

WOHVA Annual Meeting Minutes
October 7, 2007

Opening Remarks by Board of Directors (BoD) Chair, Rick Dahl;

- Presented information on WOHVA's background WOHVA accomplishments during this past year of;
- Coordinated an OHV Political Rally in Olympia with over 1,000 attendees which helped put the nails in the coffin of SB5544.
- Successfully organized and held the first annual WOHVA OHV Exposition at the Straddleline ORV Park.
- Obtained a grant for sound awareness equipment and training.
- Sponsored the Polaris Grant for the Cle Elum/Wenatchee National Forest ORV education trailer for the Trail Rangers.
- Collected G.I.S. map data showing every trail and road that has ever existed on USFS ground in WA State. This data is not available as needed from Gary Johnson for OHV use.
- Initiated application for the \$500 MIC route designation volunteer expense reimbursement program.

Mentioned that the WA State Nonhighway and Offroad Activities Advisory committee (NOVA) has been changed by the State Agency so there are now 15 members. However, only three of those members represent motorized users.

Minutes from the prior Annual Meeting-

Minutes from the prior 2006 Annual Meeting were read and approved as read.

Board of Directors Report – Richard Elkins presented information on – Trail Riders Of The Sky (TROTS).

NOVA process/diagram and how non-motorized users tried to take our OHV sticker money!

Talked about how the Club Express company is handling our membership process for us. Spokane Winter Snow and ATV show WOHVA public relations possibilities 11/10/2007.

Treasurer's Report – Rick Dahl

A printed report was handed out as the Treasurer had a scheduling conflict and was not in attendance.

Grant Programs of interest to WOHVA – Rick Dahl

NRTP, MIC, Polaris and NOVA funding are all available if we have a grant writer to apply for the money.

Problem with NOVA grants occurring when the ROC allocates money based on user count to benefit a single type of user, e.g. 450,000 user count for a Pomeroy trail? Did it

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use numbers from a highway counter? These grants need to be weighted by the number of different types of users who can use a given trail project.

Motorized users contribute about \$1.3 million in ORV tab fees and \$800,000 per year in gas tax refund money.

The DNR appears to want the ROC to stop making them submit competitive grant application and just give them more (they already get approximately 40% off the top of our NOVA funds!) on a regular basis. They have already stated they are going to use \$250,000 of the \$900,000 plus they took of from our ORV tag funds via the Legislature last year, to figure out how "to coordinate DNR signage" and would not listen to the WOHVA Board of Director's suggestions they use existing signage programs that have already been established!

17 of the 19 ORV NOVA program grant requests were funded during this grant cycle. The Horn Rapids and Blue Lake Quad project failed due to not enough of a match.

Motorized users appear to have lost control of the only state funding source for motorized recreation, the Nonhighway and Offroad Recreation Activities (NOVA) program now has an Advisory Committee consisting of 15 members but only 3 of those members are there to represent motorized recreation. This change was engineered by the bureaucrats in the IAC (now the ROC).

Old Business –

Membership Committee – Byron Stuck

Chair Kevin McGrath has put a lot of effort into the WOHVA membership process this past year.

Mark Hochaus has increased our web presence as web master for the www.wohva.org site.

Russ Henry, American Home Finance organized and sponsored the WOHVA benefit trail ride, raising \$2,500 for WOHVA and signing up 48 new members at that event!

Ron Dunn Jr. donated the wohva.org domain.

WA State Motorsports Dealers Association sponsored the WOHVA logo contest and provided the \$500 first place prize.

WOHVA provided \$250 for the second place (banner artwork) prize.

This committee has obtained WOHVA T-shirts that are available in green or gray for a \$10 donation. Hooded or non-hooded WOHVA sweatshirts in green, gray or black are available on a special order basis for a \$30 donation. These will also be available via the website.

2007 committee accomplishments include a website that is up and working well, business membership growth of over 50%, club membership growth of over 120%, and charter membership growth of over 1300%!

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The community partnership with Coldwell Banker is now in place and publicized on the WOHVA website.

The membership packets now going out include two small WOHVA decals and a letter. These packets will also soon include a WOHVA brochure.

