

CALIFORNIA HORSE RACING BOARD

1010 Hurley Way, Suite 300

Sacramento, CA 95825

www.chrb.ca.gov

(916) 263-6000 Fax (916) 263-6042



REGULAR MEETING

Of the **California Horse Racing Board (CHRB/Board)** will be held on **Thursday, July 16, 2020**, commencing at **9:30 a.m. via teleconference**. The audio portion only of the California Horse Racing Board regular meeting will be available online through a link at the CHRB website (www.chrb.ca.gov) under “Webcasts.”

Please be advised, in accordance with Executive Order N-29-20, the CHRB will provide a teleconference option for its upcoming public meeting, to be held on **July 16, 2020 at 9:30 a.m.** Board members and members of the public are strongly encouraged to participate using the teleconference phone number provided below so as to minimize the spread of COVID-19 and reduce the risk of infection during this current state of emergency. No physical location will be provided.

To participate in the teleconference, dial 888-392-4564 and enter 6896291# when prompted.

The agenda for the regular meeting will consist of the following matters:

AGENDA

Action Items:

1. **Approval of the minutes of June 11, 2020.**
2. Reports
 - a. **Executive Director’s Report.**
 - b. **Equine Medical Director’s Report.**
3. Discussion and action by the Board regarding **approval of an agreement, pursuant to Business and Professions Code section 19604(f)(5)(E)**, to modify the distribution from advance deposit wagering (ADW) market access fees, to supplement funding for CHRB Board support.
4. Discussion and action by the Board on **the approval of the fiscal year 2020-2021 agreement providing funding support for the Board.**
5. Discussion and action by the Board regarding the **distribution of race date charity proceeds of the WatchAndWager.com, LLC**, combined 2019 - 2020 race meetings in the amount of \$4,000 to five beneficiaries.

6. Discussion and action by the Board regarding the **amendment of the application for advance deposit wagering provider ODS Technologies, L.P. d/b/a TVG Network (TVG)**, to allow the Del Mar Thoroughbred Club to host handicapping contests through TVG.
7. Discussion and action by the Board regarding **approval of an agreement, pursuant to CHRB Rule 1581, Racing Secretary to Establish Conditions, between the Sonoma County Fair and the Thoroughbred Owners of California (TOC)**, regarding entry conditions and specified drug substances or medications to be implemented by the Sonoma County Fair at Golden Gate Fields.
8. Discussion and action by the Board on the **Application for License to Conduct a Horse Racing Meeting of the Sonoma County Fair (F)** at Golden Gate Fields, commencing July 29, 2020 through August 11, 2020, inclusive.
9. Discussion and action by the Board regarding **approval of an agreement, pursuant to CHRB Rule 1581, Racing Secretary to Establish Conditions, between the Pacific Racing Association II (PRA II) and the Thoroughbred Owners of California (TOC)**, regarding entry conditions and specified drug substances or medications to be implemented by the PRA II at the Golden Gate Fields Racetrack.
10. Discussion and action by the Board on the **Application for License to Conduct a Horse Racing Meeting of the Pacific Racing Association II (T)** at Golden Gate Fields, commencing August 12, 2020 through October 6, 2020, inclusive.
11. Discussion and action by the Board regarding **the proposed amendment to CHRB Rule 1843.3, Penalties for Medication Violations, and proposed addition of CHRB Rule 1843.4, Multiple Medication Violations (MMV)**, to incorporate penalties for multiple medication violations.
12. Discussion and action by the Board regarding **the proposed amendment of CHRB Rule 1588, Horse Ineligible to Start in a Race, and proposed addition of CHRB Rule 1866.3, 30-Day Stand Down for Fetlock Injections**, to prohibit the use of corticosteroid intra-articular joint injection within thirty (30) days of race day and ten (10) days before completing a timed workout.
13. Public hearing and action by the Board regarding the **proposed addition of CHRB Rule 1503.5, Continuing Education for Trainers and Assistant Trainers**, to require continuing education as a condition of renewal of license for Trainer or Assistant Trainer.
14. Public hearing and action by the Board regarding the **proposed amendment to CHRB Rule 1845, Authorized Bleeder Medication**, to change the allowable dosage of furosemide that can be administered from not less than 150 mg and not more than 500 mg to 250 mg; and to prohibit the administration of furosemide in two-year-olds entered to race (Note: This concludes the 15-day public comment period. The Board may adopt the proposal as presented).

15. **Public Comment:** Communications, reports, requests for future actions of the Board.
Note: During the public comment period, a total of thirty minutes will be allowed for public comments via the teleconference line. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes.
16. **Closed Session:** For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code.
 - A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," and as authorized by Government Code section 11126(e).
 - B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding pending administrative licensing or disciplinary matters as authorized by Government Code section 11126(e).
 - C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126(a).

Additional information regarding this meeting may be obtained from the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. This notice is located on the CHRB website at www.chrb.ca.gov. *Information for requesting disability related accommodation for persons with a disability who require aid or services in order to participate in this public meeting, should contact Amanda Drummond. Requests will be swiftly resolved by CHRB staff.

CALIFORNIA HORSE RACING BOARD

Gregory L. Ferraro, DVM, Chairman
Oscar Gonzales, Vice Chair
Dennis Alfieri, Member
Damascus Castellanos, Member
Wendy Mitchell, Member
Alex Solis, Member
Scott Chaney, Executive Director
Cynthia Alameda, Assistant Executive Director

Date of Notice: July 3, 2020

PROCEEDINGS of the regular meeting of the **California Horse Racing Board** (Board) held on **June 11, 2020**, commencing at **9:30 a.m. via teleconference**.

Present: Gregory Ferraro, Chairman
Oscar Gonzales, Vice-Chairman
Alex Solis, Member
Dennis Alfieri, Member
Wendy Mitchell, Member
Demascus Castellanos, Member
Scott Chaney, Executive Director
Cynthia Alameda, Assistant Executive Director
Robert Brodnik, General Counsel

APPROVAL OF THE MINUTES OF APRIL 22, 2020.

Commissioner Dennis Alfieri **motioned** to approve the minutes of the April 22, 2020, Board meeting. Commissioner Alex Solis, **seconded** the motioned, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Castellanos, Mitchell, Solis, Gonzales, Ferraro. Nay: None. Motion carried.

EXECUTIVE DIRECTOR REPORT.

Executive Director Scott Chaney reported that in April 2020, daytime handle was down 65.18 percent, nighttime handle was up 35.27 percent, and total handle was down 52.82 percent compared to April 2019. In May 2020, daytime handle was up 0.53 percent, nighttime handle was up 95.2 percent, and total handle up 9.34 percent compared to May 2019. Further comments are available in the Board transcript, pages 4–7.

EQUINE MEDICAL DIRECTOR REPORT.

Dr. Rick Arthur, Board Equine Medical Director, stated that organizers of the Grayson-Jockey Club Welfare and Safety of the Racehorse Summit conducted a series of webinars, which included a presentation by Dr. Stover on research related to the Board necropsy program. Dr. Parkin provided an analysis of the association of shockwave therapy with fatal injury. Dr. Arthur said there were nine necropsy submissions in April 2020, as well as in May 2020. He stated that the postmortem examination regulation takes effect July 1, 2020. He said there were nine medication violations in April 2020. All violations during workouts were for phenylbutazone. There were six medication violations in May 2020. Further comments regarding this agenda item can be found in the Board transcript, pages 7–16.

RACE DATES COMMITTEE REPORT.

Vice-Chairman Gonzales stated that various fairs were canceled due to the health crisis. Racing was cancelled at the California Exposition and State Fair (Cal Expo), Humboldt County Fair (HCF), and Sonoma County Fair (SCF). Cal Expo, HCF, and SCF sought to race at other tracks under their respective licenses. Further comments are available in the Board transcript, pages 17–19.

REALLOCATION OF 2020 RACE DATES.

Vice-Chairman Gonzales **motioned** to approve the reallocation of HCF’s race dates to Pacific Racing Association II (PRA II). Commissioner Wendy Mitchell **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Castellanos,

Mitchell, Solis, Gonzales, Ferraro. Nay: None. Motion carried. Substantial comments regarding this agenda item can be found in the Board transcript, pages 19–98. Chairman Gregory Ferraro stated that the reallocation of northern California 2020 races dates was being made in light of the COVID-19 pandemic and that for 2021, the race dates would return to their traditional allocations. Chairman Ferraro **motioned** to approve the reallocation of northern California race dates as follows: PRA II (Golden Gate Fields (GGF)), 8/12/20–10/6/20; Cal Expo at Pleasanton, 7/15/20–7/28/20; and SCF at GGF, 7/29/20–8/11/20. Commissioner Demascus Castellanos **seconded** the motion, which was **passed** five to one. Roll call vote: Aye: Castellanos, Mitchell, Solis, Gonzales, Ferraro. Nay: Alfieri. Motion carried. Further comments regarding this agenda item can be found in the Board transcript, pages 239–256.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE ALAMEDA COUNTY FAIR (F), AT PLEASANTON, COMMENCING JUNE 17, 2020 THROUGH JULY 14, 2020, INCLUSIVE.

Amanda Drummond, Board Policy, Regulations, and Administrative Hearings Manager, stated that the 2020 advance deposit wagering (ADW) agreements with BetAmerica and TwinSpires and the race meet agreements with the Thoroughbred Owners of California (TOC) and the California Thoroughbred Trainers (CTT) were outstanding. Larry Swartzlander, California Authority of Racing Fairs (CARF), said the ADW agreements would be signed as soon as race dates were agreed upon. He stated that CTT was against the agreement because of a stabling issue, which was then moot because GGF agreed to keep its stables open. Alan Balch, CTT, said CTT was worried about the

possible situation wherein CARF may not be able to conduct live racing. Commissioner Castellanos **motioned** to approve the application for license to conduct a horse racing meeting of the Alameda County Fair (ACF) at Pleasanton June 17, 2020, through July 14, 2020, contingent upon Board staff receiving all outstanding items by June 15, 2020. Chairman Ferraro **seconded** the motion, which was **passed** four to two. Roll call vote: Aye: Castellanos, Mitchell, Gonzales, Ferraro. Nay: Alfieri, Solis. Motion carried. Further comments are available in the Board transcript, pages 257–267.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN THE CALIFORNIA AUTHORITY OF RACING FAIRS (CARF) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY CARF AT THE CALIFORNIA EXPOSITION AND STATE FAIR.

Robert Brodnik, Board General Counsel, stated that the agreement would reduce the amount of Lasix allowed to 250 mg, prohibit Lasix in two-year-old horses, and prohibit a horse from racing for 14 days after receiving a joint injection, performing a timed workout within 10 days of a joint injection, and racing for 30 days after receiving an injection in the metacarpophalangeal joint. Commissioner Castellanos **motioned** to approve the agreement, pursuant to Board Rule 1581, Racing Secretary to Establish Conditions, between CARF and TOC. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Gonzales, Alfieri, Castellanos, Mitchell, Solis, Ferraro. Nay: None. Motion carried. Further comments regarding this agenda item can be found in the Board transcript, pages 267–307.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE CALIFORNIA EXPOSITION AND STATE FAIR (F) AT SACRAMENTO, COMMENCING JULY 15, 2020 THROUGH AUGUST 4, 2020, INCLUSIVE.

Ms. Drummond stated that the Cal Expo race meet would run at Pleasanton (Alameda County Fairgrounds) from July 15 through July 28, 2020. She stated that the 2020 ADW agreements with BetAmerica and TwinSpire were missing as well as the 2020 race meet agreements with TOC and CTT. Rick Pickering, Cal Expo, said Cal Expo would submit an amended application reflecting the race dates outlined by Ms. Drummond. Chairman Ferraro proposed a due date for outstanding application items of July 1, 2020. Commissioner Castellanos **motioned** to approve the application to conduct a race meet of Cal Expo at Pleasanton from July 15, 2020, through July 28, 2020, contingent upon staff receiving the missing items by July 1, 2020. Chairman Ferraro **seconded** the motion, which **passed** five to one. Roll call vote: Aye: Gonzales, Alfieri, Castellanos, Mitchell, Ferraro. Nay: Solis. Motion carried. Further comments are available in the Board transcript, pages 272–276.

DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO ESTABLISH CONDITIONS, BETWEEN THE DEL MAR THOROUGHBRED CLUB (DMTC) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC), REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE IMPLEMENTED BY THE DMTC AT THE DEL MAR RACETRACK.

Mr. Brodnik stated that the agreement would reduce the permitted amount of Lasix to 250 mg, prohibit Lasix in two-year-old horses, and prohibit a horse from racing for 14 days after receiving a joint injection and for 30 days after receiving an injection in the fetlock

joint. Commissioner Solis **motioned** to approve the agreement, pursuant to Board Rule 1581, Racing Secretary to Establish Conditions, between Del Mar Thoroughbred Club (DMTC) and TOC. Chairman Ferraro **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Castellanos, Mitchell, Gonzales, Solis, Ferraro. Nay: None. Motion carried. Further comments regarding this agenda item can be found in the Board transcript, pages 101–116.

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE DEL MAR THOROUGHBRED CLUB (T) AT DEL MAR, COMMENCING JULY 8, 2020 THROUGH SEPTEMBER 8, 2020, INCLUSIVE.

Ms. Drummond stated that the race meet agreement between CTT and DMTC was still outstanding. Vice-Chairman Gonzales said the race meet agreements in the future should have an addendum that empowers the Board to intervene when there is a dispute between organizations and to be able to quickly appoint a hearing officer to adjudicate the issue. Mr. Brodник said that pursuant to Board Rule 2044, Agreements to be Filed, the Board can determine what race meet agreements should say if the various stakeholders cannot come to an agreement. Commissioner Mitchell **motioned** to approve the application for license to conduct a horse racing meeting of DMTC from July 8, 2020, through September 8, 2020. Chairman Ferraro **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Alfieri, Castellanos, Gonzales, Mitchell, Solis, Ferraro. Nay: None. Chairman Ferraro **motioned** to assign Vice-Chairman Gonzales and a second Commissioner to establish a race meet agreement between DMTC and CTT. Commissioner Castellanos **seconded** the motion, which **unanimously carried**. Roll call

vote: Aye: Alfieri, Gonzales, Castellanos, Mitchell, Solis, Ferraro. Nay: None. Further comments are available in the Board transcript, pages 117–158.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENTS TO CHRB RULE 1685, EQUIPMENT REQUIREMENT, TO MODIFY RIDING CROP SPECIFICATIONS.

Chairman Ferraro **motioned** to direct staff to initiate a 45-day public comment period regarding the proposed amendment to Board Rule 1685, Equipment Requirement. Vice-Chairman Gonzales **seconded** the motion, which was **unanimously carried**. Roll call vote: Alfieri, Castellanos, Mitchell, Gonzales, Solis, Ferraro. Nay: None. Motion carried. Substantial comments regarding this agenda item can be found in the Board transcript, pages 159–184.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT OF CHRB RULE 1688, USE OF RIDING CROP, TO REGULATE THE USE OF THE RIDING CROP TO PROTECT THE SAFETY OF THE HORSE AND RIDER.

Ms. Drummond stated that staff anticipated an October 1, 2020 or January 1, 2021 effective date. Terry Meyocks, Jockey's Guild (Guild), requested no more than four to six weeks postponement of the agenda item to further dialogue with national organizations to come up with a uniform national rule. Chairman Ferraro suggested that the Board adopt the proposed language as written, and if the Guild and other parties came up with an acceptable national rule in the ensuing four to six weeks, the Board could withdraw the rulemaking file under review at the Office of Administrative Law (OAL) and amend the language to match the national rule. If the Guild was unsuccessful in drafting a new

national rule that the Board found acceptable, the Board could keep the proposed language as adopted. Commissioner Solis **motioned** to table the agenda item and revisit it at the July 2020 regular Board meeting. Commissioner Alfieri **seconded** the motion, which **failed**. Roll call vote: Aye: Alfieri, Gonzales, Solis. Nay: Mitchell, Castellanos, Ferraro. Chairman Ferraro **motioned** to adopt the proposed amendment to Board Rule 1688 as written. Commissioner Mitchell **seconded** the motion, which was **passed** four to two. Roll Call: Aye: Gonzales, Castellanos, Mitchell, Ferraro. Nay: Alfieri, Solis. Motion carried. Further comments can be found in the Board transcript, pages 185–229.

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSAL TO PARTIALLY SUSPEND CHRB RULE 1845, AUTHORIZED BLEEDER MEDICATION, PURSUANT TO CHRB RULE 1406, SUSPENSION OF RULE.

Dr. Arthur stated that the proposal to partially suspend Board Rule 1845, Authorized Bleeder Medication, specifically addressed the requirement that the Board take possession of the syringes used to administer Lasix by third-party Lasix veterinarians. Chairman Ferraro **motioned** to approve the proposal to partially suspend Board Rule 1845, pursuant to Board Rule 1406, Suspension of Rule. Commissioner Mitchell **seconded** the motion, which **passed** four to two. Roll call vote: Aye: Gonzales, Castellanos, Mitchell, Ferraro. Nay: Alfieri, Solis. Motion carried. Further comments regarding this agenda item can be found in the Board transcript, pages 223–228.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE **PROPOSED AMENDMENT TO CHRB RULE 1503, QUALIFICATIONS FOR LICENSE AS TRAINER OR ASSISTANT TRAINER**, TO REQUIRE THAT INDIVIDUALS HOLD AN ASSISTANT TRAINER LICENSE IN GOOD STANDING FOR AT LEAST ONE YEAR AS A PREREQUISITE FOR A TRAINER LICENSE.

Ms. Drummond stated that the OAL had recommendations for changes to the proposed language for clarity. Commissioner Castellanos **motioned** to adopt the proposed amendment to Board Rule 1503, Qualifications for License as Trainer or Assistant Trainer. Chairman Ferraro **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Gonzales, Alfieri, Castellanos, Mitchell, Solis, Ferraro. Nay: None. Motion carried. Further comments can be found in the Board transcript, pages 276–279.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE **PROPOSED ADDITION OF CHRB RULE 1866.2, SHOCKWAVE THERAPY RESTRICTED**, TO PROVIDE PROCEDURES FOR THE USE OF EXTRACORPOREAL SHOCK WAVE THERAPY (ESWT) OR RADIAL PULSE WAVE THERAPY WITHIN A CHRB INCLOSURE.

Ms. Drummond stated that no comments were received during the 15-day public comment period. Commissioner Solis **motioned** to approve the addition of Board Rule 1866.2, Shockwave Therapy Restricted. Commissioner Alfieri **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Gonzales, Alfieri, Mitchell, Solis, Ferraro. Nay: None. Motion carried. Further comments regarding this agenda item can be found in the Board transcript, pages 279–282.

PUBLIC HEARING AND ACTION BY THE BOARD REGARDING THE **PERMANENT ADOPTION OF THE EXISTING EMERGENCY REGULATION, CHRB RULE 1435, SUSPENSION OF LICENSE TO CONDUCT A RACE MEETING**, WHICH ALLOWS THE BOARD TO SUSPEND A RACE MEETING LICENSE WHEN NECESSARY TO PROTECT THE HEALTH AND WELFARE OF THE HORSE OR RIDER.

Commissioner Castellanos **motioned** to permanently adopt the existing emergency regulation, Board Rule 1435, Suspension of License to Conduct a Race Meeting. Commissioner Solis **seconded** the motion, which was **unanimously carried**. Roll call vote: Aye: Gonzales, Alfieri, Castellanos, Mitchell, Solis, Ferraro. Nay: None. Motion carried. Comments can be found in the Board transcript, pages 283–290.

PUBLIC COMMENT

Substantial public comments can be found in the Board transcript, pages 290–310.

MEETING ADJOURNED AT 4:34 P.M.

A full and complete transcript of the aforesaid proceedings are on file at the office of the California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, California, and therefore made a part hereof.

Chairman

Executive Director

CALIFORNIA HORSE RACING BOARD

July 16, 2020
REGULAR BOARD MEETING

There is no board package material for Item 2A

CALIFORNIA HORSE RACING BOARD

July 16, 2020
REGULAR BOARD MEETING

There is no board package material for Item 2B

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN
AGREEMENT, PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION
19604(f)(5)(E), TO MODIFY THE DISTRIBUTION FROM ADVANCE DEPOSIT
WAGERING (ADW) MARKET ACCESS FEES, TO SUPPLEMENT FUNDING FOR
CHRB BOARD SUPPORT.

Regular Board Meeting
July 16, 2020

ISSUE:

The horse racing industry stakeholders that benefit from market access fees, are seeking approval of an industry agreement to supplement CHRB Board support under Business and Professions Code section 19604(f)(5)(E) for the period July 1, 2020 through June 30, 2021. The agreement would modify the distribution of market access fees from California resident advance deposit wagering (ADW) placed on all live and imported races to fund deficits identified in providing Board support. The agreement allows the Thoroughbred Owners of California (TOC) and the signatory tracks to utilize market access fee funds to supplement Board support for the fiscal year 2020-21.

ANALYSIS:

The CHRB Board support formula for fiscal year 2019-20, set at 72 percent of pre-SBX2 16 license fees, generated less than the amount approved in the 2019–20 Budget Act. This was largely due to Covid-19 shutdowns and the migration of wagering from California brick and mortar to California resident ADW. In the past, brick and mortar wagering contributed the vast majority of CHRB's Board support. Given the likelihood of continuing shutdowns and restrictions on brick and mortar wagering it was necessary to revise the formula to include funding from all wagering sources.

Including all wagering sources allows the horse racing industry to supplement CHRB Board support from the distribution of ADW market access fees. Pursuant to Business and Professions Code section 19604(f)(5)(E), altering the distribution of the ADW market access fees requires agreement from the beneficiaries of the market access fee (in this case, purses and track commissions) and requires Board approval of the agreement.

BACKGROUND:

Business and Professions Code section 19604(f)(5)(E) states:

Notwithstanding any provision of this section to the contrary, the distribution of market

access fees pursuant to this subparagraph may be altered upon the approval of the board, in accordance with an agreement signed by all parties whose distributions would be affected.

Business and Professions Code section 19616.51(a) states:

Notwithstanding any other provision of law, and in lieu of any license fee payable to the state prescribed for or referred to in Section 19491, 1949.5, 19596.3, 19601, 19601.2, 19602, 19603, 19604, 19605.25, 19605.35, 19605.45, 19605.6, 19605.7, 19605.71, 19606.5, 19606.6, 19610.8, 19611, 19612, 19614, 19616, 19616.1, 19616.2, or 19641, any association or fair that conducts a racing meeting shall only pay its proportional amount, as determined by the formula devised pursuant to paragraph (1), as a license fee to the state . . . to fund the board and the equine drug testing program as follows:

- (1) All racing associations and fairs including all breeds of racing shall participate in the funding of the board in accordance with the formula devised by the board in consultation with the industry.
- (2) The baseline funding for the board and equine drug testing program in the first fiscal year after the enactment of this section shall be the amount approved in the 2008-09 Budget Act.
- (3) Adjustments to the funding in subsequent budget years may only be made by an act of the Legislature.

RECOMMENDATION:

This item is presented for Board discussion and action. Staff recommends the Board hear from industry stakeholders' representatives.

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD ON THE APPROVAL
OF THE FISCAL YEAR 2020-21 AGREEMENT PROVIDING
FUNDING SUPPORT FOR THE BOARD

Regular Board Meeting
July 16, 2020

ISSUE: CHRB SUPPORT FORMULA FOR FISCAL YEAR 2020-21

The CHRB support formula is developed in consultation with the horse racing industry. Historically, the formula is based upon the license fees that would have been paid to the State of California had Senate Bill 16 (Ashburn) Chapter 12, Statutes of 2009 (SBX2 16) not been enacted.

This year's formula deviates from the method used over the last 11 years. Due to Covid-19 shutdowns and migration of handle from California brick and mortar facilities to California resident Advance Deposit Wagering (ADW) wagers it was advisable to revise the formula. In the past, commingled handle from wagers placed at California brick and mortar facilities plus wagers placed outside California on California signals provided approximately 70 percent the board's support funding. ADW redirection provided the rest.

The logical approach to determine the percentages to be applied to California resident ADW would be to utilize the effective blended pre-SBX2 16 license fee rate for California brick and mortar wagers for each host. It was determined that 60 percent of the combined pre-SB 16 license fees and ADW funding was needed to cover board support funding. With this approach there would be no change in the way that funding is calculated for brick and mortar and export wagers and the remainder would continue to be shared between purses, track, and breeders. Including ADW reduces the overall percentage needed for board support since the percentage would apply to all handle sources instead of just California resident ADW wagers. A distribution for board support from California resident ADW is allowed under Section 19604 (f)(5)(E).

The following mechanism is used to develop the formula:

- The projected commingled handle from all sources including ADW adjusted for California residents was multiplied by the pre-SBX2 16 license fee rate for each host track to arrive at the estimated pre-SBX2 16 license fees for the fiscal year 2020-21.
- The CHRB support formula percentages were calculated by dividing the CHRB approved budget by the estimated pre-SBX2 16 license fees. The formula calculated rate for the 2020-21 fiscal year will be 55.60 percent.

CHRB Support Rate Fee calculated pursuant to the formula is 55.37 percent; however, the horse racing industry recommends conservatively increasing the rate to 55.60 percent. This

will allow industry to pay the CHRB approved budget before the end of fiscal year 2020-21.

Fiscal year 2020-21 is the twelfth year the CHRB support formula has been in effect and the first year including all ADW sources. Table 1 below shows the CHRB approved budgets and the CHRB support fee rates used to fund CHRB operations.

Table 1. Historical Percent of formula fee rates to support the CHRB budget

Fiscal Year	CHRB Approved Budget	CHRB Support Fee Rate
2009-10	\$11,833,000	42.60%
2010-11	\$11,734,000	48.80%
2011-12	\$11,716,000	57.80%
2012-13	\$11,590,000	52.65%
2013-14	\$11,639,000	52.65%
2014-15	\$11,912,000	52.65%
2015-16	\$13,263,000	59.25%
2016-17	\$13,469,000	61.00%
2017-18	\$13,799,000	68.00%
2018-19	\$14,245,000	68.00%
2019-20	\$14,533,000	72.00%
2020-21	\$16,820,500	55.60%

The CHRB support fee rate is an estimate and depending on handle activity there will be a variance at the end of the fiscal year. The industry agreement provides for a reconciliation at the end of the fiscal year to ensure the industry obligations under the industry agreement are met, including augmentations appropriated in the budget act.

