

Taking The High Road:



THE FUTURE OF CALIFORNIA'S
OFF-HIGHWAY VEHICLE
RECREATION PROGRAM

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Choosing the Road Less Traveled...

A dusty pickup filled with excited young riders leaves the Los Angeles suburbs at sunrise, heading east toward the desert. There are no signs, no fences, and no other people—just empty land and only one plan: Ride. The radio plays “Hotel California,” gas costs 61-cents a gallon, and California’s population is 22 million. The year is 1976.

By 2002, all that remains the same is “Hotel California” on the radio. The state’s population has grown by 55 percent to more than 34 million people. While much of the desert is now off limits to OHV use, hundreds of thousands of riders flock to the remaining areas every weekend. Closer to home, subdivisions and strip malls have replaced local riding areas. Rural development brings riders in conflict with homeowners. The number of acres available to Green Sticker vehicles for recreation has decreased by 6.5 million acres in the California Desert alone, while the number of registered off-highway vehicles has increased statewide by more than 80 percent. Riders contend with Green Stickers, Red Stickers, spark arresters, and fences. The world has changed, and so has off-highway motor vehicle recreation.

Today’s enthusiasts have changed as well. In addition to snowmobiles, trail bikes, dune buggies, sand rails, ATVs, mountain bikes, and other non-motorized vehicles, Californians have also embraced the sport utility vehicle (SUV). Millions of Californians enjoy some form of OHV activity and annually generate more than \$3 billion for the state’s economy from their participation in the sport. Yet more and more people looking to recreate on public lands are creating new challenges for a sport that requires a lot of space and prefers few neighbors.

As California’s OHV Program celebrates its 30-year anniversary, it is time for us to examine our performance and make adjustments to the program for the benefit of the public and the environment. In order to align the program with today’s expectations, we are demanding greater accountability in our grant program, more sensitivity to the environment, expanded soil and wildlife monitoring, and an expanded law enforcement presence. It was the intent of the landmark legislation that established the OHV program in 1971 that we provide a safe place to ride, and that we never lose sight of the fact that we are stewards of the land. In 2001, we recommit ourselves to those goals.

When I speak with stakeholders about current pressures, I sometimes hear contradictory reactions. Some resist change — others demand it. Regardless, the enormous changes in our society and culture, coupled with California’s relentless population growth, make change inevitable in the OHV program. As a result of our program review, we are responding to these cultural shifts. As you will discover while reading this document, many improvements are underway, and many more are yet to come.

Change takes time. It also requires patience and cooperation. This will develop from improved interaction between the various interest groups. The OHV Stakeholders Roundtable was established by California State Parks in 2000 as a consensus-building forum comprising nearly 50 individuals representing public agencies, environmental and OHV organizations, law enforcement associations, rural counties, non-motorized recreationists and OHV manufacturers. The Stakeholders Roundtable has been meeting monthly to systematically analyze all aspects of the existing program and to make recommendations for program changes in advance of the OHV program's pending reauthorization.

Change is already underway. Legislation to extend the program sunset date from January 1, 2003 to January 1, 2007 received the unanimous support of the Stakeholders Roundtable and was signed into law by Governor Gray Davis on September 1, 2001. That support is a milestone in the history of the program and has provided the OHMVR Division much needed time to continue improving the existing program and assessing what changes may be necessary as part of the reauthorization process which is anticipated to begin in 2005. The Division has also taken steps to answer our critics who have called into question various aspects of the OHV program's fuel tax income. In response, a new fuel tax study is expected to be completed in 2004.

The goal of California State Parks is to review the Division's performance and work with stakeholders to develop an improved and more accountable OHV program. We want a program that maintains its roots, yet is more responsive to the concerns of a population that is rapidly expanding into California's available open spaces. We need to take a look at what works and what doesn't in an era much different from that in which the original program was crafted. We will also continue to provide well-managed OHV opportunities in order to protect California from the unmitigated disaster that would ensue if the program ceased to exist.

Cooperation and consensus are easy words to define, yet extremely difficult to implement in a meaningful and lasting way. They are also the paths of greatest resistance, with most choosing conflict and polarization as preferred routes of travel in a philosophically gridlocked society. Hopefully, by working together in a constructive forum as provided by the OHV Stakeholders Roundtable, those of differing views, lifestyles, and recreational pursuits can eventually agree that taking the road less traveled, and perhaps the more difficult to traverse, did, in the end, make all the difference.

Executive Summary

The Road to a Better OHV Program.

“Governor Gray Davis and California State Parks have shown tremendous leadership in balancing the desires of OHV enthusiasts with the needs of the environment. The OHMVR Division is now requiring a high level of accountability from grantees and has, for the first time, convened all OHV stakeholders to address the future implementation of the OHV program. The OHV community has been well served by this kind of

professional and sophisticated approach to problem solving, as we recognize that the only way to obtain new riding opportunities in the future will be through good management and good communication.”

— California Off Road Vehicle Association

“Under the administration of Governor Gray Davis, the State’s program has made significant moves to address past problems created by off-road vehicle use and abuse. The State has completed new program regulations, and placed a higher emphasis on funding for conservation and law enforcement. The State has also undertaken a review of legal requirements, and is attempting to bring the program into compliance with state laws. These are welcome changes that have helped to bring to light the numerous problems in state and federal off-road vehicle management.”

— California Wilderness Coalition

More informed responses to environmental challenges, increased citizen participation in setting policies and procedures, and new guidelines to ensure equitable management of taxpayers’ money—these innovations—and more—characterize today’s Off-Highway Motor Vehicle Recreation Division of California State Parks.

The future of off-highway recreation and sustainable land use, together with critical issues of financing, management and public safety, have brought about a rethinking of the OHV program. What has become clear is that without sustaining managed OHV areas throughout the state, California could experience very grave losses.

The decreasing availability of recreational land and the toll of increased usage on the environment has created opposing views of how California’s off-highway areas should—or should not—be used. Since 1980, the acreage available to Green Sticker vehicles for recreation has shrunk 48 percent in our deserts alone, while off-highway vehicle registrations have increased 108 percent. More than four million people visit lands designated for off-highway recreational vehicle use each year, and this ever more popular form of recreation contributes more than \$3 billion to the state economy each year.

California’s OHV program directly or indirectly manages millions of acres across the state. Despite the fact that more than 90 percent of off-highway vehicle recreation opportunities occur on federally managed lands, Congress has largely left the state on its own to finance off-highway vehicle recreation management.

Without progressively more effective management, California could lose control of public access to off-highway recreation areas and endure significant environmental losses. As a result, the OHV program is working to achieve an urgent agenda of innovation and revitalization, and is moving forward to assure:

An environment for all users

- Improve lands for recreation use
- Monitor soils and wildlife to prevent or reverse damage
- Build awareness of safe off-highway practices

- Increase law enforcement to address illegal presence or activities where they are not allowed

More equitable financing

- Collect data for up-to-date fuel tax calculations
- Establish tough performance and accountability standards for grant fund recipients

Increased public education and safety

- Expand training and certification for new off-road recreationists
- Guide youths involved in off-highway recreation through partnerships with law enforcement agencies

Attention to strategic planning

- Collect baseline data on existing off-highway vehicle riding areas and future demands
- Shape policies with input from diverse interest groups
- Guide off-highway vehicle land acquisition process through local planning processes

Since the inception of the OHV program in 1971, the OHV Division of California State Parks has been charged with the responsibility of maintaining and managing designated off-highway recreation areas to ensure continued long-term use consistent with good environmental practices. Taking the High Road: The Future of California's Off-Highway Recreation Program provides details about recent efforts to focus on reforms while creating an action plan to map the route of off-highway recreation management for the benefit of the public and the environment.

Initiatives Rev Up Program

To improve the OHV program, new initiatives were developed in five important areas:

Encourage and Expand Participation in Setting Policies and Procedures

The OHV Stakeholders Roundtable was established in 2000, and is a consensus-building group of almost 50 individuals. Comprised of representatives from public agencies, environmental and OHV organizations, law enforcement associations, rural counties and OHV manufacturers, the roundtable meets monthly to discuss the pending reauthorization of the OHV program and short and long-term actions expected to improve it.

This precedent-setting advisory group of diverse interests has already demonstrated the ability to seek common ground, supporting a legislative extension to the OHV program.

Reform the OHV Grant Program

The disposition of OHV grant allocations to local and federal agencies directly responsible for managing OHV designated public lands has changed markedly from previous years. Conservation and enforcement activities have a much higher priority, and OHV grant recipients must meet much tougher standards for managing public lands within three categories:

- Expanded Natural Resource Conservation and Protection Efforts

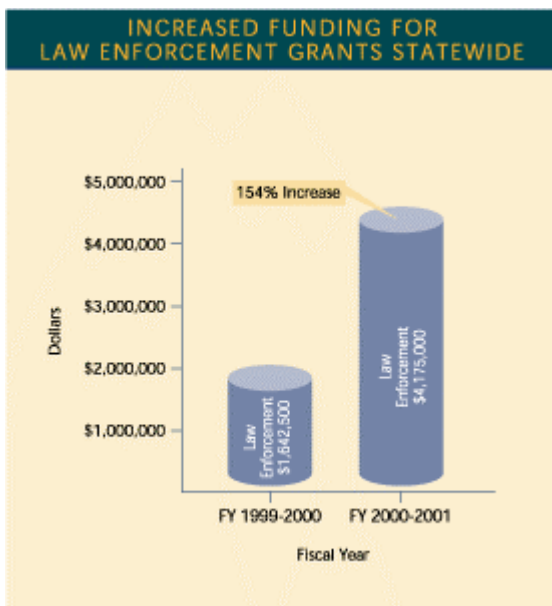
New regulations impose rigorous standards for monitoring soils and wildlife, and require extensive Wildlife Habitat Protection Plans (WHPPs) for funding. This involves resource ecologists and land managers conducting field surveys, statewide mapping, trail inventories and restoration, wildlife research and habitat restoration.

Grant funding for conservation increased from \$2.1 million in the 1999-2000 fiscal year to \$4.6 million in the 2000-2001 fiscal year, a 124 percent increase for the grant cycle.

- Strengthened Law Enforcement Efforts

New regulations require grant recipients to submit comprehensive law enforcement plans that address issues including trespass, unregistered vehicle enforcement, resource protection, and noise compliance. At the same time, measures have been taken to provide additional personnel and equipment for greater law enforcement presence on OHV designated land.

Grant funding for OHV law enforcement increased statewide from \$1.6 million in the 1999-2000 fiscal year to \$4.2 million in the 2000-2001 fiscal year, a 154 percent increase for the grant cycle.



Grant funding to county sheriffs for OHV law enforcement increased from \$161,000 in the 1999-2000 fiscal year to \$1.6 million in the 2000-2001 fiscal year, a 894 percent increase for the grant cycle.

- Increased Grantee Accountability

New regulations call for annual inspections of grant areas, and stipulate that all grant requirements must be met prior to allocation of funding. Grant requirements now include a California Environmental Quality Act (CEQA) analysis of potential impacts created

by activities associated with the use of grant funds.

To ensure broad participation, grant candidates are now required to make applications available for public review, host public meetings to solicit comments before submitting applications, and submit letters of support and opposition with their proposals.

Commission an Updated and Comprehensive Fuel Tax Study

The OHV program currently receives fuel tax income based on a 1990 study that is seriously outdated regarding both the current population of non-registered OHVs and the fuel consumption rates of off-highway recreation vehicles. To resolve these and other issues, and to inform voters and legislators about the facts, the Division has commissioned a \$2 million comprehensive fuel tax study to be completed in 2004 that will provide vital new information and address criticisms related to the OHV program's fuel tax income.

Institute Strategic Planning

A statewide strategic planning process has been launched to enable the Division to accommodate future demand for backcountry access and off-highway recreation. The process includes making use of accurate and relevant baseline data related to demographics of present and future OHV users and the geographic and land use restrictions of potential OHV sites, as well as developing procedures to encourage stakeholder input and community support. Participants in the Stakeholder Roundtable and its Task Forces provide the overall planning process with important contributions in their areas of expertise.

This newly adopted approach to land acquisition will help the Division define priority service areas and profiles of viable OHV park sites, and encourage integration of the OHV program into local, state and federal land use planning processes.

Strengthen Public Safety, Education and Outreach

New public information efforts have been developed to promote an understanding and appreciation of OHV recreation as a legitimate part of multiple-use management, as well as the importance of rider responsibility and accountability. Certification of minors operating ATVs without supervision and outreach to at-risk youth by law enforcement officers, park rangers and the community are among the Division's highest priorities.

The Division is working to develop a contract for a certified State Training Organization to implement the ATV Certificate Program for the state by spring 2002.

The California OHV program is widely considered a model for the rest of the United States. As its legislative reauthorization in 2007 draws closer, it is essential that the Division honor past commitments while initiating new policies and programs responsive to present and future needs. The survival of California's OHV program depends on continued dedication to implementing the reforms and initiatives outlined in this report.

