

# State settles lawsuit over dunes race in Oceano

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An environmental group's lawsuit against the state over an off-road motorcycle race in the Oceano Dunes has been settled, with the state agreeing to revoke the event's multiyear permit and conduct an environmental review before any permits are issued for such activities.

The lawsuit, filed in October by the Center for Biological Diversity in Montana, was signed off by the California Department of Parks and Recreation last week, said Andrew Orahoske, conservation advocate for the center.

"This certainly is a win for endangered species and the people who love (Oceano Dunes) and want to protect it," Orahoske said Monday after announcing the settlement.

State Parks officials who could comment on the lawsuit did not return calls Monday.

Under the settlement, the Off-Highway Motor Vehicle Recreation Division of State Parks will invalidate the notice of exemption for the Oceano Dunes Beach Race and Festival, sponsored by the Central Coast Motorcycle Association.

It's uncertain just how that will affect the event already scheduled for this November, as a spokesman for the



Oceano Dunes seen here from above with an estimate of 50,000 people attending the Oceano Dunes Beach Race & Festival October 21, 2006, in Oceano.//Staff file

association could not be reached for comment.

However, terms of the settlement would require State Parks to void the notice of exemption filed for the 2007 race, and complete an analysis of the environmental impacts of such events proposed from 2008 to 2011 before permits could be issued.

State Parks would have to do the same for the World Tour Watercraft Freeride Competition that was held in conjunction with the World Off-Road Racing Championship Series event last year.

"This settlement certainly sends the (Off-Highway Motor Vehicle

Recreation) division a message that off-road vehicles have a significant effect on the environment that needs to be analyzed," Orahoske said.

"At Oceano Dunes, the impact is so great and the harm is so great. Endangered species are just not compatible with the off-road area."

Orahoske said the center filed the lawsuit after it received a notice of exemption sent out by State Parks shortly before the 2007 event.

At the time the lawsuit was filed, a State Parks spokesman said the Oceano Dunes General Plan indicates such events are allowed, and an environmental review for

the plan was conducted under California Environmental Quality Act guidelines.

An estimated 1,000 off-road motorcycle and ATV racers were drawn to Oceano Dunes for the fourth year of the event, which raises funds for research into spinal cord injuries and recovery and a foundation that assists injured motorcycle racers.

Orahoske said the “thousand of dirt bikes and off-road vehicles” and scores off personal watercraft allowed offshore during the event were a threat to endangered species in the dunes.

“Generally, the center views off-road vehicles as a threat to wildlife and to plants,” Orahoske said. “Oceano Dunes is one of those places where vehicles interact in a way that threatens certain species with extinction.”

Orahoske said the center does not have any specific plans to eliminate off-road vehicle use in the dunes.

“We will certainly be there to defend species in wild places,” he said.

In addition to conducting environmental assessments, State Parks now must notify attorneys for the Center for Biological Diversity

of any permit applications for the off-road race and any similar events within 10 days of receiving the applications.

State Parks also must pay the center \$9,000 for attorney fees and court costs.