

AMA DISTRICT 36 NEWS RELEASE

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COURT ORDERS CLOSURE OF STATE PARK; Collaborative Process Ignored

LIVERMORE, CA (Dec. 15). - In a recent court action, a judge in Alameda County has ordered the closure of one of the most frequently used parks in the state system. On December 10, 2009 Judge Frank Roesch ordered the closure of Carnegie State Vehicle Recreation Area (SVRA) based on his interpretation of the appropriate application of water quality standards. The judge's order applies a different standard from what was ordered by the Central Valley Regional Water Quality Control Board, the regulatory agency who has been working with this state park about water quality.

Despite years of collaboration between the regulatory agencies and State Parks to address water quality in the Corral Hollow Watershed, Judge Roesch ordered the park, located in the hills east of Livermore, closed until State Parks files and receives approval of or a waiver for a report of waste discharge from the Central Valley Regional Water Quality Control Board.

This approval could take months, potentially impacting the local economy as displaced visitors seek out OHV recreation areas outside of the central valley.

The judge's order stems from a complaint filed by the Public Employees for Environmental Responsibility (PEER) and the California Sportfishing Protection Alliance, alleging OHV activities at Carnegie SVRA are causing discharge to enter Corral Hollow Creek, which flows briefly through the park. This creek flows only 4-6 weeks per year. After leaving the park, it eventually runs out and into an agriculture field and dissipates into the ground. This creek does not enter a body of water; rather it disperses and dissipates naturally.

"If regulatory agencies are satisfied with what the park has been doing, then why does this judge in Alameda think he knows better than the environmental professionals?" said Dave Pickett, President of the American Motorcyclist Association District 36 and member of the Carnegie Task Force, a user group of citizens and park staff discussing issues for the park.

"This is an attempt by special interests groups to take away family recreation enjoyed by over 100,000 visitors to this park every year. What's more, they are hijacking a systematic effort to protect water quality that has been effective. This is just flat wrong!"

For years, staff from Carnegie has been working with the Regional Water Control Board and nearby property owners to address water quality in the Corral Hollow Creek which runs through the State Park. In 2004, State Parks initiated a watershed assessment, paid for entirely with off-highway vehicle (OHV) user fees, to diagnose potential issues in the watershed and design practical fixes. Regulatory agencies and State Parks continue to work collaboratively in identifying solutions to address current water issues and proactively consider approaches to avoid future problems.

“We have been working with the park to address the hill climbs in Carnegie which have been problematic, as well as making sure vehicles are out of the creek, but we have no control over Hetch Hetchy who performed work in the creek bed upstream of the park, or the nearby munitions testing facility located across the street” said Pickett, referring to the activities of neighbors of the park.

“It is troubling when the OHV community wants to work within the system and yet is now taking all the blame.”

According to Don Amador, Western Representative for the Blue Ribbon Coalition and fellow member of the Carnegie Task Force, “If the park is forced to close, 100,000+ visitors a year will be displaced. The closure will impact other OHV recreation areas, causing even worse overcrowding and unanticipated effects from this overload. The closure will not hasten better water quality, but is just another example of the Plaintiff’s grandstanding and misusing environmental law to enact a political agenda that is anti-recreation and anti-park.”

“Californians would be better served if PEER extended the hand of partnership to address legitimate issues rather than using the court system to close a park at a time when residents have been fighting so hard to keep State Parks open. This court decision is deeply troubling on any number of levels” Amador concludes.

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