



"SERVING THE AMATEUR COMPETITOR SINCE 1955"

DISTRICT 36 MOTORCYCLE SPORTS COMMITTEE, INC.

***Referee's Meeting
July 21st, 2010
America's Best Value Inn, Vacaville, CA***

Meeting called to order at 7:44 p.m. by President Dave Pickett

Roll Call: 7 of 30 Clubs/Promoters in Attendance

Minutes for June 2010 meeting approved as written.

Correspondence:

None

Guests:

Mike Carli, Lodi MC

Ron Long, Lodi MC

Tony Souza, Lodi MC President

Al King, Lodi MC

Jeff Taylor, Lodi MC

Brianna Goodno

Transition to Board of Directors Meeting 7:45pm.

Roll Call: 7 of 9 members in Attendance. Missing were Bill Zakareckis and Ed Santin.

Discussion regarding Dirt Track Steward open position. The four candidates; Randy Kremlacek, Ralph Lee, Mike Revelle, and Al Webber gave a short presentation explaining why they should be the Steward. Various District 36 members spoke regarding each of the candidates and voiced who they feel should be the Steward.

The room was cleared of all non-Board members, including BOD Ralph Lee, with the exception of the Secretary.

After discussion, the Board unanimously voted for Randy Kremlacek for 2010 Dirt Track Steward.

Everyone was welcomed back into the room.

Dave Pickett announced the new Dirt Track Steward for the remaining 2010 season. Dave also thanked Carter Fisher for his commitment to the series and to District 36.

Transition back to Referee Meeting at 8:40pm.

Committee Reports:

Sanctioning: Steward Jeff Simpkins not in attendance.

Cross Country: Steward Kraig Traum reported:

- Nothing to report

Youth Cross Country: Steward Al Fitch reported:

- Nothing to report

Cross Country Scoring: Liz Chamblee reported:

- Nothing to report

Women: Steward Ray Feldman not in attendance:

- Nothing to report

Enduro: Steward John Davis not in attendance:

- Nothing to report

Youth Enduro: Steward Jeff Santos reported:

- Nothing to report

Dirt Track: Steward Randy Kremlecek reported:

- June 19, 2010 – Lodi Cycle Bowl TT. There were 149 entries. No reported injuries or protests.
- June 26, 2010 – Lodi Cycle Bowl ST. There were 184 entries. No reported injuries or protests.
- July 10, 2010 – Lodi Cycle Bowl ST. There were 159 entries. No reported injuries or protests.
- July 17, 2010 – Lodi Cycle Bowl TT. There were 129 entries. No reported injuries or protests.
- There is a D36 Dirt Track race being held every weekend in August. Come out and join us!

AMA Congress: Dave Pickett reported

- Submissions for rule proposals need to be sent to Jerry Fouts, Ed Santin or Dave Pickett ASAP.

Banquet: Chairperson Tanya Elkins not in attendance.

- New email address for correspondence regarding banquet issues.
Districtthirtysixawardsbanquet@yahoo.com.
- The 2010 Awards Banquet will be on January 8, 2011.

Newsletter: Liz Chamblee reported on behalf of Editor Jill Patterson:

- The October 1st issue has a submission deadline of September 3, 2010.

Membership: Liz Chamblee reported on behalf of Jill Patterson:

- 72 July renewals were mailed out.
- 113 cards were processed between 6/16 – 7/20.

Operations Manual: Steve Freitas and Scott Reynolds reported:

- One rule proposal was received during the last month and will be tabled for the Rules Committee meeting.
- Rules Committee meeting will be August 28th at Lodi Cycle Bowl.
- The email address for the Operations Manual chairperson is d36rulebook@live.com.

Director of Competition: Director Jeff Irwin reported:

- There is one protest to be heard tonight.