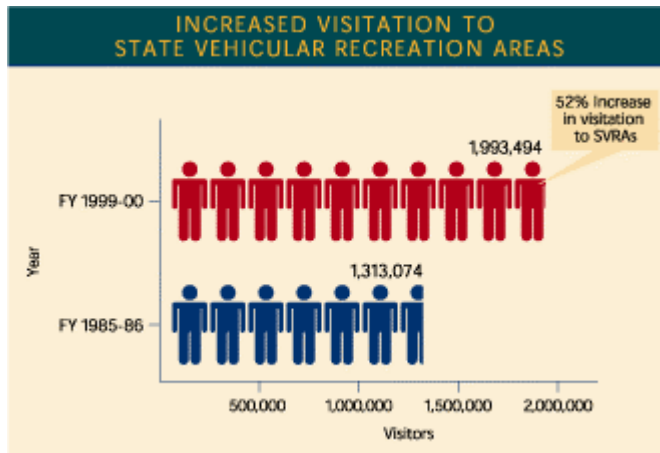
The program's new vision and direction come in response to dramatic changes in recreational demographics, environmental standards, and stakeholder expectations, and have been welcomed by long-standing enthusiasts and previous critics, alike.

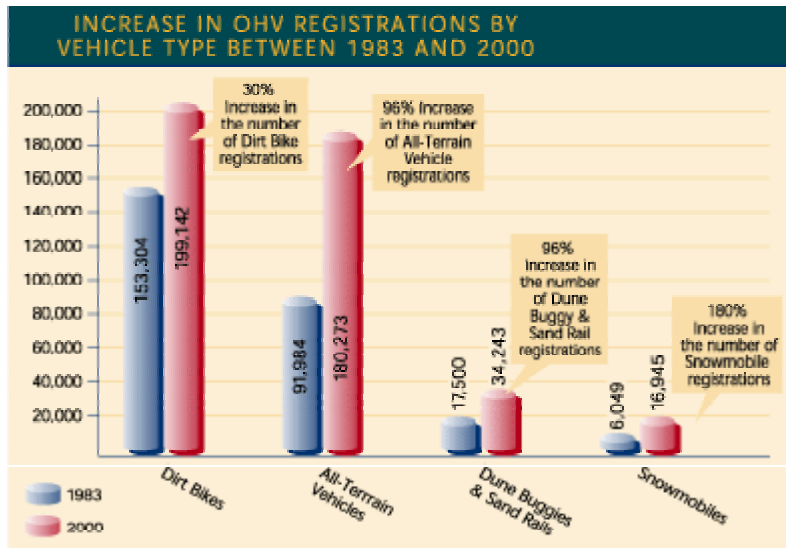
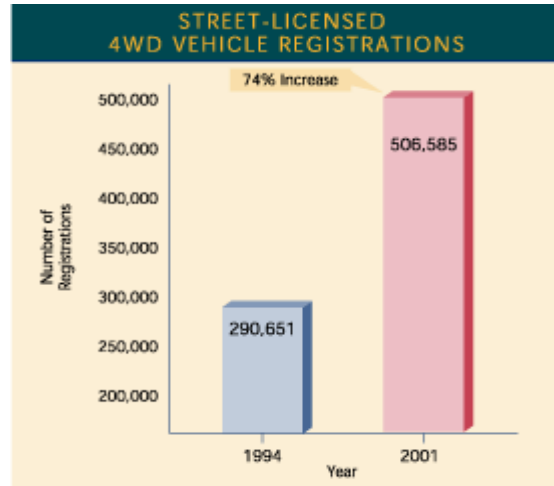
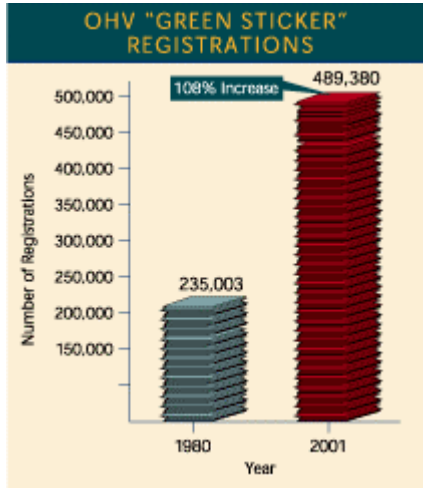
Peaks and Valleys: Trends in Off-Highway Motor Vehicle Recreation

Recreation Demand

In 2002, California has:

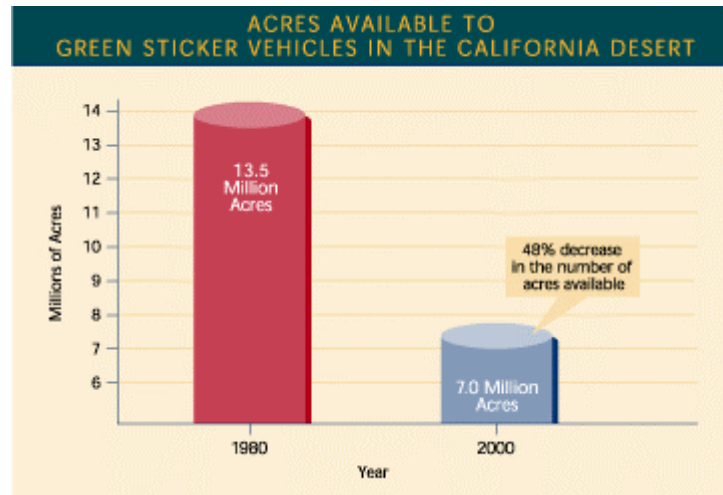
- The highest population in the nation
 - 34 million in 2000
 - 46 million projected by 2020
- The greatest number of off-highway vehicle recreation enthusiasts in the U.S.
 - 3.5 million recreationists
 - 14.2% of all California households
- Dramatic increases in OHV "Green Sticker" registrations
 - 108% increase in ATVs, snowmobiles, dune buggies, sand rails and dirt bikes since 1980
 - 8% increase per year in snowmobile registrations
- Major increase in SNO-PARK attendance
 - SNO-PARKS attracted 190,000 visitors in 1992-1993. In 1999-2000, SNO-PARKS received more than 415,000 visitors
 - 74% increase in street licensed four-wheel drive vehicles since 1994
 - 52% increase in visitation to the State Vehicular Recreation Areas since 1985





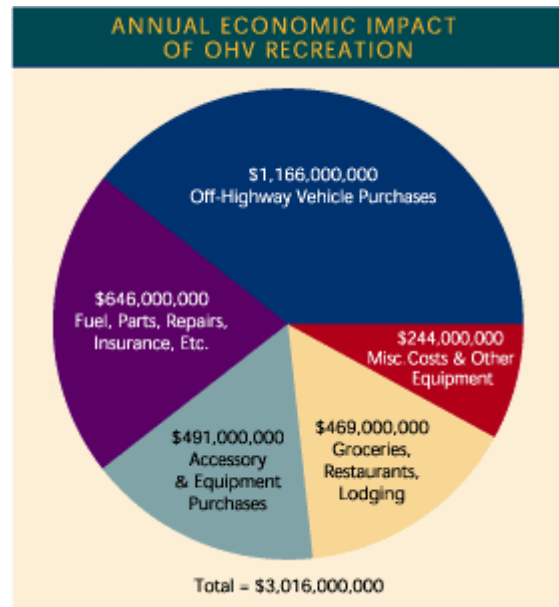
Decreases in Land Availability for Off-Highway Vehicle Recreation

The sport continues to grow even as congressionally mandated wilderness area designations and urbanization reduce OHV access to many traditional OHV use areas. The first Wilderness Act, passed in 1964, designated approximately one million acres of California as wilderness. Between 1968 and 1978, fourteen additional wilderness areas were designated. Wilderness acts and monument designations in 1984, 1992, 1994, and 1999 increased closed or restricted areas by more than 8,581,259 acres, most of which preclude any form of Green Sticker vehicle access.



The California Desert Protection Act of 1994 affected OHV recreation through its wilderness designations and through the transfer of BLM land to the National Park Service. The California Desert District of the BLM managed 13.5 million acres, the majority of which was available for OHV recreation prior to passage of the California Desert Protection Act. Of the original 13.5 million acres, 6.4 million acres (48 percent) were closed to Green Sticker vehicle access as a result of wilderness area designations and land transfers to the National Park Service.

Despite differing perspectives of off-roaders and environmentalists related to the legitimacy of these closures, managed OHV facilities are receiving rapidly increasing use and impacts. As a growing sport attempts to fit into smaller areas, off-roaders and environmentalists must work together to deal with this reality. Failing to do so will result in areas currently authorized for legal OHV use becoming supersaturated with riding activity, subsequently falling out of compliance with state and federal regulations.



Economic Impact

Annual Economic Impact of OHV Recreation in California: \$3,049,000,000

Until the first comprehensive statewide economic survey was commissioned in 1993, the economic impact of OHV recreation in California was unknown. The 1993 survey, prepared by Sacramento State University's Institute for Social Research, documented that OHV recreation annually generates more than \$3 billion in economic activity statewide. The survey also found that OHV recreation generates roughly \$1.6 billion in personal income and affects 43,000 jobs within California.

Urbanization Trends

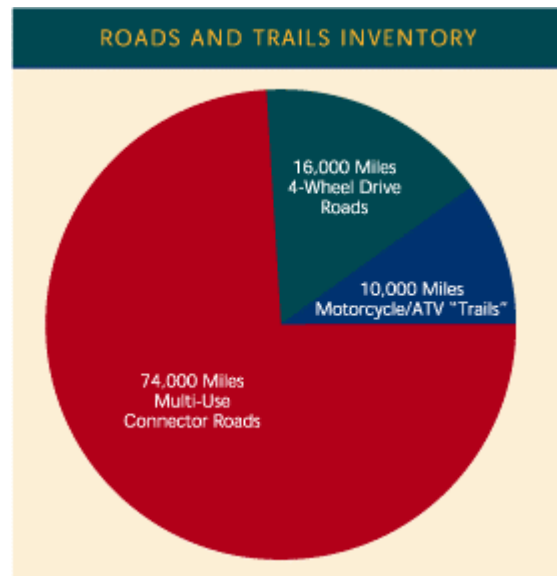
According to the American Farmland Trust, urbanization claims approximately two acres of farmland per minute in the United States. California is currently the second most urbanized state in the nation. As development progresses, many rural OHV areas are struggling to hold the line against urban encroachment. Likewise, as local communities struggle to maintain their open space, state, local, and federal OHV recreation areas provide managed park areas and open space near these communities for the enjoyment of OHV enthusiasts and the general public.

How Much is Enough?

A Simple Question- A Complicated Problem

The Division estimates there are approximately 100,000 miles of roads and trails available for off-highway vehicle use in California. Although that amount may seem excessive to some, it must be seen in the context of what the 100,000 miles truly represents, where it is regionally located, and the relationship of that regional trail system to the regional population that accesses these routes.

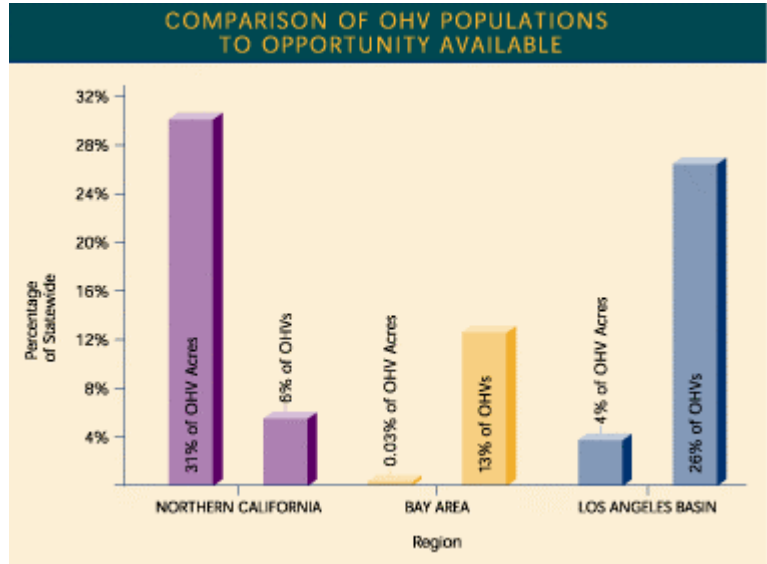
California's 100,000 miles of roads and trails do not provide a one-size-fits-all opportunity for all varieties of off-highway recreationists. Of these 100,000 miles, only 10,000 miles represent narrow-width and single-track trails, which are both the appropriate and preferred trails for ATV and motorcycle users. Moreover, only 16,000 miles of the 100,000 miles are of interest to 4-wheel drive enthusiasts. The remaining 74,000 miles are roads that are mostly used as connector routes for those pursuing a variety of forms of recreation, both motorized and non-motorized, in both 2-wheel drive and 4-wheel drive vehicles. Non-motorized recreationists, who also contribute to the OHV Trust Fund, can access roads and trails funded by OHV monies as well as non-OHV funded routes. In contrast, traditional OHV enthusiasts are largely restricted to this route system, only 26 percent of which represents the type of off-road experience that most people associate with traditional OHV recreation.