Larger WOHVA decals are now available. A 6 inch by 12 inch decal is available for a donation of \$10 each. A 12 inch by 24 inch decal is available for a donation of \$30 each. A draft of the tri-fold WOHVA brochure is currently being reviewed.

2007 objectives include; continuing to improve what is already being done, completion of the tri-fold brochure, continuation of the membership increase and investigation of ways to include/recognize all our member organization's own members as WOHVA members.

Communication Committee – Tom Fite

Biggest challenge has been getting someone to chair this committee. Richard Ro (another RMC employee) richard@omegasolution.com has volunteered to chair this committee for 2008. He has requested volunteers who can do some data entry to get things rolling so this committee can be much more effective in 2008 for providing communications with the membership.

Arlene Brooks suggested that WOHVA provide a better description of our expectations for committee chair persons.

WOHVA Expo – Tom Fite

Exposure was good for our first year WOHVA Exposition event at the Straddleline ORV Park. Dealer demo rides were available, open motocross track time was provided for attendees, 4WD competition demonstrations were real crowd pleasers, flat track demonstrations included bikes that could be ridden by interested attendees. Sound certification seminar resulted in many more certified sound testers for WA State. Personnel from Recreation and Conservation Office (formerly IAC) were in attendance. Expect an even bigger and better 2008 WOHVA OHV Exposition at Straddleline.

Land Action Committee – Dave Hiatt

The Difference between Compromise and Appeasement -

Webster's definition of a compromise. That is; "a settlement in which each side makes concessions". **Do not come to the table to discuss how much we are willing to give up. Instead, start from the standpoint of what new areas they are willing to open for motorized access, in exchange for closing an area currently open to motorized users.**

Don't fall for the usual anti-access zealot's idea of compromise, i.e. how much are you willing to give up to end this specific attack. **That is actually appeasement, not compromise.** Hitler proved how bullies respond to appeasement.

USFS 2005 Travel Management Rule –

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- Will create the 2009 National Travel Management Rule (a.k.a. the OHV Rule).
- Requires designation of permitted routes for motorized use.
- Prohibits motorized use of any route not specifically approved.
- Prohibits cross-country travel.
- **All USFS trails become “Closed” to motorized use unless specifically shown and designated Approved and Open on the Use Map.**

Users must work with each and every District to **identify and request** (*THE USFS is NOT required to do an Inventory on their own!*) motorized trails (future and existing) to be to be designated as Approved and Open on the 2009 Use Map.

WA State Trails Conference – John Eaton

WOHVA had a very effective booth at the 2007 WSTC in Yakima with several members there from WOHVA in addition to Brian Hawthorne of the Blue Ribbon Coalition thanks to Dirt Cheap Cycle donating his air fare.

Political Action Committee – Dave Hiatt

2007 Major Political Issues and Results

Con SB 5544/HB 1434 - Big defensive win for WOHVA!!! with special thanks to –

Ed Bushnell, Tom Fite and Angie Marek who did the heavy lifting for the OHV Rally and used their crystal ball to schedule the Rally, months in advance, for the very day the Senate was to hear and vote on SB 5544.

&

the CLOUT activists who sent emails to Senator Kline priming him for the perfectly written letter from CLOUT activist Dave Helgeson that got Senator Kline to literally lose it by writing the now infamous KLINE LETTER that was released by CLOUT to the world.

&

the OHV Rally attendees who took the extra time to pack the Senate Galleries wearing OHV Rally shirts (a blazing sea of orange thanks to Angie) along with those wearing other, very obvious OHV apparel.

&

Senator Sheldon's Pro- OHV remarks on the Senate floor while the Senate Galleries were absolutely packed with OHV Rally attendees.

Pro HB1448 - Reducing the administrative cap on off-road vehicle money

The current law allows up to 18 percent to be taken by the Department of Licensing to cover expenses relating to issuing offroad vehicle license tabs. That provision was enacted when the offroad vehicle annual license fee was only five dollars. Now that the fee has been increased to \$18 dollars, the 18 percent cap is in excess to what is reasonably required for administration. HB1448 would revise the cap to five percent or

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one hundred thousand dollars, whichever is less. This is a far more reasonably administrative allowance and is not opposed by the Department of Licensing.

Dead for 07. Try again for 08?