BACKGROUND

Business and Professions Code section 19616.51(a) states:

Notwithstanding any other provision of law, and in lieu of any license fee payable to the state prescribed for or referred to in Section 19491, 1949.5, 19596.3, 19601, 19601.2, 19602, 19603, 19604, 19605.25, 19605.35, 19605.45, 19605.6, 19605.7, 19605.71, 19606.5, 19606.6, 19610.8, 19611, 19612, 19614, 19616, 19616.1, 19616.2, or 19641, any association or fair that conducts a racing meeting shall only pay its proportional amount, as determined by the formula devised pursuant to paragraph (1), as a license fee to the state . . . to fund the board and the equine drug testing program as follows:

(1) All racing associations and fairs including all breeds of racing shall participate in

the funding of the board in accordance with the formula devised by the board in consultation with the industry.

- (2) The baseline funding for the board and equine drug testing program in the first fiscal year after the enactment of this section shall be the amount approved in the 2008-09 Budget Act.
- (3) Adjustments to the funding in subsequent budget years may only be made by an act of the Legislature.

Business and Professions Code section 19604(f)(5)(E) states:

Notwithstanding any provision of this section to the contrary, the distribution of market access fees pursuant to this subparagraph may be altered upon the approval of the board, in accordance with an agreement signed by all parties whose distributions would be affected.

For the 2020-21 fiscal year, the CHRB's operating budget as determined by the Governor's Budget, is \$16,820,000 and such amount shall be subject to change in future years.

RECOMMENDATION

Staff recommends that the Board approve the funding formula for fiscal year 2020-21.

Board Support Model for Fiscal Year 2020/21

Handle	Live Cards	On Track	Off Track	CA Brick & Mortar	CA ADW	Exports	Exports via CA ADW providers	Total Exports	Total
Alameda Cou	12	1,812,000	4,180,000	5,992,000	11,666,448	7,280,000	680,000	7,940,000	25,598,448
California Sta	6	60,000	2,090,000	2,150,000	6,182,875	2,020,000	290,000	2,310,000	10,642,875
Sonoma Cour	8	80,000	3,441,262	3,521,262	8,592,682	4,856,090	489,064	5,345,154	17,459,098
Fresno Fair	8	950,000	3,800,000	4,750,000	5,291,096	4,047,648	469,678	4,517,326	14,558,421
Del Mar	43	18,370,405	67,632,214	86,002,619	224,131,746	228,579,652	68,335,589	296,915,241	607,049,606
Los Alamitos	6	2,000,000	8,000,000	10,000,000	18,000,000	12,000,000	3,500,000	15,500,000	43,500,000
Santa Anita	106	93,938,984	198,134,539	292,073,523	376,335,397	433,987,446	102,034,582	536,022,028	1,204,430,948
Golden Gate	161	30,870,261	86,569,255	117,439,516	161,796,533	234,972,370	38,790,140	273,762,511	552,998,560
Los Angeles C	9	4,000,000	15,000,000	19,000,000	18,900,000	12,000,000	2,000,000	14,000,000	51,900,000
Los Alamitos	146	10,000,000	43,000,000	53,000,000	102,200,000	52,000,000	24,000,000	76,000,000	231,200,000
Watch and W	44	903,608	11,707,776	12,611,383	22,792,602	13,006,034	3,194,711	16,200,744	51,604,629
Total	549	162,985,258	443,555,046	606,540,304	955,889,279	1,004,749,240	243,763,763	1,248,513,003	2,810,942,586

Board Funding Rates-55% of Pre SB 16 License plus ADW Redirection	On Track	Off Track	CA Brick & Mortar	ADW redirection	Exports	Exports via CA ADW providers
Alameda County Fair	0.56%	0.56%	0.56%	0.5560%	0.19%	0.33%
California State Fair @ Pln	0.56%	0.56%	0.56%	0.5560%	0.20%	0.33%
Sonoma County Fair @ GG	0.56%	0.56%	0.56%	0.5560%	0.20%	0.33%
Fresno Fair	0.56%	0.56%	0.56%	0.5560%	0.20%	0.33%
Del Mar	1.03%	1.14%	1.10%	1.1000%	0.24%	0.38%
Los Alamitos Thoroughbred	0.98%	1.05%	1.04%	1.0361%	0.27%	0.38%
Santa Anita	1.03%	1.13%	1.09%	1.0950%	0.25%	0.38%
Golden Gate	0.33%	0.67%	0.57%	0.5672%	0.21%	0.33%
Los Angeles County Fair	0.55%	0.57%	0.56%	0.5628%	0.27%	0.38%
Los Alamitos Quarter Horse	0.00%	0.33%	0.26%	0.2625%	0.24%	0.33%
Watch and Wager	0.22%	0.22%	0.22%	0.2224%	0.15%	0.20%

Estimated Board Support Funding	On Track	Off Track	CA Brick & Mortar	ADW	Exports	Exports via CA ADW providers	Total Exports	Total
Alameda County Fair	10,075	23,242	33,316	64,867	14,102	2,202	16,304	114,487
California State Fair @ Pln	334	11,621	11,954	34,378	3,969	967	4,936	51,268
Sonoma County Fair @ GG	445	19,134	19,579	47,776	9,755	1,634	11,389	78,744
Fresno Fair	5,282	21,128	26,411	29,419	8,065	1,569	9,633	65,463
Del Mar	188,931	774,240	963,171	2,465,516	554,444	258,363	812,807	4,241,495
Los Alamitos Thoroughbred	19,518	84,179	103,697	186,490	32,076	13,251	45,327	335,513
Santa Anita	965,663	2,246,170	3,211,833	4,120,833	1,080,739	385,924	1,466,663	8,799,329
Golden Gate	103,308	582,924	686,232	917,703	501,290	129,456	630,745	2,234,681
Los Angeles County Fair	21,916	84,951	106,867	106,331	32,552	7,562	40,113	253,312
Los Alamitos Quarter Horse	-	142,565	142,565	268,273	122,924	78,684	201,607	612,445
Watch and Wager	2,010	26,038	28,048	50,691	19,399	6,417	25,816	104,564
Total Est Funding from Hand	1,317,481	4,016,192	5,333,673	8,292,277	2,379,314	886,028	3,265,342	16,891,292

CHRB's Budget	16,820,500
Projected Rate	55.37%
Agreed Rate	55.60%

Estimated Board Support Savings	2020-21 Days	Projected Old Style CA Brick & Mortar + Exports		To CHRB Old Style	Distributable SB Savings Old Style	To Purses	To Breeders	To Tracks
		Mortar + Exports	To CHRB Old Style					
Alameda County Fair	12	85,285	47,418	37,866	18,365	1,136	18,365	
California State Fair @ Pln	6	28,639	15,924	12,716	6,167	381	6,167	
Sonoma County Fair @ GG	8	52,759	29,334	23,425	11,361	703	11,361	
Fresno Fair	8	62,006	34,475	27,531	13,352	826	13,352	
Del Mar	43	2,729,525	1,517,616	1,211,909	587,776	36,357	587,776	
Los Alamitos Thoroughbred	6	244,196	135,773	108,423	52,585	3,253	52,585	
Santa Anita	106	7,720,454	4,292,572	3,427,882	1,662,523	102,836	1,662,523	
Golden Gate	161	2,135,831	1,187,522	948,309	459,930	28,449	459,930	
Los Angeles County Fair	9	250,753	139,419	111,334	53,997	3,340	53,997	
Los Alamitos Quarter Horse	146	477,497	265,488	212,009	102,824	6,360	102,824	
Watch and Wager	44	85,335	47,446	37,889	18,376	1,137	18,376	
Total Est Funding from Hand	549	13,872,279	7,712,987	6,159,292	2,987,257	184,779	2,987,257	

Agreement for CHRB Support Fiscal Year 2020-2021

This will serve to memorialize agreement among the undersigned with respect to funding of the California Horse Racing Board, ("CHRB"). The undersigned hereby agree among themselves that each will make the following payments:

1. Section 19616.51 of the Business and Professions Code was amended by ABX4 12, and now stipulates:

(a) Notwithstanding any other law, and in lieu of any license fee payable to the state prescribed for or referred to in Section 19491, 19491.5, 19596.3, 19601, 19601.2, 19602, 19603, 19604, 19605.25, 19605.35, 19605.45, 19605.6, 19605.7, 19605.71, 19606.5, 19606.6, 19610.8, 19611, 19612, 19614, 19616, 19616.1, 19616.2, or 19641, any association or fair that conducts a racing meeting shall only pay its proportional amount, as determined by the formula devised pursuant to paragraph (1), as a license fee to the state, to be deposited into the Horse Racing Fund, which is hereby established, to fund the board and the equine drug testing program as follows:

(1) All racing associations and fairs including all breeds of racing shall participate in the funding of the board in accordance with a formula devised by the board in consultation with the industry.

For the 2020-2021 fiscal year, in accordance with Section 19616.51 and the Budget Act of 2020, the CHRB operational budget is \$16,820,000 plus any augmentations appropriated in the Act pursuant to Control Section 3.60, Employer Retirement Contribution and Item 9800, Employee Compensation Adjustments. Thus, the undersigned are responsible for the funding of the CHRB's annual operating budget by depositing the necessary funds in the California Horse Racing Fund. It has been determined that the amount to be so deposited by each of the undersigned shall be 55.60 percent of the License Fee that would have otherwise been payable by the undersigned in the absence of the enactment of SB 16XX ("Pre-SB 16XX License Fee").

In addition, each of the undersigned host entities shall distribute funding to the CHRB from its market access fees generated by California resident Advanced Deposit Wagering ("ADW") which would have otherwise been distributed to track and purse commissions. Distributions from ADW are allowed per Section 19604 (5) (E). The following percentages of ADW shall be deposited by each host entity:

Alameda County Fair	0.5560%
California State Fair	0.5560%
Del Mar Thoroughbred Club	1.1000%
Los Alamitos Racing Assn.	1.0361%
Los Alamitos Quarter Horse Racing Assn.	0.2625%
Los Angeles County Fair	0.5626%
Los Angeles Turf Club	1.0950%
Pacific Racing Association	0.5672%
Sonoma County Fair	0.5560%
The Big Fresno Fair	0.5560%
Watch and Wager, LLC	0.2224%

By the CHRB's approval of this Agreement, the CHRB shall be deemed to have approved the alternate distributions of market access fees as required per Section 19604 (f) (5) (E).

The undersigned shall remit the respective amounts they owe no later than Friday for amounts generated during the prior week (Monday through Sunday) for wagers placed at brick and mortar sites within California. For amounts generated by wagering outside the State of California on races conducted in California ("export wagering") and California resident wagers facilitated through California licensed ADW providers, the undersigned will remit the respective amounts they owe within ten business days of the receipt of host fees and market access fees.

It is contemplated funds generated pursuant to the enactment of AB 1974 will supplement the board support funding generated via commingled handle.

Final excesses or shortfalls in funding shall be determined after the end of the fiscal year. Should a shortfall occur, the payments required by the undersigned shall be determined by calculating the percentage of each entity's contribution to the total funding generated in the current fiscal year and then applying such percentage to the shortfall. The CHRB will notify the undersigned of their shortfall amounts, and the undersigned will remit payments within ten business days of such notification. Should an excess in generated funding occur, payments to the CHRB shall cease once board support payments have reached \$16,820,000. The excess in generated funding shall be deposited into a trust account maintained by the Del Mar Thoroughbred Club to be distributed to each entity utilizing the same calculation methodology as for shortfalls.

It is agreed that the CHRB shall evaluate payments received during the fiscal year and require that it receive pre-payments in order to ensure that its operations are funded timely and sufficiently throughout the fiscal year. The undersigned will fund such pre-payments within ten business days of notification.

2. The CHRB is a third party beneficiary of the payments to be made by the undersigned pursuant to paragraph 1 hereof, therefore, the CHRB has a right to bring an action against any of the undersigned who fail to make the prescribed payments in paragraph 1 hereof. Payments to be made by the undersigned are the sole responsibility of that entity; therefore, there is no joint and several liability among the undersigned for the failure of anyone to make the prescribed payments.

3. This Agreement may be signed in counterparts.

4. California Horse Racing Industry Organizations which have agreed to participate in the funding described above include: California Authority of Racing Fairs, Del Mar Thoroughbred Club, Los Angeles County Fair Association, Los Alamitos Racing Association, Los Alamitos Quarter Horse Racing Association, Los Angeles Turf Club, Pacific Racing Association, Sonoma County Fair, Watchandwager.com LLC, California Harness Horsemen's Association, California Thoroughbred Breeders Association, Pacific Coast Quarter Horse Racing Association, and Thoroughbred Owners of California.

California Authority of Racing Fairs

By Lang A. Swartz

Los Alamitos Racing Association

By _____

Los Alamitos Quarter Horse Racing Association

By _____

Pacific Racing Association

By _____

Watchandwager.com LLC

By _____

California Harness Horsemen's Association

By _____

Pacific Coast Quarter Horse Racing Association

By _____

Agreed and Accepted:

By _____
California Horse Racing Board

Del Mar Thoroughbred Club

By _____

Los Angeles County Fair Association

By _____

Los Angeles Turf Club

By _____

Sonoma County Fair

By _____

Thoroughbred Owners of California

By _____

California Thoroughbred Breeders Association

By _____

Agreement for CHRB Support -Fiscal Year 2020-2021

California Authority of Racing Fairs

Del Mar Thoroughbred Club

By _____

By _____

Los Alamitos Racing Association

Los Angeles County Fair Association

By *[Signature]*

By *[Signature]*

Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

By _____

By _____

Pacific Racing Association

Sonoma County Fair

By _____

By _____

Watchandwager.com LLC

Thoroughbred Owners of California

By _____

By _____

California Harness Horsemen's Association

California Thoroughbred Breeders Association

By _____

By _____

Pacific Coast Quarter Horse Racing Association

By _____

Agreed and Accepted:

By _____
California Horse Racing Board

Agreement for CHRB Support -Fiscal Year 2020-2021

California Authority of Racing Fairs

Del Mar Thoroughbred Club

By _____

By _____

Los Alamitos Racing Association

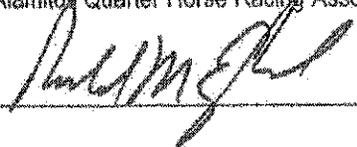
Los Angeles County Fair Association

By _____

By _____

Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

By  _____

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Pacific Racing Association

Sonoma County Fair

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By _____

Watchandwager.com LLC

Thoroughbred Owners of California

By _____

By _____

California Harness Horsemen's Association

California Thoroughbred Breeders Association

By _____

By _____

Pacific Coast Quarter Horse Racing Association

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Agreed and Accepted:

By _____

California Horse Racing Board

California Authority of Racing Fairs

Del Mar Thoroughbred Club

By _____

By _____

Los Alamitos Racing Association

Los Angeles County Fair Association

By _____

By _____

Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

By _____

By Craig Javel, CEO

Pacific Racing Association

Sonoma County Fair

By Craig Javel, CEO

By _____

Watchandwager.com LLC

Thoroughbred Owners of California

By _____

By _____

California Harness Horsemen's Association

California Thoroughbred Breeders Association

By _____

By _____

Pacific Coast Quarter Horse Racing Association

By _____

Agreed and Accepted:

By _____
California Horse Racing Board

California Authority of Racing Fairs

Del Mar Thoroughbred Club

By _____

By _____

Los Alamitos Racing Association

Los Angeles County Fair Association

By _____

By _____

Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

By _____

By _____

Pacific Racing Association

Sonoma County Fair

By _____

By _____

Watchandwager.com LLC

Thoroughbred Owners of California

By Ben Kenney

By _____

California Harness Horsemen's Association

California Thoroughbred Breeders Association

By _____

By _____

Pacific Coast Quarter Horse Racing Association

By _____

Agreed and Accepted:

By _____
California Horse Racing Board

California Authority of Racing Fairs

Del Mar Thoroughbred Club

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Los Alamitos Racing Association

Los Angeles County Fair Association

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Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

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Pacific Racing Association

Sonoma County Fair

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Watchandwager.com LLC

Thoroughbred Owners of California

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California Harness Horsemen's Association

California Thoroughbred Breeders Association

By Jimmy Perez _____

By _____

Pacific Coast Quarter Horse Racing Association

By _____

Agreed and Accepted:

By _____
California Horse Racing Board

California Authority of Racing Fairs

Del Mar Thoroughbred Club

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Los Alamitos Racing Association

Los Angeles County Fair Association

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Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

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Pacific Racing Association

Sonoma County Fair

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Watchandwager.com LLC

Thoroughbred Owners of California

By _____

By _____

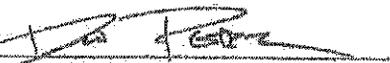
California Harness Horsemen's Association

California Thoroughbred Breeders Association

By _____

By _____

Pacific Coast Quarter Horse Racing Association

By  _____

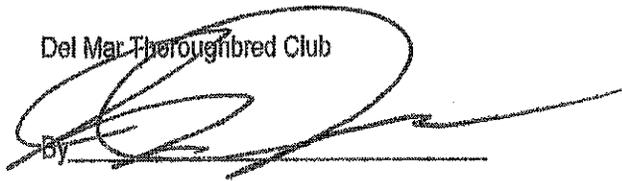
Agreed and Accepted:

By _____
California Horse Racing Board

California Authority of Racing Fairs

Del Mar Thoroughbred Club

By _____

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Los Alamitos Racing Association

Los Angeles County Fair Association

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Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

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Pacific Racing Association

Sonoma County Fair

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Watchandwager.com LLC

Thoroughbred Owners of California

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California Harness Horsemen's Association

California Thoroughbred Breeders Association

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Pacific Coast Quarter Horse Racing Association

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Agreed and Accepted:

By _____
California Horse Racing Board

California Authority of Racing Fairs

Del Mar Thoroughbred Club

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Los Alamitos Racing Association

Los Angeles County Fair Association

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Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

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Pacific Racing Association

Sonoma County Fair

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By *Ritz* _____

Watchandwager.com LLC

Thoroughbred Owners of California

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California Harness Horsemen's Association

California Thoroughbred Breeders Association

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Pacific Coast Quarter Horse Racing Association

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Agreed and Accepted:

By _____
California Horse Racing Board

California Authority of Racing Fairs

By _____

Los Alamitos Racing Association

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Los Alamitos Quarter Horse Racing Association

By _____

Pacific Racing Association

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Watchandwager.com LLC

By _____

California Harness Horsemen's Association

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Pacific Coast Quarter Horse Racing Association

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Agreed and Accepted:

By _____
California Horse Racing Board

Del Mar Thoroughbred Club

By _____

Los Angeles County Fair Association

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Los Angeles Turf Club

By _____

Sonoma County Fair

By _____

Thoroughbred Owners of California

By  _____

California Thoroughbred Breeders Association

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California Authority of Racing Fairs

Del Mar Thoroughbred Club

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Los Alamitos Racing Association

Los Angeles County Fair Association

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Los Alamitos Quarter Horse Racing Association

Los Angeles Turf Club

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Pacific Racing Association

Sonoma County Fair

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By _____

Watchandwager.com LLC

Thoroughbred Owners of California

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By _____

California Harness Horsemen's Association

California Thoroughbred Breeders Association

By _____

By  _____

Pacific Coast Quarter Horse Racing Association

By _____

Agreed and Accepted:

By _____
California Horse Racing Board

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING THE DISTRIBUTION OF
RACE DAY CHARITY PROCEEDS OF THE WATCHANDWAGER.COM, LLC,
COMBINED 2019-2020 RACE MEETINGS IN THE AMOUNT OF \$4,000 TO FIVE
BENEFICIARIES

Regular Board Meeting
July 16, 2020

ISSUE:

WatchandWager.com, LLC (Watch and Wager) is requesting approval to distribute race day charity proceeds generated at two live race meetings for the period of October 27, 2019, to May 3, 2020. Watch and Wager is proposing a total distribution of \$4,000. The proposed distribution represents 50% more than the statute requires. The organizations selected and amounts to be distributed are listed on the attachment. Staff notes that 100% of the proposed charity distributions are made to equine related charity organizations.

BACKGROUND:

Business and Professions Code (BPC) section 19550 states the Board shall require each licensed racing association that conducts 14 or less weeks of racing to designate three racing days, and each licensed racing association that conducts more than 14 weeks of racing to designate five racing days during any one meeting, to be conducted as charity days by the licensee for the purpose of distribution of the net proceeds there from to beneficiaries through the distribution agent. No racing association shall be required to pay to a distributing agent for the purpose of distribution to beneficiaries more than an amount equal to two-tenths of one percent of the association's total on-track handle on live races conducted by the association at the meeting. BPC section 19555 requires that proceeds are to be distributed to beneficiaries within 12 calendar months after the last day of the meet during which charity days were conducted. BPC section 19556 provides that the distributing agent shall make the distribution to beneficiaries qualified under this article. At least 30% of the distribution shall be made to charities associated with the horse racing industry. An additional five percent shall be paid to a welfare fund and another five percent shall be paid to a non-profit corporation, the primary purpose of which is to assist horsemen and backstretch personnel who are being affected adversely as a result of alcohol or substance abuse. In addition to the above distributions, a separate 20% shall be made to a nonprofit corporation or trust, the directors or trustees of which shall serve without compensation except for reimbursement for reasonable expenses, and which has as its sole purpose the accumulation of endowment funds, the income on which shall be distributed to qualified disabled jockeys.

RECOMMENDATION:

This item is presented for Board discussion and action.

CHRB ANALYSIS

Watchandwager.com, LLC, Combined Charity Day Proceeds
October 27, 2019-December 23, 2019, and December 26, 2019-May 3, 2020

#	Nonprofit Organization	Amount	Proposed Disbursement Percentage	Percentage Required By Horse Racing Law (from the 2/10 of 1%)	Notes
1	Disabled Jockeys Fund	1,000.00	25%	minimum of 20%	d
2	Standardbred Retirement Foundation	1,700.00	43%		a
3	Sacramento Horsemen's Association	500.00	13%		a
4	Winners Foundation	500.00	13%	minimum of 5%	c
5	CA Harness Horsemen's Benevolent Foundation	300.00	8%	minimum of 5%	b
	Total Equine Related Charity	4,000.00	100%	minimum of 30%	a
	Notes:				
	a	30% to charities associated with the horse racing industry (B&P 19556 (b))			
	b	5% to welfare fund for backstretch personnel (B&P 19556 (b))			
	c	5% to nonprofit organization to assist alcohol abuse victims (B&P 19556 (b))			
	d	20% to nonprofit organization that benefits qualified disabled jockeys (B&P 19556 (c)(1))			
	e	overall a minimum of 60% should go to horse racing industry related nonprofit organizations.			

May 27th, 2020

Ms. Cynthia Alameda
Assistant Executive Director
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Dear Ms. Alameda:

Watchandwager.com, LLC has allocated charity day proceeds from our 2019/2020 Race Meet (11/10/2019- 3/31/2020) as set forth below for the California Horse Racing Board's consideration and approval:

Sacramento Horsemen's Association (a)	\$500.00
Standardbred Retirement Foundation (a)	\$1,700.00
CA Harness Horsemen's Benevolent Foundation (b)	\$300.00
Winners Foundation (c)	\$500.00
Disabled Jockeys Fund (d)	\$1,000.00
Total:	\$4,000.00
Equine Related Charities	\$4,000.00
Non-Equine Related Charities	<u>\$ 0.00</u>
Percentage of Equine Related Charities	100%

Attached you will find a schedule describing the charitable organizations listed above. Thank you for your attention to this matter. If you need further information, please contact Chris Schick or me.

Sincerely,



Benjamin Kenney
Watchandwager.com, LLC

Sacramento Horsemen's Association: non-profit regional equestrian club established in 1942, hosts horse shows and provides boarding. (contact phone: 916-470-1337; <http://www.sachorsemen.com>)

Standardbred Retirement Foundation: non-profit, tax exempt organization created to care for, rehabilitate, and secure lifetime adoption of non-competitive Standardbred racehorses, to ensure their proper care with follow-up, and combine the needs of youth at risk with these horses in therapeutic equine programs to benefit both. (contact phone: 732-446-4422; <http://www.adoptahorse.org>)

CA Harness Horsemen's Benevolent Foundation: non-profit established by the CA Harness Horsemen's Association to provide funding and support for backstretch employees in need. (contact phone: 916-263-7888)

Winners Foundation: established in 1984 as a non-profit organization to provide information, support and referral sources to employees and family members of the California horse racing community who are being adversely affected as a result of alcohol and/or substance abuse. There is no charge to anyone seeking aid through this group, which has aided and guided thousands of individuals. (Contact phone: 626-574-6498; <http://winnersfoundation.org>)

Permanently Disabled Jockeys Fund – Founded in 2006, it is a collaborative effort of many leaders in the horse racing industry, including racetracks, jockeys, horsemen and others. It is a public charity that currently provides financial assistance to approximately 60 former jockeys who have suffered catastrophic on-track injuries. It recently was the winner of the National Turf Writers and Broadcasters prestigious Joe Palmer Award for its exceptional work. Nancy LaSala is the group's president. (Contact phone: 630-595-7660; www.pdjf.org/)

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING THE AMENDMENT OF
THE APPLICATION FOR ADVANCE DEPOSIT WAGERING PROVIDER ODS
TECHNOLOGIES, L.P. D/B/A TVG NETWORK (TVG), TO ALLOW THE DEL MAR
THOROUGHBRED CLUB TO HOST HANDICAPPING CONTESTS THROUGH
TVG.

Regular Board Meeting
July 16, 2020

ISSUE

ODS TECHNOLOGIES, L.P. D/B/A TVG NETWORK (TVG) is requesting to amend its advance deposit wagering license application to provide for the Del Mar Pacific Coast Betting Challenge which would be conducted by TVG. Changes or amendments to a ADW license require Board approval pursuant to CHRB Rule 2071.

The Del Mar Pacific Coast Betting Challenge has traditionally been held in person at the Del Mar Race Track. However, with the current restrictions in place in response to COVID-19, the Challenge will be held through TVG.

ANALYSIS

An amendment to an Advance Deposit Wagering license requires approval from the Board. In relevant part CHRB Rule 2071(m) states:

"Subsequent to the issuance of a license to conduct Advance Deposit Wagering under this article, changes or amendments to information or operating procedures contained in an Application will be permitted by order of the Board or by Board approval of a request submitted in writing by the Applicant."

Here, the addition of the Del Mar Pacific Coast Challenge to be operated by TVG is a change to the operating procedures previously submitted by TVG. As such, this change must be approved by the Board.

Additionally, in reviewing the manner in which the Pacific Coast Betting Challenge will be conducted, staff suggests the entity conducting the contest review the legality of having a contest without a fixed prize. Here, the prizes are dependent on the number of actual entrants who enter the contest.

RECOMMENDATION

This item is presented for Board discussion and action.



July 2, 2020

California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Attn: Executive Director

Via Email – cschaney@chr.ca.gov

Dear Mr. Chaney,

Under section 7(c) of the current ADW license application of ODS Technologies, L.P. d/b/a TVG Network ("TVG"), we are requesting the Board's approval to amend Tab G to reflect the addition of the Del Mar Pacific Classic Betting Challenge, which would be conducted by TVG in accordance with the enclosed Overview and corresponding Rules. We very much appreciate the Board's consideration of our request.

