June 15, 2021

The Honorable Gavin Newsom, Governor **Position:**

State of California **Oppose the Legislature’s Parks Budget**

State Capitol Building **Modification;**

Sacramento, CA 95814 **Support the Governor’s May Revise for Parks**

**Re: Department of Parks, Approval of $9 Million General Fund One-Time and Trailer Bill Language to Preserve the Carnegie State Vehicular Area Known as “Alameda-Tesla Expansion Area” for Conservation Purposes,** [**Assembly Floor Report of 2021-22 Budget**](https://abgt.assembly.ca.gov/sites/abgt.assembly.ca.gov/files/Floor%20Report%20of%20the%202021-22%20Budget%20-%20%28June%2011%2C%202021%20Version%29.pdf)**, June 11, 2021, p. 89**

Dear Governor Newsom:

The Off Road Vehicle Legislative Coalition (ORVLC) is comprised of several statewide or regional organizations of OHV enthusiasts. The ORVLC is in agreement with your May Revise Budget. The [**Outdoor Access for All**](http://www.ebudget.ca.gov/2021-22/pdf/Revised/BudgetSummary/NaturalResources.pdf) portion of the budget under Natural Resources provides an additional $256.2 million to expand outdoor access for all Californians. Removing the Alameda-Tesla Expansion Area of the Carnegie State Vehicular Area from the jurisdiction of the Department of State Parks would instead limit opportunities for Californians to experience outdoor recreation of their choice. ORVLC urges you to reject this proposal in the Legislature’s budget.

The $9 million dollars allocated in the **Legislature’s proposed budget** for the preservation of the Alameda-Tesla Expansion Area of Carnegie State Vehicular Recreation Area (SVRA) in the Department of Parks budget is a misuse of funds when the land in question is under the responsibility of California State Parks. As passed with wide legislative support in 2017, [SB 249](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB249) already requires this state park to be managed with higher standards than most of the other parks under the management of California State Parks, and degrees higher than the standards held by cities and counties throughout California.

In reality, the $9 million dollars is a red herring, seeking to distract from the ultimate goal of taking away this state park from the people in California, and hurting children and families, specifically those from the Central Valley.

This proposal would send the unfortunate message to California State Parks that the legislature has a lack of trust in Parks' proven management, all the while depriving thousands of Californians of safe recreation opportunities.

**Legislative History**

The Alameda-Tesla Expansion Area has been the subject of legislation in the past:

* [SB 249](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB249) (Allen) Chapter 459, Statutes of 2017, extended, indefinitely, the OHV Program and made various other changes to the Off-Highway Motor Vehicle Recreation Act.
* [SB 1316](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1316) (Glazer), 2017-18 Session, would have authorized State Parks to dispose of the Expansion Area of the Carnegie SVRA.  SB 1316 died in Assembly Appropriations.
* [AB 1086](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1086) (Bauer-Kahan), 2019 was [vetoed](https://www.gov.ca.gov/wp-content/uploads/2019/10/AB-1086-Veto-Message-2019.pdf) by Governor Newsom on October 11, 2019.  The veto message states:

*This bill authorizes the Department of Parks and Recreation (Department) to dispose of the Alameda-Tesla Expansion Area of the Carnegie State Vehicular Recreation Area if sold to a local government entity or non-profit entity for the explicit purpose of conserving the land.*

*There is no evidence that the Department has failed to conduct sufficient study of this property or is mismanaging this state resource.  The park was purchased for the benefit of all Californians and should remain a state park.*

* [SB 767](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB767) (Glazer), 2019-20 Session, would have authorized State Parks to dispose of the Expansion Area of the Carnegie SVRA.  SB 767 was held in Assembly Appropriations Committee.
* [AB 2551](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB2551) (Bauer-Kahan), 2019-20 Session, authorizes State Parks to dispose of the Expansion Area of the Carnegie SVRA.  AB 2551 was referred to this Committee but never heard.
* [SB 799](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB799) (Glazer), 2021-22 Session, is in the Senate inactive file.

Currently, [AB 1512](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1512) (Bauer-Kahan) has passed out of the Assembly and is waiting assignment to a policy committee in the Senate. This budget allocation appears to be an end-run around the legislative process, the Governor’s direction with his veto, and the May Revise.

