Yes. Can I ask Dan to send a
24 link to that. Yes, it's all in your backyard.

25 And that's, I believe, all I have as far as

1 Commissioners' reports.

2 **AGENDA ITEM IV (B) - COMMITTEE REPORTS**

3 CHAIR SLAVIK: Any Committee reports?

4 COMMISSIONER CABRAL: Yes.

5 Commissioner Pérez alluded to the tour that we
6 did at Clear Creek recently, and I have to comment on a
7 couple of things there. It's obviously a different
8 issue for the off-highway vehicle community what's
9 happening in the Clear Creek area.

10 The BLM has pockets of really strong people that
11 are very professional and do an excellent job
12 throughout California. I know that like yesterday's
13 tours, some stuff that we've seen in Northern
14 California up in the Redding area, stuff has been very
15 positive.

16 And I know this can sound a little harsh, but I
17 get a different feeling from people that are running
18 the Clear Creek Management Area than I get from the
19 other BLM areas, and this is my personal opinion. It
20 seems to be as if, you know, someone is getting close
21 to retirement, doesn't want to rock the boat, just
22 taking the path of least resistance.

23 And I don't think that's fair to the people of
24 California who have put large amounts of money into
25 that facility, and I know there's a stumbling block at

1 the EPA, and I know that the Division is working hard
2 to try to move this forward. We did have a Record of
3 Decision came out for that area, and we put together a
4 letter to protest. Dan Canfield will be addressing
5 here later on, so we'll have more detailed information
6 on it.

7 But that issue is now going to start moving ever
8 so slowly, but it's going to start moving forward. So
9 I just want to reassure people on that, the Clear Creek
10 Management Area, that may have interest in that, that
11 something is happening there.

12 We're also going to have a presentation from the
13 California Air Resources Board on the Red Sticker
14 issue, so I'll let them speak on that.

15 The last one, which is the Statewide Motorized
16 Trail, I've had a couple of phone calls regarding that
17 program, wanting to know if I was going to do anything
18 about it is what one nice lady said, "Are you going to
19 make anything happen?"

20 And so with that, I would like to request that
21 we have that as an agenda item on the next Commission
22 meeting and that we could have some -- I'd really like
23 to know about the economic impact of how that type of a
24 program has worked in other states. I have some people
25 I can refer to the Division staff that maybe can work

1 with -- do a presentation that have worked on programs
2 like that. Because it's important in my opinion to do
3 what we can to support these rural communities and be
4 able to bring some kind of recreational tourism to
5 their area and be able to support their economies. So
6 if we can put that as an agenda item, I would really
7 appreciate that.

8 That's it for me.

9 CHAIR SLAVIK: I don't see the Deputy Director's
10 report in here. Is that omission by accident?

11 DEPUTY DIRECTOR CONLIN: Oh, no, we go later on
12 in the program. It's under Program Reports.

13 COMMISSIONER KERR: Can I ask a question on that
14 California trail -- Statewide Motorized Trail, excuse
15 me.

16 Is there like -- could we still do a map or
17 something? Maybe when it's an agenda item, you can
18 make some suggestions. This is becoming kind of a
19 popular recreational activity. It's just kind of
20 emerging. There is some kind of trail you can go all
21 the way from the East Coast to Northern California,
22 mostly under roads and off-roads trails.

23 And if there was a map that the State published,
24 I'm sure we would get, you know, ten to one tourist
25 dollars back into these local economies just by having

1 a map and the stuff we were looking at yesterday with
2 the iPad where you can make maps with that kind of
3 application or similar applications that use this GPS
4 technology that's built into a lot of mobile devices
5 now.

6 And I mean what would it really take to publish
7 a map and take it from there? Then people can go out
8 and you can find where there are gaps, and then we can
9 talk about trying to do gap closure, just like we do on
10 the local pathway system in my own community.

11 DEPUTY DIRECTOR CONLIN: And there are maps of
12 the fragments that are in place, so what we need to do
13 is stitch that together and make a complete route, and
14 that has not happened yet because we still have to
15 research where we go.

16 COMMISSIONER KERR: We don't have to do an
17 environmental impact statement and NEPA document to do
18 a map, right?

19 DEPUTY DIRECTOR CONLIN: You would if you
20 published it because now you said it's a trail.

21 But having said that, we work with our partners,
22 and there are areas on public land that have already
23 been set aside. It's just a matter of figuring that
24 out, stitching it together and work out a trail that
25 actually goes from Mexico up to Oregon. That's part of

1 the work that still has yet to be done, but we can
2 certainly present that at the next meeting.

3 CHAIR SLAVIK: I should say there are people in
4 this room -- and I'm sure Phil has a lot of background
5 information -- have been working on this a long time.
6 The ideas that you're talking about have been talked
7 about probably 10 years ago now.

8 I was remiss that we have green and blue forms
9 in the back for comment, please. For the agenda items
10 limited to three minutes, please fill out the green
11 form, okay? So that's for agenda items only, and you
12 have three minutes to talk. The blue form is for
13 non-agenda items.

14 So please fill out those forms. That's the way
15 you can go up to the podium and express your views. We
16 will have public comment for non-agenda items at eleven
17 o'clock. We do that religiously, so for you folks that
18 are here that don't want to stay all day, you can
19 express yourself and be able to be on your way. So
20 please comply with that.

21 Next item, so you're actually under --

22 DEPUTY DIRECTOR CONLIN: If you look under
23 Program Reports.

24 **AGENDA ITEM V (A) - BUSINESS ITEMS - DRECP REPORT**

25 CHAIR SLAVIK: So next business item is the

1 DRECP report.

2 While they're getting ready here, you folks in
3 the audience, this is a huge thing. A lot of folks
4 working diligently trying to put this together.

5 Start off by telling us what DRECP means.

6 DRECP COORDINATOR LATHAM: Yes. Before I get
7 there, Commissioner, one second.

8 Good morning, Commissioners, Deputy Director
9 Conlin, Chief Jenkins with his Captain America badge,
10 visitors and staff. I appreciate the opportunity to be
11 here. Connie Latham with State Parks.

12 And, yes, I'll be giving you a brief overview of
13 the Desert Renewable Energy Conservation Plan, which
14 from this point forward I will refer to as the DRECP.
15 And to say that this plan or this document is acronym
16 rich would be an understatement, so, Cheryl, I will do
17 my best to not throw a lot of acronyms at you that I
18 don't spell out or present you first.

19 What I'd like to do is draw your attention,
20 before I get into the actual PowerPoint presentation
21 here, to the map that's not very detailed from this
22 distance. And it's here in front of me, and it will be
23 on the easel outside here as well for you to take a
24 look at later.

25 But renewable energy is currently happening, has

1 been happening for a while. And just to give you an
2 idea of how many projects are out there, just within
3 the plan area, which I'll talk about here in a minute,
4 in the Colorado and Mojave Desert regions, there are
5 another 70 projects that have either been approved, are
6 operational or under construction already. There are
7 over 300 projects that are currently being reviewed or
8 in application status or attesting status in the state
9 statewide, so it's happening here. Let me just set the
10 stage with that for you. So in the map that I brought
11 here, all these little stars show you where those sites
12 are.

13 DRECP, without a doubt, a multi-agency
14 comprehensive planning effort, and I'll talk about the
15 agencies involved here on a couple of slides forward.

16 One of the main purposes here and the
17 opportunities of this plan is to really identify and to
18 find a balance between those priority lands for
19 renewable energy development as well as conserving
20 those biological and natural resources as well as some
21 of the unique values that we have in the desert in
22 terms of values that are out there already.

23 One thing that I'll talk about in-depth a little
24 bit the later also is that the DRECP will streamline
25 the wildlife or endangered species permitting

1 associated with the development. And I'll explain what
2 the streamlining is in a minute, how that was derived.
3 That's actually in statute what that means.

4 And also by looking at the DRECP in the
5 landscape process will minimize environmental impacts
6 over time. Also, by looking at the DRECP renewable
7 energy development again in that landscape form, it
8 gets us away from that applicant driven status quo:
9 Here is a project; we're going to mitigate right here.
10 Where the DRECP can help prioritize where that
11 mitigation will happen, direct development in areas
12 that have less biological sensitivities.

13 I'll say that the planning horizon for the DRECP
14 is until 2040 with the goal of creating right around
15 20,000 megawatts of energy. So the main component for
16 California is the DRECP will contribute in helping
17 California meet its energy goals, which we'll discuss
18 what those are in the next slide.

19 There are numerous regulatory and policy drivers
20 associated with renewable energy. On the federal
21 side -- and I'll bring out how this affects California
22 here in a minute -- there are a couple of key pieces of
23 legislation or orders that were signed. First is the
24 Energy Policy Act of 2005, obviously signed by
25 President Bush, gives tax incentives and loans to

1 innovative technologies. And one of those technologies
2 is renewable energy. That also covers nuclear, by the
3 way, as well as gas, I believe.

4 Also, then Secretary of the Interior Ken Salazar
5 in 2009 issued an Executive Order -- or a Secretary
6 Order, excuse me, establishing renewable energy as a
7 priority for Department of the Interior lands, and BLM
8 is an agency under the Department of the Interior as we
9 all know.

10 On the state side, we're looking at Assembly
11 Bill 32, which is the Global Warming Solutions Act,
12 which main purpose was to reduce greenhouse gas
13 emissions, and there are very specific reductions that
14 we need to make here in California. One is to reduce
15 those emissions to 1990 levels by 2020 and also 80
16 percent below 1990 levels by 2050.

17 And you may ask, if it says we have to reduce
18 those levels by 2050, why does this plan only go to
19 2040? They really don't feel that they can analyze all
20 of the changes in technology that will happen between
21 2040 and 2050 because things are moving so fast right
22 now.

23 And also that kind of brings us the specifics of
24 the DRECP, Executive Order S 1408 signed by then
25 Governor Schwarzenegger, and it was codified, became

1 law, under Governor Brown. It set our renewables
2 portfolio standards for the state at 33 percent, which
3 means that 33 percent of our energy needs to come from
4 renewable energy, and not only renewable energy but
5 renewable energy in the state. It's important because
6 it could have come from Arizona or other areas. Now
7 it's in the state. Most ambitious RPS in the country.

8 It also established what we call Renewable
9 Energy Action Team, REAT, agencies, which we will talk
10 about here in the next slide. It directed those REAT
11 agencies to develop the DRECP that we're talking about
12 here today and also established or directed the
13 Renewable Energy Transmission Initiative. If you're
14 going to develop energy, you have to get it out and how
15 are you going to do that?

16 As a result of these regulatory drivers,
17 numerous MOUs and MOAs were signed between federal
18 agencies and state agencies, which we will talk about
19 here in just a second.

20 So I mentioned, the Renewable Energy Action Team
21 agencies. These are the four key signatory, if you
22 will, agencies that are tasked with developing the
23 DRECP. On the state side, we have the California
24 Energy Commission, who is the CEQA lead. We have the
25 Department of Fish and Wildlife, who is the responsible

1 agency. On the federal side we have the Bureau of Land
2 Management, the NEPA lead, and the U.S. Fish and
3 Wildlife as a NEPA co-lead.

4 There are numerous other participating agencies.
5 State Parks is one of those agencies. The National
6 Parks Service is an agency, Department of Defense,
7 State Lands Commission. There's over 20 different
8 jurisdictions within this plan area, and they've all
9 played a role in contributing to this effort. I,
10 myself, have been involved in this effort for almost
11 four years, so it's been ongoing for a while. Numerous
12 other stakeholders, many of them are sitting right
13 behind me, a lot, CORVA, ORVA, numerous different OHV
14 Rec committees, numerous nongovernmental organizations,
15 industry, of course, key stakeholders. So it's been
16 quite a collaborative effort.

17 There's been numerous -- there's been quite a
18 few stakeholder meetings in the last couple, three
19 years where they've solicited input on this document
20 from all of the range of stakeholders.

21 So I've been mentioning a planned area. Here is
22 the visual for you, 22.5 million plus acres. It
23 encompasses seven counties and the Mojave, Colorado,
24 Sonoran -- you guys can read it there -- Desert
25 regions.

1 I will say, as I've said in some stakeholder
2 meetings and planning meetings, each county has their
3 own unique needs in this plan. Just to throw out one
4 little example, you have Inyo County that has a large
5 public land base. So they would like more development
6 probably so they can get that tax base up, where
7 L.A. County would be just the opposite. They have a
8 lot of development. They probably want more mitigation
9 in the county. That's just one simple example. Each
10 county is very unique and have their thoughts on this.

11 There are three major components to the DRECP.
12 I will also say that this is obviously an integrated
13 EIS/EIR, environmental impact statement/environmental
14 impact report, which we talked about earlier, the
15 Energy Commission and BLM being the leads for those.

16 But also in order for this plan to go forth,
17 there are three decisions that have to be made on these
18 components. One is BLM's land use plan amendment,
19 which will obviously comply with FLPMA, Federal Lands
20 Policy and Management Act, California Desert
21 Conservation Area Plan and Omnibus Bill of 2009. And
22 we'll talk a little bit more about the LUPAs here in a
23 few more slides that really affect this body here
24 today.

25 On the federal wildlife permitting side, the

1 U.S. Fish and Wildlife Service, this is a general
2 conservation plan. Because it is programmatic in
3 nature, it's not a habitat conservation plan. It's
4 called a GCP, and that changed since the last interim
5 document that was released to the public came out. I
6 want to make note of that. So under their Federal
7 Endangered Species Act Section 10, they would be issued
8 incidental take permits for the covered activities
9 involved with renewable energy.

10 With the California Department of Fish and
11 Wildlife, this is a natural communities conservation
12 plan, and DFW is the agency tasked with administering
13 the state endangered species, an integral take for the
14 same.

15 Now, I'll bring a point of clarification that
16 comes up a little bit. The NCCP is plan-wide. It
17 covers both federal and private land. The general
18 conservation plan on the federal side is only private
19 land, so it's non-federal.

20 CHAIR SLAVIK: Connie, will you repeat that?

21 DRECP COORDINATOR LATHAM: Because of the
22 permitting statutes, regulations for endangered
23 species, federal and state, the U.S. Fish and Wildlife
24 service -- because I know -- because they're federal,
25 you think why would they cover federal land? They

1 already have a process in place with the federal and
2 state parks, and BLM, what have you.

3 But the purpose of the general conservation plan
4 is, the DRECP, they will be covering incidental take
5 permits for those projects that would be on private
6 land, okay? And the department --

7 CHAIR SLAVIK: Is that the development of
8 housing and things like that?

9 DRECP COORDINATOR LATHAM: I'm sorry, say that
10 again, please.

11 CHAIR SLAVIK: Does that include development of
12 housing, housing projects, other projects that are not
13 energy specific?

14 DRECP COORDINATOR LATHAM: I don't know. Can I
15 answer that -- I'll look that up for you. Sorry. My
16 gears are turning right now. Let me get back to you on
17 that one.

18 So then again, with California Fish and
19 Wildlife, it's plan-wide. It's federal, BLM and also
20 private. You're saying, "Well, how did that happen?"
21 It happened through a durability agreement between BLM
22 and the state wildlife agencies to make that happen,
23 and that was quite an effort.

24 Covered activities of the DRECP, it's
25 utility-scale renewable energy projects, which means

1 it's over 20 megawatts in size. It covers obviously
2 solar, wind, geothermal and transmission. And the one
3 mention I will make about transmission is the
4 activities for transmission, this plan will cover those
5 activities outside of the plan area as well, not just
6 inside, so all the way through.

7 I wanted to give you a visual here of when we
8 talk about prioritizing areas for renewable energy
9 development in those areas with less biological,
10 cultural, recreation sensitivities. We use the term
11 called Development Focus Areas, from this point on
12 DFAs. This allows for flexibility of siting for
13 industry. And what I'll point out, those -- you can
14 kind of see them here -- those salmon-colored areas are
15 the DFAs.

16 COMMISSIONER KERR: Are they gray on the --

17 CHAIR SLAVIK: Reddish?

18 DRECP COORDINATOR LATHAM: Do you see the
19 reddish ones? These right here, this is the West
20 Mojave area by the Tehachapis. This is east Riverside
21 down here by the Salton Sea.

22 I want to make notice for a future slide this
23 area right here, this development focus area here.
24 You'll see that it overlaps with something that's key
25 to this body, okay?

1 So when you look at as an example the acreage
2 here on this screen, let's say, it's 1.5 million acres,
3 2 million acres, boy, that's a lot of acreage for
4 siting renewable energy. It has been determined
5 through an analysis, through modeling with the
6 California Energy Commission, that it will take between
7 250, 300,000 acres' footprint of renewable energy to
8 meet the energy goal of 2040.

9 So you wonder why do we have Development Focus
10 Areas that are 1.5 million, two million acres in size?
11 It allows the flexibility --

12 COMMISSIONER KERR: That's 20 gigawatts, right?
13 So 20,000 megawatts, is that what you are talking
14 about?

15 DRECP COORDINATOR LATHAM: 20,000 megawatts.

16 COMMISSIONER KERR: Right. So 20 gigawatts. So
17 anyway, that's a lot of power.

18 DRECP COORDINATOR LATHAM: That is extremely a
19 lot of power.

20 COMMISSIONER KERR: That's 300,000 acres, is
21 that what you said?

22 DRECP COORDINATOR LATHAM: That's the
23 approximate. There is a range. It depends on the type
24 of technology. Solar takes different acreage than wind
25 does, so on and so forth.

1 So this allows industry a little bit of
2 flexibility. Also, within those development Focus
3 Areas, you can have more critical sensitive areas or
4 less, and so they can move around to do their siting
5 appropriately.

6 The permitting within the DFAs is streamlined,
7 which I'll mention that was also determined in the
8 Governor's Executive Order S 1408, that the REAT
9 agencies not only will develop the DRECP but starting
10 back in '08 when they developed the REAT action team,
11 the purpose was for these entities, these permitted
12 entities, to come together to streamline permitting.
13 Cutting to the core, it means that instead of industry
14 having to go through each separate permitting agency,
15 they do it together. They work conjointly together.
16 It's going on now. And under that legislation
17 streamline action means reducing that timeline by 50
18 percent. It's actually in the statute.

19 Conservation strategy, State Parks is very
20 involved in this. We are part of the reserve design
21 here. But the DRECP has 52 covered species. Those are
22 the species that would be included in the incidental
23 take permits, 31 natural communities. And for each one
24 of those covered species, the natural communities and
25 also on a landscape level, biological goals and

1 objectives were developed, BGOs from this point on,
2 kind of the broad, long-term -- you know, what they
3 would like to see for these species, if you will. The
4 Conservation Management Actions are the management
5 actions that will be put in place to each of those
6 BGOs, simplified to make it right now.

7 The reserve design are those areas within the
8 plan that already have current management regimes that
9 are legally and legislatively protected, national
10 parks, state parks, Department of Defense areas, so on
11 and so forth. And then also including those
12 conservation areas, that would be determined in the
13 DRECP.

14 And then part of this plan is also doing a
15 monitoring and adaptive management process. So they're
16 ensuring they're meeting the BGOs with those
17 conservation management acts.

18 COMMISSIONER KERR: Excuse me. So I just want
19 to cut to the OHV stuff, are there any mitigation
20 requirements under this sort of process? Like let's
21 say that the off-highway vehicle recreation area was
22 adversely affected by the installation of a 50,000-acre
23 solar install.

24 DRECP COORDINATOR LATHAM: I will address that
25 in probably three or four slides, if you'd let me -- if

1 you'd table that for a moment.

2 There are 127 state parks within the plan area
3 and also the East Kern County acquisition that's in
4 process, so we certainly have an interest in preserving
5 the mission and value of these parks.

6 There is recreation interests, obviously a key
7 one here --

8 CHAIR SLAVIK: Connie, can you go back up to
9 that slide. That was pretty quick.

10 DRECP COORDINATOR LATHAM: I'm sorry. I
11 apologize. Don't you know the park out there?

12 CHAIR SLAVIK: What was the last one there?

13 DRECP COORDINATOR LATHAM: East Kern County
14 acquisition. That's the Onyx Ranch by Jawbone.

15 COMMISSIONER KERR: So they're still leaving
16 that one alone? Because I know that's an area where
17 you could put up a lot of renewable projects.

18 DRECP COORDINATOR LATHAM: Yes, I would direct
19 you to -- which I will here later on, to the 2012
20 public document that shows some the DFAs that are out
21 there, and you'll see the areas actually surrounding
22 that is not in a DFA. And also when they developed
23 these DFAs, when they had the stakeholder meetings --
24 counties are stakeholders, of course, and Kern County
25 has their renewable energy maps and plans going on as

1 well -- that they wanted to make sure to incorporate it
2 in the DRECP.

3 DEPUTY DIRECTOR CONLIN: Just to cut to the
4 chase, Connie is going to talk about it here in a
5 minute, but the recreation areas were protected. And
6 that was -- we worked with BLM heavily on that. Randy
7 Banis, who is sitting here, was one of the chief
8 advocates to make sure we did that.

9 But the recreation areas were protected. In the
10 case of East Kern acquisition, regardless of whether
11 that went through or not, because there was already
12 preexisting recreation there, that was protected as
13 well.

14 So you're right, in the grand scheme, it could
15 be considered there would be potential in a place like
16 that; however, via the County as well as BLM, that area
17 has been preserved and protected right now.

18 But Connie will get into the details of that in
19 a second.

20 DRECP COORDINATOR LATHAM: Right on cue. Thank
21 you, Chris.

22 So numerous State Park interests, I kind of
23 alluded to a couple. I want to talk about some
24 specific recreational interests, which I think are of
25 interest to you, Commissioner.

1 One, let me mention that -- I talked about -- I
2 showed you the plan area map, 22.5 million acres. Just
3 under 10 million acres, about half of that plan area,
4 is administered by the Bureau of Land Management.

5 Over the spectrum of the OHV Division or program
6 here, 30 plus, 40 years -- excuse me, Chief, if I get
7 that wrong -- through the grants and administration --
8 or cooperative agreements program, BLM has been awarded
9 to the tune of almost \$100 million in grants. So we
10 want to make sure that those investments are sustained
11 to perpetuity. So we're definitely working close with
12 BLM to ensure that, and they have, without a doubt, as
13 Deputy Director alluded to, done that.

14 As far as parks, and the SVRAs I include as a
15 park to make sure we're not misunderstanding anything
16 here, we want to make sure that we sustain our
17 ecosystem viability, connectivity off the parks, okay?

18 When we talk about the Bureau of Land
19 Management's LUPAs -- I've got a ton of experts behind
20 me if I misspeak here. But the LUPAs will designate
21 national conservation lands; areas of critical
22 environmental concern; wildlife allocations, as you
23 probably know as the Desert Wildlife Management Areas,
24 the WMAs now; special recreation management areas.

25 In the 2012 document that came out, the BLM

1 staff produced worksheets for every SRMA and every ACEC
2 within the plan area, and most of that work was done by
3 Jane sitting right behind us right here, and it was a
4 collaborative effort. State Parks was able to take a
5 look at those and provide our input, and we really
6 truly appreciate that.

7 Those SRMAs, a key statement in those worksheets
8 is that renewable energy is not compatible with a
9 Special Recreation Management Area, and there will be
10 with one exception, which I'll talk about, no
11 development within a SRMA or ACEC. Currently, there
12 are 22, 23 SRMAs in the plan area. There are SRMAs
13 that are being modified and also added, and there will
14 be --

15 CHAIR SLAVIK: Tell us what a SRMA is.

16 DEPUTY DIRECTOR CONLIN: She covered that,
17 Special Recreation Management Area.

18 DRECP COORDINATOR LATHAM: There will be 29
19 SRMAs proposed in this plan by BLM. There will be an
20 expansion of over a million acres to the SRMAs proposed
21 in this plan.

22 CHAIR SLAVIK: Is that a good thing?

23 DRECP COORDINATOR LATHAM: That's a very, very
24 good thing, a very, very good thing.

25 COMMISSIONER KERR: So that you guys are

1 basically zoning the desert, right?

2 DRECP COORDINATOR LATHAM: Well, the desert is
3 going to be allocated, let's put it like that.

4 DEPUTY DIRECTOR CONLIN: The way to reflect on
5 this is -- yes, you're kind of hitting the nail on the
6 head, you know. So very smart guys in the early 1800s
7 basically zoned the entire United States. They came up
8 with townships and all of that, and it was probably one
9 of the things that changed dramatically our country and
10 was amazing because nobody had ever done that for a
11 country before.

12 You're seeing the same process essentially now
13 in the outback, if you will, in the back country of
14 California. All of that land is going to be accounted
15 for. This pixilated map is all of that land accounted
16 for in one way, shape or form as a recreation area, a
17 park area, a conservation area, one of these areas for
18 potentially installing renewable energy. All of that
19 will be accounted for. That's very significant. And
20 once this thing goes in, it's kind of locked, and then
21 we go on from there.

22 Now, the good news is, everybody you want
23 involved with this is involved with it. I mean people
24 are involved right now. And they're looking at how
25 they're going to do this in execution, what this is

1 going to look like when they actually start making the
2 plan work. Because obviously the plan is only as good
3 as the paper it's written on. Once you start into it
4 and you start seeing where the issues are, that's where
5 the real hard work is going to begin.

6 Again, all of the people that you want involved
7 with it, there are opportunities for them to be
8 involved to include all of the groups out there, and we
9 will kind of do a short discussion on that. But, yes,
10 you're hitting the nail on the head. This is going to
11 account for that land.

12 DRECP COORDINATOR LATHAM: BLM in the plan has
13 stated -- Director Jim Kenna has stated that the DFAs
14 will not impact their open OHV area, Johnson Valley,
15 Stoddard, Dumont Dunes and such. The plans will not
16 affect designated routes, the BLM administered lands as
17 well. So they've done a very good job there.

18 I alluded to that area within Ocotillo Wells
19 SVRA earlier. I wanted you to remember that on the
20 map. That area is a proposed SRMA with BLM. That SRMA
21 is also overlapped with a DFA for geothermal-specific
22 development there.

23 Now, within some of the lands administered by
24 BLM, within Ocotillo Wells that we administered through
25 an MOU that State Parks did through the Division, there

1 are already existing renewable energy leases. And
2 where those leases are currently existing, there could
3 be surface development there, but it would be a
4 process. There's a lot of underlying values, be it
5 cultural, recreation, sensitive species, in the area.
6 I just want to point that out to you, and we'll talk
7 about the public draft coming out and my suggestions
8 for your involvement in that in a little bit.

9 State Parks' current involvement with the DRECP,
10 there are numerous -- there is kind of a structure of
11 meetings and direction. At the top there is the
12 Renewable Energy Policy Group. Deputy Director Chris
13 Conlin sits on that group. Representatives from
14 Department of the Interior come out from Washington
15 from that group. Director Kenna sits on that group,
16 Commissioner Karen Douglas with the Energy Commission.
17 It's the executive-level policy group obviously for
18 decision-making, policymaking.

19 Below that then you have the Renewable Energy
20 Action Team, which I mentioned earlier, and State Parks
21 is also a part of that REAT manager's group. I sit in
22 on those meetings weekly. A lot of the day-to-day
23 interaction between those agencies for permits and
24 monitoring are discussed, again streamlining the
25 process.

1 Myself and a group of other people, State Parks,
2 we coordinate with numerous other different agencies,
3 BLM being one of them, our park service, State Lands
4 all of the other stakeholder agencies routinely spend a
5 lot of time with Mr. Banis over here, which we will
6 talk about in a minute.

7 The DRECP also has a communication and outreach
8 team that I also sit on, and they are really gearing up
9 right now as we prepare to launch the draft document
10 here probably this summer, which we will talk about.

11 And on that point, on the back table, I
12 brought -- and these are also on the DRECP website,
13 which I'll show you those links in a minute. I brought
14 the latest brochure that was just developed, hot off
15 the press. It's kind of a DRECP 101 overview, so I
16 welcome you folks to grab a copy if you would like to.

17 Then internally also, we have an
18 interdisciplinary renewable energy team. It's
19 comprised of the planners, the district
20 superintendents, environment specialists from the parks
21 out in the desert as well as the Resource Division, the
22 Off-Highway Motor Vehicle Division, as well as myself.
23 I coordinate that team and their efforts. And they
24 help me in the review of documents, the DRECP, by
25 specialty.

1 Also, this team serves a defensive planning
2 effort that comes to CEQA and NEPA for the other energy
3 projects that are ongoing now. And so if we have a
4 project that is in the application phase near a park,
5 we get involved -- or we start that early dialogue with
6 that project component. And by doing so, we can bring
7 forth prior to that scoping process some of our
8 concerns, issues we may have. And we've been very
9 successful in doing this.

10 CHAIR SLAVIK: The question I have on that
11 slide, stakeholder agencies, can you identify what a
12 stakeholder agency is?

13 DRECP COORDINATOR LATHAM: Yes. Believe it or
14 not, State Parks is a stakeholder agency.

15 CHAIR SLAVIK: I understand that part.

16 Are the recreation groups, equestrians, those
17 kinds of groups included in that?

18 DRECP COORDINATOR LATHAM: Absolutely, they're
19 stakeholders. They go to groups, yes.

20 So the NGOs --

21 CHAIR SLAVIK: It says, "stakeholder agencies."

22 DRECP COORDINATOR LATHAM: Yes, because the
23 Department of Defense, National Park Service, State
24 Lands, those are the stakeholders agencies as well,
25 California Independent System Operators.

1 CHAIR SLAVIK: Agencies and organizations.

2 DRECP COORDINATOR LATHAM: EPA would be an
3 agency, stakeholder agency, as well in this document.

4 DEPUTY DIRECTOR CONLIN: Basically what they
5 did -- just to explain, Paul -- when you look at -- we
6 don't have time. We can do that at a future date,
7 because they're still discussing it, the architecture
8 for implementation. But if you look at the
9 architecture for implementation on this, they have --
10 the folks that are directly involved with the
11 operations, that tends to be BLM, Department of the
12 Interior, that tends to be the Fish and Wildlife guys
13 and all that, the big players in this.

14 Then they have the coordinating bodies that they
15 work through, that tends to be us, State Parks,
16 National Parks, other folks like that. And then they
17 have a venue for other input from the public, from
18 organizations, from groups, from clubs. All of that is
19 created in the infrastructure so that they can get not
20 only input but also assistance in trying to execute.
21 Because some of these things, like in the mitigation
22 and all of that, will require assistance from the
23 public and some of these organizations.

24 COMMISSIONER KERR: I just had a quick question
25 about the zoning of California.

1 Traditionally zoning and land use has been the
2 purview of the counties and the cities. And so has
3 that now been taken away from them?

4 DRECP COORDINATOR LATHAM: I can address that.

5 COMMISSIONER KERR: Because I mean normally if
6 you want to do something in the county, you've got to
7 get a permit from the county, right? You've got to get
8 all kinds of permits.

9 DRECP COORDINATOR LATHAM: Correct, and this is
10 the challenge of this plan. As I mentioned earlier,
11 you have a 22.5-million-acre plan area. Half of that
12 area is BLM. So BLM is really carrying a large burden
13 of this plan on public lands. And through, you know,
14 state energy goals, national regulatory drivers, BLM is
15 doing their part. So, yes, quite a few of the DFAs are
16 on BLM administered lands as well as private.

17 So, yes, there has been a lot of discussion, a
18 lot of collaboration with those seven counties I've
19 mentioned earlier, because they are integral to this
20 plan as well. And the hope is that they tier onto the
21 general conservation that -- basically onto the DRECP
22 conservation strategy to join us.

23 COMMISSIONER KERR: But the State just can't
24 unilaterally come in and take over land use decisions
25 from the County, can they?

1 DRECP COORDINATOR LATHAM: No, and this is
2 not -- this is an interagency planning process.

3 COMMISSIONER KERR: On the BLM lands, you could
4 just collaborate with the federal government, and the
5 County is sort of out of it.

6 DRECP COORDINATOR LATHAM: The BLM would be the
7 lead for that on their lands. The counties would be
8 involved. They have to be involved. There is nobody
9 taking over any county or private land or
10 jurisdictions.

11 And Chris was also expanding on the structure
12 here, the REAT agencies, the cooperating agencies that
13 I mentioned in the slide a little bit ago and the
14 stakeholder organizations. There will be an
15 implementation structure that will be similar to that
16 to ensure that all of the entities are working
17 together.

18 What's next, as I've alluded to, the last public
19 document was released in December 2012 with the
20 description, comparative evaluation of the draft DRECP
21 alternatives. It is currently still the standing draft
22 document that's out there. It is on the website, which
23 I'll share those links in a moment.

24 But the public draft is expected to be released
25 late spring/summer. That schedule probably will be

1 adjusted. What I was told is that this still stands.
2 So as soon as that document is released, we'll
3 certainly get word out to all of our stakeholder and
4 groups and such.

5 I mentioned the communications and outreach
6 team. They're diligently really requesting feedback on
7 where to hold the public meetings throughout the plan
8 area to basically present this draft document. And I
9 would be suggesting and requesting input from this
10 group behind me, from yourselves on what you would like
11 to see as far as meetings, where they're located and
12 what you would want out of them. And I would be more
13 than happy to convey that back to the bigger team.

14 I also want to make mention of the DRECP
15 Gateway. It is a web-based mapping tool that basically
16 is user friendly. It's not a GIS. There's GIS on it,
17 but the typical layperson, ranger-proof, you can get on
18 there and look at all of the maps and the layers
19 associated with the DRECP.

20 Here's what it looks like when you go onto the
21 site, which I'll again link at the end of the
22 PowerPoint here. You can go on there and look at
23 numerous different data sets, maps and galleries
24 already associated with the DRECP, including the
25 16-plus-thousand miles of routes that are out there

1 thanks to Mr. Banis that were added, linkages, the
2 species, corridors, you name it. There are quite a few
3 layers.

4 I really encourage folks to get onto the DRECP
5 Gateway and just start looking around. Because when
6 this plan is launched, all of your layers for your
7 SRMAs, ACECs that you're going to want to look at are
8 going be to be on this site and easy to get to.

9 A couple of suggestions on how to get involved:
10 This one, if you haven't done so already, take a look
11 at the DRECP website, and I have all of those links at
12 the end of the PowerPoint here. And also, get on the
13 list server, really easy to do. Every page of the
14 DRECP at the very bottom has a link where you can sign
15 on to the list server and any notification, any updates
16 of that site, you'll get an e-mail about it.

17 Definitely comment on the DRECP public draft.
18 What we've been asked to convey in communications team
19 and the Governor's liaison is that what you see in the
20 public draft may be nothing like what actually is
21 finalized. They want input. They want to say, "Hey,
22 have we hit the mark or not? What changes do we need
23 to make? What didn't we do quite right?" They want to
24 be very transparent. They really want the feedback.

25 Attend those public meetings, and if there's

1 venues where you think they need to be held, want to
2 hear from you. I just mentioned the Gateway. Then
3 also involvement in the implementation of the DRECP.
4 There will be a structure in place where stakeholders
5 will have a say and have input and interaction with the
6 coordinating group of the plan.

7 So there's the key links I've been alluding to,
8 the DRECP, the list server, and also the Gateway here.

9 I'm more than happy to answer to the best of my
10 ability any questions you might have.

11 CHAIR SLAVIK: I know Cheryl needs a break here
12 real soon. Do the Commissioners have any -- maybe we
13 ought to take a break and then let Cheryl take her
14 break and then we'll go into the Commission public
15 comment.

16 (Returned at 9:43 from a break starting at 9:28 a.m.)

17 DRECP COORDINATOR LATHAM: Thank you,
18 Commissioners. I would like to make a couple of
19 clarifying statements here. I don't want to confuse
20 folks too much.

21 One is to ask to give an overview of the DRECP,
22 to what it is and the components, some of the interests
23 from State Parks' perspective of our participation to
24 date, clarify that; also that the DRECP is a framework
25 document. It does not replace or take the place of

1 project-specific environmental assessments, be it CEQA
2 state, NEPA federal, so I want to make that clear, and
3 also any SHPO cultural consultation that will have to
4 happen.

5 Also, the DRECP only covers the covered
6 activities in regards to renewable energy in
7 association with those four areas we talked about,
8 solar, wind, geothermal and transmission projects only.
9 Also the counties, for clarification, retain all of
10 their rights to the decisions on their lands within the
11 county jurisdiction. A goal or opportunity that the
12 DRECP puts forth is working with those seven counties
13 jointly for this landscape-wide project effort.

14 So I just wanted to make that clear. I hope
15 that helps.

16 CHAIR SLAVIK: Commissioners, any comments on
17 this huge plan?

18 COMMISSIONER CABRAL: Yes, I have a comment
19 or -- question actually.

20 The transmission, are they -- on the
21 transmission lines, are they going to be streamlining
22 the environmental process on the transmission lines
23 throughout the state of California? Because that
24 would -- because you said it was going to be also
25 outside the area. And I would like to have that area

1 defined.

2 DRECP COORDINATOR LATHAM: Correct. So
3 currently there are transmission corridors within the
4 plan area. There may be some new corridors
5 established, or there may be some corridors that are
6 widened from maybe 250 kV to 500 kV, as an example. So
7 that power would still have to get to the stations in
8 L.A. -- primarily to L.A., yes. So that streamlining
9 for those projects, also transmission is covered in
10 that as well.

11 COMMISSIONER CABRAL: But transmission, is it
12 limited to this area, or is it throughout the state?

13 DRECP COORDINATOR LATHAM: Limited to the
14 corridors in association with the DRECP.

15 CHAIR SLAVIK: Any other questions?

16 Well, I think we all kind of -- first of all, I
17 want to thank you for a report. I know it's a huge
18 thing, and this is going to affect everybody in this
19 room, I know. I have several green forms here for
20 people who want to comment on this. But I would
21 encourage all of you folks, especially people that live
22 out here in the desert, to pay attention to this. This
23 is going to be huge.

24 From a recreation standpoint, I want to thank
25 Connie and Jane Arteaga and State Parks for making sure

1 recreation was involved. Because in the past we know
2 that we've got the short end of the stick.

3 **PUBLIC COMMENT ON DRECP**

4 CHAIR SLAVIK: Anyway, moving on to public
5 comment on this, I'm going to start with Terry Wilder;
6 is that right? You're passing.

7 Terry Weiner. It's been a long time Terry,
8 welcome.

9 TERRY WEINER: Nice to see you all. Terry
10 Weiner, I work for the Desert Protective Council. And
11 our position on the DRECP, I want to thank the BLM and
12 State Parks and everybody else who is putting a ton of
13 time into trying to figure this out. But I cofounded a
14 group called Solar Done Right, and we are keeping track
15 of all of the rooftop and local-distributed generation
16 solar that's happening in California. And we agree
17 completely with the independent science advisory panel
18 for the DRECP, which is we need to slow down and really
19 consider the impacts of this on our land, our species,
20 our habitat, and our water before moving forward with
21 this plan.

22 We are on our way to our 33 percent renewable
23 energy already by virtue of the rooftop going up in
24 San Francisco, L.A. and also in my city, San Diego.
25 And the other impacts that are already being seen on

1 some projects are really hideous. You may have heard
2 about the bird problem with solar power towers whereby
3 they get singed when they fly through that heat, that
4 flux at the top of the power towers. Birds are
5 mistaking, we think, solar fields for water. And
6 health risks that people hardly consider, I have a
7 friend right now on oxygen in a hospital who worked for
8 a long time on Carrizo Plain National Monument, and he
9 has Valley Fever and so do, depending on who you ask,
10 25 to 40 of the workers who developed that solar
11 project to scrape the land. Valley Fever is a fungus
12 that lives in the disturbed soil on ranch areas and in
13 the desert. If you scrape it up and you stir up the
14 fungus, people get really sick. I haven't seen any
15 consideration of that.

16 There's also the consideration of impacts on
17 water. These projects all take water to keep the dust
18 down in the beginning and to wash the panels, so we
19 are -- our position is slow down until you know --
20 until you do the studies. Management by mitigation
21 after the fact is not the right way to go. Thank you.

22 CHAIR SLAVIK: Dave Pickett followed by Randy
23 Banis. Ed Waldheim.

24 ED WALDHEIM: Ed Waldheim, California Trail
25 Users Coalition, Friends of Jawbone and Friends of

1 El Mirage. This is huge, 22 million acres. But I'm
2 absolutely delighted to see that Randy Banis was able
3 to get on the panel on behalf of CORVA, and without him
4 we would have been in deep, deep trouble.

5 The fact that the DRECP has our 16,000 miles of
6 trails listed in there is fantastic. But with this
7 comes an incredible challenge. And the challenge is
8 the challenge that you as Commissioners -- I'll be
9 talking about this over and over again. We need to
10 emphasize law enforcement. We need to manage our
11 public lands.

12 If there ever was a time to manage public lands,
13 DRECP is going to be pushing us into that. Fifty-two
14 percent of our land now has some designation. I'm
15 slowing down now, aren't I? Thank you.

16 We will end up with 92 percent of our land in
17 some form of a designation. Think about it, 92 percent
18 of the land. Most of it is ten million acres of under
19 Teri Raml's jurisdiction. What does that mean?

20 Yesterday we talked about the designated route
21 system, how we have to maintain it, how it has to be
22 near guts that you need to assign people to maintain
23 the routes. This is not a part-time job. This is not
24 a fill-in time to get some OHV money and do some wages.
25 It is honest to goodness work on the ground that has to

1 be done. Management of the area has to be done and the
2 enforcement of the area.

3 If there ever has been an enforcement
4 responsibility, a need to protect our resources, this
5 is going to push us in that way. The last thing I want
6 to see that all of the work that Randy is doing, all of
7 the work we're doing on the ground goes by the wayside
8 because Teri Raml and all of her managers and the
9 Forest Service people can close any trail, any area
10 they want to when they feel that the resources are
11 being impacted and they cannot manage it.

12 I've already lost 25,000 acres in the Rands,
13 still trying to open it up when there is a fence on
14 both sides. I have a fence on both sides, and I still
15 can't get it opened up. We cannot go that route.