Sincerely,

DocuSigned By:

A handwritten signature in black ink that appears to read "John Hindman".

5557E40BDF79453...

John Hindman

EVP and General Counsel

Enclosures:

Del Mar Pacific Classic Betting Challenge – Rules and Regulations
Del Mar Pacific Classic Betting Challenge – Overview



Saturday, August 22, 2020

RULES AND REGULATIONS · AS OF 6/25/2020

1. To Enter, Player Bankroll and Deposit: The Pacific Classic Challenge ("Challenge") is a "real money" handicapping contest. In order to participate, the Challenge requires a \$4,000 deposit, of which \$3,000 is the live bankroll for wagering and \$1,000 goes to the Challenge prize pool. At the conclusion of the Challenge, any dollar amounts remaining in the live bankroll, whether it grows to \$30,000 or falls to \$500, remains the property of the participant. Participation may be on-track at Del Mar or on-line through TVG. Up to a maximum of two entries per person are allowed. The deadline to register for the Challenge is noon on Friday, August 21. Registration and deposits for the Challenge must be made through Del Mar Thoroughbred Club only. A valid account with TVG must exist before registering for the Challenge. The Challenge is sponsored solely by Del Mar Thoroughbred Club ("Del Mar" or "DMTC"), located at 2260 Jimmy Durante Blvd., Del Mar, CA 92014.

Accepted payment methods for entries are check, credit card, and/or cash.

Pay by check: Checks must be received by Thursday, August 13. Make checks payable to DMTC and mail to: DMTC, Attn: Chris Bahr, PO Box 700, Del Mar, CA 92014 or for Fed Ex: DMTC, Attn: Chris Bahr, 2260 Jimmy Durante Blvd., Del Mar, CA 92014.

Pay by credit card: [CLICK HERE](#) to pay by credit card before noon on Friday, August 21.

Pay by cash: Deposits can be made any race day through noon on Friday, August 21. Please make payment at the DMTC Executive Offices to the left of the Clubhouse/Turf Club Admission Gates.

2. Format:

Races: Challenge races on Saturday, August 22 include all Del Mar live races (11 expected).

Wagers: THE ONLY WAGER TYPES PERMITTED ARE WIN, PLACE, SHOW, EXACTA, TRIFECTA and DAILY DOUBLE. For Challenge purposes, Double wagers count towards the race in which the wager was made, not when the wager is paid out. All other wager types are not permitted and will subject players to disqualification.

PLAYERS MAY WAGER ANY AMOUNT OF THEIR BANKROLL, INCLUDING WINNINGS, AT ANY TIME. A MINIMUM OF \$500 MUST BE WAGERED PER RACE ON AT LEAST FOUR (4) RACES EACH DAY AND PLAYERS MUST WAGER A MINIMUM TOTAL OF \$3,000 DURING THE CHALLENGE.

Should a player fail to bet the required minimum number of races (4) at the minimum wager amount (\$500 on four races plus \$1,000 additional) required, the player will be disqualified from all prizes unless the tournament officials in their sole discretion determine that outside factors affected the player's ability to wager the minimum amounts. There are no caps on payouts. The player with the highest Challenge score after the last Del Mar race is the First Place winner. Remaining balances can be withdrawn three minutes after the final race is official by withdrawing a voucher from any self-service machine and presenting to a mutuel teller. For TVG players, the remaining balance in your Challenge account will be transferred to your main TVG account. The Challenge is a contest of skill.

3. Estimated Prizes: 100%+ of the total prize money pool will be returned in cash and prizes. Based on an expected 200 entries, the Prize Pool will be at least \$200,000. Prizes will be increased or decreased proportionately depending on the final number of entries and finalized at the start of the contest.

	<u>Cash Prize</u>	<u>2020 Breeders' Cup Betting Challenge (BCBC)</u>	<u>*Player Choice of 2021 National Horseplayers Championship (NHC) Entry or 2020 Del Mar Nov. 21 & 22 Fall Challenge (DMFall) Entry</u>
**1st	\$60,000	\$10,000 Entry	NHC plus \$1,000 Hotel/Travel or \$5,000 DMFall
2nd	\$30,000	\$10,000 Entry	NHC plus \$1,000 Hotel/Travel or \$5,000 DMFall
3rd	\$10,000	\$10,000 Entry	NHC plus \$1,000 Hotel/Travel or \$5,000 DMFall
4th	\$5,000	\$10,000 Entry	NHC plus \$1,000 Hotel/Travel or \$5,000 DMFall
5th		\$10,000 Entry	NHC plus \$1,000 Hotel/Travel
6th	\$3,000		NHC plus \$1,000 Hotel/Travel
7th	\$4,000		
8th	\$2,000		
9th			
10th			

* First through fourth place may select a \$5,000 DMFall entry or NHC entry. Fifth and sixth place finishers will receive NHC entries. Two NHC entries must be awarded. If two higher placings choose NHC then fifth and/or sixth place finishers may select a DMFall entry. If two NHC entries are not awarded to placings above due to ineligibility, the highest placing eligible NHC Tour

member(s) will receive NHC. If there is a cash prize in that placing, the NHC will be substituted for the cash prize. The cash prize will be awarded to the finisher that was ineligible for the NHC entry.

****\$1 MILLION BONUS:** First place finisher receives a \$1 Million Bonus opportunity if that person goes on to win the 2020 BCBC. Subject to insurance stipulations.

Prizes: Based on the final number of entries, the prizes may be increased or decreased proportionately to ensure 100%+ of the Prize Pool is distributed.

BCBC: Five \$10,000 2020 BCBC entries to be awarded to first through sixth place finishers. Please note that the BCBC entries are fully transferable to another person. There is no cash option or other alternative to the BCBC entry.

NHC: Prior to the start of the Challenge, all participants that wish to compete for a NHC entry must be registered as 2020 members of the NHC Tour. Register for \$50 at www.nhctour.com. This is an official NHC Tour event. NHC Tour points are awarded in accordance to NHC Tour rules and policies. NHC entry winners receive \$1,000 travel/hotel stipend to be included with the cash prize payment if applicable.

DEL MAR FALL CHALLENGE (DMFALL): Winners receive a \$5,000 entry into the Del Mar live money Fall Challenge on November 21 & 22, 2020. Del Mar entries are fully transferable to another person. There is no cash option or other alternative to the Del Mar entry.

4. Player Cards/Placing Wagers: TVG On-line: On the day of the Challenge, after completing registration through Del Mar Thoroughbred Club (DMTC), the player must log into their TVG account. During log-in, the player will be prompted to select their Main TVG Account or their Challenge account. The Challenge wagers must be placed through the Challenge account. If a player has purchased multiple entries, they will have the option to choose which Challenge account they would like to use at log-in. Players are recommended to open two different browser windows and log into each Challenge account in different windows to place wagers.

On-Track: Each participant will be issued a player account wagering card used for all wagers. The card contains the "real money" bankroll of \$3,000. Upon receipt of the player card, participant should test the card to verify it is working properly. If a player loses his/her card or the card is not working, the player should immediately report to Challenge officials to resolve the issue. All wagers must be placed through self-service machines, located throughout the facility. The self-service machines do not print out wagering vouchers. However, previous wagers can be reviewed on the self-service machines. Wagers will not be accepted through mutuel tellers. Players must place all wagers personally. No person shall directly or indirectly act as an intermediary, transmitter or agent in placing wagers for the player, unless expressly authorized by Challenge Officials. Official track rulings will apply to wagers and Challenge scoring is based on official mutuel payoffs at Del Mar. If a player wagers on a track other than Del Mar for purposes of the contest, the player will be subject to disqualification.

5. Advance Wagering: Advance wagering is not permitted unless prior express approval has been obtained by a Challenge Official. Wagers must be placed after the race prior has been declared official. This rule is designed to maintain an accurate leader-board. If a player needs to advance wager for any reason, please contact a Challenge Official. Challenge Officials will decide if an advance wager will affect the integrity of the leader-board. All decisions of the Challenge Officials are final and penalties for violating this rule will be at the sole discretion of Challenge officials.

6. Scratches/Non-Starters: If a horse is scratched after a wager is placed, it is the player's responsibility to change his/her selection prior to the race subject to all other Challenge wagering rules. In the event a player is not able to change his/her selection(s) due to a gate scratch or late scratch which Challenge officials, on a case by case basis, rule prohibited the player from wagering the minimum amount of races or minimum daily total on Saturday or Sunday, the player will not be assessed a penalty for such particular action (but still may be subject to penalties in the future) for falling short of the Challenge wagering rules assuming he/she had placed wagers on the specific scratched horse and those wagers would have surpassed minimum per race requirements. No penalties will be assessed on wagers involving any horses ruled as non-starters by stewards.

7. Ties: In the result of a tie, cash prize money will be divided equally among the players involved. If there is a tie for the last prize position that offers a BCBC or NHC/DMFall prize, the player with the most money earned in the last Challenge race on Sunday will be declared the winner for the placings involved. If there is still a tie, the player with the most money wagered in the last Challenge race on Sunday, then, most money earned in the second to last race, most money wagered in the second to last race, etc., until a winner is declared.

8. Taxes/Withholding: For any wager that triggers tax withholding, the withholding amount will be automatically deducted from the player's bankroll. For Challenge scoring purposes, withholding is not added back into the player's score. Liability for any and all federal or state taxes is solely the responsibility of prize winners. Without a valid taxpayer identification number (TIN), prize award payouts will be subject to backup withholdings of 30%. A California tax withholding of 7% may apply to cash prize winners residing outside of California when the total payments or distributions is greater than \$1,500 for the calendar year.

9. Standings: Officials will endeavor to update the standings after each race but various issues could delay the process. All standings are unofficial until the final results are audited. Players are encouraged to maintain an accurate record of their wagers and scoring.

10. Eligibility: Players must be at least 18 years of age to participate in the Challenge and at least 21 years old to qualify for the NHC in Las Vegas. If a player is not 21 by the start of the NHC or unable to participate for any reason, the next highest finisher will take his/her place. The following are ineligible to participate: Licensed Trainers, employees of the Del Mar Thoroughbred Club (DMTC), TVG, AmTote or any of their subsidiaries or members of the immediate families of the foregoing. Horse owners must declare ownership of their horses entered in any Challenge race to Challenge Officials before the first Del Mar race. In races

involving horse owners with a horse in any contest race, the horse owners must wager according to the California Horse Racing Board rules. Online participants must have a valid TVG account and be a legal resident of one of the following states: Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Idaho, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Montana, New Hampshire, New Jersey (under 4NJBets), New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, Washington, West Virginia and Wyoming.

11. Affidavits: Affidavits confirming compliance of all Challenge rules will be required of all players. All players acknowledge that if they enter this Challenge under a fraudulent name and/or Social Security number, they will be immediately disqualified from this and all future contests held by DMTC. Positive identification is required of all prizewinners. Each player permits and licenses to DMTC and its assignees the player's likeness and images, pictures, photos, video, names and specific wagers made during the Challenge for promotional and other purposes.

12. Judging and Disputes: Each participant acknowledges and expressly agrees that DMTC, through its management, shall have the sole and exclusive right to interpret all questions and conditions in regard to the Challenge and all decisions of DMTC shall be final and binding and by entering each participant waives and forever relinquishes any and all claims for damage or recourse of any kind or nature whatsoever, whether legal, equitable or otherwise. DMTC reserves the right to amend the rules and change, alter or cancel the Challenge at any time for any reason or no reason without prior notice. If for any reason there is a cancellation of races, the contest may be based on the races completed during the event or substitute races may be assigned by Challenge Officials. All players must make their own selections independently of every other player in the contest. Participants are prohibited from coordinating their selections with other players, such as two or more players coordinating multiple bankrolls wagering on one particular race and covering several different horses in a pattern that would be viewed as an unfair advantage. If DMTC concludes, in their sole and absolute discretion: (1) a player engaged in or attempted to engage in any act that compromises or could compromise the competitive integrity of the Challenge; (2) tampered with or attempted to tamper with the betting process and/or operation of the Challenge or any player; (3) acted in an unsportsmanlike manner or with the intent to annoy, abuse, threaten, coerce or harass any other player, then such player will be disqualified. Players with two entries are permitted to play the entries in their own names in any way they wish.

13. Release and Waiver of Liability: By participating in the Challenge, participants agree to release, defend, indemnify and hold harmless each of Del Mar and ODS Technologies, L.P. d/b/a TVG Network ("TVG") and each of their respective corporate affiliates, advertising and promotion agencies, directors, officers, employees, representatives and agents (collectively, the "Released Parties") from and against any and all liability claims or actions of any kind whatsoever (however named or described) for injuries, death, damages or losses to persons and property which may be sustained in connection with: (i) your participation in the Challenge; and (ii) the receipt, use or misuse of any prizes awarded in connection therewith, or while preparing for, participating in, and/or traveling to any Challenge-related activity, including those damages caused by any Released Party's own negligence. Del Mar and TVG expressly disclaim any responsibility or liability for injury or loss to any person or property relating to the delivery and/or subsequent use or misuse of any prizes awarded in connection with the Challenge. In consideration for receipt of any prize awarded in connection with the Challenge, each individual hereby agrees and consents, without further authorization, compensation or remuneration of any kind, to the use of such individual's name, photograph, likeness (including his/her voice), biographical information and statements concerning the Challenge, in any and all advertising, promotions and other publicity conducted by the Del Mar, TVG and each of their respective corporate affiliates.

14. Notice to Online Participants: The Released Parties shall not be liable for problems uploading or downloading any Challenge-related information from the web site or for any other technical malfunctions of electronic equipment, computer on-line systems, servers, or providers, computer hardware or software failures, phone lines, failure of any electronic mail entry to be received by TVG on account of technical problems, traffic, congestion on the internet or the web site, or any other technical problems related to web site entries including telecommunication miscommunication or failure, and failed, lost, delayed, incomplete, garbled or misdirected communications which may limit an entrant's ability to participate in the Challenge. If applicable, mass entries or entries generated by a script, macro or use of automated devices will be disqualified, as well as any individual participant determined to be tampering with the entry process or the operation of this Challenge or TVG web site or otherwise acting in violation of these Rules and Regulations.



Saturday, August 22, 2020

Overview

Enter:

Registrations and deposits for the Pacific Classic Betting Challenge (Challenge) are accepted only through Del Mar Thoroughbred Club (DMTC) via cash, check or credit card. TVG will not accept deposits. Deposits consist of live participant bankroll and money allocated to the Prize Pool.

Challenge Procedure:

Participants will wager on live Del Mar races only. Wagers allowed are Win, Place, Show, Exacta, Trifecta and Doubles only. DMTC provides TVG with a list of participants. All participants must have primary accounts with TVG. TVG will load Challenge bankrolls onto separate Challenge accounts used for scoring purposes. DMTC will wire transfer the total bankroll amount to TVG. Participants will keep their final bankrolls at the end of the Challenge.

Prize Pool:

DMTC pays out 100% of the cash and prizes to winners from the Prize Pool.

Rules:

Refer to rules draft.

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN
AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO
ESTABLISH CONDITIONS, BETWEEN THE SONOMA COUNTY FAIR AND THE
THOROUGHBRED OWNERS OF CALIFORNIA (TOC), REGARDING ENTRY
CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR MEDICATIONS TO BE
IMPLEMENTED BY THE SONOMA COUNTY FAIR AT GOLDEN GATE FIELDS

Regular Board Meeting
July 16, 2020

ISSUE:

California Horse Racing Board (Board) [Rule 1581, Racing Secretary to Establish Conditions](#), allows the racing secretary to establish the conditions for any race run during the race meeting. In instances where the racing secretary wishes to set a condition based on a participating horse's use or non-use of a drug substance or medication, or the presence or lack of presence of a drug substance or medication, the association must first obtain approval from the horseman's organization and the Board. Beginning in March 2019, all racing associations in California have come to the Board seeking approval of agreements with the respective horseman's organizations involving the reduction of Lasix as well as a mandatory stand down for intra articular injections.

BACKGROUND:

[Business and Professions Code \(BPC\) section 19440](#) provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of the Horse Racing Law. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. [BPC section 19590](#) states the Board shall adopt rules governing, permitting, and regulating wagering on horse races under the system known as the pari-mutuel method of wagering. [BPC section 19562](#) provides that the Board may prescribe rules, regulations and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California.

ANALYSIS:

The ability to set conditions on a race is governed by Board Rule 1581. Rule 1581 states:

The racing secretary may establish the conditions for any race, the allowances or handicaps to be established or specific races, the procedures for the

acceptance of entries and declarations, and such other conditions as are necessary to provide and conduct the association's race meeting. Any conditions that are based on a participating horse's use or non-use of a drug substance or medication, or the presence or lack of presence of a drug substance or medication in a biological test sample taken from a participating horse, shall be agreed to in advance in writing by the acknowledged horsemen's organization, which, in the case of Thoroughbreds, shall be the owner's organization, and approved by the Board before entries are taken for the race. If such conditions are based on the results of a biological test sample other than an official test sample collected by the CHRB, a description of the testing methods and procedures the racing association or fair will use to collect and analyze the biological test samples shall be submitted to the Board for approval. For purposes of this section "biological test sample" refers to any biological sample, including but not limited to, blood, urine, hair, tissue, or saliva, that is taken from a horse.

Pursuant to Board Rule 1581, any condition involving medication must be agreed to by the horsemen's organization, which in the case of thoroughbred racing, is the TOC. Additionally, any agreement must be approved by the Board before entries are taken.

RECOMMENDATION:

This item is presented for Board discussion and action.

STAFF ANALYSIS
July 16, 2020

DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE SONOMA COUNTY FAIR AT GOLDEN GATE FIELDS, COMMENCING JULY 29, 2020, AND CONTINUING THROUGH AUGUST 11, 2020.

The Sonoma County Fair (SCF) filed its application to conduct a horse racing meeting at Golden Gate Fields (GGF) as follows:

- July 29 through August 11, 2020, with six days of live racing, two less than in 2019. Live racing will commence July 31, 2020, and continue through August 9, 2020. The fair proposes to race a total of 68 races. The SCF is not participating in the California Authority of Racing Fairs combined horse racing meeting.
- The proposed race dates are within the approved dates allocated to the fair.

July 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- Racing Friday through Sunday. Eight races per day Fridays; nine races per day Saturdays and Sundays.
- Racing concurrently with the Del Mar Thoroughbred Club.
- The SCF requests approval to adjust the number of races scheduled if the availability of racing participants exceeds its expectations.
- Average number of runners per race, 2019 race meeting:
 - Thoroughbred: 6.15
 - Quarter horse: 6.67
 - Arabian: 5.75
 - Mule: 5.17
- First post 1:15 p.m. Fridays and weekends.

- Wagering program will use CHRB and ARCI rules.
 - Early wagering will not be offered.
 - \$1 Trifecta and \$0.10 Superfecta when applicable.
 - \$0.50 Pick 4 on first 4 races and last 4 races each day.
 - \$0.50 Pick 5 on last 5 races each day, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.
 - \$1 Pick 6 on last 6 races each day, with 70% major pool paid or a carryover and 30% minor pool paid.
 - \$0.50 Rolling Pentafecta (Super High 5) will be offered on all races with six wagering interests when the pari-mutuel pools open. 100% payout of the net pool to the winners who select the top five finishers in exact order. No consolation or minor pool; 100% carryover if no ticket has five finishers in exact order. Mandatory payout on the final eligible race on closing day, August 11, 2020.
- In the event there is a prohibitive favorite where there is sufficient information that the entry will most likely generate a negative place or show pool, the association may request Board approval to (allow that entry to run for purse only) rescind or cancel wagering on that pool.
- The Advance Deposit Wagering (ADW) providers are BetAmerica, NYRA Bets, TVG Network, Twinpires, and Xpressbet.

Pursuant to Business and Professions Code section 19604, specific provisions must be met before an ADW provider can accept wagers.

Summary of Business and Professions Code Section 19604

*To accept wagers on races **conducted in California** from a resident of California:*

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.
- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

*To accept wagers on races **conducted outside of California** from a resident of California:*

- The ADW provider must be licensed by the Board.
- There is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wager is placed, and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

- Simulcasting conducted with out-of-state racing jurisdictions, pursuant to Business and Professions Code section 19602, and with authorized locations throughout California.
- Requests Darrell Sparks be appointed horse identifier pursuant to Board Rule 1525, Racing Officials Appointed by the Board.
- A track safety inspection has been requested and will be completed before the beginning of the race meet.
- Inspection of backstretch worker housing has been requested and will be completed before the race meet begins.

Specific information **still needed** to complete this application includes the following:

1. Horsemen's approval [Thoroughbred Owners of California (TOC) and Arabian Racing Association of California (ARAC)] of the ADW agreements.
2. Renewal of the (electronic timing device) agreement between GGF and Axcis Information Network, Inc. dba TrackMaster (expired 12/31/19).
3. Fire clearance in compliance with Board Rule 1927, Fire Prevention.
4. Signed race meet agreements with California Thoroughbred Trainers, TOC, and ARAC.
5. Signed Lasix agreement.
6. Signed lease agreement between SCF and GGF.

RECOMMENDATION:

If the application is considered for approval, staff recommends that the approval be contingent upon the submission of all outstanding items prior to the start of the race meet.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting of a California fair as authorized by Article 6.5 of the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and in accordance with applicable provisions and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT FAIR ASSOCIATION

A. Name, mailing address, telephone, and fax numbers of fair:

Sonoma County Fair @ Golden Gate Fields
1350 Bennett Valley Drive
Santa Rosa, CA 95404
(707) 545-4200, (707) 545-9342 Fax

B. Fair association is a: District Fair County Fair Citrus Fruit Fair
 California Exposition and State Fair Other qualified fair

C. Provide the name, telephone, and email address for the fair contact person:

Rebecca Bartling, CEO, 707-545-4200, bbartling@sonomacountyfair.com

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

2. DATES OF RACE MEETING

A. Inclusive dates allocated for race meeting: **Wednesday, July 29 – Tuesday, August 11, 2020;**
July 29 & August 5 will be simulcast only days

B. Actual dates racing will be held: **Friday, July 31 – Sunday, August 2 & Friday, August 7 – Sunday, August 9. All racing will take place at Golden Gate Fields.**

C. Dates racing will NOT be held: **July 29 and 30; and August 3, 4, 5, 6, 10, and 11**

D. Total number of racing days: **6**

E. Days of the week races will be held:

Thurs - Sun Tues - Sat Other (specify) **Friday through Sunday**

3. RACING PROGRAM

A. Total number of races: **52**

Should the availability of racing participants exceed our expectations, we request approval to adjust the number of races scheduled.

CHRB CERTIFICATION

Application received: 7/3/20
Reviewed: RP

Hearing date: 7/16/20
Approved date:
License number:

B. Number of races by breed:

<input type="text" value="46"/>	Thoroughbreds	<input type="text" value="0"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="6"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="0"/>	Mules

C. Number of races daily:

	Wed	Thur 8/1 & 8/8	Fri 8/2 & 8/9	Sat ,8/3 & 8/10	Sun 8/4 & 8/11
Thoroughbred	0	0	7	8	8
Other Breeds	0	0	1	1	1
Total	0	0	8	9	9

D. Total number of stakes races by breed:

2	Thoroughbreds	<input type="text" value="0"/>	Quarter Horses	<input type="text" value="0"/>	Appaloosas
<input type="text" value="0"/>	Arabians	<input type="text" value="0"/>	Paints	<input type="text" value="0"/>	Mules

E. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. **See attached Thoroughbred Stakes Information**

1. Attach a listing of all stakes races for the past two race meetings. The information provided must be for the same timeframe in which the association is applying. Include the date the stakes races were run, and the added money or guaranteed purse for each. Note the races that were designated for California-bred horses. **See Attached**

2. Identify the stakes races listed under item E that have been altered, added, or are new for the current race meeting. Provide details regarding any alterations to the identified stakes races. (e.g., changes in the age, sex, eligibility, purse or substantial calendar changes). **N/A**

3. Identify the stakes races listed under item E1 that have been dropped or deleted, and the reasons the stakes were dropped or deleted. **N/A**

F. Will provisions be made for owners and trainers to use their own registered colors?

Yes No If no, what racing colors are to be used:

G. List all post times for the daily racing program:

Race Number	Thursday	Fridays	Weekends
Race # 1	N/A	1:15	1:15
Race # 2	N/A	1:15	1:15
Race # 3	N/A	1:15	1:15
Race # 4	N/A	1:15	1:15
Race # 5	N/A	1:15	1:15
Race # 6	N/A	1:15	1:15
Race # 7	N/A	1:15	1:15
Race # 8	N/A	1:15	1:15
Race # 9	N/A	1:15	1:15
Race # 10	N/A	1:15	1:15

Section 3 RACING PROGRAM, Item E - 2018-2020 Sonoma County Fair Stakes Information

2020 Thoroughbred Stakes
“Wine Country Stakes Series”

Wine Country Stakes
Dropped
Note: fillies can run in Luther Burbank

Luther Burbank Handicap – 50th Running
\$50,000 Added Overnight Hdcp
(Plus up to \$15,000 to Cal-Breds)
Fillies and Mares Three-year olds and Upward
One and 1/16 Miles (Turf)
Saturday, Aug 1

Robert Dupret Derby – 9th Running
\$50,000 Added Overnight Hdcp
(Plus up to \$15,000 to Cal-Breds)
Three-year olds – One & 1/16 Miles (Turf)
Saturday, Aug 8

Joseph T. Grace Handicap
Dropped

Wine Country Debutante
Dropped

Jess Jackson Owner’s Hdcp
Dropped

Jess Jackson Juvenile Stakes
Dropped

2019 Thoroughbred Stakes
“Wine Country Stakes Series”

Wine Country Stakes
Dropped
Note: fillies can run in Luther Burbank

Luther Burbank Handicap – 49th Running
\$50,000 Added Overnight Hdcp
(Plus up to \$15,000 to Cal-Breds)
Fillies and Mares Three-year olds and Upward
One and 1/16 Miles (Turf)
Saturday, Aug 3

Robert Dupret Derby – 8th Running
\$50,000 Added Overnight Hdcp
(Plus up to \$15,000 to Cal-Breds)
Three-year olds – One & 1/16 Miles (Turf)
Saturday, Aug 10

Joseph T. Grace Handicap
Dropped

Wine Country Debutante
Dropped

Jess Jackson Owner’s Hdcp
Dropped

Jess Jackson Juvenile Stakes
Dropped

2018 Thoroughbred Stakes
“Wine Country Stakes Series”

Wine Country Stakes
Dropped
Note: fillies can run in Luther Burbank

Luther Burbank Handicap – 48th Running
\$50,000 Added Overnight Hdcp
(Plus up to \$15,000 to Cal-Breds)
Fillies and Mares Three-year olds and Upward
One and 1/16 Miles (Turf)
Saturday, Aug 4

Robert Dupret Derby – 7th Running
\$50,000 Added Overnight Hdcp
(Plus up to \$15,000 to Cal-Breds)
Three-year olds – One & 1/16 Miles (Turf)
Sunday, Aug 5

Joseph T. Grace Handicap – 47th Running
\$50,000 Added Overnight Hdcp
(Plus up to \$15,000 to Cal-Breds)
Three-year olds and Upward - One and 1/16 Miles (Turf)
Saturday, Aug 11

Wine Country Debutante
Dropped

Jess Jackson Owner’s Hdcp
Dropped

Jess Jackson Juvenile Stakes
Dropped

2020 Quarter Horse Stakes

PCQHRA Handicap

\$8,000 Guaranteed

Three Year Olds and Upward – 350 Yards

TBD

Wine Country Derby

\$8,000 Guaranteed

Three Year Olds & Upward – 440 Yards

TBD

2019 Quarter Horse Stakes

PCQHRA Handicap

\$8,000 Guaranteed

Three Year Olds and Upward – 350 Yards

TBD

Wine Country Derby

\$8,000 Guaranteed

Three Year Olds & Upward – 440 Yards

TBD

2018 Quarter Horse Stakes

PCQHRA Handicap

\$8,000 Guaranteed

Three Year Olds and Upward – 350 Yards

Did not fill

Wine Country Derby

\$8,000 Guaranteed

Three Year Olds & Upward – 440 Yards

Friday, August 10, 2018

4. FAIR ASSOCIATION

A. Names of the fair directors:

Cindy Crane	Tony Giraldi	Marilyn Herzog	Neysa Hinton
Kevin Howe	Rob Muelrath	Ross Liscum	Teejay Lowe
Max Mickelsen	Marcia Mickelson	Annette O’Kelley	Bev Palm
Kanani Reynolds	Wanda Tapia	Lisa Wittke Schaffner	

B. Names of the directors serving on the Racing Committee or otherwise responsible for the conduct of the racing program: **N/A**

C. Name and title of the fair manager or executive officer and the names and titles of all department managers and fair staff, other than those listed in 12B, who will be listed in the official program: **Rebecca Bartling – CEO (Sonoma County Fair)**

Management (Pacific Racing Association)

- **David Duggan – General Manager**
- **Patrick Mackey - Director of Racing**
- **Patrick Mackey - Racing Secretary**
- **Doug Gooby - Mutuel Manager**
- **Juan Meza - Race Track Superintendent**
- **Matt Dinerman - Track Announcer**

D. Name and title of the person(s) authorized to receive notices on behalf of the fair association and the mailing and email address of such person(s).