Pro HB1692 - Concerning NOVA program account grant funding

This would prohibit Federal agencies from receiving State NOVA (Non-highway and Offroad Vehicle Activities) funding if that agency does not have areas designated for offroad vehicle use.

Just common sense. Unfortunately some agencies have abused access to these funds in the past especially the Bonneville Power Administration NOVA grant for trails when they have absolutely no OHV use.

Dead for 07. Replace by taking OHV NOVA funds to private management?

Pro SB5215 - Modifying provisions with regard to recreational activities on certain lands

This would extend landowner liability protection to private landowners that allow offroad vehicle and other use on their property while charging money "that is not a fee" to provide funding for management of recreational use by the public.

Currently, many land owners, such as timber companies, that would otherwise permit recreational access to their property after payment of some amount to facilitate management of it, are unwilling to do so due to fear of being sued if someone hurts themselves.

If this bill passes, it is a win-win situation. The citizens of Washington get additional recreational opportunities at no cost to the State and the landowner gets the piece of mind knowing that they will not be held liable for harm that is not their fault.

This was proposed by Senator Jacobsen for the hikers and was basically killed by Senator Fraser when she understood it would also apply to OHV use.

John Eaton testified at the public hearing on SB5215 and added the following written statement to the record for SB5215:

Senator Jacobsen and Kline did a great job on this bill. In SB5215's original form the bill is non-discriminatory and WOHVA and I wish it to stay that way. WOHVA represents the interests of over 250,000 off road users and motorcycle enthusiasts within the State of Washington. That's a lot of constituents...

It has become apparent that Senator Fraser wishes a revision to discriminate against ORVs. This is unacceptable.

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How can Senator Fraser support SB5335 on one hand, stating she does not discriminate against anyone, and yet attempt bill revision to discriminate against one group of outdoor recreational users? Sounds like a double standard, does it not?

One other point I'd like to make is a clarification in regards to taxation: Is a private property owner required to apply for a business license and submit state sales tax monies derived only under this bill?

It is best to clarify at this time as the State of Georgia is presently having quite the problem in regard to monies derived from recreational users for the use of private lands.

Thank you for allowing my additional written comments.

John Eaton

Washington Off Highway Vehicle Alliance (360) 427-3478

Dead for 07. Support for 08 as long as it also covers OHV?

Con without modification on HB 1128 / SB 5140

The House budget bill HB 1128 was already passed and a provision in it provides approximately \$682,000 (**that's 41,000 of your ORV tag fees!**) to the WA State Department of Natural Resources (DNR) **without requiring it to be used to promote and provide for OHV recreation.**

The OHV community raised the ORV tag fees on themselves in 2004 to provide money for our family sport of OHV recreation, the fastest growing sport in the nation is very upset that they spent it without insuring it has used to benefit OHV recreation.

Money collected from ORV Tags should be spent ONLY to promote and provide for Off Highway Vehicle recreation.

We asked that this be made a "condition" in Section 308 of the House and the Senate Bills, HB 1128 and SB 5140 respectively.

We also asked that it specify that the State provide clear accounting of how it was used to promote or provide for OHV recreation.

Representative Condotta (a primary sponsor) never responded to a detailed questionnaire from a WOHVA Board member asking why he appeared to be caving in and giving the DNR our money based on what appeared to be nothing more than blackmail (threatening to close riding areas) by the DNR.

Bill passed and **gave the DNR our money (41,000 ORV tags worth!) without any guarantees or accountability.**

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High level DNR personnel stated they intend to spend **\$250,000 of that money to create a comprehensive signage program** when they met with the WOHVA Board of Directors. Those DNR personnel would not listen to the many suggestions provided by WOHVA that they adopt already successful and standardized signage used by other land management agencies. Those same DNR personnel stated they were not yet ready to accept offers of volunteer assistance in the Reiter and Ahtanum areas to work on better provision of OHV opportunity.

Potential 08 WOHVA legislation – **Total NOVA rewrite –**

Totally scrap the existing Nonhighway and Offroad Vehicle Activities (NOVA) legislation as it has been totally co-opted politically by anti-access, NON-motorized users. Talk about an oxymoron!!!

Our ORV tag money and gas tax refund needs to be controlled and administered by a private non-profit organization with a strict charter excluding non-motorized recreational users, e.g. WOHVA.