16 So I'm very serious, enforcement and manage the
17 public lands, really get serious about managing the
18 public lands. Those are the two issues that we really
19 have to do, especially with the DRECP.

20 CHAIR SLAVIK: John Stewart followed by Dave
21 Pickett if he's back.

22 JOHN STEWART: Good morning, Commissioners.
23 John Stewart with the California Association of
24 Four-Wheel Drive Clubs.

25 With each presentation about the DRECP I look at

1 and listen to, the words of Sir Walter Scott come to
2 mind: "Oh, what a tangled web we weave when at first
3 we try to deceive." I see a lot of what appears to be
4 bait-and-switch tactics going on in here.

5 Commissioner Kerr, you're correct. It is a
6 zoning plan. I said that from day one about five years
7 ago. I was told, no, it's a habitat conservation plan.
8 No, it is a zoning plan. It is identifying uses that
9 are going to be permissible within the desert.

10 The slides say it will not affect the OHV open
11 areas. Well, that's great, but a majority of the OHV
12 recreation does not depend upon the open areas. The
13 slides say it does not depend upon designated routes,
14 will not affect them. And yet the designated routes go
15 throughout the desert through these renewable energy
16 zones.

17 What is being left out of the discussion is the
18 clarity about transmission corridors. Yeah, it's going
19 to affect and put parameters around transmission
20 corridors within the plan area, but it does not address
21 nor bring into play what the West-Wide transmission
22 grid program will do in conjunction with this. It does
23 not address what is being done within the solar on the
24 rooftops, which is much more economical, and it also --
25 rooftop solar in urban areas also reduces the

1 transmission issues significantly.

2 So there are a lot of details that are missing.
3 And, yes, this is a programmatic -- and that's
4 something that's coming up all the time: Our plans are
5 just programmatic. Our plans are frameworks. And yet
6 the real devil gets in the details when you get down to
7 the site specific, and that's where everything is
8 promised and the programmatic overviews is lost, that
9 is you get the buy-in at the top and then you
10 essentially get the shaft and get shut down on the
11 bottom when the details are worked out.

12 So needless to say, I don't really agree with a
13 lot of the concepts on the DRECP as the way they're
14 moving forward. Is it necessary? Well, it's necessary
15 to do a review of the lands and what some uses out
16 there are, but the real concept is they're forgetting
17 these are public lands, and these are for the public.
18 And there are better ways to address renewable energy
19 rather than gobbling up public lands. Thank you.

20 CHAIR SLAVIK: Almut Fleck, would you like to
21 comment?

22 ALMUT FLECK: I'm Almut Fleck, and I came from
23 Wonder Valley. If you know where that is, it took me
24 three hours to get here, and it's so important, three
25 hours back.

1 I wanted to just add one more thing to the
2 previous speakers, Terry and the gentleman. And what I
3 think we need to do is to have a study done, how much
4 space is available on rooftops, on government
5 buildings, on hospitals. It's being done. It has been
6 done in Los Angeles. Parking structures will benefit
7 from the shade or just parking places with the shade
8 over it. Copper Mountain College has done it. Those
9 are smart ways to deal with this onslaught on our
10 deserts. Thank you.

11 CHAIR SLAVIK: I would say as a comment --
12 that's all I had from the public on this -- but just
13 driving through the community yesterday coming back
14 from El Mirage, the new housing on the west side of
15 town here was -- it was stunning how many new houses
16 are here and none of them had solar panels on them,
17 none of them. I can't imagine the people that are
18 actually in the planning division of County, the City,
19 whatever it is, haven't looked that far ahead.

20 Any closing comments?

21 COMMISSIONER KERR: You know, I'd just like to
22 say, okay, it's 300,000 acres. The Marines just took
23 200,000 acres to increase their war games.

24 Look, you read the UN climate report that came
25 out last month. Something has got to be done, and

1 California is leading the way. Rooftop solar is
2 growing at a very rapid rate, but you're not going to
3 get 20 gigawatts out of rooftop solars. It's just too
4 many individual rooftops you've got to deal with.

5 And I think what I'm hearing is that our
6 interests are being represented very well. It does
7 alarm me a little bit to think about zoning the desert,
8 because traditionally -- this is a further government
9 intrusion onto our activities, but I think when you
10 look at the size of the problem, the fact that
11 California has established itself as a leader in
12 dealing with climate change and carbon footprint
13 reduction, that this is a reasonable thing for us to
14 do.

15 And we've just got to be careful that our
16 interests don't get trampled on as this moves forward,
17 because it will move forward. It's codified in law.
18 The Governor is behind it. The public at large is
19 quite willing to allow it. And the renewable portfolio
20 centers are going to have to be met. I think we're
21 doing the right thing by protecting our interests as
22 this process moves forward.

23 CHAIR SLAVIK: That closes that business item.

24 **AGENDA ITEM V (B) - BUSINESS ITEMS - REVIEW OF**

25 **COMMISSION COMMITTEES AND MEMBERSHIPS**

1 CHAIR SLAVIK: The next item, Item B, Review of
2 Commission Committees and Memberships. Mr. Canfield.

3 OHMVR MANAGER CANFIELD: Good morning,
4 Commissioners. Dan Canfield, OHV Division Planning
5 Manager, reporting on Commission Committees, as the
6 Chair mentioned. A report has been provided in your
7 binder behind Tab No. 4, and it's also made available
8 to the public on the back table.

9 This agenda item is being brought forward from
10 the February Commission meeting that was in Upper Lake
11 to allow time for more consideration on part of the
12 Commission. The report you have in your binder
13 provides a lot of good information on public meeting
14 rules and how the Commission is to conduct business.

15 Of particular interest is how subsets or
16 committees of the Commission are to function. The
17 report identifies two types of committees. First, we
18 have a standing committee. A standing committee would
19 be one that needs at least three members. Standing
20 committee meetings must be publicly noticed, and
21 standing committees are able to exercise independent
22 authority, which makes sense, because with at least
23 three members, they would be able to make motions,
24 seconds and have votes.

25 The other type of committee would be a special

1 or an ad hoc committee, which can have as few as one
2 member. The ad hoc committee meetings do not have to
3 be publicly noticed. They can be; they don't have to
4 be. Ad hoc committees cannot exercise independent
5 authority. They wouldn't be doing any voting.

6 Now, for the OHMVR Commission, the last time a
7 standing committee was utilized was back in 2005 when
8 the Commission broke into a Northern California
9 Committee and a Southern California Committee to
10 consider grant applications simultaneously. But not
11 since then has a standing committee been used by the
12 Commission.

13 More commonly, the Commission has used ad hoc
14 committees to do certain tasks like write letters or
15 attend meetings. A list of ad hoc committees, ad hoc
16 Commission committees, is attached to your report.
17 You'll notice on that list some of the ad hoc
18 committees are active and others are inactive.

19 This item is a business item on the agenda to
20 allow the Commission, once they've discussed the list,
21 received public comment, if any, to take action on that
22 list. But no action is required on your part at this
23 time if you don't wish to make changes to that list.

24 That is my report. I'd like to turn it back
25 over to the Chair for discussion and public comment on

1 this subject.

2 CHAIR SLAVIK: Thank you, Dan.

3 So do we want to go through this list and see if
4 we want to keep it or wean it out or however?

5 Starting at the top, Commission Policies and
6 Procedures, which has nobody there now. We can always
7 call these things together if need to. Delete that.

8 Acquisition, we don't have anybody on that, but
9 I would say that's probably something to keep active.

10 COMMISSIONER KERR: Yeah, we kind of got stalled
11 out when they wiped out our acquisition fund, but I
12 think it's an appropriate activity at some point, maybe
13 after this Kern County thing is over with.

14 CHAIR SLAVIK: What would actually the
15 Acquisition Committee do?

16 COMMISSIONER KERR: They would be looking for a
17 place in San Diego County to build an OHV park for one
18 thing.

19 DEPUTY DIRECTOR CONLIN: You may also be able to
20 wrap that underneath -- you do have this initiative on
21 parks, and that seems to be what you consider to be the
22 priority. That may be something you want to get rid of
23 as a separate entity and just wrap that underneath the
24 Urban Parks Initiative.

25 CHAIR SLAVIK: So the Urban Parks is the last

1 one. So Urban Parks/Acquisitions. So we're going to
2 eliminate Acquisitions as a stand-alone committee.

3 Private Property Interface, it's a very hot
4 button issue right now at this particular Commission
5 meeting, and I'm not sure...

6 COMMISSIONER CABRAL: I believe that private
7 property issues are on a case-by-case basis. I don't
8 think we should have a committee this point.

9 COMMISSIONER MURPHY: I would agree.

10 VICE-CHAIR PÉREZ: I agree as well.

11 COMMISSIONER MURPHY: Keep it on there, but it
12 doesn't need to be staffed.

13 DEPUTY DIRECTOR CONLIN: You can also choose to
14 form it as needed specific to that particular property.

15 CHAIR SLAVIK: If an issue comes up, we can.
16 It's always there.

17 Education Committee, that's something we've
18 talked about reinstating that whole process, the
19 education process. Commissioner Pérez is currently on
20 that committee. I was on that committee initially.

21 COMMISSIONER MURPHY: I would like to be on
22 that.

23 CHAIR SLAVIK: All right. So Commissioners
24 Pérez and Murphy.

25 BLM Liaison, Ed Patrovsky.

1 COMMISSIONER CABRAL: I would also like to be on
2 that.

3 CHAIR SLAVIK: Good.

4 U.S. Forest Service Liaison, we have one. Is
5 anybody else interested in pressing the U.S. Forest
6 Service on? Okay. Very good.

7 Awards and Clubs Liaison, I've been on that
8 committee on a long time. I haven't done anything.
9 Where is Jerry Grabow? He left again. Oh, there you
10 are. I think it's important that all of the
11 Commissioners be in contact with the clubs and whether
12 they be OHV or equestrians or Sierra Club, that somehow
13 that there is a continuity with our Commission with
14 our public out there. And I don't know if that means a
15 Commission committee or just these Commission meetings.

16 COMMISSIONER MURPHY: You're on that already?

17 CHAIR SLAVIK: I was, yeah.

18 COMMISSIONER KERR: You're saying it's the
19 responsibility of everybody -- it's not a committee
20 thing, right?

21 CHAIR SLAVIK: Yeah, I would say individual
22 Commissioners in your areas should attend meetings
23 where possible. How does that sound?

24 That means, Jerry, I might even be going to a
25 District 37 meeting.

1 So we're going to eliminate Awards and Clubs.

2 Commission Triennial Report, we don't need to do
3 that because that's done. That's over with.

4 Alternative Energy, holy moly, we talked about
5 that.

6 COMMISSIONER KERR: What's the task?

7 DEPUTY DIRECTOR CONLIN: I think you've probably
8 covered that point with me being the Parks
9 representative with the DRECP.

10 CHAIR SLAVIK: It's way above our heads as well.
11 The Feinstein bill, kind of a moot issue, so
12 we're going to eliminate that.

13 Clear Creek Management Area, Commissioner Pérez
14 and Cabral are on the Clear Creek Management Area
15 Subcommittee.

16 Red Sticker, Commissioner Cabral is currently on
17 that.

18 COMMISSIONER CABRAL: I'd like to remain on it.

19 CHAIR SLAVIK: Anybody else like to add their
20 voice on that?

21 VICE-CHAIR PÉREZ: I'll go ahead and be added to
22 the Red Sticker.

23 CHAIR SLAVIK: Commissioner Pérez as well as
24 Cabral.

25 ATV Safety, Commissioner Pérez.

1 COMMISSIONER MURPHY: I'll go on that also.

2 CHAIR SLAVIK: Okay.

3 COMMISSIONER KERR: Why didn't you combine it
4 with the education?

5 CHAIR SLAVIK: It's kind of a different animal.
6 The education --

7 COMMISSIONER KERR: Okay.

8 CHAIR SLAVIK: The education -- how should I say
9 it? It wasn't a committee. We called together a whole
10 group of educators and people from all around the state
11 to talk about education. That was a broader term of
12 off-highway vehicle recreation.

13 DEPUTY DIRECTOR CONLIN: Chief was saying there
14 was an education stakeholders group at one point. And
15 to be quite honest, I'm going to load your plate up a
16 little bit, the folks that are on this Education
17 Subcommittee, I would like them to explore that, start
18 taking a look at doing that again. As Ed just
19 mentioned with this DRECP and a lot of the changes that
20 are out there, there is a huge opportunity for
21 education. We've already talked to BLM about that,
22 starting an initiative for DRECP specific, as well as
23 within our own issues on making sure that we've got
24 correct education within the riding areas.

25 CHAIR SLAVIK: So you were talking about ATV

1 Safety combining with Education?

2 COMMISSIONER KERR: Yes, I think they're the
3 same, one and the same, but whatever.

4 COMMISSIONER MURPHY: Just leave it as it is
5 since the two of us --

6 DEPUTY DIRECTOR CONLIN: Yes.

7 CHAIR SLAVIK: I do think it's kind of somewhat
8 different.

9 Cost Recovery, I'm on that committee as well as
10 Commissioner Villegas, but we haven't done much.

11 DEPUTY DIRECTOR CONLIN: Can you define what it
12 will be?

13 CHAIR SLAVIK: U.S. Forest Service -- permitted
14 events, cost recovery, which is a big issue that the
15 OHV community club committees brought up, but I don't
16 know if we've had any real effect on that as a
17 committee.

18 DEPUTY DIRECTOR CONLIN: I mean if you still
19 think -- if it's a continuing issue and you still think
20 you want to work on it, that gives you the opportunity
21 to do it off-line outside of these chambers, and maybe
22 that's going to be a good solution at that point.

23 CHAIR SLAVIK: We will leave that as it is,
24 unless someone else would like us to take a look at it.

25 Events, Commissioner Kerr, you were on that.

1 COMMISSIONER KERR: Yes, I mean originally this
2 was -- I had something a little different in mind. It
3 seemed to me like -- I'm trying to figure out what is
4 our relationship to the Hammers, because like I noticed
5 this year and last year, we spent a lot of staff
6 resources, and it could be considered spent a lot of
7 money on the Hammers. And I don't know what kind of
8 influence we have on that, the planning of that, since
9 it's on the BLM property and they permit it separately.
10 I think if I had to pick -- we've only got a few places
11 where we can concentrate our resources in events.
12 Obviously Hangtown is certainly well-established and
13 one of those things.

14 I wonder what the Commission wants to do about
15 the Hammers because I think -- personally I think it's
16 an event worth nurturing, and it has a potential to
17 kind of continue on for decades if it's treated
18 properly. I don't know how.

19 CHAIR SLAVIK: If that place is operative, we're
20 going to hear more about that.

21 COMMISSIONER KERR: So that's sort of what I
22 would think. If any event-related stuff, I think would
23 be kind of concentrating on a few key things. I don't
24 think we're going to start another event like the
25 Hammers or the Hangtown anytime soon.

1 DEPUTY DIRECTOR CONLIN: Actually, if you wanted
2 to continue it, there is probably opportunities for
3 that. What is occurring now is in the age of social
4 networking and all of that, you kind of have these
5 zero-to-epic events starting up.

6 At two weeks ago, I was at the SCORE race.
7 First time they've done a Baja-type of event in
8 California in several years. This was done out of
9 Superstition Mountain, and that was fairly large. It
10 was in a sandstorm, and they still probably had upwards
11 of 10,000 people watching it, and they anticipate that
12 being about the size of the Hammers next year. Now,
13 interesting in that one, our participation was one, me,
14 out there just kind of looking at it.

15 So these events can be done with a lot of
16 participation from our folks and without a lot. There
17 was a conscious decision on the Hammers to support that
18 heavily because of the boundary changes and a lot of
19 other issues that were going on there. And BLM, quite
20 frankly, came to us and asked for us to help, and we
21 flew in a lot of people, and we saw that as being an
22 area that we needed to help in.

23 So as far as a resource allocation, it would be
24 useful probably to look at some of these coming up. In
25 the broader sense, I think we just need to start

1 tracking some of this, these quote/unquote zero-to-epic
2 events that are starting, and make sure that we
3 understand what the impacts are on the land out there.
4 Because this is linked into permitting. This is linked
5 into availability of resources for some of what Ed was
6 talking about, law enforcement for de-confliction,
7 impact on local communities both economically and just
8 the impact of having a large-scale event out there.

9 COMMISSIONER KERR: I think we have a role to
10 play in these because we have expertise -- clearly we
11 have expertise. And also I'd like to see some of the
12 revenues from these events plowed back into the areas
13 where they're occurring, kind of similar to the way
14 Hangtown has developed over the years. Again, we're
15 not going to get into a full discussion of this at this
16 time, but I think that's the issue.

17 DEPUTY DIRECTOR CONLIN: If the board wants to
18 do a subcommittee to track those and look at those,
19 that certainly would be useful.

20 COMMISSIONER MURPHY: Keep it for now.

21 CHAIR SLAVIK: I see it being relevant. And
22 even the beach play day thing we're talking about, if
23 that's expanded back to the way it was a few years ago,
24 that could be a big deal.

25 COMMISSIONER KERR: If you're going to have ATV

1 on a beach in L.A., I want to be there.

2 CHAIR SLAVIK: So we're going to keep Events
3 with Commissioner Kerr.

4 150th Anniversary, that train has probably left
5 the station. Any reason to keep that?

6 DEPUTY DIRECTOR CONLIN: You've got a couple
7 more months. You've been doing a great job so far.

8 COMMISSIONER MURPHY: Keep it for now until it's
9 passed. If something comes up and we need somebody to
10 work on it, it's there, and it's ready.

11 CHAIR SLAVIK: What happened to our anniversary
12 for the Green Sticker program? That kind of came and
13 went.

14 DEPUTY DIRECTOR CONLIN: Chief was telling me it
15 was kind of eclipsed by the 150th.

16 CHIEF JENKINS: So we had some really good staff
17 working on anniversary issues, more anniversary. We
18 did have the anniversary badge on the 35th. It took a
19 long time for the department to ramp up into the 150th
20 thing, and so we decided strategically let's kind of
21 wait for our next big number, which is going to be our
22 50th anniversary. That will be a big show.

23 CHAIR SLAVIK: Good plan. What would this have
24 been? What year are we in the program?

25 CHIEF JENKINS: We were established in 1971.

1 DEPUTY DIRECTOR CONLIN: This would have been 43
2 and a quarter. We'll do it again on the 50th.

3 CHAIR SLAVIK: We're going to cross off the
4 150th Anniversary? I'm sorry, we going to keep it
5 until it's over with.

6 Statewide Motorized Trail, keep this as is.

7 Eldorado National Forest, that's kind of gone
8 away.

9 Sorry, RTP.

10 COMMISSIONER CABRAL: That was when the funds
11 were supposed to be managed by Caltrans, and that
12 situation has changed, so I think we can remove this.

13 CHAIR SLAVIK: Okay. So we're going to
14 eliminate the RTP Committee.

15 Eldorado National Forests, the 42 Routes, that's
16 another one the train has left the station, I believe.

17 COMMISSIONER CABRAL: Actually, there has been
18 some updates on that, and there might be stuff in the
19 next Commission meeting.

20 CHAIR SLAVIK: So we want to leave that alone?

21 COMMISSIONER CABRAL: Yes.

22 CHAIR SLAVIK: Special OHV License Plate.

23 COMMISSIONER KERR: You guys killed that one.

24 CHAIR SLAVIK: Okay. We're going to eliminate
25 that. For you folks out there that are advocating for

1 that, this was a different track. We were looking at
2 auto license plates that could generate revenue for the
3 program by selling specialized plates. Am I right?

4 COMMISSIONER KERR: Something along those lines,
5 generate PR for the program. It's complicated.

6 CHAIR SLAVIK: And after we did a lot of
7 research on it, it didn't really work out. It was
8 going to cost a lot more to implement it than we think
9 we were going to get out of it.

10 COMMISSIONER MURPHY: It sounds like it's still
11 a relevant issue, so keep it anyway to deal with
12 whatever comes up.

13 COMMISSIONER KERR: I mean personally I think
14 this is going to come up again as we get less and less
15 people getting green stickers and more people working
16 getting license plates. Because like at some point --
17 but right now there is no action required I guess for
18 this.

19 DEPUTY DIRECTOR CONLIN: I know State Parks at
20 large is re-looking at this to see if there's an avenue
21 to do something like this for State Parks as well. So
22 why don't we do this: Why don't you maintain it, and
23 then we'll see what happens on the State Parks level.
24 And then if there's an opportunity for us to do an
25 OHV-specific one, we can certainly look at that.

1 VICE-CHAIR PÉREZ: I just want to add, at the
2 time when it was voted down, it wasn't that we were not
3 in favor of it. It was just the timing, what was
4 occurring at that time, that it was something that we
5 wanted to table for a future date. So we should just
6 keep it.

7 CHAIR SLAVIK: And the last one, the Urban
8 Parks, we keep that and fold that in with Acquisitions.

9 Okay. Any comments? Any additional committees
10 anybody thinks we ought to be having?

11 COUNSEL TOBIAS: This is an action item, so it
12 can be opened. It says on the agenda, Commissioners
13 will consider and may take action. When it's an action
14 item, you need to open it for public comment.

15 CHAIR SLAVIK: All right. Okay. So anybody who
16 filled out a green form for all or that specific agenda
17 item can comment on this. And, sir, if you would like
18 to fill out the form if you haven't.

19 DOUG PARHAM: Doug Parham. I'm a private
20 individual. Just happened to know that you're talking
21 about -- this specific committee that's talking about
22 identification license plates for off-highway vehicles,
23 maybe that was originally designed to figure out how to
24 get people to put up these plates that they would on
25 their cars. But what you really need is to take that

1 same committee and look into figuring out some way to
2 put license plates on off-highway vehicles.

3 COMMISSIONER CABRAL: We have a license plate.
4 That's called a Green Sticker. That's a license
5 program.

6 DOUG PARHAM: (Inaudible.)

7 COMMISSIONER CABRAL: Well, you know, I would
8 like to address this, actually.

9 CHAIR SLAVIK: Hold on. We are out of order.

10 DEPUTY DIRECTOR CONLIN: We will do it later on.
11 That's a different subject, actually, he's talking
12 about.

13 CHAIR SLAVIK: Dave Pickett, you're off. John
14 Stewart. Ed Waldheim.

15 ED WALDHEIM: Ed Waldheim, CTUC.

16 Gentlemen, the committee that you need to form
17 is law enforcement. That is the key for you to work.
18 Brian is going to talk about that in a couple of
19 minutes to you. We need to get a committee from the
20 Commission together to work on a statewide program to
21 get the bail system set in a way that anybody who goes
22 and trespasses and destroys resources gets a good
23 \$5,000 fine, gets handcuffs, gets the motorcycle taken
24 away.

25 (Audience applause.)

1 ED WALDHEIM: The issue is serious. Again,
2 going back to DRECP, I'm not going to sit here and
3 waste 50 years of my life fighting for the Off-Highway
4 Vehicle program for the access to the public land.
5 It's access for everybody's access. I don't care who
6 the access is. I'm not going to give Katrina or Carl
7 or any BLM manager, Teri Raml, the opportunity to close
8 the trails because of illegal activity. That is a
9 serious issue that's taking place.

10 There are people out there who are intelligent
11 people. They're law enforcement people. They're
12 firemen. There's all kinds of people who forgot to
13 read -- and my wife taught them all in fifth grade, but
14 they still don't read. Closed means closed. A fence
15 means do not go around it. A wire across it doesn't
16 mean take your cutters out and cut it. We need to
17 catch these bad apples in order for us to retain the
18 little that we have left over of our resources to
19 enjoy. Fishermen, hikers, anybody who goes bird
20 watching, I don't care who you are, if you ride a
21 Cadillac off the pavement, you are an off-roader. A
22 lot of people will not accept that. That is a fact of
23 life. We cannot let the law enforcement stuff not be
24 pushed.

25 Deputy Director said, what is the BLM doing with

1 all of our law enforcement? What is the sheriffs doing
2 with law enforcement money? Brian made it very clear.
3 It is your responsibility, Mr. Law Enforcement, to also
4 protect the resources and manage it -- not only manage
5 it, but patrol it. We are not doing that. So if you
6 would like to add that, I would love to have the
7 Commission tackle that and help Chris and the
8 department to get a handle on that.

9 (Audience applause.)

10 CHAIR SLAVIK: Terry Weiner, would you like to
11 comment on committees? Okay. And next is Jenny
12 Wilder. All right. Thank you.

13 In response Mr. Waldheim's comments, my
14 specific, I guess, concern would be -- not concern but
15 direction to go would be through the education process.
16 The education -- not committee, but what do we call it,
17 stakeholders' group, that it would really be
18 comprehensive. We're talking about a big deal here,
19 not just a couple of people getting together and talk.
20 But the first couple of these stakeholder meetings were
21 15 to 20 people from education, from law enforcement,
22 and people that could really address the issues.
23 Because it's not just law enforcement; it's more than
24 law enforcement. It's a much broader attack that we
25 need to make to cause the public to change their

1 habits.

2 So I mean I'm just throwing that out there. If
3 you guys want a Law Enforcement Subcommittee, that's
4 fine. But let's talk about it.

5 COMMISSIONER CABRAL: I think it would be a
6 great idea to have a Law Enforcement Subcommittee.
7 I've been a critic of how the law enforcement has been
8 applying for and using their grants for a long time
9 prior to even being a Commissioner. I believe that --

10 Well, first off, on a personal note and also
11 feedback I get from people using the OHVs is that they
12 feel as if they have the law enforcement semi harassing
13 them at staging areas or just outside of staging areas,
14 checking VIN numbers and doing things like that.

15 And I never see law enforcement present in areas
16 that are of environmental concern where people may be
17 cutting trails like with what Mr. Waldheim discussed.
18 And I think there should be more of a presence out in
19 the OHV areas and not right at a staging area because
20 people obey the speed limit better when there are
21 police officers and CHP officers driving around and
22 parking alongside freeways and being out amongst us,
23 not being like, you know, right at the entrance ramp to
24 the freeway. So it doesn't make sense to -- I just
25 don't understand why they choose to use their law

1 enforcement funds in that manner.

2 Because I agree with Mr. Waldheim that one of
3 the biggest problems we have within the OHV community
4 is that we have a small percentage of people that do
5 not obey the rules. Now, that could be in any type of
6 recreation where people do not -- just there's always a
7 percentage of people that just want to do whatever they
8 want to do, don't feel they should be governed by
9 anybody and shouldn't have to follow any rules. And
10 those people should be put on notice, and they should
11 be in some way informed, you know, we need to make sure
12 that we have the law enforcement money from our grants
13 going to where it's needed where people are out
14 actually cutting fences and going through trails and
15 stuff and making a presence there. So I think we
16 should be on top of it.

17 CHAIR SLAVIK: Any other comment?

18 COMMISSIONER KERR: Let me give you an example
19 why it's been a very successful program that speaks
20 more to the education aspect.

21 So around the Bay Area on every storm drain
22 there is a notice that says, "Flows to Bay" or "This
23 flows to Adobe Creek, don't pollute this. This is not
24 for dumping." And I know that my own attitude has been
25 informed by those -- that educational process.

1 And I think this whole designated route issue
2 where we're now seeing much better marking of the
3 trails, I remember when I first started OHVing with my
4 son, I didn't have the benefit of having been a
5 Commissioner and having understood all of these rules
6 and also opportunities for recreation that exist. And
7 so you're kind of groping around in the dark to figure
8 out how to go and where to take your kids. And you
9 know the last thing you want to do is end up with
10 having to go to court or having somebody take your
11 son's motorcycle because he was doing something stupid
12 that day.

13 So I think I would agree with the fact that I
14 would like to see a better auditing of the law
15 enforcement funds that we're awarding the grants, what
16 exactly are we getting in return for this. I also
17 agree too much law enforcement is being focused on do
18 you have a Green Sticker, do you have a Red Sticker, is
19 that vehicle -- I even had some of your guys, some of
20 the deputies in this department brag to me about how
21 they have found a guy who had taken a 1971 pickup and
22 bilked the title and now had something totally
23 different, and he reported him to the DMV because he
24 didn't feel it was a street legal vehicle anymore. I
25 could care less about that kind of stuff.

1 I'm more interested in stuff that Ed was talking
2 about. You know, let's not damage the resources.
3 Let's not cut the fences. Let's stay on the designated
4 trails. And so I would be in favor of that.

5 But one of the things I've always felt about
6 going off-road is the only rule essentially was don't
7 hit that tree. And there's a certain freedom that we
8 should preserve for these activities so people
9 don't feel like they're -- they've got cameras
10 everywhere. We've got police departments all over the
11 country reading my license plates and can tell if I
12 went to my girlfriend's house or not. Let's be aware
13 that people want to be left alone a little bit, too,
14 while we're reducing the damage to the environment.

15 So I just want to tread lightly on this. This
16 is an issue that comes up a lot with bicycle riders. I
17 have to arbitrate between the sheriffs that want to
18 give every bicycle rider that runs a stop sign a
19 ticket, and so let's be careful about establishing a
20 police state out in the wilderness. That's all I would
21 say.

22 COMMISSIONER PATROVSKY: I worked as a BLM law
23 enforcement officer for 16 years. And for the last
24 seven of that I worked mostly Eastern Kern County, part
25 of San Bernardino County. And during that time, I

1 tried to be out in the field where things are actually
2 occurring, just like Ted mentioned, which I think his
3 comments and also Breene's are very appropriate.

4 And BLM has very -- along with the Forest
5 Service and other land management agencies, has very
6 limited resources and also have a lot to do. But I
7 agree with Ed Waldheim that law enforcement is -- it
8 isn't the only solution to the problem, but it's really
9 key and that we've really fallen down in recent years,
10 that the emphasis has been away from the field and more
11 towards action on the periphery.

12 And the rangers in the field offices just aren't
13 going out in the field like they used to. Field
14 presence is reduced. The limited use areas with the
15 assigned routes, these areas are just getting hammered.
16 And there is just not enough presence there. It needs
17 to be increased.

18 Also, in some cases the cooperation with the
19 different agencies, with the county sheriff's
20 departments and others, isn't as good as it used to be,
21 and that needs to be restored. And I could go on
22 forever.

23 But we need a better effort. The staffing needs
24 to be -- somehow it has to be brought back up to
25 historic levels where it used to be. Even when we were

1 fully staffed in the California Desert District with 50
2 rangers -- now we have about 25 -- even then we didn't
3 have enough to really do the job.

4 And the people that the law enforcement agencies
5 are hiring for the ranger positions are -- oftentimes
6 recruiting has changed too, where we're not getting
7 people with the resource background but from other
8 types of federal law enforcement. And they have to be
9 taught the resource ethic from the ground up rather
10 than already having it. And that's another thing that
11 has diminished the law enforcement program.

12 So a lot of work needs to be done. It's a
13 complex issue. Law enforcement is not the only thing
14 out there. Education and good planning and a lot of
15 other things are needed too, but if a law enforcement
16 committee, if the Commission wants to establish one,
17 I'd certainly like to either participate or head it.

18 DEPUTY DIRECTOR CONLIN: It sounds like you got
19 a committee.

20 CHAIR SLAVIK: Sounds like you talked yourself
21 right into that one. So do we have to have a motion to
22 create a committee?

23 COMMISSIONER MURPHY: The issue of people
24 operating outside the boundaries of designated OHV
25 areas, that kind of activity should not be tolerated in

1 any way, shape or form.

2 But along with the policing and stiffer
3 penalties, I think there should be some kind of
4 education campaign that goes in front of that so that
5 people aren't just going out there and getting
6 blindsided by here you are handcuffed in the back of an
7 SUV.

8 We're on the Education Committee, maybe we need
9 to reach out to different media sources, magazines, and
10 try to get the word out that operating outside of the
11 boundaries is going to get your place closed or get you
12 arrested or worse.

13 CHAIR SLAVIK: Okay.

14 DEPUTY DIRECTOR CONLIN: So you don't need to
15 make a motion for this. You just established an ad hoc
16 committee.

17 CHAIR SLAVIK: So an ad hoc committee for law
18 enforcement.

19 COMMISSIONER KERR: We will come back with
20 recommendations. You can either accept them or not.

21 CHAIR SLAVIK: So Commission Patrovsky and who
22 was the other one? Was the other Ted?

23 COMMISSIONER CABRAL: I've got a few committees.
24 I would like to be on that committee, but I believe
25 that's going to take quite an effort, and I don't want

1 to spread myself too thin here with some of the other
2 ones I have at this time. When like the Red Sticker
3 issue moves aside or something, maybe I could be
4 considered at that point.

5 CHAIR SLAVIK: We could have one person on a
6 committee, but I'm not sure if somebody else wants to.

7 I guess maybe, Ed, for right now you're the man.
8 And you have the experience, obviously the background.
9 You're certainly qualified, okay. So a one-person
10 committee.

11 COMMISSIONER KERR: And then what he's been
12 looking at, what specifically could we do to improve
13 the situation I think that we relate back to our Grants
14 Program probably.

15 DEPUTY DIRECTOR CONLIN: And, remember, there's
16 going to be a presentation on this later on, too,
17 during the Director's report, some more things to think
18 about.

19 CHAIR SLAVIK: Okay. That concludes Business
20 Item B, and they're we're going to move on. Cheryl
21 needs a break. So back in about five minutes, folks.
22 She needs a break.

23 (Returned at 10:53 from a break starting at 10:37 a.m.)

24 CHAIR SLAVIK: Commissioner Pérez stated that
25 she would like to change committee assignments.

1 VICE-CHAIR PÉREZ: I'd like to change it from
2 Red Sticker to the later one, the law enforcement.

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

4 CHAIR SLAVIK: All right. So we will start
5 public comment a few minutes early. I remind you that
6 you have an opportunity to speak on any issue that you
7 want to bring before the Commission. You have three
8 minutes to make that presentation, and please keep it
9 as civil as possible and not personal. This is a
10 public forum, and your comments are all being recorded
11 and will be available for any use you need down the
12 line.

13 So I'm going to start here with Almut Fleck.

14 ALMUT FLECK: I heard very clearly that you want
15 to keep this very positive, and I hope that my remarks
16 don't come across as not positive. They may be
17 critical, but I think if we exchange ideas, we benefit
18 from diverse ideas and we can improve the communication
19 this way.

20 What did I put on that? I have so many things.

21 CHAIR SLAVIK: You have suggestions for the
22 Commission. You have three items here, two, be more
23 transparent and accommodating to the public.

24 ALMUT FLECK: Yes. Since this is my first time
25 here, I looked you all up on your bios that are posted.

1 And I noticed I'm missing representation from the
2 scientific community. Because many of our differences
3 come from a different mindset, and I think what we're
4 dealing with in terms of global warming, which is
5 beginning and apparent, it has been denied by many for
6 a long time. We could be a leader in the world on
7 this, but Germany beat us to this already a long time
8 ago. We wait very long, and then we try to catch up,
9 and then it is a failed process quite often.

10 So to establish that, I think listening to each
11 other in the mindset that is behind it, and if we rely
12 a little bit more on scientific data that is
13 indisputable -- just like 20 years ago global warming
14 was discussed and nobody paid attention to it. It's
15 sort of a denial kind of feeling I get.

16 So I would like to see more people here on this
17 side, and the way that can be done is by having video
18 conferences. As I mentioned, three hours, that's six
19 hours' travel time. Many people cannot do that.
20 Single parents cannot do that. Paying for a
21 baby-sitter, getting off from work, you're losing out a
22 lot of input from the public. And without the support
23 of the public, it will always be a struggle in the
24 mindset. So this is something that I'm missing here
25 that we don't find enough people -- a diverse group of

1 people, Native Americans who have this affinity to
2 nature and have a very different mindset, everything is
3 for seven generations calculated. We are a fast-food
4 nation. We want it now. And so we push, and we come
5 up with the product that is unacceptable. Thank you.

6 CHAIR SLAVIK: Mark McFarland followed by Paul
7 Pearson.

8 MARK McFARLAND: Mark McFarland here to talk
9 about trespassing on private property. It is legal for
10 a person to operate motorcycle, including motorcycles
11 and ATVs, on private land owned by another person
12 unless that land is zoned residential, fenced,
13 cultivated or posted with proper signs.

14 My friend, C---- M-----, is on the ORV Watch
15 Kern County Hall of Shame. He is a childhood friend.
16 When he was 14, his dad died in a horrific accident.
17 Because he stutters, he's been bullied ever since. I
18 brought him out to ride with me. He got lost. He's
19 colorblind. He's on the Hall of Shame. And it says,
20 "Sheriff's report submitted for trespassing citation."

21 Please flip through -- quickly through the
22 highlighted points on the second page. I'm not going
23 to refer to names, but a member of the ORV Watch -- I'm
24 going to call her "she." She said, "M----- was very
25 apologetic, telling her he was lost." She says, "I

1 hate to have to admit this, but he was a very nice
2 man."

3 The officer told D--- that for criminal
4 prosecution, we have to be able to show M----- came
5 through an area that at least had been fenced or where
6 signs were posted at property locations and intervals
7 per the Penal Code. She said, "Yeah, that's the
8 unfortunate part." She says, "These guys know these
9 loopholes."

10 The officer explained to D--- -- to her that
11 there is no loophole. It is no different than someone
12 driving a car in this case. The officer pointed out to
13 D--- that they were driving and standing on someone
14 else's property at the very time.

15 She says about her cattle ranch, "The
16 unfortunate part with us and our cattle operation is we
17 can't secure it because our cattle need access to the
18 other area, the neighboring properties."

19 M-----'s story, M----- said he got lost. He was
20 dehydrated, low on fuel, hungry, started zigzagging
21 looking for help. He finds this lady. He went
22 straight to her vehicle to seek help. "She gave me an
23 earful," he said. He said, "Thank God I found you.
24 I'm lost. Can you help me?"

25 The two stories match. Officers go out to her

1 property to investigate. He found what he recognized
2 to be booby traps for motorcycles. He found no
3 motorcycle trails leading onto D---'s -- or to her
4 property or anywhere around her property.

5 The blue highlighted is a litany of similar
6 cases where there were false allegations of
7 trespassing. The officer concludes that she made
8 numerous statements during not only his own contact
9 with her but during prior contacts with other deputies
10 in which she contradicted herself.

11 The officer found that there is no foundation
12 for criminal charges against M-----. Her actions,
13 however, appear to be driven by malicious interest.
14 Based on this, the officer is requesting the following
15 charges to be filed against her, false report of a
16 crime, false imprisonment.

17 I've watched C---- be bullied all his life. I
18 ask this committee to not take the easy road. Stand up
19 to these bullies. They're pushing people around and
20 forcing things that are completely legal. They're
21 forcing their agenda on this committee. Don't take the
22 easy route. Stand up for him. Thank you.

23 (Audience applause.)

24 DEPUTY DIRECTOR CONLIN: I'm just going to make
25 one quick admin comment, and that's -- I appreciate the

1 last discussion. Please, I would ask the audience,
2 even if it's your friend, we prefer no names during the
3 public comments, and no names as we've mentioned here,
4 okay? This is an official meeting. All of this goes
5 into the public record. And whether they're your
6 friend or not, we don't want names reflected in this
7 unless you're actually speaking. So, again, thank you
8 for comments, but let's keep names off the record,
9 please. Thank you.

10 CHAIR SLAVIK: Paul Pearson followed by Chris
11 Real.

12 PAUL PEARSON: My name is Paul Pearson. I'm a
13 resident of the Twentynine Palms area. And I'd just
14 like to thank even Ed Waldheim. I would love to see
15 fines doubled. I'm a homeowner. I've had to deal --
16 I've been out here 14 years. I've had to deal with
17 people trespassing, riding their dirt bikes all over
18 the neighborhood and my property in particular. When I
19 come out to tell them not to do that, I get a rooster
20 tail in my face and some bad words.

21 So more law enforcement is what I'd like to see,
22 increased fines to get these people. More BLM
23 presence, which this fellow spoke about, that would be
24 fantastic in our multiple-use area.

25 And there was a fellow that recently passed away

1 in Twentynine Palms, a major member of the community.
2 And he told me about himself in his retirement. He was
3 a Vietnam vet, Silver Star recipient, who was being
4 tormented by dirt bikers in his retirement in the town
5 of Twentynine Palms. He spent hundreds of dollars on
6 signage, and he said he had the receipts. They tear
7 the signs down. At night they would ride around his
8 home and throw rocks and stuff in his pool.

9 So, again, I'd just like to see more law
10 enforcement for the peace and quiet of the residents of
11 the High Desert. We live out here. This isn't just a
12 place to come and tear up. Thank you very much.

13 CHAIR SLAVIK: Chris Real, followed by Victoria
14 Fuller.

15 CHRIS REAL: Good morning, ladies and gentlemen.
16 My name is Chris Real. I'd like to take a moment to
17 talk about sound management and vehicle noise control.
18 I want everybody to know I'm a member of the technical
19 community as well as the management side on a variety
20 of challenges from the environment.

21 Off-highway vehicles that we're discussing are
22 continuing to evolve. When we started the sound
23 challenge many, many years ago in the '70s, it was
24 primarily motorcycles. That evolved eventually into
25 ATVs, and now we have ROVs and actually fourth

1 generation snowmobiles, and the watercraft are
2 evolving. At the Commission meeting on our tour we saw
3 a crossover vehicle that was an ATV and a watercraft.

4 And so as we manage our off-highway vehicle
5 stuff, the sound challenge continues to be at the
6 forefront for many people. From what I can tell you
7 from my experience throughout North America, vehicles
8 are getting -- off-highway vehicles are getting quieter
9 to some degree. This is primarily due to uniform
10 management of the sound levels. It's also from
11 consumer education and uniform enforcement. So I see
12 us making some progress in this manner.

13 One of the things that we're experiencing in the
14 urban environments -- another aspect of my life is
15 working with city planners and code enforcement. And
16 there's an increased focus upon enforcement on sound
17 from a variety of sources. So you'll probably see in
18 the foreseeable future more communities having code
19 enforcement with sound level meters. A sound level
20 meter is an instrument that takes a measurement. It's
21 not a perspective. It is a measurement that goes to a
22 regulation that goes to a standard. I see this coming
23 forward.