Rebecca Bartling, CEO
1350 Bennett Valley Road
Santa Rosa, CA 95404
bbartling@sonomacountyfair.com

5. TAKE OUT PERCENTAGE

1. Will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If Yes, identify the wager and the proposed takeout percentage.

Yes No

Wager(s) to be adjusted: _____ Proposed percentage: _____%

A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the fair association and the horsemen’s organization for the meeting of the fair association accepting the wager.

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19601.01 notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen’s organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the board, unless otherwise specified in the notice.

6. HANDLE HISTORY

1. Complete the table below providing the last five years of handle and attendance for the fair association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation.

Year	Handle	Attendance	Number of Racing Days
2019	\$19,741,800	27,074	8 days
2018	\$21,653,774	26,157	8 days
2017	\$28,822,331	32,779	11 days
2016	\$30,083,973	30,876	11 days
2015	\$32,942,658	30,670	11 days

7. PURSE PROGRAM (Excluding supplements, nominations, sponsorships, and starter fees):**A. Purse distribution: 2020 (6 days) vs. 2019 (8 days)**

1. All races other than stakes:

Current meet estimate: \$660,256
 Prior meet actual: \$825,320

Average Daily Purse (7A1 ÷ number of days):

Current meet estimate: \$110,043
 Prior meet actual: \$103,165

2. Overnight stakes:

Current meet estimate: \$100,000
 Prior meet actual: \$115,100

Average Daily Purse (7A2 ÷ number of days):

Current meet estimate: \$16,667
 Prior meet actual: \$14,388

3. Non-overnight stakes:

Current meet estimate: \$-0-
 Prior meet actual: \$-0-

Average Daily Purse (7A3 ÷ number of days):

Current meet estimate: \$-0-
 Prior meet actual: \$-0-

4. Total Purses: (7A1+7A2+ 7A3)

Current meet estimate: \$760,256
 Prior meet actual: \$940,420

B. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):

Current meet estimate: \$ 78,000
 Prior meet actual: \$ 92,452

C. Payment to each recognized horsemen's organization contracting with the fair:

Current meet estimate:		Prior meet actual:
CTT	\$2,500	\$ 2,839
TOC	\$5,500	\$ 5,679
NTRA	\$1,000	\$ 1,076
PCQHRA	\$ -0-	\$ 756
CWAR	\$ -0-	\$ -0-
ARAC	\$1,500	\$ 1,942
AMRA	\$ -0-	\$ 1,691
CHBPAPEN	\$7,000	\$ 8,518
CTHF	\$7,000	<u>\$ 8,518</u>
Total	\$24,500	\$31,019

D. Amount from all sources to be distributed at the meeting in the form of purses or other benefits to horsemen (7A+7B+7C):

Current meet estimate:	\$ 862,756
Prior meet actual:	\$ 1,063,891

Average Daily Purse (7D ÷ number of days):

Current meet estimate:	\$ 143,793
Prior meet actual:	\$ 132,986

E. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s)):

Current meet estimate:	\$ 600,000
Prior meet actual:	\$ 755,362

Average Daily Purse (7E ÷ number of days):

Current meet estimate:	\$ 100,000
Prior meet actual:	\$ 94,420

F. Purse funds to be generated from interstate handle:

Current meet estimate:	\$ 300,000
Prior meet actual:	\$ 308,528

Average Daily Purse (7F ÷ number of days):

Current meet estimate:	\$ 50,000
Prior meet actual:	\$ 38,566

G. Bank and account number for the Paymaster of Purses' purse account:

On file.

H. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting:

Kevin Riley, CPA of Rossmann, MacDonald & Benetti, 3838 Watt Avenue, Suite E-500, Sacramento, CA 95821, kevin@rmb-cpa.com, (916) 488-8360

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the fair and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and

breeders' awards, shall also be deposited within 3 calendar days following receipt into such liability account. In the event the fair is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the fair shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled thereto. The fair is entitled thereafter to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the fair is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the fair may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

8. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held:
1,500
- B. Minimum number of stalls believed necessary for the meeting:
1,500
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers:
N/A
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site:
N/A
- E. Attach each contract or agreement between the fair and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site.
N/A

Complete subsections F through H if the fair will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c).
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per-day per stall:
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse:

9. EQUINE EMERGENCY SERVICES

- A. Name and emergency telephone number of the racing veterinarian onsite during training hours, workouts and during racing for the association and auxiliary sites: **See Attached**
 - 1. Attach a schedule listing the dates and times that the racing veterinarian will be available onsite during training hours, workouts and during racing for the association and auxiliary sites. **See Attached**

10. PARI-MUTUEL WAGERING PROGRAM

- A. Is the fair applicant a member of the California Authority of Racing Fairs (CARF)? If yes, attach a copy of the CARF recommended wagering format. Yes No

**PRA /PRA II/GOLDEN GATE FIELDS
EQUINE EMERGENCY SERVICES**

**Attachment to PRA/Golden Gate Fields License Application
Section 9A (1)**

A.	<u>VETERINARIAN</u>	<u>EMERGENCY CONTACT #</u>
	Dr. Casille Batten	510-559-7300
	Dr. Ken Allison	510-559-7300
	Dr. Steve Boyer	510-559-7300
	Dr. William Grantham *	510-559-7300
	Dr. Kim Kuhlmann	510-559-7300
	Dr. Steve Matuszak	510-559-7300
	Dr. Jerry Parker	510-559-7300
	Dr. Raina Petrov	510-559-7300
	Dr. Don Smith	510-559-7300
	Dr. Mark Christin	510-559-7300
	Dr. Ashton Cloninger *	510-559-7300

* Race day Lasix veterinarian

1.	<u>GOLDEN GATE FIELDS VETERINARIAN SCHEDULE</u>	
	Mondays:	Closed
	Tuesdays:	AM Only – TBD
	Wednesdays:	AM Only – TBD
	Thursdays:	AM - Dr. Mark Christin PM - Dr. William Grantham
	Fridays	AM - Dr. Mark Christin PM - Dr. William Grantham
	Saturdays:	AM - Dr. Mark Christin PM - Dr. William Grantham
	Sunday:	AM – Dr. Mark Christin PM – Dr. William Grantham

TBD – Rotating schedule amongst list from exhibit A

B. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, fairs may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each. If applicant is a member of CARF, also indicate if wager is a part of the CARF recommended wagering format:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	TYPE OF WAGERS	APPLICABLE RULES	CARF WAGERING FORMAT
Example Race	\$1 E; \$1 Double	CHRB #1959; RCI #VE	Yes <input type="checkbox"/> No <input type="checkbox"/>
Race #1	\$2DD \$1E \$1PK3 \$.50 PNP (Pick 4) \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1976.9 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*	
Race #2	\$2DD \$1E \$1PK3 \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*	
Race #3	\$2DD \$1E \$1PK3 \$1 PNP (Pick 6 when 8 races) \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1976.9 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*	
Race #4	\$2DD \$1E \$1PK3 \$.50 PNP (Pick 5 when 8 races) \$1 PNP (Pick 6 when 9 races) \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1976.9 CHRB 1976.9 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*	
Race #5	\$2DD \$1E \$1PK3 \$.50 PNP (Pick 4 when 8 races) \$.50 PNP (Pick 5 when 9 races) \$1 PNP (Pick 6 when 10 races) \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1976.9 CHRB 1976.9 CHRB 1976.9 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*	

Race #6	\$2DD \$1E \$1PK3 (when 8 races) \$.50 PNP (Pick 4 when 9 races) \$.50 PNP (Pick 5 when 10 races) \$1 PNP (Pick 6 when 11 races) \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1976.9 CHRB 1976.9 CHRB 1976.9 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*
Race #7	\$2DD \$1E \$1PK3 (when 9 races) \$.50 PNP (Pick 4 when 10 races) \$.50 PNP (Pick 5 when 11 races) \$1 PNP (Pick 6 when 12 races) \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1976.9 CHRB 1976.9 CHRB 1976.9 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*
Race #8	\$2DD \$1E \$1PK3 (when 10 races) \$.50 PNP (Pick 4 when 11 races) \$.50 PNP (Pick 5 when 12 races) \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1976.9 CHRB 1976.9 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*
Race #9	\$2DD \$1E \$1PK3 (when 11 races) \$.50 PNP (Pick 4 when 12 races) \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1976.9 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*
Race #10	\$2DD \$1E \$1PK3 \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1977 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*
Race #11	2DD \$1E \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1957 CHRB 1959 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*
Race #12	\$1E \$1 Trifecta \$.10 Superfecta \$.50 Super High 5 (Pentafecta)	CHRB 1959 CHRB 1979 CHRB 1979.1 ARCI 004-105 T (4) (b) Method 2 Provision (C)*

* For closing day final race (mandatory payout): ARCI 004-105 T (4) (g) Method (7) (C)

In the event there is a prohibitive favorite where there is sufficient information that the entry will most likely generate a negative place or show pool, the association may request approval from CHRB to (allow that entry to run for purse only) rescind or cancel wagering on that pool.

C. Identify any wagers noted in 10A (the current pari-mutuel wagering program) that were not in the prior year's pari-mutuel program, or that are not being carried forward from the previous year's pari-mutuel wagering program. **N/A**

D Maximum carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **August 9, 2020 (Closing Day of Sonoma County Fair's Wine Country Racing at Golden Gate Fields meet)**

E List any options requested with regard to exotic wagering:
\$1 TRI and \$.10 SF when applicable
\$.50 PNP4 on the first four races and the last four races each day
\$.50 PNP5 on the last five races each day, with 100% major pool paid for 5 of 5. If no 5 of 5, 75% carryover and 25% minor pool to most winners.
\$1 PNP6 on the last six races each day, with 70% major pool paid or a carryover and a 30% minor pool paid.
\$.50 Rolling Pentafectas (Super High 5) will be offered on all races with six (6) wagering interests when the pari-mutuel pools open. 100% payout of the net pool to the winners who select the top five finishers in exact order. No consolation or minor pool; 100% carryover if no ticket has five finishers in exact order. Mandatory payout on the final eligible race on Closing Day, August 11, 2019.

F Will "advance" or "early bird" wagering be offered? Yes No

If yes, when will such wagering begin. Specify days and time for "early bird" wagering:

G Type(s) of pari-mutuel or totalizator equipment to be used by the fair and the simulcast organization, the name of the person(s) supplying equipment, and expiration date of the service contract:

Amtote
Expiration Date: October 30, 2020
Equipment description on file with Board

H. List below the takeout percentage for each type of wager identified in 10B:
TAKEOUT PERCENTAGE
 (Example) PNP5-14%

- Race #1 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, 4, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #2 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #3 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, 6, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #4 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, 5, 6, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #5 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, 4, 5, 6, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #6 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, 4, 5, 6, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #7 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, 4, 5, 6, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #8 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, 4, 5, Trifectas, Superfectas & Pentafectas – 25.02%

- Race #9 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, 4, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #10 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Pick 3, Trifectas, Superfectas & Pentafectas – 25.02%
- Race #11 Win, Place, Show – 16.77%; Exacta & Daily Double – 24.02%;
Trifectas, Superfectas & Pentafectas – 25.02%
- Race #12 Win, Place, Show – 16.77%; Exacta – 24.02%;
Trifectas, Superfectas & Pentafectas – 25.02%

11. ADVANCE DEPOSIT WAGERING (ADW)

- A. Identify the ADW provider(s) to be used by the fair for this race meeting:
Xpress Bet, T.V.G. (Television Games Network), Twin Spires, NYRA Bets, Bet America
 - B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting. **On File**
 - C. Have the contract/agreements been approved by the respective horsemen’s groups?
Yes No
- If yes, attach a copy of the approval.
If no, explain the status of the approval. **Will be forwarded to Board upon receipt.**

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen’s organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen’s organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

12. SIMULCAST WAGERING PROGRAM

- A. Simulcast organization engaged by the fair to conduct simulcast wagering:
Northern California Off-Track Wagering, Inc. (NCOTWINC)
- B. Attach the agreement between the fair and simulcast organization permitting the organization to use the fair’s live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.
The NCOTWINC agreement dated May 17, 2013 is still in effect and on file with Board.
- C. California simulcast facilities the fair proposes to offer its live audiovisual signal:

NORTHERN CALIFORNIA
 Alameda County Fair, Pleasanton
 Big Fresno Fair, Fresno
 California State Fair & Exposition, Sacramento
 Club One, Fresno
 Golden Gate Fields, Albany
 Jockey Club at San Mateo, San Mateo
 Monterey County Fair, Monterey
 San Joaquin County Fair, Stockton
 Santa Clara County Fair, San Jose
 Solano County Fair, Vallejo

SOUTHERN CALIFORNIA
 Cabazon Fantasy Springs Casino, Indio
 Derby Club, Seaside Park, Ventura
 Fairplex Park, Pomona
 Hollywood Park Casino, Inglewood
 Los Alamitos Race Course, Los Alamitos
 Pechanga Resort & Casino, Temecula
 Santa Anita Park, Arcadia
 Sports Center, Nat’l Orange Show, San Bernardino
 Sports Pavilion at The Farmers Fair, Perris
 Sports Pavilion, San Bernardino Cty. Fair, Victorville

Sonoma County Fair, Santa Rosa**Surfside Race Place at Del Mar, Del Mar
Viejas Casino & Turf Club, Alpine
Watch & Wager, Antelope Valley Fgds, Lancaster****D. Out-of-state wagering systems the fair proposes to offer its live audiovisual signal:****2020 Sonoma County Fair Meet
Commingled Locations**

AmWest Entertainment	Dover Downs	Maronas (South America)	Saratoga Harness Raceway
AmWest Accounts	Dubuque Greyhound	Maryland Jockey Club	SaratogaBets
Greenbrier (WV)	Elite Turf Club (1 to 12)	Maywood	Scarborough
Riders Up (SD)	Ellis Park	Meadowlands	Scioto Downs
Time Out Lounge (SD)	Emerald Downs	The Meadows	Seabrook Greyhound
Triple Crown (SD)	Evangeline Downs	The Meadows (ADW)– PAReg	Social Gaming
Arapahoe-Mile High	Evangeline Downs AWA	Millers OTB	Sol Mutuel
Arima Race Club	Fair Grounds	Mobile Greyhound	Southland Greyhound
Arlington I	Fair Grounds ADW	Monmouth Park	Sports Creek Raceway
Atlantic City Racecourse	Fair Meadows	Montana OTB	State Fair (Lincoln, NE)
Balmoral	Favorites at Gloucester	Monticello	Suffolk District OTB
Balmoral ADW (BETZOTIC)	Finger Lakes	Mountaineer Park	Suffolk Downs
Bangor Raceway	Fonner	Mt. Pleasant Meadows	Sunland Park
Batavia	Freehold	Nassau Regional OTB	SunRay Park & Casino
Bettor Racing	Gillespie County Fair	New Jersey Casino Assoc.	Tampa Bay Downs
Beulah Park	Global Wagering Solutions	Nevada Pari-Mutuel Assoc.	Taunton Acct Wagering
Birmingham	Bwin International Ltd.	Newport Jai Alai	Taunton Dog Track Inc.
Bluffs Run Greyhound	Intl Betting Assoc. Ltd.	NJ Mobile	The Downs at Albuquerque
Buffalo Raceway	Magna Bet	Northfield	Thistledown
Canterbury	Racebets	Cedar Downs OTB	Tioga Downs
Capital District OTB	Greenetrack	Northville	Tri-State GH (Madi Gras)
Catskills OTB	Greyhound @ Post Falls	NYRA	Turf Paradise
Charles Town Race Course	Gulf Greyhound	NYRA Account Wagering	Turfway Park
Chester Downs & Marina LLC	Gulfstream	Oaklawn	TVG Chester
Churchill Downs	Harrington Raceway	Ocean Downs	TVG Network
Club Hipica in Turf	HarringtonBets (DE regional)	Panama	TVG Prairie
Coeur d' Alene Casino	Hawthorne Race Course	PARX	Twin River Greyhound
Colonial Downs	Hawthorne ADW	PARX Phone Bet	TwinSpires
Colonial Downs Phone Bet	Hazel Park	Penn National	TwinSpires High Volume
Columbus Raceway	Hoosier Park	Penn National Telebet	Velocity Wagering Ltd.
Connecticut OTB	Horsemen's Park	Peru	Venezuela OTB
Bradley Teletheater, Bristol	Idabet	Plainridge Race Course	Vernon Downs
New Britain, Norwalk, Milford	Indiana Downs	Plainridge Telephone Wagering	WatchandWager
East Haven, Hartford, Putnam	Clarksville/EvansvilleOTB	Player Mgmt Group	Western OTB
Shoreline Star, Sports Haven	Intermountain Racing	Pocono Account Wagering	Wheeling Downs
Torrington, Waterbury	Keeneland	Pocono Downs & OTB	Will Rogers Downs
Manchester, New London	Keeneland Select ADW	Portland Meadows	Wyoming OTB
Willimantic, Sanford OTB	Kentucky Downs	Potawatomi Casino/ OTB	XpressBet
John Martin's Manor Restaurant	Kentucky OTB	Prairie Meadows	Younkers Raceway
Connecticut OTB ADW	Lebanon	Premier Turf Club	Yonkers ADW
Coushatta Casino	Les Bois (Treasure Valley)	Presque Isle Downs	Youbet Group 1
Paragon Casino	Lewiston OTB's	Raceway Park	Zia Park
Ho-Chunk Casino & Racebook	Lien Games	Racing2Day LLC	123Gaming
Mohegan Sun Casino	Chips Lounge and Casino	Racing2Day Intl.(Stan James)	

Oneida Bingo & Casino	Howard Johnson's OTB	Remington Park	
Pony Bar Simulcast Center	Rumors OTB	Remington OTB Network	
Tote Investment Racing	Skydancer Casino OTB	Retama	
Randall James Racetrack	Lien Games ADW	Racing & Gaming Services	
Millennium Racing	BetAmerica and Offtrackbetting	Rillito Park	Separate Pool Locations
Royal Beach Casino	Lone Star	River Downs	Camarero (Puerto Rico)
Divi Carina Bay Casino	Louisiana Downs	Rockingham Park	Caymanas (Jamaica)
Fair Chance, Winner's Circle	LVDC	Rockingham Acct Wagering	Codere (Mexico/Spain)
Camouflage Gaming	Atlantis Paradise Casino	Ruidoso Downs	MIR Books (Caliente)
Corpus Christi Greyhound	Avatar Ventures	Running Acres Harness Park	NDS Books (Nevada)
Delaware	Buffalo Thunder Resort	Saddle Brook Park	Tabcorp (Australia)
Delta Downs	Foxwoods Resort Casino	Sam Houston	Tallsbet (Australia)
Derby Jackpot	Meskwaki Bingo & Casino	Valley Greyhound Park	New Zealand Racing Board

Canadian Locations

Alberta Downs, Assiniboia, Barrie, Charlottetown, Clinton Teletheatre, Dresden, Elmira Raceway, Evergreen Park, Exhibition Park, Flamboro Downs, Fraser Downs, Fort Erie, Fredericton Raceway, Georgian Downs, Grand River, Hanover Raceway, Hastings Park, Hiawatha, Hipodrome de Quebec, Inverness Raceway, Kawartha Downs, Marquis Downs, Mohawk, New Brunswick, Northlands, Northside Downs, Picov Downs, Quinte Raceway, Rideau Carlton, Rocky Mountain Turf Club, Royal Britiana Hub, St. Johns, Sudbury Downs, Summerside, TBC Sandown, TBC Teletheaters, Truro Raceway, Western Fair, Woodbine

- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the fair:
See Listing Above

- F. California mini-simulcast facilities the fair proposes to offer its live audiovisual signal:
58 Flat Sports Bar & Casino, Bonita; Commerce Casino, Commerce; The Derby Room Sports Grill & Turf Club, Norco; Firehouse Restaurant, Bakersfield; Lake Elsinore Hotel & Casino, Lake Elsinore; OC Tavern, San Clemente; Sammy's Restaurant & Bar, Mission Viejo; Santa Clarita Lanes, Santa Clarita; Tilted Kilt, Thousand Oaks

- G. List the host tracks from which the fair proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

<u>Host Track</u>	<u>Race Dates</u>	<u>Full Card or Selected Feature and/or Stakes Races</u>
Arlington Park	7/29 – 8/11	Selected Feature and/or stakes races
Canterbury Park	7/29 – 8/11	Selected Feature and/or stakes races
Charles Town	7/29 – 8/11	Selected Feature and/or stakes races
Delaware	7/29 – 8/11	Selected Feature and/or stakes races
Ellis Park	7/29 – 8/11	Selected Feature and/or stakes races
Emerald Downs	7/29 – 8/11	Selected Feature and/or stakes races
Evangeline Downs	7/29 – 8/11	Selected Feature and/or stakes races
Fingerlakes	7/29 – 8/11	Selected Feature and/or stakes races
Gulfstream	7/29 – 8/11	Selected Feature and/or stakes races
Indiana Downs	7/29 – 8/11	Selected Feature and/or stakes races
Louisiana Downs	7/29 – 8/11	Selected Feature and/or stakes races
Monmouth	7/29 – 8/11	Selected Feature and/or stakes races
Mountaineer	7/29 – 8/11	Selected Feature and/or stakes races
Penn National	7/29 – 8/11	Selected Feature and/or stakes races

Philadelphia Park/Parx	7/29 – 8/11	Selected Feature and/or stakes races
Prairie Meadows	7/29 – 8/11	Selected Feature and/or stakes races
Presque Isle Downs	7/29 – 8/11	Selected Feature and/or stakes races
Ruidoso	7/29 – 8/11	Selected Feature and/or stakes races
Saratoga	7/29 – 8/11	Selected Feature and/or stakes races
Suffolk Downs	7/29 – 8/11	Selected Feature and/or stakes races
Thistledown	7/29 – 8/11	Selected Feature and/or stakes races
Assiniboia	7/29 – 8/11	Selected Feature and/or stakes races
Australian Racing	7/29 – 8/11	Selected Feature and/or stakes races
Fort Erie	7/29 – 8/11	Selected Feature and/or stakes races
Hastings	7/29 – 8/11	Selected Feature and/or stakes races
South American Racing	7/29 – 8/11	Selected Feature and/or stakes races
United Kingdom	7/29 – 8/11	Selected Feature and/or stakes races
Woodbine	7/29 – 8/11	Selected Feature and/or stakes races

NOTICE TO APPLICANT: Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
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- H. List imported simulcast races the fair plans to receive during the racing meeting which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported: **N/A**

OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
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N/A

- I. If any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing agreement by the appropriate racing association(s). **N/A**

NOTICE TO APPLICANT: All interstate wagering to be conducted by a fair is subject to the provisions of Title 15, United States Codes, which require specific **written** approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by a fair is subject to the provisions of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every fair shall pay to the simulcast organization within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every fair shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

13. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated:

Association Veterinarian(s)	Sara Sporer, D.V.M (Track Veterinarian) Forrest Franklin, D.V.M. (CHRB Veterinarian) William Grantham, D.V.M. (Examining Veterinarian)
Clerk of Scales	Ken Sjoldal
Assistant Clerk of Scales	Ross Allardyce
Clerk of the Course	Tina Walker-Bryant
Placing Judge/Stakes Coordinator	Lisa Jones
Horse Identifier	Darrell Sparks
Horseshoe Inspector	Agustin Rayas
Paddock Judge	Linda Anderson
Patrol Judge/Steward's Aide	Tammy McDuffie-Morris
Placing Judge/Film Analyst	Morgann Schlessler
Patrol Judge/Placing Judge	John Leon
Starter	Todd Stephens
Timer	Jelina Pike

B. Management officials in the racing department:

Director of Racing	Patrick Mackey
Racing Secretary	Patrick Mackey
Assistant Racing Secretary	Steve Martinelli & Linda Anderson
Paymaster of Purses	Claudia Dominguez
Others (identify by name and title)	
Main Track Superintendent	Juan Meza
Turf Track Superintendent	Hugo Sandoval
Price Maker	Steve Martinelli
Stable Superintendent	Carrie Fawcett
Steward's Secretary/Horsemen Liaison	Devon Dunham

C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards:

Niccoli Reporting; 619 Pilgrim Drive, Foster City, CA 94404; pdqcsr@comcast.net; (650) 573-9339

D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract:

Plusmic Corp., USA, Bill O'Brien, Expires: December 31, 2020

E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks.