We know a lawyer who is ready to draft that legislation for us. We need \$2,000 to pay him to do it. We will also need to pull out all the stops to get our WA OHV users and key legislators ready to support that legislation prior to spending the money to write it.

Street Licensing of dirt bikes and ATVs –

In February of 2007 a bill was passed in Utah in allowing street licensing of ORVs. Do we want to do that here in WA?

Raising the artificial cap on NOVA funding –

Gary Benson, JLARC staff, recommended that a “modification is needed” as it relates to fuel tax refund for non highway use to be as follows:

“The legislature should review its policy of restricting the amount of fuel taxes that may be refunded to programs for off road recreational users of motor vehicle fuel.” (Slide 47)

Staff indicated that the significant reason and also an “area of uncertainty” is that “indirect tax refunds” to the boating, off road vehicle, and snowmobile programs are less than the taxes paid (slide 46). Also, that the refunds that are set at statute are at .21 cents per gallon and the current gas tax is .36 cents per gallon.

Fix HB 2919 from 2004 –

The bill that was passed in 2004 by Cary Condotta and others raising our ORV tag fees had a huge flaw. It gave more money to the State to do with as THEY please instead

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insuring we would have control of that money solely to promote and provide for OHV recreation.

Here is what I suggest -

1) We formulate a firm position statement regarding how we literally have become the proven suckers in Olympia by raising our ORV tag fees without having control of them. i.e., publicly admit those supporting that change were fooled and taken advantage of by possibly well meaning but naive legislators and name names!

2) Come out with an historically accurate article in Trail Rider magazine exposing how we have been taken advantage of and asking for volunteers to work with their personal legislators as an active and coordinated effort to fix this outrage during the next legislative session, i.e. form a well organized and directed, specific group of like minded people working together to get this DONE! I have the whole history on my PC if someone wants it as part of their research into what happened.

3) Use that same article and perhaps a direct mail campaign to WOHVA members exposing the fraud and advocating that people protest the current situation to the WA State Motorsports Dealer's Association who supported it along with the NMA and others. (By the way I even let them know we are buying our machines out of state to avoid paying for our own demise. Yes, there are legal ways to do this. Many riders are now members of LLCs in other states that actually "own" all of their toys. It costs less to form an LLC than it does to fund King County's Governor Gregoire!)

4) Have CLOUT support the effort with a whole series of CLOUT Alerts.

The DNR is BEGGING for money. Right now they get to take our money without any assurances that it will be used to provide and promote OHV recreation on DNR lands.

WE can make them use it that way IF we have control of our own money!

Create a Bill to require separate and detailed accounting of ORV Tag and gas tax refund money including the DNR's and ROC's take off the top -

Ed Bushnell can fill in the details here.

There is the potential to work with other pro-access groups to require equal treatment from the DNR -

DNR was in "closed door" discussions with the Lummi Tribe regards opening one or more gated land areas currently closed to public access by all of the citizens of the state. A wide range of objections to the proposed MOU with the tribe - including the absence of public participation - were presented to Commissioner Southerland and his management staff on behalf of the HHC and its 56 member groups with additional, very strong, objections voiced by the two legislators at the meeting involving a host of public policy concerns.

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The State Constitution prohibitions (Articles two and eight) against affording one class of citizen special privilege over all other citizens and the lack of statutory authority according DNR the ability to influence hunting and fishing opportunity in the state figured prominently in the discussion.

After the DNR meeting Rep. Buck had a bill prepared that would have directed that if a gate on public land (a clear indication that the gated land is closed and claimed) is open for one element of the public for specific purposes (hunting, fishing, gathering of natural resources, etc.) then the gate should be open for all citizens of the state on equal footing.

For all the obvious reasons DNR did not want that bill introduced in the 2007 session and for a variety of reasons it was not brought forward. Commissioner Southerland stipulated in this meeting that he intended to sign his draft agreement with the Lummi Tribe within a month, or so, of the meeting. The threat of legislation apparently resulted in Commissioner Southerland holding off on his intended action.

Despite all the issues raised about a year ago it appears that Commissioner Southerland intends to sign the attached "draft" MOU with the Lummi Tribe soon and without benefit of public input and/or involvement.