24 In closing, I'd like to take a moment. After
25 ten years of working extensively with the State, I'd

1 like to recognize California State Parks, Bureau of
2 Land Management, U.S. Forest Service, many of the local
3 police agencies, for their diligence, uniformed
4 training, uniformed enforcement on the state law. I'd
5 also like to recognize the user groups. Civilian
6 groups have embraced a managed program at the organized
7 events, and that's not only increasing the awareness,
8 but it is measurably lowering the sound levels.

9 Thank you very much.

10 CHAIR SLAVIK: Victoria Fuller.

11 VICTORIA FULLER: Hi, thank you. Victoria
12 Fuller from Joshua Tree.

13 First, I would like to thank Commissioner Pérez
14 for her comments on safety. One of the things I think
15 that is really missing is an adequate look at the
16 statistics. If you go to the Boating Department and
17 look at some of the statistics for fatalities and
18 injuries, it's really very detailed. And I think that
19 the OHMVR has kind of missed by not doing a similar
20 kind of a study. And that way you can make an informed
21 decision, you know, where accidents are happening and
22 why. And then you would incorporate that into the
23 education. So I'd like to see a little more of that.

24 And I'd also like to see -- and I think we
25 discussed -- it was discussed earlier including someone

1 from the medical communities on the different
2 committees to get a really different insight into that.

3 And I think Ed Waldheim made some really good
4 comments on law enforcement. Looking at the law
5 enforcement in the impacts on rural communities, just
6 listening to a few of our previous people from
7 different sides of it, it's a really emotional issue.
8 If it's your home that's being impacted, you want
9 something done. And if you're the one out there and
10 you don't know where you can ride and you think you can
11 do it, you resent people telling you you can't. And
12 that gets to education and really good signage.

13 And the other thing I wanted to talk about was
14 the DRECP. We're really experiencing a lot of changing
15 technologies, and I think with that, changing
16 technologies, we have to keep an open mind because I
17 think we're going to see a lot more energy produced on
18 rooftops and other areas, and hopefully that will save
19 some of other deserts. That's it. Thank you.

20 CHAIR SLAVIK: Terry Weiner followed by Doug
21 Parham.

22 TERRY WEINER: Good afternoon. Terry Weiner,
23 Desert Protective Council. My organization is also a
24 member of the coalition -- I call it Alliance for
25 Responsible Recreation.

1 I really regretted hearing those comments. It
2 singled out one person and one issue, when the
3 situation Mr. McFarland was referring to is a lot
4 broader than that. So I hope that you all put those in
5 proper context as the day goes on.

6 I also really always appreciate Ed's comments,
7 Ed Waldheim's comments, of law enforcement. You know,
8 I've heard since I got involved working with the State
9 Parks Commissions and State Parks in general and
10 conservation of the desert that -- tired of hearing how
11 it's just a few bad apples. But what we need is -- a
12 few bad apples on motorized vehicles are, you know, a
13 very high impact. And so just a few bad apples, if
14 there were only a few, would do damage, inordinate
15 damage anyway.

16 So we need the OHV community to support us in
17 doing more fines and more -- I've seen law enforcement
18 of State Parks see a guy without a Green Sticker and
19 not do any citation, just a warning, you know. They
20 get warned and warned and warned. By the way, Green
21 Stickers are inadequate because, you know, law
22 enforcement trying to pursue anybody can't see them on
23 the left fork if they're there at all.

24 I have an informal survey I take every time I go
25 out in an area where there are ROVs: What percentage

1 of people even bother to get Green Stickers? It's not
2 very high. If we had visible license plates, that
3 would be something that a law enforcement person could
4 notice was there or not there, even going at speed.

5 This has been a really stimulating meeting, and
6 I have too many things to say. Is there going to be a
7 light that's going to tell me when I'm done? Because I
8 could take six minutes representing myself and the
9 Desert Protective Council, if you would let me.

10 CHAIR SLAVIK: Terry, you have three minutes
11 total.

12 TERRY WEINER: So, Paul -- I really endorse Paul
13 Slavik's reinstatement of the stakeholder roundtable.
14 He and I and some others in the room were on that, and
15 it was an amazingly productive way to listen to each
16 other with a good facilitator and get things done
17 instead of talking at each other on mean-spirited
18 websites and whatnot.

19 I want to talk about sustainable parks because
20 the OHV Division is part of the Department of Parks and
21 Recreation. And a few years ago Director Coleman
22 wanted to have -- wanted to really push toward
23 sustainability. The only park I know that has any
24 solar panels of the OHV sort is Ocotillo Wells. Every
25 state park should have solar panels. And also it would

1 be nice to consider going to smaller vehicles, because
2 you State Parks people drive around in these huge gas
3 guzzling things.

4 Air quality is an issue in California. I don't
5 see enough air monitoring at the SVRAs.

6 CHAIR SLAVIK: Your time is up.

7 TERRY WEINER: Thank you very much.

8 CHAIR SLAVIK: I'm sorry. Is there a light?

9 TERRY WEINER: I can't see it. Oh, right there.
10 I was busily -- it says I have more time. I'm over
11 that. I was so busy looking at Paul that I didn't see
12 that. Thank you.

13 CHAIR SLAVIK: No, you can't. I'm sorry, it
14 would be out of order. I'm sorry.

15 Doug Parham followed by Tom Bea.

16 DOUG PARHAM: Doug Parham, private individual.
17 I live in Lancaster, California. And I'd like to
18 remind the topic I'm going to speak on respectfully is
19 that the OHMVR is not fulfilling its mandate from 43
20 years ago, in 1971, the mandate to balance OHV
21 recreation opportunities with the protection of natural
22 resources and fostering respect for private property.

23 We can see at least in this part of California
24 that off-highway vehicle recreation is completely
25 unmanaged. The illegal spots abound all over this

1 area. We've got Juniper Flats, Pipes Canyon, Giant
2 Rock, Landers, Littlerock, you name it, there's --
3 anyplace that's got a hill higher than ten feet has got
4 15 trails to the top of it.

5 One of the reasons for that is -- we talk about
6 racing versus touring. I think most of us would
7 appreciate the touring aspect of off-highway vehicle
8 recreation for sightseeing or for people who can't
9 hike. But a large percentage of people, riders, are
10 racers that are in it for the thrill of acceleration.

11 To accelerate with the voracity needed to leave
12 you shaking in your boots and pleading for just one
13 more dose of that oh-so-sweet sensation requires two
14 things, an excess of power and a lack of mass, which
15 gives you the power-to-weight ratio. A new Husqvarna
16 449 cc has a power-to-weight ratio less than a Porsche
17 911 or a Chevy Corvette or a Ferrari Testarossa. You
18 can have so much acceleration, and that's what a lot of
19 the people are doing on those bikes. They're playing
20 with acceleration fun.

21 What keeps it from being managed is the lack of
22 visible I.D. It's not presently required on legal
23 off-highway vehicles. They have a little sticker that
24 cannot be used at any distance at all to identify the
25 vehicle. There was a DMV indicia report in 2009 that

1 said it was impossible to design plates because of
2 potential injuries to riders, and I don't think that's
3 correct. In the same report, DMV says there's really
4 no point in coming up with indicia because the
5 prosecution most likely will be impossible. Given the
6 entire normal use and riding in OHV, district attorneys
7 will not pursue prosecution. So I don't believe a real
8 effort was made to try to figure out a way to put
9 license plates on off-highway vehicles, which is going
10 to be necessary in order to control it.

11 There's also lack of consequences for illegal
12 riding. As Mr. Patrovsky pointed out, law enforcement
13 is way understaffed. In addition, the fines are so low
14 that if you do get a ticket, it's just the cost of
15 admission for the fun.

16 We see a lot of this driven by the profit
17 motive. The consumers and industry look at the
18 equation: Dirt bike plus open land equals fun. They
19 buy their dirt bike for upwards of \$6,000, take the
20 land for free and have fun. The industry is profiting
21 from the improper use of land and uses its dollar
22 influence to convince authorities from legislators down
23 to law enforcement officers to allow illegal impacts to
24 continue.

25 To close, OHMVR is not fulfilling its mandate to

1 manage OHV recreation. A very closing story here, our
2 pastor at church told us a story of witnessing an
3 Easter sunrise in the desert many years ago. He was
4 moved by the beauty and the silence of the desert.
5 That couldn't happen today because every overlook,
6 hill, wash, canyon and game trail is ridden with
7 impunity by OHV riders. Thank you.

8 (Audience applause.)

9 CHAIR SLAVIK: Tom, how do you pronounce your
10 last name? Bea.

11 TOM BEA: Hi, my name is Thomas Bea. I'm a
12 landowner out in the Antelope Valley.

13 And I just want to let you know that I, myself,
14 and my neighborhoods work closely with the law
15 enforcement in the area, and it's always very positive.
16 And we do our best to work together with the DWP, as
17 well as we also help accommodate the Pacific Coast
18 hikers when they come through, and we actually bring a
19 very positive environment in our area. Also, I've been
20 out there since the mid '70s, and I've been out there
21 for years. We have family recreation, barbecues, and
22 my kids love the desert and everything about it.

23 We do our best every year to pick up trash, and
24 I estimated I haul out maybe six tons a year of just
25 trash I see. And over the years it's become less and

1 less. So, again, it's an involvement. We enjoy it and
2 the future as well.

3 But there is also the other side of the coin,
4 which we do need more law enforcement because of the
5 interlopers that come in. But thank you very much, and
6 I appreciate your time.

7 CHAIR SLAVIK: Jenny Wilder.

8 JENNY WILDER: Hello, I'm Jenny Wilder, and I
9 live in Apple Valley.

10 And I'm asking myself why am I here at an OHV
11 meeting? It took me a long time to find out that there
12 was such a thing. I had no idea there was an OHMVR
13 Division of the State Parks. But here I am, and the
14 reason is because the situation that appeared to me in
15 the '70s and '80s and especially in the '90s has
16 deteriorated in the desert. There is more trespass,
17 more OHVs, more noise, more dust.

18 And the real reason I'm here today is because I
19 have personally been terrorized by off-road riders, and
20 I have heard stories and witnessed other people being
21 so terrorized. This situation should not be allowed to
22 continue.

23 I wanted to address the grants mostly because
24 millions of dollars have been handed out during this
25 time and yet the situation isn't better; it's worse.

1 More OHV areas have been established, but it's worse.
2 People I guess don't want to be managed. So there
3 needs to be something else.

4 After decades of not having the desert signed
5 with open routes, it wasn't the OHMVR Division or the
6 Commission that encouraged the signing that you see
7 today; it was a judge. It wasn't the OHMVR Commission
8 or the Division after decades of grants that encouraged
9 the BLM to monitor the open routes and trespass off the
10 open route; it was a judge.

11 And so I think the OHMVR Division and Commission
12 should take a more leadership role in evaluating the
13 success or failure of the grant system. And one of the
14 things that I would suggest is that included in putting
15 the grant applications online, the report for those,
16 from those applications, the report that is given to
17 the Division should also go online so the people can
18 follow that process all the way through to the end and
19 see how effective that was.

20 El Mirage, for instance, has had, I don't know
21 how many, probably millions of dollars to make it what
22 it is today. It's been managed. But while the BLM is
23 spending their money and their staff at El Mirage and
24 other open areas, they don't have the staff or the
25 money to -- or the matching funds to get a grant for

1 other areas. That's one of the problems. The agencies
2 are finding it very difficult to find the matching
3 funds that are needed for those grants. And I see on
4 the grant sheet today that there is a lot more need
5 than there is grants available.

6 CHAIR SLAVIK: Ma'am, your time is up.

7 JENNY WILDER: Okay. Thank you.

8 CHAIR SLAVIK: Thank you very much.

9 Phil Klasky followed by Eva -- starts with a V.

10 PHIL KLASKY: May I give you a book? I want to
11 give this to you, President Slavik -- Chairman Slavik,
12 and please share amongst the group.

13 I gave the chairman a book. It's called,
14 "Thrill Craft - Environmental Consequences of Motorized
15 Recreation," and it also covers the culture of
16 uncontrolled behavior.

17 My name is Phil Klasky. I'm here to represent
18 the Alliance for Responsible Recreation. We're 14
19 different groups that have been organized to protect
20 our private property and public lands from off-road
21 vehicle abuse.

22 We're losing the battle regarding mandated
23 balance between off-road vehicle recreation and
24 conservation. And you can see it all throughout the
25 desert. You can see it in our area, the tracks. The

1 violations are on the ground.

2 And off-road vehicle damage last four decades, I
3 want to recommend another book -- sorry, I'm a teacher,
4 so I can't help myself. It's called, "The
5 Environmental Impacts of Off-Road Vehicles" by
6 Dr. Howard Wilshire, essential document on this topic.

7 And I'm wondering what we're going to leave for
8 future generations. Will they have the same
9 opportunities we have to enjoy the environment, the
10 wildlife, the view sheds?

11 On another note I want to applaud the efforts in
12 our area, the San Bernardino County Sheriff's
13 Department and the Bureau of Land Management. We have
14 a very cooperative relationship with them. Sergeants
15 Collins and Wilson are in the room, BLM staff Katrina
16 Symons, Mickey Quillman, Rose Beardshear. We've had a
17 really excellent relationship, and we've also worked in
18 stakeholder processes, and that's what we really need.

19 I want to call on the off-road vehicle groups,
20 lobbyists, the industry that has a tremendous
21 influence. We can't even compete with these people.
22 Look what they just did in Washington, D.C., regarding
23 the expansion of the Marine Corps base. They have a
24 super PAC. We can't even compete. We do what we can.
25 We're all volunteers. We're not paid to do what we do.

1 So I call upon the off-road vehicle groups to
2 join with us in education campaigns. There's not
3 enough law enforcement. I know law enforcement does
4 not have the resources that they would like to have,
5 but we want to join together. We want to see public
6 service announcements from off-road vehicle groups. We
7 want to see on their websites: Stay off the Pacific
8 Crest Trail. Stay on trail. Respect the environment.

9 Because you know what, riders will listen to
10 them before they will listen to us. And I spoke to
11 some folks today. It's a good opportunity. Thank you
12 for this, to talk about that.

13 Lastly, something finally has to be done about
14 all the bullying, the harassment, the intimidation that
15 those of us who act in nonviolent manner, express our
16 views in public forums like this -- I'm going to go
17 home tonight and who knows what I'm going to see on
18 District 37 or Thumper Talk or Desert Thorns.

19 And the cyber bullying that happens has to stop,
20 and I'm asking you folks to help us with that. Because
21 you know what happens, people don't come forward to
22 express their views.

23 CHAIR SLAVIK: Thank you.

24 (Audience applause.)

25 CHAIR SLAVIK: Eva.

1 EVE VYKYDAL: Eve Vykydal with Community
2 Off-Road Watch. And it's very difficult to follow Phil
3 Klasky. He's, as you can see, a very good
4 spokesperson.

5 I would like to revisit our education and the
6 license. I really think that there's -- nothing can be
7 done. Education is wonderful. I'm all for it. I'm
8 all for the Green Stickers. It's wonderful. But
9 nothing can be -- law enforcement, we have -- we know
10 we don't have enough law enforcement. We know we don't
11 have the resources.

12 Nothing is going to happen until we have plates,
13 until we can identify these people. They go out. They
14 do whatever they want to. And, believe me, they've
15 turned my property -- the reason I'm here, they turned
16 my property into a motocross. So I bought the property
17 next door. I fenced it off. They cut the wire. They
18 cut the cable. They tear out the fence posts.

19 So I don't want to -- most riders are nice, and
20 we like riders as long as they do ride in a responsible
21 way. If somebody is going down my road at 25 miles an
22 hour, I don't have a problem. If they're going down 70
23 miles an hour, I get angry because there is a cloud of
24 dust. It makes noise. My dogs bark. I mean it's --
25 you know, everything that has been said here.

1 And I would like very much for you to put a
2 committee, ad hoc committee, on and see if we can get
3 some legislation started. I know we're working on the
4 same thing. But if we kind of come from several
5 different angles, I think I would like -- I very much
6 would like to see an identifying license plate that's
7 big enough for us to identify the rider. That's number
8 one.

9 Number two, there was a comment made here by the
10 first person who came and spoke that you can ride on
11 any private property. That is not true. There is an
12 ordinance that doesn't allow anyone to ride on private
13 property unless they have on their person a signed note
14 from the owner saying that they may be there. So
15 that's a correction I want everyone here to understand,
16 that that is just not so.

17 And also, I do believe that the DRECP report
18 today was a really a "usurpage" of my time here. It
19 really was boring, and it didn't -- I know it's a nice
20 report and has a lot of information, but I think this
21 is off-road, and we have a lot of business to conduct
22 here, to do here. Thank you much.

23 CHAIR SLAVIK: Jim Krob followed by Mr. Moss,
24 Calvin.

25 JIM KROB: Hi there, my name is Jim Krob. I'm a

1 resident of Joshua Tree. I just have a very short
2 presentation to make.

3 A few years ago my neighbor across the street
4 was being harassed by off-road riders, and they asked
5 them to please stop. They basically gave him the
6 finger. And lo and behold, four o'clock the next
7 morning, they were out there riding all over his
8 property. This type of harassment seems to be common,
9 especially when people like to take advantage of
10 helplessness. He was ill, confined, couldn't do much.
11 I don't think that this should be allowed, and people
12 have got to do something about this. Thank you.

13 CHAIR SLAVIK: Calvin Moss, please, followed by
14 Ed Waldheim.

15 CALVIN MOSS: My name is Calvin Moss. And hi,
16 everyone, Commissioners and everyone who came here
17 today.

18 I live up on the Copper Mountain Mesa, about two
19 or three miles from the Marine base, the border of
20 their aviation helicopter training area, and on the
21 other side, the south side, is the Sunfair Dry Lake Bed
22 off-road vehicle area and BLM land. And I moved there
23 about eight years ago from Los Angeles.

24 And I noticed there was very little off-road
25 vehicle activity when I first moved there, but for some

1 reason they started using that area more, and they
2 started coming through Gorman Pass, which the Copper
3 Mountain Mesa -- Copper Mountains are between me and
4 the Sunfair Dry Lake area. And convoys of RVs with
5 off-road vehicles with their toy trailers, RVs would
6 come from there in camps. They started camps south of
7 me.

8 And also, along with this type of activity is
9 some heavy gunfire, firearms, coming from the off-road
10 vehicle camps, especially around the holidays. Last
11 Thanksgiving there was a huge amount of, you know,
12 automatic weapon fire and semiautomatic weapon fire.
13 And I live in a shotgun-only zone, which on the map,
14 the shotgun area goes all the way over to other side of
15 Twentynine Palms, I think.

16 So it was quite disturbing, you know, squads of
17 off-road vehicle people firing automatic weapons. And
18 we would call the sheriff, but, you know, the sheriff
19 comes up there by themselves, usually one officer. And
20 I always say, you know, there's been some problems with
21 these off-roaders crashing, terrible accidents there
22 where they were drunk or stoned.

23 And I sometimes hesitate now with my girlfriend
24 that says you can call the police, the sheriff.
25 Because one officer comes up there with maybe 10

1 heavily armed off-road people that possibly are drunk
2 or something else, and personally I always get my
3 binoculars when we have called the sheriff. I keep
4 good eye on them just in case, not that I could do a
5 lot with someone that has automatic weapons, but I
6 think that --

7 CHAIR SLAVIK: I'm sorry, but your time is up,
8 sir.

9 CALVIN MOSS: I'm just saying there is a problem
10 with that. Thank you.

11 CHAIR SLAVIK: Thank you.

12 Ed Waldheim followed by John Stewart.

13 ED WALDHEIM: Ed Waldheim, Friends of Jawbone,
14 California Trail Users Coalition.

15 I want to thank you all for coming to El Mirage
16 yesterday. Paul, thanks for making that happen. I'd
17 like you to put on your agenda when you have a chance
18 to come through Jawbone/Dove Springs and show you how
19 we manage public lands in cooperation with Carl Symons,
20 in the back, field manager.

21 There are no trails that do not have a sign.
22 It's either opened or it's closed. You have to be
23 totally a violator to go off trail. So I'd love to
24 show you how we do it and how we can make an impact so
25 people are not confused out there. So put that on the

1 agenda if you can.

2 The State Motorized Trail Systems, 1972. It's
3 in your legislation. I'm glad to see it has survived
4 all this time. On your packet we have ten maps of
5 the -- CTUC maps that we have put out. We started with
6 Jawbone; that's No. 10. We're covering now the whole
7 area. You can go now from Oceano Dunes all way to
8 Needles to the Colorado River down to Palm Springs all
9 the way up to Bishop; cut the borders, paste them
10 together and put them on a big wall up there. If you
11 see green, have fun, Green Sticker.

12 If there is no green, we end up on paved roads
13 or we end up on a highway. So the State Motorized
14 Trail System is already on your maps all over the
15 place. It's also on the State Motorized Trail System
16 website we have at SMTS.info. You can get it from
17 there. It's already on there.

18 The State of California, Parks and Recreation
19 had a committee set up. We did all of the work to get
20 it going, but unfortunately there were some people that
21 felt we needed to do a cumulative impact report on what
22 this really means. It should be negative because we've
23 had it on the maps for years, and people just -- it's a
24 way of identifying the route. It's not going to
25 increase anything more than any other opportunity. So

1 it's kind of sad that the agencies took the money in
2 order to designate and sign those trails.

3 I'm glad to see that some of the agencies have
4 them signed. We do have agencies that are signing
5 them, and we put them on your map. So it would be a
6 question of refreshing it and making sure we're getting
7 serious because it's part of our law.

8 The ATV training, Commissioners, I applaud you
9 for going on that. A lot of grants come in for ATV
10 training. We're doing ATV training, but no public is
11 being trained, very few public is being trained. So I
12 would strongly suggest you to please focus on, okay,
13 how are we going to train the public? How are the
14 people going to have this opportunity? Nicole in
15 El Mirage, five at a time, eight at a time. It takes a
16 lot of classes to train the public. Dumont Dunes, San
17 Bernardino Sheriff's, they do a great job, but they
18 process people at a big mass type of thing, but it's
19 not part of the ESVIA training program. So we require
20 certificates, so let's make it happen the right way.
21 Thank you.

22 CHAIR SLAVIK: Randy Jordan, followed by James
23 Lynn.

24 JOHN STEWART: John Stewart, California
25 Association of 4-Wheel Drive Clubs.

1 Cal 4-Wheel is a proponent for closed-in
2 opportunities and increasing opportunities where it's
3 appropriate and where it will suit the needs. The Clay
4 Pit SVRA in Oroville is an example of that. Cal 4 had
5 a member of Cal 4 who's represented our interests in
6 front of this Commission years, many years, Don
7 Klusman, was a tireless advocate to get Clay Pit
8 brought into the SVRA system. Don also enjoyed going
9 there, and he spent a lot of time with his family and
10 with his kids there teaching them how to ride safely
11 and teaching them about the ethics of riding and OHV.

12 And we'd like to request that in his honor
13 that -- the training center at Clay Pit that's being
14 built, we would like to request that it be named in
15 honor of Don Klusman. He was an -- as I said, it was a
16 favorite area of his, and he was a tireless advocate to
17 bring the Clay Pit online and very, very adamant about
18 making sure that the young people, the youth, of this
19 generation have an opportunity to learn about the
20 conservation ethics issues involved with OHV.

21 Thank you.

22 CHAIR SLAVIK: James Lynn.

23 JAMES LYNN: Good morning, everybody. My name
24 is James Lynn. I'm a BLM volunteer and an OHV
25 ambassador for the BLM and a member of Friends of

1 El Mirage.

2 First of all, I'd just like to say a thank you
3 to the Commission coming out there yesterday and
4 getting involved in our park out there and -- a great
5 bunch of people. Also, I'd like to thank the
6 California State Parks and everybody who participated
7 out there.

8 There's a couple of things I'd like to address.
9 I think that we hear a lot of people -- I agree with a
10 lot of comments that a lot of people are saying. You
11 guys have got an absolute tough job. You've got a
12 tough job to make everything come together to make it
13 work out correctly.

14 I hear a lot comments about law enforcement.
15 Yes, in a perfect world, we would have law enforcement
16 everywhere catching everybody, but everyone deals with
17 limited resources. We have to keep it real. The BLM
18 has limited resources with millions of acres to watch.
19 The local law enforcements, we have limited resources,
20 millions of acres to watch. I'm a landowner, too, and
21 I have been stepped on by OHVers. I mean, I know. I
22 can relate to it.

23 But the problem is education. I think the
24 answer to a lot of our problems out there is education.
25 I believe there needs to be more safety training for

1 kids and, as I was told in a conversation earlier,
2 adults as well. Adults can be beginner riders as well.
3 And I think that we can maybe commingle the education
4 of learning how to ride along with responsibility, you
5 know, responsible for the environment, responsible for
6 public lands. You know, try to -- instead of trying
7 to -- turning this into like a police state, you know.

8 Yeah, I know that we have to have a law
9 enforcement presence out there, for sure. That
10 definitely helps. But I think a part of the problem is
11 there's not enough education to the youth and young
12 people and the public in large. We just need to
13 educate more. We need to educate more, reach the
14 public and train them. You know, not trying to force
15 these things on them, but show them why it's important
16 not to trespass, show them why it's important not to
17 destroy people's lands. I think that education is a
18 big answer to a lot of the problems.

19 Another thing which I'd like to see is all of
20 the thousands -- I mean millions of dollars in grant
21 money that is awarded to different people, I think
22 there maybe should be a greater accountability to the
23 organizations or whoever gets these grants money, make
24 sure the money is actually being spent where it's
25 allocated to.

1 I don't know. There's a lot of problems that
2 are around the OHV situation, and I don't envy your
3 guys' job to make it all happen. Thank you very much.

4 CHAIR SLAVIK: Randy Jordan followed by Mitchell
5 Jordan.

6 RANDY JORDAN: It's just a ploy I used in case I
7 go over three minutes. He really don't want to talk.
8 He's sitting back there. Anyway, I'm Randy Jordan.
9 I'm a vendor at Oceano.

10 Last year I paid over \$120,000 in fees to be a
11 vendor at Oceano, and I'm grateful to be one. I think
12 the rangers do a great job there. I'm here to speak
13 about adolescent safety.

14 I spoke with Daphne Greene when she was deputy
15 director, and she said, "Randy, we're going to give you
16 a contract so that you can rent ATVs to children like
17 everybody else." So two years ago, I got one, and we
18 rent -- we provide ATVs to children that have an ASI
19 hands-on training certificate free of charge. We've
20 had to give away two ATVs in two years. There's 60,000
21 ATVs rented in Oceano a year, 70 percent of those
22 rentals involved an adolescent.

23 I'm a big supporter of the OHV park and the
24 camping thing. I think it's one of the best ways for
25 families to recreate together. So, Commissioner Pérez

1 was in the OHV a couple of weeks ago with a
2 representative of ASI, and the representative of ASI
3 concluded that the way that the ASI online certificates
4 were being used as a method to procure the ATVs by
5 adults for adolescents was not a legal use of the
6 document. And she brought it to their attention, and
7 it stopped nothing.

8 And she has now made three classes available,
9 just like the gentleman here said. She immediately
10 posted three classes available for people to be trained
11 and only had one child sign up.

12 So it's kind of like unless you support the CVC,
13 the requirement for the training as the OHV Commission
14 through the Parks Department, if they don't support it,
15 if they don't at least make the vendors do it -- I mean
16 we're the only one that does it out of the five
17 vendors, and we don't rent any child ATVs. I've had a
18 whole fleet of them. I've used two in two years.

19 This Thursday is when the vendors' meeting is
20 with the Parks Department. That's kind of when the
21 Parks Department lays it out every year of what they
22 want done and how they want it done. You guys can
23 lighten up the injuries and help the credibility of the
24 Parks Department and helping us keep the park by
25 sending a message on Thursday and telling them: Ask

1 for ASI actual hands-on certificates before you provide
2 an ATV.

3 This could go the way of the state of Michigan
4 went. The state of Michigan has a park called Silver
5 Lake, very similar to Oceano, probably the most similar
6 non-California park in the country, only they have a
7 little rule that they started now: You can't be under
8 12 years old on an ATV on park land at all. That's
9 going to happen here in California, and it's going to
10 really have an unpleasant effect on our parks.

11 My son, Mitchell, sitting back there, he's one
12 of the two ASI certified trainers at Oceano. We are
13 trying to get a course right now approved to train
14 people on the beach, and the ASI representative had two
15 recommendations. He thought that the area that I had
16 picked had too many bumps in it. It's too much like
17 the dunes, and it's a little bit too small. I've asked
18 the Parks Department to increase the size so we can
19 comply with ASI requirements, and I haven't had any
20 luck with that. So I'm speaking in front of the
21 Coastal Commission --

22 CHAIR SLAVIK: Randy, your time is up. The
23 extra three minutes, if your son who is signed here, he
24 can take your three minutes. You can't have his three
25 minutes. It wouldn't be fair to anybody else. He can

1 finish your statement.

2 RANDY JORDAN: No, that's okay. He wouldn't do
3 it.

4 CHAIR SLAVIK: It wouldn't be fair to other
5 people. All right. Thank you.

6 Randy Banis followed by Linda.

7 RANDY BANIS: It's great to be back here,
8 Commissioners. Mr. Chairman, you may remember, it's
9 hard to believe for me, it's been five years since my
10 last appearance in front of the Commission. At that
11 time I presented a white paper that I had worked on
12 that urged that the agencies conduct route signing
13 across all of the recreation areas, that they produce
14 maps for the OHV routes and that we create GPS
15 technology so that people could see the legal
16 designated routes on their GPSs. It was five years
17 ago.

18 I met with the Division staff shortly after that
19 meeting, thanks to the positive reaction I received
20 from the Commission to that idea, and we jointly
21 realized that this was going to be a -- this was
22 probably not going to be a government led effort, that
23 this would be an interest group led effort.

24 And I thank Ed Waldheim for also having signed
25 onto this, as Friends of Jawbones, in the last few

1 years has been applying and receiving education grants
2 for a statewide GPS-based route database. The first
3 phase of the project covered 1.25 million acres around
4 the Jawbone Canyon area. Last year we expanded that
5 coverage to 28 million acres across the entire
6 California Desert from Northern Death Valley to the
7 international border.

8 I'm pleased to say that we've received approval
9 for phase three that will take the project from
10 Northern Death Valley to Interstate 80. And I hope
11 that our application is strong enough going forward
12 that we can have a phase four funding that will
13 complete the project from Interstate 80 all the way to
14 the Oregon border.

15 The good news about this project is that it is a
16 data aggregation project, and it's official agency
17 data. This is not user supplied data. The bad news is
18 it's agency supplied data, so it has the good and the
19 bad. The older data is the least accurate. The newest
20 data is the best.

21 The website -- could you click where it says on
22 the top for GPS. You can download all of the routes to
23 a Garmin GPS. We're hoping to support the Magellan
24 product in the next phase. The next tab -- click for
25 PC and Mac, please -- allows you to download all of the

1 routes in GPX and KML format to make your own maps.

2 Can you click the one that says "Map Viewer."
3 Here is the good one. That will be the first one in
4 the list. This will open in a new window, and this
5 shows you the project area. All of the green lines are
6 Green Sticker legal routes.

7 Can you click the plus arrow. This is Google
8 Maps so you can see in the upper left there is a plus
9 and minus, click the plus a few times. See, it goes in
10 and in, do it a little more, a little more, and now
11 click on one of the roads, any of the roads if you can
12 get right on there the best you can, close as you can.
13 There you go, click that.

14 CHAIR SLAVIK: Randy, your time is up.

15 RANDY BANIS: That's all right. I hope
16 everybody visits the website and views all of these
17 tools. And let me know if you have any questions or
18 comments, and I would be happy to demonstrate or
19 explain it further. Thank you very much.

20 CHAIR SLAVIK: Linda, you filled out two of
21 these.

22 LINDA WUCHERPFENNIG: My name is Linda
23 Wucherfennig. I'm with California Off-Road Vehicle
24 Association, and I'm also a private resident of the
25 Antelope Valley.

1 One of the things I would like to
2 respectfully -- I want to request from the Commission
3 is we would like you to inquire about the status of the
4 temporary closure of the Nightmare Gold Road that is
5 located within the Red Rock State Park. And when you
6 gather your findings from that, we would like to
7 suggest that you put that on your agenda for the next
8 meeting.

9 The other thing I wanted to address is I wanted
10 to personally thank Commissioner Slavik for his
11 endorsement of the L.A. County Parks and Recreation
12 Littlerock OHV Park. CORVA supports this Littlerock
13 OHV Park, and I, as a personal resident also of Juniper
14 Hills, support it. Currently the area is 550 acres
15 they are proposing for the park, which is currently
16 being used as an illegal shooting range, dumping and
17 unmanaged OHV.

18 With managed OHV, we can educate the community
19 on how we are going to be responsible OHVers. We're
20 going to be able to increase law enforcement outside
21 the boundaries of the park, which is sorely needed.
22 We're also going to be able to work collaboratively
23 with other agencies to develop an OHV volunteer
24 education program, because I sincerely believe, as the
25 rest of the people do, that education is key.

1 We have strong support from the Littlerock
2 community where this park is going to be located as a
3 family recreation area and also as a potential economic
4 boost to their nonaffluent communities. We all know
5 the economy has severely detracted from their growth in
6 that community, and this will be just one step getting
7 them closer to being back on their feet and bringing
8 those mom-and-pop businesses back into the areas that
9 have had to close.

10 One of the things that we've done so far is
11 we've done the community outreach public meeting that
12 we participated in. There was strong support for this
13 park from OHV and non-OHV.

14 Our next steps that we want to do is we want to
15 address directly to the L.A. County Supervisors Office
16 and planning and development directors and present to
17 them the facts of what managed OHV can do for them and
18 the community. We don't feel that we are getting back
19 enough response at this point. So we do need to take
20 that next step.

21 And I think that's just about it. If you ever
22 have any questions regarding this project, please feel
23 free to contact me, participate in our meetings, and we
24 will let you know what's going on in the future. Thank
25 you for your time.

1 Oh, my first Commission meeting, I feel like a
2 sponge. Thank you so much for it.

3 DAVE PICKETT: Good morning, Commissioners David
4 Pickett, District 36, Motorcycle Sports Committee.
5 Cheryl, throw it into hyper drive.

6 Hangtown, is upon us again. All Commissioners
7 are invited as well as key staff. We appreciated your
8 attendance last year. We hope you had a good time.
9 We've improved the food quality. There will also be a
10 tour of U.S. Honda and KTM USA facility in the pit
11 area, and they're looking forward to meeting you, would
12 like to come on that tour.

13 Second, I'd like to talk about consideration for
14 the future to look into law enforcement grants
15 concerning permitted special events on the smaller
16 scale. Recently Cow Mountain through BLM, we have a
17 club up there that's had an event for 40 years, and due
18 to the law enforcement participation percentage, it
19 exceeded the 50-hour rule, which kicked in cost
20 recovery therefore increasing costs exponentially. I'd
21 like to talk about that for the future with Division,
22 but I wanted it on the record. Thank you.

23 Preliminary minutes that are posted don't
24 include public comments. They only show up in the
25 transcripts later, so the public doesn't have an

1 opportunity to correct any errors that may have been
2 listed by misspeaking, et cetera, simple thing.

3 Finally, District 36 would like to say thank you
4 to this program and the efforts of the volunteers that
5 run it at your level. We'd also like to thank our
6 public partners, the BLM and Forest Service, for the
7 years and years and years of work that they've put in
8 making this program the best on the planet.

9 While I heard a lot of complaints on law
10 enforcement issues with some folks that live in this
11 area, I'm sorry for that. But we did increase the law
12 enforcement grants through SB 742, almost doubled it,
13 up to \$5 million with the pie-shaped chart for a split.
14 Perhaps at the reauthorization of the program in 2018,
15 we can consider moving that number higher to address
16 some of those folks' concerns. We can work together
17 with law enforcement to make this happen. Look what
18 we've accomplished in the last four years.

19 And for those that are new to the Commission
20 meetings or new to this program, this program started
21 40 years ago. And who started the program? It was the
22 OHV recreation community that went forth and addressed
23 a democratic legislator and a republican legislator,
24 and through bipartisan support created this fantastic
25 program that millions and millions of families enjoy.

1 Nothing better than a barbecue on the beach at Oceano
2 with your children and your grandchildren.

3 Thank you very much.

4 CHAIR SLAVIK: Nick Haris. You get to clean up.

5 NICK HARIS: Nick Haris, American Motorcyclist
6 Association -- oh, clean up as in the last speaker. I
7 got you. I thought you meant put on a nice shirt.

8 First off, thanks to all of you once again. I
9 myself have not spent much time out at El Mirage. On
10 the tour yesterday, it was enlightening, and there is
11 solar out there, Terry, actually which was good to see,
12 but it was just a very nice tour to see.

13 I encourage members of the public -- I feel like
14 that there's a lot of times a disconnect. People think
15 they know what's out there. They think they don't like
16 it. They think they know the bad things are going on,
17 and I think it's an eyeopener for all of us to go out
18 and see these things firsthand, and I've heard that
19 from other folks.

20 Before I forget, I want to say we fully support
21 the proposal from John Stewart about Don Klusman and
22 Clay Pit. I think that's wholly appropriate. I knew
23 Don well, and I think that's a wonderful idea.

24 And also Terry Weiner had mentioned the
25 potential to restart or somehow, you know, go back and

1 look at doing a stakeholders process again. I think
2 we've heard a lot of people in this room that would
3 probably be interested in something along those lines.
4 Do we have to do it the way we did it before? No. We
5 can talk about the best way to reinvigorate that or to
6 restart the program, perhaps an ad hoc committee,
7 something like that. Working with Division staff, we
8 can look into doing that. I don't know if it has to be
9 statewide. It can be regional, you know, just
10 depending on the issue we identify.

11 I wanted to mention that we had a really good
12 lobby day this year, and thanks to a lot of you guys
13 for some great information that I was able to share at
14 a very timely moment with some of our folks that were
15 not misinformed but didn't have the most current
16 information. So I think that allowed us to be very
17 effective as a community when we were at lobby day.

18 And I want to also mention a lot of the things
19 we've heard -- and please, believe me, I'm sorry to
20 hear about some of the problems that some residents are
21 having. I don't want to minimize those. But years
22 ago, I was at a meeting in Grand Junction, and we heard
23 a lot of similar issues and complaints that the OHV
24 community won't stay on the trail no matter what you
25 do, give them a map, give them a sign, it doesn't

1 matter.

2 Luckily enough for me, I was able to spend the
3 next date at Arches, which, of course, is not an OHV
4 area, and I was out walking with a co-worker. And so
5 often did we come upon a sign that said this the end of
6 the trail or this is closed, don't go further, and
7 there were thousands of footprints in every direction.
8 And so I don't want to make that as an excuse. I just
9 want to point out that is not an OHV-specific problem.
10 I think we need to remember that as a society as a
11 whole all of us could do better. And so I kind of feel
12 like we get beat up a little more than maybe our fair
13 share. Maybe this is just the place to do that, and
14 the State Parks regular commission has more of that,
15 but I feel like we hear that a lot.

16 And lastly, I would like us to consider also an
17 ad hoc committee or further support for the Littlerock
18 proposal. It seems like it's stalled a little bit, and
19 I'd like to really not let that go because I think it's
20 a very important proposal. So thank you all.

21 CHAIR SLAVIK: All right. That concludes public
22 comment. We have discussion amongst the Commissioners?

23 COMMISSIONER CABRAL: Okay. Well, there seems
24 to be a little dysfunction in the relationship between
25 the different user groups and also the people -- the

1 residents of the area. It's difficult.

2 There's more and more people on this planet, and
3 it is not going in the other direction. There's going
4 to be a lot more, and there's going to be -- we are all
5 just doing our best to manage this.

6 And as I look around this crowd, I don't see a
7 whole lot of young people out here, and I don't see a
8 lot of ethnic diversity. So we've got a bunch of
9 middle aged or older white people making decisions on
10 this, which doesn't really reflect the demographics of
11 the OHV users. So I think we need to do a little
12 better outreach toward other groups and younger groups
13 as far as trying to get them trained, and I think our
14 Education Committee will certainly work in that
15 direction.

16 Now, to kind of go bigger picture, for the
17 people that -- we need -- as a group we're looking at
18 trying to reach into and to educate younger riders and
19 train them and make them safer but also to educate them
20 on the need to stay on trails and to use land properly,
21 to respect it.

22 Now, many of you probably grew up going out and
23 being in public lands or being outdoors. Well, the
24 youth of today -- and I've coached a lot of youth
25 sports and stuff -- they don't go anywhere. They are

1 playing with electronic devices. They have no idea.
2 I've asked my daughter this, who is 23, "How many of
3 your friends actually know how to make a fire?" She
4 goes, "I don't really know anybody that does." You
5 think about that. That's a basic human thing that
6 we've been doing since the beginning of the human race,
7 and our generation doesn't have it.

8 So it's our responsibility as a whole, but as a
9 committee up here, as a Commission, to make sure that
10 people understand the responsibilities of being out in
11 these lands, okay? So with that bigger picture stuff,
12 we're looking at urban parks. We're looking at
13 electric vehicles to go after emission-type issues but
14 also that gives us -- when you're talking about the
15 youth, that gives us an opportunity to train these
16 youths and to let them know and get them outdoors and
17 get them to understand what the thing is, so you don't
18 have people that show up with a huge toy hauler and
19 automatic weapons and acting like they just landed on
20 Mars and they can do whatever the heck they want.

21 Now, Mr. Haris also made a point about OHVers,
22 and we're addressing OHVers here. But I know in my
23 area -- I live in Northern California -- there's a huge
24 problem with -- just in regular parks with people
25 recreating and hikers, mountain bikers, equestrians not

1 staying on trails, not following rules, leaving trash
2 behind, damaging signs, removing signs. This is an
3 epidemic throughout state parks, and it leads to a lot
4 of our financial problems that we have with State Parks
5 with just maintenance issues and such stuff that have
6 to be -- when these signs need to be replaced and just
7 things like that. That's all big picture stuff.