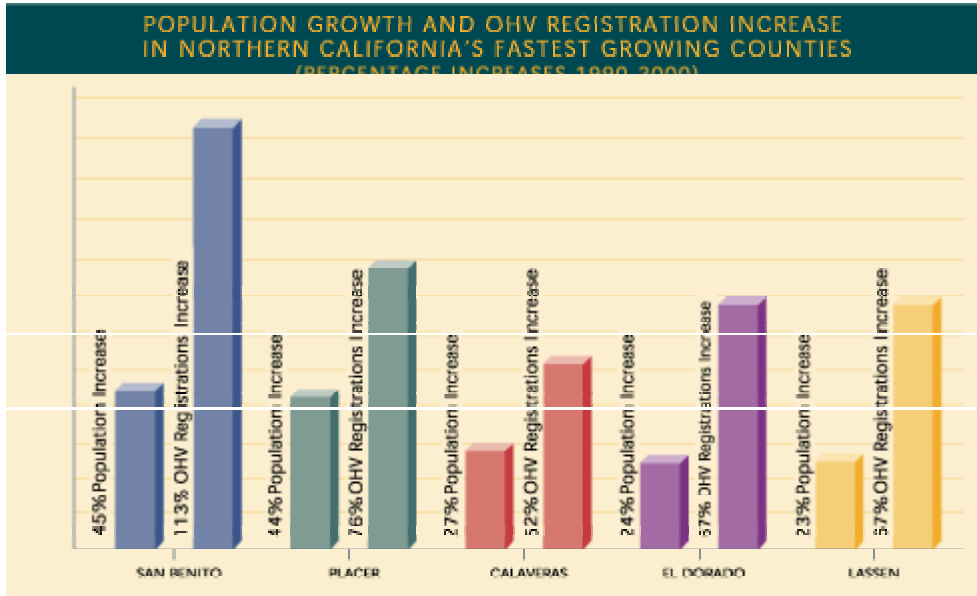
The supply and demand relationship between California's population centers, relative to both human population and OHV registrations, and the associated amount of legally accessible motorized off-highway recreation opportunities provided near those population centers is unbalanced. The comparisons shown on page 22 between Northern and

Southern California counties reveals a disparity between OHV population centers and the available motorized recreation opportunity within those areas:

This information reveals the reality and complexity of the situation. California’s most heavily used OHV areas are in Southern California, where riding areas have decreased and the population has increased. Today, Northern California is experiencing the same growing pains, both in OHV registration and population. At one time, local OHV opportunities were accessible to Southern Californians, even within such heavily urbanized counties as Orange, Los Angeles, and San



Diego. As regional populations increased within these areas and the usable OHV land base decreased, outlying rural areas began to receive heavier use and “backyard” riding resulted in increased user conflicts and complaints in the urban/rural interface. Today, that situation is exacerbated by an increased and legitimate interest in protecting natural resources within rural riding areas and increasing user conflicts in once rural OHV areas that are now rapidly being absorbed into the urban edge. Illegal trail proliferation surrounding the urban fringe continues to be a problem, yet local governments have been unable to effectively enforce OHV laws or provide much needed managed local OHV facilities. If 100,000 miles of roads and trails were, in fact, “enough,” or coincided with regional OHV recreation needs, it is unlikely this situation would exist.



The question of “How Much Is Enough?” is really a question of “How Much Is Required?” to accommodate an increasingly popular form of recreation and protect what’s left of California’s open spaces. California’s population is estimated to double in size within the next 40 years. It can be expected that California’s current 170,000 miles of paved roads will not be able to accommodate 30 million more people. Similarly, the state’s existing 100,000 miles of dirt roads and motorized trails won’t either. If California wishes to remain ahead of this upward trend, long-term strategic planning will be essential. By identifying appropriate OHV acquisition areas and incorporating future OHV needs into local and regional planning processes, California can avoid falling back into the unmanaged world of the 1970s.

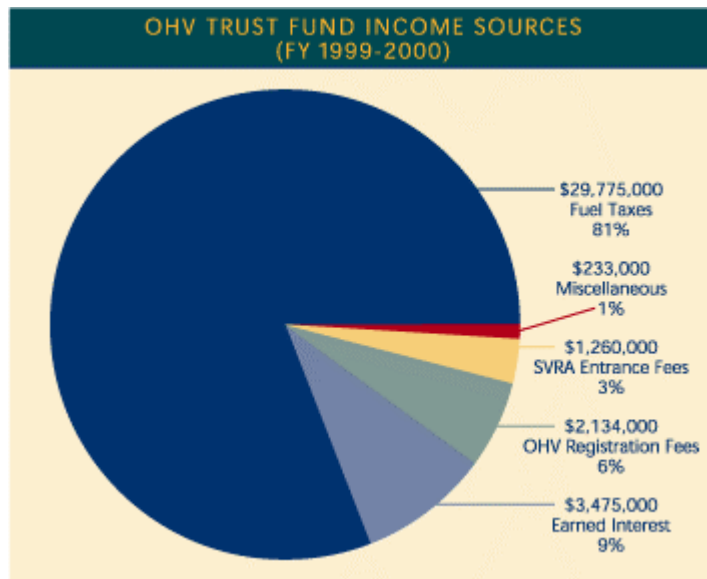
Cooperatively facing this land-use challenge through a new approach to OHV recreation management and land acquisition is not an option, it’s a necessity. However, it will require the sport’s enthusiasts and detractors to be proactive in dealing with a situation that has less to do with political ideology than it has to do with a burgeoning population that will be required to share California’s dwindling open spaces.

Where the Rubber Meets the Road

The OHV Trust Fund

Contrary to popular belief, the OHV program is not financed entirely from the fee paid to register an OHV with a “Green Sticker.” In fact, the OHV program receives its funding primarily from motor vehicle fuel taxes attributable to the recreational use of vehicles off-highway. In FY 1999/2000, fuel taxes accounted for 80.9 percent (\$29.8 million) of the program’s income. OHV (Green Sticker) registration fees contributed 5.7 percent (\$2.1 million).

The OHV program is largely funded by those who may drive off paved roads for recreation, or in pursuit of a variety of types of recreation, not just by those who are required to purchase a Green Sticker, such as dirt bike riders and snowmobilers. Green Sticker funds never have, and likely never will, come close to meeting either the needs of OHV enthusiasts or the many legal requirements for resource conservation and law enforcement associated with today’s OHV program.

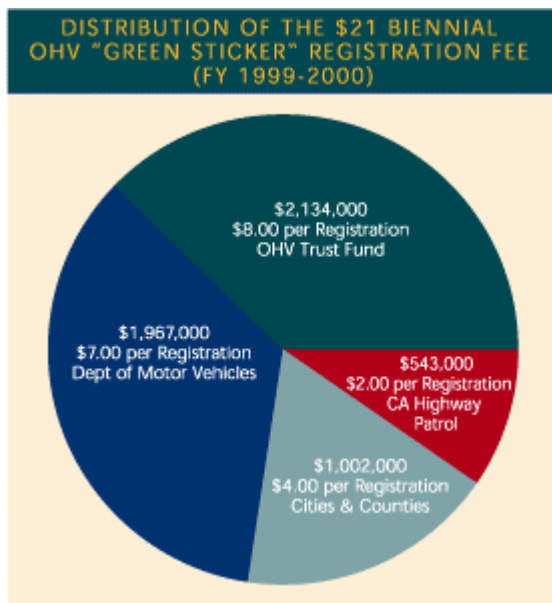


Additional incomes to the program are derived from SVRA entrance fees, 50 percent of OHV-related fines and forfeitures, concessions, and interest earned on unspent monies in the OHV Trust Fund.

“Green Sticker” Registration Fees

The OHV Trust Fund receives only \$8 of the \$21 biennial OHV registration fee. Of this \$21 fee, the Department of Motor Vehicles receives \$7 to cover administrative costs associated with OHV registration.

The California Highway Patrol (CHP) receives \$2 per registration for OHV- related law enforcement and OHV accident investigations. The CHP received \$534,000 from OHV registration fees in FY 1999/2000.



Cities and counties receive \$4 of the OHV registration fee “in-lieu” of property taxes on off-highway vehicles. Local agencies can use these funds for OHV law enforcement, repair of damage caused by illegal OHV activity, or even to provide a local OHV park for enthusiasts in the area. There was \$1,002,000 of in-lieu fees distributed to cities and counties in fiscal year 1999/2000. Because the money is distributed based upon the census population of each city and county, rural cities and counties with high OHV visitation receive only minimal in-lieu funding because of their small populations. For example, sparsely populated Imperial County, a prime destination for urban OHV enthusiasts

traveling to the Imperial Sand Dunes, received \$2,117 in 1999/2000. In contrast, Los Angeles County received \$144,454 yet maintains little recreational opportunity.

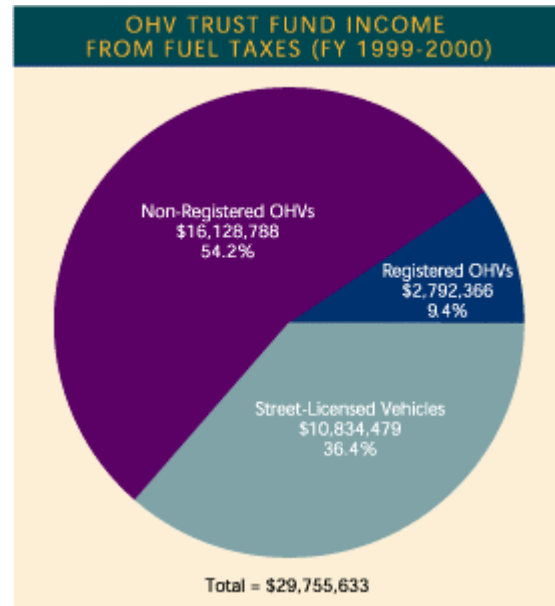
Off-Highway Motor Vehicle Fuel Taxes

California’s Revenue and Taxation Code (sections 8352.6, 8352.7 and 8352.8) authorizes the use of certain fuel taxes to acquire, develop, and manage off-highway recreation in the state. Fuel taxes are the primary source of income to the OHV Trust Fund. That income represents fuel taxes attributable to the gasoline used by motor vehicles while they are being operated off-highway for recreation, and while being used off-highway in pursuit of recreation. Just as on-highway fuel taxes pay for the construction and maintenance of paved highways, off-highway fuel taxes pay for the construction and maintenance of dirt roads and motorized trails within the state. Periodic fuel usage studies

determine the number and type of vehicles being used and the amount of fuel used off-road by these vehicles. Fuel taxes represented approximately 81 percent (\$29,755,633) of the total income to the OHV program in the 1999/2000 fiscal year.

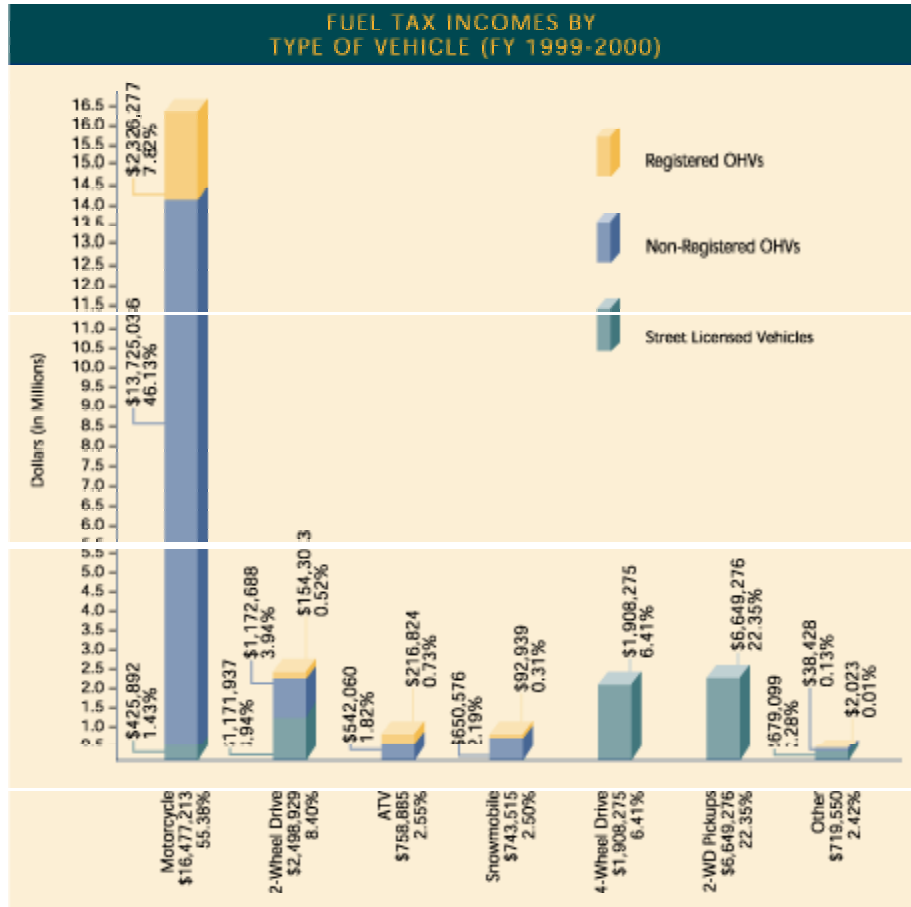
Registered Off-Highway Vehicles — Prior to 1972, OHV enthusiasts were entitled to a refund of the taxes paid on the fuel they used in their OHVs for recreation. The law was changed in 1972 to deposit those fuel taxes into the OHV Trust Fund rather than give individual refunds. That action was necessary to further enable the OHV program’s ability to provide for managed OHV recreation. According to the California Department of Transportation, these fuel taxes represented 9.4 percent (\$2,792,366) of the total fuel tax income to the program in FY 1999/2000.