LAO: Dave Pickett reported:

- State Senator Dave Cox passed away earlier this month. As Assemblyman, Senator, and even as a Sacramento County Supervisor, he assisted in OHV issues and supported us. Dave was one of the first Dignitary guests at the Hangtown National MX. D36 President sent a condolence card to his family and office staff on behalf of the District and its membership. OHV lost a good friend with his passing.
- Cost Recovery issues for our Enduro clubs continues to be problematic. New thoughts on asking for a Federal Exemption on Cost Recovery in Region 5 is being worked on. As the USFS & BLM get OHV Grants from our program, it appears that this was not on the table when decisions were made. LAO feels that this is extremely unfair and double dipping. Working on Congressional consideration with Congressman McClintock/Staff about requesting said exemption because of California's unique 40 year old program, and hundreds of millions we have given them in supplemental support. McClintock's people like this idea, and are exploring this possibility. CERA & Polka Dots MC have been working very hard on this issue, and have vowed to fight.....
- Cost Recovery Part 2 – Major story in the Sacramento Bee about this issue, and kudos to PDMC for submission. Bee did call many for op-ed, and of course anti-ohv folks got press also, but interesting the EDNF would not talk, and referred the reporters to Region 5 HQ of the USFS. LAO pulled this specific quote from the article

“Forest Service Officials say environmental studies for the events were previously done at taxpayers’ expense and proponents of cost recovery say those who benefit should foot the bill.”

Couple of comments here:

1) You and I are taxpayers’, and thus that is part of the business the FS does and I expect them to do work that benefits the taxpayer, that being you and me.

2) Those who benefit should pay statement is two fold.

a) USFS gets millions every year from OHV, yet all of our trails are open to anybody that wants to use them. They use our trails at our expense via Grants given to them. Thus the FS benefits from our Green Sticker money, and so does the general public. Difference is only OHV pays via grants. General public does not, except they are taxpayers like you and I.

b) Pay attention here! “and proponents’ of cost recovery say those who benefit should foot the bill.” So since we give the USFS millions of dollars, the USFS benefits from OHV Supplemental Funding via the OHV Grants we pay for, but ALL taxpayers gain benefit of that money for trail access.

- Commission Meeting was cancelled due to budget issues, or lack of a budget at the state level. LAO ticked off about this, as the Division has plenty of money through its self funding, but politics as they are, the meeting has been postponed. Discussions cannot occur because it would violate the Brown Act. Very Stupid. Even the Commission members cannot communicate between themselves outside of a meeting. I have asked the Commission Chairman to form a committee, which allows him to talk to ONE commission member about an issue. LAO has formally made a request to the Commission to write a support letter on behalf of D36 on the Cost Recovery disaster, and submit to each Congressional Representative in the State to both party members.
- Carnegie SVRA got a reprieve on the ridiculous lawsuit filed by PEER (AKA Karen Schambach) and the Sport Fishing Alliance against the park, and the requested closure of the facility. The appellate court has dismissed the case, but one point still remains. Fortunately, the SVRA has remained open during the whole legal process to date, but LAO feels they will come back another day. LAO is pushing for the AG’s office to request court costs & legal fees from the Plaintiffs to reimburse the OHV TRUST FUND for the money taken to defend the park. More on this in the future, but darn it, we have to pay them when we lose. LAO may need help from the membership when the time comes. So, let’s get a HS back at the park!!!!!!
- S2921 Desert Protection Act by Feinstein continues to move forward. Groups are split over this, but, OHV is engaged differently this time because we were ASKED for input. If committee language remains the same, it would be a first for OHV route(s) to be classified open, in a wilderness area. May be Feinstein’s last hurrah and legacy for her. For once, we were at the table.
- Congressman Lungrens’ staff was at Hangtown this year, and post Hangtown they called and asked for a private tour of the facility. This was set up, the tour took place, and LAO with Daphne Greene met the staff offsite for lunch, which lasted 1 ½ hours as questions continued to be asked about this OHV program. Dep Dir Greene impressed the staff with a quick, concise overview of the program, who we are and what we do. We need every door open to us for OHV, and this meeting yielded that goal. A new friend of OHV is on board through an OHV education process. Oh, and they really liked the DDNMC big show at Hangtown. Thanks DDNMC for the Dignitary Area. Special thanks to Wes Justyn for the organization, and for Daphne Greene making time for this smack dab in the middle of the state budget crisis.
- Amador County received a small Law Enforcement Grant from the Green Stickie fund, \$20,000 – to supplement Up Country issues, including rescue of injured riders. An agreement with other counties for closest LE agency to respond is in place, and this could benefit those riders in PiPi area, which is located in ED County, but Amador has closer LE available. Both are working with FS. LE is important to OHV, not just for tickets and spark arresters, but MEDICAL response for a down OHV rider.... D36 asked the County to submit an application, and helped in the process. They have not applied for years because of the abuse they got from the old commission members and a conflict as their Sheriff was on the Commission itself and he felt conflict of interest. Heh, Heh – LA area did not get all the money sent down south.....
- Obama Outdoor Initiative – Don Amador of BRC and myself traveled to LA area to attend this proposal presentation as representatives of OHV. Effort was put forth to contact Southern Ca OHV leaders, and about 20 total showed up. 20 out of 800 that attended. In the proposal, OHV was not even listed. After starting 45 minutes late, it was like being at an Obama rally and not a serious process with all the speakers glad-handing the party of Mr. Obama. Lisa Jackson, senior EPA person was there, as well as the Mayor of LA, and other representatives of the administration in the entourage. Speaking of wasting money, this was

