



OHMVR COMMISSION MEETING Kings Beach, CA 96143

August 15, 2019

STAFF REPORT: OHV Combined Use Proposal - Imperial County

STAFF: George MacDougall, Division Staff

SUBJECT: OHV Combined Use Proposal Update - Gordon Wells Rd. / I-8,
Winterhaven Area

Summary

Pursuant to California Vehicle Code Section 38026 the Off-Highway Motor Vehicle Recreation (OHMVR) Commission has the authority to *propose* to local authorities, highway segments for consideration for combined highway/off-highway use. The local authorities by resolution or ordinance have the ability to designate a segment of highway for combined use with concurrence from the California Highway Patrol (CHP).

On March 1, 2019, Mr. Bob Ham, representing the American Sand Association, made a presentation to the Off-Highway Motor Vehicle Recreation (OHMVR) Commission requesting assistance to obtain approval for Off-Highway Vehicle (OHV) combined use for short segments of Evan Hewes Highway and Gordon Wells Road where it crosses Interstate 8 in Winterhaven, California. This connectivity is needed to allow Green Sticker OHVs to connect trails from the north end of Gordon Wells to the south end in the Imperial Sand Dunes area. See Attachment 1 for a map of the proposed combined use roadway.

Discussion

Mr. Jurg Heuberger, a consultant for the American Sand Association and a retired Director of Imperial County Land Use Planning, has developed a combined use proposal to submit to the CHP, Winterhaven office, in accordance with CHP guidelines. The proposal includes the justification, description of adjoining land use, costs, signage, and any resultant policy or regulations. Mr. Heuberger is also coordinating this proposal with the local Transportation Authority and with the Imperial County Public Works Department. The Imperial County Board of Supervisors has also recently approved a resolution supporting this combined use proposal which is included as Attachment 2 to this report.

California Vehicle Code (CVC) Section 38026 establishes criteria for permitting a local authority, an agency of the federal government, or the Director of the Department of Parks and Recreation (DPR) to designate a portion of a highway for combined use,

subject to the CHP's approval. This combined use designation would allow off-highway motor vehicles to travel on the designated highway portion. The highway must meet the following criteria:

- (1) The highway must provide a connecting link between:
 - (a) Off-highway motor vehicle trail segments; or
 - (b) An off-highway motor vehicle recreational use area and necessary service facilities; or
 - (c) Lodging facilities and an off-highway motor vehicle recreational facility.
- (2) The highway must be constructed to safely permit the use of regular vehicular traffic as well as off-highway motor vehicles.
- (3) The proposed designated highway segment shall be no longer than three miles in length.

California Vehicle Code Section 38026 requires the proposing entity to notify the Commissioner of the CHP prior to the designation of any highway, or portion thereof, for combined use. It further prohibits the designation of a highway or portion thereof, for combined use if, in the opinion of the Commissioner, such designation would create a potential traffic safety hazard.

The local CHP office reviews the proposal for combined use and determines whether such use would create a potential traffic hazard. The request is then forwarded to the CHP Headquarters Assistant Commissioner, Field for review. The request is accompanied by comments and recommendations from the local CHP office concerning traffic safety hazards, along with recommendations for approval or denial. The package is then routed to CHP Headquarters Research and Planning Section for review who in turn writes the approval or denial memo to the proposer.

For the Commission's consideration, a draft letter from the OHMVR Commission to Imperial County proposing the combined use designation has been prepared and is included as Attachment 3 to this report.

Commission Action

The Commission may:

1. Authorize proposing to Imperial County combined use on segments of Evan Hewes Highway at Gordons Well.
2. Take no action.