8 So I had a couple of nice conversations on the
9 side and on our breaks, and I really think it's
10 important that we start communicating better between
11 all groups. We need to have the ability to have -- as
12 a Commission I feel that I need to have both sides of
13 the picture to be able to make a quality decision.

14 And I think stakeholder groups that go into it
15 with the idea of being -- having better communication
16 and respecting the other people and their opinions,
17 that's -- the keyword is respect. That's like
18 something that's a lost art in our society. But to do
19 that, when that happens is then we can start getting
20 our common ground together and then from there start
21 tackling the issues we have.

22 Now, I'm willing to step up and be involved in
23 these stakeholder groups. The criticism to these
24 stakeholder groups in the past has been people have
25 gone there with an agenda, and their agenda was to

1 collect information and then turn around and use it in
2 lawsuits.

3 Now, there was a point made earlier about a
4 judge making decisions. I agree, yeah, a judge made
5 the decisions, and they were helpful decisions. I
6 understand that, but those decisions could have been
7 made by citizens and groups, and they could have been
8 brought forward to things like this, and it wouldn't
9 have cost all of us -- not one of us, all of us
10 taxpayer money.

11 So if we start looking at this -- because I mean
12 obviously our government is broke and doesn't have
13 money to do half the things we want. Everyone would
14 love to see a better law enforcement program. We'd
15 love to have more signs. We'd love to have things --
16 you know, everything better. Well, we don't have money
17 for it. So how it's going to work and with our system
18 is to work together in these types of areas and to
19 volunteer.

20 And then that brings up one last point, because
21 I can talk a lot, is the volunteerism counts towards
22 grants as matching funds. So the hours from the
23 volunteers -- so keep that in mind. So for the people
24 that if you're -- let's say you don't understand OHV
25 use, you're not part of the OHV program, you maybe have

1 been anti-OHV and you go talk to Ed Waldheim here, he's
2 a different character, but he's fun to be around at
3 times. But with that, though, he has volunteer events
4 where you can -- a person can go volunteer. You could
5 get to know some of these people. You can discuss your
6 issues with them, and you can help pick up some trash,
7 and you just contributed to a grant. You might be able
8 to help out on an environmental grant.

9 So that's my two cents' worth. I hope it was
10 helpful.

11 COMMISSIONER KERR: I'd just like to thank the
12 public. We have a lot of these meetings around the
13 state, and this is one where we've had a great deal of
14 public participation. And the impression that I'm
15 leaving with is that this particular area has been more
16 impacted and has some issues, and I think the public
17 has brought them to our attention.

18 And we can be up in the Mendocino National
19 Forest, and we don't hear this kind of stuff. So I
20 think ultimately what we need is more urban parks. I
21 think that's probably part of the solution. The law
22 enforcement -- the State of California spends tens of
23 billions of dollars locking people up. On law
24 enforcement we've got a budget which in total is less
25 than \$100 million. We're not going to be able to solve

1 all of your law enforcement issues.

2 What we can do is generally where we establish
3 an SVRA or an off-road riding area, that relieves
4 pressure on private lands. That's been the whole idea
5 all along the way, is that if we can keep certain -- if
6 a county sheriff can say to a guy or a family, "You
7 can't do that here, but you can do it down the road,"
8 that generally is very helpful to the kind of things
9 that you're talking about.

10 So that's what we're all about, and I think
11 we're going to try to continue to do that, but I do
12 appreciate all of the people that have come here. We
13 are listening. We do hear you, and it does make a
14 difference. Thank you.

15 COMMISSIONER PATROVSKY: I want to thank
16 everybody who spoke today. A lot of people have very
17 strong opinions and feelings. And as somebody who
18 attended Commission meetings years ago, I just wanted
19 to say that this meeting is an example of dramatic
20 improvement over the polarization and the lack of
21 respect that people showed each other previously. I
22 think we can disagree. We can have honest differences
23 of opinion and also learn from each other, especially
24 listening to people who have different opinions than
25 our own.

1 I also want to say that with law enforcement, I
2 worked 28 years in resource management, law
3 enforcement. It's not all about making arrests or
4 writing tickets and that sort of thing. It's more
5 along the line of using law enforcement techniques as a
6 tool in order to educate people, improve behavior and
7 helping people get along with each other, which is a
8 large part of what the point of the Commission and what
9 we're doing here is trying to create conditions -- like
10 Ted said, the planet is getting smaller, more people,
11 and we all have to do more to get along with each other
12 and do it better. Thank you.

13 CHAIR SLAVIK: Thank you. Commissioner Pérez.

14 VICE-CHAIR PÉREZ: I just have a short comment.
15 I think -- I mean certainly there are some challenges.
16 I'm not going to repeat everything that was already
17 said. But I think Commissioner Murphy and I are both
18 on the Education Committee, ATV Safety, and now I'm on
19 the Law Enforcement. So I think that we have a huge
20 responsibility. I mean I don't know if you feel it. I
21 think I do.

22 COMMISSIONER MURPHY: Yes.

23 VICE-CHAIR PÉREZ: And even though I've been on
24 the Commission for the last three years, it's still a
25 huge learning -- there is a lot to learn.

1 And so I just want to say that I know -- I don't
2 think Commissioner Murphy would disagree -- that we're
3 just going to do the best that we can. We're going to
4 take a look. We're going to review what's being done
5 and what needs to be changed. We'd like to come back
6 at some point and maybe address some of these issues.
7 I'd like to do that.

8 COMMISSIONER MURPHY: I would agree entirely.

9 CHAIR SLAVIK: All right. A couple concluding
10 remarks for me, I think. First of all, I'd like to
11 make sure everybody here understands that this
12 Commission is an advisory commission. We don't have
13 any power to implement anything. We can make
14 suggestions to staff, and staff takes those suggestions
15 usually pretty well and tries to do the best they can
16 with the resources they have.

17 But we're basically private citizens like you
18 folks. This is pretty much a volunteer organization
19 that you're looking at here sitting at the table, and
20 we -- I'm very happy to hear Commissioner Patrovsky
21 make the statement about the old Commission because
22 there was a big change, and the change was effected by
23 legislation, SB 742. Actually, Sacramento looked at
24 the Commission at one point and said it's
25 dysfunctional, and it needs to be changed. And so they

1 took away the responsibilities of -- the fiduciary
2 responsibilities of this Commission. We're strictly
3 advisory.

4 I just want to make sure everybody understands
5 that we're here as a sounding board for the public, for
6 you folks. And everything you've said today we take to
7 heart, and we do the best we can to turn that
8 information around to the staff and try to effect
9 changes on the ground.

10 I want to make a point about grants. If you
11 want to get involved, you can go to our website, and
12 the grants are open and available for comment.

13 The grant cycle is over with now, right?

14 DEPUTY DIRECTOR CONLIN: Yes, submissions are
15 evaluating the grants and should be publishing, and we
16 will talk about that in a couple of minutes.

17 CHAIR SLAVIK: I just want to make sure that
18 folks understand you can be involved. You can go
19 online. You can comment on the grants, and you can
20 submit a grant. If you're a nonprofit, you can submit
21 a grant. If you want to go out and pick up trash or
22 become involved in some way, there are --

23 COMMISSIONER KERR: Map all of the trails in the
24 state.

25 CHAIR SLAVIK: You can map all of the trails.

1 Maybe you can form a posse, a nonprofit posse, I don't
2 know. So there's a lot of things that the public can
3 get involved with. I was born and raised in Southern
4 California. I remember the days -- and I rode out here
5 as a District 37 -- rode desert races out here in the
6 early '60s when you could be on the top of a mountain
7 and see as far as you could see, and maybe saw two or
8 three lights. That whole thing has changed. We all
9 know that.

10 There is a heck of a lot of people out here.
11 That's the basis of the problem. If we all could agree
12 to at least say that recreationists and people are here
13 to stay -- we're not going to get rid of people.
14 People have to recreate different ways.

15 And, in fact, the points you made about kids
16 sitting in front of screens is a good example. Our
17 kids need to be out on open land, on public land. And
18 the reason that our recreation we feel is so valuable,
19 it gets them involved with public lands in a lot of
20 ways. There is no other way to do that. We have no
21 opportunities to do that. Kids don't go hunting
22 anymore. They don't go fishing anymore, a lot of other
23 things that have changed other time.

24 So embrace the fact, folks, that this recreation
25 is here to stay, that there needs to be managed places

1 like Littlerock, which are meeting opposition, and for
2 people that quite frankly are it's-not-in-my-backyard
3 kind of mentality. And for the greater good of the
4 community and the people in the surrounding areas, that
5 place as a managed site would be much better off than
6 it is today as an unmanaged site. That's kind of my
7 rant and rave.

8 COMMISSIONER MURPHY: The only thing that I can
9 add to what's already been said is that there are
10 people here today that are looking for us to provide
11 law enforcement for certain illegal activities. And
12 it's my understanding that as a state park, our law
13 enforcement capabilities exists in State Parks. In the
14 vast open area of private property and federal land, we
15 don't patrol those areas.

16 So I don't want people to look to us as if we're
17 going to go out and make some big change all in a short
18 amount of time. That's just the only thing that I can
19 add to what's already been said.

20 CHAIR SLAVIK: SVRA has a much higher level of
21 management including law enforcement than the vast
22 regions of public land and federal agencies. It's a
23 fact.

24 DEPUTY DIRECTOR CONLIN: And the way that we
25 offset that -- and you're right, the rangers that we

1 have, the law enforcement personnel aboard State Parks,
2 are specifically designed for those state parks. And
3 believe me, they're on a bare-bone level, too, just
4 based on budget and all those sorts of things. That's
5 all been in the papers over time.

6 So the law enforcement that we do on public
7 lands is funded via the Grants Program, and that's a
8 very healthy program. There is a large amount of money
9 put into it. I think it was discussed a little bit
10 here by some of the folks that maybe that needs to be
11 re-looked for future years, at expanding the law
12 enforcement, that we've decided that seems to be an
13 area that is lacking.

14 But what we do is we pay out the grants. The
15 grants go to local law enforcement and the federal law
16 enforcement, and they do that policing on those federal
17 lands that we can't touch. As far as private lands, it
18 sort of depends on where we are. If there is a nexus
19 to an off-highway vehicle area, then more than likely
20 that local area office is receiving funds. If there is
21 no nexus, there is no close by off-road vehicle areas,
22 authorized off-road vehicle areas, it may be that that
23 sheriff's office is not getting any funding at that
24 time. There are also what are called in-lieu funds
25 that many counties get that can also can be turned into

1 a funding source.

2 If you have questions on that, though, my staff
3 can answer in more detail. And some of the folks from
4 grants will be presenting a little bit later, and you
5 can talk to them offline.

6 And, Mr. Chairman, I would suggest a break.

7 CHAIR SLAVIK: We're going to take lunch. We
8 have a box lunch. We're going to take a short lunch, a
9 half-hour lunch.

10 The last think I'd like to say, there is another
11 presentation on law enforcement by staff coming after
12 lunch. So any of you folks who are still interested in
13 that, stick around. So we'll take a half hour and be
14 back at about quarter to 1:00.

15 (Returned at 12:58 from lunch starting at 12:17 p.m.)

16 **AGENDA ITEM V (C) - BUSINESS ITEMS - EASTERN KERN**

17 **COUNTY AND FRAZIER PARK ACQUISITIONS**

18 CHAIR SLAVIK: Next business item is Item No. C,
19 Eastern Kern County and Frazier Park acquisitions.

20 OHMVR MANAGER CANFIELD: Hello again,
21 Commissioners. Dan Canfield, OHMVR Division Planning
22 Manager, reporting on two OHMVR Division acquisition
23 projects in Kern County. You have a report in your
24 binder behind Tab No. 5, and this report is also made
25 available to the public on the back table.

1 The report identifies two acquisition projects
2 that the OHMVR Division is working on in Kern County,
3 the first of which you've heard me report on
4 previously, and that's the Eastern Kern County
5 acquisition.

6 The first attachment to your report is a map of
7 the Eastern Kern County acquisition, if you care to
8 look at that. And that project is approximately 25,000
9 acres near the Jawbone OHV area. The second
10 acquisition project that the report discusses is the
11 Frazier acquisition at Hungry Valley SVRA. And the
12 second attachment shows a map of Hungry Valley SVRA
13 with the Frazier acquisition illustrated so you can see
14 the proximity. The Frazier acquisition is 845 acres.
15 As you can see from the map, it's contiguous with
16 Hungry Valley SVRA, and it's near the community of
17 Gorman.

18 The report goes on to describe the public
19 hearing requirements that are required for substantial
20 acquisition projects. Now, both the OHMVR Division and
21 the OHMVR Commission are required to conduct a public
22 hearing to receive public input on proposed substantial
23 acquisition projects like these two Kern County
24 projects.

25 Now, the Commissioners may recall back in March

1 of 2013 when an ad hoc committee of the Commission
2 comprised of Commissioners Slavik and Patrovsky along
3 with the Division staff hosted a public hearing in
4 Tehachapi, California, to receive public input on the
5 Eastern Kern County acquisition.

6 So now we would like to conduct a similar
7 meeting for the proposed Frazier acquisition in Hungry
8 Valley. This would be a public meeting tentatively
9 scheduled for late June which would be held in Kern
10 County in the proximity of Hungry Valley SVRA. And at
11 this public meeting, which would be noticed in the
12 newspapers and Facebook and through various outreach
13 methods we have, we've reached out to the public to
14 invite them to this meeting to hear public input on the
15 proposed acquisition.

16 Now, this item is a business time on the agenda
17 allowing the Commission to take action. And one
18 possible action would be for the Commission to work
19 through the Chair to appoint an ad hoc committee to
20 host the public meeting along with the OHMVR Division
21 staff.

22 And that ends my report, and I'd like to turn it
23 back over to the Chair for discussion and public
24 comment.

25 COMMISSIONER KERR: When is this public meeting

1 proposed?

2 OHMVR MANAGER CANFIELD: Tentatively scheduled
3 for late June.

4 COMMISSIONER KERR: Can I ask a question about
5 this? So I'm relatively familiar with this place. Can
6 you remind me why we want to do this? Because this is
7 sort of towards like almost to the Grapevine side of
8 things.

9 OHMVR MANAGER CANFIELD: That's a good point,
10 Commissioner Kerr. The Frazier property runs from
11 Hungry Valley SVRA north to Frazier Mountain Park Road
12 near the community of Lebec. Flying J Truck Stop is
13 the major landmark.

14 COMMISSIONER KERR: And the reason why we want
15 to do this, is it connectivity involved?

16 OHMVR MANAGER CANFIELD: This project was
17 brought forward by the Hungry Valley District as a
18 potential acquisition. Some of the main attributes of
19 the project that made it a high priority were, number
20 one, the property previously had been considered for
21 residential development. The current property owners
22 were proposing to subdivide and do residential
23 property.

24 COMMISSIONER KERR: Which would be a problem
25 later on.

1 OHMVR MANAGER CANFIELD: Typically that type of
2 land use isn't always conducive to off-highway vehicle
3 recreation.

4 And in addition to that, the land is currently
5 in a natural state. It's an old cattle ranch, so there
6 is great resource values that are available for
7 conservation as well as being part of an SVRA, which is
8 part of our mission. It's not just the recreation but
9 also caring for the --

10 COMMISSIONER KERR: Is this a buffer zone if
11 nothing else?

12 OHMVR MANAGER CANFIELD: That's one way of
13 characterizing it, yes.

14 CHAIR SLAVIK: But that wouldn't be decided
15 until the general plan. That's a general plan.

16 OHMVR MANAGER CANFIELD: That's a very good
17 point. The acquisition itself would not involve any
18 changes in land use to what's going on there now, which
19 is birds and wildlife.

20 COMMISSIONER KERR: Do you have a general plan
21 for this park?

22 OHMVR MANAGER CANFIELD: I was going to get to
23 that. But by adding it to the SVRA, as I mentioned,
24 there wouldn't be any changes in land use immediately,
25 but you would have State Park operations keeping an eye

1 on the property making sure it wasn't being used for
2 nefarious practices.

3 The Hungry Valley SVRA general plan is in the
4 wings and expected to be kicked off in 2015. Through
5 that, assuming this acquisition were to go forward and
6 the property were acquired, it would be examined
7 through the Hungry Valley General Plan Update and the
8 Environmental Impact Report for potential land use
9 changes, which could range anywhere from conservation
10 area to other recreation uses. So all of that, it
11 would be the whole spectrum of possible land uses that
12 could be explored, identified, public feedback,
13 environmental analysis all come together. That's kind
14 of that planning process that we would move into,
15 assuming we move forward with the acquisition.

16 VICE-CHAIR PÉREZ: Dan, I have a question for
17 you. In your report you state that this proposed
18 meeting is because the acquisition is valued over
19 \$5 million, exceeds \$5 million. Is there a more
20 accurate figure of how much beyond \$5 million?

21 OHMVR MANAGER CANFIELD: Good question,
22 Commissioner Pérez. Referring to the section of the
23 law, the Public Resources Code, that's the one
24 applicable to the Division. The Division is required
25 to hold a public meeting of this type whenever we're

1 looking to acquire property where the estimated value
2 exceeds \$5 million.

3 That kind of tails into the Commission's
4 responsibility of holding a public meeting for
5 substantial acquisitions. And so I think this property
6 counts under both elements. As we work through an
7 acquisition process, the State doesn't share specific
8 value information to protect our bargaining position,
9 but through an analysis of the law you mentioned, it
10 was determined that it would be suitable to have a
11 public meeting of this type for this project.

12 VICE-CHAIR PÉREZ: But at this time we don't
13 know how much beyond \$5 million; we don't have an
14 accurate figure or closer figure?

15 OHMVR MANAGER CANFIELD: As the State works
16 through an acquisition, we don't publicly share values.
17 Assuming the project were to work through and be
18 successful, then the records would be publicly
19 available.

20 VICE-CHAIR PÉREZ: Thank you.

21 OHMVR MANAGER CANFIELD: It's to protect the
22 State's bargaining position.

23 COMMISSIONER CABRAL: The western boundary of
24 this property, does that meet with national forestland?

25 OHMVR MANAGER CANFIELD: That's an affirmative.

1 Los Padres National Forest lands are to the west of the
2 Frazier acquisition --

3 COMMISSIONER CABRAL: So there could be some
4 possible connectivity if it was allowed in the future?

5 OHMVR MANAGER CANFIELD: Also, as well as
6 Los Padres National Forest and mixed third party
7 private; there is a combination of.

8 And then the second question, through that long
9 looking general planning effort that would be certainly
10 something that could be accommodated, especially if we
11 hear that's of interest, which we believe it to be,
12 from the public.

13 COMMISSIONER CABRAL: Thank you.

14 CHAIR SLAVIK: So would we like to have a
15 committee?

16 OHMVR MANAGER CANFIELD: And definitely when I
17 have -- right before I leave the podium, as a reminder,
18 we want to have discussion and public input before any
19 action was taken by the Commission.

20 CHAIR SLAVIK: So discussion, any more
21 discussion?

22 COMMISSIONER CABRAL: I would like to add that I
23 know there's been discussion in the past for that SVRA
24 to have some connectivity.

25 COMMISSIONER KERR: It's in a different spot

1 other than this.

2 COMMISSIONER CABRAL: No, I know that, but if
3 this opportunity will allow us to have that or any type
4 of stuff, I think the public has favored that in the
5 past.

6 CHAIR SLAVIK: Dan, before you sit down again,
7 you kind of brushed over the Eastern Kern County
8 acquisition. Can you give us an update on where it is
9 in the process?

10 OHMVR MANAGER CANFIELD: I can. On the Eastern
11 Kern County project, the project is progressing, and
12 the Division has recently contracted for a new property
13 appraisal for the project, and that's our current
14 state. So that new property appraisal is in the works.

15 CHAIR SLAVIK: And do you have any idea when
16 that's going to be concluded and we can move to the
17 next step?

18 OHMVR MANAGER CANFIELD: The contract term is
19 120 days, which would run out towards the end of
20 August. But the preliminary indications from the
21 contractor are they would be able to wrap it up earlier
22 than that. Over the summer months we hope to have the
23 findings from that effort available to see how the
24 project can proceed.

25 COMMISSIONER KERR: I thought we were going to

1 do this last year or something.

2 DEPUTY DIRECTOR CONLIN: That was the intention;
3 however, DGS and the sellers have been negotiating back
4 and forth, and DGS actually were the people that
5 directed us to do this last appraisal.

6 CHAIR SLAVIK: Thank you. So having no more
7 discussion, we can open --

8 COMMISSIONER KERR: Back to the Frazier one, I
9 thought we were worried about getting connectivity down
10 at Gold Hill Road. How come we are not worried about
11 that instead of this? Is that because of the
12 subdivision, right?

13 DEPUTY DIRECTOR CONLIN: No, we have an
14 opportunity by facilitating that that we're progressing
15 towards, but it's a much smaller piece of property, and
16 it does not require the same Commission involvement or
17 public hearing because it's a very small piece of
18 property.

19 COMMISSIONER KERR: Okay. So that's still out
20 there being worked on?

21 DEPUTY DIRECTOR CONLIN: Yes.

22 CHAIR SLAVIK: Are you talking about the Smoky
23 Bear Exit property?

24 DEPUTY DIRECTOR CONLIN: Yes.

25 CHAIR SLAVIK: He's talking about the Gold Hill,

1 the connection further west off of Gold Hill Road.

2 COMMISSIONER KERR: That's a real problem. You
3 can't take an OHV vehicle supposedly on that road,
4 although many do.

5 CHIEF JENKINS: And the way we're still looking
6 at trying to address that is through potential future
7 land swaps with U.S. Forest Service so we can
8 consolidate lands.

9 Right now the problem with that is on the State
10 side. The Forest Service has been very, very good to
11 work with on that, but the problem is the land we have
12 available to swap with the Forest Service land doesn't
13 match the value, and so we're still trying to unwind
14 the bureaucratic hurdles to try to make that happen.
15 So this isn't happening. Instead of that, we're
16 working on all of these efforts concurrently.

17 CHAIR SLAVIK: Do we see any light at the end of
18 the tunnel on that Gold Hill project?

19 DEPUTY DIRECTOR CONLIN: More light every day.

20 CHAIR SLAVIK: That's encouraging.

21 Our public comment then, I have Mesonika. Are
22 you here? There she is. Followed by Terry Weiner.

23 This is on the specific business item.

24 MESONIKA PIECUCH: Yes, it is. I'm wondering --
25 I haven't received an answer, but our question is: In

1 the DEIR for the Eastern Kern County acquisition, it
2 states that 180,000 riders per year come to Kern
3 County. In that same year, the Kern County Sheriff's
4 Department and BLM submitted grants, and they said that
5 800,000 people came to Kern County with regard to
6 recreation. This year they said 300,000 people came.
7 Can someone please explain to me the disparity?

8 CHAIR SLAVIK: We can't answer that question
9 here, but we'll take that under advisement, and staff
10 can work on that.

11 MESONIKA PIECUCH: Would you, please, yes.

12 DEPUTY DIRECTOR CONLIN: Sure.

13 CHAIR SLAVIK: Thank you.

14 Terry.

15 TERRY WEINER: Terry Weiner, Desert Protective
16 Council. I'm not well-versed in the Kern County
17 acquisition, but I do know that we're concerned with
18 the impacts to other lands in the area, specifically
19 Red Rock Canyon State Park.

20 Our experience is that when there is a new SVRA
21 area, it doesn't necessarily contain all of the OHV
22 recreation. It actually creates an expansion. An
23 example of this is Ocotillo Wells bleeding into Anza
24 Borrego State Parks, and superintendents over the last
25 decades could tell you even with signs it happens. So

1 our concern is impacts.

2 I'm also concerned with the multiple management
3 issue, which is BLM having some of those lands to
4 manage, too. And basically we don't support any new
5 acquisition of SVRAs until you get the current ones you
6 have in compliance and also until you do a capacity
7 study.

8 The Ocotillo Wells SVRA superintendent, former,
9 has said that to me personally we don't -- we are
10 talking about an area that was supposed to be managed
11 for travel undesignated routes only within that SVRA.
12 And she said, "Well, we'll just give it back to the
13 BLM. We don't have the resources to manage it."

14 So this is of concern to me. Thank you.

15 CHAIR SLAVIK: Thank you.

16 Jenny Wilder followed by Victoria Fuller.

17 JENNY WILDER: Jenny Wilder, Apple Valley.

18 It's my experience from what I've seen in the
19 desert over the last decades that increasing the number
20 of trails and OHV areas has not decreased the amount of
21 trespass. In fact, the amount of trespass has
22 increased.

23 And the other thing is there was a statement
24 made that unmanaged and managed area is a mess, and if
25 it becomes an OHV area, it is then managed and then

1 less of a mess, maybe even become beautiful. Does that
2 mean that all of our messy areas in the desert have to
3 be OHV areas, or could they be maybe something else
4 managed? Thank you.

5 CHAIR SLAVIK: Thank you.

6 Victoria Fuller, Ed Waldheim.

7 ED WALDHEIM: Mr. Chairman, Ed Waldheim. The
8 picture that you're talking about is right there. You
9 can move it over to Frazier. I'm kind of surprised
10 that you're actually doing that because we had a trail
11 that went into the Forest Service from the north end,
12 and it was closed. There's a gate that -- it's a big
13 sheer drop-off where we stop at the end of it. We stop
14 at that end.

15 What they're buying is down towards -- there is
16 a high school down in the bottom. Yes, they wanted to
17 build houses in there, and we were worried about the
18 encroachment of the houses onto the SVRA. I don't have
19 a problem with that.

20 But I do have a problem that if we're going to
21 do that, I definitely want to be able to get into the
22 Forest Service for a trail that we've already had for a
23 long time, and we closed it back in the late --
24 mid '80s we closed it up. But when we did the
25 management plan for SVRA in 1977, we had that open, and

1 then it was just closed off.

2 But I beg to differ with you, that the issue
3 that we have on Gold Hill Road is driving me nuts.
4 Since '74, '77 -- '78, we've been trying to open that
5 up. The State owns the property on the trail, the
6 Snowy Trail, but somebody made the brilliant decision
7 we're not going to give you that land that the State
8 owns now because we, the State, want the entryway. The
9 Forest Service wants that piece we bought, "we" being
10 the State of California purchased. So they're in a
11 Mexican standoff here. Now it's the value.

12 We have people going on our pavement because
13 neither the State -- the State right now is not letting
14 us put the stupid trails through the property that the
15 State already owns, which is going to be utilized.
16 That's the reason we bought it. Why can we not finish
17 it and then deal your deal later on? It doesn't make
18 any difference to us. We just need that trail, the
19 Snowy Trail, to go through.

20 The third issue, I'm not against that property,
21 purchasing it. But if you're going to spend \$5 million
22 there, why aren't we finishing what we started at Bear
23 Valley Road? We want to have the connectivity from the
24 east coming from the Andres National Forest to the
25 State Motorized Trail to be able to get to Hungry

1 Valley.

2 We can't go to the north end because of the
3 aqueduct. We tried that. We already toured that. We
4 did everything. But we can come down from the hill of
5 the ridge from the Andres National Forest and drop
6 right into Bear Valley Road or the road that it --
7 Smoky Bear Road, get in there, and then we've got it
8 made.

9 Why are we not looking at these things? I mean
10 we're going fishing on something that we really don't
11 have an opportunity right now. We are giving up and
12 not getting the opportunity that we really need. It's
13 really frustrating.

14 CHAIR SLAVIK: John Stewart followed by Dave
15 Pickett.

16 JOHN STEWART: Good afternoon, Commissioners.
17 John Stewart, California Association of 4-Wheel Drive
18 Club. Cal 4-Wheel supports the acquisitions, and we
19 really look at the opportunities to improve the
20 recreation and increase recreation opportunity within
21 the state.

22 Over the past couple of decades, we've seen time
23 after time where public lands have been locked off into
24 wilderness and into other various other uses, which has
25 locked out the previous usage, being OHV recreation.

1 During this same time, we've seen massive increases in
2 the use of OHVs and in recreation opportunities,
3 participants.

4 So being able to come up and now at this point
5 in time provide new opportunities will help alleviate
6 problems in other areas, and it also now provides some
7 management of areas such as East Kern County, which
8 brings up consistent management options which we
9 believe this is a good thing, and we are willing and
10 ready to work forward to move forward with this.

11 We would like to encourage one thing, though, is
12 as these projects do move forward, look close at
13 connectivity with adjacent public lands such as Hungry
14 Valley and the Los Padres Forest. Let's ensure that
15 the land that we do acquire is usable for recreation,
16 and that existing trails or something -- that there is
17 a connectivity that goes from Hungry Valley into the
18 forest, because that's a recreation opportunity people
19 want.

20 And, conversely, when you're looking at the East
21 Kern County area is -- Red Rock State Park also has
22 some not Green Sticker opportunity but has some
23 fantastic touring and scenic opportunities that a lot
24 of four-wheel drive or street-legal recreation would
25 like to encourage or have. And we'd like to encourage

1 that there is some kind of a management setup so that
2 you can transit from one unit to another unit without
3 hassles. Thank you.

4 CHAIR SLAVIK: Thank you. Dave Pickett followed
5 by Douglas Parham also.

6 Public comment is closed on that item.

7 What's next?

8 COMMISSIONER KERR: We need to potentially
9 schedule a public meeting.

10 COMMISSIONER CABRAL: I would like to make a
11 motion that we create an ad hoc committee to have a
12 public hearing on these acquisitions at the Hungry
13 Valley area.

14 COMMISSIONER KERR: I'll second.

15 CHAIR SLAVIK: Call for vote. All in favor?
16 (Commissioners simultaneously voted.)

17 CHAIR SLAVIK: The motion passes.

18 DEPUTY DIRECTOR CONLIN: Now I suppose we'll
19 need to know membership of the ad hoc committee.

20 CHAIR SLAVIK: That might be helpful. I will
21 volunteer to be that since I live down in Southern
22 California.

23 COMMISSIONER KERR: I'm interested in that
24 place. I've been there a lot. I'm kind of interested
25 in trying to understand what they're up to, but we are

1 going to need to get on the ground on a 450 Honda or
2 something.

3 CHAIR SLAVIK: Absolutely.

4 So Slavik and Kerr would be the members of that
5 committee.

6 **AGENDA ITEM VI (C)(3) - PROGRAM REPORTS - CALIFORNIA**

7 **AIR RESOURCES BOARD OHV UPDATE**

8 CHAIR SLAVIK: Program reports, holy cow, took a
9 while to get here. We are going to go the CARB first?

10 DEPUTY DIRECTOR CONLIN: We are doing CARB
11 first.

12 CASSIE LOPINA: Good afternoon, Commissioners.
13 My name is Cassie Lopina. And on behalf of the
14 California Air Resources Board, I would like to thank
15 you for inviting us to present here today.

16 The slides for this presentation are located
17 behind Tab 11 of your binders. The intent of our
18 presentation is to share our ongoing Red Sticker
19 off-highway motorcycle, or OHMC, assessment with
20 members of the OHV community.

21 This presentation is divided into three
22 sections. First, I will cover the background that led
23 to the ongoing OHMC assessment. Then in the second and
24 third sections, I will extensively discuss the two
25 major components of the OHMC assessment, emissions

1 testing and the owner survey.

2 The California Air Resources Board, or ARB,
3 controls emissions from a wide range of mobile sources.
4 In order to meet federally-mandated air quality goals,
5 additional emissions reductions from all sources
6 including OHVs are needed. Emission reductions are
7 especially important in extreme ozone non-attainment
8 areas such as the San Joaquin Valley and South Coast
9 Air Basin where the State must reach regional air
10 quality goals by 2023 and 2035 respectively.

11 In July 2013, our board adopted new standards to
12 control evaporative emissions from Green Sticker OHVs.
13 At this time the Board also expressed their concern
14 with the Red Sticker OHMCs, one of the last category of
15 vehicles that remain uncontrolled in California.

16 In the fall of 2013, ARB staff began an
17 assessment of the Red Sticker Program to better
18 understand the usage, activity and emissions from Red
19 Sticker OHMCs. As mentioned in the previous slide, in
20 July 2013 the board directed staff to conduct a Red
21 Sticker OHMC assessment.

22 Beginning last December, a series of workshops
23 were held to kick off the assessment period. Our
24 workshops are an opportunity for ARB staff to seek
25 comment, share ideas and help develop creative

1 solutions with input from the public and stakeholders.

2 In February and March, we held two more
3 workshops to update the public on the progress of the
4 OHMC assessment. Today, we hope to reach out to a
5 broader group of stakeholders and invite them to
6 participate in this process. Our public workshops are
7 generally held in Sacramento and El Monte. We've done
8 this in additional locations. So if there is an
9 interest, we are willing to host them there. And we
10 also typically host our meetings online via webinar if
11 you can't make it, and you'll have the opportunity to
12 submit questions there as well.

13 Prior to the November 2014 board update hearing,
14 we will hold another workshop to share the data we have
15 collected during the OHMC assessment. At our
16 November 2014 board update, we will share our findings
17 with the Board and any potential solutions we have
18 identified during the assessment and discussions with
19 stakeholders.

20 Based on the direction given by the Board in
21 November 2014, we plan on proposing a comprehensive
22 solution, if necessary, in December 2015. We
23 anticipate that any regulation proposed in December of
24 2015 would apply only to new OHVs and provide
25 manufacturers a three- to five-year phase-in period.

1 So why was the Red Sticker Program created? In
2 the initial OHV regulations, there were only two
3 categories of vehicles: The compliant or Green Sticker
4 vehicles that are permitted to operate year round on
5 both public and private land, and exempt race-only OHVs
6 that are limited to closed-course operation.

7 In 1998, the State Legislature and vehicle
8 manufacturers approached ARB requesting more time to
9 meet the 1994 exhaust standards in order to avoid a
10 shortage of OHVs available in California. After
11 extensive collaboration with industry, a third category
12 of vehicles were created, the Red Sticker OHV.

13 OHMC and ATVs that do not meet emissions
14 standards receive a red registration sticker and are
15 subject to limited-use restriction. The restriction
16 that you may be most familiar with is the Red Sticker
17 OHV riding calendar, which prohibits the operation of
18 Red Sticker OHV on public land and ozone non-attainment
19 areas during the summer.

20 Over time, OHMC designed solely for racing have
21 merged into the Red Sticker category. The result is
22 that today very few race-only vehicle transportation
23 permits are issued by the Department of Motor Vehicles,
24 or DMV, each year.

25 ARB has three major concerns with the Red

1 Sticker Program. The first is that the percent of Red
2 Sticker OHMC sales have increased in recent years.
3 When the Red Sticker Program was created, staff
4 envisioned that the Red Sticker population would
5 decrease over time as the market transitioned to
6 four-stroke OHVs. Today, 15 years later, four-stroke
7 OHVs are still receiving Red registration stickers.

8 One of the purposes of the OHMC assessment is to
9 determine why there is an increase in demand to
10 purchase Red Sticker OHMCs despite their limited-use
11 restrictions. Second, Red Sticker OHMCs, especially
12 two-stroke models, are high emitters.

13 In 2010, the United States Environmental
14 Protection Agency, or U.S. EPA, published a report that
15 contained self-assessments from representatives of
16 manufacturer-provided exhaust emissions factors for
17 uncontrolled or baseline two- and four-stroke OHMCs
18 that are equivalent to Red Sticker.

19 According to this data, the baseline two-stroke
20 OHMC emitted 54 grams of hydrocarbon per mile. When
21 compared on an emissions-per-mile basis to the 1.9
22 grams hydrocarbon Green Sticker exhaust standard, the
23 two-stroke OHMCs tested had exhaust emissions 28 times
24 greater than the 2018 compliant OHMC.

25 The evaporative emissions from these OHMCs were

1 also 15 times greater than what is allowed by the 2018
2 Green Sticker OHMC emissions standards. However, the
3 four-stroke OHMCs tested had much lower emissions. It
4 was not far from meeting the current Green Sticker
5 exhaust emission standards.

6 The assessment process currently being conducted
7 by ARB will help to determine why these manufacturers
8 are not certifying four-stroke OHMCs to the Green
9 Sticker standard which would allow riders to operate
10 their OHVs year round.

11 The final concern is the difficulty the Red
12 Sticker Program has created for other public agencies
13 such as the OHV Division, DMV, the Bureau of Land
14 Management and the U.S. Forest Service. ARB is also
15 investigating how the removal of the Red Sticker
16 program would benefit the public such as by increasing
17 riding areas and improving the clarity of regulations
18 surrounding OHMC use.

19 I'm going to talk about the numbers on there,
20 and I want you guys to know where I am. Thank you.
21 This table contains ATV and OHMC sales data from 2005
22 to 2012 based on DMV registration. The trend towards
23 Green Sticker certification is evident for ATVs.

24 Since 2006, ATV Red Sticker sales have declined.
25 That's largely due to more stringent exemption

1 requirements at the ATV level, which began in 2006.
2 Please note that the ATV data includes both ATVs and
3 side-by-sides. Over the past three years, there have
4 been zero sales of Red Sticker ATVs in the state of
5 California.

6 The opposite trend is occurring for Red Sticker
7 OHMCs. Since the 2010 recession, Red Sticker OHMCs
8 have begun to recover more steadily than Green Sticker
9 OHMCs, although still significantly depressed since
10 2005. However, we are concerned about the growing
11 fraction of Red Sticker OHMC as ARB looked towards
12 their air quality goals in 2023 and 2035.

13 The percentage of Red Sticker OHMC sales has
14 nearly doubled over the past four years alone, with an
15 average of 74 percent of all OHMCs sold being Red
16 Sticker. ARB staff is currently investigating why Red
17 Sticker OHMC sales are recovering more rapidly than
18 Green Sticker OHV sales to understand how this may have
19 affected these trends.

20 Similar to sales, the population of ATVs and
21 OHMCs have been developed using DMV registration data.
22 To ensure accuracy, all data has been compared to
23 Motorcycle Industry Council's sales and population
24 data.

25 Over the past eight years the population of Red

1 Sticker OHMCs has steadily increased. It now
2 constitutes 25 percent of the OHMC population with
3 approximately 58 percent of these vehicles being
4 four-stroke. During the assessment, ARB staff will
5 further investigate what has caused the Red Sticker
6 population to grow while the Green Sticker population
7 has fluctuated.

8 Section two, emission testing, a major component
9 of the assessment is the exhaust and evaporative
10 emissions testing of both new and end-use OHMCs. This
11 testing will be conducted in ARB's El Monte laboratory
12 over the next several months.

13 The testing will provide us with a better
14 understanding of evaporative and exhaust emissions from
15 Red and Green Sticker OHMCs. We intend to generate Red
16 and Green Sticker OHMC emissions data for two- and
17 four-stroke engines carbureted and fuel-injected
18 engines and modified and unmodified bikes. The
19 modified and unmodified referred to include only OHMC
20 components that could have an effect on exhaust
21 evaporative emissions. Alterations to suspensions,
22 hand and foot control, lighting are not of concern.

23 The OHMC that we plan to test are outlined in a
24 test matrix which has been developed based on several
25 factors. We began by identifying the make, model and

1 engine types of OHMCs registered with DMV between 2004
2 and 2012. From this population, we selected both two-
3 and four-stroke OHMCs with the most common displacement
4 ranges. Both carbureted and fuel-injected systems are
5 included in the test matrix. For carbureted OHMCs,
6 only the most recent model years will be tested. The
7 vehicle matrix includes a total of 18 OHMCs, 12 Red
8 Sticker and six Green Sticker. Four of the 18 OHMCs
9 are in ARB's currently existing test fleet.

10 ARB will be generating emissions data on both
11 new and end-use OHMCs. For end-use OHMCs, we will
12 contact owners of newer model year bikes listed on the
13 test matrix. Owners within 50 miles of our El Monte
14 laboratory will be mailed a solicitation packet that
15 will offer a monetary incentive for allowing ARB to
16 test their vehicle over a 60-day period.

17 The completed packages will be reviewed by ARB
18 staff. Then a field inspection will be conducted on
19 pre-selected OHMCs. OHMCs will be disqualified from
20 participation if any safety concerns, operational
21 defects or structural alterations are identified.

22 For new OHMCs, ARB has approached dealers in
23 Southern California to rent new unmodified vehicles.
24 We have currently received bids for eight new OHMCs.
25 The results of the exhaust testing conducted on these

1 new OHMCs will be compared to Green Sticker OHMC
2 certification data to determine how close the bikes are
3 to meeting our current standards.

4 In response to a request made by an OHV
5 Commissioner member at our March workshop, industry has
6 been invited to observe testing, along with the
7 manufacturers. The OHV Division, AMA, CORVA and the
8 Motorcycle Industry Council have all selected
9 representatives to attend the OHMC testing. These
10 representatives will be updated on the testing schedule
11 on a weekly basis to coordinate observation
12 opportunities.

13 Section three, owner survey, over the next few
14 months ARB will be conducting a survey of OHMC owners
15 to better understand the vehicle characteristics, usage
16 and activity. This information will be obtained
17 through an independent scientific survey conducted by
18 the California State University of Sacramento, or CSUS.

19 The survey participants will be randomly
20 selected by CSUS from the Green Sticker, Red Sticker
21 and dual sport DMV databases. Owners will continue to
22 be randomly selected until a total of 1,250 Red
23 Stickers, 750 Green Stickers and 500 dual sport
24 responses are received. Vehicle owners selected will
25 be sent a postcard to invite them to participate in the

1 online survey. The postcard will include a unique
2 identification code that the vehicle owner will use to
3 log onto the survey. A free SVRA day pass for
4 completed survey responses will be advertised as an
5 incentive on the mail out.

6 Once the vehicle owner logs onto the survey
7 website and types in the confirmation code, the make,
8 model and model year of the vehicle they own will
9 appear on screen. The survey will be specific to the
10 vehicle identified at the beginning of the survey. One
11 question will appear on the screen at a time until all
12 24 questions have been answered. At the end of the
13 survey, a free SVRA day pass will be sent
14 electronically to the e-mail address provided. The
15 SVRA day pass will be clearly marked with an expiration
16 date.