For the record a meeting with three people does not constitute public involvement and advancing this proposal -- regardless of whatever form of justification provided by the agency -- is absolutely unacceptable.

As Lands Commissioner Southerland clearly intends to enact the attached document soon -- without opportunity for public comment -- there is no alternative but to strongly recommend that you review the attached document and communicate your personal or organizational comments as soon as possible.

Special OHV enthusiast license plate –

Gary Caudillo sent an email suggesting this.

I would like to propose the idea of a WA state specialty license plate. A plate that would represent motorcyclist and ORV user groups. I understand that revenues generated from the sell of these plates go to the organizations that implement them, after the state gets their cut first of course. I feel this might possibly be a good way to help fund our cause in the fight to keep our riding areas open. I have attached a link to the WA DOV site that outlines the who, what and how to apply for a specialty plate. I have not been able to find the exact information on the cost involved to do this, but understand that it can be substantial initially and requires a fair amount of support from the public. The initial cost is charged by the state to cover the expense of implementing the plate, and may vary according to design and the initial support by the public and a few other factors of which I'm not clear on yet. I also understand some of the cost can be controlled by the group applying for the plate thru the promotion process and any members who can provide certain services related to the application process. I have read some of the meeting

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minutes from the review board and have seen where some organizations have pulled in as much as 90,000 and as little as 5000 in revenue from the plates, again this is dependant on public support. I almost forget the review process involves the legislature, and again requires a fair amount of public support. I would welcome someone to review this that may have some better knowledge in this area to give some feed back on whether this would be worth pursuing.

Thanks, Gary

Odessa Project –

The City of Odessa has passed an Ordinance allowing unlicensed OHVs on certain streets to they have access to town from a proposed trail head. City designation of the trail head is in work as are the approval of BLM OHV routes to that area along with County Ordinances allowing unlicensed OHV use of certain county roads to create a network of opportunities in that area for OHV use.

Constituent Legislative Online User Target System (CLOUT)

is for use by all motorized recreational organizations so all motorized users can support each other in the WA State political arena. This system is run by a dedicated group of volunteers to alert only those CLOUT members whose local legislator(s) are going to be hearing something involving motorized recreation. Each member with an involved legislator is provided with a suggested message and specific email link to their own personal legislator(s) so those specific legislators hear from their own pro-motorized recreation constituents. There is no charge for membership in the CLOUT system. WA State pro-motorized recreational users just need to send an email to clout@hpgmc.com with their voting zip code and name. Pro-motorized organizations involved in or tracking legislative issues in Olympia can prepare alerts and utilize this system to rally grass roots support as needed.

New Business –

Motion was passed to change the By Laws regarding membership terms, from an annual calendar year, to a rolling 12 months from date of membership acceptance.

Motion was passed to remove the requirement from the By-Laws for the Board of Directors to review and approve membership of each Charter Member.

WOHVA Goals for the next year that were approved by the membership as actionable goals for 2008 –

WA State Trails Conference participation. Next meeting to coordinate and plan the next conference is on October, 25th, 2007 4 to 7 pm. John Eaton is on the WSTC committee. Contact him with ideas/suggestions, etc.

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WOHVA 2008 OHV Exposition – Date TBD. Dave Helgeson has offered booth space to promote WOHVA as the Motorhome and RV Show. Richard Elkins has arranged booth space for WOHVA at the Oct 19, 2007 WA State Snowmobile Association show. Angie Marek has arranged booth space for WOHVA at the Moonshiner's 4WD Swap Meet in March, 2008. Volunteers to man these booths are needed.

WOHVA insurance protection for Board of Directors in performance of their WOHVA duties.

Professional management/staffing of WOHVA

Recruitment of more active committee members, including members of member clubs and businesses, people attending events, more involvement of member clubs and businesses, handouts at meetings like the upcoming State 4WD meeting Jan 12, 2008 at King Oscars.

Empowerment of member clubs to initiate action and utilize NRTP/NOVA money for WOHVA.

Provide support for all Political Action goals as they come from the Political Action Committee.

Motion was approved that a letter to the ROC be drafted, subject to final Board of Directors review and approval, to move the Gifford Pinchot project up to qualify it for the remaining NOVA M&O funding and that line 17 be dropped.

Motion approved to adjourn.