Pegasus Communications, Inc., Jim Porep, Jr., System maintained in house, broadcasting in High Definition (HD) on March 17, 2016; Equipment contract expires June 2021.

F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract:

GPS timing system; Axcis Information Network, Inc., dba TrackMaster, an Equibase Company (effective 3-1-18). Contract expires 12/31/19.

14. SECURITY CONTROLS

A. Name and title of the person responsible for security controls on the premises. Include an

organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.

William Rizzuto, Assistant General Manager is responsible for security on-site

Security Department organizational attached

Security Department phone number (510) 559-7551

Stable Security phone number (510) 542-4235 or (510) 559-7525

William Rizzuto cell phone number (775) 846-8484

B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **34**

1 – Assistant General Manager 7 – Security Corporals/Guards

2 – Security Lieutenant 8 – Stable Security Officers

4 – Security Sergeants 5 – Stable Gate Personnel

1 – Stable Security Sergeant 5 – Fire Guards

1 – Fire Guard Lieutenant

1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls. **N/A**

2. Detention Stalls:

A. Attach a plan for use of graded stakes or overnight races.

**6 hour surveillance prior to race in Graded Stakes with purses of \$100,000 or over
24 hour surveillance in detention barn for Trainers with high-test results and repeat offenders**

B. Number of security guards in the detention stall area during a 24-hour period.

Four Security Guards

C. Describe number and location of surveillance cameras in detention stall area.

Entire surveillance camera system in the barn area has been upgraded by Geovision in June 2019 to include extended memory of 90 days. The camera equipment is connected to a digital recording system which is kept in a secured area with a power back-up in place. There are a total of 25+ cameras strategically placed throughout the barn area. Receiving Barn includes four (4) fixed cameras placed over designated stalls, one (1) 360° fish-eye camera in center of walking ring, and (2) fixed cameras outside on east side of Receiving Barn.

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.

Will follow CHRB staff directives

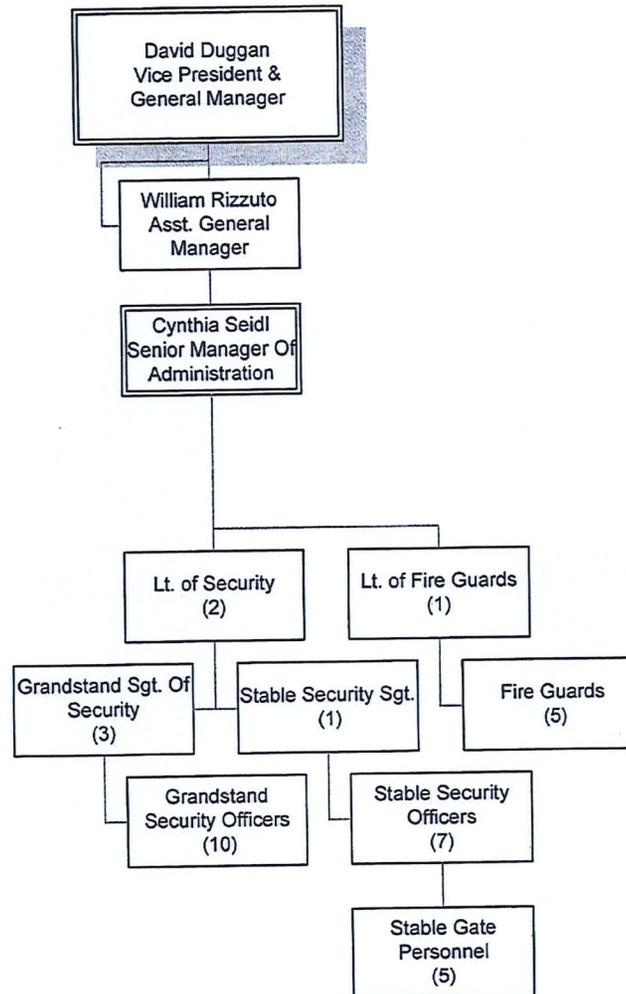
B. Plan for enhanced surveillance for trainers with high-test results.

Contractual obligations with TOC, CTT, and CHRB directives will be followed

C. Plan for detention stalls for repeat offenders.

In compliance with our Race Meet Agreement with TOC and at the direction of the CHRB

**PACIFIC RACING ASSN / GOLDEN GATE FIELDS
SECURITY DEPARTMENT ORGANIZATIONAL CHART
ATTACHMENT 15A**



D. Number of security personnel assigned to the TCO2 program.
As needed per the advice of CHRB staff

C. Describe the electronic security system:

1. Location and number of video surveillance cameras for the detention stall and stable gate.
Entire surveillance camera equipment in the barn area upgraded by Geovision in June 2019. The camera equipment is connected to a digital recording system which is kept in a secured area with a power back-up in place. Stable Gate, Stable Security Office & Parking Lot surveillance include the following: Three (3) cameras are strategically placed to monitor all activities at the Main Stable Gate (2 cameras facing incoming and 1 camera facing outgoing), one (1) camera located on roof of Stable Security Office looking out into barn area, two (2) cameras in O/T parking lot parking lot, three (3) cameras installed at the horsemen walk-in gate providing 24/7 surveillance, and numerous cameras surveilling roadways, Racing Office, CHRB office, gap gate/chute, etc.

D. For night racing associations. Describe emergency lighting system: **Not applicable**

15. EMERGENCY SERVICES

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and during racing:

**Brad Winding Turf Rescue, LLC, 19615 Barclay Road, Castro Valley, CA 94546,
(510) 581-8470**

1. Attach a certification from the ambulance service(s) listed in 16.A., certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

Certification documentation attached – 1 Paramedic and 1 EMT (1A) ambulance staff

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites: **N/A**

1. Attach a certification from the ambulance service (s) listed in 16.B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.

N/A

C. Describe the on-track first aid facility, including equipment and medical staffing: **Attached**

D. Name and emergency telephone number of the licensed physician on duty during the race meeting: **If quarter horse racing association sees D.1.:**

Dr. David Seftel

Office Number: 510-559-7375, Cell Number: 650-520-6204

1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services, pursuant to Business and Professions Code section 19481.3(a): **N/A**

E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:

TURF RESCUE, LLC

4470 Hillsborough Drive

Castro Valley, CA 94546

510-581-8470

September 6, 2019

California Horse Racing Board
1010 Hurley Blvd., Suite 300
Sacramento, CA 95825

Re: Turf Rescue, LLC licensed personnel in 2020

To Whom It May Concern:

This is to inform you that Turf Rescue, LLC operations and procedures are well within the standard care Operating Procedures set forth by Alameda County E.M.S.

Turf Rescue, LLC employs only licensed Paramedics and Emergency Medical Technicians that meet and follow the licensing requirements for Alameda County E.M.S.

If you have any further questions please feel free to contact me.

Sincerely,



Brad Winding, Owner
Turf Rescue, LLC

Alta Bates Summit Medical Center, 2450 Ashby Ave., Berkeley, CA 94705, (510) 204-4444 or Alameda County Medical Center (Highland Hospital Trauma Center), 1411 East 31st Street, Oakland, CA 94602 (510) 437-4865

- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey’s room to be used in the event of an on-track injury to a jockey: Attached
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d): **Roy Roenbeck, Director of Environmental, Health & Safety Bill Rizzuto, Assistant General Manager serves as Assistant Safety Manager**
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises. **Albany fire clearance letter attached valid through December 31, 2020; Berkeley Fire clearance letter valid through June 3, 2020; Berkeley Fire Dept. annual inspection scheduled 06/13/20 will forward the fire clearance to Board upon receipt**
- I. Name of the workers’ compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): **Liberty Mutual Fire Insurance Co. WA2-B7D-170912-019 (policy no.)**
- J. Attach a Certificate of Insurance for workers’ compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days’ notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers’ compensation. **Attached.**

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall, pursuant to Business and Professions Code section 19481.3, maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the Board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency Medical Technician Paramedic, as defined in section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

16. CONCESSIONAIRES AND SERVICE CONTRACTORS

- A. Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

CONCESSION/SERVICE	COMPANY	OWNER	ADDRESS
Programs	Wesco Graphics, Inc.		410 East Grant Line Rd., Tracy, CA 95376
Winners Circle Photographs	Vassar Photography	Bill Vassar	1167 Spphire Drive Livermore, CA 94550
Starting Gate	United Puett Starting Gate Company	Mike Costello	PO Box 18 S. Salem, NY 10590

EMERGENCY MEDICAL PROCEDURES

-LIVE RACING-

FOR ON-TRACK INJURY TO JOCKEYS

"FIRST RESPONSE"

- In the event of an accident, the Stewards and/or Outriders shall immediately contact the Track Physician ("Jockey Down") using Radio Channel #7 (*or the accident may very well be witnessed directly by the Track Physician*);
- The on-track GGF Human Ambulance (manned by GGF-contracted medical personnel) and the Track Physician (transported via the GGF "chase" or "Vet" truck) shall respond immediately to the site of the accident;
- The attending medical professionals shall arrive equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment & supplies;
- An "on-site evaluation" of injuries to the jockey(s) shall be made by the Track Physician.



"ON-SITE EVALUATION"

- Based on the Track Physician's "on-site evaluation" of injuries, a decision shall be made to either treat the injured jockey(s) on-site or to request emergency medical transport for off-site treatment at a hospital trauma center;
 - If on-site treatment is deemed sufficient, the GGF Human Ambulance shall transport the injured jockey(s) directly to the GGF Medical Clinic; or,
 - If off-site treatment is deemed necessary, "911" shall be used to summon a City of Albany Fire Dept. ambulance (*a Fire Dept. truck shall also respond*).



"INJURY TREATMENT"

- If the injured jockey(s) is treated at the GGF Medical Clinic, the Track Physician shall be the primary care provider unless (or until) the Track Physician surrenders custody of the patient based on his/her medical judgment;
- If the City of Albany Fire Dept. ambulance is summoned to respond, the injured jockey(s) shall be transferred to this ambulance (*accompanied by the Track Physician*) at either of the two following locations for transport to a local hospital;
 - If the injuries are deemed less severe, the jockey will be transported by the GGF Human Ambulance to an off-track location for pick-up by the City of Albany Fire Dept. ambulance; or,
 - If the injuries are deemed severe and the jockey(s) cannot be moved, the City of Albany Fire Dept. ambulance will be escorted by GGF security personnel directly onto the track for patient pickup.



"POST INJURY ACTIVITIES"

- The incident must be reported immediately to the appropriate CHSA representative;
- In consultation with the Track Physician, an "Accident/Injury Investigation Report" must be completed by track management following completion of the above-noted procedures.

Should the GGF Human Ambulance need to leave the track premises, for whatever reason(s), racing must be delayed until a city-chartered or other substitute ambulance is on-site and available for on-track medical service.

PROCEDIMIENTOS MÉDICOS DE EMERGENCIA

-DURANTE LAS CARRERAS-

PARA HERIDAS A JINETES EN LA PISTA

"PRIMEROS AUXILIOS"

- En caso de accidente, los comisarios de carreras y/o los paradores deberán contactarse de inmediato con el médico de la pista (por "jinete caído") a través del canal de radio n.º 7 (o tal vez el médico de la pista presencia el accidente directamente);
- La Ambulancia para pacientes humanos del Golden Gate Fields (GGF) que se encuentra en la pista (con personal médico contratado del GGF) y el médico de la pista (que se trasladará en el camión escolta o veterinario del GGF) deberán atender al jinete de inmediato en el lugar del accidente;
- Los profesionales médicos que asistan deberán contar con conocimientos en soporte vital cardiovascular avanzado (SVCA) y demás equipos y suministros necesarios de tratamiento médico inmediato;
- El médico de la pista llevará a cabo una "evaluación en el lugar" de las heridas del jinete.



"EVALUACIÓN EN EL LUGAR"

- De acuerdo con la evaluación de las heridas que realice el médico en la pista, se tomará una decisión acerca de tratar al jinete herido en dicho lugar o bien solicitar un transporte médico para emergencias para llevar a cabo un tratamiento en un centro de traumatología;
 - Si se considera suficiente el tratamiento en el lugar, la Ambulancia del GGF deberá trasladar al jinete herido directamente a la Clínica Médica del GGF o
 - Si es necesario un tratamiento fuera del predio, se deberá utilizar el "911" para llamar una ambulancia del Departamento de Bomberos de la ciudad de Albany (también podrá actuar un camión del Departamento de Bomberos).



"TRATAMIENTO DE HERIDAS"

- Si el jinete herido recibe tratamiento en la Clínica Médica del GGF, el médico de la pista deberá ser el que provea asistencia primaria a menos que (o hasta que) derive al paciente de acuerdo con su criterio médico;
- Si se llama la ambulancia del Departamento de Bomberos de la ciudad de Albany para brindar atención, se deberá trasladar al jinete herido en dicha ambulancia (*acompañado por el médico de la pista*) hasta una de las siguientes ubicaciones para trasladarlo a un hospital local;
 - Si las heridas se consideran poco graves, se trasladará al jinete en la Ambulancia del GGF fuera de la pista para que lo recoja la ambulancia del Departamento de Bomberos de la ciudad de Albany o
 - Si las heridas se consideran graves y no se puede movilizar al jinete, el personal de seguridad del GGF escoltará la ambulancia del Departamento de Bomberos de la ciudad de Albany directamente hacia la pista para que recoja al paciente.



"ACTIVIDADES POSTERIORES A LAS HERIDAS"

- Se debe informar el incidente de inmediato al representante correspondiente de la Asociación de jinetes de California (CSHA, por su sigla en inglés);

Con el asesoramiento del médico de la pista, la gerencia debe completar un "Informe de investigación de accidentes/ heridas" luego de que se completen los procedimientos que se apuntaron anteriormente.

Si la Ambulancia del GGF debe retirarse del predio, por cualquier motivo, se debe demorar la carrera hasta que una ambulancia de la ciudad u otra de reemplazo se encuentre en el lugar y disponible para brindar servicio médico en la pista.

EMERGENCY MEDICAL PROCEDURES

-MORNING TRAINING-

FOR ON-TRACK INJURY TO JOCKEYS OR EXERCISE RIDERS

"FIRST RESPONSE"

- In the event of an accident, the Outriders shall immediately contact the on-track GGF Human Ambulance using Radio Channel #1 ("Rider Down");
(or the accident may very well be witnessed directly by the Ambulance Crew);
- The on-track GGF Human Ambulance (manned by GGF-contracted medical personnel) shall respond immediately to the site of the accident;
- The attending contracted medical personnel shall arrive equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment & supplies;
- An "on-site evaluation" of injuries to the jockey(s) or exercise rider(s) shall be made by the attending contracted medical personnel.



"ON-SITE EVALUATION"

- Based on the attending contracted medical personnel "on-site evaluation" of injuries, a decision shall be made to either treat the injured jockey(s) or exercise rider(s) on-site or to request emergency medical transport for off-site treatment at a hospital trauma center;
 - If on-site treatment is deemed sufficient, the GGF Human Ambulance shall provide the injured jockey(s) or exercise rider(s) with appropriate medical treatment; or,
 - If off-site treatment is deemed necessary, "911" shall be used to summon a City of Albany Fire Dept. ambulance *(a Fire Dept. truck shall also respond)*.



"INJURY TREATMENT"

- If an injured jockey(s) is treated on-site:
 - the attending contracted medical personnel shall provide medical treatment until surrendering custody of the patient based on his/her medical judgment;
 - the Track Physician of the GGF Medical Clinic shall likewise be notified either via telephone or when arriving on-site (live race days only).
- If an exercise rider(s) is treated on-site:
 - the attending contracted medical personnel shall provide medical treatment until surrendering custody of the patient based on his/her medical judgment;
- If the City of Albany Fire Dept. ambulance is summoned to respond, the injured jockey(s) or exercise rider(s) shall be transferred to this ambulance at either of the two following locations for transport to a local hospital;
 - If the injuries are deemed less severe, the jockey(s) or exercise rider(s) will be transported by the GGF Human Ambulance to an off-track location for pick-up by the City of Albany Fire Dept. ambulance; or,
 - If the injuries are deemed severe and the jockey(s) or exercise rider(s) cannot be moved, the City of Albany Fire Dept. ambulance will be escorted by GGF security personnel directly onto the track for patient pickup.



"POST INJURY ACTIVITIES"

- The incident must be reported immediately to the appropriate CHSA representative;
- In consultation with the attending contracted medical personnel, an "Accident/Injury Investigation Report" must be completed by track management following completion of the above-noted procedures.

Should the GGF Human Ambulance need to leave the track premises, for whatever reason(s), all morning training must be delayed until a city-chartered or other substitute ambulance is on-site and available for on-track medical service.

PROCEDIMIENTOS MÉDICOS DE EMERGENCIA

- ENTRENAMIENTO MATUTINO -

PARA HERIDAS A JINETES O JINETES DE EJERCICIO EN LA PISTA

"PRIMEROS AUXILIOS"

- En caso de accidente, los paradores deberán contactarse de inmediato con la Ambulancia para pacientes humanos del Golden Gate Fields (GGF) a través del canal de radio n.º 1 (por "jinete caído") (o tal vez el equipo de la ambulancia presencia el accidente directamente);
- La Ambulancia del GGF (con personal médico contratado del GGF) deberá actuar de inmediato en el lugar del accidente;
- El personal médico contratado que asista deberá contar con conocimientos en soporte vital cardiovascular avanzado (SVCA) y demás equipos y suministros necesarios de tratamiento médico inmediato;
- Dicho personal llevará a cabo una "evaluación en el lugar" de las heridas del jinete o del jinete de ejercicio.



"EVALUACIÓN EN EL LUGAR"

- De acuerdo con la evaluación de las heridas que realice el personal médico contratado en el lugar, se tomará una decisión acerca de tratar al jinete o jinete de ejercicio herido en dicho lugar o bien solicitar un transporte médico para emergencias para llevar a cabo un tratamiento en un centro de traumatología;
 - Si se considera suficiente el tratamiento en el lugar, la Ambulancia del GGF deberá proporcionar el tratamiento médico correspondiente al jinete o jinete de ejercicio herido o
 - Si es necesario un tratamiento fuera del predio, se deberá utilizar el "911" para llamar una ambulancia del Departamento de Bomberos de la ciudad de Albany (también podrá actuar un camión del Departamento de Bomberos).



"TRATAMIENTO DE HERIDAS"

- Si se trata un jinete herido en el lugar:
 - el personal médico contratado que asista deberá proveer tratamiento médico hasta que derive al paciente de acuerdo con su criterio médico;
 - también se deberá notificar al médico de la pista de la Clínica Médica del GGF ya sea por vía telefónica o cuando llegue al lugar (únicamente los días de carreras).
- Si se trata un jinete de ejercicio en el lugar:
 - el personal médico contratado que asista deberá proveer tratamiento médico hasta derivar al paciente de acuerdo con su criterio médico;
- Si se llama a la ambulancia del Departamento de Bomberos de la ciudad de Albany para brindar atención, se trasladará al jinete o jinete de ejercicio herido en dicha ambulancia hasta una de las siguientes ubicaciones para trasladarlo a un hospital local;
 - Si las heridas se consideran poco graves, se trasladará al jinete o jinete de ejercicio en la Ambulancia del GGF fuera de la pista para que lo recoja la ambulancia del Departamento de Bomberos de la ciudad de Albany o
 - Si las heridas se consideran graves y no se pueden movilizar al jinete o jinete de ejercicio, el personal de seguridad del GGF escoltará la ambulancia del Departamento de Bomberos de la ciudad de Albany directamente hacia la pista para que recoja al paciente.



"ACTIVIDADES POSTERIORES A LAS HERIDAS"

- Se debe informar el incidente de inmediato al representante correspondiente de la Asociación de jinetes de California (CSHA, por su sigla en inglés);
- Con el asesoramiento del personal médico contratado que asista, la gerencia debe completar un "Informe de investigación de accidentes/ heridas" luego de que se completen los procedimientos que se apuntaron anteriormente.



1350 Bennett Valley Road
Santa Rosa, CA 95404
p: (707) 545-4200
f: (707) 573-9342
sonomacountyfair.com

Response to 15H. – Fire Clearance

Due to COVID-19 crisis protocol restrictions, Golden Gate Fields does not have a current date for their fire inspection. Golden Gate Fields is speaking to the Berkeley Fire Department to schedule the inspection so that they can issue a revised fire clearance letter. Golden Gate Fields will update the board when we have a date for the inspection. All of the barns (and the equine hospital) at Golden Gate Fields are equipped with an automatic sprinkler system which is inspected and tested both quarterly and annually. Additionally, the barn area has an automatic fire alarm system that was upgraded in 2018. The barn area has two watchman after dark. The barn area also contains 20 standalone fire hydrants which are pressure tested annually (with 17 fire hose cabinets containing 51 hoses). Also, there are over 220 fire extinguishers serviced annually.”

At the Fairgrounds:

Golf Course

RV Park

Jockey Club

Wine Country Racing

Fair Foundation

This is to certify that the Policy(ies) of insurance listed below ("Policy" or "Policies") have been issued to the Named Insured identified below for the policy period(s) indicated. This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder named below other than those provided by the Policy(ies).

Notwithstanding any requirement, term, or condition of any contract or any other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the Policy(ies) is subject to all the terms, conditions, and exclusions of such Policy(ies). This certificate does not amend, extend, or alter the coverage afforded by the Policy(ies). Limits shown are intended to address contractual obligations of the Named Insured.

Limits may have been reduced since Policy effective date(s) as a result of a claim or claims.

Certificate Holder: California Horse Racing Board 1010 Hurley Way Sacramento, CA 95825 Attn.: Insurance Department	Named Insured and Address: Pacific Racing Association dba Golden Gate Fields 1100 Eastshore Highway Albany, CA 94706 Subsidiary/Divisions: Pacific Racing Association 1100 Eastshore Highway Albany, CA 94706 and Pacific Racing Association II dba Golden Gate Fields 1100 Eastshore Highway Albany, CA 94706
---	---

This certificate is issued regarding:

Evidence of Insurance

Type(s) of Insurance	Insurer(s)	Policy Number(s)	Effective/Expiry Dates	Sums Insured Or Limits of Liability	
COMMERCIAL GENERAL LIABILITY • Non-Owned Automobile	Zurich American Insurance Company	GLO 9302183-18	Jun 30, 2020 to Jun 30, 2021	Each Occurrence	USD 2,000,000
				Products-Completed Operations Aggregate	USD 2,000,000
				General Aggregate	USD 2,000,000
WORKERS' COMPENSATION & EMPLOYERS' LIAB	LIBERTY MUTUAL FIRE INSURANCE CO	WA2-B7D-170912-010	Jun 30, 2020 to Jun 30, 2021	Workers' Compensation	Statutory
				Employers' Liability Each Accident	USD 1,000,000 Bodily Injury by Accident
				Employers' Liability Each Employee	USD 1,000,000 Bodily Injury by Disease
				Employers' Liability Policy Limit	USD 1,000,000 Bodily Injury by Disease

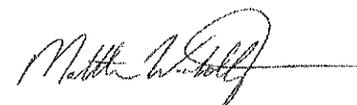
Additional Information:

The Commercial General Liability Policy, placement was made by Marsh Commercial Business Center, a Service of Marsh USA Inc. Marsh Canada Limited has only acted in the role of a consultant to the client with respect to this placement, which is indicated here for your convenience.

The Workers' Compensation and Employers' Liability Policy, placement was made by Marsh USA Inc. Marsh Canada Limited has only acted in the role of a consultant to the client with respect to this placement, which is indicated here for your convenience.

Notice of cancellation:

The insurer(s) affording coverage under the policies described herein will not notify the certificate holder named herein of the cancellation of such coverage.

Marsh Canada Limited 120 Bremner Boulevard Suite 800 Toronto, ON M5J 0A8 Telephone: 1-844-990-2378 Fax: - Certs.Stronach@marsh.com	Marsh Canada Limited By:  Matthew Warnholtz
---	--

Armored Car Service	Loomis Armoured Car		PO Box 44196, San Francisco, CA 94144

B. Does the fair plan to provide its own concessions? Yes No

17. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

- A. Attach a copy of the promotional and marketing plans for the race meeting: On File with the Board
- B. Promotional/ Marketing budget for this race meeting: On file with the board
 Promotional/Marketing budget for prior race meeting: On file with the board
- C. Number of hosts and hostesses employed for meeting: Staff TBD
- D. Describe facilities set aside for new fans: **(ASSUMES FANS ALLOWED)**

Customer Service – Our customer service center is open year round with a trained customer service representative to assist fans with general racing information, maintain our frequent fan club known as the THOROUGHBREDS, and assist with XpressBet sign ups and account maintenance

Xpressbet Customer Service – An Xpressbet ambassador is open year round with a trained service representative to assist fans in joining a new program “XB Rewards Club.” This new program provides fans with admission discounts and wagering points to be accumulated for designated rewards

Mutuel Newcomer Window - A specific Mutuel teller window has been created which includes a hand-selected Mutuel clerk trained in customer service

Group Sales Contest Area – All group attendees can enter contests for prizes which creates a festive atmosphere where people can mingle and share their handicapping prowess

E. Describe any improvements to the physical facilit in advance of the meeting that directly benefit:

1. Horsemen
 - Replaced turf course rail (inside and outside) with PVC by Duralock
 - Upgraded entire surveillance system in the barn area
 - Remodeled Jockey’s Room
 - Replaced Tapeta® in Paddock area
 - Remodeled Racing Office and balcony viewing area
 - Built new office for the TOC (Horse Wizard in Club House) in close proximity to Turf Club/Club House entrance
 - Capital barn improvements in the barn area
 - Commissioning artist to provide mural for Paddock wall
 - Continuation of laundry service for the Jockey’s Room by GGF

SECTION 17.A ATTACHMENT

Promotional and marketing plans for the race meeting:

The total advertising, publicity and promotions budget for the 2020 Race Meet is \$20,000. This includes traditional advertising, digital advertising, social media marketing, grassroots marketing, publicity, sponsorships/partnerships, educational programs, non-profit outreach, and promotions.