17 The results of the OHMC owner survey will be
18 used to determine the range of modifications on OHMCs,
19 define the fraction of OHMCs modified and update the
20 emissions inventory. The rider survey will be included
21 in the end-use OHMC procurement packet to compare the
22 vehicle characteristics, usage and activities of OHMCs
23 selected for testing with the randomly-selected survey
24 population. The answers received on the survey will
25 provide ARB staff with a better understanding of how

1 the Red Sticker Program limits OHMC operation.

2 For the remainder of 2014, there are a number of
3 activities occurring related to the OHMC assessment.
4 The procurement of OHMCs and the owner survey began
5 during March and April and will continue over the next
6 few months. This month the exhaust evaporative testing
7 of new OHMCs will begin. Between August and September,
8 the owner survey and exhaust testing data is expected
9 to end; however, during this time, it may be extended
10 if more time is needed. Evaporative testing is
11 expected to end in November.

12 We intend to provide stakeholders with an
13 opportunity to preview the data that will be presented
14 to the Board at the November update at a workshop later
15 this year.

16 If at any time during this process you have any
17 questions or would like more information on the status
18 of the OHV assessment, I encourage you to contact me.
19 I'm the program lead on this project, or you can also
20 contact my section manager, Jim Watson. If you want
21 more information on exactly the dates of these
22 workshops, I would encourage you to sign up for our
23 online Listserv. Any new documents that we publish or
24 any new meeting dates will be sent immediately to your
25 e-mail address.

1 DEPUTY DIRECTOR CONLIN: Thank you very much,
2 Cassie.

3 COMMISSIONER CABRAL: Cassie, thank you,
4 appreciate you coming down here. I know we had the
5 opportunity to develop a relationship over the last few
6 stakeholder meetings. And like I've told you
7 privately, but I just want to make a public record,
8 that I really appreciate and so have the other people
9 I've spoke with stakeholder-wise, that the staff of
10 ARB, their attitude, their willingness to engage us and
11 to even go as far -- because we had a conflict with our
12 last OHV Commission meeting, that they put in a special
13 second meeting in Sacramento so we could be able to
14 attend and have another workshop. So that doesn't --
15 that goes counter to what the reputation of the ARB has
16 been over the years. So I just thank you very much. I
17 appreciate your lead on this. You've done a great job.

18 CASSIE LOPINA: Thank you.

19 COMMISSIONER CABRAL: Also, I'd like to commend
20 the OHV Division for also reaching out and working with
21 the ARB staff. One little small example on the owner
22 survey is to have the day pass as far as an incentive
23 for someone to answer the survey, and I think that was
24 a nice little incentive to kick out there, so thank
25 you.

1 And then for the rest of the public, I'd like to
2 just -- you know, I've been in this motorcycle industry
3 for many years. My family has owned a motorcycle
4 dealership since 1969. I've been involved in racing
5 and all different types of things for -- and actually
6 was a part owner of a racing team, so I kind of know
7 the market and stuff pretty well.

8 It's my -- these are my opinions now, just my
9 gut feelings, and this is why they have a survey that I
10 actually -- we communicated a bit about on some of the
11 questions on it is that with the market -- with the
12 financial drop in the markets and everything we had --
13 you know, obviously you saw the numbers, that OHV sales
14 are way off of what they were in the mid 2000s. The
15 Red Sticker vehicles percentage-wise are seeing an
16 increase.

17 Typically, the Red Sticker vehicles are used by
18 enthusiasts, the racers. So they're the people that
19 are at the organized racetracks and those types of
20 thing. The Red Sticker Program came from the fact that
21 we have some unique events here in the Western United
22 States, and that is we have long cross-country races
23 that -- I like to use the term is kind of like a
24 marathon. So what you do is you have these longer
25 races that can be up to 100 miles that go across

1 terrain that you don't get to see. You have to just
2 take off and go. And, you know, a person doesn't go
3 and run the Boston Marathon without training for it.

4 So where the Red Sticker Program came from was
5 for someone to train for one of these grueling events
6 was that they would be able to go out and practice on
7 public lands, to be able to be physically fit and
8 skilled enough to be able to compete and finish these
9 events without injuring themselves.

10 But it has kind of turned into a quandary in
11 some areas. So there are some solutions at hand that
12 are coming together. The manufacturers are kind of
13 unwilling to be participants with this. Now,
14 reasoning -- I'll just give you the short version of it
15 is that it's a law to require warranties with emission
16 control items, okay.

17 So with that, racing vehicles have no
18 warranties. They never have, and they never want them
19 to have a warranty. That's because then that opens up
20 liability. There are all kinds of things that happen
21 there. So that's where the rub is with them not being
22 part of this.

23 But with that, the California Motorcycle Dealers
24 Association and other dealers and stuff in California
25 and stuff were able to come together and provide some

1 of the equipment. ARB also was kind enough to be able
2 to have an expert come in, like she mentioned, and also
3 I can even go down and observe the testing.

4 The reason we want to observe is because people
5 that are knowledgeable in this industry know that, for
6 instance, the sweating of the vehicle, the evaporative
7 emissions, they put in a container-type thing, and they
8 raise the temperatures up and down, and they try to get
9 the solvents and the gases and stuff to evaporate.
10 Well, on an off-road vehicle, you have a spray chain
11 loop, and you also have an oil that's put on your air
12 filter -- it's a cleanable air filter that you can --
13 and it has a solvent on it that will evaporate over a
14 period of time. So we can have different numbers as
15 they run this thing through.

16 So we need to kind of monitor this and be on top
17 of it so we can tell if we're getting the real fuel
18 emissions, the evaporation from the vehicle from the
19 actual fuel, or if it's something coming from a chain
20 loop or air filter oil.

21 Now, with that, we've also discussed the
22 possibility on the two-strokes of having California
23 certified oil as a theory, and it's been something that
24 would be a possibility to go to a clean-burn type
25 two-stroke oil.

1 Lastly, which is probably -- what I find is the
2 most encouraging news because it ties in with a real
3 desire of the Commission, and that is that they're
4 looking at fleet averages like they do with
5 automobiles. So if that possibility goes forward --
6 because obviously the ARB Board is going to make the
7 final decision on this. It's not something that Cassie
8 has to rubber stamp or anything. But what we end up
9 with is a possibility of maybe -- and this is -- I want
10 the environmental community to understand is we're
11 looking at the possibility of having zero emission
12 off-road vehicles.

13 And also to do these urban parks that are going
14 to be closer, so you won't have people traveling out so
15 much to these areas to have an opportunity. Because
16 the highest amount of OHV registrations are like in Los
17 Angeles County. So if we can have urban parks that use
18 electric vehicles, have charging stations, and we can
19 be cleaning up the air and providing that type of
20 experience for beginners and youth and people that want
21 to have that type of lifestyle.

22 And we can be kind of having a little different
23 bend on what OHV has been over the years. Technology
24 is moving forward. We need to adapt on our end as a
25 Commission, but also the manufacturers will adapt also.

1 I kind of look at this as an opportunity for us to be
2 able to look at starting some different programs and
3 getting to the -- helping out to clean the air up, do
4 our part and go from there.

5 So if anyone else has any questions or anything,
6 you're up.

7 CHAIR SLAVIK: Any comment from Commissioners?

8 Public comment. Nick Haris followed by Terry
9 Weiner.

10 NICK HARIS: Nick Haris, American Motorcyclist
11 Association.

12 I did want to echo some of the comments I just
13 heard. I feel like the ARB has been very receptive to
14 suggestions and comments from the public. I have had
15 the opportunity to attend the public workshops. And,
16 in addition, I'm very pleased, the qualified observer
17 suggestion was made, and it was accepted. And I think
18 that's really good news for all of us. Regardless of
19 the reasons, there has been some mistrust over the
20 years, so I think it's very good for the members of the
21 public that may be at this point not following this.

22 But as we move forward or as regulations are
23 implemented, it's very beneficial to all of us to have
24 confidence in the testing and how it was done and those
25 things. And I think we very much so have identified

1 some very qualified observers.

2 I'm pleased to see in the proposals it looks
3 like the proposed text matrix, as opposed to the
4 alternate test matrix. We did have some concerns early
5 on that the alternate test matrix included some already
6 old bikes that were going to be very old bikes in 2018.
7 Until you look at page 11 on the handout we got in the
8 back, it showed a model year 2000 and a model year
9 2003. Even the 2007s are starting to get long in the
10 tooth. But if you go down to the alternate test
11 matrix, it appears we're talking about much newer
12 vehicles. We all know that carburation is going away
13 quickly and fuel injection is clearly the way of the
14 future.

15 And then the only other nitpick I had, I brought
16 this up at the public meeting with ARB, is if you go to
17 the other page where it shows the sales and it shows
18 the increase in percentage -- and unfortunately I
19 didn't write down the page number -- the percentage
20 truly has gone up. There is no arguing that.

21 But if you look at the numbers -- on my handout
22 it's page 4, we had 13,000 Red Sticker vehicles sold in
23 2005, motorcycles, and we had 3,300 in 2012. So while
24 the numbers as a percentage of the overall fleet sales
25 may have increased, the numbers are still significantly

1 down. So our other concern has been the effect on the
2 industry and, of course, the effect on the end user as
3 far as increasing price.

4 And as Ted mentioned, it seems like a lot of
5 these folks that are the Red Sticker buyers are the
6 true hard enthusiasts, and so the fact that their
7 numbers haven't quite been as soft, even though they
8 have been affected, I think that speaks to the level of
9 dedication those folks have versus maybe the more
10 casual rider, the family rider. I'm very pleased you
11 guys are involved in this discussion as well. Thank
12 you.

13 CHAIR SLAVIK: Jenny Wilder? Victoria Fuller?
14 Ed Waldheim. Aren't you going to pass?

15 ED WALDHEIM: Thank you, Mr. Chairman. I'm
16 curious, I'm hoping that the Red Sticker, if we could
17 limit the Red Sticker to the courses which was what it
18 was really meant for, but also a lot of the folks that
19 come out to the public lands to test their vehicles to
20 see what they can do, if they stayed in the course, it
21 wouldn't be a big issue.

22 But it does create a nightmare not only for the
23 user but for law enforcement: Do I ride here? Do I
24 not ride here? And a desert is not a containment area,
25 so we're pretty much free and able to go. But then

1 when you go into the Los Padres Forest or the Sequoia
2 or you go into Hungry Valley, that's a little different
3 story there.

4 And I'm just hoping that the tests will come out
5 that it's really insignificant when you really think
6 about it; however, Cassie is bringing up the point if I
7 have 50 motorcycles sitting in my garage and I don't
8 use them once every year or once every two years, there
9 still is something coming off of those machines inside
10 of the garage that she's bringing up.

11 So how to equate that and how to make sense out
12 of this whole thing is going to be a daunting task, and
13 I certainly hope that, Ted, you can stay on top of that
14 where it makes sense. And I'm really pleased that they
15 came out and toured with us. You're right; this is the
16 first time -- ARB has always been a bad word. So
17 seeing them here in person is really nice.

18 CHAIR SLAVIK: Doug Parham. John Stewart
19 followed by Dave Pickett.

20 JOHN STEWART: John Stewart, California
21 Association of 4-Wheel Drive Clubs.

22 I'm encouraged to hear the ARB is putting forth
23 an open attempt to work with users and develop a
24 realistic test, but I guess I have a jaded view of the
25 ARB and past history. And I would hope that this does

1 not become another bureaucratic morass that creates a
2 tangled web of regulations that's very difficult for
3 the average or for the Joe Public or the user on the
4 ground to follow and to comply with.

5 It's one thing to have regulations and strive
6 for something, and it's another thing to make
7 compliance so onerous that it is difficult to achieve
8 that. Thank you.

9 CHAIR SLAVIK: Dave Pickett.

10 DAVE PICKETT: Can you put page 4 of
11 Ms. Lopina's report up on the screen?

12 First of all, I, too, would like to extend a big
13 thank you on behalf of our membership inside of
14 District 36 for an open process right from the
15 beginning, and there has been participation by quite a
16 few folks in major organizations representing tens of
17 thousands of vehicle users.

18 Earlier this morning, I dropped an hour meter on
19 your desk up there, Commissioners, for you to look at,
20 and it's a prop, and it ties directly into this type of
21 motorcycle with the Red Sticker designation.

22 I wanted you to look at the -- it's California
23 ATV and OHMC sales on the bottom. What I want to point
24 out is if you look at the Red Sticker ATV to year 2007
25 to the right, the number 36, you have a total of 62 Red

1 Sticker ATVs that were sold in a period of six years.
2 To give you an example, we have 58 counties. That's
3 like one ATV per county, okay.

4 So you move over and you look at the Red Sticker
5 OHMC, which they call it, in year 2010 there were 1701
6 units sold and compare that to 2005, we're seeing an
7 88-percent reduction between those years. In the
8 chart, percentages are used with unit numbers, which I
9 applaud CARB for putting up there. So you went from a
10 high of 13,854 in '05, and it started crawling up a
11 little bit. To the far right it shows like a giant
12 percentage increase.

13 But if you go to realistic unit numbers per year
14 from 2010, 2011, 2012, you come up with a total sales
15 of approximately 7,000. And if you divide that by 58
16 counties over the three-year average, it's 40 units per
17 county. So the impact of the emissions spread out that
18 wide over this huge state, we want to do our part, but
19 to bring it into reality we're still way down in
20 numbers at 3,559 versus 13,854. So even if we had
21 300-percent sales, we would still be less than what was
22 done in 2005. Those emission count numbers combined
23 are very, very low compared to what it was.

24 Mr. Haris talked about the end-use models of
25 aged vehicles. Since this would go into play in 2018,

1 I do have concern about using a 2003 motorcycle with an
2 unknown history. We're talking that's a long time
3 between --

4 CHAIR SLAVIK: Dave, your time is up.

5 DAVE PICKETT: Thank you very much for letting
6 me speak.

7 CHAIR SLAVIK: Victoria Fuller, would you like
8 to comment?

9 That concludes that business item, I believe.

10 DEPUTY DIRECTOR CONLIN: It does, and let me
11 just add again another thanks to Cassie, and I don't
12 know if Jim -- Jim is also here from ARB. And I would
13 just like to mention, we've had great cooperation from
14 them on this, and also CARB is helping us out.

15 I know there was mention made earlier about
16 whether there was air monitoring going on at the SVRAs.
17 Yes, in fact, three of them are being monitoring very
18 heavily for EM10 emissions and everything else. And
19 CARB is working with us specifically on that as well,
20 and we've had great cooperation with them. So thank
21 you very much for being good partners. We appreciate
22 all your help.

23 I think our next -- another great partner -- is
24 BLM.

25 CHAIR SLAVIK: Before BLM comes up, would you

1 allow Cheryl, our recorder, to get about a five-minute
2 break.

3 (Returned at 2:05 from a break starting at 1:57 p.m.)

4 **AGENDA ITEM VI (A) - PROGRAM REPORTS - BLM**

5 CHAIR SLAVIK: Okay. We will continue with the
6 meeting here, the BLM report.

7 BLM MS. ARTEAGA: Good afternoon, Commissioners,
8 members of the public and the Division staff. Thank
9 you again for asking us to come and participate, and
10 thank you very much for choosing El Mirage as a place
11 to visit. I hope within a couple of years I'll have
12 you visiting every single field office within BLM and
13 seeing the diversity of our program.

14 So first off I would like to start off with:
15 Would all of the BLM permanent personnel stand up in
16 the back here.

17 CHAIR SLAVIK: All the BLM stand up.

18 BLM MS. ARTEAGA: All right. So what I'd like
19 to point out to you here who I have is -- she's
20 actually on -- the first person, she's actually on a
21 conference call, and that's Teri Raml. She's outside,
22 but she'll be here in a little bit, back in the room.
23 She's a desert district manager. And then we have,
24 again, Este Stiefl. She is a Central California
25 district manager. We have Karl Symons. He's the

1 Ridgecrest Field Office manager. Katrina Symons, she's
2 the Barstow Field Office manager. Then JoAnn Schiffer
3 Burdett, she's from your district office, and she
4 manages everything related to recreation pretty much,
5 and, of course, our star, Rose, is here who is from the
6 Barstow Field Office just to clarify that for the
7 notes.

8 But most importantly, I would really -- the
9 people I really want to stand up are our volunteers and
10 our partners who help us accomplish our goals within
11 the BLM program. Can you all stand up.

12 So this is why we succeed. We're all here as
13 BLM permanent staff members. And as you've been
14 hearing, that we have a lot of land to manage. We
15 can't do that management of those lands without our
16 partners and without our volunteers. They're so
17 important to the program. I discussed this like a few
18 meetings ago, how we're going to deal with the
19 declining budget. Well, my response was we're just
20 going to have to be stronger in our partnerships, you
21 know.

22 And it's just not always volunteer directly for
23 BLM. It's being directly involved with organizations
24 and having them as an organization work with us, and so
25 those are very important things. At our last

1 Commission meeting, a couple of Commissioners got to
2 see a grant participation meeting for Cow Mountain in
3 that area, and we spoke about the type of partnerships
4 that some of the groups can do on the ground for us and
5 do some of the cleanup and stuff like that. So that is
6 so important that we have that.

7 So I have a whole cadre of people here to speak.
8 I'm going to keep my speaking down to a minimum. I
9 just wanted to clarify that we will not be speaking on
10 Clear Creek, or we won't be addressing Clear Creek,
11 because it will be addressed later on, but we will be
12 here to answer any questions. And also related to the
13 law enforcement, specifically PCT subject, because it's
14 going to be spoken later on by both Forest Service and
15 the Division, so I didn't want to cover it again, but
16 we will be here to answer any questions.

17 And so what I first wanted -- there are a couple
18 of things I wanted to cover. The first one was that we
19 are seeking members for our subcommittees for our DAC,
20 our Desert Advisory Council. This council is important
21 to us on multiple issues related to BLM and what
22 happens in our Southern California region. And some of
23 our subcommittees relate to recreation, cultural
24 resources, geology, history, economics, biological
25 science, writing and literature, film, sociology. So

1 those are some of the things we deal with, and we're
2 looking for nominations. Nominations are due May 2nd.
3 You can go to the BLM website.

4 CHAIR SLAVIK: That's today.

5 BLM MS. ARTEAGA: It is. The reason why I put
6 this in here is because I knew these notes were going
7 out way before then, so it was available on the public
8 website. So that was important to me to make sure that
9 was out there. So you can go home, get that in really
10 quick or do it on your phone.

11 So then the other thing is -- I kind of did
12 something different in my report this time around. I
13 added a different -- my very last topic, I added
14 something different, and it was talking about the
15 California Coastal Monument. Now, the monument is more
16 than -- covers from Southern California along the coast
17 to the Oregon border. So we're talking about over
18 2,000 small rocks, islands and pinnacles along the
19 coast that we manage.

20 The reason why I threw this in here is because I
21 really wanted to show you the diversity of the program
22 that BLM California has. I mean we manage rocks on the
23 coast to places like El Mirage in the desert. And
24 we're very fortunate to live in California and have all
25 of the recreational opportunities that we do have. So

1 people like Rose out in the field as a recreation
2 manager, these are the type of diversity of things that
3 she can manage in one single field office. So just to
4 kind of give you an idea, it's just not OHV that this
5 one person is managing. It's multiple resources that
6 we're managing. And I'm very proud that we can do
7 that.

8 So I'm going to start off and bring up JoAnn
9 here, and what I'm having her present is what I call
10 SRP 101, that's Special Recreation Permits, and just
11 kind of give you an idea of the process of what
12 applicants will go through for SRPs.

13 BLM MS. BURDETT: Commissioners, Deputy
14 Director, staff and visitors, good afternoon.

15 So Jane asked me to talk about Special
16 Recreation Permits in five minutes or less, so we are
17 going to attempt to do that. In the California Desert
18 District, which is the southern half of California, we
19 administer 10.8 million acres, and we have five field
20 offices: Ridgecrest, Barstow, Palm Springs, Needles,
21 El Centro.

22 So Special Recreation Permits are authorizations
23 which allow for specific uses on federal lands, and
24 they're issued as a means to manage public use,
25 resources and to accommodate commercial use. Of all of

1 the programs in the Bureau of Land Management,
2 recreation permits is the only program we're permitting
3 as discretionary. All of the other programs have
4 requirements for permitting, but this is discretionary.
5 And as we go into this conversation, I'll try to hit on
6 the discretion part as we go along.

7 So, of course, any time we do any discussions on
8 the land, we follow our authorities, and that would be
9 law, regulation and policy. So the recreation program
10 fits in 43 Code of Federal Regulation 2930. So inside
11 of 2930 is where we're directed that these permits are
12 discretionary, but the overreaching goal also is that
13 they must serve the public need. So we'll come back to
14 that when we look at how we administer permits.

15 Then we have our planning decisions. So when
16 we're looking at permitting, we go to your land use
17 plan, and we see what the direction is in the land use
18 plan. And we have a lot of requests from our users to
19 say we want you to issue just a generic, you can do
20 this here, and you can do that here. We want a certain
21 group to be able to say you don't need a permit. But
22 because each decision is tied to the land use plan, we
23 have to go to the plan first and see where the plan
24 directs us. And we'll come back to that in a little
25 bit also.

1 So there are five types of permits, Special
2 Recreation Permits, that we issue: Competitive,
3 commercial, organized group activities, vending and
4 Special areas. For the California Desert District, the
5 only Special areas that we have -- it would be a
6 capital S. Designated Special areas are the long-term
7 visitor areas.

8 So in 2011, this is my current statistics,
9 California, the State of California, issues the most
10 permits for organized, commercial, competitive groups
11 in the Bureau of Land Management. So you can imagine
12 our workload is pretty large.

13 Now, for the State of California, California
14 Desert District issues over 90 percent of the
15 commercial, competitive and organized group permits.
16 CDD for vending issues 99 percent of the vending
17 permits in California. Our workload is huge.

18 So then we go back to our direction, and it's
19 why do we issue permits? And I've heard a few of our
20 Commissioners say in the last few days, we're here
21 because we're passionate about the land. We like to
22 use the land. We have experiences that we are after.
23 And our recreation planning speaks to those benefits.
24 What are the experiences that you want on the land?
25 Again, we will go back to those are things we're

1 looking at when we issue permits.

2 So another goal is to manage visitor use, and
3 then we've got to address public health and safety,
4 reducing user conflicts, and that may be sometime when
5 a field manager may say, "We're not going to issue
6 permits on Thanksgiving weekend." They've already
7 gotten more use than they can manage or they're
8 managing it, and they can't handle a permitted use on
9 top of it.

10 All right. So then we also have to look at
11 resource conflicts and damage. It's also a tool to
12 manage our workload. And, again, we're directed to get
13 a return for commercial use of public land.

14 So we've had some policy and guidance, and that
15 is put in our handbook. So I talked about authorities.
16 I talked about law, which would be FLMPA, Federal Land
17 Management Policy Act, and then we have regulations,
18 and I spoke to 2930, and then we have policy. And some
19 of our policy is that we don't waive the fees for
20 Special Recreation Permits. We don't barter for
21 volunteer work. We don't waive the fee for
22 educational, therapeutic and fund-raising events. And
23 a lot of times we'll hear, "Well, we're a nonprofit.
24 We shouldn't have to have a permit." But our direction
25 is that we don't waive fees for that kind of event or

1 activity. And if it requires a permit, it requires
2 payment.

3 So there is cosponsoring of events that is
4 called out in our Code of Federal Regulations; however,
5 the states have drawn that back, and we don't cosponsor
6 events anymore. And to get authority to cosponsor an
7 event goes straight to our California State Director,
8 so you're not really seeing the BLM cosponsor events.
9 Now, an example of a cosponsored event would be
10 National Public Land Days. When Rose has National
11 Public Lands Day, she calls in her partners. She calls
12 in all of her friends, and they do a project on the
13 land, and that is an authorized cosponsored event.

14 Now, we've been having some growing pains.
15 We've been doing permitting in the desert for a very
16 long time, and sometimes it's hard to change which
17 direction the train is going. But we are coordinating
18 in all of our five field offices on how we're
19 administering our permits. So you'll be hearing from
20 some people that "well, they never used to require us
21 to do that." We're following our regulations and
22 policies more closely.

23 So let's talk about what type of permit. And
24 the first thing you have to determine what kind of
25 permit is it. Now, in the handouts for -- in the back

1 I have a handout, and it's called, "The Process." Some
2 of you may have been able to pick them up. And then
3 behind that is a Special Recreation Permit checklist,
4 and I don't believe it's in your booklet.

5 So what I want to speak to is that, first of
6 all, we determine if the permit is commercial, and the
7 definition for commercial is if there's financial gain.
8 Then we have to determine if it's competitive, and then
9 there's an element of competition and then a designated
10 route. It could be it's commercial and competitive.

11 And then the other option is vending. An
12 example of vending is King of the Hammers as an event,
13 Dave Cole, and he has vendors underneath him, or
14 someone like out at Imperial Sand Dunes, an ice cream
15 truck wants to sell ice cream, that would be an
16 individual vendor permit.

17 Then if it's not commercial and it's not
18 competitive and it's not vending, then it may be an
19 organized group permit. So, again, we go to our land
20 use plan, and we see what the plan calls out for that
21 activity. Now, an organized group may be required to
22 get a permit, or not all of them require a permit.

23 Remember when I said we're going to come back to
24 discretionary action? This is where the discretionary
25 action comes in. So when we look -- we go to our

1 Special Recreation Permit decision tree, it's not
2 commercial and it's not competitive, then we're going
3 to look, is it an organized group? And then we're
4 going to look at whether a permit is required. And
5 we're going to look at the resource issues. We're
6 going to look at public health and safety. We're going
7 to look at user conflict, but ultimately before we even
8 start looking at all of those issues, we're going to
9 look at our land use plan.

10 So we have a jeep club that comes out to the Oro
11 Copia Mountains outside of Palm Springs, 50 to 100
12 jeeps, 90 participants, and they do a cleanup. Would
13 they need a permit because it's a volunteer cleanup?
14 Yes. Remember, we don't waive the permit for volunteer
15 work.

16 So it's kind of like how we used to do business
17 in the past, 20 years ago, but now we're following our
18 regulation and policy. So then I go through that
19 decision tree, they're not commercial, they're not
20 competitive, and is this the recreation experience that
21 we want to have in the desert? All right. We've got
22 90 people out there doing a trash cleanup, and they
23 haul out 300 bags of trash. Is that the kind of use we
24 want to see out there? So that's where we get into
25 this discretionary action if a permit is required.

1 But then we have to look at sanitation, so if we
2 go through all of these criteria, and we determine that
3 they're not affecting it, where we can mitigate it or
4 you're going to bring out a Port-a-Potty for your
5 people so we won't have an issue with sanitation, then
6 the Bureau of Land Management can choose to issue a
7 letter of agreement. Now, it's not an authorization,
8 but it's an agreement that you can use the land, and
9 we're going to give you some guidelines that we'd like
10 you to follow. This is our communication plan with
11 them. You have to have a fire permit and things like
12 that.

13 But, again, "All right. Well, you've let that
14 group go out for their event. How come at Ridgecrest
15 we can't do it?" Again, we're going to our land use
16 plan. We're going down to see what the criteria is.

17 And for the Northern Eastern Colorado Desert
18 Plan, which is Needles and Palm Springs, the biological
19 opinion in the plan calls out that you won't have a
20 group -- you won't have an organized group permit after
21 March 15. So it's hard to say why does one field
22 office do something different than another field office
23 in that we have to follow the direction in other plans.

24 All right. So then, again, when we look at that
25 whole decision tree, we've looked at the impact, if it

1 requires stipulations, if it requires monitoring that
2 we're concerned about the desert tortoise and we need
3 someone out there, if it requires insurance, there's a
4 duty of care that they're expected to have, and they
5 need to have insurance or we need a law enforcement
6 officer out there, then it's going to require a permit.

7 I want to talk a little bit about authorities,
8 just that FLMPA, Federal Land Management Policy Act,
9 that was passed in 1976 gave us our authority to charge
10 for permits.

11 And then when I talked about our authorities,
12 we'll go with statute, regulations, policy. Policy is
13 like our handbook and instructional memorandums and
14 circular. We have a circular, OMB Circular No. A-25,
15 that directs us to charge cost recovery, and our
16 handbook directs us to charge cost recovery.

17 We're still trying to figure out how to be
18 coordinated, but remember when I said we have to go
19 through the land use plan and see how it -- one area
20 may have Desert Wildlife Management Areas where
21 tortoises have to be treated differently. So we just
22 can't give a coordinated this is what it's going to
23 cost in the California Desert District. We have to go
24 under that land use plan and whether there's
25 environmental work that needs to be done or not.

1 To speak to cost recovery, there's two words
2 that get confused. One is cost recovery, and one is
3 cost reimbursable. Cost recovery is that you put the
4 money into the account, and then we spend against it.
5 Cost reimbursable is we do the work and you pay us
6 back.

7 For the Special Recreation Permits, it's cost
8 recovery. So once a field office gets an application
9 and they determine that it will take more than 50 hours
10 to administer and process this permit, then it will go
11 into cost recovery. Once that determination is made,
12 not one hour of work is completed until money goes into
13 an account.

14 Now, what we do have, which is pretty awesome,
15 in the BLM permit process, we have something called the
16 pre-application consultation meeting. And before that
17 application comes in, you could go in and go to
18 Barstow, and you would talk to their outdoor recreation
19 planner, and you say, "I want to have an event, and
20 this is what we're going to do." And at that time they
21 could say, "You know what, this looks like it may
22 require more than 50 hours of time." And they talk
23 about what the work requirement is. So there is a give
24 and take. So that's where there is a lot of give and
25 take in how the cost recovery costs look at the end

1 game.

2 The Desert Advisory Council -- probably going
3 too long. The Desert Advisory Council has a Special
4 Recreation Permit group. They're working with us on
5 how to make all our regulation and policy in our
6 decision-making documents transparent to the public.
7 So the Natural Training Center in Phoenix has a
8 knowledge resource center, and all of these documents
9 and all of these regulations and all of these policies
10 and IMs are available to the public on that site.

11 BLM MS. ARTEAGA: Any questions?

12 CHAIR SLAVIK: Your name.

13 BLM MS. BURDETT: JoAnn Schiffer Burdett,
14 Outdoor Recreation Planner, California Desert District.

15 CHAIR SLAVIK: It all sounds very complicated.

16 BLM MS. BURDETT: And you got that in five
17 minutes, and it went to eight. I apologize for that.

18 CHAIR SLAVIK: Jerry Greenberg -- you're not
19 here, is he? District 37, people like that, I don't
20 know how much of you work with the clubs, for instance,
21 the District.

22 BLM MS. BURDETT: The field offices are the
23 permitting agencies. The field manager is the one who
24 signs the permit, but I am aware of the issues in the
25 field offices.

1 CHAIR SLAVIK: Thank you.

2 BLM MS. SYMONS: Good afternoon, Katrina Symons,
3 Barstow Field Manager, Bureau of Land Management.

4 Paul, did you have a follow-up question for
5 District 37?

6 CHAIR SLAVIK: Not really, I'm just overwhelmed.
7 I'm glad I'm not doing this.

8 BLM MS. SYMONS: So I'm here today to talk about
9 Johnson Valley Off-Highway Vehicle Recreation Area
10 associated with the Twentynine Palms expansion.

11 So on December 26th, 2013, the president signed
12 into law the National Defense Authorization Act.
13 Embedded in that act was the designation of the Johnson
14 Valley Off-Highway Vehicle Recreation Area. This is
15 the first congressionally-designated off-highway
16 vehicle area in the nation, and the other little
17 stipulation in there is that we have a portion of the
18 designated area which is shared management between the
19 Secretary of the Interior and the Department of Navy.

20 Since that designation occurred over the holiday
21 break, when we got back to work in January, my office
22 started working immediately with the Twentynine Palms
23 folks in the implementation of that act.

24 In your briefing packet for the BLM report,
25 there is a briefing paper that pretty well outlines

1 some of the steps that we've taken to date. Since that
2 briefing was provided to you, there has been a couple
3 of updates, and that's what I intend to highlight
4 today.

5 One of the primary ones that we are working
6 jointly right now to develop the charter for the
7 Resource Management Group. That charter is currently
8 getting vetted within the agencies, and we hope to have
9 that wrapped up here in the next few weeks.

10 The act also called for the preparation of a
11 legal notice, and we are working with the land
12 surveyors to identify the proper methodology for the
13 identification and marking on the ground of the
14 boundary consistent with the December 5th, 2013, map
15 which was referenced in the act that basically is
16 displayed up here on the board.

17 One part that I'm really excited about is that
18 we are having the first public informational meeting.
19 That's scheduled for May 7th from 6:00 to 8:00 at the
20 Yucca Valley Community Center. During this meeting,
21 we're just going to be giving a status update of where
22 we are so far in the implementation process, as well as
23 there have been several preliminary identification of
24 the required -- there's two required company objective
25 sites that are to be located within the shared use

1 management area. Those have been preliminarily
2 identified. We are hoping that we can share that
3 information at this meeting and then provide the
4 interested parties to go out onto the ground during the
5 month of May and going into June, and then be able to
6 come back at our next meeting, which is tentatively
7 scheduled for June 20th, in order so that we can really
8 have some further discussion as to maybe some
9 opportunities or challenges with the preliminary
10 identification of those company objective sites.

11 The other item is -- and I do really want to
12 extend my thanks to Chris and the State Parks folks.
13 As we were going through the transition of the new
14 exclusive military-use area boundary change and trying
15 to administer the King of the Hammers Special
16 Recreation Permit, which occurred over a week's time
17 and involved up to about 45,000 spectators in this
18 area, without the help of State Parks law enforcement
19 rangers, it would have been very difficult for BLM as
20 well as other partners, California Highway Patrol, San
21 Bernardino County Sheriff's Department, in order to
22 really manage the 45,000 spectators. So my thanks goes
23 out to Chris and company on that.

24 The other item that was very important was that
25 the King of the Hammers provided a huge opportunity for

1 public outreach and education, and the State Parks was
2 side by side with BLM in doing that, which I'm very
3 grateful for as well. And hopefully we can continue
4 this partnership into the future. It was a great
5 opportunity to actually make contact with user groups
6 and youth on riding safely.

7 Any questions?

8 COMMISSIONER KERR: So I keep getting asked
9 questions -- you know, this is a very hot topic,
10 obviously. And I keep telling people the Hammers are
11 still going to be accessible at least during the race.

12 Could you just kind of specific -- these maps
13 don't really show the Sledgehammer and all of the
14 different historical places that people care about.
15 They don't identify them carefully.

16 BLM MS. SYMONS: I can go up to this board and
17 show you.

18 COMMISSIONER KERR: Because the public really
19 wants to know what's going on with the Hammers. Are
20 they going to have, you know, an unexploded ordnance
21 end up in there and then they're going to call off the
22 race? There are all kinds of things that are out there
23 in the public. So maybe you could speak to that.

24 BLM MS. SYMONS: So specifically the King of the
25 Hammers event will take place. We've got some

1 preliminary route identification already from Dave
2 Cole. That event can be accommodated within the
3 Johnson Valley Off-Highway Vehicle Recreation Area
4 outside the exclusive military use.

5 So on that map what's identified in pink is the
6 exclusive military-use area. What you see identified
7 in yellow and in the green has -- the green hash is the
8 shared-use area. The Marines have promised me that
9 they will give me anywhere from 12 months' and 18
10 months' notice as to when they will be needing their
11 two 30-day periods of training within the shared-use
12 area.

13 And so since we're in April and the event
14 normally takes place in February, I am guaranteed for
15 at least 2015 that the King of the Hammers event will
16 take place in its normal time schedule and will not be
17 interrupted by military training.

18 The King of the Hammers -- the Hammers is in
19 this area, solely within the shared-use area, and
20 that's where -- the major portion of the event. We
21 also have the waterfall, the backdoor area off of Means
22 Dry Lake, that is within the shared-use area. It used
23 to be that the course went up into the exclusive
24 military use. We are now going to be routing it down
25 through the Bottleneck back up into Anderson Dry Lake

1 and the Cougar Buttes area.

2 CHAIR SLAVIK: That would have been my question.
3 I understand that the boundaries were changed
4 significantly I guess while the map was in Washington,
5 and it took away really the historic location of the
6 event, except for the actual canyons themselves, right?

7 BLM MS. SYMONS: You know, certainly the event
8 went up, you know, past Galloway Dry Lake.

9 When Congress went in with committee and they
10 wound up coming up with the new map, it actually
11 extended the Johnson Valley Off-Highway Vehicle Area
12 down to the south. It also decreased the amount of the
13 exclusive military-use area. So the shared boundary
14 between the exclusive military-use area and the
15 shared-use area, it actually kicked it up north. So
16 there was less pink than what had been originally
17 proposed by the Marines in their Record of Decision.

18 CHAIR SLAVIK: So do we feel comfortable with
19 that?

20 DEPUTY DIRECTOR CONLIN: It's a compromise, and
21 like any compromise, everybody gave something. And as
22 a result, we've got something that not everybody was
23 jumping up and down saying this was wonderful. To
24 include the Marines, they all suffered some compromised
25 loss in what they wanted to do.

1 But the compromises were done so that things
2 like the event, King of the Hammers, and some of the
3 other large events could still go, because that's
4 important to the economics of the surrounding area,
5 also so that we could get this National Off-Highway
6 Vehicle Recreation Area.

7 The real question right now -- and Katrina
8 brought it up, and it's something that has to be worked
9 out with this RMG, Resource Management Group --

10 BLM MS. SYMONS: Affirmative.

11 DEPUTY DIRECTOR CONLIN: -- Resource Management
12 Group, which is an entity at a very high level -- this
13 isn't a local group. This is literally the Department
14 of the Navy and the Department of the Interior. It
15 will be negotiated locally, but they're the deciding
16 bodies.

17 They have to come up with the final pieces of
18 the puzzle. And those final pieces of the puzzles,
19 it's called company objective areas. So basically what
20 they are, they are areas within the shared-use area
21 that the Marines will be allowed to use live fire.
22 They're discrete. They're small, but they're
23 significant because -- not so much from the use of the
24 live fire weapons there, but because there will be
25 entrenchments, there will be barbed wire, things like

1 that, just training devises out there, they will need
2 to be excluded from time to time from people going
3 through those areas. So they're areas of concern.

4 They haven't figured out that portion yet.
5 They're coming close, and that's why we need a lot of
6 public input. That's why it's wonderful that we're at
7 the point where we going to be bringing the public in
8 and letting them get involved where they are looking at
9 the areas. So that's really where a lot of the angst
10 and nervousness is.

11 I know Dave Cole was here yesterday, and his
12 concern really is the out years. You know, he gets,
13 okay, 2015. His concern is that some day somebody is
14 going to come down and say, no, you can't do your event
15 anymore. And like any good businessman, he wants to be
16 able to plan out, you know, three, four, five, six,
17 seven years. So that's kind of his concern.

18 And, again, really what has to develop is the
19 trust. You've got a group of partners here that now
20 have a new landscape, and they have to work out all of
21 the trust issues and go forward with it.

22 BLM MS. SYMONS: So I might add to that, the act
23 itself calls for the establishment of the Resource
24 Management Group. The Resource Management Group is
25 supposed to be comprised of representation from the

1 Department of the Interior and the Department of the
2 Navy.

3 The current charter that's being vetted right
4 now would have some delegation down closer to the
5 ground for the implementation phase of that. It also
6 requires public meetings and input from relevant state
7 agencies, private off-highway vehicle industry
8 representatives, the event promoters, the environmental
9 community and others in the management and facilitation
10 of recreation use within the shared-use area.

11 So there is a congressional mandate of actions
12 that we need to undertake. And in particular, it was
13 the company, the two company objective sites, which by
14 the act would have had two 22-acre sites for exclusive
15 military use embedded within the shared-use area.

16 In recent discussions with the Marines, we're
17 talking about options to the configurations of those
18 two company objective sites, and that will really be
19 the rollout that we're expecting to deliver to the
20 public come the May 7th meeting, then follow it up with
21 some field trips, then follow it up with another
22 meeting in mid-June.

23 So we are soliciting public input and
24 participation so that the Resource Management Group can
25 move forward with recommendations.

1 COMMISSIONER CABRAL: I have a couple of
2 comments on this. Has anything changed since the
3 conversation we had yesterday as far as the boundary
4 issues, or is this, what you're reporting, based on
5 your knowledge as of then?

6 BLM MS. SYMONS: As of yesterday, based upon my
7 knowledge of actually having been out on the ground
8 with the Marines talking through the issues. We've got
9 issues resolved through the Emerson Ridge area. We
10 have issues resolved on the area that is northwest of
11 the Rock Pile.

12 There is still some more discussion that needs
13 to take place in the area that is southeast of the Rock
14 Pile. And for those of you who are not familiar, the
15 Rock Pile is off of Gossamer Mine Road.

16 COMMISSIONER CABRAL: Is that the area where the
17 accident happened?

18 BLM MS. SYMONS: Affirmative.

19 COMMISSIONER CABRAL: So this is a huge safety
20 concern area as far as having an event there.

21 BLM MS. SYMONS: What I would say is that if you
22 look on this map in the shared-use area, there is a
23 bottleneck.

24 Within Johnson Valley, I typically wind up
25 permitting around a couple of dozen Special Recreation

1 Permits a year. Since the newly-designated Johnson
2 Valley configuration, I've issued probably eight or so
3 Special Recreation Permits, and those have been for
4 motorcycle events, and we have not had an issue about
5 safety in that area.

6 In working with some of the car/truck promoters,
7 there are some routes that are identified, and there
8 has been some discussion of what additional mitigation
9 do we need to take -- put in place within that
10 bottleneck in order to provide for adequate public
11 safety, and it's not the -- it has to do with the
12 amount of spectators that would wind up potentially
13 being able to do incursions into a designated
14 racecourse, because it is within a dry lake bed so the
15 area is really open.