a perfect example. The public comment period, of which this whole thing was about, was the ONLY time that was cut down. Figures. But, the folks got our message loud and clear that OHV is a legal, growing form of recreation, and inclusion of the process was paramount. Then we broke out into Break Out Groups. In my group, I was the only one that was NOT holding out my hand for Obama money for pet projects like community gardens to get kids into the Outdoors. Yeah right. The facilitator asked for a success story. Nobody raised their hand but me. I told them all about our OHV Program. And the place went silent when I told them NO general tax dollars have ever been used for a 40 year old program.....User funded only. You could have heard a pin drop..... Post meeting I chatted with the facilitator, and she gave me her card. She was impressed, and we have been in contact with her to use our program as a model. We made our point, and they heard it..... We should be at the table for the future....

- This is a minor wrap of what is going on. Much, much more is out there, including the continuing battle on Clear Creek, Grants, acquisitions, and of course the election.
- We have met with Whitman and Fiorina so our views are heard. I believe Boxer can be eliminated in the upcoming election. If OHV will vote, we can remove many of those elected officials that work against OHV recreation.....

Contingency: Mike Fallon not in attendance:

- Reminder to clubs to order your race supplies well in advance. Contact Wayne Halozan.

Clubs and Riders / Questions and Answer:

- None

Unfinished Business

None

New Business

None

Good of the Body

Kraig Traum: Charlotte Gomes of the Salinas Ramblers lost her battle to cancer. She will be missed terribly.

Mike Revelle: made numerous house calls and reported various ministry items.

Al Fitch: Congratulated his daughter, Liz Fitch who recently married Don Chamblee on July 4, 2010 in Kahuku, Hawaii.

Dave Pickett: Daughter gave birth to a baby boy on Sunday morning. Please pray for my family as he is now in the NCIU with 2 collapsed lungs. Thank you to the Board who sent their notes of support.

Meeting adjourned at 9:14 PM

***Competition Committee Meeting
July 21, 2010
America's Best Value Inn, Vacaville, CA***

Meeting called to order at 9:15 PM. by Jeff Irwin

Roll Call: 18 of 63 members in Attendance.

The "Al King" protest by Al Webber was discussed. Al Webber charged that Al King's bike was too large for the class. Al King refused to tear down his bike. All parties spoke regarding their stance on the issue. Jeff Irwin recommended to the committee that Al King will get "Time served" and be granted full rights with his suspension lifted. Jeff Irwin asked Al King if he intended to race his bike illegally again. His answer was No. Ralph Lee moved to reinstate Al King's membership immediately with time served, second by Charlie Coiner. Vote 15-0 in favor.

Meeting adjourned at 9:38 PM

Board Email Minutes

June 17 – July 21, 2010

July 7, 2010

Discussion regarding Carter Fisher's resignation. ***Kraig Traum moved to appoint Randy Kremlacek as the Dirt Track Steward for the remainder of the 2010 season. Vote 2-1*** Ralph Lee indicated his interest in the position. Vote tabled for discussion at the July 21 BOD meeting.