Attachments

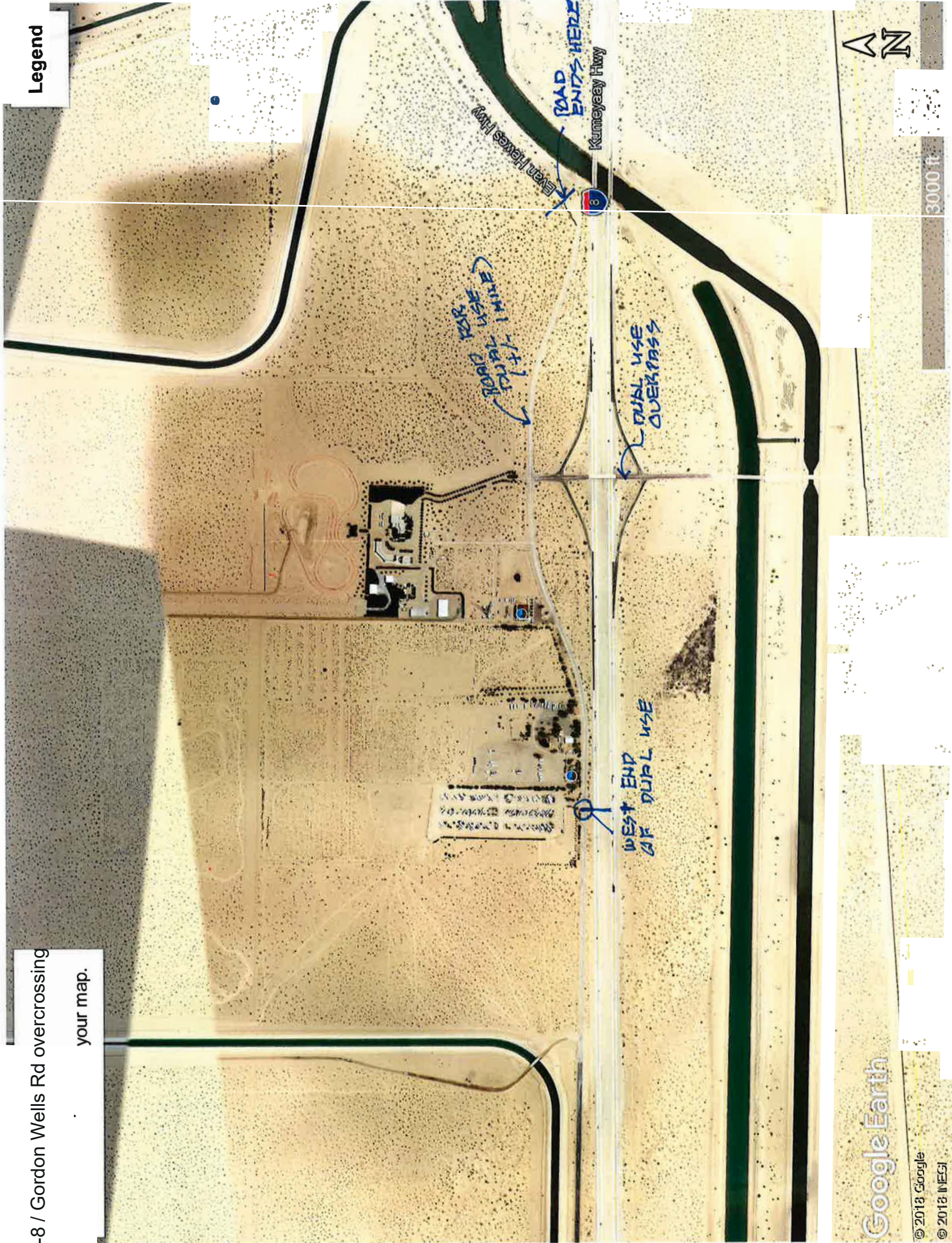
Attachment 1: Map of the proposed combined use roadway

Attachment 2: Imperial County Board of Supervisors Resolution

Attachment 3: Draft letter to Imperial County proposing combined use

I-8 / Gordon Wells Rd overcrossing
your map.