Street-Licensed Vehicles — Fuel tax income to the OHV Trust Fund was expanded in 1973 to include fuel taxes collected from street-licensed vehicles while being used off-highway. This encompasses virtually any type of street-licensed vehicle that is operated off a paved road recreationally, or in “pursuit of recreation,” including activities such as hunting, fishing, and camping where the use of a motor vehicle on a dirt road is necessary to gain access to recreation. These fuel taxes represented 36.4 percent (\$10,834,479) of the total fuel tax income to the program in FY 1999/2000.



Non-Registered Off-Highway Vehicles — In 1975, fuel tax income was again expanded, this time to include the taxes collected for fuel used by off-highway vehicles that were not legally registered, since their societal and natural resource impacts are no different than those created by registered vehicles. Controversy arose as to the use of taxes derived from “illegal” vehicles. The Conservation and Enforcement Services Account (CESA) was established in 1986 and originally consisted entirely of fuel taxes attributable to all non-registered OHVs, and were to be used exclusively for OHV-related conservation and law enforcement activities. The CESA was revisited when concerns were raised that if enforcement efforts improved and OHV registration increased, the CESA would diminish or disappear altogether. As a result of agreement between environmental and OHV groups in 1987, 33 percent of the non-registered OHV fuel taxes, as well as 33 percent of the two other categories of fuel taxes, are deposited into the CESA account and are used exclusively for natural resource conservation and OHV-related law enforcement activities. The new fuel tax study will provide updated data on non-registered OHVs. This will be critical in order to assist stakeholders in determining how these revenues will be distributed in the future. Income to the CESA totaled \$9,819,360 in FY 1999/2000.

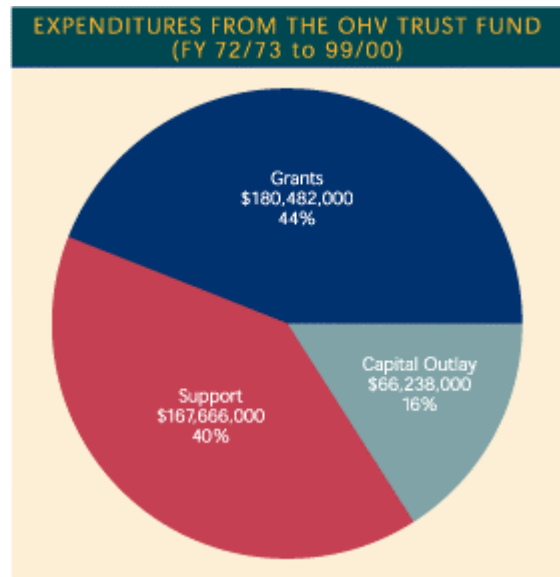
Fuel taxes from non-registered OHVs represented 54.2 percent (\$16,128,788) of the total fuel tax income to the OHV Trust Fund in FY 1999/2000.



OHV Trust Fund Expenditures

The OHV Trust Fund is appropriated by the legislature and approved by the governor through the budget process. Through this process, funds are appropriated in three major categories: Support, Capital Outlay, and Local Assistance Grants. The following chart depicts the program expenditures since the program began:

The Support category covers all expenditures except capital outlay and local assistance. It includes law enforcement, resource management, safety education, administration, facility maintenance, and operation of the SVRAs and Division headquarters.



Capital Outlay includes acquisition and development of SVRAs.

Local Assistance Grants and cooperative agreements are made to local and federal agencies to develop, maintain, and manage OHV areas on their lands. Public Resources Code Section 5090.61(a) allows for up to 50 percent of the OHV Trust Fund to be used for grants to local communities, counties, and federal agencies. The allocation of grant funds is overseen by the Off-Highway Motor Vehicle Recreation Commission.

Tune-Up vs. Overhaul: The Fuel Tax Debate

Critics have called into question various aspects of the OHV program's fuel tax income.

The first question is the legitimacy of including street-licensed vehicles and non-registered OHVs. State law, specifically the Revenue and Taxation Code (pursuant to sections 8352.6, 8352.7 and 8352.8), authorizes income from these sources. Because those vehicles have an impact on off-highway routes of travel, the legislature determined that fuel taxes derived from these vehicles should contribute to the maintenance, rerouting, repair, or closure of such routes.

A second concern relates to the accuracy of the number of non-registered OHVs. The number of non-registered OHVs was validated statistically in a 1990 study. To accurately determine the current number of OHVs, the Division is preparing to contract for a new fuel tax study to update this data using improved methodologies. This study will be completed by 2004.

The third question is whether non-registered OHV users should be "rewarded" by using their associated fuel taxes to provide more OHV opportunity. Since those vehicles cause wear and tear on the system, as do unregistered highway vehicles on paved highways, it can be argued that they, too, should contribute to the restoration, repair, and enforcement needs associated with OHV activity. More than any other issue, the matter of collection and distribution of funds associated with non-registered off-highway vehicles is central to the discussions of the Stakeholders Roundtable and Fuel Tax Study Task Force, and is being seriously debated.

The final question is whether revenue derived from street-licensed vehicles is being used to solely accommodate the so-called "hard core" OHV enthusiast, and whether similar efforts are being made for people who are simply driving for pleasure on backcountry dirt roads or traveling in pursuit of a non-motorized recreational activity. The Division has not routinely maintained the data to answer this question, but recognizes the need to do so. This issue will be resolved when the new fuel tax study is completed and when grant recipients begin submitting greater detail on visitors they serve through their use of OHV Trust Funds.

The Nuts and Bolts

The Structure of California's Off-Highway Motor Vehicle Recreation Program

Evolution of California's OHV Program

California's OHV Program was created in 1971 as part of a statewide effort to manage a vigorously growing recreational sport. Unmanaged OHV use was causing significant, unmitigated damage to California's natural resources and bringing OHV enthusiasts into conflict with rural and urban landowners and residents.

Two visionary state legislators, Gene Chappie and Ed Z'berg, foresaw the impact of this trend on California. Chappie, an off-roader, and Z'berg, an environmentalist, worked with OHV enthusiasts and environmentalists to craft legislation that would provide management of this burgeoning sport.

On December 22, 1971, then-Governor Ronald Reagan signed into law the Chappie-Z'berg Off-Highway Motor Vehicle Law of 1971. It established the blueprint for managed OHV recreation in appropriate designated areas, and required maintenance and oversight to ensure continued long-term use consistent with progressive environmental practices. Today, California's OHV Program is the largest program of its kind with the strictest environmental standards of any OHV program in the country.

Since its passage, more than 100 laws have been passed related to California's OHV Program, as well as numerous federal actions that have affected management of the program. Notable milestones in the evolution of the OHV program include:

- 1971 — Presidential Executive Order No. 11644 established the first uniform policies regarding OHV use on public lands. Each land management agency was directed to issue clear directions as to which areas and trails were open to OHV use and which were closed. Monitoring was required to assess and minimize OHV impacts.
- 1976 — Federal Land Policy Management Act gave environmental and recreational interests legal equality in the land management decision-making process.
- 1987 — Wildlife Habitat Protection Plans and soil loss standards were mandated for California's SVRAs.
- 1992 — Wildlife Habitat Protection Plans, soil loss standards, conservation, and rehabilitation were mandated for all California OHV grant areas.
- 1997 — California Air Resources Board adopted regulations that restricted the use of OHVs which do not meet emission standards at certain periods of the year when ozone levels are low, and identified those vehicles with a special "Red Sticker."

The OHMVR Commission

California's Off-Highway Motor Vehicle Recreation Commission was created by the Legislature in 1982 to allow public input and provide policy guidance for the OHV program. The Commission's duties include: allocating funds for OHV capital outlay expenditures and OHV grants and cooperative agreements; certifying general plans which may include EIRs; and considering adverse impacts on property in the vicinity of SVRAs, and recommending measures to the Division to reduce those impacts.

Seven Commissioners are appointed to staggered, four-year terms. The Governor appoints three of the members, and the Senate Rules Committee and the Speaker of the Assembly each appoint two. The Commission membership is required to represent a broad range of disciplines relevant to off-highway recreation — OHV recreationists, biologists, rural landowners, soil scientists, and environmental interests. For more information on OHV Commissioners, visit www.ohv.parks.ca.gov

State Vehicular Recreation Areas

State Vehicular Recreation Areas (SVRAs) are off-highway vehicle parks that are owned and operated by the state. Typically located just outside urban fringes, they cater to populations in surrounding counties. California's SVRAs have a total of more than 90,000 acres. OHV funding provides for staffing, maintenance of the parks, and land purchase.

SVRAs have heavy, steadily increasing visitation. Consequently, they require a high level of management. Between 1985 and 2000, attendance at the SVRAs increased by 52 percent. Each SVRA is required to conduct extensive resource management activities and provide law enforcement, public safety, first aid, and search and rescue services. Most SVRAs are significantly more developed than non state-managed OHV sites and typically offer restrooms, camping, shade ramadas, and RV dump stations.

The Division has created interpretive and educational displays within these areas, and provides activities to promote safe and responsible OHV recreation and natural resource protection. Many of the SVRAs have dedicated vast tracts of land as off-limits to motorized use, utilizing such open space as buffer and non-motorized recreation areas.

The Division's standards for resource management increased in 1987 with legislation that required the OHV program to establish both soil loss standards and Wildlife Habitat Protection Programs for each of the SVRAs. These requirements brought about significant changes in resource management at the Division's SVRAs.

The Division utilizes resource ecologists at each of the major SVRAs in the system. Regular monitoring of the SVRAs provides data for managers to make informed

decisions on how best to manage park resources. Division staff is working to better define areas through Geographic Information Systems (GIS) to allow for more consistent application of soil and wildlife monitoring activities. The existence of volunteer trails also creates challenges for managers. Active management solutions include a process of trail recognition, closure and rehabilitation, coupled with proactive education and enforcement activities.

The Division is committed to maintaining a proactive resource management program and believes it is essential as OHV use continues to intensify on available land. Extensive habitat monitoring at the larger SVRAs has been initiated to ensure compliance with the OHV program's numerous regulations and mandates. As a result of this program, baseline flora and fauna species inventories are being established and will be updated annually.

Under the OHV program's new regulations, the Division will take corrective action to reestablish vegetation, reduce soil erosion, and even close areas if necessary to meet these standards.

The six SVRAs include Carnegie, Hollister Hills, Hungry Valley, Ocotillo Wells, Oceano Dunes, and Prairie City.

Carnegie

Located in the steep hills between Livermore and Tracy, this 1,500-acre park provides trail riding, hill climbing, and a moto-cross track.

A Wildlife Habitat Protection Plan has been written for the park to protect rare and sensitive species that are known to or may potentially occur in the area. Some of the species of concern at Carnegie include the Alameda whipsnake, California tiger salamander, California red-legged frog, Western spadefoot toad, and San Joaquin kit fox. The protection plan includes annual habitat monitoring, sensitive species surveys, exotic plant control, habitat enhancement measures, and implementation of specific resource protection programs.

During 2001, the Division initiated a major hillside restoration project at the park. Work began with a small five-acre hillside. Staff fenced, recontoured, and planted the area with a mix of sterile non-native and native plants. After the vegetation is well established, the SVRA will delineate corridors to be managed as hill climb facilities. This is part of an on-going statewide research project to evaluate the potential for managed hill climb facilities throughout the SVRAs. Hillside restoration work at Carnegie is expected to continue for several years.

Working with Carnegie riders, a Trails Team was formed in October 2000 to identify the most severe problems in the park's trail system. Designated and non-designated trails in the unit are being identified and marked, and staff has begun to restrict access to many non-designated trail routes. Management at Carnegie represents a significant challenge as

park attendance steadily increases. Rider disbursement and trail designation will be critical in the future in order for Carnegie to maintain compliance with soil and habitat standards required by law.

In response, Carnegie staff is formulating a Carnegie Long-Range Management Plan to guide existing and future staff stewardship of the park. The Long-Range Plan will synthesize Public Resource Codes with federal and state environmental laws, including the existing Carnegie General Plan. The plan will serve as the primary document to ensure that this park attains and remains in compliance with existing laws and soil standards.

The OHMVR Division has responded to rider requests by establishing the Carnegie Working Group. This task force is comprised of Carnegie enthusiasts and OHMVR staff to establish short and long-term actions that will provide improved amenities for park visitors, establish compliance with Carnegie's existing General Plan, and lay the groundwork for future expansion of the park.

Hollister Hills

This is one of the most heavily used OHV parks and is therefore one of the most intensively managed parks within the SVRA system. The lower ranch offers more than 2,400 acres and 68 miles of trails for motorcycles and ATVs. Overall, there are nearly 6,800 acres of mixed chaparral, oak woodland, and grassland in the park. The trails are designed and maintained to prevent erosion while providing a challenging experience for riders of all abilities. There are moto-cross tracks for practice and a special area designated for small vehicles and children.