***Board Meeting
July 21, 2010
America's Best Value Inn, Vacaville, CA***

Meeting called to order at 9:53 PM. by President Dave Pickett
Roll Call: 7 of 9 members in Attendance. Missing were Ed Santin and Bill Zakareckis.

Guests:

None

Committee Reports:

Treasurer: Rich Fern reported the following:
Distributed financial reports to Board members.

Old Business

Discussion regarding the Von Kleist lawsuit naming District 36, AMA and Valley Climbers MC. Noted that neither District 36 nor Valley Climbers has been officially served.

Cross Country Scoring: Liz Chamblee reported the following:
Al Fitch to contact Motion Pro regarding repairing the damaged EZup.

Old Business:

Discussion regarding avenues to replenish the funds that were paid as a grant to Polka Dots MC. Talking points: per event fees? Temporarily increase membership fee? Cost reductions? Break away from AMA thus eliminating the riders cost of the AMA card? Cost of event fees for riders.

2011 Title Sponsor Contingency Program: Deadlines per discipline are quickly approaching. Enrollment forms on the D36 website.

Cycle Gear is willing to sponsor D36 by handling our website. Kraig Traum will explore and provide details to the Board.

New Business:

Jeff Irwin: email from Jill regarding Ghostriders and \$30 reimbursement request. Kraig Traum moved to deny the request to reimburse the Ghostriders the \$30. Vote 7-0, motion passed.

Rich Fern: Something needs to be said to Ralph Lee regarding overstepping his bounds. A reminder that only the Stewards have the authority to move riders up and down a class.

Kraig Traum: Possibly suggesting a mandatory purse payout for AA riders in Cross Country.

Kraig Traum: Discussion regarding 14 Cross Country events limits.

Meeting adjourned at 11:09 PM

Respectfully Submitted,

Liz Chamblee

Secretary

Special excerpt requested for insertion by President Dave Pickett:

General Information Summary for Cost Recovery



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23 February 2006

EXECUTIVE SUMMARY

The Forest Service is adopting final regulations at 36 CFR 251.58 that will require applicants for and holders of special use authorizations to pay a fee for processing their special use applications and monitoring compliance with their associated special use authorizations. The regulations allow the Forest Service to exercise its statutory authority to recover the agency's administrative costs for providing these services, which benefit identifiable recipients. A draft of the agency's proposed cost recovery regulations was published in the **Federal Register** for notice and comment in November 1999 (64 FR 66342). Out of about 30,000 entities that hold a special use authorization, the Forest Service received only 602 comments, mostly from individuals and small business entities that have never been exposed to cost recovery.

The most significant impacts will be those who will be required to pay cost recovery fees for the first time. Several changes have been made in the final rule to lessen its financial impacts on the impacted parties. On the other hand, the benefits of customer standards and timely responses are expected to exceed the economic impacts.

The Forest Service's cost recovery regulations are consistent with those of the Bureau of Land Management (BLM) for its right-of-way and special recreation permit programs, which are comparable to the Forest Service's special use program. BLM has been collecting cost recovery fees for more than 20 years.

BACKGROUND

The Forest Service manages more than 72,000 permits, leases, and easements that authorize more than 180 types of special uses of National Forest System (NFS) lands. Some of the more common types of special uses are communications facilities, road rights-of-way, telephone, power and fiberoptic lines, resorts, ski areas, outfitting and guiding activities, and recreation residences. The Forest Service annually processes applications and issues authorizations for thousands of new or recurring special uses.

Processing applications for new uses and reauthorizing existing uses often can become time-consuming and expensive for the Forest Service and applicants and holders of authorizations. With limited appropriations and staffing, it is increasingly difficult for the Forest Service to provide timely review of special use applications. The

agency also has found it increasingly difficult to ensure that construction and operation of facilities are in compliance with the terms and conditions of special use authorizations. The result is a growing backlog of applications for new uses and a growing number of expired authorizations for existing uses.