California has provided the model for many states by pioneering sustainable management practices for off-highway vehicle recreation. Throughout the past year, Carnegie SVRA along with the rest of the SVRA system has seen a record number of visitors. Powersports dealers have seen increases in sales for off-road vehicles of 300 - 400% from previous years. All this budget proposal will do is take away well managed, safe facilities away from Californians who would use this area to learn how to use their new vehicles.

Off-road recreation is increasing in popularity, and Carnegie SVRA serves both the Bay Area and the Central Valley. The existing park is amazing for motorcyclists, but the expansion area is planned specifically to offer a completely different off-road experience. A full third of the 3100 acres would be a buffer zone, dedicated to conservation and restoration with no motorized travel. The rest of the area calls for 4 Wheel Drive touring and backcountry camping. For disabled and elderly individuals there is no opportunity at all for disabled drive-in camping in a rural setting in the greater Bay Area.

 All told, of the roughly 2,000 acres that would have trails, the footprint would not exceed 10% to 20% of the acreage. There would be no recreation visible from the street. Just plain wrong and we have invested our hearts and souls trying to speak for the average family and the average off-roader who are not wealthy but love their recreation experience.

The proposed allocation of $9 million dollars disguises the fact that the change in designation violates the existing statute by creating a separate unit inside an existing park that is otherwise prohibited by [SB 249](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB249). It also deprives the public from weighing in by taking the decision away from the statutorily required vote by the California State Parks and Recreation Commission, and most critically, takes the land away from the very people who paid for the purchase of the land and have supported the ongoing million dollar rehabilitation of the land from still-existing mine tailings without taking any money at all from the general fund.

The reason the off-road vehicle community has not entertained the dollars offered and simply relocated our OHV activities are twofold. First, the dollars are insufficient, and the location of this new park would be where? Certainly nowhere in the greater bay area. No land is to be found in this area. Pushing off-roaders out further negates the promise of an Urban Park.

And then there is the existing Carnegie SVRA. It is still essentially a motorcycle park for experienced riders. The expansion was never intended to be another “Carnegie.” It will, by virtue of topography, obstacles and SB 249, be a completely different but contiguous park, with meandering trails, remote camping, beginner riding spaces, more family camping. It will be a place where the largest growing segment of OHV’s (UTV’s) can recreate. Families that have multiple kinds of OHV’s can play together. (The only opportunity for them (or 4X4’s) at Carnegie today is a 1/2 acre obstacle course.)

The greater bay area is flush with parks – State, Regional, County and City. If the expansion area could offer something none of these do, exploring a conservatorship would be worthy and admirable. This is not the case. Instead, not one of these parks offers any sort of OHV recreation opportunities. Yet Carnegie SVRA has delivered this opportunity plus the other features and standards of other State Parks. Carnegie SVRA could be a world class OHV Park, a destination.

Because of all of these reasons, the Off-Road Vehicle Legislative Coalition respectfully urges you to reject the Legislature’s budget request and approve the Governor’s May Revise which embraces “**Outdoor Access for All**.”

Please contact our legislative advocate, Kathryn Lynch, at (916) 838-6600 or lynch@lynchlobby.com, with any questions.

Sincerely,

Ed Stovin

Treasurer

cc: The Honorable Anthony Rendon, Assembly Speaker

 The Honorable Marie Waldron, Assembly Republican Leader

 The Honorable Toni Atkins, Senate Pro Tempore

 The Honorable Scott Wilk, Senate Republican Leader

 The Honorable Phil Ting, Chair, Assembly Budget Committee

 The Honorable Vince Fong, Vice-Chair, Assembly Budget Committee

 The Honorable Nancy Skinner, Chair, Senate Budget and Fiscal Review Committee

 The Honorable Jim Nielsen, Vice-Chair, Senate Budget and Fiscal Review Committee

 Ms. Shy Forbes, Consultant, Assembly Budget Committee

 Ms. Kirstin Kolpitcke, Consultant, Assembly Republican Caucus

 Ms. Joanne Roy, Consultant, Senate Budget and Fiscal Review Committee

 Ms. Emilye Reeb, Consultant, Senate Republican Caucus

 Mr. Christian Beltran, Budget Analyst, Department of Finance

 Mr. Brian Brown, Legislative Analyst’s Office

 Ms. Kathryn Lynch, Legislative Advocate

 Off Road Vehicle Legislative Coalition