



**BOARD OF SUPERVISORS  
AGENDA LETTER**

**Agenda Number:**

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Sheriff's Office  
**Department No.:** 032  
**For Agenda Of:** February 17, 2015  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Sheriff, Bill Brown, Ext 4290  
Director  
  
Contact Info: Lt. Shawn O'Grady, Ext 5002  
**SUBJECT:** Authorize Submission of the California State Parks, Off-Highway Motor Vehicle Grant

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Risk Management:**

As to form: Yes

**Recommended Actions:** That the Board of Supervisors:

1. Adopt a Resolution authorizing the submission of the application to the California State Parks, Off-Highway Motor Vehicle Recreation Division OHV grant program for increased law enforcement services in Santa Barbara County, specifically in the area of the Santa Ynez River.
2. Authorize the Sheriff to submit the application, and enter into an agreement to accept an award on behalf of the County of Santa Barbara, for the California State Parks Off-Highway Vehicle Grant when the final award is known and for the Sheriff to make non-substantive changes to the draft for the final Proposal for Submission.
3. Determine this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b) (5), which are organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

**Summary Text:**

The State of California Resources Agency, Department of Parks and Recreation, administers the Off-Highway Vehicle (OHV) Grant Program that provides funding to cities, counties and appropriate districts and non-profit organizations that have OHV-related activities. An OHV is defined in the California Vehicle Code (CVC) as a motorcycle, snowmobile, all-terrain vehicle (ATV), jeep, sand buggy or dune buggy, and any street licensed motor vehicles being used off-highway. The Off-Highway

Motor Vehicle Recreation Act of 2003 authorizes the allocation of grant funds for the purpose of establishing, maintaining, managing and rehabilitating OHV areas, trails and facilities in California and law enforcement pertaining to OHV use. The Off-Highway Motor Vehicle Grant is a 25% (in-kind) match grant. The 25% match is for the “in-kind” match of existing equipment, facilities, and personnel.

In the recent years, there have been many complaints of OHV use in the unincorporated area of the Santa Ynez River bordering the City of Lompoc. County Ordinances 24-28, 24-29 and 24-30 were amended in 2008 to extend the prohibition of operating motor vehicles on unimproved private property to also include unimproved public property. Numerous property owners have expressed concern over off-highway vehicles being operated in the riverbed at various times of the day and night. Complaints range from noise from the vehicles, littering, bonfire / camp fires, alcohol and drug related offenses revolving around the camp fires, vandalism of private property (damage to crops, cutting fences and gates), burglarizing USGS survey stations, to cattle being injured or let loose from their pastures. The area in question is rural and there are no paved roads leading into the affected area. Illegal OHV users have even cut a large “figure 8” track into the ground on a private ranch. The subjects involved in the illegal activity utilize OHV’s (illegally) in order to access the area. Normal patrol vehicles are unable to access the affected area.

The illegal activity is not only limited to property type crimes, but it is a safety issue for the public and the natural flora and fauna of the area. Recently there have been unprecedented drought conditions in the area of Santa Barbara County. As stated above, the illegal OHV riders have entered the Santa Ynez river basin and caused damage to environmentally sensitive areas including the streams where endangered Steelhead Trout travel. The OHV riders have utilized the river basin for illegal bonfires where alcohol was consumed. Also, when deputies have managed to access the area they have located evidence of (illegal) fishing activity. The Santa Ynez River is home to the endangered Steelhead Trout. Deputies patrolling the riverbed have recently located an illegal “gill net” in the river basin.

This agenda item is being submitted for Board approval to apply for the available grant funding and approval of a resolution as required by the State funding agency. The Sheriff’s Office is applying for the grant in the amount of \$75,000. This law enforcement Grant would allow the Sheriff’s Office to purchase much needed off-highway patrol vehicles as well as patrol, safety, and rescue equipment. It would also allow overtime shifts for patrol, rescues and special events for one year. Having these additional resources and funds would enhance off-highway law enforcement patrols, provide deputies with vehicles and safety gear for searches and rescues, and allow immediate first aid to injured persons. The 25% in-kind match will easily be obtained by use of existing personnel and equipment already conducting patrol and other operations in the targeted area.

The final deadline for the application of this grant is March 2, 2015.