16 COMMISSIONER CABRAL: This situation has been
17 difficult for many people. It's been difficult for
18 just how much time it took and the negotiations. There
19 was a lot of effort put in, and like Chris was pointing
20 out, there was -- you know, everyone didn't get their
21 way. It was compromise all the way around.

22 But at some point everyone involved needs to
23 kind of come together and heal. And I think that --
24 and this is -- I just see the King of the Hammers event
25 as a really good opportunity for the Marines, the

1 Marine Corps, to be able to showcase themselves and to
2 be able to -- Marine Corps is looking to recruit
3 individuals to join the Marines, and maybe this would
4 be a good operation for something to do like that, go
5 down that road.

6 And at this point, the promotor of the event is
7 very distrustful of the Marines because there was some
8 lessons learned during the negotiations process. Just
9 to be blunt, people should know you don't negotiate
10 over boundary lines with an inaccurate map. That's
11 just not smart. The people involved, you need to make
12 sure -- nowadays, you've got GPS, go out there and walk
13 it, do whatever is necessary to get the proper line
14 before you negotiate anything.

15 But with that, the BLM is certainly -- I think
16 you guys are doing everything possible to accommodate
17 everybody, and I applaud that. And if there is any way
18 that in your capacity that you can kind of get those
19 two sides to start coming together a little more and
20 maybe looking at each other a little more as partners,
21 that would be wonderful.

22 This could be a pipe dream on my part, but I
23 just see where it's a successful event. Marines need
24 to train. It's an OHV area. Maybe -- I don't know if
25 there needs to be a grant or something, a process,

1 something put in where there is actually a physical
2 barricade or something made or anything that can be
3 used to run that event, but I know it's a successful
4 event.

5 Myself, I've been a competitor in the Baja 1000
6 many times, and I know how dangerous that event is.
7 And we can't have events like that in California. We
8 have to be at a much higher safety level, and I hope
9 that we can continue to have a world-class event there
10 and kind of come up with a solution.

11 I really appreciate your efforts on everything
12 you're doing, and I hope Dave can work with you guys
13 and with the Marine Corps and come up with the
14 solution.

15 I'd like to be involved. I don't know -- you
16 said you're going to have people out on the ground at
17 one of those points. I'd love to come down and be able
18 to actually walk it and see it, because that's
19 important to me to visualize it better when you go out
20 to the field.

21 BLM MS. SYMONS: And I welcome the
22 participation, absolutely.

23 The great part about the act itself is the fact
24 that it really did call out the establishment of the
25 Resource Management Group in order to do just that, to

1 bring all of the parties to the table, to start talking
2 about the challenges and opportunities that would be --
3 that would exist within the shared-use area, to work
4 together as a community toward solutions.

5 COMMISSIONER KERR: Participating in this
6 process. How is the Commission and/or the Division
7 participating in this process to guarantee that the
8 Hammers are not going to get gobbled up by this
9 process?

10 DEPUTY DIRECTOR CONLIN: We have been
11 facilitating between people involved in this where we
12 can. Understand, though, it's not our property, none
13 of this is. This belongs to BLM.

14 COMMISSIONER KERR: I thought congressional
15 action called for this staying --

16 DEPUTY DIRECTOR CONLIN: Resource Management
17 Group between -- and the Resource Management Group is
18 the Department of the Interior and the Department of
19 the Navy. So this is -- close by that's BLM, and
20 that's Marines out at Twentynine Palms, and they're
21 going to bring in local folks. They're going to bring
22 in people like Dave Cole and King of the Hammers and
23 all of the other folks that are involved with this and
24 try and come to consensus.

25 We're involved where they asked us to be. We're

1 involved where we can be trying to get all of the
2 partners to come to the table and talk. And I've been
3 talking to the partners throughout.

4 BLM MS. SYMONS: The act itself calls out for
5 the participation by relevant state agencies as well as
6 OHV users, the environmental community and others. So
7 it is an open, transparent process.

8 COMMISSIONER KERR: Is there something more that
9 the Commission can do? We're just going to let the
10 process roll on, roll forward?

11 DEPUTY DIRECTOR CONLIN: I think if we want --
12 if Commissioners want to go down and they want to see
13 these meetings, public meetings, that's certainly
14 appropriate. But we need to let the process takes its
15 course, too.

16 COMMISSIONER KERR: So there would be a draft
17 plan, and then we would able to comment on that later
18 this summer or something?

19 BLM MS. SYMONS: There will be meeting notes
20 taken from the public meeting that will be occurring on
21 May 7th. If there's any follow-up actions that occur
22 after that, that will be documented.

23 So the intent is to have an open and transparent
24 process. We know that there is a lot of passion and
25 interest in Johnson Valley. I believe in my dealings

1 with the Twentynine Palms folks that there is a
2 commitment and an understanding that we do have shared
3 management of Johnson Valley, and we are committed to
4 making it work.

5 COMMISSIONER CABRAL: The last thing I would
6 like to point out is how much effort Congressman Cook
7 and his staff put into crafting this and getting this
8 law put through. So I know Dawn Rowe on Congressman
9 Cook's staff kept me abreast of everything and such.
10 She was a big help, and I know she was really involved
11 here in the process, especially at the end when things
12 got difficult. So I just want to acknowledge them and
13 thank them for their efforts in this situation.

14 CHAIR SLAVIK: I just keep thinking here,
15 though -- speaking as an individual and as well as a
16 Commissioner reflecting the views of the public, and
17 the recreating public in Johnson Valley, I would think
18 I would refrain from the word "compromise." Because
19 what the real situation was it was a take. And the
20 compromise was how big the take was going to be, and
21 that's the truth of the matter.

22 So I deferred to you a little bit, Chris, in
23 using the word "compromise," because we were given that
24 land, the 180,000 acres, as an open OHV riding area at
25 the Desert Protection Act signing. And the OHV

1 community feels like they really got thrown under the
2 bus on this thing, regardless of the fact it's now a
3 compromise. So that's after the fact. I understand
4 we've got to move on, but it is what it is.

5 BLM MS. SYMONS: Right. So both the Department
6 of the Navy and the Department of the Interior, we have
7 an act that we are to implement, and we are moving
8 forward with that to the best of our ability.

9 CHAIR SLAVIK: Thank you.

10 COMMISSIONER CABRAL: One last comment, I'd like
11 to make on this is that as military bases get
12 decommissioned, which in my area there was a major
13 military base that got decommissioned, I would just
14 like to note that historically that was an OHV area
15 that was given to us during the Desert Conservation
16 Act, and that the preferred use of it if it gets
17 decommissioned would be is to go back to OHV use as a
18 whole, so.

19 BLM MS. SYMONS: I have that note.

20 BLM MS. ARTEAGA: Just to tie back to DRECP, we
21 were able to update the map for the draft of the DRECP.
22 So Johnson Valley is a SRMA under DRECP and the update,
23 just so you know.

24 BLM MS. BEARDSHEAR: Hello, again, I'm supposed
25 to recap on our tour very quickly at the request of

1 Paul. Rose Beardshear of the BLM Barstow Field Office.

2 So we were able to showcase our wonderful
3 facility, our visitor center, our 800-square foot
4 tortoise habitat adjacent to the visitor center along
5 the access road where 80,000 visitors a year can fall
6 in love with this fabulous creature.

7 We got to showcase our 54-acre ATV skills
8 development course funded by the OHV funds, constructed
9 by Lincoln Construction as well as our tortoise
10 habitat. And we got to share some of our opportunity
11 with the Rough Wheelers and SCTA, and it was an awesome
12 day.

13 And, you know, there's been some jokes made:
14 Rose is a superstar, whatever. Rose is not a
15 superstar. Rose is an excellent facilitator of
16 superstars, okay? So Rose knows how to strategically
17 pick partners that are passionate, and that was very
18 evident in every stop we made, that passion whether it
19 was the sport, whether it was the resource, the
20 recreation opportunity.

21 And another superstar is the resource area, and
22 the reason it is a superstar is for the gentleman that
23 is sitting directly behind me, Ed Waldheim. I have
24 worked with him for 16 years attending Friends of
25 El Mirage meetings once a month, and he has kept us to

1 the fire. He has developed a task list, and every
2 month, "Rose, what about this? Rose, what about this?
3 Rose, what about this?" And that is why we have an
4 amazing facility that is 25,695 acres fully surrounded
5 by perimeter fencing with a paved access road. We have
6 12 miles of infrastructure, millions of dollars of the
7 OHV dollars invested in it, and it's a superstar
8 facility because of that.

9 The Friends of El Mirage, one of the most
10 fabulous things we recently did was turn over the
11 maintenance to him. Why? Now Rose does not have to
12 clean campgrounds June, July and August, okay? He has
13 a whole crew out there. Our park has never looked
14 better. Everything is painted. Our toilets are
15 immaculate. You cannot even find trash out there. Our
16 cleanup tomorrow, there is no trash. We're scrounging
17 around, what are we are going to do with all of these
18 people that are coming out?

19 He has put in the a proposal now, and he's
20 branching out, and he's been having Friends of the BLM
21 Barstow Field Office. He has put in a proposal to help
22 Edward's Bowl. I would like to see him put in a
23 proposal to help Juniper Flats. I would like to see
24 him put in a proposal to help the Doug Parhams and
25 other friends that I've seen here that I've

1 orchestrated cleanups where we've picked up massive
2 amounts of trash, but that's not why I'm up here at the
3 podium.

4 But I did want to put in a plug because, as Jane
5 said, I would like to reiterate with the 21-percent
6 budget cut over the next three years, we are faced with
7 having to embrace -- not having to, wanting to embrace
8 our partners who are passionate about our public lands.

9 And some of the frustrations Ed and I have had
10 are getting our soil reports, our HMP, like we're
11 waiting until the last minute. So what I did is I
12 wrote interns into my ground ops grants. So we have
13 secured interns to work on your soil report, to work on
14 your H&Ps, and to produce those documents, which frees
15 up BLM staff.

16 Now, they not only contribute valuable
17 groundwork, these interns -- and I'm waiting for an
18 education intern to do more of what you heard Park
19 Ranger Art Basulto talk about. So I'm going to read
20 this only because I don't want to get it wrong.

21 So in addition to these interns' valuable
22 contributions to our workforce, these interns help to
23 meet the goals of a recent Secretarial Order issued by
24 the Secretary of the Interior, Sally Jewell, to inspire
25 millions of young people to play, learn, serve and work

1 in the outdoors. Bridging the growing disconnect
2 between young people and nature is essential in
3 nurturing a future generation that understands and
4 cares for our natural and cultural resources.

5 And I heard it earlier. They are disconnected.
6 Now, where that's going to become a problem is my very
7 next sentence.

8 With one-third of the DOI workforce eligible to
9 retire within the next five years, this initiative is
10 not only critical for the health of our public lands
11 and economy, it is also key to ensure that we have
12 raised a new generation of land managers, wildlife
13 biologists, travel experts, et cetera, et cetera.

14 Now, it's frustrating because I was a volunteer
15 coordinator. We were cleaning up tons of trash. I got
16 a national reward -- I don't remember, like 40 tons of
17 trash, and I convinced my field manager at that time,
18 Tim Read, to allow me to pour my energy into education.

19 So with Ed taking up the maintenance, I'm free
20 to do more education, and that is what I'm passionate
21 about. So we have a -- we have 13 partners with our
22 Desert Discovery Center, and that is what we do. We go
23 out and educate in every forum. We use music. We use
24 art. It's an incredible partnership.

25 And so what we've done is we've partnered with

1 High Desert junior colleges and high schools through a
2 California Career Pathways Trust grant in an effort to
3 establish career pathways leading to these internship
4 positions. This fund was made possible through AB 86
5 in the amount of \$250 million and made available to
6 school districts, county superintendents of schools,
7 charter schools and community college districts in the
8 form of one-time competitive grants.

9 So we put in a \$15 million proposal for our High
10 Desert. One thing that I believe is the answer is we
11 need a paradigm shift in the way people use the desert.
12 Okay. We can have law enforcement. We can have
13 education, but we have to shift the way children view
14 the desert. And as they grow -- I know it's a long
15 time. I'm often told, "Rose, get off your soapbox."
16 But I'm not going to give up. I'm going to be like an
17 Ed Waldheim, okay? And I'm serious.

18 Now, once a career path is established and these
19 internships are made available, individuals that
20 complete 640 hours will have Public Land Corps Act
21 hiring authority, PLC. Public Land Act of 2013 expands
22 the authorization of the Secretaries of Agriculture,
23 Commerce and the Interior to provide service
24 opportunities for young Americans, and then it goes on
25 and on and on.

1 So once they complete those hours, they have 120
2 days after successfully completing -- and they can
3 compete on a federal level. But then I go back to --
4 okay, this is my personal opinion. And you mentioned
5 it, Commissioner, that someone was waiting to retire.

6 So I see part of the problem as one-third of
7 these DOI workforce are eligible to retire. I would
8 like to raise up a generation if they're going to be
9 federal employees, that they would be passionate about
10 their job. It's one of my frustrations that we get
11 people in -- even my interns come from Michigan and
12 Wisconsin. I try to find local kids to apply for these
13 internship positions. So they come in. They get a
14 little bit of experience. They get this eligibility,
15 but they don't stay in our desert. And it's the same
16 thing with our staff. They come in, and they work a
17 few years, and then they kind of move up the career
18 ladder.

19 I'm trying to make these positions available,
20 create an associate's degree at the junior college
21 level, get some lower-level opportunities for them,
22 whether it's fire or seasonal help, through grants
23 through the OHV program and just get people to fall in
24 love with our desert and protect it and make a
25 difference and stay.

1 That's all I have. Thank you.

2 (Audience applause.)

3 CHAIR SLAVIK: I think we heard a lot of people
4 with public comment would probably like to sign up for
5 that.

6 BLM MS. ARTEAGA: Well, that's the end of our
7 presentation. Any questions, or do we want to wait
8 until after break?

9 CHAIR SLAVIK: We're good. Unless anybody has
10 anything really -- heartburn.

11 COMMISSIONER CABRAL: Just a real quick one is
12 that, you know, I'd love to see a lot of the OHV
13 advocacy groups maybe look at doing some scholarships
14 for these JCs and stuff like that to get some people,
15 you know, locals, into the program of trying to come up
16 and be able to get a job at the BLM eventually,
17 something along those lines.

18 BLM MS. ARTEAGA: That would be great. Both the
19 Forest Service and the BLM have programs where we have
20 internships that we could provide those opportunities,
21 and there are existing programs that they really exist,
22 and they could be great partners for that.

23 CHAIR SLAVIK: So we should take a break for
24 Cheryl. Five minutes, please.

25 (Returned at 3:18 from lunch starting at 3:07 p.m.)

1 CHAIR SLAVIK: It's been suggested that we
2 combine public comment for the Forest Service and BLM,
3 since you guys are both federal agents, if that's all
4 right.

5 **AGENDA ITEM VI (B) - PROGRAM REPORTS - USFS**

6 USFS DIRECTOR VILLALVAZO: Last time I checked,
7 yes. Good afternoon, Commissioners and Division
8 partners and folks in the audience. My name is Ramiro
9 Villalvazo. I'm the director for public services of
10 the USDA Forest Service in Region Five, which is all of
11 California, Hawaii and the Pacific Island areas.

12 And I'm here -- usually you see Kathy Mick, who
13 works on my staff. She had a personal engagement and
14 asked me to pinch hit for her, but I'm glad to be here.
15 I like to be here once in a while, so I'm glad to be
16 here and meet with you guys.

17 Before I get started, I wanted to comment just
18 real quickly on something that Ted mentioned earlier
19 and Rose also brought up. And we're very connected to
20 this idea of doing what we can to connect our youth,
21 especially considering the diversity of our state, to
22 increase the relevance of OHV use and interest the
23 youth to come out and be interested in public lands.

24 Right now our agency is using a mantra that goes
25 like this: Awakening and strengthening all peoples'

1 connection to public land. And the notion is that we
2 have to get in there and work with our young people.
3 And if we as an agency -- just like BLM was talking
4 about, if we are going to be relevant, they have to
5 understand why it's important to be connected to the
6 land and for purposes of -- our interest is in
7 conservation and ecological restoration and that sort
8 of thing. But I think we're all on the same journey
9 for similar reasons.

10 I have a treat for you guys. When I met with a
11 couple of Commissioners, it's been over a year, we were
12 really urged to increase the level of participation by
13 our agency at these meetings and also to invite local
14 folks. And so I have here a cadre of Forest Service
15 folks that are going to share, and we're going to try
16 to make it quick. In addition to our Forest Service
17 folks, we have some very unique partners, incredible
18 partners, that do a lot of incredible work with us, not
19 just for us but for the OHV community also. So I'm
20 very excited about that.

21 Before I introduce them, I want to give you some
22 quick hits of what's going on up and down the region in
23 terms of issues with the Forest Service related to OHV
24 use, and these things are probably in your notes. But
25 for those in the audience, I just want to quickly

1 mention these.

2 The Six Rivers National Forest recently released
3 their draft travel management environmental impact
4 statement, their EIS, in early April. There's
5 currently a 60-day public comment period that's going
6 on, and we hope to have a final decision on that later
7 this summer.

8 As a result of a litigation, we had a settlement
9 agreement with Quiet Winter Recreation Organization,
10 and as a result of that, that settlement agreement, the
11 Forest Service is undergoing a major EIS for the Lassen
12 National Forest, the Plumas, the Tahoe, Eldorado and
13 Stanislaus National Forest to prepare. The EIS is
14 going to look at our grooming practices on those
15 national forests.

16 And as most of you may know, the Division
17 provides funding for our grooming programs, so we're
18 linked in that way. So that's moving forward. That
19 was a positive thing. And so we were able to settle,
20 and we're moving forward. And it's also going to allow
21 us as an agency to comply to something called
22 Subpart C, which is doing our planning for winter
23 recreation on those forests.

24 You may also know that three national forests
25 are undergoing planned revision. They're called the

1 early adopters because they're doing it under the new
2 2012 planning rule. That work continues. It is
3 important, and we want to encourage all recreation
4 enthusiasts, including OHVers, everyone who enjoys
5 recreation, to take interest in this effort, in the
6 plan revisions, and they can do this by following --
7 they just need to Google the Inyo, the Sierra and the
8 Sequoia to find out more about how they can interject
9 their interest in recreation and the valleys that they
10 see there.

11 Kathy wanted me to mention that the region
12 continues to work on the Quiet Warrior racing over the
13 OSV sound concerns and explore solutions of reducing
14 OSV sounds on national forestlands in the region. The
15 Forest Service believes that the development of
16 proactive solutions will benefit the sustainability of
17 winter recreational experiences throughout the state.

18 Best management practices, the region continues
19 to work with R.J. Poff and Associates, soils
20 consulting, to develop best management practices for
21 trails greater than 50 inches wide. These trails are
22 becoming more prevalent as Forests look at
23 opportunities for converting roads to trails. And as a
24 trend and change from ATVs to other use like
25 side-by-side vehicles, these BMPs will help units

1 manage these trails in a way that provides for
2 environmental sustainability, and we're all about
3 sustainability.

4 And lastly we want to mention that on the
5 Stanislaus National Forest, the region -- we're
6 continuing to work with this forest to work on
7 strategies to address a judge's order associated with
8 the application of a travel management criteria due to,
9 again, another litigation associated with our travel
10 management plan there on that forest.

11 So those are quick hits on what's going on
12 generally in the region. Are there any questions on
13 that before I move on to what will be, I think, a much
14 more "funner" part of this presentation?

15 COMMISSIONER CABRAL: Actually, I wanted to --
16 this may not be the time and place, we might want to
17 have a meeting over this. But endangered species, I
18 don't want to use the yellow-legged frog as an example.
19 I've seen that some of the information has come out
20 recently on that.

21 And there's been a lot of discussion between
22 different groups of all different types about how it's
23 managed currently where it's just like, okay, we've got
24 an endangered species, then it gets locked up and
25 studied and all of these things happen. But one of the

1 things it doesn't seem to be looking at is anything --
2 you see a lot with fisheries, and that is where they
3 get into hatcheries, breeding programs and then try to
4 sustain the species through -- you know, we actually
5 get in and a human starts managing it.

6 And I just was wondering do they look at
7 anything like when you get into these amphibians as far
8 as trying to do breeding programs and trying to restore
9 them to historical habitat areas or anything along
10 those lines?

11 USFS DIRECTOR VILLALVAZO: I think you're
12 absolutely right. They're doing this with anadromous
13 fish, the fisheries; you're actually right. I haven't
14 heard anything like that for amphibians, but you're
15 right; this is an issue that comes up constantly.
16 We're constantly required to do monitoring, and we
17 discover the frog as the example you were giving, and
18 then we have to step back and take a look.

19 But I don't know of any specific programs to
20 breed more, just to use that example, breed
21 yellow-legged frogs and then distribute them out in the
22 field.

23 COMMISSIONER CABRAL: If you look at their
24 historical habitat -- and a lot of what has taken them
25 out were pesticides, different chemicals, PCBs and

1 things like that, so if there was a way -- since those
2 chemicals aren't in play anymore, to be able to go back
3 and look at some of their historical areas and to
4 actually re-establish them, that would be -- I think
5 would benefit the environment as a whole.

6 USFS DIRECTOR VILLALVAZO: You stirred my
7 curiosity, and I'm going to go back to our biologist
8 folks and ask them about that.

9 CHAIR SLAVIK: I'm still looking for that
10 meeting with Randy Moore with the General's level of
11 participation and Chris Conlin, where those people can
12 come together and talk about some of the bigger issues,
13 some of the more overarching issues, that we've dealt
14 with over the years. Please consider it.

15 COMMISSIONER KERR: Like Los Padres.

16 CHAIR SLAVIK: Yes, that's one of them. That's
17 a little one.

18 USFS DIRECTOR VILLALVAZO: I can tell you that
19 about four months ago General Jackson and Randy Moore
20 were in the same meeting at the BLM office to talk
21 about the subject that I started and others have talked
22 about here, the engagement of youth and the importance
23 of that program, and the importance of all our agencies
24 interagency wide to develop some programs together. So
25 they have been together. They have met, but it was for

1 that purpose. I think you're talking for another
2 purpose. Anything else?

3 I'd like to introduce -- I'm very jazzed -- Jody
4 Noiron, the Forest Service Supervisor from the San
5 Bernardino National Forest, formerly from the Angeles
6 National Forest. So she knows this area very, very
7 well, so welcome, Jody.

8 USFS SUPERVISOR NOIRON: So am I the "funner"
9 part of the presentation? I'm the "funner" part.
10 Great, groovy.

11 Hi, I'm Jody Noiron, the forest supervisor on
12 the San Bernardino National Forest with the U.S. Forest
13 Service. Good afternoon, Commissioners, staff, members
14 of the public. It's an honor to be here today. We do
15 have handouts. Can we hand out the maps?

16 So what I am here to speak to you about, and I
17 have brought some expert staff from the forest so
18 depending on how many questions you have, I hope we
19 have folks here to answer those for you. I'm here to
20 talk about the Baldy Mesa OHV area development grant
21 that the Forest Service has submitted for consideration
22 for funding this year. I'm a firm believer that a
23 picture is worth a thousand words.

24 So what you have in front of you is a map of the
25 Baldy Mesa OHV project area. I'm going to point here

1 on the screen. The blue line here defines the project
2 boundary. The blue line up here is the national forest
3 boundary, so south of this line is national forest
4 land. And, yes, Interstate 15 and Highway 138 are on
5 the national forest. And then north of this boundary
6 is all private lands. This is Hesperia. This is
7 Phelan up here, the town of Phelan. You can see if you
8 push it up just a little more. There is about a mile
9 swath here of open private land, and then you start
10 getting into the community of Phelan like up in here.
11 That's just to give you an orientation.

12 I wanted to give you a larger -- not to get into
13 the nuts and bolts too much of the grant itself, but I
14 wanted to really set the stage for the bigger context
15 of where this grant is coming from that's before you
16 for consideration and give you a summary of if we
17 are -- if we are lucky enough to get funded for it what
18 it would mean for the forest and our improvement to the
19 management of the off-highway vehicle program on the
20 forest.

21 What this grant will do for us is resolve some
22 very longstanding issues we have had with unmanaged
23 off-highway vehicle use in this entire area. Way back
24 before the 1980s, so well over 30 years ago, this area
25 has historically been used by OHV, and it has been

1 unmanaged. It is unsustainable for us right now, and
2 we need to do something about it.

3 So in 1988, the San Bernardino National Forest
4 published our first round of land management plans, and
5 there was a sea change when it came to OHV management
6 as part of that decision in 1988. That's when our
7 agency went to management of OHV use to designated
8 trails and areas only. So that was kind of a sea
9 change for our agency. So in 1988, the land management
10 plan for the San Bernardino included that as part of
11 our decision. If we were going to have OHV use, it was
12 only authorized and only legal on designated roads and
13 trails and areas.

14 So what happened over time is, in 2006, knowing
15 that Baldy Mesa -- as people moved in and more areas
16 got populated, a lot of people moving out to the
17 outlying area because they liked the open space, they
18 wanted places to ride their horses and their OHVs and
19 things like that. As you can imagine, the use really
20 exploded out here, and you can probably tell that by
21 some of the information the young lady was presenting
22 earlier about the increase in sales of ATVs and OHVs
23 and stuff like that. So we really had an unmanaged
24 situation.

25 So in 2006, the Forest made an attempt to get

1 our arms around it, and we went into a NEPA process to
2 develop an environmental assessment to determine what
3 should be a managed and authorized system of
4 off-highway vehicle routes in that area.
5 Unfortunately, for a number of reasons, it was a false
6 start. The Forest was not able to complete the
7 process.

8 So now you fast-forward to 2011, and with great
9 urging and support from all of our wonderful
10 off-highway vehicle partners, Ed, and their
11 organizations, Ed -- Ed has had a lot of passion around
12 the San Bernardino getting a grip on Baldy Mesa.
13 Seriously, it was a great thing.

14 In 2011, the Forest applied for and successfully
15 awarded a planning grant from the State to do the
16 planning to determine what the designated off-highway
17 vehicle trail system -- road and trail system should be
18 in this Baldy Mesa area. As you all know, that was a
19 three-year grant. We successfully issued a decision
20 notice and a finding of no significant impact in
21 December of 2013, and so we completed that grant.

22 And so what we are here before you today this
23 year is coming forward with the grants to implement
24 what was in that decision.

25 So in summary -- actually this is a bigger

1 picture that I want to paint for you, that the
2 development grant that the San Bernardino Forest has
3 submitted is part of a packet of grants, if you will,
4 to get at the various parts and pieces that we would
5 need to truly implement and obtain a sustainable,
6 managed, designated off-highway vehicle system in this
7 area.

8 So one piece is the development grant that the
9 Forest Service -- that we have submitted for about
10 \$587,000. And the other kind of partner grants, if you
11 will, is that the Forest Service also has a law
12 enforcement grant for ground operations that includes
13 this Baldy Mesa area. And then in addition, our
14 friends and partners from the Southern California
15 Mountains Foundation, which you'll hear from here in a
16 minute, they have companion grants in for restoration
17 and education and safety, again, to help make the total
18 picture happen, the end game happen, within this Baldy
19 Mesa area.

20 So with our development grant -- let me just
21 give you a little -- that's why we wanted to hand the
22 map out. All of this red that you see both on the
23 private land and on the national forest land. On the
24 national forest land, those are all of the unauthorized
25 user-created trails that are out there right now.

1 Now, if you look above the boundary here,
2 they're coming from somewhere. And all of these -- all
3 of these trails lead up into the communities, so this
4 is our problem. This is our problem. And it's the
5 trails are used by, gosh, horses, hikers, you know,
6 motorized users, all that kind of stuff.

7 But what we're trying to do through this grant
8 is on the national forest system lands, which is where
9 we have the jurisdiction, is to create a managed area
10 that is sustainable with trails that are built
11 correctly, with proper drainage and to have patrols and
12 signage and all of the things that we need to make this
13 a well-managed area for OHV users.

14 But I just want to point out that this is part
15 of the bigger picture here of what we're dealing with,
16 and it's something that's been around a long time, and
17 it's developed over time, and what we're trying to do
18 here on the national forest I realize is a piece
19 towards moving us to something that's more sustainable.

20 So the heart and soul of your development grant
21 is that if we're successful in getting the money, we
22 definitely will continue to work with the public like
23 we do in the nuts and bolts of the implementation:
24 Where should this fence post go and where exactly is
25 the center line of the trail, you know. We have rough

1 corridors lined out. That's what this map depicts is
2 what the corridors would be. So that if we are
3 successful, again, within the area in the blue, we
4 would have 23 miles of managed off-highway vehicle
5 roads and trails within this area. And if you can see
6 it on the map, the staging area is down here. It would
7 be coming up here and through here. There's two loops.
8 There is loop here. There's a loop here, and then
9 there is a main road here. And the orange would be a
10 50-inch trail that would be parallel to the road, the
11 Forest Service road. And that road has been there for
12 a very long time. It's been there for years.

13 So we would also -- there are 55 miles right now
14 of unauthorized routes within this area. And the
15 decision that we made with the planning money that we
16 got in 2011, we would be eliminating 55 miles of
17 unauthorized trails out of the national forest lands in
18 this area.

19 The only thing that we would be doing is really
20 improving the staging area. There's some issues down
21 here because we've got railroad tracks. We've got
22 highways. We've got all kinds of things. So what we
23 would be doing, and the decision, again the
24 environmental decision, that we made was to do some
25 work on that staging area. It would stay in the same

1 location, but we would do things to make it much safer
2 than what is currently out there right now, like
3 designating parking areas, giving people a place to
4 walk safely, and then adding all of the amenities like
5 toilets, trash cans, picnic tables, parking area,
6 interpretive signs and just making it a nice developed
7 staging area.

8 So the development grant is to construct -- and
9 some of these trails that we would be kind of like
10 constructing, there's already an unauthorized impact or
11 something out there for a lot of it, so we would just
12 be taking it and making it and then constructing new.
13 But, anyways, the system that you see here with the
14 various colors, other than red, is what would be the
15 authorized system in this area.

16 COMMISSIONER KERR: Not much left.

17 USFS SUPERVISOR NOIRON: So the other thing that
18 I do want to point out is that we have found out also
19 that the City of Hesperia and the City of Victorville,
20 in their law enforcement grants also mention Baldy
21 Mesa. So everybody is getting a workout trying to
22 manage the unmanaged use that's out there right now.
23 Our partner law enforcement agencies, the Forest
24 Service, I know the public, you know, it's creating
25 issues with the public.

1 So, again, I just wanted to paint the bigger
2 picture for you guys today and let you know how the
3 grants all kind of fit together into a package. I'm
4 going to stop there and see if you folks have any
5 questions for us.

6 CHAIR SLAVIK: Let me start off here because I'm
7 pretty familiar with the area. First of all for
8 information for the folks on the Commission and other
9 folks, that blue line is the edge of the mesa. That's
10 why you see on the bottom of the blue line private
11 land. It's pretty steep country. Actually, if you
12 tried to go down it, you would probably kill yourself.

13 USFS SUPERVISOR NOIRON: It's a plateau.

14 CHAIR SLAVIK: Yes, it's a plateau. And then
15 behind that is undulating hills, and then it kind of
16 goes into a more flat area where the communities are.

17 So this has been considered a hotspot as long as
18 I can remember. And in the old days, a hotspot was a
19 place that the Forest Service just can't get a handle
20 on, and the BLM had the same term around Juniper Hills
21 and places like that.

22 What you're talking about, Jody, it seems to be
23 the same plan that I heard 20 years ago.

24 USFS SUPERVISOR NOIRON: We're going to make it
25 happen this time.

1 CHAIR SLAVIK: I know you've got new staff,
2 everything is new. But what I would like to see, this
3 is a very odd-shaped piece of land. It's an island,
4 essentially. It's a federal island in the middle of
5 private land. I would like to see discussions started
6 and maybe turning this over to the State, if that's
7 possible.

8 USFS SUPERVISOR NOIRON: It's not an island.
9 The blue line down here to the south is nearly the
10 project boundary for the planning project boundary.
11 This is all national forest system land.

12 CHAIR SLAVIK: But there is a pinch point.

13 COMMISSIONER KERR: So you're kicking us out of
14 there?

15 CHAIR SLAVIK: No, no. There is a pinch point.
16 It's a relatively narrow piece of land. If you go to
17 the east more, yes, it opens up a little bit.

18 But I wonder if there is any way that we could
19 consider a land swap or even enter into discussions of
20 the State managing this property in a different way
21 than you guys can legally do.

22 USFS SUPERVISOR NOIRON: We'd be more than
23 interested in talking with anybody that would be
24 wanting to partner with us on management.

25 CHAIR SLAVIK: This is what we would consider an

1 urban park opportunity. It's between the High Desert
2 communities and San Bernardino communities. It just
3 has all of the attributes of turning this place into
4 what -- being an attraction for people and not a
5 problem area. There could be a buffer zone for the
6 equestrians. The bicycles could have opportunities
7 here. There's lots of good places to really recreate
8 here with the undulating hills and things like that.

9 So I mean if that's something we could just
10 enter into a conversation with, I'd like to see that.

11 USFS SUPERVISOR NOIRON: One thing to be aware
12 of is that this -- again, it's all about location,
13 location, location. It is for us today in this
14 century. It was all about that for the people that
15 were before us centuries ago.

16 This is one of the most richest archeological
17 areas that we have. There is also federally-listed
18 threatened and endangered species and things like that
19 in there as well, so a lot of sensitive resources that
20 are just getting hammered right now with all of this
21 unauthorized use.

22 That's the other thing we are trying to get a
23 handle on. As you know, there are federal laws for
24 both cultural and biological resources that we have to
25 protect those. So that's the other huge thing that's

1 infiltrated into this.

2 CHAIR SLAVIK: How about the Mormon Trail? I
3 heard somebody just mention the other day that they
4 thought the Mormon Trail went through here.

5 USFS SUPERVISOR NOIRON: Just happen to have
6 Dr. Bill Sapp with me, who is our forest archeologist.

7 And the Mormon Trail, let me see if I can get
8 it, it's this right here on the map. So Bill can
9 answer any question you may have about the trail, and
10 all of that, what we've done to try to mitigate.

11 The other thing I do want to mention too as part
12 of the grants, this is important, because you mentioned
13 it, Paul, in the break, one of the things that's in our
14 project proposal -- and this actually came from the
15 public, which is pretty cool, which is a fence, put a
16 fence. If you've been out there, this is like open
17 land, so there's no trees or anything like that.

18 So to delineate, a lot of people had no clue
19 that this is where the forest boundary was. A lot of
20 people were thinking the forest boundary was up here
21 somewhere, like on the edge of the town of Phelan, and
22 it's not. There is a mile distance of private land in
23 here. I have no idea whether the private landowners in
24 here like all of those trails or not. I have no idea.

25 But part of our project proposal is to build a

1 fence on the forest boundary here, and then we're
2 talking about -- an idea was to have like
3 well-constructed gates kind of things that are horse
4 friendly and stuff like that, which we would seriously
5 look at. But that's to do -- to implement those kinds
6 of things, we would definitely have to work with those
7 private landowners because we can't put an access point
8 on to national forestland without having approval of
9 whoever the private landowners are.

10 These are some of the challenges, things we have
11 to work out with implementation, but part of the
12 project includes a fence. This is five miles along
13 here as the crow flies, this northern boundary here,
14 and then whatever is appropriate in terms of gates and
15 access points for the people coming from the north into
16 this area.

17 CHAIR SLAVIK: How many acres are in this
18 project, approximately?

19 USFS SUPERVISOR NOIRON: I don't know offhand.

20 CHAIR SLAVIK: Are these squares on that map
21 mile squares?

22 USFS SUPERVISOR NOIRON: Yes.

23 So if you have any questions -- Bill, do you
24 want to make any comments about the Mormon Trail?

25 USFS ARCHEOLOGIST SAPP: Good afternoon,

1 Commissioners, members of the public, staff. My name
2 is Bill Sapp. I'm the forest archeologist for the San
3 Bernardino National Forest.

4 And as Jody said, this is a very rich area in
5 terms of archeological sites, both historic and
6 prehistoric. Our primary historic sites are a portion
7 of the Mormon Road, or the Old Sanford Trail, and
8 another trail down here called the Sanford Trail.

9 The way we have the Loop Trail laid out, it
10 would cross the Mormon Trail in one spot. Right now
11 the Mormon Trail crosses the road on the south side of
12 the project area and has been crossed by that road
13 since the early 1950s when the road was put in as a
14 firebreak. It would also cross now on the northern
15 portion of the road. And what we have suggested are
16 some resource protection measures, not only for the
17 Mormon Road but for the archeological sites in the
18 area.

19 And on the Mormon Road that would include a
20 horse gate on either side of the OHV trail where it
21 crosses and capping the Mormon Trail with what we would
22 call a standard resource protection measure, and that
23 is putting down some sort of foreign material that
24 would differentiate the capping material, imported dirt
25 from the natural surface below. We've consulted with

1 the Office of Historic Preservation, and they have
2 concurred that our program for protecting archeological
3 sites on Baldy Mesa will result in no adverse effects.

4 As far as the other archeological sites, the
5 prehistoric Native American sites, we will be capping
6 those sites through which the existing road passes, and
7 we have used our surveys to help our engineers develop
8 the rest of the Loop Trail so it will avoid all
9 archeological sites. We've consulted consistently and
10 continually with the San Manuel Band of Mission
11 Indians. This is their ancestral territory. And
12 they're in full support of our project and would like
13 to see it implemented so that their sites are
14 protected. And our plan, like I say, on the lower road
15 on the Loop Trail is to cap all of the sites that are
16 in there.

17 During the restoration period, the restoration
18 of those 55 miles of trails, we will avoid damaging any
19 archeological sites there by flagging them off and
20 making sure that any of the restoration actions are
21 taken outside of those sites that have a potential to
22 damage them. So things like chunking would be done
23 outside of the archeological sites. At most we would
24 probably put flags within the archeological sites in
25 order to hide the trails until we've got vegetation and

1 growth in there.

2 So we've had agreement that we meet CEQA
3 standards from the OHV archeologist. We've had
4 agreement from the State Historical Preservation
5 Officer that we meet all of the federal requirements
6 for protecting the archeological sites. And we have
7 the agreement with the tribe and the support of the
8 tribe whose ancestral territory this is that we will be
9 protecting their sites, and they're satisfied that we
10 have a good plan here.

11 Any other questions?

12 COMMISSIONER CABRAL: Yes, I have a question.
13 I've been up in that area many times back in the
14 early '90s, and I was caught up there one time in a
15 flash flood. And I noticed that there was a huge
16 amount of debris flows that came down what looked
17 like -- I'm not exactly sure where I was at, but the
18 areas -- it would be like running from -- move this
19 here, on the Mormon Trail, 3N24, toward the boundary
20 that's toward the top of the page. And I was just
21 wondering.

22 You were talking about capping the road. What
23 type of material would you be using that wouldn't be
24 susceptible to ending up on the road down below?

25 USFS ARCHEOLOGIST SAPP: Well, the requirement

1 is to work with our engineers to develop a suitable
2 material. It will probably be dirt that is brought in.
3 It will be capped, and it will be monitored on a very
4 regular basis so that we will make sure that if it is
5 eroding away either through use or through maintenance
6 or through environmental processes, that we will have
7 to go back and continually make sure that that capping
8 material is in place.

9 COMMISSIONER CABRAL: Okay. And then the other
10 thing was -- is that it seemed -- I'm going by memory
11 here, which is not the best thing. I seem to remember
12 it had been some activity up there where someone had
13 used some equipment to actually create some roads or
14 trails, or at least it looked like someone had put a
15 blade to something. And I didn't know if that was
16 something that the Forest Service may have done years
17 ago or if that was something that was unauthorized.

18 USFS SUPERVISOR NOIRON: Without more
19 information, I'm not sure we can answer that. If we
20 had a location or something, we can find that out for
21 you.

22 COMMISSIONER CABRAL: It was on the side where
23 138 is over towards where the Green Trail is. It is --
24 as I'm looking at this, was a little bit to the right
25 of it. I seem to remember that it was an access road

1 that we used to go up, park, and then we had a couple
2 of areas that we'd ride at up in there. And it looked
3 like someone had taken a tractor down there and bladed
4 it.

5 USFS SUPERVISOR NOIRON: It could be. There's
6 been so much stuff going on in there.

7 COMMISSIONER CABRAL: It was unauthorized,
8 basically, got you.

9 USFS ARCHEOLOGIST SAPP: And the Green Road,
10 while it is a historic property, is also a county road.
11 So they're really in control of what kind of vehicles
12 can drive on that.

13 USFS SUPERVISOR NOIRON: And it does run north.
14 That's a county road.

15 COMMISSIONER CABRAL: So it was a county road.
16 That makes sense. Thank you.

17 CHAIR SLAVIK: So the Mormon Trail or Mormon
18 Road, whatever you're calling it, ends at the southern
19 part of it at the escarpment there?

20 USFS ARCHEOLOGIST SAPP: No, it actually
21 continues on on the south side of the Forest Service
22 road there. It's a very faint line on the side of the
23 ridge, so that portion still exists.

24 CHAIR SLAVIK: So they took wagons down that
25 ridge?

1 USFS ARCHEOLOGIST SAPP: Yes, it was very
2 difficult.

3 CHAIR SLAVIK: And then it disappears into
4 private land.

5 USFS ARCHEOLOGIST SAPP: It disappears into
6 private land as you get down towards Highway 138.

7 USFS SUPERVISOR NOIRON: Any other questions?

8 CHAIR SLAVIK: Ed, you were up there,
9 participated in a couple of public meetings.

10 COMMISSIONER PATROVSKY: I just want to say that
11 there is some local opposition to the project, and I
12 attended an open house with several Forest Service
13 employees and opponents of the project, and it seemed
14 like the Forest Service was listening to the opponents
15 and trying to mitigate some of their concerns. So I
16 was impressed by that.