Specific Wine County Racing Promotions:

- Emailing campaign (Constant Contact) focused on impulse messages to direct people to visit our Jockey Club Satellite Wagering Facility, and to promote Wine Country Racing via our contracted ADW providers. We currently have over 60,000 constant contact subscribers and send several targeted eblasts promoting our live race meet. This will bring awareness and new customers to ADW providers.
- On track promotions at our satellite wagering facility.
- Free daily racing seminars to take place at our satellite wagering facility, including giveaways, geared at educating the new race fan.
- Specific Facebook, Twitter and Instagram posts that promote Wine Country Racing at the Sonoma County Fair. Interactive social media campaigns geared towards directing people to visit our Jockey Club Satellite Wagering Facility, and to promote Wine Country Racing via our contracted ADW providers.
- TVG Coverage of early and late Pick 4's.

- Adhered to the yearly Tapeta® maintenance schedule of 5x per year in January, April, June, September and December
- Continual roadway, horse paths, and barn repairs

2. Fans

3. Facilities in the restricted areas **Equine Hospital**

18. SCHEDULE OF CHARGES – (ASSUMES FANS ALLOWED)

A. Proposed charges, note any changes from the previous year:

Admission (general)	\$6.00
Admission (club house)	\$10.00
Admission (turf club)	\$12.00 Weekdays
Admission (turf club)	\$15.00 Weekends/Holidays
Reserved seating (general)	N/A
Reserved seating (clubhouse)	\$ 5.00 (Free with TB card)
Parking (general)	\$ 6.00
Parking (preferred)	\$12.00
Parking (valet)	\$12.00
Programs (on-track)	\$ 2.75
(off-track)	\$ 2.75

Thoroughbred Club Members

Bundled Pricing includes free program

General Admission:		Club House Admission:	
1-10 Visits	\$5.00	1-10 Visits	\$8.00
11-20 Visits	\$4.00	11-20 Visits	\$7.00
21-30 Visits	\$3.00	21-30 Visits	\$6.00
31-40 Visits	\$2.00	31-40 Visits	\$5.00
Over 40 Visits	\$1.00	Over 40 Visits	\$4.00
		Reserved seating	Free

Thoroughbred Club Prepaid Admission/Program Packages

TB Club Members can purchase a minimum of 30 Prepaid G/A admissions @ \$2.00 each
TB Club Members can purchase a minimum of 15 Prepaid C/H admissions @ 4.00 each
Horsemen Free

B. Describe any "Season Boxes" and "Turf Club Membership" fees:

Turf Club – Full Season Single Membership	\$ 1,000.00
Turf Club – Full Season Dual Membership	\$ 2,000.00
Top of the Stretch – Full Season Membership	\$ 500.00
Club House Box (4 seats, no admission)	\$ 450.00
Club House Season Pass (Admission only)	\$ 400.00
Grandstand Season Pass (Admission only)	\$ 200.00

C. Describe any "package" plans such as combined parking, admission and program:

Designated Group Sales packages include parking, admission, program, and buffet

19. JOCKEYS/DRIVERS' QUARTERS

A. Check the applicable amenities available in the jockeys/drivers' quarters:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Corners (lockers and cubicles) | How many | <input type="text" value="23"/> |
| <input type="checkbox"/> Showers | <input checked="" type="checkbox"/> Steam room, sauna or steam cabinets | Lounge area |
| <input checked="" type="checkbox"/> Masseur | <input checked="" type="checkbox"/> Food/beverage service | <input checked="" type="checkbox"/> Certified platform scale |
| | <input type="text"/> | |

B. Describe the quarters to be used for female jockeys/drivers: **Fifteen by twenty foot room accessed from a community hallway. The room has a television and bed with attached shower room, sink, and toilet.**

20. BACKSTRETCH EMPLOYEE HOUSING

A. Inspection of backstretch housing has been requested and will be completed prior to the beginning of the race meet.

CHRB to provide name of CHRB inspector and date of last inspection conducted with Stable Superintendent, Carrie Fawcett

B. Number of rooms used for housing on the backstretch of the racetrack: **140**

C. Number of restrooms available on the backstretch of the racetrack: **18 with showers, 7 in office areas**

D. Estimated ratio of restroom facilities to the number of backstretch personnel: **1 restroom for every 12 people**

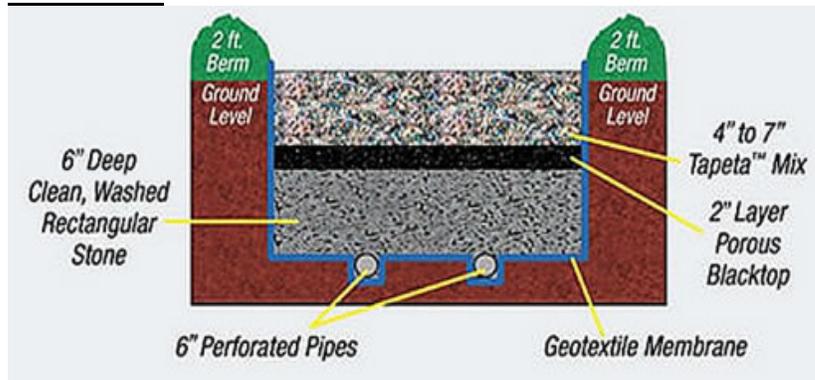
21. TRACK SAFETY

A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: **5280** feet.

B. Describe the type of track surface at the facility, including the specific track surface composition:

Tapeta® Footings Synthetic Track

Surface



C. The percent of cross slope in the straight-aways is: **1.5%**
 The percent of cross slope in the center of the turns is: **4%**

- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.
Main Track: Inner and outer railings are metal gooseneck. Coverings are Rider Protection Rail by Horsemen's Track & Equipment, Inc. Approximate height of the top of the inner railing is 42 inches.
Turf Course: Inner and outer railings are PVC by Duralock. Approximate height of the top of the inner railing is 50 inches.
- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Juan Meza**
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. Attached
- G. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **Not applicable**

22. DECLARATIONS

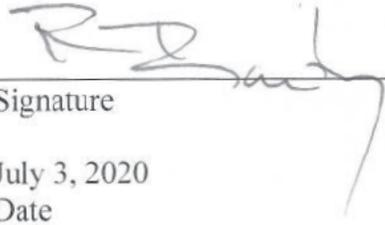
- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **No exceptions**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.
TOC agreement forwarded to Board upon receipt
CTT agreement forwarded to Board upon receipt
- C. Attach an agreement to provide for race-day furosemide administration pursuant to CHRB Rule 1845.
On file with the board
- D. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made).
- E. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state):
No exceptions
- F. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state): **No exceptions**

23. CERTIFICATION BY APPLICANT

I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the fair to attest to this application on its behalf.

Rebecca Bartling
Print Name

Sonoma County Fair CEO
Print Title



Signature

July 3, 2020
Date

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING APPROVAL OF AN
AGREEMENT, PURSUANT TO CHRB RULE 1581, RACING SECRETARY TO
ESTABLISH CONDITIONS, BETWEEN THE PACIFIC RACING ASSOCIATION II
(PRA II) AND THE THOROUGHBRED OWNERS OF CALIFORNIA (TOC),
REGARDING ENTRY CONDITIONS AND SPECIFIED DRUG SUBSTANCES OR
MEDICATIONS TO BE IMPLEMENTED BY THE PRA II AT GOLDEN GATE FIELDS

Regular Board Meeting
July 16, 2020

ISSUE:

California Horse Racing Board (Board) [Rule 1581, Racing Secretary to Establish Conditions](#), allows the racing secretary to establish the conditions for any race run during the race meeting. In instances where the racing secretary wishes to set a condition based on a participating horse's use or non-use of a drug substance or medication, or the presence or lack of presence of a drug substance or medication, the association must first obtain approval from the horseman's organization and the Board. Beginning in March 2019, all racing associations in California have come to the Board seeking approval of agreements with the respective horseman's organizations involving the reduction of Lasix as well as a mandatory stand down for intra articular injections.

BACKGROUND:

[Business and Professions Code \(BPC\) section 19440](#) provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of the Horse Racing Law. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. [BPC section 19590](#) states the Board shall adopt rules governing, permitting, and regulating wagering on horse races under the system known as the pari-mutuel method of wagering. [BPC section 19562](#) provides that the Board may prescribe rules, regulations and conditions, consistent with the provisions of this chapter, under which all horse races with wagering on their results shall be conducted in California.

ANALYSIS:

The ability to set conditions on a race is governed by Board Rule 1581. Rule 1581 states:

The racing secretary may establish the conditions for any race, the allowances or handicaps to be established or specific races, the procedures for the

acceptance of entries and declarations, and such other conditions as are necessary to provide and conduct the association's race meeting. Any conditions that are based on a participating horse's use or non-use of a drug substance or medication, or the presence or lack of presence of a drug substance or medication in a biological test sample taken from a participating horse, shall be agreed to in advance in writing by the acknowledged horsemen's organization, which, in the case of Thoroughbreds, shall be the owner's organization, and approved by the Board before entries are taken for the race. If such conditions are based on the results of a biological test sample other than an official test sample collected by the CHRB, a description of the testing methods and procedures the racing association or fair will use to collect and analyze the biological test samples shall be submitted to the Board for approval. For purposes of this section "biological test sample" refers to any biological sample, including but not limited to, blood, urine, hair, tissue, or saliva, that is taken from a horse.

Pursuant to Board Rule 1581, any condition involving medication must be agreed to by the horsemen's organization, which in the case of thoroughbred racing, is the TOC. Additionally, any agreement must be approved by the Board before entries are taken.

RECOMMENDATION:

This item is presented for Board discussion and action.

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD ON THE APPLICATION FOR LICENSE TO CONDUCT A HORSE RACING MEETING OF THE PACIFIC RACING ASSOCIATION II (T) AT GOLDEN GATE FIELDS, COMMENCING AUGUST 12, 2020 THROUGH OCTOBER 6, 2020

Regular Board Meeting
 July 16, 2020

ANALYSIS:

Pacific Racing Association II (PRA II) filed its application to conduct a thoroughbred horse racing meeting at Golden Gate Fields (GGF) August 12, 2020 through October 6, 2020 or 32 days; four more days than 2019. PRA II proposes to race a total of 258 to 322 races, or 8.06 to 10.06 races per day. Live racing will commence August 13, 2020 through October 4, 2020. In 2019, PRA II ran 8.32 races per day with an average of 6.59 runners per race. The average daily purse for the 2019 race meeting was \$168,393. The (estimated) average daily purse for this meet is \$165,334.

August 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2020						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- Racing Thursday through Sunday with the exception of Monday, September 7, 2020 and Thursday, September 10, 2020.
- 7 to 9 races on weekdays, 9 to 11 races on weekends and Monday, September 7, 2020, one less than in 2019.
- First post 1:45 p.m. daily
 - Request the option to change post times to coordinate north/south signals.
- Wagering program will use California Horse Racing Board (Board) and Association of Racing Commissioners International (ARCI) rules.

PRA II requests to use a modified version of ARCI rule for the Pick 6 contest. PRA II also requests to allow patrons to select an alternate wagering interest in any of the Pick (n) contests in the event their selected wagering interest is scratched.

Alternate Wagering Interest

PRA II requests that the Board allow patrons to select an alternate wagering interest in any of the Pick (n) contests in the event their selected wagering interest is scratched. Pursuant to ARCI 004-105(G)(4), the Association must receive authorization from the Board to allow patrons to select an alternate wagering interest.

Pick 6

PRA II requests to use an alternative definition of "unique" to govern the Pick 6 payout. Pursuant to ACRI 004-105(G)(2)(g), PRA II is required to identify which definition of "unique" under ARCI 004-105(G)(16)(b) they will use to govern the Pick 6. Under the ARCI model rule there are only two possible definitions for "unique". PRA II is requesting an alternative definition which is not referenced in the ARCI model rule or in the CHRB's rules. Under ARCI 004-105(G)(1), the Board has the authority to approve the proposed PRA II definition.

PRA II also requests a change to the ARCI model rules during instances of late surface changes. PRA II requests that on any day in which a surface change after the Pick 6 pool has closed, the race(s) are declared a "Win All," not a "no contest." Also, PRA II requests that on any day in which there is a surface change after the Pick 6 pool has closed, the payout distribution in ARCI 004-105(G)(2)(g) be used. If there is no unique ticket, the entire day's net pool be paid to ticketholders who correctly selected the most first-place finishers in the Pick 6 contests. Under ARCI 004-105(G)(1), the Board has the authority to approve these requested changes.

- Additional Wagering Information
 - Early wagering will not be offered.
 - \$2 Group Bet (Horse Racing Roulette) will not be carried forward from last year's wagering program.
 - \$2 Win, Place, and Show parlay available on every eligible race. The wager must combine at least two but not more than six races.
 - \$1 Exacta on all eligible races.
 - \$.50 Trifecta on all eligible races.
 - \$.10 Superfecta on all eligible races.
 - \$2 Daily Double; requests 20% takeout rate.
 - \$.50 Pick 3.
 - \$.50 Pick 4 on races 2-5 and last four races; No consolation; 100% payout; Alternate runner provision.
 - \$.50 Pick 5 on first five races; 100% payout to all tickets selecting five winners; No consolation; 100% carryover to next day's Early Pick 5 if no ticket has five winners; Alternate runner provision; requests 14% takeout rate.
 - \$.50 Pick 5 on last five races; 100% payout to all tickets selecting five winners; No consolation; 100% carryover to next day's Late Pick 5 if no ticket has five winners; Alternate runner provision.
 - \$1 Super High 5 on all races that have 7 or more declared starters; 100% payout on all tickets selecting five winners; No consolation; 100% carryover to next race (including to the next race day, if applicable).
 - \$.20 Pick 6 on the last six races each day. If no unique ticket, 70% will be paid to the minor pool and the 30% will be added to the major pool carryover.
Payout distribution will be in accordance with ARCI 004-105(G)(2)(g):
 - The net pool and any carryover will be paid to the unique winning ticket holder who selected all the first-place finishers.
 - If there is no unique winning ticket, the minor share of the pool will be distributed to those who selected the greatest number of first-place finishers, and the major share will be added to the carryover.
 - If there is no correct selection of at least one first-place finisher, the day's net pool will be refunded, and any previous carryover pool will be carried over to the next scheduled corresponding pool.

- The dates designated for distribution of the carryover pool are: Mandatory payout on closing day, October 6, 2020. Additional mandatory distributions prior to closing day throughout the meet. PRA II indicates that they will notify the Executive Director (3) days before any such mandatory distribution but do not provide specific dates of the distributions. Board Rule 1976.9, Pick (n) Pool, allows for carryover. Section 1976.9(h) specifies that permission to distribute the Pick (n) carryover on a *specific date* and performance shall be obtained from the Board. The mandatory payout request must contain the intended date and performance for the distribution.
- Business and Professions Code (BPC) section 19464(b) specifies no application for license to conduct a horse racing meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of \$100,000, or a greater amount, as determined by the Board, which is sufficient to ensure payment of employees wages and benefits including, but not limited to, health, welfare and pension plans. The surety bond shall be maintained during the period of the meeting that all payments are made. In the event of a dispute over the amount owed, the dispute shall be resolved through the grievance procedures set forth in the labor agreement of the union representing the class of employees affected.

This subdivision does not apply to any person or association licensed to operate a horse race meeting prior to January 1, 2001, which has conducted a race meeting in each of the immediate three previous consecutive calendar years.

PRA II initial race meeting was conducted after 2001. Therefore, it is subject to the provisions of the BPC section 19464(b).

Pursuant to BPC section 19464(b) PRA II is required to submit a \$100,000 surety bond payable to the Treasurer of the State of California to ensure payment of employee wages and benefits. The PRA II \$100,000 surety bond currently on file is valid through August 17, 2020.

- The Advance Deposit Wagering (ADW) providers are Xpressbet, TVG, TwinSpire, Bet America, and NYRABets.

Pursuant to BPC section 19604, specific provisions must be met before an ADW provider can accept wagers.

Summary of BPC section 19604

*To accept wagers on races **conducted in California** from a resident of California.*

- The ADW provider must be licensed by the Board.
- A written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made.
- The agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made.

*To accept wagers on races **conducted outside of California** from a resident of California.*

- The ADW provider must be licensed by the Board.
- There is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wager is placed, and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

Documents received in compliance with BPC section 19604:

- XpressBet LLC. dba XpressBet.com has submitted all documents required in compliance with BPC section 19604.
 - ODS Technologies, L.P. dba TVG Network has submitted all documents required in compliance with BPC section 19604.
 - NYRAbets, LLC has submitted all documents required in compliance with BPC section 19604.
 - Churchill Downs Technologies Initiatives Company, dba TwinSpires has submitted all documents required in compliance with BPC section 19604.
 - Churchill Downs Technologies Initiatives Company, dba BetAmerica has submitted all documents required in compliance with BPC section 19604.
- Request Darrell Sparks be appointed horse identifier pursuant to Board Rule 1525, Racing Officials Appointed by the Board.
 - Track safety inspection has been requested and will be completed before the race meeting begins.
 - Inspection of backstretch worker housing has been requested and will be completed before the race meeting begins.
 - The turf course inner and outer railings are PVC by Duralock. The approximate height of the top of the inner railing is 50 inches high. This is different from the 2019 race meet application which cited metal gooseneck by Fontana Safety Rail at 42 inches high.
 - Simulcasting in Southern California only.

The PRA II application indicates that it will be conducting simulcast wagering with southern California satellites only. The present application, as submitted, envisions the elimination of satellite wagering opportunities at all northern locations. Each of these locations are in northern California, meaning that the PRA II application intends for there to be no satellite wagering in northern California during their race meet.

Staff views this portion of the application to be impermissible based on applicable laws and regulations.

Specifically, BPC section 19608 requires an association which makes more than 1.5 million in daily average handle, to make its audiovisual signal available to authorized satellite wagering facilities. BPC section 19619.6 requires that every association that provides its live audiovisual signal also accept wagers from the satellite wagering facilities. Moreover, Board Rule 2058(e) which addresses the duties of a racing association offering simulcast wagering, states that all wagers made available by a host association shall be made available to all simulcast facilities.

As stated, staff views PRA II's application requesting to offer simulcast wagering to southern California satellites only, to be in conflict with the provisions mentioned above. Furthermore, the California Superior Court, on February 6, 2020 issued a Notice of Ruling confirming that the Board's interpretation of the relevant statutes and regulations is correct.

Specific information **still needed** to complete this application includes:

1. Thoroughbred Owners of California (TOC) race meet agreement.
2. California Thoroughbred Trainers (CTT) race meet agreement.
3. Agreements with all licensed northern California satellites.
4. Agreements from the appropriate racing associations pursuant to BPC sections [19596.2](#) and [19596.3](#), contingent upon PRA II obtaining a simulcasting agreement with Hong Kong.
5. Fire clearance compliant with [Board Rule 1927](#), Fire Protection, conducted within 45 days of the commencement of the race meet.
6. Updated written notice requesting the proposed takeout adjustment and the written agreement of the thoroughbred association and the horsemen's organization for the meeting of the association accepting the wager.

Specific information which will need updating during the proposed race dates:

1. Bond [expires August 17, 2020]

RECOMMENDATION:

If the application is considered for approval, staff recommends that the approval be contingent upon the submission of the outstanding items.

Application is hereby made to the California Horse Racing Board (CHRB) for a license to conduct a horse racing meeting in accordance with the California Business and Professions Code, Chapter 4, Division 8, Horse Racing Law, and the California Code of Regulations, Title 4, Division 4, CHRB Rules and Regulations.

1. APPLICANT ASSOCIATION

A. Name, mailing address, telephone, fax numbers, and the email address for associations contact person: **Pacific Racing Association II**
1100 Eastshore Highway
Berkeley, CA 94710
Phone (510) 559-7300 Fax (510) 527-5622
david.duggan@goldengatefields.com

B. Breed of horse: TB QH H

C. Racetrack name: **Golden Gate Fields**

D. Attach a certified check payable to the Treasurer of the State of California in the amount of \$10,000 as deposit for license fees pursuant to Business and Professions Code section 19490. **N/A**

E. Was the association licensed to operate a race meeting prior to January 1, 2001?

Yes No

If no, attach a surety bond in the amount of one hundred thousand dollars. **On file; valid August 17, 2019 through August 17, 2020. Will forward to Board upon renewal.**

NOTICE TO APPLICANT: No application for a license to conduct a race meeting shall be granted unless the applicant has deposited with the Board a surety bond in the amount of one hundred thousand dollars (\$100,000), or a greater amount, as determined by the Board, which is sufficient to ensure payment of employee wages and benefits including, but not limited to, health, welfare, and pension plans. The surety bond shall be maintained during the period of the meeting and for an additional period, as determined by the Board, sufficient to assure that all payments are made. This subdivision does not apply to any person or association licensed to operate a horse race meeting prior to January 1, 2001, which has conducted a race meeting in each of the immediate three previous consecutive calendar years. The \$100,000 surety bond amount may be increased to an amount determined by the Board at the time the application is scheduled for hearing pursuant to Business and Professions Code section 19464(b).

NOTICE TO APPLICANT: Application must be filed not later than 90 days before the scheduled start date for the proposed meeting pursuant to CHRB Rule 1433.

2. DATES OF RACE MEETING

A. Inclusive dates allocated for the entire meeting: **August 12, 2020 through October 06, 2020**

B. Actual dates racing will be held: **August 13-16; 20-23; and 27-30; September 3-7, 11-13, 17-20, and 24-27; October 1-4**

C. Total number of days or nights of racing: **32 days**

CHRB CERTIFICATION

Application received:
Deposit received:
Reviewed:

Hearing date:
Approved date:
License number:

- D. Days or nights of the week races will be held:
 Wed - Sun Tues - Sat Other (specify)
- E. Number of days or nights of racing per week: **4 days per week**
Racing Thursdays through Sundays
Exceptions:
Racing on Monday 9/7/20
Dark day: Thursday 9/10/20

3. RACING PROGRAM

- A. Total number of races: **258-322**
- B. Number of races for each day or night:
 - **7 – 9 races on weekdays**
 - **9 – 11 races on weekends/holiday**
- C. Total number of stakes races: **1**
- D. Attach a listing of all stakes races and indicate the date to be run and the added money or guaranteed purse for each. Note the races that are designated for California-bred horses. Attached
1. Attach a listing of all stakes races for the past two race meetings. The information provided must be for the same timeframe in which the association is applying. Include the date the stakes races were run, and the added money or guaranteed purse for each. Note the races that were designated for California-bred horses. Attached
 2. Identify the stakes races listed under item D. that have been altered, added, or are new for the current race meeting. Provide details regarding any alterations to the identified stakes races. (e.g., changes in the age, sex, eligibility, purse or substantial calendar changes). None
 3. Identify the stakes races listed under item D.1. that have been dropped or deleted, and the reasons the stakes were dropped or deleted. None
- E. Will provisions be made for owners and trainers to use their own registered colors?
 Yes No If no, what racing colors are to be used:

PRA II /GGF SUMMER 2020
(August 26 – October 6, 2020)
STAKES SCHEDULE
ATTACHMENT 3D

ROLLING GREEN
\$50,000 Added (Plus \$15,000 to Cal-Breds)
Overnight Stakes
Three Years Old and Upward
1 1/16 Turf
Monday, September 7, 2020

PRA II /GGF SUMMER 2019
(August 15 – September 29, 2019)
STAKES SCHEDULE
ATTACHMENT 3D

ROLLING GREEN
\$50,000 Added (Plus \$15,000 to Cal-Breds)
Overnight Stakes
Three Years Old and Upward
1 1/16 Turf
Monday, September 2, 2019

PRA II /GGF SUMMER 2018
(August 22 – October 2, 2018)
STAKES SCHEDULE
ATTACHMENT 3D

ROLLING GREEN
\$50,000 Added (Plus \$15,000 to Cal-Breds)
Overnight Stakes
Three Years Old and Upward
1 1/16 Turf
Monday, September 3, 2018

D. List all post times for the daily racing program:

Race Number	Post Time Daily
1st	1:45 p.m.
2nd	2:15 p.m.
3rd	2:45 p.m.
4th	3:15 p.m.
5th	3:45 p.m.
6th	4:15 p.m.
7th	4:45 p.m.
8th	5:15 p.m.
9th	5:45 p.m.
10 th when applicable	6:15 p.m.
11 th when applicable	6:45 p.m.

*** Post times may change in order to coordinate North/South signals.**

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall each racing day provide for the running of at least one race limited to California-bred horses, to be known as the "California-bred race," pursuant to CHRB Rule 1813. For thoroughbred and quarter horse meetings, the total amount distributed for California-bred stakes races from the purse account, including overnight stakes, shall not be less than 10% of the total amount distributed for all stakes races pursuant to Business and Professions Code section 19568(b).

4. RACING ASSOCIATION

- A. Association is a: Corporation (complete subsection C)
 LLC (complete subsection D)
 Other (specify, and complete subsection E)

B. Complete the applicable subsection and attached Addendum, Background Information and Ownership. **Addendum on file with the Board**

C. CORPORATION

- Registered name of the corporation: **Pacific Racing Association II**
- State where incorporated: **California**
- Registry or file number for the corporation: **3481225**
- Names of all officers and directors, titles, and the number of shares of the corporation held by each:

Craig Fravel, President (Officer), 0 Shares
Mike Rogers, Vice President, Operations (Officer/Director), 0 Shares
Rebecca Neimark, CFO (Officer), 0 Shares
David Duggan, Vice President & General Manager (Officer), 0 Shares
Scott Daruty, Senior Vice-President (Officer/Director), 0 Shares
Greg Harnish, Secretary (Officer), 0 Shares
Eric Sindler, Assistant Secretary (Officer), 0 Shares

5. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: **TSG Developments Investments Inc., 100 Shares**
6. Number of outstanding shares in the corporation: **100 Shares**
7. Are the shares listed for public trading? Yes No
If yes, on what exchange and how is the stock listed:
8. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **Share register is with Laura Proniuk in corporate office (Canada); Email: Laura.Proniuk@stronachgroup.com**
9. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
TSG Development Investments Inc.
 - A. Is parent and/or paired corporation or entity a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 10-17. Yes No
10. Registered name of the corporation: **Not applicable**
11. State where incorporated: **Not applicable**
12. Registry or file number for the corporation: **Not applicable**
13. Names of all officers and directors, titles, and the number of shares of the corporation held by each: **Not applicable**
14. Names (true names) of all persons, other than the officers and directors listed above, that hold 5% or more of the outstanding shares in the corporation and the number of shares held by each: **On file with the Board.**
15. Number of outstanding shares in the corporation: **Not applicable**
16. Are the shares listed for public trading? Yes No
If yes, on what exchange and how is the stock listed:
17. Name of the custodian of the list of shareholders and/or the transfer agent for the share holdings of the corporation: **Not applicable**

D. LLC

1. Registered name of the LLC: **Not applicable**
2. State where articles of organization are filed: **Not applicable**
3. Registry or file number for the LLC: **Not applicable**
4. Attach a list of the names of all members (including individuals (true names), corporations, other LLCs and or foreign entities), titles, and the number of shares of the LLC held by each: **Not applicable**
5. Are the shares listed for public trading? Yes No
If yes, on what exchange and how the stock is listed:
6. If more than 50% of the shares are held by a parent corporation or are paired with any other corporation or entity, give the name of the parent and/or paired corporation or entity:
Not applicable
 - A. Is parent and/or paired entity either a publically traded or privately held company that guarantees the obligation of the applicant? If no, proceed to section F. If yes, answer questions 7-12. Yes No
7. Registered name of the LLC/Corporation: **Not applicable**
8. State where articles of organization are filed: **Not applicable**
9. Registry or file number for the LLC: **Not applicable**
10. Attach a list of the names (true names) of all members (members may include individuals, corporations other LLCs and foreign entities), titles, and the number of shares of the LLC held by each: **Not applicable**

11. Are the shares listed for public trading? Yes No
12. If yes, on what exchange and how the stock is listed: **Not applicable**

E. OTHER

1. Name(s) of partners/sole proprietor: **Not applicable**
2. If a partnership, attach partnership agreement. **Not applicable**

F. FINANCIAL INFORMATION*

1. Attach the most recent audited annual financial statement or financial report for the applicant. The financial statement or financial report shall include all relevant financial information specific to the applicant including: (On file with the board) .
- Statement of Financial Position: also referred to as a balance sheet. Statement should report on applicant's assets, liabilities, contingent liabilities and ownership equity as of the date of the prepared statement.
 - Statement of Comprehensive Income: also referred to as Profit and Loss ("P&L") Statement. Statement should include report on applicant's income, expenses, and profits.
 - Profit and Loss statement for prior two years race meeting and Profit and Loss statement for projected year race meeting.
 - Statement of Changes in Equity: to include the changes of the applicants' equity through the reporting period.
 - Statement of Cash Flows: to include a report of the applicant's cash flow activity, particularly its operating investing and financing activities during the reporting period.
 - Copy of a report made during the preceding 12 months to shareholders in the corporation and/or the Securities and Exchange Commission and/or the California Corporations Commission.