KEY MESSAGES AND TALKING POINTS

Cost recovery fees benefit special use applicants and holders, the agency, and the general public.

Special Use Authorization Applicant

- Cost recovery regulations establish a customer service standard that will improve the processing of special use applications and the monitoring of special use authorizations.
 - Applicants for and holders of special use authorizations will benefit from having additional resources to fund a more skilled and efficient workforce and from establishing enhanced customer service and program management.
 - The cost recovery regulations provide a dispute resolution process.

The agency

- Implementing these regulations will allow the agency to focus more time and expertise on special uses and to more effectively meet the needs and expectations of applicants for and holders of special use authorizations.

The additional funds realized from cost recovery will enhance the agency's ability to decrease the backlog of expired authorizations, reducing the potential liability of the United States associated with uses that continue on NFS lands under expired authorizations.

The general public

Taxpayers will benefit in having some processing and monitoring costs paid for by the recipients of those services rather than with appropriated funds.

NFS lands and resources will benefit from the agency's enhanced ability to issue new authorizations with conditions that eliminate environmental impacts for uses that continue under expired authorizations.

2. New cost recovery regulations will affect some applicants and holders of special use authorizations

- Many applicants for or holders of special use authorizations will be affected by these regulations, unless their applications or authorizations are exempt from cost recovery fees under the rule.
 - Holders of facilities or services that are already authorized on NFS lands will continue to operate without the imposition of cost recovery fees, until the authorization for those facilities or service terminates or the holder proposes a new or modified use.

QUESTIONS AND ANSWERS

Q1: What is the rationale for cost recovery fees?

The agency receives some 6,000 applications for special use authorizations each year. Each application is subject to some environmental analysis—a costly, time-consuming process.

In 1999, the agency received congressional direction in Public Law 106-113 to “develop and implement a pilot program for the purpose of enhancing Forest Service administration of rights-of-way and other land uses.” The outcome is to have more expeditious approval of special use authorizations.

Additionally, two audits of agency’s operations recommended that the agency (a) operate its special uses program in a more businesslike manner, and (b) develop regulations to exercise statutory authorities to recover from applicants and holders the agency’s costs to process special use applications and monitor compliance with special use authorizations.

Q2: Is cost recovery unique to the Forest Service?

No. For more than 20 years, the Bureau of Land Management has collected cost recovery fees from applicants for and holders of authorizations to use public lands. BLM has revised the cost recovery fees it assesses and collects for special recreation permits and right-of-way applications and authorizations. The Forest Service cost recovery regulations are consistent with those BLM revisions.

Q3: Are the Forest Service’s cost recovery regulations consistent with those of BLM?

Yes. The Forest Service and BLM use identical fee schedules and rates for processing and monitoring minor category cases, and apply the same principles in assessing, processing, and monitoring fees for major category cases.

Q4: What are some of the benefits of cost recovery regulations?

First, they will improve customer service in processing special use applications and monitoring special use authorizations. The agency will have additional resources to fund a more skilled and efficient workforce to meet the needs and expectations of applicants for and holders of special use authorizations.

Second, the agency can spend appropriated funds that were being used to process applications or monitor authorizations to address other special use management objectives. The additional funds realized from cost recovery will enhance the agency’s ability to decrease the backlog of expired authorizations, which will reduce the potential liability of the United States associated with uses that continue on NFS lands under an expired authorization.

Third, taxpayers will benefit in having at least some agency processing and monitoring costs, which are benefiting identifiable recipients and not the public at large, paid for by the recipients of those services rather than with appropriated funds.

Q5: What will the Forest Service do with the fees collected?

The agency is authorized to retain and spend the cost recovery fees it collects for processing special use applications and monitoring compliance with special use authorizations.

All cost recovery funds will remain at the local agency offices that collect them and will be used for processing applications or monitoring authorizations.

Q6: I already pay a land use fee for my special use authorization. Why should I also pay cost recovery fees?

Cost recovery fees are assessed to cover the administrative costs incurred by the Forest Service to process a special use application or monitor compliance with a special use authorization.

Cost recovery fees are entirely separate from fees charged for use and occupancy of NFS lands.