17 USFS SUPERVISOR NOIRON: Thank you. Yes, we did
18 incorporate some of those ideas into the -- modified
19 our proposal as a result of those comments. So thank
20 you for that.

21 COMMISSIONER KERR: So who's going to this area
22 right now? Is it locals from Victorville?

23 USFS SUPERVISOR NOIRON: The majority of use in
24 the area is coming out of -- from Phelan. You can see
25 all of these red lines, they're getting into the area

1 by virtue -- again, right now this is just open land.
2 You can't tell where the national forest starts and
3 ends. So most of the use is coming out of the
4 communities. Like I said, we do have a staging area
5 down here, so we do get folks from like San Bernardino
6 and all that will trail tracked trailer -- trail their
7 vehicles up.

8 COMMISSIONER KERR: How are you going to ride to
9 ride?

10 CHAIR SLAVIK: Let me give you an idea of the
11 lay of the land here. So people coming out of San
12 Bernardino coming out of Interstate 15, it's the first
13 place that you can hit that you can actually unload
14 your vehicle and go for a ride. So there is a wash
15 actually that I-15 goes up, right? Cajon Pass, that
16 watershed that comes down there, your authorized trail
17 that goes from the staging area runs up into the Baldy
18 Mesa area. That's the only legal access to really get
19 there.

20 USFS SUPERVISOR NOIRON: Yes, it's this right
21 here. Again, this is not -- we know this is not going
22 to be the be-all/end-all, but, oh my goodness, it is
23 certainly a start to trying to get a handle on
24 something.

25 CHAIR SLAVIK: You've got to start somewhere.

1 COMMISSIONER KERR: Where are these people going
2 to end up after you close all these trails?

3 CHAIR SLAVIK: I think what they're planning on
4 is to have a trail system that people can go around and
5 around on.

6 COMMISSIONER KERR: It's only 20, 25 miles on
7 it.

8 CHAIR SLAVIK: I know, and it's been a challenge
9 for 20 years or more.

10 USFS SUPERVISOR NOIRON: But what's happening
11 out there right now -- and I do not want to have to
12 completely close the area.

13 CHAIR SLAVIK: I have to say, I've been out
14 there when the trails have been -- the illegal trails
15 have been closed and try to put a legal trail system
16 in, and within weeks it was -- you know, went back to
17 the historic situation. It seems to me the only way
18 you're going to get any handle on it is to have an
19 on-site police officer there.

20 USFS SUPERVISOR NOIRON: Actually, that's a
21 great segue into the next folks. That is part of it,
22 to have staff out there patrolling the area. Great
23 idea.

24 COMMISSIONER KERR: How much is the grant
25 application for?

1 DEPUTY DIRECTOR CONLIN: That would be
2 inappropriate, I think. We're not approving grants
3 here, so why don't we go ahead and move on to the next
4 presenter.

5 USFS SUPERVISOR NOIRON: Thank you very much.

6 So with that, I would like to introduce Sarah
7 Miggins who is the executive director for the Southern
8 California Mountains Foundation.

9 SARAH MIGGINS: Thank you. Good afternoon.
10 We're here to talk about partnerships, and it's my
11 pleasure to meet the Commission as well as the Division
12 and be here with all of our friends.

13 So before I introduce Rick Lavello, our program
14 director of our Off-Highway Vehicle Volunteer Program,
15 I wanted to talk a little bit about hashes on
16 PowerPoint. We do want you to see the images of our
17 good work on the San Bernardino.

18 Again, my name is Sarah Miggins. I'm the
19 executive director of the Southern California Mountains
20 Foundation, formerly San Bernardino National Forest
21 Association. We just celebrated our 20-year
22 anniversary one year ago, and Paul attended because he
23 helped to found our nonprofit. So it's always good to
24 visit with Paul, who I met 18 years ago.

25 CHAIR SLAVIK: When she was an intern.

1 SARAH MIGGINS: I was. I have many more
2 wrinkles now.

3 In this role as executive director, I have the
4 opportunity to travel to other national forests to talk
5 about the partnerships that exist between us and you
6 and us and the Forest Service and a variety of
7 partners. And through that, I'm learning that we do
8 have not only a model in California but a model for the
9 rest of the nation. And we've won awards not only for
10 our OHV volunteer program but for several more.

11 We help to co-manage visitor centers on the San
12 Bernardino. The Big Bear Discovery Center, if you've
13 ever been there, it's a wonderful portal, a gateway, to
14 our national forest where we talk to a number of
15 enthusiasts, visiting public throughout the years, as
16 well as manage seven historic fire lookout towers. If
17 you've ever been up in one of those, it's an absolute
18 treat.

19 Like our OHV program, we have 300 historian
20 volunteers that help to restore these wonderful
21 structures throughout our mountains. We are also host
22 to the very first National Children's Forest, which is
23 where I met Paul. I was one of the first employees of
24 San Bernardino National Forest Association back then
25 where we engaged youth.

1 This is just other mission, a couple of missions
2 of our youth and volunteers. Just briefly, these are
3 the different programs that our partnership with the
4 Forest Service and all of you help to make possible.
5 We have a variety of funds, not only state and federal,
6 that keep these programs vibrant.

7 But one very near and dear to my heart is a
8 wonderful opportunity for the state and the federal
9 agencies to partner with us on is helping to develop
10 youth and young adults as your future workforce. And
11 we do this through state funds and a variety of private
12 through the California Conservation Corps. We were
13 certified just over a year ago as the 14th local
14 nonprofit corps, again providing a workforce for our
15 beloved San Bernardinos and engaging them not only in
16 conservation services and work but also providing an
17 education, a high school diploma. So, again, this is a
18 program supported by the State.

19 So with that I just wanted to again say thank
20 you for being one of our primary partners. And I'd
21 like to bring up Rick Lavello who started much like me,
22 as a volunteer, and later we recruited Rick as an
23 employee. He's been doing an outstanding job managing
24 our 300-plus volunteer force as well as engaging our
25 youths and young adults taking care of the national

1 forest.

2 MR. LAVELLO: Good afternoon or is it almost
3 evening? Commissioners, Division staff and members of
4 the public, I want to thank you guys for coming down to
5 the San Bernardino area.

6 CHAIR SLAVIK: I'm sorry, your name, Rick.

7 DEPUTY DIRECTOR CONLIN: State your name for the
8 record.

9 MR. LAVELLO: I'm Rick Lavello. I'm the program
10 director for the San Bernardino National Forest
11 Association or now the Southern California Mountains
12 Foundation, Off-Highway Vehicle Volunteer Program.

13 I want to thank you guys for coming down to the
14 San Bernardino area. It was a pleasure having you guys
15 and being on the tour yesterday. I really enjoyed
16 being out there with everybody. And being at Ed's
17 place was really interesting. I haven't been out there
18 for years, so actually to get out there and to see all
19 of the improvements that he's done with the Friends of
20 El Mirage was really interesting.

21 About the Off-Highway Vehicle Volunteer
22 Program -- I've talked to you guys about it before.
23 But the volunteers encourage safety, stewardship,
24 respect for public lands. Off-highway vehicle
25 volunteers have become the eyes and ears for the Forest

1 Service. Off-highway vehicle education outreach
2 program is recognized as one of the largest support
3 groups in the nation committed to a cooperative spirit
4 with the Forest Service and through approximately
5 30,000 hours volunteered annually by a consistent base
6 of at least 250 to 300 volunteers. It fluctuates a
7 little bit. Volunteers come and go.

8 Volunteers bring the message of responsibility
9 of recreation, stewardship to the surrounding
10 communities displaying -- we display at trade shows,
11 dealer events. We go around -- and I'm going to talk
12 to you about the program and what volunteers are doing,
13 and you guys can actually look at this and see some of
14 things that our facilities offer.

15 This is a little bit about our restoration
16 efforts, and we've recently started applying for
17 restoration grants and using those grants in
18 cooperation with development grants with the Forest
19 Service. So this is basically the program.

20 Basically the mission statement for the Southern
21 California Mountains Foundation Off-Highway Vehicle
22 Volunteer Program is to provide education to visitors
23 and trail ethics on resource stewardship. Volunteer
24 program objectives is to provide conservation education
25 to OHV enthusiasts who visit the national forest and

1 all public lands, unite all concerned individuals in
2 safe sensible use of off-highway vehicles in
3 responsible motorized recreation on public lands,
4 promote continued enjoyment of your forests and all
5 public lands year after year for generations to come.

6 Then the volunteer type of opportunities that I
7 have -- most of my volunteers are hosts. And from
8 becoming a host, they can actually go on to become a
9 patrol leader, an area coordinator, or they can become
10 a variety of leadership positions. I have a variety of
11 leadership positions. I have a member coordinator. I
12 have an hours coordinator, and I have all of these
13 people that just -- some of them do admin work for me.
14 They don't actually get out into the field.

15 What it's going through now, it's going through
16 some of the public training that we do. I have three
17 ASI MSF facilities where we do training. I don't
18 actually do training to the public because I'm an
19 agency military instructor, but I do bring people in to
20 do training for the public. But we have the same
21 problem that everybody else had in the past that was
22 talking earlier today. When we schedule something like
23 that, you get one or two people to show up. And if
24 you're trying to do an ASI class, there are certain
25 parts of the lesson that you need more than just one or

1 two people, especially when it comes into the shifty
2 part, the scanning, the identifying, deciding and
3 executing. You need more people in it. This is some
4 of our classroom education that we do, and we offer
5 this down at the supervisor's office.

6 And basically to become a volunteer, to actually
7 become a host, it requires 100 hours of field and
8 classroom training. Classroom training includes
9 program orientation, rules and regs, basic map reading
10 scenario. Volunteers must complete a couple of areas
11 of orientation, and then they have to be certified in a
12 vehicle, whatever vehicle they're going to patrol in.

13 If they're going to patrol in a four-wheel drive
14 vehicle, they need to be Cal 4-Wheel safety through the
15 Cal 4-Wheel Safety Education Program; the MSF Dirt Bike
16 School, if they're going to patrol on motorcycles; if
17 they're going to patrol on ATVs, they need to go
18 through the ATV ASI rider course, and then we also
19 started working with the ROHVA program also.

20 Volunteers agree to 90 hours a year, and that
21 includes on-the-trail staging events such as the Sand
22 Sport Super Show, Motorcycle Expo. This is our
23 education trailer that we take around. We just
24 actually got this, and this is the inside of it. It's
25 got some interpretive panels. And what this does is it

1 kind of brings youth to our booth. Again, we also
2 stress the safety courses ASI, MSF and ROHVA.

3 Volunteer duties also include basically staff
4 recreational kiosks, which you'll see coming up in a
5 minute. We perform light trail maintenance during
6 regular patrols. We encourage visitors to stay on
7 designated routes and prevent resource damage. We
8 restore damaged areas from unauthorized travel. We
9 preserve natural resources, especially threatened and
10 endangered species areas. We watch for fires and
11 assist the Forest Service, and we learn more about the
12 forest through training, observation and contact of
13 other OHV volunteers and the public.

14 I actually have five different outposts. I
15 have -- one outpost is in Lytle Creek, and those
16 volunteers basically patrol and educate people in the
17 Baldy Mesa area, at the Summit Staging Area, at the
18 Trestle Staging Area. And I have another outpost that
19 is in Lake Arrowhead. That's our north shore work
20 center. That's where some of our educational classes
21 were. I have another volunteer work center. It's at
22 the Big Bear Ranger Station. I have one in Mill Creek,
23 and I also have one in Cranston. And at Lytle Creek,
24 Lake Arrowhead and Cranston is where we have your ASI
25 MSF facilities where we do the training at.

1 This is our On the Right Trail Education right
2 here. I go in the classrooms, and I speak on the On
3 the Right Trails Program. I also go to the L.A.
4 Country Fair and work with youth at the L.A. County
5 Fair and definitely believe in teaching kids, before
6 they get the bad habits in them, about on the right
7 trail, trail ethics, stuff like that, ATV safety.

8 This particular thing here, the two people are
9 making like 13 or 14 different mistakes. And as long
10 as the kids pick out about six mistakes, I end up
11 giving them something like a CD from Novak or a Tread
12 Lightly tattoo or something to that nature or an
13 activity guide from Novak, coloring stuff.

14 We also educate people on the trail. We go to
15 different -- this happens to be Devil Hole in the Lake
16 Arrowhead area. This is educating public at the
17 staging area at Pinnacle Staging Area. So, again, this
18 is more public education on the trail. Big thing to do
19 is educating people.

20 A lot of times we run into people, they have no
21 idea where they're at. So we'll take out a map and
22 say, hey, can you find yourself on this map? When they
23 find themselves on the map, they say, "Oh, hey, wow,
24 there's no Green Sticker roads here. What are you
25 doing here?"

1 Also our map has lots of -- it has stuff about
2 the Red Sticker riding season and other local
3 regulations for the forest. And this is some more
4 public education on the trail. And this here, this is
5 what they call T6. This is an area -- it's a very
6 popular place where people actually go and ride and
7 stop and take breaks. And these are excellent places
8 to educate people because they're out there on the
9 trail, and you're able to talk -- an ATV person talking
10 to somebody on an ATV, they kind of connect a little
11 better as opposed to --

12 This is our partnerships. We partner with
13 Yamaha. Yamaha is one of our partners. Once a year
14 Yamaha comes out, and they do an employee event. This
15 happens to be at Cactus Flats. They set up an area so
16 that their employees -- they can work a little bit.
17 Then they can go over -- that's the area for kids to
18 ride. The adults actually ride on the trails that are
19 designed for adults to ride on.

20 Again, here you see -- in the beginning you saw
21 that we were growing plants. We are growing plants,
22 and then we go back out and replant the plants in the
23 forest. In this particular area, this area had a lot
24 of unauthorized use in the staging area. It was
25 getting bigger and bigger. So the Forest Service went

1 in, and they actually put in some pipe railing through
2 grants and through volunteers. And what we've been
3 doing is going back. And the seeds over there, they
4 can't get over there naturally, so we've got to go out
5 and collect the seeds in the fall time. And then when
6 we hit the seeds, we actually take them and bring them
7 into our greenhouse -- actually the Forest Service
8 greenhouses, grow them, and then go back and replant
9 them. And they also require watering too on a regular
10 basis.

11 One of the things that's not part of the
12 education program, but when we're out there we end up
13 running into illegal fire pits. Here, someone left an
14 illegal fire pit right in the middle of the road. We
15 had to kind of disperse it. We did the best we could
16 to disguise that there was ever a fire pit there.

17 And in the interest of time, I'm going to get
18 out of this shortly. But this is just another illegal
19 fire pit that we found, and that's what it looked like
20 afterwards. And one of the other things we do is when
21 we run across trails that are blocked, we clear trails.

22 And that is just volunteer recognition. I've
23 got a couple of volunteers that were awarded for 1,000
24 hours, and one that was awarded for 5,000 hours. And
25 that's it for me.

1 Oh, you know what, though, I do come to these
2 meetings on a fairly regular basis. You guys all see
3 me, and I'm constantly asked about our Adopt-a-Trail
4 Program. We do have an Adopt-a-Trail Program in the
5 forest. The OHV manager is actually here today, and
6 that's Greg Hoffman. I'd like to introduce Greg
7 Hoffman.

8 GREG HOFFMAN: Hello. I wasn't prepared to do
9 this, but thank you for having me, OHV Commissioners,
10 staff and public.

11 I'm the San Bernardino National Forest OHV
12 program manager, and I started working in the Green
13 Sticker program. My name is Greg Hoffman, and I
14 started working for the Green Sticker 30 years ago,
15 1984, and I've been doing it since. And I started by
16 swinging an ax, building OHV trails, running a chain
17 saw cutting trees down and building OHV trails.

18 But you want to hear about the Adopt-a-Trail
19 program. I've been working with that now for about 25
20 years, have about 4,000 volunteers, 56 clubs, and they
21 range from snowmobile clubs to motorcycle clubs, ATVs,
22 side-by-sides, and we all sit in the same room and
23 discuss issues, real issues.

24 You know, just because we all talk about OHV and
25 off-highway vehicles on public land doesn't mean they

1 all get along. So when you get them all in the same
2 room, you become one, and you all have the same
3 direction, and that's responsible OHV use and
4 commitment to land. So it's been one heck of a
5 journey, and some of the groups are huge, like U.S.
6 Marine Corps, if we ever have any situations that get
7 out of hand, let's say there is a flood event, we lose
8 a lot of our trails and roads, we come together
9 immediately. We're always communicating. I basically
10 work seven days a week because that's what it takes.
11 So it's been absolutely wonderful.

12 Our program is also a national model that's gone
13 through the San Dimas Technology Development Center and
14 has become the template, if you will, for other
15 national forests. I've seen it from coast to coast
16 now. It's been wonderful. Anybody here that works
17 with volunteers, probably the best feature ever to
18 know, working with volunteers is just awesome. It's
19 going to work with people who want to be there, people
20 that are very dedicated, and it's been wonderful.

21 So if you have any questions, I'll be happy to
22 answer them.

23 COMMISSIONER CABRAL: Yes, I do, Greg. I spoke
24 with Kathy Mick a number of times about the
25 Adopt-a-Trail program that you guys have because it's

1 pretty well-known as being an extremely quality
2 program. And what I was hoping to do is be able to do
3 like a package of it, that kind of gives it like -- you
4 know, the old-school way would be a binder, but a file,
5 whether it's on a disk or just on a file that someone
6 can download, but an easy way for organizations to be
7 able to know each step they need to do to get certified
8 to operate chain saws, power equipment, to be able to
9 get certified to operate heavy equipment, every aspect,
10 fund-raising tips, all those types of things, and to be
11 able to have it so they can go to one spot, get it and
12 know what steps they need to do.

13 And I know she's got a heavy workload, so it
14 makes it kind of difficult for this to happen, but
15 we've discussed this numerous times. And what I could
16 see is it's extremely important to have volunteerism
17 for many reasons. A couple of them I'm going to point
18 out, obviously it's the financial situation that the
19 federal government is in. You need to have your
20 volunteer labor. And the second thing is, which is
21 also as important in my book, is just to have the
22 buy-in of having that person that has an emotional
23 attachment to that area so they're going to want to
24 keep it in the pristine condition, and they're going to
25 want to also pass that information along to other

1 people and be an advocate for the area. And I think
2 that's important to spread the word and to keep people
3 on trying to keep the public lands in the proper
4 condition.

5 So I don't know how we can maybe get this moving
6 along a little better. I know Ramiro is here. I'd
7 love to see you guys be able to take this model from
8 San Bernardino. I'm obviously a Northern California
9 guy, but we really need to get this to move forward in
10 other areas up there because there's a lot of people in
11 the public that want to volunteer, want to be able to
12 do this, but they just don't know how to make things
13 move forward.

14 So thank you for everything you do. Appreciate
15 it.

16 GREG HOFFMAN: Thank you very much. Any other
17 questions?

18 COMMISSIONER PATROVSKY: I'd like to make one
19 comment. I visit the San Bernardino Forest quite often
20 because I live nearby. And a few years ago, Cactus
21 Flats, which we saw on the slides, was a mess. And
22 restoration efforts have made a thousand-percent
23 improvement, so thank you.

24 GREG HOFFMAN: Thank everyone here, too.

25 Another thing too to be successful about the

1 Adopt-a-Trail Program, you need the support from
2 leadership. And when I was given the task 25 years ago
3 and was told you're going to take this program and run
4 with it, they gave me a lot of, I guess, room or ways
5 to build the program.

6 I had volunteers who could operate heavy
7 equipment, volunteers that operate chain saws. Now, 20
8 years ago, that was unheard of. It was ridiculous to
9 think a volunteer could be out there unsupervised
10 cutting down trees. Today it is happening, but it is
11 happening in a very managed style. Thank you, staff,
12 for that. Any other questions, comments, complaints?

13 USFS DIRECTOR VILLALVAZO: Thank you very much,
14 San Bernardino folks and the association, thank you so
15 much for being here.

16 We have one more segment in our report, very
17 important. A lot of folks know that we've been having
18 some concerns and issues around trail use near, on and
19 around the PCT. So I want to introduce you to Beth
20 Boyce. She works on my staff. She's part of our
21 public services staff. She's the program manager for
22 the PCT, not just in California but also in Oregon,
23 Washington and New Mexico.

24 I want to tell you before she comes up, Beth
25 works tirelessly to collaborate and cooperate with the

1 many, many folks who are challenged with a lot of
2 things that she's going to mention today, and I just --
3 she works really hard, so I appreciate her being here.
4 In fact, it was interesting how she got here today just
5 to make this, so here she is.

6 USFS MANAGER BOYCE: Good evening. My name is
7 Beth Boyce. I work for the U.S. Forest Service, and
8 I'm the Pacific Crest National Scenic Trail Program
9 Manager and based in Vallejo, California.

10 How many people have been on the PCT either by
11 foot or horse? So what we're seeing are stakeholder
12 communities that are invested in our trail, right?
13 That's a really cool job to get to interface with those
14 folks, so it's a real privilege. I want to thank the
15 Commissioners, the Division staff and members of the
16 public for letting me speak with you today, as well as
17 your continued support for the Pacific Crest Trail.

18 We've received OHV Division grants, law
19 enforcement grants as well as restoration grants. And
20 California State Parks is a leader in terms of training
21 for trails as well as for the California Greenways
22 Conference, which is a fabulous opportunity for users
23 to interface with each other.

24 So the PCT, Pacific Crest Trail, sometimes it's
25 misspoken, but it's the crest trail, follows the crest

1 of the Sierra and Cascade Mountains from Mexico to
2 Canada. It's 2,650 miles long. There are 25 national
3 forest units, six national parks, how many California
4 State Parks, five. It is an interesting job with a
5 narrow focus to have the privilege of managing that.

6 As the trail goes through the Tehachapi
7 Mountains, we're leaving the Angeles National Forest,
8 entering into private land and at an interface of BLM
9 lands as well as then you hit the Sequoia National
10 Forest. So that stretch of trail has the most amount
11 of private land of the entire trail contiguous. So
12 it's about 300 miles.

13 What I am happy to report to you is that the
14 stakeholders in our community have worked really hard
15 to protect the trail in that area, so we have motorized
16 and non-motorized citizens who volunteer to sign,
17 monitor and maintain the trail in that area, and I'm
18 just very grateful for that support.

19 I want to tell you about a couple of things that
20 are going on. There's a very -- I convened in 2008 an
21 ad hoc team of law enforcement officers, citizen
22 stakeholders and managers to deal with the issues in
23 the Tehachapis. The PCT was designated in 1968, so
24 it's the sister trail of the Appalachian Trail, for
25 those of you who might be more familiar with that.

1 So there's been problems with motorized use for
2 decades. It waxes and wanes. Sometimes it's better,
3 sometimes it's worse. But anytime there's illegal
4 motorized use on the PCT, it's a problem. So we
5 engaged citizens, stakeholders, law enforcement
6 officers and managers from California State Parks, the
7 BLM and the UC Forest Service to try to leverage
8 resources for law enforcement as well as education,
9 signing and really to understand what the issues are in
10 that area. And so the team has been active in a couple
11 of different areas, and I'm going to assure you that I
12 won't go for more than five minutes.

13 The citizen stakeholder group was essential in
14 identifying where the access problems were. They
15 continued to let us know where the problems are and to
16 help us improve signing in that area. We've had youth
17 corps teams in that area for the past five years, both
18 the Student Conservation Association and the American
19 Conservation Experience. Youth corps have helped with
20 maintaining that section of the trail. And in 2014,
21 the BLM sponsored a Kern service and conservation corps
22 or field, which is based in the Tehachapis, for three
23 weeks to do trail maintenance in that area.

24 Brian Robertson is going to talk a little bit
25 about the kiosk and informational work that we've been

1 doing collaboratively, but you also need to know that
2 we've really emphasized our signing program to ensure
3 that the signing is appropriate, because the ownership
4 is very complicated in that area. There are parcels as
5 small as one acre. So it was important that the PCT be
6 signed closed to motorized and recognize travel points
7 if that was indeed the case. There are some places
8 where the trail follows roads where the federal
9 government does not have exclusive use rights. It only
10 has shared use rights on the road shoulder. So we
11 resigned that area to be clear that motor vehicles may
12 be present.

13 2011 was a good year for restoration grants, it
14 sounds like. The BLM received \$54,000 to do 110-mile
15 plan for restoration in this area. So that plan will
16 be complete at the end of this year. The project is
17 complex because of the interface with the private land
18 and the BLM.

19 And finally our law enforcement patrols are a
20 very important part of our work together. The law
21 enforcement officers have limited resources and time,
22 so they have become a small subgroup where they work
23 with each other to know who's doing patrolling when and
24 really try to leverage those resources.

25 You need to know that Kern County Sheriff's

1 Office also has been extremely helpful. I was
2 delighted to see Deputy Paul Leonard here as well.

3 So with that, I'll open it up for questions.

4 CHAIR SLAVIK: Any questions from the
5 Commissioners? We know there is a lot of people
6 waiting to comment on this, but do we need to take a
7 quick break, and then we'll come back and continue on
8 with the PCT with Brian Robertson's presentation.

9 Thank you, folks, for being patient.

10 (Returned at 4:35 from a break starting at 4:27 p.m.)

11 **AGENDA ITEM VI (C)(1) - DEPUTY DIRECTOR'S REPORT -**

12 **LAW ENFORCEMENT UPDATE, PACIFIC CREST TRAIL**

13 **PARTNERSHIPS AND KIOSK PROJECT**

14 DRECP COORDINATOR ROBERTSON: Good afternoon,
15 Commissioners. I'm Brian Robertson with OHMVR
16 Division. I'm the law enforcement representative.

17 Well, today I had a full report, but people are
18 trying to get on planes and get in vehicles, and we're
19 going to get this going pretty quick, and then I will
20 turn it over to one of our partners here shortly.

21 In January 2012, I traveled to Tehachapi,
22 California, based on a request that the community in
23 Tehachapi asked for the Division to send some
24 representatives down there to check on some issues.
25 Upon my arrival, I met with some local community

1 members such as Mesonika, Doug Gardner, and we
2 discussed some of the issues that were going on with
3 OHV management and possibly some illegal OHV use in the
4 area and on the PCT. So over a few days, we made three
5 site visits, and we did see some evidence of some
6 illegal OHV use in some areas that were not open to OHV
7 use.

8 So during this visit, we actually started
9 talking about what can we do to change this behavior.
10 And instead of going right to issuing citations and
11 making arrests, we started talking about education.
12 Catch them before they unloaded the bikes. Catch them
13 before they went to the wrong area.

14 And I think that's where we started -- where we
15 had the actual birth of what we call the PCT kiosk.
16 And what that is is an educational interpretation set
17 of panels, which you've seen all day out here. We've
18 had them here on display. And what we're hoping is
19 with these kiosks out on the desert floor, before they
20 get close to the PCT or the Tehachapis, they're going
21 to run into one of these beautiful set of panels with
22 also a laws panel, and we're going to start that
23 education.

24 So over the next year -- after 2012 when we
25 first hit the ground there, we started creating a

1 partnership with the U.S. Forest Service, BLM, Kern
2 County Sheriff, local landowners and associations and
3 the ORV Watch. Currently, we're scheduled to put seven
4 kiosks in the ground this coming fall or winter.
5 Again, it's been a long process. Did I say it's been a
6 long process? And we're almost there.

7 So everybody is really excited today, so I'm
8 going to go ahead and turn it over to one of the
9 partners, but we will be quick. We have other
10 partners, Kern County Sheriff, and then we have a
11 spokesperson from the Rand Association. So after Phil
12 Klasky makes his presentation, we'll give everyone else
13 another chance to also present.

14 PHIL KLASKY: Thank you, Brian. I want to start
15 off by thanking Deputy Director Conlin, start off by
16 thanking you, because of your open door policy. And
17 it's been a sea change. We appreciate that. We've met
18 with you in Sacramento a number of times on a number of
19 issues including the need for visible identification,
20 but where we're at. And every time you said, "I'm
21 going to meet with you. Let's go together." And
22 you've brought your team together, so I want to thank
23 you for that.

24 DEPUTY DIRECTOR CONLIN: Thank you, Phil.
25 Thanks for doing that. That means a lot to us, too.

1 Thank you.

2 PHIL KLASKY: Brian Robertson, we've been
3 working with Brian Robertson for over two years now,
4 and that guy has so much energy. He's really put his
5 heart and soul into this effort because he believes
6 strongly in public education. And we've been around
7 and around on these panels and kiosks and all of the
8 different texts that we have here, and it's through
9 Brian's perseverance that we've gotten to where we are
10 today.

11 We believe that these kiosks, once they're up,
12 those riders who are educable will understand that they
13 cannot go on the Pacific Crest Trail, one of our
14 nation's most precious natural recreational treasures.
15 They're just not allowed there. And with the help of
16 off-road vehicle groups getting the word out, just
17 don't go up there. There's legal places to ride. So
18 thank you, Brian, for all of your work, all of your
19 years of work.

20 And I've worked with Mesonika Piecuch, and these
21 panels have been reviewed by Sergeant Jason Ratliff,
22 who we work with in San Bernardino County. I've
23 learned a lot today and really enjoyed meeting Sergeant
24 Leonard, who had lots of excellent advice for us, and
25 we're just about there. Two-year process, we're just

1 about there.

2 And I hope that all of you saw these different
3 panels, and this is the one that we're concentrating
4 on, and I think we've achieved consensus. This
5 statement here, "Off-Highway vehicles are not allowed
6 on the Pacific Crest Trail," is coming up here, nice,
7 loud and clear. We've heard from that law enforcement
8 that -- I think somebody said, "It's the headline." So
9 people will see that right away. They'll also see
10 these other interpretive panels and then "OHV laws you
11 need to know."

12 We're also going to make some changes --
13 considering making changes in the colors of the trails
14 here, following some of the color codes that
15 Ed Waldheim has on his maps, so there is some
16 consistency there for the riders. There are very small
17 areas here where it's shared use. But other than that,
18 the Pacific Crest Trail is off limits to motorized
19 vehicles and bicycles.

20 I don't want to take a lot time because we're
21 all very tired. It's been a long day. I want to thank
22 Brian and the Division for making this thing happen.
23 And we're ready to go forward, and you have the buy-in
24 of the community. The stakeholder process is what's
25 going to make this stay, and people understand where

1 they can and cannot ride.

2 DEPUTY DIRECTOR CONLIN: And thanks, Phil. I
3 know you've spent a tremendous amount of time on this
4 as well. It is important.

5 And I would charge all of the various groups out
6 there, both the riders groups and the non-riders
7 groups, to please review these, especially the kiosk
8 sign that Phil was talking about here with the
9 restrictions, get the word out. Get the word out to
10 everybody we can. It is a problem. We've got people
11 that are riding on areas that they shouldn't be riding
12 on. And by doing that, all we do is give a black eye
13 to the recreation, to the sport, as well as destroy a
14 resource. So thank you very much.

15 SHANNON DRAYTON: Thank you, Commissioners. My
16 name is Shannon Drayton, and I'd like to thank you for
17 the opportunity to speak here today on behalf of the
18 motorized stakeholders, but I also have had two horses
19 so I can probably speak for the equestrian stakeholders
20 as well.

21 I'm joined here today by a lot of private
22 landowners in the area of concern, and I want to assure
23 you that we are all personally, emotionally and
24 financially vested in this area. Some of this property
25 has been handed down through generations, and I would

1 also like you to know that this area has been a
2 historic riding area since the 1950s. Some of these
3 guys are so old they've been riding since the 1950s, so
4 they can attest to that. No offense, John.

5 Enjoying off-road vehicles and being passionate
6 about our beautiful land are not separate things for
7 us. We love this land. We have taught our children to
8 love this land. A lot of the things that have already
9 been said today, I want to thank everybody. I've
10 learned so much. And so I'm going to cut things out
11 not to repeat what's already been said.

12 But this sport has brought families together.
13 It has taught our children the importance of physical
14 activity, community and being a part of nature. We are
15 making them the future stewards of the land. It
16 provides quality sharing time. And I don't know about
17 you, but we have teenagers. And it's only when we are
18 camping and dirt bike riding that we can even get them
19 to talk to us. I'm not kidding. At the end of the
20 day, they sit around the campfire with us. They
21 actually want to be with us, and then we retire to our
22 trailers, and we play games. It's really a miracle.
23 It's a great family sport. It really does -- it's
24 great when you have teenage boys, too, but girls ride
25 too. I'm here to attest to that. I ride. It's a pink

1 bike. It's great. You should see it.

2 But through the love of off-road recreational
3 vehicles and the love for the outdoors, we have come
4 together as a group to promote safe and lawful riding.
5 And we are a diverse group of landowners, who are
6 lawyers, teachers, retired detectives, and we condemn
7 those that break the law.

8 And I mean I got furious when I hear about
9 people being harassed by unlawful riders. It
10 infuriates me. I mean I want to take the law into my
11 own hands when I hear that. We condemn those people.
12 Abe, I want to thank you for saying most of us are
13 nice, because we are. We are, and we do love this
14 land, and we want to be a part of this community, be a
15 part of all these other agencies to come together to
16 find solutions.

17 We're the watchdogs of this area, and we're
18 willing and able to form partnerships with local land
19 and business owners. We want to preserve the beauty of
20 this land, probably more than most, and it's through
21 our ties to the off-road community that we can and do
22 encourage and influence riders to stay on the right
23 trails, not cut fences and give hikers and horseback
24 riders the right of way.

25 We have a very strict code of conduct that we

1 adhere to. And when I'm on my horse, I have yet to run
2 into somebody who did not give me the right of way.
3 I'm amazed how that seems to be common knowledge. But
4 if I ever were to run into somebody when on my horse
5 that did not respect me on my horse, they could soon
6 get educated by me. I would be spinning around, and
7 I'm holding on.

8 But this is what we do. We are a grassroots
9 organization spreading knowledge person to person as we
10 come across them, whether we are on our bikes, are on
11 our horses or on foot. There are always those who
12 ignore the rules and break the law. You'll find that
13 wherever you go talk. We've talked about that today,
14 and it is unfair to condemn and persecute all of us
15 with the bad behavior of a few.

16 What we need to do is expend our energy working
17 together to find solutions to make all interest groups
18 happy. It is possible. We need solutions that work.
19 That's why we're here today.

20 Our group has already been involved in desert
21 cleanups. We've put signs up out on the Pacific Crest
22 Trail. We've worked with these organizations. We've
23 fixed fences, and we are willing to fix fences. For
24 those that give us a bad name, we will come out and fix
25 your fences. We make new fences. And we will continue

1 to do so, and we are here today to offer our help and
2 assistance to continue to make the OHV safe and
3 sustainable for all future generations.

4 And we are all about -- I've heard a lot today
5 about education and law enforcement. That's great.
6 That's where we need to go, and I can't help but kind
7 of be reminded of the public awareness campaigns in
8 the '70s, you know. Remember we all used to throw our
9 trash out of the car door and then the crying Indian
10 came along; Remember him? Oh, my God, we can't do that
11 anymore. Or like Woodsy the Owl, "Give a hoot, don't
12 pollute."

13 I'm getting a little punchy, but I have this
14 vision of like maybe your mascot needs to be like a
15 little tortoise on a little motorized bike with a
16 little helmet on, "Stay on the trails or go to jail."
17 It's been a long day, so I just had to throw that out
18 there. But educational, public awareness, because it
19 is a growing sport. So education is the key.

20 So thank you very much for your time. I
21 appreciate it. I appreciate all you guys do. Thank
22 you.

23 DRECP COORDINATOR ROBERTSON: Okay. So next is
24 Mesonika.

25 CHAIR SLAVIK: Excuse me, Brian.

1 We allocated ten minutes for this presentation.
2 We still have public comment on it. Give us some
3 direction here.

4 DEPUTY DIRECTOR CONLIN: I think we could -- I
5 would recommend we let Mesonika go, and then we can do
6 the public comment following that, if you're okay with
7 that. It's all kind of one package.

8 CHAIR SLAVIK: Sure, I understand. I just don't
9 want to cheat somebody else.

10 DEPUTY DIRECTOR CONLIN: No, no. We've let
11 everybody talk about potential solutions to this law
12 enforcement problem.

13 COMMISSIONER KERR: Who was the last
14 organization?

15 DEPUTY DIRECTOR CONLIN: The name of the last
16 organization is?

17 DRECP COORDINATOR ROBERTSON: Locally with the
18 landowners, there is a group of landowners that have
19 created their own association. What's the number of
20 parcels? So 90 owners together have seen some of the
21 issues and the problems in the area, and they started
22 creating their own set of rules to safeguard some of
23 the issues that have been issues in the community.

24 CHAIR SLAVIK: So are they part of a
25 collaborative process with all of these folks in the

1 room now?

2 DRECP COORDINATOR ROBERTSON: Yes, everybody who
3 has come up after me, we've all been communicating
4 through e-mails, site visits. Josh has been down and
5 went to the association meeting to get feedback from
6 them. So we've been going down there for a couple of
7 years trying to make each meeting that we can as much
8 as possible, you know. The e-mail process has just
9 been kind of blowing up the computers.

10 So Mesonika.

11 MESONIKA PIECUCH: My name is Mesonika Piecuch,
12 executive director of OHV Watch in Kern County.

13 And we're a nonprofit organization working hard
14 to stop abuse of public lands and private property by
15 illegal off-roaders. Our supposed anti-OHV group
16 includes members who enjoy off-roading, and our
17 supposed anti-OHV group has been supporting Friends of
18 Jawbone's grants year after year for restoration and
19 their ingenious OwlsheadGPS project. I would like to
20 thank Colonel Conlin for this opportunity to present to
21 you our supposed phony, fraudulent, fake, Photoshopped
22 photo presentation.

23 Over the last 16 months we've witnessed more
24 off-road vehicle trespass than we have since we began
25 in 2008. In February of this year, the Ridgecrest BLM

1 issued a notice of proposed action to construct
2 resource fencing at six locations along the Bright Star
3 Wilderness in another attempt to, quote, stop chronic
4 off-road wilderness incursions. The document goes on
5 to say that attempts to stop vehicle incursions with
6 signs, bollard barriers and restoration over the years
7 has been unsuccessful.

8 So year after year money is thrown at the
9 problem, and year after year the problem seems to get
10 only worse and worse. In February we asked Ridgecrest
11 Field Office for data as to how the OHMVR Division
12 grant funds have been spent with regard to law
13 enforcement, and they refused to honor our request. We
14 had to ultimately issue a FOIA.

15 BLM lands in the Tehachapi Mountains are the
16 gateway to the PCT, and you can see these dirt bikers
17 on the PCT. And Jim Keeler, who was formerly with the
18 BLM California State Office, stated before this
19 Commission on October 14th, 2011, that these parcels in
20 the Tehachapi Mountains are closed. He said everybody
21 knows that. They've never been opened. They've never
22 been limited. They've been closed.

23 And since then, BLM has continued to fail to
24 rein in illegal off-roading in the area. Hill climbs
25 are proliferating. We have ongoing tremendous damage

1 to natural and cultural resources. And Tehachapi wild
2 horses are losing their grazing land. The PCT is
3 taking a beating from dirt bike riders.

4 Tehachapi has become the personal playground of
5 professionals. During the last year, we identified
6 dirt bike race teams, an Inland Empire fire captain
7 with his paramedic, a secretary of a popular motorcycle
8 club, and a newly promoted U.S. Army captain.

9 OHV trespass on private property in Kern County
10 has also increased. The sheriff's department provided
11 us with a breakdown of how OHMVR Division grant funds
12 have been spent in the last fiscal year. The sheriff's
13 department ORVA team made thousands of educational
14 contacts, which is fabulous; however, they have issued
15 ten citations and made two arrests in the entire year,
16 ten citations and two arrests. We asked for
17 information as to how many of those citations resulted
18 in actual convictions and if those two arrests were
19 directly related to off-road vehicle use, and we didn't
20 hear anything from the department.

21 If you include BLM and U.S. Forest Service, a
22 total of 11 citations were issued last year on the PCT.
23 We're not disparaging our hardworking rangers and law
24 enforcement personnel. They're short staffed, and we
25 understand that. However, when our volunteers, which

1 includes senior citizens and two disabled persons, can
2 go on the PCT, stop the riders, take their photographs,
3 we don't understand why law enforcement is having such
4 a hard time.

5 Private property owners are also hung out to
6 dry. In a recent trespass incident, the responding
7 department did not cite the offending rider even though
8 he witnessed the trespass himself. In some instances,
9 the deputies' reports reveal a bias favoring riders
10 against the property owners. One deputy documented
11 after he saw the riders trespassing that he believed
12 they were indeed lost, and the complainants requested
13 that the deputies cite the riders, and he would not.

14 Recently our group met with new staff of the
15 Kern County Sheriff's Department who have been assigned
16 to our area, and we have their promise that changes
17 will be made in our area, and they will make changes in
18 the way trespass issues are addressed. We're really
19 hopeful to hear that.

20 Residents have suffered threats and
21 intimidation, and it's been made abundantly clear that
22 those of us who complain against trespass and who make
23 a statement loud and clear are putting their personal
24 safety in the jeopardy. Several months ago ATV riders
25 damaged my only wildlife refuge. They destroyed signs,

1 no trespassing signs. They destroyed fencing. They
2 vandalized balance rocks, and they left their mark on
3 pristine acres and acres of wildlife habitat that
4 absolutely -- it just broke my heart.

5 So we're not enemies of responsible recreation.
6 We're not stealing Green Sticker funds. It's these
7 people who are costing legitimate riders millions and
8 millions of dollars to repair the mess they make that
9 are the ones who are stealing Green Sticker funds. And
10 it's a doggone shame because this money could be used
11 for something constructive, something important and
12 something valuable to the off-road community instead of
13 spending it on people like this who constantly make a
14 mess.

15 One rider who is featured here as a private
16 property trespasser, some of his friends were here
17 today, and they handed out materials. They were upset
18 that he was featured in this video, and they said he
19 was not trespassing but indeed he was lost. If that's
20 true, we are going to investigate that, remove him from
21 our video before we post it on our YouTube channel and
22 remove him from our Hall of Shame because it's only
23 fair that if we have someone on our video that really
24 hadn't been trespassing but really was lost, that he
25 doesn't deserve to be featured on our Hall of Shame.