*NOTICE TO APPLICANT: The financial information provided pursuant to subsection (F) above is exempt from disclosure pursuant to Government Code section 6254(k) and non-disclosable to the public.

G. MANAGEMENT AND STAFF

1. Name and title of the managing officer and/or general manager of the association and the name and title of all department managers and staff, other than those listed in 13B, who will be listed in the official program:

Craig Fravel, President
Scott Daruty, Senior Vice President
Mike Rogers, Vice President, Operations
Greg Harnish, Secretary
Rebecca Neimark, Chief Financial Officer
David Duggan, Vice President & General Manager
Eric Sindler, Assistant Secretary & General Counsel, California Racing Operations
William Rizzuto, Assistant General Manager
Cynthia Seidl, Senior Manager of Administration
Cindy Medina, Assistant Controller
Doug Gooby, Mutuel Manager
Dan Cirimele, Senior Director of Marketing
Matt Dinerman, Announcer
Juan Meza, Track Superintendent

Steve Martinelli, Price Maker
William Vassar, Track Photographer
David Seftel, M.D., Track Physician

2. Name and title of the person(s) authorized to receive notices on behalf of the association and the mailing and email address of such person(s).

David Duggan
Vice President and General Manager
1100 Eastshore Hwy
Berkeley, CA 94710
david.duggan@goldengatefields.com

5. TAKE OUT PERCENTAGE

1. If this is a thoroughbred race meeting, will the percentage deducted for any type of wager be adjusted pursuant to Business and Professions Code section 19601.01? If no, proceed to subsection 6. If yes, identify the wager and the proposed takeout percentage.

Yes No

Wager(s) to be adjusted: **Pick 5** Proposed percentage: **14%**
Daily Double **20%**

- A. Attach copy of written notice requesting the proposed takeout adjustment, the proposed percentage and the wager(s) affected. The notice must include the written agreement of the thoroughbred association and the horsemen’s organization for the meeting of the thoroughbred association accepting the wager. **Written notice regarding proposed takeout attached; will forward TOC letter upon receipt.**

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19601.01, notwithstanding any other provision of law, a thoroughbred association or fair, upon the filing of a written notice with, and approval by, the Board specifying the percentage to be deducted, may deduct from the total amount handled in the pari-mutuel pool for any type of wager an amount of not less than 10 percent nor more than 25 percent. The written notice shall include the written agreement of the thoroughbred association or fair and the horsemen's organization for the meeting of the thoroughbred association or fair accepting the wager. The established percentage to be deducted shall remain in effect until the filing of a subsequent notice with, and approval by, the Board, unless otherwise specified in the notice.

6. HANDLE HISTORY

1. Complete the table below providing the last five years of handle and attendance for your racing association. If your association has been operating for fewer than five years, provide information for the period of time it has been in operation. If the racing association has changed ownership include the handle information for the previous racing association.

Year	Handle	Attendance
2019 (8/15 -9/29/19)	\$ 8,172,477.00	(28 live race days)
2018 (8/23 – 9/30/18)	\$ 7,683,445.12	41,235 (24 live race days)
2017 (8/24 – 9/17/17)	\$ 5,167,568.00	28,433 (16 live race days)
2016 (8/19 – 9/18/16)	\$ 6,000,287.10	33,827 (19 live race days)
2015 (8/21 – 10/4/15) split	\$ 6,757,788.70	36,786 (19 live race days)

7. **PURSE PROGRAM (excluding supplements, nominations, sponsorships and starter fees):**

Golden Gate Fields

June 14, 2020

Scott Chaney
Executive Director
California Horse Racing Board
1010 Hurley Way, Suite 200
Sacramento, CA 95825

Dear Scott:

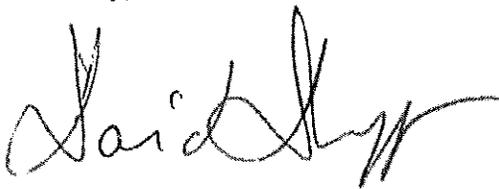
Pursuant to California Business and Professions Code section 19601.01, Pacific Racing Association (PRA), in consultation with the Thoroughbred Owners of California (TOC), is hereby requesting takeout as set forth below to be offered during the PRA II summer race meet, August 13 through October 4, 2020 all inclusive.

- **Pick 5** – a \$.50 minimum wager on the first five (5) races on each day's card subject to a takeout rate of 14%.
- **Rolling Daily Double** - \$2.00 minimum wager offered every race on each day's card subject to a takeout rate of 20%.

For reference, the Pick 5 and Rolling Daily Doubles are noted on PRA's II license application in Section 5A.

Please feel free to contact me with any questions or concerns.

Sincerely,



David Duggan
Vice President & General Manager

A. Purse distribution: *Prior meet represents August 14, 2019 through October 1, 2019 (28 race days):*

1. All races other than stakes:
Current meet estimate: \$ 4,733,638
Prior meet actual: \$ 4,246,776

Average Daily Purse (7 A1 ÷ number of days):
Current meet estimate: \$ 147,926
Prior meet actual: \$ 151,671

2. Overnight stakes:
Current meet estimate: \$ 50,000
Prior meet actual: \$ 50,000

Average Daily Purse (7 A2 ÷ number of days):
Current meet estimate: \$ 1,563
Prior meet actual: \$ 1,786

3. Non-overnight stakes: \$ 0
Prior meet actual: \$ 0

Average Daily Purse (7 A3 ÷ number of days):
Current meet estimate: \$ 0.00
Prior meet actual: \$ 0.00

4. Total Purses: (7A1+7A2+ 7A3)
Current meet estimate: \$ 4,783,638
Prior meet actual: \$ 4,296,776

B. California-bred Stakes Races:

1. Percentage of the purse distribution for all stakes races that will be distributed for California-bred stakes races:
Current meet estimate: %0
Prior meet actual: %0

Average Daily Purse (7 B1 ÷ number of days):
Current meet estimate: %0
Prior meet actual: %0

- C. Funds to be generated for all California-bred incentive awards (including breeder awards and owners premiums):
Current meet estimate: \$ 322,559
Prior meet actual: \$ 292,586

- D. Payment to each recognized horsemen's organization contracting with the association and the name(s) of the organization(s):

Recognized Horsemen's Organization

Current meet estimate:

Prior meet actual:

TOC (NTRA contribution) \$ 75,973
 TOC \$ 43,413
 CTT (Administration) \$ 43,413
 CTT (Pension) \$ 21,707
 Total \$ 184,506

TOC (NTRA contribution) \$ 51,665
 TOC \$ 29,594
 CTT (Administration) \$ 29,594
 CTT (Pension) \$ 14,797
 Total \$ 125,650

E. Amount from all sources to be distributed in the form of purses or other benefits to horsemen (7 A+7 C+7 D):

Current meet estimate: \$ 5,290,703

Prior meet actual: \$ 4,715,012

Average Daily Purse (7 E ÷ number of days):

Current meet estimate: \$ 165,334

Prior meet actual: \$ 168,393

F. Purse funds to be generated from on-track handle and intrastate off-track handle (excluding carry-overs from prior race meet(s):

Current meet estimate: \$ 2,398,278.

Prior meet actual: \$ 2,950,259

Average Daily Purse (7 F ÷ number of days):

Current meet estimate: \$ 74,946

Prior meet actual: \$ 105,366

G. Purse funds to be generated from interstate handle:

Current meet estimate: \$ 2,469,865

Prior meet actual: \$ 1,050,648

Average Daily Purse (7 G ÷ number of days):

Current meet estimate: \$ 77,183

Prior meet actual: \$ 37,523

H. Bank and account number for the Paymaster of Purses' purse account: **On File**I. Name, address, email and telephone number of the pari-mutuel audit firm engaged for the meeting:
Bowen & McBeth, 10722 Arrow Route, Suite 110, Rancho Cucamonga, California 91730, (909) 944-6465; email: craigmiller@verizon.net

NOTICE TO APPLICANT: All funds generated and retained from on-track pari-mutuel handle which are obligated by law for distribution in the form of purses, breeders' awards or other benefits to horsemen, **shall not** be deemed as income to the association; **shall not** be transferred to a parent corporation outside the State of California; and **shall**, within 3 calendar days following receipt, be deposited in a segregated and separate liability account in a depository approved by the CHRB and shall be at the disposition of the Paymaster of Purses, who shall pay or distribute such funds to the persons entitled thereto. All funds generated from off-track simulcast wagering, interstate wagering, and out-of-state wagering which are obligated by law for distribution in the form of purses and breeders' awards, shall also be deposited within 3 calendar days following receipt, into such liability account. In the event the association is obligated to the payment of purses prior to those obligated amounts being retained from pari-mutuel wagering for such purpose, or as a result of overpayment of earned purses at the conclusion of the meeting, the association shall transfer from its own funds such amounts as are necessary for the Paymaster of Purses to distribute to the horse owners statutorily or contractually entitled

thereto. The association is entitled to recover such transferred funds from the Paymaster of Purses' account; and if insufficient funds remain in the account at the conclusion of the meeting, the association is entitled to carry forward the deficit to its next succeeding meeting as provided by Business and Professions Code section 19615(c) or (d). In the event of **underpayment** of purses which results in a balance remaining in the Paymaster of Purses' account at the conclusion of the meeting after distribution of amounts due to horsemen and breeders and horsemen's organizations, the association may carry forward the surplus amount to its next succeeding meeting; provided, however, that the amount so retained does not exceed an amount equivalent to the average daily distribution of purses and breeders' awards during the meeting. All amounts in excess shall be distributed retroactively and proportionally in the form of purses and breeders' awards to the horse owners and breeders having earned purses or awards during the conduct of the meeting.

8. STABLE ACCOMMODATIONS

- A. Number of usable stalls available for racehorses at the track where the meeting is held: **1,500**
- B. Minimum number of stalls believed necessary for the meeting: **1,500**
- C. Total number of usable stalls to be made available off-site at approved auxiliary stabling areas or approved training centers: **N/A**
- D. Name and location of each off-site auxiliary stabling area and the number of stalls to be maintained at each site: **N/A**
- E. Attach each contract or agreement between the association and the person(s) furnishing off-site stabling accommodations for eligible racehorses that cannot be provided stabling on-site. **N/A**

Complete subsections F. through H. if the association will request reimbursement for off-site stabling as provided by Business and Professions Code sections 19607, 19607.1, 19607.2, and 19607.3; otherwise, proceed to section 9.

- F. Total number of usable stalls made available on-site for the **1986** meeting, pursuant to Business and Professions Code section 19535(c): **1,405**
- G. Estimated cost to provide off-site stalls for this meeting. Show cost per day per stall: **N/A**
- H. Estimated cost to provide vanning from off-site stalls for this meeting. Show fees to be paid for vanning per-horse: **N/A**

9. EQUINE EMERGENCY SERVICES

- A. Name and emergency telephone number of the racing veterinarian onsite during training hours, workouts and during racing for the association and auxiliary sites: **Attached**
 - 1. Attach a schedule listing the dates and times that the racing veterinarian will be available onsite during training hours, workouts and during racing for the association and auxiliary sites. **Attached**

10. PARI-MUTUEL WAGERING PROGRAM

- A. Pursuant to Business and Professions Code section 19599, and with the approval of the CHRB, associations may elect to offer wagering programs using CHRB Pari-mutuel Rules, the Association

**PRA /PRA II/GOLDEN GATE FIELDS
EQUINE EMERGENCY SERVICES**

**Attachment to PRA/Golden Gate Fields License Application
Section 9A (1)**

A.	<u>VETERINARIAN</u>	<u>EMERGENCY CONTACT #</u>
	Dr. Casille Batten	510-559-7300
	Dr. Ken Allison	510-559-7300
	Dr. Steve Boyer	510-559-7300
	Dr. William Grantham *	510-559-7300
	Dr. Kim Kuhlmann	510-559-7300
	Dr. Steve Matuszak	510-559-7300
	Dr. Jerry Parker	510-559-7300
	Dr. Raina Petrov	510-559-7300
	Dr. Don Smith	510-559-7300
	Dr. Sara Sporer	510-559-7300
	Dr. Ashton Cloninger *	510-559-7300

* Race day Lasix veterinarian

1.	<u>GOLDEN GATE FIELDS VETERINARIAN SCHEDULE</u>
	Mondays: Closed
	Tuesdays: AM Only – TBD
	Wednesdays: AM Only – TBD
	Thursdays: AM - Dr. Sara Sporer PM - Dr. William Grantham
	Fridays: AM - Dr. Sara Sporer PM - Dr. William Grantham
	Saturdays: AM - Dr. Sara Sporer PM - Dr. William Grantham
	Sunday: AM – Dr. Sara Sporer PM – Dr. William Grantham

TBD – Rotating schedule amongst list from exhibit A

of Racing Commissioners International (RCI) Uniform Rules of Racing, Chapter 9, Pari-mutuel Wagering, or a combination of both. Please complete the following schedule for the types of wagering other than WPS and the minimum wager amount for each:

Use DD for daily double, E for exacta (special quinella), PK3 for pick three, PK4 for select four, PNP for pick (n) pool, PPN for place pick (n), Q for quinella, SF for superfecta, TRI for trifecta, and US for unlimited sweepstakes (pick 9).

	TYPE OF WAGERS	APPLICABLE RULES
Example Race:	\$1 E; \$1 Double	CHRB #1959; RCI #VE

See Attached for wagering menu, bet minimum, rules, and additional wagering information

- B. Identify any wagers noted in 10.A. (the current pari-mutuel wagering program) that were not in the prior year's pari-mutuel program, or that are not being carried forward from the previous year's pari-mutuel wagering program. **Group Bet is not being carried forward.**
- C. Maximum Carryover pool to be allowed to accumulate before its distribution **OR** the date(s) designated for distribution of the carryover pool: **Mandatory payout on closing day, October 4, 2020. Additional mandatory distributions prior to closing day throughout the meet. Will notify the Executive Director at least three (3) days before any such mandatory distribution.**
- D. List any options requested with regard to exotic wagering: **2 Tier – 70%30% split**
- E. Will "advance" or "early bird" wagering be offered? Yes No
 If yes, when will such wagering begin? Specify days and time for "early bird" wagering:
- F. Type(s) of pari-mutuel or totalizator equipment to be used by the association and the simulcast organization, name of the person(s) supplying equipment, and expiration date of the service contract: **AmTote effective October 26, 2015 with expiration date of October 2020 with option to extend contract to October 2025**
- G. List below the takeout percentage for each type of wager identified in 10.A.:

TAKEOUT PERCENTAGE
(Example) PNP5-14%

See attached wagering menu

11. ADVANCE DEPOSIT WAGERING (ADW)

- A. Identify the ADW provider(s) to be used by the association for this race meeting:
Xpressbet
TwinSpires (BetAmerica is not included)
TVG
NYRABets
BetAmerica
- B. Attach a copy of the agreement/contracts with each ADW provider to be used for this race meeting.
On file with the Board, except as noted above

Golden Gate Fields Wagering Menu and Information

	W/P/S	Parlay	Exacta	Trifecta	Superfecta	DD	Pick 3	PNP 4	E PNP 5	L PNP 5	PNP 6	Pentafecta
1	X	X	X	X	X	X	X		X			X
2	X	X	X	X	X	X	X	X			*	X
3	X	X	X	X	X	X	X			*	*	X
4	X	X	X	X	X	X	X	*		*	*	X
5	X	X	X	X	X	X	X	*		*	*	X
6	X	X	X	X	X	X	*	*		*	*	X
7	X	*	X	X	X	*	*	*		*		X
8	X	*	X	X	X	*	*	*		*		X
9	X	*	X	X	X	*	*	*				X
10	X	*	X	X	X	*	*					X
11	X	*	X	X	X	*						X
12	X		X	X	X							X

*When applicable

Wager	Rule	Takeout	Minimum Wager Amount and other Information
Parlay	CHRB 1954.1	15.43%	\$2 Win, Place, and Show parlay is available on every eligible race. The wager must combine at least two but not more than six races.
Exacta	CHRB 1959	22.68%	\$1 Exacta on all eligible races.
Trifecta	CHRB 1979	23.68%	\$.50 Trifecta on all eligible races.
Superfecta	CHRB 1979.1	23.68%	\$.10 Superfecta on all eligible races.
Daily Double (DD)	CHRB 1957	20.00%	\$2 Daily Double.
Pick 3	CHRB 1977	23.68%	\$.50 Pick 3.
PNP4 (Pick 4)	CHRB 1976.9	23.68%	\$.50 Pick 4 on races 2-5 and last four races; No consolation; 100% payout; Alternate runner provision.
Early PNP5 (Early Pick 5)	CHRB 1976.9	14.00%	\$.50 Pick 5 on first five races; 100% payout to all tickets selecting five winners; No consolation; 100% carryover to next day's Early Pick 5 if no ticket has five winners; Alternate runner provision.
Late PNP5 (Late Pick 5)	CHRB 1976.9	23.68%	\$.50 Pick 5 on last five races; 100% payout to all tickets selecting five winners; No consolation; 100% carryover to next day's Late Pick 5 if no ticket has five winners; Alternate runner provision.
PNP6 (Pick 6)	ARCI 004-105(G)(2)(g) ¹ ; ARCI 004-105(G)(16)(b)(ii) ²	23.68%	\$.20 Pick 6 on the last six races each day. If no unique ticket, 70% will be paid to the minor pool and the 30% will be added to the major pool carryover.
Pentafecta (Super High 5)	ARCI 004-105(X)(4)	23.68%	\$1 Super High 5 on all races that have 7 or more declared starters; 100% payout on all tickets selecting five winners; No consolation; 100% carryover to next race (including to the next race day, if applicable).

¹ We request that Commission allow patrons to select an alternate wagering interest in any of the Pick (n) contests in the event their selected wagering interest is scratched.

² Only if the request made in the letter dated July 3, 2020 is denied.

GOLDEN GATE FIELDS

July 3, 2020

Scott Chaney
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Re: Rainbow Pick 6 and Mandatory Payout Day

Scott,

This letter is in regards to Pacific Racing Association II's ("PRA") "Application for License to Conduct a Horse Racing Meeting" for the time period of August 12 through October 6, 2020 (the "Race Meet Application").

As specified in the Race Meet Application, PRA wishes to use ARCI 004-105(G)(2)(g) to govern the payout of our Pick 6.

Definition of Unique

Additionally, pursuant to ARCI 004-105(G)(2)(g), PRA is required to identify which definition under ARCI 004-105(G)(16)(b) PRA will use to identify a unique ticket. PRA requests that a combination of the two definitions to define unique be used. Specifically, PRA wishes "unique" to be defined as:

"1) The total amount wagered on one and only one winning combination selecting the first-place finisher in each of the Pick (n) contests, based up on the official order of finish, is equal to the minimum allowable wager, 2) there is more than one combination selecting the first-place finisher in each of the Pick (n) equal to the minimum allowable wager and all such winning combinations are on one ticket that has a unique serial number assigned by the tote company that issued the ticket and the multiple winning combinations is solely a result of a wagering interest being scratched and replaced with the post time favorite; 3) there is more than one combination selecting the first-place finisher in each of the Pick (n) equal to the minimum allowable wager and all such winning combinations are on one ticket that has a unique serial number assigned by the tote company that issued the ticket and the multiple winning combinations is solely a result of a dead heat; 4) there is more than one combination selecting the first-place finisher in each of the Pick (n) equal to the minimum allowable wager and all such winning combinations are on one ticket that has a unique serial number assigned by the tote company that issued the ticket and the multiple winning combinations is solely a result of there is a surface change after the Pick 6 pool has closed and as a result the race is a "Win All"; or 5) there is more than one combination selecting the first-place finisher in each of the Pick (n) equal to the minimum allowable wager and all such winning combinations are on one ticket that has a unique serial number assigned by the tote company that issued the ticket and the multiple winning combinations is solely a result of some combination of (2), (3), and (4) above."

If our proposed definition of unique is not approved, we will use ARCI 004-105(G)(16)(b)(ii) to define "unique."

Each day that there is no unique ticket, 70% will be paid out as the minor share to ticketholders which correctly selected the most first place finishers in the Pick(n) contests and 30% will be carried over to the major share (i.e. unique share).

Late Surface Change

Pursuant to ARCI 004-105(G)(6)-(7), on any day in which there is a surface change after the Pick 6 pool closes, "the net pool shall be distributed as a single price pool to those whose selection finished first in the greatest number of Pick (n) contests for that performance. Such distribution shall include the portion ordinarily retained for the Pick (n) carryover but not the carryover from previous performances."

PRA requests that on any day in which there is a surface change after the Pick 6 pool has closed, with respect to the race(s) with a changed surface, the changed leg(s), i.e. the race(s) that had the surface change, are declared a "Win All," not a "no contest."

PRA also requests that on any day in which there is a surface change after the Pick 6 pool has closed, the following payout distribution method be used: the payout distribution method as provided for in ARCI 004-105(G)(2)(g) if there is a unique ticket and if there is not a unique ticket, the entire day's net pool be paid to ticketholders which correctly selected the most first place finishers in the Pick(n) contests. In other words, PRA is requesting that on any day in which there is a surface change after the Pick 6 pool has closed, the payout will be treated the same way it is on all other days during the license period if there is a unique winning ticket. If there is no unique winning ticket, the day's major share (unique share) will be added to day's minor share. On days in which there is a surface change after the Pick 6 pool has closed, the unique jackpot carryover can be paid out, however, it cannot grow.

If there is a surface change after the Pick 6 pool closes on a mandatory payout date, the day's net pool and any carryover will be divided among the ticket holders that correctly selected the greatest number of first-place finishers.

PRA requests these modifications be approved as part of its license application.

Sincerely,



Eric Sindler

cc: Rob Brodrik

C. Have the contract/agreements been approved by the respective horsemen's groups?

Yes No

If yes, attach a copy of the approval.

If no, explain the status of the approval. **Forwarded to Board upon receipt**

NOTICE TO APPLICANT: Pursuant to Business and Professions Code section 19604, ADW providers may accept wagers on races conducted in California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) a written agreement allowing those wagers exists with the racing association or fair conducting the races on which the wagers are made; 3) the agreement shall have been approved in writing by the horsemen's organization responsible for negotiating purse agreements for the breed on which the wagers are made. ADW providers may accept wagers on races conducted outside of California from a resident of California if: 1) the ADW provider is licensed by the Board; 2) there is a hub agreement between the ADW provider and one or both of (i) one or more racing associations or fairs that together conduct no fewer than five weeks of live racing on the breed on which wagering is conducted during the calendar year during which the wagers are placed and (ii) the horsemen's organization responsible for negotiating purse agreements for the breed on which wagering is conducted.

12. SIMULCAST WAGERING PROGRAM

- A. Simulcast organization engaged by the association to conduct simulcast wagering: **N/A**
- B. Attach the agreement between the association and simulcast organization permitting the organization to use the association's live audiovisual signal for wagering purposes and providing access to its totalizator for the purpose of combining on-track and off-track pari-mutuel pools.
N/A
- C. California simulcast facilities the association proposes to offer its live audiovisual signal: **Attached (Southern California only)**
- D. Out-of-state wagering systems the association proposes to offer its live audiovisual signal:
Attached
- E. Out-of-state wagering systems that will combine their pari-mutuel pools with those of the association:
Attached
- F. California mini-simulcast facilities the association proposes to offer its live audiovisual signal:
Attached
- G. For **THOROUGHBRED** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country thoroughbred races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races": **Attached and Hong Kong Jockey Club. Full/partial card TBD.**

NOTICE TO APPLICANT: Business and Professions Code section 19596.2(a) stipulates that on days when live thoroughbred or fair racing is being conducted in the state, the number of thoroughbred races which may be imported by an association or fair during the calendar period the association or fair is conducting its racing meeting cannot exceed a combined daily total of 50 imported thoroughbred races statewide. The limitation of 50 imported thoroughbred races per day statewide does not apply to those races specified in Business and Professions Code section 19596.2(a)(1), (2), (3) and (4).

