

Supervisors' vote on off-road vehicles in Cache Creek satisfies few

By Anne Ternus-Bellamy From page A1 | November 19, 2015

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WOODLAND — One by one, people who live along Cache Creek, provide fire and rescue services in the area or oversee creek restoration efforts urged county supervisors on Tuesday to ban the use of off-highway recreational vehicles in the creek.

And one by one, supervisors themselves expressed support for such a ban.

But with nearly 7,000 legally registered off-highway vehicles in Yolo County, and no legal location for them to be used, supervisors instead settled for a ban on their use in the creek from 7 p.m. to 6 a.m., an increase in funding for enforcement, signs and education and continued efforts to find a location within the county for a legal off-highway vehicle recreation park.

Tuesday's action came a year and a half after supervisors voted not to seek a state planning grant for an off-highway vehicle recreation park that would have been located northeast of Woodland.

The proposed site — between County Roads 102 and 103 and south of County Road 17 — drew the opposition of neighboring farmers who feared increased noise and trespassing associated with off-road enthusiasts.

Neighbors also contended that the off-road enthusiasts eventually would get bored with the designated area and head off into adjacent private property anyway.

Keeping off-highway vehicle recreation out of private property was the goal behind the proposal, along with keeping the vehicles out of Cache Creek, where they were impacting county resources, local residents and businesses and restoration efforts.

But supervisors had numerous issues with the 2013 proposal, including whether there were more appropriate locations within the county for such a recreation park.

While Davis Supervisors Jim Provenza and Don Saylor voiced support for seeking the planning grant, then-Supervisor Mike McGowan of West Sacramento and Supervisors Matt Rexroad of Woodland and Duane Chamberlain of the rural 5th District opposed it.

On Tuesday, supervisors heard more about the impact of continued off-highway vehicle use in Cache Creek — an impact Saylor referred to as a “stunning picture” of abandoned vehicles and piles of tires in the creek bed, vandalism to fences and signs, destruction of private property and more.

Complaints related to off-highway vehicle use in the creek have increased from a couple received by the county each month to as many as 15 per month, a jump that Elisa Sabatini, an analyst in the county administrator's office, attributed to the drought, which has left the creek bed dry during the winter, allowing for its use year-round.

According to county staff, recreational vehicles have been used in Cache Creek as far back as the 1950s but the Board of Supervisors has never attempted to regulate — or ban — their use there.

Instead, the county's involvement is purely complaint-driven, with trespassing being the most common complaint received.

However, under state law, unless private property is completely fenced or has "no trespassing" signs surrounding the perimeter, a trespasser must be given an opportunity to voluntarily leave. That's why the Yolo County Sheriff's Department reports significantly more contacts than arrests or citations, and why off-highway vehicle users continue to return, county staff reported.

Other complaints received by the county and Sheriff's Department involve vandalism and damage, including the removal of fences and signs by people trying to access the creek.

Representatives of Teichert Inc. and Cemex — both of which have gravel operations along the creek — reported spending significant time and money repairing fences. They also told supervisors they are concerned about safety and liability issues.

"It makes it very difficult to keep our site safe," said Teichert manager Michael Smith.

Closing the creek to off-highway vehicles from 7 p.m. to 6 a.m. would help, Smith said, since that's when the majority of damage is done to Teichert's property. However, he added, "(we) would also like to see a full ban."

Others urging supervisors to enact a complete ban included Cache Creek Conservancy executive director Nancy Ullrey, Yocha Dehe Fire Chief Gary Frederickson and residents Lynnel Pollock and Dave Schwenger.

And several worried that a partial ban — like that enacted Tuesday — would do more harm than good.

"When we put an ordinance in place from (7 p.m. to 6 a.m.) does that say it's OK to go there the rest of the time?" asked Frederickson. "You're going to start seeing more and more use of the creek, more and more (drain) on fire services."

According to county staff, fire districts along the creek have reported difficulty reaching individuals injured in off-highway vehicle accidents in the creek and have raised concerns about the increased risk of fires caused by sparks from vehicles in the drought-stricken creek bed.

Their concerns were echoed by supervisors themselves.

"Off-highway vehicles don't belong in Cache Creek," Provenza said. However, he added, "we're not at the point where we have an alternative location."

Chamberlain agreed, saying, "I would like to close it completely but not unless we have a park they can go to."

As a compromise, the supervisors enacted the night-time ban with a sunset provision so the ordinance will return to the board in a year, at which time a location may have been found for an off-highway recreational vehicle park somewhere in the county.

Supervisors voted 4-1 to enact the ordinance, with Rexroad voting against it, saying, "Of all the concerns I heard today, this ordinance doesn't solve many of them."