Resource management at the park is focused on trails, soils, dust reduction, wildlife monitoring, habitat restoration and rehabilitation, enforcement, and noise.

Hollister Hills has taken a proactive role in conservation and in dust and noise control, and has implemented the following:

- A seasonal closure on hill climbs that produce excessive dust during dry weather conditions. Additionally, a steep trail adjacent to vineyard property has been changed from two directions to one-way going downhill only.
- Water truck coverage for dust control now occurs on all weekends, not just during special events.
- Three large meadows reduced to bare soil by four-wheel drive activity have been closed and are being restored to reduce dust and sheet erosion.
- Dust reduction products are applied to roads to prevent dust from leaving the site and contributing to a degradation of air quality.
- Setback criteria have been established for trail construction in areas near sensitive species and habitats.
- In the past, the channeling of water with inward-pitched roads and culverts has created excessive erosion. Many of these culverts are being removed.

- Additionally, road/trail grading has been changed to pitch outward, resulting in reduced sediment in catch basins.
- Approximately five acres of hillside property have been fenced, re-contoured and re-vegetated. Closure and rehabilitation of unauthorized, “volunteer” trails has been initiated.
 - An ongoing noise-monitoring program to ensure compliance with local and state decibel level requirements has been initiated. Hollister Hills staff will work with a local advisory committee to review the data collected from this program and make recommendations related to potential management changes at Hollister, when necessary, in order to minimize noise emissions from the park.

Hungry Valley

This is the second largest park in the SVRA system, consisting of 19,000 acres and more than 130 miles of OHV trails for motorcycles, ATVs and four-wheel drive vehicles.

Resource management work began in 1981. Today, the staff, including a full-time resource ecologist, is required to provide long-term, sustained OHV recreation by actively managing and monitoring the park’s natural resources. The annual Habitat Monitoring System is a key component of Hungry Valley’s resource management program. This system monitors wildlife, soils, and habitats to determine long-term trends in habitat health. Additional resource management techniques include biannual ground-based photographic monitoring and aerial photographs of the entire SVRA every three years.

One of the biggest challenges at Hungry Valley is managing OHV hill climb use at the park’s Middle Wall. Erosion has been a serious problem at Middle Wall, a 2,000-foot long ridge with a 55 percent degree of slope. The Division developed a proactive long-term solution to the erosion problem, and initiated and completed a project that now ranks as one of the largest hill climb restorations of its kind. The restorations involved planting 40,000 gallons of hydro-seed mix and 250 pounds of native grass and shrub seeds that were collected from the area.

The Middle Wall hill climb now is managed through the use of various erosion control techniques, including steep slope stabilization, erosion control devices, revegetation with native plant species, partial closures, and the implementation of designated routes and sustainable hill climb corridors.

Ocotillo Wells

This SVRA is located near Borrego Springs and is adjacent to Anza-Borrego State Park. It includes more than 60,000 acres of desert riding opportunities.

The flat-tailed horned lizard was proposed for listing as threatened in 1994 under the Endangered Species Act and is known to occur within the park. Ocotillo staff annually administers a \$40,000 contract with the University of Utah to research the lizard in the

SVRA to assist in determining the population density and sustainability of the lizard. The proposed listing was withdrawn by the U.S. Fish and Wildlife Service when data collected from this research revealed the perceived threats to the animal were not as great as first believed. A subsequent multi-agency conservation strategy was developed and implemented for the lizard.

Annual habitat monitoring for plants, small mammals, birds, reptiles, and large animals is also conducted in the park.

Conservation and enforcement projects include:

- Construction of three fenced enclosures to protect a mesquite dune complex east of the San Diego/Imperial County line. This work is needed to protect the plants and dunes from wind erosion caused by vehicle tracks made in the soft sand layers.
- Erection of a fence around the Shell Reef geological feature, a steep rock wall with a six-foot overhang of fossilized seashells.
- A volunteer trash pick-up program by Ocotillo Wells OHV enthusiasts is held the first Saturday of November. Trash from both the park and the Salton City area of the desert is collected to help restore the desert to its natural beauty.
- A partnership with the San Diego County Sheriff's Off-Road Enforcement Team to help train their deputies in off-road enforcement and medical treatment of accident victims. In return, the park is provided additional county law enforcement personnel and medical assistance for busy holidays and special events.
- A driving under the influence (DUI) sting operation. The SVRA has made DUI violations a top priority for enforcement at the park.

Oceano Dunes

Located near Grover Beach in San Luis Obispo County, this SVRA maintains 1,500 acres of open sand dunes for off-highway motor vehicle recreation. This is the only State Park in California where vehicles are permitted to drive and camp on the beach. Out of 1,100 miles of California shoreline identified by the California Coastal Commission, Oceano Dunes represents the last 5 1/2 miles of beach that are accessible by vehicles. Each year, 1.2 million people—more than the annual attendance of Hearst Castle—visit the park each year to surf fish, surf, beachcomb, ride horses, view wildlife, and enjoy OHV recreation.

Two thousand of the 3,500 acres of the SVRA are closed to vehicle use and are managed for wildlife habitat conservation.

Oceano Dunes contains numerous sensitive plant and animal species. Ten plant species found within the park are listed as threatened or endangered, including Gambel's watercress, marsh sandwort, La Grasciosa thistle, surf thistle, dune larkspur, Blochman's

leaf daisy, Nipomo mesa lupine, San Luis Obispo monardella, crisp dune mint, and horkelia.

Management programs and cooperative ventures with other agencies and institutions have been initiated to assist park staff in protecting these sensitive species. The SVRA protects endangered species habitat in the Oso Flaco Lake area by restricting public access to this area and working with staff from U.C. Santa Barbara and the Department of Fish and Game for onsite monitoring and research of two endangered species.

The 17,000-acre Guadalupe-Nipomo Dunes is considered the finest and largest remaining coastal sand dune system in California. Minimizing human disturbance has been insufficient to effectively manage the habitat. The dunes are under attack from a different source. Non-native plants have proliferated steadily throughout the dunes, crowding out many of the sensitive native plants and degrading wildlife habitat. In an effort to curb this problem, the SVRA has formed a partnership with the U.S. Fish and Wildlife Service, the Center for Natural Lands Management, the Land Conservancy, and the Dunes Center to develop a long-range dunes restoration and management plan. It is expected that endowments totaling \$5 million to \$8 million will be available in 2001-2002. Annuities from those endowments will provide funding for the long-term restoration efforts within the dunes.

In the past decade more than 250 acres of sand dunes in the Oceano Dunes SVRA, the majority in the non-riding area around Oso Flaco, have been successfully vegetated with native plant species. The SVRA developed a greenhouse to propagate native plants for revegetation. With a capacity for growing 80,000 seedlings each year, the greenhouse operation provides an economical method of supplying the planting needs for ongoing vegetation projects.

An extensive revegetation and restoration effort at Oceano was undertaken at Oso Flaco Lake, one of the few remaining natural freshwater lakes on the central coast. Several years ago, park officials learned that the 50-acre lake was filling in with sand. This was largely because of water diversion, unrestricted foot and equestrian traffic, and OHV use. The area immediately surrounding the lake was closed to camping, equestrian, and OHV activity. Natural features were restored in cooperation with the California Coastal Commission, and volunteers helped staff revegetate the buffer area to the north and west of the lake to stop the influx of sand and stabilize the dunes. A footbridge was constructed over the lake to channel pedestrian traffic through this environmentally sensitive area. The footbridge provides visitors with scenic vistas and opportunities for up-close viewing of wildlife while protecting the habitat.

The Nature Conservancy and many volunteers performed the work with funding granted by the California Coastal Conservancy. The Nature Conservancy operated the Oso Flaco Lake portion of the SVRA for five years through 1997. Today, 56 percent of the park's acreage is closed to OHV use in an effort to maintain this and other sensitive areas within the park.

In recent years, the park has arranged for scientific studies as varied as an inventory of mollusks, a study on the dynamics of sand movement by the University of California at Los Angeles, a netting and banding study of neo-tropical migratory birds, and water quality studies at Oso Flaco Lake. Water quality studies are part of an outreach program with Santa Maria High School, where students learn scientific method and analysis techniques and submit their findings to the National Atmospheric and Oceanic Administration.

Three endangered or threatened species have received special attention in the park—the red-legged frog, the western snowy plover and the California least tern.

- Inventory and mapping of the endangered California red-legged frog was accomplished in 1999 and 2000 in the wetland areas surrounding Oso Flaco Lake. These studies, in conjunction with monitoring, enabled the reconstruction of the boardwalk through the dunes to the ocean with no adverse impacts to this species.
- The western snowy plover and the California least tern have been the object of intense study and management efforts at Oceano Dunes SVRA since 1994. Nest sites for these threatened and endangered birds, both of which nest on the bare sands within the SVRA, are protected by fenced exclosures through seven months of the breeding and nesting season each year. The nests are monitored daily, and movement of western snowy plover chicks is monitored up and down the coast. Individual nests found outside the large exclosures are usually fenced off within a half-hour of being located. Signs are posted to advise visitors to stay out of exclosure areas. Dogs are prohibited from running off-leash in the area, and trained staff monitors nest and hatching activity every day. The Division has developed a public education program to raise visitors' awareness and enlists the public's support in protecting the least tern and snowy plover habitats.

Most recently, the Division, in cooperation with the California Coastal Commission and San Luis Obispo County, formed a technical review team and scientific advisory committee to review scientific data gathered on habitat and social trends within the SVRA, and make recommendations on additional focused studies or changes in management actions that may be needed in the future. State Parks and Coastal Commission staff will make these findings known to the Coastal Commission and general public through an annual workshop.

Prairie City

Because of its location 20 miles east of downtown Sacramento and its proximity to a burgeoning suburban area, this 836-acre park is destined to become the model for future urban OHV parks, and will eventually provide a mix of both motorized and non-motorized forms of off-road recreation, including BMX facilities, world class moto-cross tracks, skateboard parks, mountain bike trails and rock climbing facilities. Interestingly, the need to buffer Prairie City from expanding urbanization will likely provide the opportunity to provide non-traditional, non-motorized forms of off-

road recreation within these buffers while motorized recreation continues within the park's core.

A Prairie City Development Plan Committee was formed in March 2001. The objective of this committee is to formulate a plan that will address current and future needs, the desires of off-highway recreationists, both motorized and non-motorized, as well as moto-cross spectators. The committee will present a draft development plan to the Division in January 2002.

OHV Grant Program

Provided for through existing law authorized by the legislature in 1971 and 1977, the OHV program partners with cities, counties, and federal agencies to provide a diverse offering of OHV recreation in California. When the grants program was established, there was recognition and support from the environmental community that grants and cooperative agreements were needed because federal agencies had never substantially invested in OHV management. The grants program created a way to develop and manage new and existing opportunities for OHV recreation and to protect the environment.

Today, there are 60 USFS sites, 26 BLM facilities, and 11 locally operated OHV parks that present a diversity of OHV opportunity (see map in back cover pocket). They include OHV parks such as Metcalf and Frank Raines; large federal areas such as Chappie-Shasta, Stonyford, and Imperial Sand Dunes; and trails such as the Rubicon and Mojave Road.

The state provides grants to local agencies and enters into cooperative agreements with federal agencies to provide managed OHV recreation in California. Since 1986, the Division has awarded \$194 million through grants and cooperative agreements for conservation, law enforcement, land acquisition, development, and operation of local and federal OHV areas.

In the 1999/2000 fiscal year, 94 percent of the OHV grant funds were awarded to federal agencies. In the 2000/2001 fiscal year, 80 percent of the OHV grant funds were awarded to federal agencies and 20 percent to local agencies, a change associated with a significant increase in grants to local law enforcement agencies. While it is true that federal agencies receive a high percentage of the grant funds, it is because they provide OHV opportunity that simply is not available from any other jurisdiction, and control the largest and most popular OHV destinations in California. In California alone, the Forest Service and BLM manage more than 99 percent of the land that is available for OHV activity within California and which accommodates approximately four million visitors annually.

With nearly five out of every 10 acres of California's landscape in federal ownership, California's partnership with the federal government is critical in managing OHV recreation where it actually takes place. The 90,000 acres of state-owned OHV

facilities could never realistically accommodate California's existing and future OHV needs.

Elimination of managed OHV recreation on federal lands would have serious consequences on public and private lands, as eliminating use in an area tends only to "squeeze" the use into neighboring areas. Riverside and San Diego counties are prime examples of this phenomena, where the inability to find new OHV opportunities compounded by decreasing access to public lands has resulted in significant trespass and trail proliferation issues on sensitive habitats and privately owned lands.

Wildlife Habitat Protection Plans and soil and wildlife habitat monitoring requirements mandated by the Public Resources Code were not initially implemented on federal lands receiving OHV funding. There was considerable confusion when the statutes were enacted as to the applicability of these standards to OHV grant projects.