Legend



Google Earth

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3000 ft

[Approved at June 25, 2019 BOS Meeting]

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF IMPERIAL,
IN SUPPORT OF THE DESIGNATION OF A PORTION OF EVEN HEWES HIGHWAY
AT GORDONS WELL FOR OFF HIGHWAY VEHICLE USE.**

RESOLUTION NO. _____

WHEREAS, the overpass over Interstate 8 (“Interstate”) at Gordons Well, in Imperial County (“County”), has been designated for use by “off highway” vehicles in order to provide safe access to such vehicles between the north and south sides of the Interstate and the sand dunes; and

WHEREAS, this designation has resulted in off highway vehicles entering onto a portion of the Evan Hewes Highway at Gordons Well (“Frontage Road”), or onto private lands, in order to access the Interstate overpass, neither of which provide a legal path for such vehicles to access the recreation and commercial services located on either side of the Interstate; and

WHEREAS, there are presently tens of thousands of off highway vehicles utilizing the Interstate overpass and either the Frontage Road or private property adjacent to the Interstate; and

WHEREAS, this has created safety issues for normal and off highway vehicles, as well as legal problems for both adjoining private land owners and off highway vehicles trespassing upon such property; and

WHEREAS, the Frontage Road is used almost exclusively for accessing the recreation area; and

WHEREAS, the County is the legal owner of the Frontage Road, desires to support off highway recreational uses in the area, and wants off-highway vehicles to have a safe and legal means of accessing recreation and commercial areas as identified in the attached **Exhibit “A;”** and

WHEREAS, designating a portion of the Frontage Road approximately one mile north of the Interstate overpass for use by both normal vehicles and off highway vehicles will provide efficient, safe, and effective access to both vehicle types, and access to a large off road recreational area; and

WHEREAS, such designation is allowed by California Vehicle Code Section 38026, subject to the approval by the California Highway Patrol Commissioner.

NOW, THEREFORE, be it resolved by the Board of Supervisors of the County of Imperial as follows:

1. The County supports the designation of approximately one mile of the Frontage Road north of the Interstate overpass for use by off road vehicles.
2. The Director of Public Works, or his designee, is authorized and instructed to submit a copy of this Resolution, and any other relevant documentation, to the California Highway

Patrol Commissioner for consideration of designating approximately one mile of the Frontage Road north of the Interstate overpass for use by off road vehicles.

PASSED AND ADOPTED by the Board of Supervisors, County of Imperial, State of California, this _____ day of _____, 2019 by the following roll call vote:

Ryan E. Kelley,
Chairman of the Board of Supervisors

ATTEST:

Blanca Acosta,
Clerk of the Board of Supervisors

DRAFT Letter of Support for OHV Combined Use – Gordon Wells OHV Area

Commission Letterhead

DATE

Mr. John A. Gay
Director, Imperial County Department of Public Works
155 S. 11 Street
El Centro, CA 92243

Dear Lt. Lavery,

During a previous meeting of the Off-Highway Vehicle (OHV) Commission held in Palmdale on March 1, 2019, Mr. Bob Ham, representing the American Sand Association (ASA), did a presentation requesting the Commission's assistance for the approval of OHV combined use for short segments of Evan Hewes Highway and Gordon Wells Rd. where it crosses Interstate 8, in the Winterhaven CHP Area. This segment is needed to allow off-road licensed Green Sticker OHV's to legitimately use the overcrossing to connect trails from the north end of the Gordon Wells OHV area to the south end.

We understand that Mr. Jurg Heuberger, a consultant for the ASA and a retired planning director for Imperial County, has been in contact with you to discuss the approval process of combined use on these roadway segments, and is preparing a combined use proposal. We also understand that the Imperial County Board of Supervisors has recently approved a resolution supporting this combined use proposal, and that the Imperial County Department of Public Works has completed traffic surveys in the area.

Please consider approval of this proposal. We fully support this proposal and are committed to working with you on any issues or concerns that you may have. Should you have any questions or concerns, please contact our OHV Division Project Manager Mr. George MacDougall by email at george.macdougall@parks.ca.gov or by phone at 916-826-5587.

Sincerely,

Tom Lemmon, Chair
California State Parks
Off-Highway Motor Vehicle Recreation Commission

cc. Lt. Scott Lavery, California Highway Patrol