1 That's my property. It's signed one sign every
2 200 feet. We have hidden cameras. We have motion
3 sensors. We have signs indicating that it's a wildlife
4 refuge, and these people went all over my property in
5 the middle of the night, and it was just absolutely
6 unacceptable. So this is what we've been dealing with
7 in Kern County. This is still under investigation.
8 This is also next to my property. These people keep
9 coming back and riding on it.

10 So in closing, we want to thank AMA District 37
11 and CORVA. They have had a zero tolerance policy for
12 illegal off-roading, and they've stood up against these
13 riders, and they've been so incredibly helpful. We
14 totally appreciate that. We wanted to get a shout-out
15 to Jerry Grabow and to Ed Waldheim for taking that
16 stand against these riders, and they're not putting up
17 with that.

18 And we hope that as we watch these riders in the
19 areas of grazing property -- oh, these riders were not
20 cited, and they were seen trespassing by these
21 sheriff's deputies, and they refused to cite them. And
22 it's really a doggone shame. But thank you very much
23 for watching our video. We really appreciate it, and
24 you can watch the dirt bikers in our Hall of Shame as
25 we close. And thank you so much for your time. We

1 really appreciate your being here. We appreciate the
2 signs, and we appreciate what Brian Robertson has done
3 in creating these kiosks for us.

4 Where are you, Brian?

5 (Audience applause.)

6 DRECP COORDINATOR ROBERTSON: Commissioners, do
7 you have any questions?

8 DEPUTY DIRECTOR CONLIN: Let me just say
9 something here real quick. So you've heard the last
10 four speakers and then the two previous federal
11 speakers. First off, let me say to the audience here,
12 thank you for all of your patience. This has gone
13 long, long, long, long today.

14 We knew when we came down here that we were
15 going to get a lot of public comment, we were going to
16 get a lot of involvement because we had important
17 issues. This is an important place. Southern
18 California is a nexus of recreation, large land use.
19 We talked about the DRECP for a reason because it's
20 affecting this area down here.

21 This is an area of tremendous transition, also
22 of tremendous issues, a lot of changes going on down
23 here. We needed to come down here and address it. So
24 the fact we're here is because we recognize that, and
25 that's why we want to let all of this get voiced. I

1 know it's taken a long time, but it's important to get
2 it out.

3 You heard some of the speakers that got up.
4 They've talked about problems. They've talked about
5 some solutions. Commission is going to talk here in a
6 little bit, and then we're going to invite public
7 comment. I appreciate that the discourse has been
8 polite, that the discourse has been honoring each
9 other.

10 And what I would like to hear when we do the
11 public comment is people talking about solutions,
12 solutions to some of the issues that we've seen out
13 here, and then we'll follow up with the last bit, which
14 is just the Deputy Director's report, which is boring
15 and mundane, but we're going to do it after all of this
16 other exciting stuff, okay? Thank you.

17 CHAIR SLAVIK: Thank you.

18 Comments from Commissioners?

19 COMMISSIONER MURPHY: Brian, I had a question.
20 If you could just clarify where the law enforcement
21 element works for the state, how do we help impact
22 this?

23 DRECP COORDINATOR ROBERTSON: Sure, earlier we
24 were talking about jurisdiction and authority. State
25 Park rangers and lifeguards, just like CHP and Fish and

1 Wildlife, have statewide jurisdiction. When we're out
2 of a state park or SVRA, we're assisting other agencies
3 that are the primary agencies. A lot of times it might
4 be an emergency response or if we're invited to come
5 down for a deployment, that type of thing. So we have
6 statewide jurisdiction, but we have our primary areas
7 that we patrol and manage, and then upon invitation
8 we'll come and help you out or a public emergency.

9 COMMISSIONER KERR: So like the Rubicon, the
10 Rubicon is good example?

11 DRECP COORDINATOR ROBERTSON: Yes, it is.

12 VICE-CHAIR PÉREZ: Brian, I have a question.

13 How will we know how well the kiosks are going
14 to work?

15 DRECP COORDINATOR ROBERTSON: Sure, I think the
16 kiosk is just the first step. We have talked about
17 kind of drawing the line in the sand with these kiosks
18 so that wherever they might be trying to enter into the
19 area to unload their bikes or maybe they're already on
20 a dual sport or something like that, they'll probably
21 run into one of these kiosks. On one side they'll have
22 the laws, and on the other side they'll have an
23 interpretive message. So hopefully we're going to
24 catch the majority of them.

25 We've already started talking about what's our

1 next move, and that might be the partnership might move
2 into the base of the Tehachapis, you know. So we're
3 going to go probably two miles towards the mountains.
4 Right now we're catching them maybe a half mile or mile
5 off the road. But later we'll move to the base of the
6 Tehachapis, come to some areas where the natural
7 formations of the mountains have like choke points.
8 We'll put up some fencing, maybe put in another kiosk,
9 put in some of the equestrian obstacles where if you
10 wanted to illegally ride, you would have to lift the
11 bike, both riders. And it will also make them narrow
12 enough so like an ATV or a side-by-side wouldn't be
13 able to enter that area.

14 We've also talked about we'll probably have to
15 replace the fences two or three times. But I think
16 through education, replace those fences, you know,
17 getting out there with PSAs, public service
18 announcements, our outreach trailer -- we've been
19 attending a lot of events in the region -- I think
20 we'll be successful.

21 CHIEF JENKINS: And if I can add one more way,
22 because the kiosks aren't the magic bullet. The kiosks
23 aren't going to solve these things. But it is another
24 important step. Anytime an officer makes a contact,
25 writes a citation, makes an arrest and it goes to

1 court, one of the questions is going to be, did the
2 offender have adequate notification that what they were
3 doing was illegal?

4 All of the signage we have out there is great.
5 These kiosks is one more thing that the officer can
6 say, the rider came in on this trail, passed an
7 educational kiosk, and it just makes it more likely,
8 more -- it just gives the officers a stronger
9 opportunity in court when they're trying to get these
10 convictions.

11 DRECP COORDINATOR ROBERTSON: Right.

12 COMMISSIONER PATROVSKY: Can I make a comment?

13 I think it's really important to stop the
14 potential violations before they occur, as many as
15 possible, and I fully agree with what Phil just said.
16 Another thing is I think that we need to make an effort
17 to catch a couple of the worst offenders and make an
18 example out of them. And one way to do it, in the
19 past, way back, back when I was working years and years
20 ago, Kern County helicopters, the sheriff's helicopters
21 helped us catch a few. And love to have that help
22 again for the rangers. The Ridgecrest rangers, they
23 need to do their part, too. Thank you.

24 DRECP COORDINATOR ROBERTSON: Commissioner, you
25 make a great point, and if I could just add to it.

1 Just recently, in March of this year, I traveled
2 to Bakersfield, California, and we had a Kern County
3 law enforcement meeting, which we had two county
4 supervisors. We had the county sheriff, undersheriff.
5 We had a BLM manager. We had Ed Waldheim. We also had
6 the District Attorney. And what we talked about is
7 really important -- it's a total package here -- is
8 that the judicial system, they do not know how to
9 really process these citations that we are writing.

10 So we also started talking about maybe doing
11 some site visits and bringing their staff and the
12 judges out there to see the violations and show them
13 here is the written violation and this is what it looks
14 like. Because what is happening is a lot of these are
15 getting dismissed by the courts because they don't
16 exactly understand. So the word gets out to some of
17 the riders, if I get stopped and get a ticket, it's
18 just going to get dismissed. We are kind of working
19 this on multiple angles to try to make it a better
20 situation.

21 (Audience applause.)

22 CHAIR SLAVIK: Brian, how long of a segment of
23 the trail is really the most heavily impacted and the
24 biggest problem for us? Are we talking about miles?

25 DRECP COORDINATOR ROBERTSON: Yes, it's a few

1 miles. The problem is it's really difficult for the
2 U.S. Forest Service and also Kern County sheriff and
3 BLM to get officers out there. So many times we've
4 been there, we'll see that one rider, and we'll think
5 we're close, and we're actually two miles away. That's
6 why we've been suggesting catch them down here on the
7 valley floor. That's kind of our approach.

8 CHAIR SLAVIK: I understand that part, but I'm
9 trying to get a sense of the actual lineage that we
10 have to deal with.

11 DRECP COORDINATOR ROBERTSON: The easiest way
12 that I look at it is Highway 138 and Highway 58 and --
13 15 miles.

14 CHAIR SLAVIK: And the northern end of that, is
15 that relatively close to the Onyx acquisition, or does
16 it go through there? How does that work?

17 DRECP COORDINATOR ROBERTSON: We're quite a ways
18 away.

19 (Audience comment, not recorded.)

20 DRECP COORDINATOR ROBERTSON: If you were going
21 to look at the map, there's definitely a space between
22 Ed's area of influence and the Tehachapi area we're
23 talking about today. You have Highway 58, and then you
24 have a considerable amount that the PCT travels. So
25 it's a considerable distance from where Onyx is it.

1 CHAIR SLAVIK: So there is no nexus between the
2 Onyx acquisition and PCT?

3 DRECP COORDINATOR ROBERTSON: The PCT travels
4 through the whole area. I know that sometimes we do.
5 That's why we had a deployment out at Jawbone. If we
6 were at Onyx and we had a staff there, we could assist
7 the local folks by controlling the area more, the PCT
8 and that area. We could probably travel over to the
9 Tehachapi area.

10 DEPUTY DIRECTOR CONLIN: And to get to your
11 point I think, Paul, where you're going with this. And
12 we've talked to Ed about this, and we've talked to
13 Randy Banis and some of the others and even the folks
14 at Red Rock. One of the advantages we see of the
15 acquisition of that particular land is now we put a
16 presence out there that's a dedicated State Parks law
17 enforcement presence. Yes, they are assigned to the
18 Onyx Ranch area, but that's an opportunity to liaison
19 with all of the surrounding sheriffs and police
20 departments like we did at all of the other SVRAs,
21 which what it does, it builds an extra check in there,
22 an extra check of eyes, best practices to share with
23 them. In my old job I would have called it a combat
24 outpost. So we're kind of putting that out there.

25 DRECP COORDINATOR ROBERTSON: We use the term a

1 lot of times, the sphere of influence, so we have our
2 primary area. But getting gas or doing training, we're
3 going to respond to different calls to assist the local
4 land managers and agencies for quite a few miles.

5 CHAIR SLAVIK: Comments?

6 COMMISSIONER KERR: How do you get up there? If
7 there's a guy on a dirt bike, you can't be on foot.

8 DRECP COORDINATOR ROBERTSON: Well, technically,
9 if it's an emergency situation, life or death or a fire
10 or a law breaker, we could pursue them, which we've
11 recently done. We were at Jawbone, and we were quite a
12 ways away from Jawbone, and we saw somebody on the PCT.
13 I didn't go on the PCT to make contact and issue him a
14 citation. I found where he was going to end up because
15 I just wanted to honor the PCT.

16 So when you're on a motorcycle in the
17 Tehachapis, you can kind of maneuver around the PCT. I
18 mean technically if there was an emergency, life or
19 death, fire, we would use the PCT, but we have the
20 ability to work around it with a motorcycle.

21 CHAIR SLAVIK: Thank you, Brian. Good job.

22 (Audience applause.)

23 **PUBLIC COMMENT ON AGENDA ITEMS VI (A), (B) and (C)(1)**

24 CHAIR SLAVIK: Public comment. Steve Hunter
25 followed by Katherine Allen.

1 If anybody has handouts, please give them to
2 staff, Vicki, right over there and save you time, save
3 us all time.

4 STEVE HUNTER: So I'm speaking on behalf of
5 the 90 stakeholders in the area that we're talking
6 about. I'm Steve Hunter. I own three parcels myself
7 in the area. Our group has 90. We're kind of a
8 loose-formed group because we are concerned about the
9 PCT and people being on top of it. That's what you're
10 going to see here, not only have we picked up trash --
11 the first photo that you going to see is part of our
12 very small group of our organizations that have picked
13 up trash. We picked up, I think that particular day,
14 four truckloads of trash in the area, show some of the
15 members also did that and helped out with that.

16 Then we get to the PCT. The PCT goes through my
17 property. I allow the PCT to go through my property.
18 Five of us do in your group. So out of 90 of us, the
19 PCT goes through my group. The PCT that goes through
20 my area is also State Motorized Trail No. 5. So they
21 overlap. They sit on top of each other. If you know
22 the State Motorized Trail System, as everybody spoke to
23 earlier today, 1972, which very few law enforcement
24 people even know about it, basically State Parks
25 people, you find a lot of officers, BLM officers, have

1 never even heard of it, let alone your local police
2 departments.

3 So that actually overlaps. It comes through my
4 area. So that 15 miles might be a little overstated in
5 where it goes through. Some of it -- probably about
6 four or five miles from Highway 138 to somewhere where
7 it gets to my property and the four other people next
8 to me that we allow to go through, because there were
9 some landowners that would not allow it to go through
10 their property, who were also not so crazy about
11 motorized trail people. So they would not let that
12 trail go through.

13 So we said we can let it begin to be on our
14 properties and come through. We meet the most
15 interesting people coming through the PCT. About this
16 time of year, we will be out camping, and we'll put an
17 ice chest out that says, "For PCT people." They'll
18 take bottles of water, come into our camp with swollen
19 feet, socks you've never seen before; they're
20 disgusting. They'll have a beer sometimes, some of
21 them will, some of them won't.

22 They're from all over the world, very
23 interesting people from Germany. Women will come from
24 Germany and hike by themselves, completely solo, which
25 I don't understand. So we have people from Australia,

1 New Zealand that come through that. So we wanted to
2 show that we are also trying to be part of the
3 solution, not part of the problem.

4 Two of the people that spoke earlier in speaking
5 against the problem with the PCT don't own property in
6 our area. Don't own any property in our area, I'll say
7 it again. They own property somewhere else, way far
8 away from us.

9 We have 90 stakeholders that really care about
10 this and want to continue the recreational area that
11 we're doing, what we're doing out there. We're trying
12 to do it really responsibly. We have a code of ethics
13 that we've kind of passed around to each other: Be
14 nice, surrender to law enforcement, explain who you
15 are, so on and so forth.

16 As one of the Commissioners said earlier, my
17 kids don't really care to come out anymore. They're
18 getting older. My son, my snobby oldest son, is a USC
19 graduate this year, and he thinks why does anybody go
20 anywhere where it's crappier than where you live? So
21 he doesn't understand the desert; hasn't grown up in it
22 as I have. So we love the flowers and everything else
23 out there.

24 Thank you so much.

25 CHAIR SLAVIK: Katherine Allen, gone.

1 Bruce Chitiea followed by Elizabeth Varner.

2 BRUCE CHITIEA: President Slavik, Commissioners,
3 Colonel, sir, staff, my name is Bruce Chitiea. I'm
4 here today from Diamond Bar, California, with my wife,
5 Gail, to address this question of escalating tension
6 surrounding the continued illegal motorized access to
7 Pacific Crest Trail, as mentioned in Beth Boyce's
8 report.

9 You have a copy of my full remarks. I will try
10 to fit it into three minutes. I truncated. Pacific
11 Crest Trail runs through our family property. We've
12 camped there and ridden there for 45 years. I
13 stipulate that, yes, of course, the trespass continues,
14 but the tensions may be increasing because we have a
15 propaganda problem as well.

16 So this is a plea for -- a public plea for
17 private sanity in this area. To leave the door open
18 for future conciliation and cooperation, I will not
19 name names, but I think everyone knows. First, the
20 propagandist, the most prolific local OHV reporter, has
21 operated in partnership with the most strident
22 activists since at least 2007, shortly after all these
23 reports really started surfacing. They own land
24 together and according to the California Secretary of
25 State's office, they're co-owners and officers in an

1 incorporated cattle company.

2 Second, propaganda, the published reportage and
3 activist press releases are wholly interchangeable,
4 easily penned by the same hand.

5 Third, responsible area riders, such as the
6 people you've heard from here, are the very ones the
7 activists say that they are for, have had our stone
8 cairn scattered. We have had false police reports and
9 character assassinations levelled against us. Our
10 properties are casually vandalized and subjected to
11 their surveillance, and they're styled in photographs
12 as staging areas for the quote/unquote rape of the
13 Pacific Crest Trail.

14 Fourth, those press releases draw readers to a
15 website glorying in the slander and demonization of
16 their targets where, say, an employer Googling a
17 prospective employee might discover that the applicant,
18 quote, enjoys harassing rural residents, has a filthy
19 mouth and curses at women and children, and so, keys in
20 the next name.

21 Fifth, then there's this appearing below the
22 targets' driver's license photos: "What are two nice
23 Jewish boys doing in a place like this? Shame on you,
24 you 'klumnik khazers.' You wouldn't want dirt bikers
25 trespassing in your 'shtetl,' would you? Your 'Bubby'

1 would not be proud of your behavior."

2 Well, yeah -- laughter. Rather than dignify
3 this purile anti-Semitic leer with translation, Gail
4 and I would like to know if they consider this to be an
5 acceptable tactic in dealing with our mutual problem.
6 What do they have in their playbook, say, for a couple
7 of nice black boys caught riding-while-black?

8 And then seventh, four-year-old photographs,
9 five-year-old photographs, same things over and over
10 from the same website, escalating tensions, indeed.

11 Well, if we are going to solve our common
12 problems, this war propaganda, the false accusations,
13 the slander, the demonization, the covertly conflicted
14 press, the snarky racism all must stop now. If they
15 can't manage that, they should remove our code of
16 conduct, the one my father wrote 40 years ago, from
17 their website. We'll find a place where it does some
18 good, and then we will work like adults with every
19 other serious individual and stakeholder to solve this
20 problem.

21 CHAIR SLAVIK: Sir, I'm going to have to ask you
22 to conclude. Your time is up.

23 BRUCE CHITIEA: I am done, sir. We will assist
24 the Commission and other responsible stakeholders in
25 any way we can. Thank you very much, and I stand for

1 questions.

2 COMMISSIONER KERR: I just want to know, is
3 there an easement that the Pacific Crest Trail has?
4 Like in my town, if you have a pathway, you have a
5 pathway easement through the owners' property. So when
6 people say --

7 CHAIR SLAVIK: That's going to get pretty
8 convoluted.

9 Thank you for your comments.

10 BRUCE CHITIEA: Thank you very much.

11 (Audience applause.)

12 CHAIR SLAVIK: Elizabeth Varner followed by Paul
13 Pearson.

14 ELIZABETH VARNER: Hello. I just wanted to kind
15 of just talk about my experience with the desert. It
16 goes along with what Shannon had said.

17 CHAIR SLAVIK: Please state your name.

18 ELIZABETH VARNER: I'm sorry. My name is
19 Elizabeth Varner. My family and I, we are landowners,
20 and the PCT does go through our lands. I've actually
21 been visiting the High Desert since I was a mischievous
22 gleam in my father's eye. The beauty and tradition of
23 this place has been tattooed upon me since birth. If
24 anything can be indented in one's soul, this place has
25 done just that.

1 For my time as a goofy toddler to an admittedly
2 sullen teenager, the desert was the first place where I
3 shared my secrets with the Pleiades, made lifelong
4 friends and tested my courage, curiosity and
5 compassion. It was long hikes with no destination,
6 lazy dirt bike rides, and hot, blazing hot, afternoons
7 of picking up trash for hours and hours and knowing in
8 my heart that I was doing good. It spawned my love for
9 nature, the stars, mythology and the amazing collective
10 unconsciousness of the human race. Competitiveness,
11 hatred, intolerance and pettiness were not part of any
12 of these moments.

13 When I was a child, there was a hill -- more
14 like a wall considering the complete lack of slope. My
15 friends and I would watch in awe as our parents rode
16 their dirt bikes effortlessly up and down this
17 mountain. It became an unspoken right of passage for
18 us to ride our little Yamahas up this wall. Terror
19 consumed me the day it was my turn to go. It took what
20 felt like forever to rev the motor of my Yamaha and go
21 up this mountain, this epic hurdle shrouded in myth.
22 Once I was at the top, I looked below and saw the view
23 and felt pride, mature pride. In that one moment, I
24 took a step into adulthood. It was amazing and
25 breathtaking. But it pales in comparison to the pride

1 I will feel when I watch my young niece make this
2 marvelous discovery on her own or my own future
3 children.

4 This beautiful place offered me so much and has
5 so much to offer future generations, and I will work as
6 hard as possible to make it so. Thank you.

7 (Audience applause.)

8 CHAIR SLAVIK: Sumner Miller then followed by
9 Mark Walsh.

10 SUMNER MILLER: Good evening. My name is Sumner
11 Miller. I'm a hiker and a dirt bike rider, and I
12 strongly believe OHV should not be allowed on the PCT.

13 In 2003, I hiked the Pacific Crest Trail. I
14 walked from the Mexican border to Yosemite. I covered
15 952 miles in two-and-a-half months. And during this
16 time on the trail, I came across five rattlesnakes,
17 three bears, two trail angels who gave me beer when I
18 really needed water, and only one off-road motorcyclist
19 who wished me good luck and kindly informed me that
20 they made trains to go to Canada. I told him that the
21 PCT was only open to hikers and equestrians, and he
22 immediately got off the trail. And for the record,
23 that motorcycle was not an ATF. Thank you.

24 CHAIR SLAVIK: Mark Walsh followed by Mark
25 MacFarlane.

1 MARK WALSH: My name is Mark Walsh. I'm a
2 landowner in the Tehachapi area. My property is very
3 near the PCT, and I've been hiking and camping and
4 riding dirt bikes in that area with my two sons for 11
5 years, on and off for 11 years. And this area means a
6 lot to us. It has forged lifelong friendships, and it
7 has given me the opportunity to get my children out
8 into nature so that they can appreciate it very much.

9 We've had a lot of talk about the damage that
10 dirt bikes due to the PCT, but I'd like to bring
11 another subject up. I gave you some pictures. The
12 first picture is the area that we've been talking about
13 from about four years ago. The second picture you see
14 is from this year. You can see there's been a lot of
15 change and a lot of marks on the desert that's caused
16 by renewable energies that are coming out.

17 Don't get my remarks wrong, because I respect
18 the industry and I support the industry and we work
19 with the industry, but we need to understand that
20 there's other things at play here, and there are other
21 things that are impacting the PCT as well as this
22 pristine area.

23 The third picture you see, there's a picture
24 that was taken from the OHV Watch website on the left
25 side, and that's a picture of the PCT that's been

1 ravished. You can see some dirt bike tracks near it
2 and on it. And we don't support riding on the PCT, and
3 we tell riders to stay off of that, and we do follow
4 our strict code of conduct.

5 On the right side is that same location that was
6 taken this year. You can see that the PCT doesn't look
7 anything like it did. It's had some pretty big
8 impacts. There's very large impacts that's hitting the
9 PCT that's not caused by dirt bikes. We're not talking
10 about that.

11 We work with the wind energy companies and with
12 the solar companies hand in hand because we have to
13 coexist. The growing needs of this state and the
14 population of this state are requiring to us do things
15 differently than we have in the past.

16 You can see from the other photos that I've
17 shared with you where the roads for access to these new
18 energy sources are having a pretty big impact on the
19 PCT as well, and, you know, we implore education, love
20 the kiosks, love the work that you're all doing in
21 order to get the word out.

22 We're doing everything we can as a group of
23 landowners and people who enjoy the area to make sure
24 that we educate, and we implore more education so that
25 people know where they can and cannot ride, where they

1 can and cannot hike so that we can enjoy this area for
2 many years to come. My children will have lifelong
3 memories of this area. I hope my grandchildren will
4 too.

5 Again, we implore that we all have to work
6 together. It's only through this that we can coexist,
7 and coexist is truly important and is what's needed for
8 us to all enjoy this area for many years to come.
9 Thank you.

10 CHAIR SLAVIK: Mark McFarland followed by Terry
11 Weiner. Pass. Terry, would you like to come up?

12 TERRY WEINER: Thank you very much, Brian
13 Robertson, for the beautiful panels. I am really
14 impressed with the interpretation as well as the final,
15 I hope, resolution of what to put on the top in terms
16 of not confusing people out there. Thank you to the
17 OHV Division for your support and for taking this issue
18 seriously, and I want to thank homeowners of the area
19 who have just been testifying for their help, and I
20 want to work with Shannon and the Friends. We can talk
21 about that, and also the Friends of Sierra National
22 Forest. I have never heard of that group.

23 What I'm expecting then in terms of solutions is
24 that -- all these people are expressing concerns and
25 support for protecting this national recreation trail,

1 is that the trespass will be reduced because all of the
2 people in the area will be helping all of us protect
3 this area. Thank you.

4 CHAIR SLAVIK: Jenny Wilder followed by Victoria
5 Fuller.

6 JENNY WILDER: Jenny Wilder, Apple Valley.

7 If I was hiking for 50 years through a meadow,
8 for instance, and then the forest or the BLM or
9 somebody told me that that trail was closed, I wouldn't
10 hike there anymore. I would respect that designation.
11 However, in the OHV community, if people have been
12 riding a trail, for instance, in Baldy Mesa or anywhere
13 really, the PCT, chances are that trail will become
14 legal instead of closed, and people will be outraged
15 instead of respecting the management decision.

16 I heard I think that there's an OHV -- there's
17 law enforcement within the OHMVR, is that correct, and
18 that you come out in emergency situations? I would
19 think that if that's the case, then maybe it's time to
20 expand that opportunity, because the agencies are
21 pretty much maxed out with law enforcement. And the
22 grants, as I said before, they can't -- they don't have
23 the matching funds so they can't apply for the grants.
24 And the grant money is being depleted because of so
25 much need, so that's a suggestion that I have.

1 I also have a suggestion that whoever considers
2 themselves in the OHV community, it would go a long way
3 in reaching renegade or outlaw riders by not making
4 excuses and by establishing a culture that it just
5 isn't cool to go off the trail, terrorize neighborhoods
6 and destroy habitat and scenery.

7 Now, I consider that everybody here, especially,
8 and many more people are within the OHV community,
9 including myself, because I do go off-road to find that
10 hiking trail. And that's all I have. Thank you.

11 CHAIR SLAVIK: Thank you.

12 Victoria Fuller followed by Ed Waldheim.

13 VICTORIA FULLER: Victoria Fuller, Joshua Tree.
14 First of all, I'd like to thank the Commission for
15 really providing a format in this very passionate issue
16 for civil discourse, civil discourse, and really
17 maintaining that. It's not easy when you have people
18 of such diverse opinions.

19 In looking at the Tehachapis and coming up with
20 the first step of solutions, I think the kiosks are
21 really a great first step. And recognizing it's a
22 first step, then we step back and say where have we
23 gone with it and what have we done? And I just think
24 today has been a really great opportunity for everyone
25 to say passionately how they feel and then come back

1 and try to come up with solutions. So thank you all
2 very much.

3 CHAIR SLAVIK: Ed Waldheim followed by John
4 Stewart.

5 ED WALDHEIM: Ed Waldheim, California Trail
6 Users Coalition.

7 Sixteen years, every single PCT hiker who comes
8 from Mexico up to Canada comes through our North Fork
9 Visitor Center. CTUC runs that Visitor Center. I am
10 the president of California Trails User Coalition, so I
11 can tell you that our volunteer who's been there has
12 seen every one of those hikers.

13 Then we catch them again when they come in
14 through Jawbone. They come through Kelso Valley Road.
15 They enter the Jawbone, the BLM area until they exit
16 Bird Springs Pass. We have 22 gates where off-roaders
17 cannot go on the PCT. We have kiosks. We have over 50
18 kiosks in the BLM office and the Ridgecrest Crest area
19 office. We will be putting more on the PCT area. So
20 we are managing that area.

21 The meeting that we had in Bakersfield, I put it
22 together with the two boards of supervisors, and we had
23 the District Attorney up there, and we had --
24 Youngblood there. Mr. Youngblood promised that he's
25 going to put staff to work on a helicopter. The Parks

1 and Recreation of Kern County just put out an RFP for
2 grants, and we've allocated -- we, the public, helped
3 the Commission to decide where to put the money.
4 Friends of Jawbone got \$20,000 to work on the Temblors
5 next to the Carrizo Plains for the Bakersfield BLM
6 Office, which we now also work also for that office.
7 And then we allowed \$44,000 to the Kern County
8 Sheriff's for helicopters. So we are doing things to
9 work on that issue.

10 Again, going to the committees that's going to
11 be set up with Teresa and Ed, the big key is -- again,
12 is to get with the District Attorney's office to figure
13 out -- and with Brian and the chief ranger of Hungry
14 Valley. He has the codes which he feels we should all
15 use in unison. Every agency should be using the same
16 code, cite the same code, so we have the same thing and
17 get the District Attorney's offices to take and
18 prosecute these people when they're caught.

19 So the process is already working on. With
20 Chris' leadership from the state office, I think we can
21 make an impact, but I want to assure you that we're
22 not -- we're not sitting idle. We want these people
23 apprehended. I have to be very careful because there's
24 a lot of private properties out there. The PCT crosses
25 on the aqueduct road. It crosses on private property.

1 And the windmills have destroyed the PCT, but they have
2 every right to do so because that's private property.

3 The PCT has been encroaching on the property
4 rights. So that's an issue, that the PCT may have to
5 reroute some of these things that are happening in
6 there. You cannot blame the wind companies from
7 destroying the PCT, because it's private property in
8 the first place. So they can't just go and move that.

9 So there's a lot of moving parts in this thing.
10 You cannot blame one issue. You cannot blame it on OHV
11 only. The renegades, definitely everybody is in
12 unison, we need to get those guys. There is no issue
13 about that. Thank you.

14 CHAIR SLAVIK: Phil Klasky, I think I saw him
15 leave. John Stewart followed by Dave Pickett.

16 JOHN STEWART: John Stewart, California
17 Association of Four-Wheel Drive Clubs.

18 I don't know if I want to touch the PCT trail.
19 There appears to be some very sharp people and very
20 good projects going on that are going right now, so I
21 guess we've got to see what happens.

22 But I would like to step back and talk about the
23 BLM and the Forest Service on their presentations
24 earlier. I appreciate the BLM for coming out and
25 having the special recreation permit explanation.

1 That's been something that's been a thorn in the side
2 of recreation. I've been fighting that issue for 12
3 years now.

4 They are now getting to a point where they have
5 a standardized process. I applaud the efforts that
6 they do, and I'd also like to make sure to see that the
7 Forest Service follows suit and also joins the BLM with
8 coming up with a standardized process so that the
9 recreation groups know what to expect when they apply
10 for the permits.

11 And thank you to the BLM and the Forest Service
12 for showing up the way they did. This increased
13 presence is appreciated.

14 CHAIR SLAVIK: Dave Pickett followed by Harold
15 Gabriel. Harold Gabriel, are you there? Sir, you've
16 been sitting a long time there.

17 HAROLD GABRIEL: Just waiting for this
18 opportunity.

19 Commissioners and staff, my name is Harold
20 Gabriel. And I want to especially talk about the
21 national forest, and I wish they were here. I think
22 they left because they know what I'm going to say.

23 I don't have a map, but I think the
24 Commissioners, you still have their map. That
25 Sanford/Mormon Trail was used -- if you know where that

1 little line is on there, that shows it. It was used in
2 the 1850s. The Mormons came through in 1850, late
3 1851.

4 And what I want to bring out is here is where
5 that line is in the center that shows the Sanford
6 Trail, they -- I'm sorry, it doesn't show up here.
7 Where they are making the two loops that they're
8 proposing for this OHV trail is not there, because they
9 don't want to show you -- right there is the trail.
10 Now, right here is a circle, and it circles -- let's
11 start right here.

12 This is a staging area. You come up here. You
13 come around. You come on three and 24, and you go back
14 down go north and come across -- you're crossing the
15 Sanford Trail on the north side. The circle comes back
16 up here, and then there's another line right here that
17 they're proposing to put a trail in. Right here you're
18 crossing the Sanford Trail twice.

19 On this whole sequence of loops, we have asked
20 them to eliminate this trail here so you don't cross
21 the Mormon/Sanford Trail twice and use this for the OHV
22 and back to the staging area. And there is 1200
23 signatures on a petition that was turned in a year ago
24 in June. They didn't say nothing about it.

25 Jody here -- well, she's gone -- signed the

1 environmental impact saying there is no tortoises up
2 there and all this; there is no impact up there. We
3 have a map from the national forest that says that
4 whole area is tortoise habitat.

5 We asked them to move everything to the east.
6 There is artifacts up there, Native American artifacts,
7 that goes all the way around that trail and also right
8 next to the Sanford Trail. And, in fact, on the middle
9 of the road of three and 24, there is burn pit right
10 there. I am also a site steward for the national
11 forest, and I've joined that because I want to protect
12 this area of the artifacts that are up there. And
13 another thing, I'm a landowner that's to the north
14 right here, about three quarters, seven-tenths a mile
15 from the national forest line. There's a couple that
16 lives right here, about 300 feet away from the national
17 forest --

18 CHAIR SLAVIK: Sir, I'll have to ask you to
19 conclude as quick as you can.

20 HAROLD GABRIEL: They knew nothing about this
21 proposal. We are asking the Commissioners to delay
22 their grant for a year, have them go back to the table
23 and get all the entities that are involved in here.

24 The first district supervisor knew nothing about
25 this last November, about their proposal. They have

1 tried to sneak this through and get it through. There
2 is a 500 petition signed -- I'll quit.

3 CHIEF JENKINS: Just thought I'd mention, Ramiro
4 did ask me to make his apologies. He wasn't expecting
5 the meeting to go past 5:00, and he had another
6 commitment.

7 CHAIR SLAVIK: That's all right. I mean --

8 DEPUTY DIRECTOR CONLIN: Was that the end of the
9 public comment?

10 CHAIR SLAVIK: That was the end of public
11 comment. Well, if you were, do you want to come up
12 then?

13 DOUG PARHAM: Doug Parham, Lancaster,
14 California.

15 I have four quick points I wanted to make
16 regarding the presentations for this afternoon. First
17 one, talking about the kiosks that they're going to be
18 putting up trying to advise OHV users that the PCT is
19 off limits to motorized recreation, and I just want to
20 ask Brian perhaps or Ed Waldheim, have the appropriate
21 jurisdictions inspected and approved the writing so
22 that at some point when a ticket is written to a rider
23 that maybe is mistakenly on the trail, where the DA or
24 whoever is in charge can say, oh, the sign is not
25 adequate? I would suggest that one of the things you

1 have to do is show these to your DAs and your
2 magistrates and have them approve the writing in the
3 way that the warnings are displayed on the kiosks.

4 Second thing I'd like to talk about, many people
5 have mentioned today that all groups break the rules,
6 hikers, equestrians, OHVers. But from what I've seen,
7 the OHV impacts are orders of magnitude greater than
8 all of the other recreational impacts, and so we really
9 have to hold them to a higher standard of behavior.

10 Number three, regarding new OHV areas, to a lot
11 of us that live near where OHV activities take place,
12 every time we see a new place that's opened, it's just
13 another place for them to stage. They stage --
14 certainly I've seen this near my home, then they can
15 ride all over the adjoining private areas. You can't
16 identify them. You can't catch them. The only place
17 you can try to apprehend them is in the staging areas.
18 And if they have permission to be in the staging area,
19 then you can't cite them, and there is no controlling
20 them. So the one thing you have to do -- consider as
21 you open up OHV areas, how are you going to keep the
22 people within the areas that's opened?

23 The last thing I'd like to talk about is people
24 talking about next generation people, kids, how do you
25 get them connected to the land. And just a kind of

1 snide comment between myself and one of the other
2 participants, we said, "Are you going to trade your
3 iPad for a gas motor?" There's got to be something
4 else besides OHV recreation to tie people to the land.

5 Thank you.

6 CHAIR SLAVIK: Thank you.

7 All right. We have the Deputy Director's
8 report.

9 DEPUTY DIRECTOR CONLIN: We're actually already
10 into it, but that's okay. Here's what we're going to
11 do if everybody is in compliance with this, we're going
12 to do a lightning round on the Deputy Director's
13 report. I'd ask Commission members, since a couple of
14 you have flights you've got to jump on, unless you've
15 got something really hot, let's try and we'll blast on
16 through this so that we can get people onto their
17 airplanes, if that's okay.

18 I think the next is -- Dan, are you up next?

19 **AGENDA ITEM VI (C)(2) - DEPUTY DIRECTOR'S REPORT -**
20 **GENERAL PROGRAM UPDATE, CLEAR CREEK MANAGEMENT AREA**

21 OHMVR MANAGER CANFIELD: Hello, Dan Canfield,
22 OHMVR Planning Manager, thank you, Deputy Director,
23 presenting a report on the BLM Clear Creek Management
24 Area. And this is an update from the February
25 Commission meeting that was in Upper Lake.

1 Back on February 12th, 2014, the BLM issued
2 their Record of Decision for the Clear Creek Management
3 Area. It had been many years in development. This
4 decision eliminated OHV recreation from the 30,000 acre
5 serpentine ACEC portion of the management area, and
6 this was the portion that was popular with advanced
7 dirt bike riders.

8 So at the February 28th Commission meeting that
9 was in Upper Lake, the Commission voted to file an
10 appeal on that decision. That appeal letter is
11 attached to your report in your binders that is behind
12 Tab No. 9. Sorry, I forgot to say that. So the
13 decision came out, the Commission had a meeting, agreed
14 to file an appeal, you have the letter in your binder.

15 And then on April 3rd, an ad hoc committee of
16 the Commission comprised of Commissioners Pérez and
17 Cabral toured the Clear Creek Management Area,
18 specifically the serpentine ACEC portion. And as
19 Commissioner Pérez mentioned earlier, it involved going
20 through the BLM permit process that was laid out by
21 this decision.

22 Looking forward to the next step will be the
23 BLM's response to your appeal as well as the other
24 appeals that were filed, and that should be out on or
25 around May 12th.

1 Thank you.

2 CHAIR SLAVIK: Nice summary.

3 **AGENDA ITEM VI (C)(2) - DEPUTY DIRECTOR'S REPORT -**

4 **GENERAL PROGRAM UPDATE, GRANTS PROGRAM**

5 DEPUTY DIRECTOR CONLIN: Next up is the Grants
6 Program update, George.

7 DRECP COORDINATOR MacDOUGALL: Good afternoon,
8 Commissioners, George MacDougall, grant administrator,
9 OHMVR Division, here to give you a real quick update on
10 status of the Grants Program. You'll find the letter
11 and more information under Tab 10 in your binders.

12 Since the last Commission meeting, we received
13 217 preliminary applications. In your folder you have
14 a breakdown of the actual categories that were
15 submitted. Do note that this year we got more
16 restoration grant applications than we had funding for.
17 This is really the first time since the Senate Bill 742
18 that this has happened, and it's a direct result of our
19 marketing efforts this year to better utilize
20 restoration funds.

21 Public and Division comment period ended on
22 April 7th, and the Division posted their Division
23 comments on the website. Next Monday is the final date
24 for the applicants to submit their final applications.
25 The entire month of May we have staff review validation

1 of scores. June 2nd, we post the intent to award. The
2 appeal period ends July 3rd, and the awards become
3 final if we have no appeals.

4 We received quite a few comments about the
5 process this year for the public to comment on the
6 applications. Some of the public found it difficult to
7 access the instructions and figure out how to submit
8 Division comments. We do want to point out that we're
9 going to make some changes next year on our website due
10 to the great suggestions of Mr. Phil Klasky. We wanted
11 to give him some kudos on that.

12 Any questions? Thank you.

13 **AGENDA ITEM VI (C)(4) - DEPUTY DIRECTOR'S REPORT -**
14 **LEGISLATION UPDATE**

15 DEPUTY DIRECTOR CONLIN: Last, legislative
16 update with Tina.

17 DRECP COORDINATOR WILLIAMS: Tina Williams,
18 California State Parks, OHV Division. My report is
19 located behind Tab No. 12. Along with Tab No. 12 are
20 the official bill language. There are five.

21 If there are any questions, I'll take them now.
22 Thank you.

23 CHAIR SLAVIK: Thank you. That's the Deputy
24 Director's report?

25 DEPUTY DIRECTOR CONLIN: That's it. That's the

1 down and dirty and quick.

2 Last comment I want to make is, again, I want to
3 thank the public and everybody's participation here.
4 That was a great example of the kind of discourse we
5 can have where everybody gave an opinion, nobody got
6 angry. Everybody just kind of let it all out, but they
7 did it in a polite and professional way, and I can't
8 tell you how much I appreciate that. And, you know,
9 I'm also a big advocate of shutting down the cyber
10 bullying and rock throwing and all of the angst and
11 angriness that we see sometimes.

12 I think this gives us an opportunity for
13 solutions, and it certainly presents the Commission
14 with some options where we can get things fixed. So
15 thank you very much to the public and everybody here.

16 CHAIR SLAVIK: All right. I, too, would like to
17 say I think this is it one of the most
18 emotionally-charged Commission meetings I've been to,
19 passionate, I would say, about people's beliefs. And I
20 think the solution, folks, isn't going to be
21 government, really. Government can help, but the
22 solution is going to be in your communities, and that's
23 what I would leave you with. You people are talking.
24 You need to continue talking and talking in a civil
25 discourse way.

1 So we need to ask is there anybody that wants to
2 look at the next Commission meeting, where they would
3 like to have that?

4 COMMISSIONER CABRAL: I would love to go up and
5 see that State of Jefferson Trail that was proposed at
6 the last meeting up in the Yreka area. That would be a
7 very interesting deal.

8 CHAIR SLAVIK: So let's put that on the burner
9 for thought.

10 And any motion to close the meeting, adjourn the
11 meeting?

12 COMMISSIONER KERR: So moved.

13 CHAIR SLAVIK: Seconded?

14 COMMISSIONER PATROVSKY: Second.

15 CHAIR SLAVIK: All in favor.

16 (Commissioners simultaneously voted.)

17 CHAIR SLAVIK: We're adjourned.

18 (Meeting concluded at 5:49 p.m.)

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