The Office of Administrative Law (OAL) issued a determination in 1998 that required the Division to develop regulations to govern the OHV Grants Program, including grants to federal agencies. This ruling reaffirmed that the same set of wildlife and soil standards applying to SVRAs were to be applied to federal areas as was required by law since 1992. The Division now requires each grantee in its grant program to develop WHPPs specific to each OHV area, conduct research to determine the effects of OHV activity on wildlife and soils, and ensure compliance with CEQA.

Winter Recreation Program

The Winter Recreation Program currently consists of two programs, each with its own source of funding. The Division manages the SNO-PARK Program, funded by permit sales that are placed in the Winter Recreation Fund, and the snowmobile grant program that is funded by the OHV Trust Fund.

Snowmobile Recreation

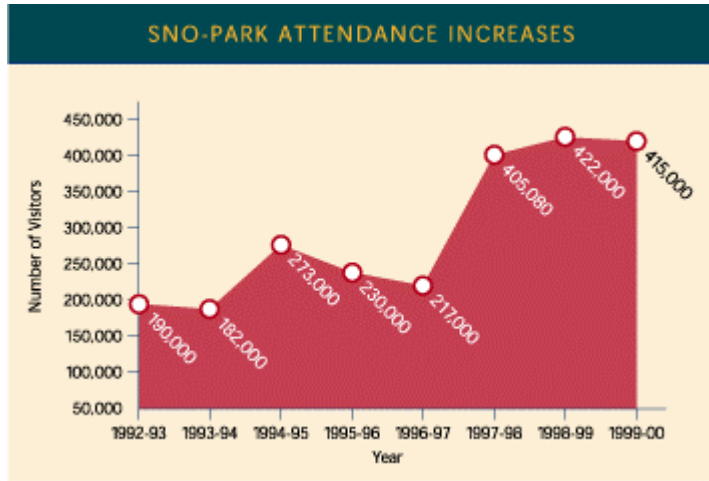
Snowmobiles were the first type of OHV regulated by the state. Snowmobile registration started in 1969, two years prior to the establishment of the Off-Highway Vehicle Trust Fund that now funds the program. Snowmobilers wanted to register their vehicles so that funds could be used for the construction and maintenance of plowed parking lots with restrooms. The first facility that was created just for snowmobiles was Ashpan Trailhead in Shasta County. The Shasta County Public Works Department received state OHV funding to construct the parking lot and restroom facilities on Lassen National Forest lands in 1977. Today, the number of OHV funded trailheads has grown to 30 sites. These are actually multi-purpose sites with opportunities for cross-country skiing, snow play, and dog sledding.

According to the DMV, nearly 17,000 snowmobiles are registered in California, a 180 percent increase since 1983. California is fast becoming a favored snowmobile recreation area in the western U.S. The trails are located on existing roads owned by the USFS, and

county and state highways that are closed to other vehicles during the winter. Trail grooming operations are facilitated through interagency agreements and contracts and undertaken by USFS personnel and volunteers.

SNO-PARKS

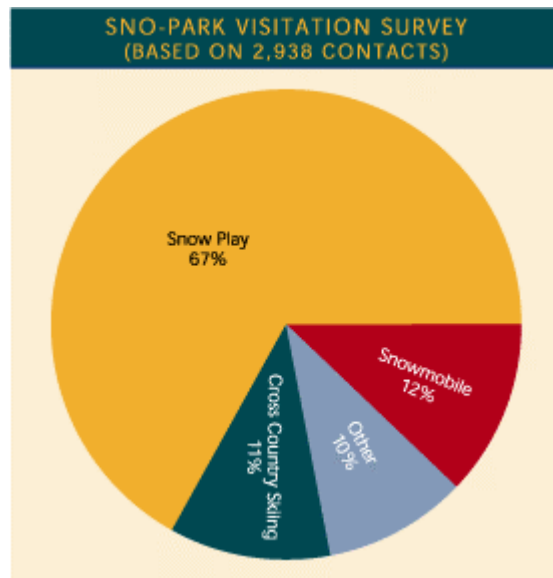
The SNO-PARKS program started in 1984 with legislation authored by Senator Jim Costa in response to constituents requests for plowed parking areas where they could safely park off a highway to recreate in the snow. The SNO-PARKS program was moved in 1993 from the Planning Section of California State Parks to the OHMVR Division. The program has grown from 15 sites in 1986 to 21 SNO-PARKS in 2002 with more than 100 vendors selling SNO-PARK permits. The permit sales that are placed in the Winter Recreation Fund pay for basic services, including plowing, paved and signed parking, trash removal, and restrooms.



SNO-PARKS provide opportunities not only for snowmobiles, but also for cross-country skiing, dog sledding, and for others who just want to play in the snow. The Division works with the California Department of Transportation, County Sheriffs, USFS, and the California Highway Patrol to provide safe family recreation, snow plowed parking lots, and maintained restrooms.

SNO-PARKS are operated and maintained by the Division through the sale of parking permits and concessionaire fees. Many of the SNO-PARKs are becoming so crowded on weekends that a public awareness campaign has been developed to encourage people to visit the parks on weekdays. For example, on sunny weekend days, more than 1,110 visitors are turned away at Echo Summit SNO-PARK near Lake Tahoe.

A 2001 survey of SNO-PARK visitation revealed interesting results. More than 68



percent of the nearly 3,000 people surveyed were there to simply play in the snow, while 10 percent were accessing trails for cross-country skiing. Twelve percent were using the area for snowmobiling. Even more interesting is the ethnic makeup of those who were enjoying the areas. Of the individuals surveyed, 42 percent were minorities, largely Hispanic.

Law Enforcement and Resource Protection Mandates

The OHV Law Enforcement and Resource Protection Program has three basic goals:

- Protect the park from the people. State, federal, and local law enforcement officers are charged with enforcing various resource protection and vehicle code laws. Examples are:
 - Wilderness intrusions
 - Spark arrester laws to prevent wildfires
 - OHV operation only in designated areas
 - Damage to natural and cultural resources
 - Injuring or killing wildlife
- Protect the people from the park. State, federal and local law enforcement officers are responsible for assuring that visitors don't suffer any harm from the natural environment. Actions taken include:
 - Installing warning signs in dangerous areas
 - Maintaining roads and trails in a safe and environmentally responsible condition
 - Removing dangerous hazards
- Protect the people from the people. State, federal, and local law enforcement officers have the duty to protect the visitors from each other, enforcing:
 - Alcohol related laws
 - Excessive speed
 - Reckless driving
 - Trespass violations
 - Noise violations

In addition, the program enforces OHV registration, helmet requirements and double-riding prohibitions for ATVs, supervision of ATV riders under 16, and search and rescue operations.

A New Map For a New Era:

The Plan

Changes in society compounded by changes in recreational demographics, environmental standards, stakeholder expectations, and off-highway vehicles themselves, require adjustments in California's OHV Program to reflect a new era. In order to meet this challenge, the Division is altering its course and implementing a variety of new and innovative strategies.

The following are the key improvements initiated in 2000 as part of a new way of doing business for the OHV program.

Stakeholder Involvement

The stakeholders involved in off-highway recreation are diverse. In general, they consist of OHV enthusiasts, non-motorized recreationists, environmental organizations, private property owners, public land management agencies, law enforcement agencies, local communities, businesses, and local governments. Each group is passionate about its perspective and wants to be heard. In the past, many stakeholders have felt left out of the decision-making process. The absence of a forum in which all stakeholders could participate has led to distrust, polarization, and lawsuits.

To improve the process, the Division has sought to improve communication with and among stakeholders, build consensus, and enhance problem solving at all levels.

In May 2000, the Division established the OHV Stakeholders Roundtable and convened a precedent-setting series of meetings to address reauthorization of the OHV program and identify the “optimum” off-highway recreation program. The Roundtable is advisory to the OHMVR Division and Commission. More than 50 representatives have made a commitment to meet monthly. Organizations involved are:

American Honda Motor Co., Inc.

American Motorcyclist

Association District 36

American Motorcyclist

Association District 37

American Motorcyclist

Association District 38

American Motorcyclist

Association, National

Back Country Horsemen
of California

Back Country

Recreation Consulting

Blue Ribbon Coalition

California-Nevada

Snowmobile Association

California Association of
4-wheel Drive Clubs
California Highway Patrol
California Motorcycle
Dealers Association
California Off Road
Vehicle Association
California State
Sheriffs Association
California Trails &
Greenway Foundation
California Wilderness Coalition
Center for Sierra Nevada Conservation
Desert Protective Council, Inc.
Disabled Sports USA
El Dorado Equestrian
Trails Foundation
Federation of
Western Outdoor Clubs
Friends of Jawbone/El Mirage
Friends of the River
Imperial County
Sheriff's Department
Independent Motorcycle
Retail Industry
International Mountain
Bike Association
Motorcycle Industry
Council, Inc.
National Audubon Society
National OHV

Conservation Council
Nordic Voice
Ocotillo Wells Off-Road
PALS Program
Off-Road Vehicle
Legislative Coalition
OHMVR Commission
Planning and Conservation
League
Police Activities League
Rails to Trails Conservancy
Regional Council of
Rural Counties
San Diego Off-Road Coalition
Sierra Club
U.S. Bureau of
Land Management
U.S. Forest Service

Ex-officio members include representation from the Resources Agency and legislative consultants from the Assembly Water, Parks and Wildlife Committee and the Senate Natural Resources and Wildlife Committee. Other agencies are brought into meetings as professional expertise is requested or necessary for purposes of the discussion.

In a milestone action at the February 27, 2001 OHV Stakeholders Roundtable, members agreed to support the Department of Parks and Recreation's legislative proposal to extend the program sunset date from January 1, 2003 to January 1, 2007 and to refrain from introducing separate, competing legislation in 2001. Assembly Member Juan Vargas was the author of the measure (AB723). The four-year extension timeframe was agreed upon in part because a new comprehensive fuel tax study is expected to be completed in 2004. This extension will allow all interested parties time to evaluate study results prior to the 2005-06 legislative session, when the reauthorization legislation will again be taken up.

For the first time, these representatives are sitting side-by-side discussing their respective issues. The group is professionally facilitated by the California Center for Public Dispute

Resolution, a joint program of California State University, Sacramento and the McGeorge School of Law of the University of the Pacific.

The self-imposed charge of the Stakeholders Roundtable is:

“Enhance the Division’s ability to provide quality off-highway recreation opportunity in a safe, environmentally responsible manner. The Division and OHMVR Commission will solicit Stakeholder recommendations for incorporation into the reauthorization legislation, regulations, Commission policy and Division Action Plan. The Roundtable will recommend consensus-based actions to address issues and challenges.”

The Stakeholders are committed to reviewing all related code sections and have identified the following general program areas to be covered:

- Scope of Off-Highway Recreation
- Resource Conservation and Environmental Protection
- Law Enforcement Responsibility and Level of Application
- OHV Trust Fund Revenue Sources
- Grants and Cooperative Agreements
- In-lieu Registration Fee to Local Agencies
- OHMVR Commission Authority and Membership
- Conflicts with Non-Motorized Public
- Safety and Environmental Awareness

Winter Recreation/SNO-PARK Task Force

In 1999 the Division created the Winter Recreation Task Force, an advisory committee of public and private sector individuals involved in winter recreation activities such as snow play, cross-country skiing, and snowmobiling. Representation includes the USFS, Alpine County Sheriffs Department, California Department of Transportation, California Highway Patrol, California-Nevada Snowmobile Association, Sierra Club, Nordic Voice, a private concessionaire, legislative and department staff. The Task Force has recommended ways to reorganize the current SNO-PARK and snowmobile programs into a more efficient program that includes all winter recreation activities.

As a result of these recommendations, legislation (Senate Bill 477) to modify the SNO-PARKS Program was introduced by Senator Jim Costa and signed into law by Governor Davis on September 8, 2001. This legislation allows the Department to enter into long term contracts with public and private entities for SNO-PARK sites and for basic services such as snow plowing and restroom services. The bill also permits spending funds from the Winter Recreation Fund to inform and educate the public about safe and responsible winter recreation.

Friction results from conflicting desires by different user groups such as cross-country skiers and snowmobilers who want to recreate in the same areas. There are no simple solutions to this. The Task Force has offered recommendations designed to reduce these

conflicts, such as providing adequate staffing to coordinate education, safety training, separation of facilities, signage, and maps.

In addition, the Task Force has also recommended strengthening penalties for wilderness intrusions, reducing snowmobile pollution and noise, and placing speed limits on some select trail systems where mixed use occurs.

Winter Program Conservation and Enforcement Projects in 2001/02 include:

- Increase in enforcement patrols
- Use of aerial patrols to help prevent wilderness intrusions
- Special enforcement of alcohol and drug related offenses
- A full biological evaluation and assessment of the Lake Tahoe Basin trail system
- Protocol level furbearer surveys

Noise Reduction Task Force

Controlling noise has always been a concern of OHV users, other visitors and neighbors of various OHV parks and riding areas. Although noise limits are addressed in the Vehicle Code, the realistic enforcement of these standards on millions of acres of land by limited personnel has always been a challenge.