**Background:**

The Santa Ynez River is one of the largest rivers on the Central Coast of California. It is 92 miles (148 km) long, flowing from east to west through the Santa Ynez Valley, reaching the Pacific Ocean at Surf Beach, near the city of Lompoc. The river’s drainage basin is 896 square miles in area. The river’s flow is highly variable. It usually dries up almost completely in the summer, but can become a raging torrent in the winter. The river flows generally in a westward direction and collects in Lake Cachuma. Below Lake Cachuma, the Santa Ynez River continues its westward course where ranches and other

developments border it. The river passes by the town of Santa Ynez and the cities of Solvang, Buellton and Lompoc. A few miles west of Lompoc the river reaches the Pacific Ocean at a location known as Surf Beach.

In the 1940s the Santa Ynez River was thought to have the largest run of Steelhead south of San Francisco Bay. Prior to the completion of Cachuma Dam in 1953, the Steelhead run on the Santa Ynez River was estimated to be as high as 25,000 adults. The National Marine Fisheries Service listed the Southern California Steelhead as endangered in 1997 due to a 99% decline in its population in the twentieth century. The southern steelhead is the most endangered steelhead in California, and the West Coast of North America. The lower Santa Ynez River in the Lompoc area has about a dozen California Golden Beaver dams. In wet years, steelhead can generally get around, over, or through the beaver dams. Steelhead is common in rivers and streams where beavers are numerous. The beavers play a critical role for steelhead populations as their ponds replenish aquifers, allowing groundwater to recharge streams in dry summers, and provide perennial pools for over summering trout smolt.

#### **Area of concentrated enforcement:**

The area of concern for increased enforcement is all along the perimeter of the Lompoc City boundary, about 4 miles in length. The Santa Ynez River wraps around the eastern edge of Lompoc City to the northeastern corner where the river then bends west toward the Pacific Ocean, running along the north city boundary for another couple miles until it empties into the ocean. Additionally, the riverbed area southwest of the city limit, south of US Route 246 (at Robinson Bridge) stretches back along privately owned ranch properties. This area, to the Sweeney Road river crossing, is approximately three miles. An area known to the locals as "The Narrows" is less than a mile south of the Robinson Bridge and is where the USGS operates "gage 133000" survey station. USGS Gage 133000 has been vandalized on numerous occasions and it was recently burglarized. The Narrows is a popular OHV destination.

It is the area from the 'H' Street Bridge, at the north end of the city, to the Sweeney Road crossing that is the most used/traveled by OHV's. This is also the area that sustains the most damage to private property (which encompasses protected "wet lands" for the Santa Ynez River), the perennial pools that contain aquatic life, known beaver dams and private ranch/cattle and agriculture lands.

The area of concern would not only include the riverbed along this area, but also the private ranch properties that border the Santa Ynez River. There are currently three legal public areas in Santa Barbara County where OHV use is authorized. The three areas are Divide Peak Road, Buckhorn Road and Camuesa Road. All three areas are not in the Santa Ynez River basin or the targeted areas.

The primary mission is to address the concerns of the private property owners and public by strictly enforcing the off-road ordinance laws, Santa Barbara County Ordinances and State Laws. The Sheriff's Office hopes to further deter future violations by educating the public about the ordinances, environmentally sensitive areas and hazards of OHV use. This will be accomplished by providing rural crime personnel who are trained in the operation of OHV's, and to utilize the OHV's to patrol the riverbed and off-road areas (public and private) where violations are occurring. Deputies will be instructed to take a firm approach to enforcement during these operations. Educational material will also be provided to deputies to hand out to violators, potential violators and members of the community they come into contact with during these operations. The educational material will consist of a written

copy of the county ordinances and an explanation of the Sheriff's Office stand on enforcement of these violations.

**Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

**Narrative:**

The grant application will request \$75,000, the majority of which will be spent on overtime for the Sheriff's deputies to work the operation. Some funds will be requested to purchase and repair specialized equipment. The Sheriff's Office will return to the Board with the grant award letter and a budget revision if the application is successful.

**Key Contract Risks:**

N/A

**Staffing Impacts:** Off-duty deputies will primarily work these positions on an overtime basis. The impact to on-duty law enforcement personnel during these enforcement operations will be minimal and will be one of the sources of the 25% match.

**Special Instructions:**

Please send a copy of the Minute Order and signed duplicate Agreement to the Sheriff's Office, attention Lt. Shawn O'Grady.

**Attachments:**

Board Resolution

**Authored by:**

Douglas A. Martin, Chief Financial Officer, Sheriff's Office (extension 4293)  
Shawn O'Grady, Lieutenant, Sheriff's Office (extension 5002)

**cc:**