A Noise Reduction Task Force has been formed within the Stakeholders Roundtable and will present its recommendations to the full Roundtable. The team consists of OHV Stakeholders representing a diversified group of organizations: Desert Protective Council, Motorcycle Industry Council, Blue Ribbon Coalition, National OHV Conservation Council, BLM, American Motorcyclist Association, USFS, OHMVR Commission, Back Country Recreation Consulting, California Motorcycle Dealers Association, American Honda Motor Company, Audubon Society, and California Off Road Vehicle Association.

The Task Force is charged with researching and recommending options to the Roundtable that would reduce the noise level of off-highway vehicles and establish meaningful noise enforcement protocols.

The team to date has identified a three-pronged approach to the issue: lower current decibel-level standards; improve noise enforcement; and enhance public outreach and education. The long-term goal is to reduce OHV noise to a non-objectionable level. The current focus is to seek consensus on a noise standard in a phased manner that will achieve immediate and long-term improvements. Significant progress has been made. The team is conducting extensive research into programs in other states as part of its task and intends to recommend draft legislation to the full Stakeholders Roundtable to be incorporated in the program reauthorization.

Soil Standards Task Force

Soil Conservation Guidelines were developed for implementation in the State Vehicular Recreation Areas in 1991. During development of the regulations in 2000, it became apparent that the guidelines could not be transferred directly to the federal grant areas. In order to improve soil standards, the Division has created a Soil Standards Task Force as part of the Stakeholders Roundtable. The Task Force will provide assistance in developing the Request For Proposal (RFP), provide recommendations for the scope of the project, and review the draft proposal to update these standards. The Soil Standards Task Force includes representatives from the Stakeholders Roundtable and began meeting during the summer of 2001. It is estimated that the soil standards should be completed by the summer of 2002.

Fuel Tax Study Task Force

Individuals from the Stakeholders Roundtable who possess both an interest and expertise in fuel tax issues have been convened to provide input to the Division on the scope of the new study and help determine the most appropriate survey methodology. The Division will utilize this input in the execution and implementation of the study and its findings. The following organizations are represented on the Fuel Tax Study Work Force: Motorcycle Industry Council, Sierra Club, American Motorcyclist Association, El Dorado Equestrian Trails Foundation, Nordic Voice, International Mountain Bicycle Association, Independent Motorcycle Retail Industry, California Association of Four Wheel Drive Clubs, Planning and Conservation League, Back Country Recreation Consulting, California-Nevada Snowmobile Association, Center for Sierra Nevada Conservation, and the American Honda Motor Company.

Updated Fuel Tax Study

The OHV program received 81 percent (\$29,755,633) of its FY 1999/00 income from fuel taxes. The remaining 19 percent (\$7,102,000) was derived from facility entrance fees, OHV registration fees, interest earned on unexpended moneys in the fund, and fines/forfeitures on OHV-related citations. The OHV program is currently receiving fuel tax income based upon a study completed in 1990. The study has exceeded its useful life and a new study is necessary. It is outdated with respect to the current population of non-registered OHVs and with regard to current fuel consumption rates by the various types of vehicles used off-highway for recreation.

The 1999/00 Budget Act appropriated \$400,000 for an updated study. An RFP was advertised and one bid was received at the \$400,000 level. The Department determined that the results of the proposed \$400,000 study would be substantially inferior to the results obtained in the previous 1990 study. The bidder submitted two additional study options costing \$615,000 and \$1,293,800. Analysis of the \$615,000 option determined that those results would be slightly improved over the 1990 study, but still inadequate. Analysis of the second option determined that the results would be greatly improved over

the 1990 study, but still inferior to the results and data desired by the public, legislature, and DPR.

Based on these facts, \$2 million has been included in the 2001/02 Budget Act to provide a sufficient level of funding to contract with an outside firm or university for an updated comprehensive fuel tax study.

In addition to substantially increasing the study's sample size, The Division intends that the new study will address criticisms related to the OHV program's fuel tax income and obtain critical new information on:

- Vehicle populations, especially non-registered OHVs
- Fuel consumption rates for off-highway recreation
- DMV vehicle registration data
- Recreational pursuits and destinations of all vehicles being used for recreation off-highway

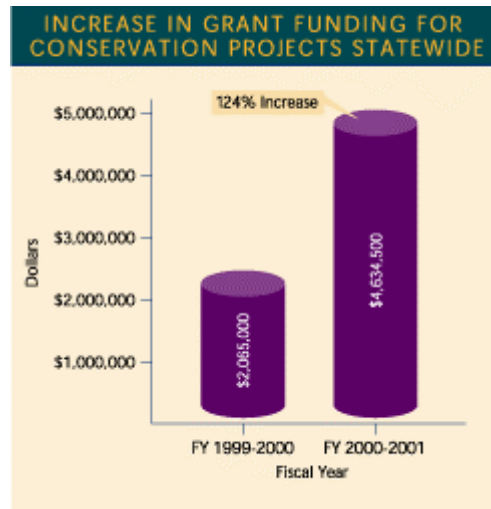
OHV Grant Program Reforms

Grant recipients are now required to meet much tougher standards for management of their natural resources. The impact of those standards is most evident on the public lands administered by federal agencies. In response, funding to federal agencies for resource management activities increased 124 percent statewide during the FY 2000 grant cycle, increasing by more than \$2 million, while outreach to local law enforcement agencies resulted in an 1,000 percent increase over law enforcement dollars distributed in 1999. These reforms fall into three categories:

- Natural Resource Conservation and Protection
- Law Enforcement
- Accountability

Natural Resource Conservation and Protection Efforts

The Division created and adopted new regulations to bring the grant program into compliance with OHV laws passed in 1992. These regulations were developed with public input and review and were implemented in 2000. As a result, grant recipients are now required to meet much tougher standards for management of their natural resources. The impact of those standards is most evident on the public lands administered by federal agencies. Funding to federal agencies for resource management activities increased 124 percent statewide during the last grant cycle. The following chart shows the increase in conservation funding that was awarded to both federal and local agencies:



The new regulations require wildlife habitat and soil surveys, plus management program reviews for all grant-funded trails and OHV areas. Grantees must develop and submit Wildlife Habitat Protection Programs that, in part, include:

- Maps that identify the trails, roads, corridors, and areas that are open for use by off-highway vehicles and that receive funding from the OHV Grant Program. The new regulations require federal OHV grant recipients to monitor the condition of the roads and trails in the OHV area for compliance with the Division's soil standards. The regulations also require that these agencies develop a plan to bring non-compliant trails into compliance with soil standards. This plan must now be included in all grant applications.
- A baseline survey of soils, sensitive wildlife, and wildlife habitat
- A soil, habitat, and wildlife monitoring program to collect data that will provide land managers with sufficient information to provide adequate resource protection for the area
- A resource protection program that includes signs, brochures, and barricades to protect sensitive areas

The Wildlife Habitat Protection Program (WHPP) will be used by land managers to guide annual resource protection efforts. The WHPP is designed to be modified based on the information obtained from survey checklists, remote sensing imagery, and focused studies.

Monitoring the condition of soils in the project area will help determine whether the soil loss standards are being met. Teams of soil scientists and land managers will evaluate the area to determine whether repairs are required. Wildlife habitat monitoring will address a representative sample of OHV trails, stream channel crossings, and other select areas. Trails and areas with potential problems will also be monitored.

All grant applications must now comply with CEQA. The Division reviews all federal National Environmental Protection Act (NEPA) documents and conducts separate

reviews to assure that the projects comply with CEQA. This review is done by Division staff and also by utilizing experienced private contractors.

- **Standardization of Statewide Mapping** — In the past, grant applications submitted to the Division for approval often lacked adequate maps showing the area, trail, road, or facility to which grant funds would be applied. The Division now requires detailed maps showing both designated and undesignated trail systems and an associated plan to address problems with non-compliant and volunteer trails.
- **Expanded Use of Field Surveys and Remote Sensing** — The Division will assist grantees in developing remote sensing programs. Review procedures are being developed and refined to assess habitat health related to wildlife, range health, trail and stream crossings, and snowmobile recreation. Gathering this information significantly enhances management's ability to identify and prioritize monitoring of priority areas. The Division will also use aerial photography and satellite imagery to monitor soils and wildlife habitat to document resource changes over time within the grant areas.
- **Integration of Ongoing Research** — A number of studies are being conducted by various state and federal agencies on subjects related to OHV recreation at SVRAs and in federal grant areas. Data gained from such studies will be useful to land managers responsible for OHV activities. The integration of pertinent information from these independent studies will become an expected component of the monitoring report submitted annually by each grant recipient.
- **Interdisciplinary Grant Area Evaluations** — Land managers will review the survey checklists, remote sensing imagery, and information gathered from focused studies. They will create a team that is made up of specialists such as soil scientists, civil engineers, hydrologists, biologists, and botanists. The responsibility of this team will be to analyze data and make recommendations to solve resource issues as part of the annual grant review cycle.

Conservation in Action

The disposition of OHV grant allocations has changed markedly from previous years. Today, conservation activities are taking a much higher priority. As an example, local and federal agencies were awarded the following funding for special projects during the 2000/2001 grant cycle:

- \$89,000 for trail improvement, trail maintenance, trail restoration, barrier installation, signing, and patrol in the Juniper Flats area near Hesperia. BLM will manage this area by keeping vehicles on designated routes and protecting the surrounding sensitive areas.
- \$135,000 for the restoration of routes that have been closed to vehicle operation in the California desert. BLM is initiating an ambitious project of eradicating historical OHV routes from wilderness areas. It is anticipated that the amount of

unintentional wilderness violations should be reduced significantly through this action.

- \$39,000 to conduct archeological site evaluations to determine the 20 highest priority sites in the Yuha area, near the border of Mexico in Southern California, and determine how best to carry out site protection.
- \$98,000 to develop a group of volunteers to identify, monitor, and protect archeological features on BLM lands in California.
- \$36,000 to install barrier rocks to prevent access to geoglyphs located on the desert pavement in the Panamint Valley complex in Inyo County. The tortoise site near Barstow, the Mystery Ring geoglyph site near Shoshone, and the Mound Circle site, which contains 67 circular mounds, near Shoshone in Southern Inyo County, will be fenced. The Mule Canyon fence, near Blythe, will be expanded to include a dance circle and an aboriginal trail segment. Interpretive signs will be placed at all of the sites. An interpretive sign discussing the fragile cultural landscape of Panamint Valley will be placed at a site overlooking the valley. Stewards will monitor all sites. Brochures discussing the area's history and fragile landscape will be designed for the public.
- \$50,000 to repair eight creek and gully crossings, provide route markers, install and repair erosion prevention devices, decommission 16.5 miles of road, and convert 2.8 miles of road to single track trail on the Tahoe National Forest.
- \$136,000 to develop baseline studies of existing resources, repair erosion damage on OHV routes and trails, and the elimination of unauthorized trails on the Stanislaus National Forest.
- \$187,000 for construction of 500 feet of trail tread armoring at the approaches of bridges and a low water ford, construction of two bridges to keep vehicles out of creeks and streams, culvert installation, four miles of OHV route rehabilitation, and the continuation of deer and spotted owl studies on the Eldorado National Forest, and development of an OHV route inventory.

Law Enforcement

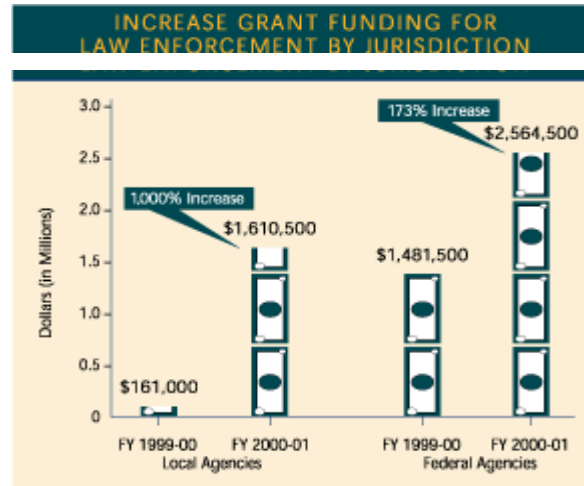
The Division is committed to improving the quality and level of off-highway vehicle law enforcement statewide, particularly within local and federal grant areas.

Many cities and counties have a problem with youth operating off-highway vehicles on vacant lots, private property, and in environmentally sensitive areas. The Division is actively encouraging those cities and counties to apply for law enforcement grants to prevent this illegal activity, and also conservation grants to repair the damage that has resulted. Several counties such as San Diego, Imperial, and San Bernardino have been awarded grants to develop off-road enforcement teams.

The Division and Commission substantially increased the amount of grant funds awarded statewide for OHV law enforcement during the 2000/2001 grant cycle.

In addition, \$1,610,500 was granted to local agencies for law enforcement activities in fiscal year 2000/2001 to purchase motorcycles, ATVs, sand rails, four-wheel drive vehicles, and to pay the salaries of law enforcement personnel.

One of the criticisms of the OHV program has been that OHV law enforcement has been inadequate. The new OHV Grant Program regulations require that grant applicants submit a Law Enforcement Plan. This plan will assure that all grant applicants have identified issues and proposed solutions to resolve those issues. The following must be addressed in the plan:



- Trespass violations
- Unregistered off-highway vehicles
- Resource protection
- Wilderness intrusion
- Excessive noise levels
- Development of a method for the public to request assistance or report violations

The Division is committed to improving the relationship between federal agencies and local law enforcement. For example, the Division has recognized that there is an overwhelming law enforcement problem at the Imperial-Sand Dunes and no one agency alone can handle the situation. The Commission and Division have awarded the Imperial County Sheriff's Department more than \$250,000 for staff and equipment to provide law enforcement assistance to the BLM. The two organizations are continuing to improve their working relationship to solve the challenging law enforcement problem in that specific area.

OHV grants for law enforcement also have been awarded to San Diego, San Bernardino, Kern, Calaveras, Madera, Colusa, and Tehama counties. Plumas County has been awarded a grant to purchase a \$125,000 Snow-Cat to be used for search and rescue, emergency medical incidents, and law enforcement emergencies. Imperial County has

been awarded a grant to purchase ATVs, a sand rail, and a four-wheel drive vehicle dedicated to OHV law enforcement.

The Division is sponsoring additional training sessions and providing information on how to apply for OHV law enforcement grants through the California State Sheriff's Association.

Grant Accountability

The Division is raising the bar in all program areas related to grantee accountability.

The Division will utilize State Park Resource Ecologists, State Park Rangers, and contracts with private companies when appropriate to assist grant administrators in conducting annual program reviews. In addition, the Division is establishing an inter-agency consulting relationship with the California Department of Fish and Game to complement internal staff environmental reviews.

At the request of the Division, the BLM and Forest Service established multi-disciplinary teams of law enforcement officers, ecologists, soil scientists, and recreation planners to review all grants proposed for submission to the Division prior to action being taken on the grants by the OHV Commission. To increase accountability of all grant recipients, the review team will:

- Evaluate all applications for compliance with the OHV Grant Program regulations, the Public Resources Code, and CEQA
- Conduct on-site inspections of OHV-funded areas during the grant period
- Review Wildlife Habitat Protection Programs and monitoring programs to assure grantee compliance with the regulations that govern the OHV Grant Program. Specifically, the team will determine whether required environmental monitoring is being done, whether it is effective, and whether the results are being used by federal managers to make improvements
- Review grant areas to ensure OHV roads and trails are in compliance with soil standards and assist agencies in developing strategies to bring problem areas into compliance with these standards
- Review law enforcement plans and law enforcement training
- Review recipients' records for completeness and accuracy, assuring that all charges to the Conservation and Enforcement Services Account (CESA) are legitimate
- Review all required grant documentation from the previous year, including citations, crime reports, and accident reports
- Evaluate signs, displays, and brochures for adequate law enforcement information
- Conduct rides-along with law enforcement personnel to evaluate daily patrol practices
- Survey OHV users and neighbors regarding adequacy of local law enforcement programs

To ensure broader participation in the grant process, grant applicants are now required to make their applications available for public review and to host public meetings to solicit comments prior to submitting applications to the Division. Grant applicants must also submit letters of support and opposition with their proposals.

New Approaches to Tough Challenges

OHV recreation areas managed by the BLM and USFS present many challenges, and the opportunity to meet those challenges. The following is a brief overview of some of the efforts now underway to address some of California's most complex public access vs. natural resource protection case studies.

Imperial Sand Dunes

The BLM's Imperial Sand Dunes Recreation Area is one of the largest OHV management challenges in the state. Recently, 49,300 acres of the 134,300-acre dune area was closed by BLM to provide additional protection for the Pierson's milk-vetch, a plant species that was listed in 1998 as threatened under the federal Endangered Species Act. The closed area was generally lightly used, however, considerable effort and expense resulted in protecting the boundaries of this newly closed area from OHV intrusions. Fencing this large closed area would be cost prohibitive because of the constantly shifting sand dunes and size of the area. Additional law enforcement was needed to protect the resources and to supervise the more than 600,000 annual OHV visits to the Imperial Dunes Recreation Area each year.

The Division and Commission awarded a \$939,000 annual operation and maintenance grant to the BLM to help manage the dune area. Of this \$939,000 grant, \$292,000 is directed to BLM law enforcement and \$91,377 is directed to resource conservation activities.

In 2000 the BLM only had three permanent law enforcement officers assigned to the Imperial Sand Dunes. In 2001, seven additional law enforcement officers will be provided as a result of state OHV grant funding. Nine additional seasonal rangers will be funded for emergency medical response, search and rescue, and visitor services. Grant funds also will be used to monitor six different rare plants and conduct surveys on mammals, amphibians, birds, and reptiles.

Within the last two years, the OHMVR Division and Commission have approved more than \$800,000 to provide staff and equipment to the Imperial County Sheriff's Department to assist in the heavy law enforcement demands of the Imperial Sand Dunes.

Lake Tahoe Basin Management Unit

About 50 miles of OHV roads and trails have been decommissioned over the last 10 years and well over \$2,000,000 has been invested in erosion control measures by the USFS. This work has reduced the potential for water quality degradation in Lake Tahoe.

With 11 miles of designated OHV trails and 200 miles of undesignated non-motorized trails, the challenge is to bring mountain biking under intensive management. The problem is made more difficult because mountain bikes are not currently restricted to designated OHV trails because they are considered a non-motorized use. Additional environmental surveys and NEPA work are planned for OHV roads and trails. There is a need to begin addressing OHV conflicts with other recreationists in urban interface and snow play areas. Some of the \$2,000,000 provided to the Forest Service by the OHMVR Commission will be used to complete mapping of non-designated trails and identify areas of illegal OHV impacts.

Knoxville Recreation Area

The Knoxville Recreation Area is located in Lake and Napa Counties and provides 18,000 acres of public land for OHV and other types of recreation. A Management Plan was completed in 1994 and establishes the management guidelines for OHV recreation management. The plan was appealed by Napa County and a group of citizens who reside near the area. Subsequently, the Interior Board of Land Appeals (IBLA) upheld the BLM plan in a decision in 1998. The IBLA appeal required BLM to meet with officials from Napa County and other appellants to address law enforcement and other resource concerns at the site. As a result of the meetings, BLM's Ukiah Field Office developed an implementation strategy that will guide management at the site.

The Ukiah Field Office plans to strengthen law enforcement patrols at the Knoxville Recreation Area in 2001. This will include implementation of a "special enforcement team" with assistance provided by the California Highway Patrol, the Napa County Sheriff's Office, the Lake County Sheriff's Office, and the California Department of Fish and Game. The BLM will also hire a resident ranger in 2001 for the Knoxville Recreation Area.

Los Padres National Forest

Resource protection along OHV roads and trails has been one of the key management principles in the Los Padres National Forest. Protection has been accomplished through a combination of added trail conservation and erosion control features, routine maintenance, and reconstruction and relocation of routes to avoid resource impacts. In addition, regular enforcement patrols are required to prevent OHV use off the designated route system, such as in Ballinger Canyon. Additional OHMVR funding to the Los Padres National Forest will be used to complete route designation and identify areas of illegal OHV impacts.

San Bernardino National Forest

The San Bernardino National Forest is engaged in a multi-forest planning effort with the Angeles, Cleveland, and Los Padres National Forests that will result in amendments to Forest Plans for all four National Forests. Some of the OHV planning and management issues that need to be addressed are NEPA/CEQA compliance, monitoring of soil loss

and wildlife, and rehabilitation of damaged lands. Alleviating OHV trespass problems is an ongoing effort and planning is one tool to help in this effort. Some of the proposed \$2,000,000 in funding from the OHMVR Commission to the USFS will be used to complete mapping of designated routes on the San Bernardino National Forest and identify trail proliferation.

Jawbone Canyon and Dove Springs

Jawbone Canyon and Dove Springs are areas managed by BLM that have received considerable damage from overuse by off-highway vehicles. The BLM will contract with the Natural Resources Conservation Service (NRCS) to develop a soil survey in the desert that will identify highly erodable and sensitive soils. In addition, the NRCS will develop a plan to rehabilitate Jawbone and Dove Springs and where possible, provide for managed OHV use in the future.

Strategic Planning

The majority of OHV recreation in California occurs on federal lands. The acreage available for OHV recreation on these lands has dropped dramatically in the last 10 years. The Southern California Desert alone has witnessed a nearly 48 percent decrease in OHV opportunity within the last 20 years. During this same time period, California's population grew approximately 40 percent. The U.S. Census Bureau estimates that California's population will increase 39 percent between 2000 and 2020, expanding from approximately 32 million to 45 million people. This increased population will increase pressure on the state to provide more opportunities for recreation.

The state has been unable to acquire new lands to alleviate the pressure for more OHV opportunities. There are external and internal reasons for this. External pressures include the high cost of land, local and environmental opposition, and the difficulty in obtaining environmental clearances. These obstacles have prevented the Division from acquiring new properties for OHV recreation, particularly in Southern California where there is a huge public demand. An excellent example of this has been the Division's 10-year effort to identify a viable site for OHV recreation in San Diego County.

An honest assessment of the acquisition process reveals internal problems as well. The planning process should be rooted in accurate data, but good data has been lacking. The Division historically has not compiled, developed, or maintained sufficient data on demographics, user interests, visitation patterns, land-use availability, urban sprawl patterns, resource monitoring, or law enforcement. This information is essential if the Division is to expand OHV opportunities and make efficient use of staff resources in pursuing acquisitions.

Another internal shortfall is that planning often was done on a piecemeal basis. Efforts were not integrated into the whole, creating a non-strategic approach that garnered few results for the enormous time and effort expended to enhance recreational opportunity.

To correct this, the Division has launched a statewide strategic planning process to help guide the Division's decision-making in order to provide appropriate places for OHV recreation in the future. To move forward, the Division must have accurate, relevant baseline data such as demographics on present and future OHV users, and regional geographic and land use restriction information. This will allow the Division to define priority service areas and profiles of viable OHV park sites. The Division has commissioned a strategic planning framework that will assist the Division in its ability to:

- Identify OHV recreational opportunities and needs for the future, as well as constraints upon the program and process, from environmental concerns (such as soils, habitat, and wildlife) to infrastructure needs (roads and facilities) and social constraints (urban growth patterns and projections)
- Develop methods to gather comprehensive stakeholder input, enhance community support, and develop a more efficient acquisition process, including methods to collect data and analyze demographics and other trends, and
- Integrate the OHV program into local, state and federal land use planning processes.

These measures will produce an innovative approach to acquiring new, managed OHV opportunities. This process is already being used to guide preliminary feasibility studies for a variety of potential new OHV sites within Southern California. The success of these efforts will require the Division to reevaluate its entire acquisition process to ensure its doing business in the best possible way. Facilitated, collaborative processes which bring together OHV groups, environmental organizations, private landowners, and local and federal agencies early in the process is the cornerstone of the Division's new approach to land acquisition strategic planning.

Strengthen Public Safety, Education and Outreach Efforts

The Division has implemented a comprehensive safety, education, and outreach program that encourages safe and environmentally responsible OHV behavior. The Division's new outreach and education program promotes an understanding and appreciation of OHV recreation as a legitimate part of multiple-use management, while stressing the importance of responsible use. The Division sees this as an opportunity to educate a broad range of OHV enthusiasts, land managers, the general public, as well as our youth.

Off-Road PALs

Consistent with the Davis Administration's emphasis on youth and education, the Off-Road PALs Program has become an integral part of the Division's education and outreach program. Off-Road PALs is a recreation, education, and mentoring partnership between the OHMVR Division, the California Police Activities League (CAL PAL), Honda Motor Co., Inc., Fox Racing, and local communities. The program uses youth-sized off-highway motorcycles and ATVs that are available at no charge to qualified CAL PAL participants. The program focuses on OHV safety

education through hands-on education while motivating youth to improve behavior, encourage responsibility, and learn skills that can be carried through life.

The program:

- Encourages communication between youth, police officers (including park rangers) and the community
- Emphasizes the value of education and regular school attendance
- Improves self-esteem and self-discipline
- Encourages good citizenship
- Provides an alternative to gangs and substance abuse
- Provides positive role models through police officers and community volunteers
- Promotes safety awareness at all times
- Promotes knowledge and appreciation of the environment
- Fosters safe, responsible off-road riding behavior on public lands

ATV Certificate Program

California law requires that minors operating ATVs without supervision have a safety certificate issued under the direction of the DMV. Several organizations certified as State Training Organizations have gone out of business trying to facilitate the ATV training for the state. The OHMVR Division maintains this issue as one of its very highest priorities and is currently working on development of a contract for a certified State Training Organization to implement the ATV Certificate Program for the state. This contract will be implemented by spring 2002.

Other education and public outreach actions the OHMVR Division will take include:

- All Division publications will include an environmental awareness education message to encourage responsible outdoor recreation.
- The Division is expanding the use of interpretive display panels at trailheads to inform the public about safe and responsible OHV operation.
- The Division's Website, www.ohv.parks.ca.gov, informs OHV users about responsible OHV operation and all laws affecting OHV activities. The Website presents examples of the Division's resource protection and environmental awareness education efforts.
- The Division has expanded its marketing and outreach program to the general public through print, electronic, film media, events, conferences, and workshops. The materials stress the connection between managed OHV recreation and environmental protection.

Thanks to the Road Crew

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OHV Stakeholders Roundtable

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