THOROUGHBRED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
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Pari-Mutuel Satellite Supervisor Contact List - Day Meets

Southern California Locations:

Location	Bakersfield-Firehouse	Location	OC Tavern Sports Bar and Grill
Address	7701 White Lane	Address	2369 S. El Camino Real
City	Bakersfield, CA 93307	City	San Clemente, CA 92672
Location	Bonita-58 Flat	Location	Original Roadhouse Grill / Santa Maria
Address	4110 Bonita Road	Address	1423 S. Bradley Road
City	Bonita, CA 91902	City	Santa Maria, CA 93454
Location	Cabazon-Fantasy Springs Casino	Location	Sammy's Original
Address	84-245 Indio Springs Drive	Address	23221 Lake Center Drive
City	Indio, CA 92201	City	Lake Forest, CA 92630
Location	Commerce Casino Racebook	Location	Santa Anita
Address	6131 East Telegraph Road	Address	285 W. Huntington Drive
City	Commerce, CA 90040	City	Arcadia, CA 91007
Location	Fairplex Park	Location	Santa Clarita
Address	2201 North White Avenue	Address	21615 W. Soledad Canyon Road
City	Pomona, CA 91768	City	Saugus, CA 91350
Location	Hollywood Park	Location	Striders
Address	3383 W. Century Blvd.	Address	100 Harbor Drive, Suite 100
City	Inglewood, CA 90303	City	San Diego, CA 92101
Location	Lake Elsinore Hotel & Casino	Location	Surfside Race Place at Del Mar
Address	20930 Malaga Road	Address	2260 Jimmy Durante Blvd
City	Lake Elsinore, CA 92530	City	Del Mar, CA 92014
Location	Lake Perris-Sports Pavillion at The Farmer's Fair	Location	Thousand Oaks -Tilted Kilt
Address	18700 Lake Perris Drive	Address	1345 E. Thousand Oaks Blvd.
City	Perris, CA 92571	City	Thousand Oaks, CA 91360
Location	Lancaster-Watch and Wager, Antelope Valley Fair	Location	Ventura-The Derby Club
Address	2551 West Avenue - H	Address	10 West Harbor Blvd.
City	Lancaster, CA 93536	City	Ventura, CA 93001
Location	Los Alamitos	Location	Victorville-San Bernardino Fair Sports Pavllion
Address	4961 Katella Avenue	Address	14800 7th Street
City	Los Alamitos, CA 90720	City	Victorville, CA 92395
Location	National Orange Show-Sports Show	Location	Viejas Casino & Turf Club
Address	930 South Arrowhead Avenue	Address	5000 Willows Road
City	San Bernardino, CA 92408	City	Alpine, CA 91901
Location	Ocean's 11	Location	Pechanga Resort and Casino
Address	121 Brooks Street	Address	45000 Pechanga Pkwy
City	Oceanside, CA 92054	City	Temecula, CA 92592

2020 Golden Gate (PRA & PRA II)

Commingled Locations

AmWest Entertainment	Dover Downs	Maronas (South America)	Saratoga Harness Raceway
Amwest Accounts	Dubuque Greyhound	Maryland Jockey Club	Saratoga Bets (ADW)
Greenbrier (WV)	Elite Turf Club (1 to 12)	Maywood	Scarborough
Riders Up (SD)	Ellis Park	Meadowlands	Scioto Downs
Time Out Lounge (SD)	Emerald Downs	Meadows The	Seabrook Greyhound
Triple Crown (SD)	Evangelina Downs	Meadows The (ADW) - PA regional	Social Gaming
Arapahoe-Mile High	Evangelina Downs AWA	Millers OTB	Sol Mutual
Arma Race Club	Fair Grounds	Mobile Greyhound	Southland Greyhound
Arlington I	Fair Grounds ADW	Monmouth Park	Sports Creek Raceway
AllanMc City Racecourse	Fair Meadows	Montana OTB	State Fair (Lincoln, NE)
Baltimore	Favorites at Gloucester	Monticello	Suffolk District OTB
Baltimore ADW (BETZOTIC)	Finger Lakes	Mountaineer Park	Suffolk Downs
Bangor Raceway	Fonner	Mt. Pleasant Meadows	Sunland Park
Batavia	Freshold	Nassau Regional OTB	SunRay Park & Casino
Bolton Racing	Gillespie County Fair	New Jersey Casino Assoc.	Tampa Bay Downs
Boulay Park	Global Wagering Solutions	Nevada Pari-Mutuel Assoc.	Taunton Accot Wagering
Birmingham	Bwin International Ltd.	Newport Jal Alei	Taunton Dog Track Inc.
Bluffs Run Greyhound	Intl Betting Assoc. Ltd	NJ Mobile	The Downs at Albuquerque
Buffalo Raceway	Magna Bet	Northfield	Thistedown
Canterbury	Racebets	Cedar Downs OTB	Toga Downs
Capital District OTB	Greenatrack	Northville	Tri-State GH (Mardi Gras)
Catskills OTB	Greyhound @ Post Falls	NYRA	Turf Paradise
Charles Town Race Course	Gulf Greyhound	NYRA Account Wagering	Turfway Park
Chester Downs & Marina LLC	Gulfstream	Oaklawn	TVG Chester
Churchill Downs	Harrington Raceway	Ocean Downs	TVG Network
Club Hipica InTurf	HarringtonBets (DE regional)	Panama	TVG Prairie
Coeur d'Alene Casino	Hawthorne Race Course	PARX	Twin River Greyhound
Colonial Downs	Hawthorne ADW	PARX Phone Bet	TwinSpires
Colonial Downs Phone Bet	Hazel Park	Penn National	TwinSpires High Volume
Columbus Raceway	Hoosier Park	Penn National Teletbet	Velocity Wagering Ltd.
Connecticut OTB	Horseman's Park	Peru	Venezuela OTB
Bradley Teletheater, Bristol	Idabel	Plainridge Race Course	Vernon Downs
New Britain, Norwalk, Milford	Indiana Downs	Plainridge Telephone Wagering	WatchandWager
East Haven, Hartford, Putnam	Clarksville/Evansville OTB	Player Management Group	Western OTB
Shoreline Star, Sports Haven	Intermountain Racing	Poccano Account Wagering	Wheeling Downs
Torrington, Waterbury	Keeneland	Poccano Downs and OTB	Will Rogers Downs
Manchester, New London	Keeneland Select ADW	Portland Meadows	Wyoming OTB
Williamantic, Sanford OTB	Kentuck Downs	Potawatomi Casino/ OTB	Wyoming Downs
John Martin's Manor Restaurant	Kentucky OTB	Prairie Meadows	XpressBet
Connecticut OTB ADW	Lebanon	Premier Turf Club	Yonkers Raceway
Coushatta Casino	Les Bois (Treasure Valley)	Presque Isle Downs	Yonkers ADW
Paragon Casino	Lewiston OTB's	Racaway Park	Yobet Group 1
Ho-Chunk Casino and Racebook	Lien Games	Racing2Day LLC	Zia Park
Mohogan Sun Casino	Chips Lounge and Casino	Racing2Day Intl. (Stan James)	123Gaming
Onalda Bingo and Casino	Howard Johnsons OTB	Remington Park	
Pony Bar Simulcast Center	Rumors OTB	Remington OTB Network	
Tote Investment Racing	Skydancer Casino OTB	Retama	
Randall James Racetrack	Lien Games ADW	Racing & Gaming Services	Separate Pool Locations
Millenium Racing	BetAmerica and Offtrackbetting	Rillito Park	Camarero (Puerto Rico)
Royal Beach Casino	Lone Star	River Downs	Caymanas (Jamaica)
DIVI Carina Bay Casino	Louisiana Downs	Rockingham Park	Codero (Mexico/Spain)
Fair Chance, Winner's Circle	LVDC	Rockingham Account Wagering	MIR Books (Callente)
Camouflage Gaming	Allants Paradise Casino	Ruidoso Downs	NDS Books (Nevada)
Corpus Christi Greyhound	Avatar Ventures	Running Aces Harness Park	Tabcorp (Australia)
Delaware	Buffalo Thunder Resort	Saddle Brook Park	Tailsbat (Australia)
Delta Downs	Foxwoods Resort Casino	Sam Houston	New Zealand Racing Board
Derby Jackpot	Moskwa1 Bingo & Casino	Valley Greyhound Park	

Canadian Locations

Alberta Downs, Assiniboia, Barrie, Charlottetown, Clinton Teletheatre, Dresden, Elmira Raceway, Evergreen Park, Exhibition Park, Flamberg Downs, Fraser Downs, Fort Erie, Fredericton Raceway, Georgian Downs, Grand River, Hanover Raceway, Hastings Park, Hlawatha, Hipodrome de Quebec, Inverness Raceway, Kawartha Downs, Marquis Downs, Mohawk, New Brunswick, Northlands, Northside Downs, Plover Downs, Quinte Raceway, Rideau Carleton, Rocky Mountain Turf Club, Royal Britannia Hub, St. Johns, Sudbury Downs, Summerside, TBC Sandown, TBC Teletheaters, Truro Raceway, Western Fair, Woodbine,

2020 IMPORT TRACKS

Track	Full or Partial Cards and Stakes
Arlington	Full or Partial Cards
Assiniboia (International)	Full or Partial Cards
Australia Racing (International)	Full or Partial Cards
Belterra Park	Full or Partial Cards
Canterbury	Full or Partial Cards
Charles Town	Full or Partial Cards
Churchill Downs	Full or Partial Cards
Delaware Park	Full or Partial Cards
Downs at Albuquerque	Full or Partial Cards
Ellis Park	Full or Partial Cards
Emerald	Full or Partial Cards
Evangeline	Full or Partial Cards
Fort Erie (International)	Full or Partial Cards
Gulfstream Park	Full or Partial Cards
Gulfstream Park West	Full or Partial Cards
Hastings Park (International)	Full or Partial Cards
Hawthorne	Full or Partial Cards
Indiana Downs	Full or Partial Cards
Kentucky Downs	Full or Partial Cards
Laurel	Full or Partial Cards
Lone Star	Full or Partial Cards
Louisiana Downs	Full or Partial Cards
Mahoning Valley	Full or Partial Cards
Monmouth	Full or Partial Cards
Mountaineer Park	Full or Partial Cards
Northlands (International)	Full or Partial Cards
NYRA - Aqueduct, Belmont	Full or Partial Cards
Oaklawn Park	Full or Partial Cards
Penn National	Full or Partial Cards
Philadelphia Park (Parx)	Full or Partial Cards
Prairie Meadows	Full or Partial Cards
Presque Isle	Full or Partial Cards
South America Racing (International)	Full or Partial Cards
Suffolk Downs	Full or Partial Cards
Sunland Park	Full or Partial Cards
Sunray Park	Full or Partial Cards
Tampa Bay	Full or Partial Cards
Thistledown	Full or Partial Cards
Turfway Park	Full or Partial Cards
Turf Paradise	Full or Partial Cards
Woodbine (International)	Full or Partial Cards

- H. For **QUARTER HORSE** racing associations, list the host track from which the association proposes to import out-of-state and/or out-of-country quarter horse races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

QUARTER HORSE SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Los Alamitos	Per CHRB calendar	Full Card

- I. For **STANDARD BRED** racing associations, list the host tracks from which the association proposes to import out-of-state and/or out-of-country harness races. Include the dates imported races will be held, and whether or not a full card will be accepted. If the full card will not be imported, state "selected feature and/or stakes races":

HARNESS SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Race Dates	Full Card or Selected Feature and/or Stakes Races
Cal Expo Harness	Per CHRB calendar	Full Card

- J. For **ALL** racing associations, list imported simulcast races the association plans to receive which use breeds other than the breed of the majority of horses racing at its live horse racing meeting. Include the name of the host track, the dates imported races will be held, and how many races will be imported:

OTHER BREED SIMULCAST RACES TO BE IMPORTED

Name of Host Track	Breed of Horse	Race Dates	Number of Races to be Imported
None			

- K. For **ALL** racing associations, if any out-of-state or out-of-country races will commence outside of the time constraints set forth in Business and Professions Code sections 19596.2 and 19596.3, attach a copy showing the agreement by the appropriate racing association(s). **Forwarded to the Board upon receipt**

NOTICE TO APPLICANT: All interstate wagering to be conducted by an association is subject to the provisions of Title 15, United States Codes, which require specific written approval of the CHRB and of the racing commission having jurisdiction in the out-of-state venue. All international wagering to be conducted by an association is subject to the provision of Business and Professions Code sections 19596, 19596.1, 19596.2, 19596.3, 19601, 19602, and 19616.1, and will require specific written approval of the CHRB.

Every association shall pay over to the simulcast organization within 3 calendar days following the closing of wagering for any day or night racing program, or upon receipt of the proceeds, such amounts that are retained from off-track simulcast wagering, interstate and out-of-state wagering, and which are obligated by statute for guest commissions, simulcast operator's expenses and promotions, equine research, local government in-lieu taxes, and stabling and vanning deductions. Every association shall pay to its Paymaster of Purses' account within 3 calendar days following the closing of wagering for each day or night racing program, or upon receipt of the proceeds, such amounts that are retained or obligated from off-track simulcast wagering, interstate and out-of-state wagering for purses, breeders' awards or other benefits to horsemen. (See Notice to Applicant, Section 7.)

13. CHARITY RACING DAYS

- A. A. Name and address of the distributing agent (charity foundation) for the net proceeds from charity racing days held by the association: **Pacific Racing Association II, 1100 Eastshore Hwy, Berkeley, CA 94710 is agent for distribution**
- B. Names and addresses of the trustees or directors of the distributing agent: **Pacific Racing Association II, 1100 Eastshore Hwy, Berkeley, CA 94710 will act as its own distributing agent**
- C. Dates the association will conduct races as charity racing days OR:
- D. Will the association pay the distributing agent an amount equal to the maximum required under B&P Code Section 19550(b)? Yes

NOTICE TO APPLICANT: Net proceeds from charity racing days shall be paid to the designated and approved distributing agent within 180 days following the conclusion of the association's race meeting in accordance with the provisions of Business and Professions Code section 19555. Thereafter, the distributing agent shall distribute not less than 90% of the aggregate proceeds from such charity racing days within 12 calendar months after the last day of the meeting during which the charity racing days were conducted and shall distribute the remaining funds as soon thereafter as is practicable. At least 50% of the distribution shall be made to charities associated with the horse racing industry in accordance with the provisions of Business and Professions Code section 19556(b) and (c).

14. RACING OFFICIALS, OFFICIALS, AND OFFICIATING EQUIPMENT

- A. Racing officials nominated:

Association Veterinarian(s)	Cassille Batten D.V.M (TSG Veterinarian)
	Sara Sporer, D.V.M (Track Veterinarian)
	Forrest Franklin, D.V.M. (CHRB Veterinarian)
	William Grantham, D.V.M. (Examining Veterinarian)
Clerk of Scales	Ken Sjordal
Assistant Clerk of Scales	Ross Allardyce
Clerk of the Course	Tina Walker-Bryant
Placing Judge/Stakes Coordinator	Lisa Jones
Horse Identifier	Darrell Sparks
Horseshoe Inspector	Agustin Rayas
Paddock Judge	Linda Anderson
Patrol Judge/Steward's Aide	Tammy McDuffie-Morris
Placing Judge/Film Analyst	Morgann Schlessler
Patrol Judge/Placing Judge	John Leon
Starter	Todd Stephens
Timer	Jelina Pike

- B. Management officials in the racing department:

Director of Racing	Patrick Mackey
Racing Secretary	Patrick Mackey
Assistant Racing Secretary	Steve Martinelli & Linda Anderson
Paymaster of Purses	Claudia Dominguez

Others (identify by name and title)

Main Track Superintendent	Juan Meza
Turf Track Superintendent	Hugo Sandoval
Price Maker	Steve Martinelli
Stable Superintendent	Carrie Fawcett
Steward's Secretary/Horsemen Liaison	Devon Dunham

- C. Name, address, email and telephone number of the reporter employed to record and prepare transcripts of hearings conducted by the stewards: **Christine Niccoli**

Niccoli Reporting Service, 619 Pilgrim Drive, Foster City, CA 94404-1707, (650) 573-9339

- D. Photographic device to be used for photographing the finish of all races, name of the person supplying the service, and expiration date of the service contract: **Plusmic Corp., USA, Bill O'Brien, Expires: December 31, 2020.**
- E. Photo patrol video equipment to be used to record all races, name of the person supplying the service, and expiration date of the service contract. Specify the number and location of cameras for dirt and turf tracks. **Pegasus Communications, Inc., Jim Porep, Jr., System maintained in house, broadcasting in High Definition (HD) on March 17, 2016; Equipment contract expires June 2021.**
- F. Type of electronic timing device to be used for the timing of all races, name of the person supplying the service, and expiration date of the service contract: **GPS timing system; Axcis Information Network, Inc., dba TrackMaster, an Equibase Company (effective 3-1-18). Contract expires 12/31/19.**

15. SECURITY CONTROLS

- A. Name and title of the person responsible for security controls on the premises. Include an organizational chart of the security department and a list of the names of security personnel and contact telephone numbers.
William Rizzuto, Assistant General Manager is responsible for security on-site
Security Department organizational attached
Security Department phone number (510) 559-7551
Stable Security phone number (510) 542-4235 or (510) 559-7525
William Rizzuto cell phone number (775) 846-8484
- B. Estimated number of security guards, gatemen, patrolmen or others to be engaged in security tasks on a regular full-time basis: **34**
- | | |
|--------------------------------------|--------------------------------------|
| 1 – Assistant General Manager | 7 – Security Corporals/Guards |
| 2 – Security Lieutenant | 8 – Stable Security Officers |
| 4 – Security Sergeants | 5 – Stable Gate Personnel |
| 1 – Stable Security Sergeant | 5 – Fire Guards |
| 1 – Fire Guard Lieutenant | |
1. Attach a written plan for enhanced security for graded stakes races, and races of \$100,000 or more, to include the number of security guards in the restricted areas during a 24-hour period and a plan for detention stalls. **N/A**
2. Detention Stalls:
- A. Attach a plan for use of graded stakes or overnight races.
6 hour surveillance prior to race in Graded Stakes with purses of \$100,000 or over
24 hour surveillance in detention barn for Trainers with high-test results and repeat offenders
- B. Number of security guards in the detention stall area during a 24-hour period.
Four Security Guards
- C. Describe number and location of surveillance cameras in detention stall area.

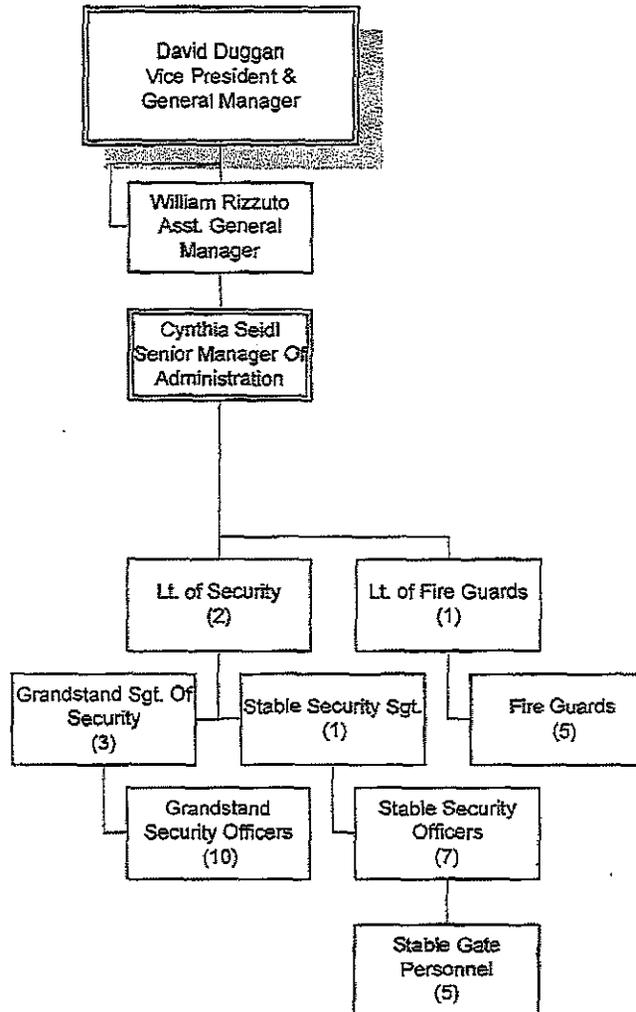
**Attachment to PRA / Golden Gate Fields License Application
14 (E):**

Track Camera Equipment:

There are a total of ten (10) high definition (HD) cameras placed at the following strategic locations around the race track:

7/8 Pole
3/8 Pole
1/4 Pole
Paddock
Paddock (Gliding)
(2) Pan Cameras on Roof
Jib camera in Paddock
Starting Gate (Robo)
Parking Lot (Robo-scenic)

**PACIFIC RACING ASSN / GOLDEN GATE FIELDS
SECURITY DEPARTMENT ORGANIZATIONAL CHART
ATTACHMENT 15A**



Entire surveillance camera system in the barn area has been upgraded by Geovision in June 2019 to include extended memory of 90 days. The camera equipment is connected to a digital recording system which is kept in a secured area with a power back-up in place. There are a total of 25+ cameras strategically placed throughout the barn area. Receiving Barn includes four (4) fixed cameras placed over designated stalls, one (1) 360° fish-eye camera in center of walking ring, and (2) fixed cameras outside on east side of Receiving Barn.

3. TCO2 Testing:

A. Number of races to be tested, and number of horses entered in each race to be tested.
Will follow CHRB staff directives

B. Plan for enhanced surveillance for trainers with high-test results.
Contractual obligations with TOC, CTT, and CHRB directives will be followed

C. Plan for detention stalls for repeat offenders.
In compliance with our Race Meet Agreement with TOC and at the direction of the CHRB

D. Number of security personnel assigned to the TCO2 program.
As needed per the advice of CHRB staff

C. Describe the electronic security system:

1. Location and number of video surveillance cameras for the detention stall and stable gate.
Entire surveillance camera equipment in the barn area upgraded by Geovision in June 2019. The camera equipment is connected to a digital recording system which is kept in a secured area with a power back-up in place. Stable Gate, Stable Security Office & Parking Lot surveillance include the following: Three (3) cameras are strategically placed to monitor all activities at the Main Stable Gate (2 cameras facing incoming and 1 camera facing outgoing), one (1) camera located on roof of Stable Security Office looking out into barn area, two (2) cameras in O/T parking lot parking lot, three (3) cameras installed at the horsemen walk-in gate providing 24/7 surveillance, and numerous cameras surveilling roadways, Racing Office, CHRB office, gap gate/chute, etc.

D. For night racing associations. Describe emergency lighting system: **Not applicable**

16. **EMERGENCY SERVICES**

A. Name, address and emergency telephone number of the ambulance service to be used during workouts and during racing:
Brad Winding Turf Rescue, LLC, 19615 Barclay Road, Castro Valley, CA 94546, (510) 581-8470

1. Attach a certification from the ambulance service(s) listed in 16.A., certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.
Certification documentation attached – 1 Paramedic and 1 EMT (1A) ambulance staff

B. Name, address and emergency telephone number of the ambulance service to be used during workouts at auxiliary sites: **N/A**

TURF RESCUE, LLC

4470 Hillsborough Drive

Castro Valley, CA 94546

510-581-8470

September 6, 2019

California Horse Racing Board
1010 Hurley Blvd., Suite 300
Sacramento, CA 95825

Re: Turf Rescue, LLC licensed personnel in 2020

To Whom It May Concern:

This is to inform you that Turf Rescue, LLC operations and procedures are well within the standard care Operating Procedures set forth by Alameda County E.M.S.

Turf Rescue, LLC employs only licensed Paramedics and Emergency Medical Technicians that meet and follow the licensing requirements for Alameda County E.M.S.

If you have any further questions please feel free to contact me.

Sincerely,



Brad Winding, Owner
Turf Rescue, LLC

1. Attach a certification from the ambulance service (s) listed in 16.B, certifying that the paramedic staff are licensed with the California Emergency Medical Services Authority.
N/A
- C. Describe the on-track first aid facility, including equipment and medical staffing: **Attached**
- D. Name and emergency telephone number of the licensed physician on duty during the race meeting:
If quarter horse racing association sees D.1.:
Dr. David Seftel
Office Number: 510-559-7375, Cell Number: 650-520-6204
 1. Name address and emergency telephone number of hospital located within 1.5 miles of the racetrack, which whom an agreement is in place to provide emergency medical services, pursuant to Business and Professions Code section 19481.3(a): **N/A**
- E. Name, address and emergency telephone number of the hospital to be used for admittance and treatment of emergency injuries in the event of an on-track injury to a jockey:
Alta Bates Summit Medical Center, 2450 Ashby Ave., Berkeley, CA 94705, (510) 204-4444 or Alameda County Medical Center (Highland Hospital Trauma Center), 1411 East 31st Street, Oakland, CA 94602 (510) 437-4865
- F. Attach, in English and Spanish, the emergency medical plan procedures that will be posted in each jockey's room to be used in the event of an on-track injury to a jockey: **Attached**
- G. Name of health and safety manager and assistant manager responsible for compliance of health and safety provisions pursuant to Business and Professions Code section 19481.3(d):
Roy Roenbeck, Director of Environmental, Health & Safety
Bill Rizzuto, Assistant General Manager serves as Assistant Safety Manager
- H. Attach a fire clearance from the fire authority having jurisdiction over the premises.
Albany fire clearance letter attached valid through December 31, 2020;
Berkeley Fire clearance letter valid through June 3, 2020; Berkeley Fire Dept. annual inspection scheduled 06/13/20 will forward the fire clearance to Board upon receipt
- I. Name of the workers' compensation insurance carrier for the association and the number of the insurance policy (if self-insured, provide details): **Liberty Mutual Fire Insurance Co. WA2-B7D-170912-019 (policy no.)**
- J. Attach a Certificate of Insurance for workers' compensation coverage. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of insurance that secures the liability of the association for payment of workers' compensation.
Workers' Compensation COI is valid through June 30, 2020; will forward new COI to Board upon issuance.

NOTICE TO APPLICANT: Every licensee conducting a horse racing meeting shall, pursuant to Business and Professions Code section 19481.3, maintain, staff, and supply an on-track first aid facility, that may be either permanent or mobile, and which shall be staffed and equipped as directed by the Board. A qualified and licensed physician shall be on duty at all times during live racing, except that this provision shall not apply to any quarter horse racing at the racetrack if there is a hospital situated no more than 1.5 miles from the racetrack and the racetrack has an agreement with the hospital to provide emergency medical services to jockeys and riders. An ambulance licensed to operate on public highways provided by the track shall be available at all times during live racing and shall be staffed by two emergency medical technicians licensed in accordance with Division 2.5 (commencing with Section 1797) of the Health and Safety Code, one of whom may be an Emergency



GOLDEN GATE FIELDS

DESCRIPTION OF GGF MEDICAL CLINIC (LIVE RACING)

Services (Mission)

- Pre-race examinations on jockeys;
- Preventive & curative medical services for jockeys;
- Urgent care facility for jockeys;
- Assist CHRB in assessment of any impaired individuals.

Staffing

- Physician Medical Director ("Track Physician").

Equipment

- Advanced cardiac life support (ACLS) equipment;
- 12-Lead EKG;
- Lung function testing equipment;
- Ultrasound (for internal organ injury assessment);
- Blood work & hematology supplies & equipment;
- Basic surgical care supplies & equipment.

Availability

- One-hour before first posted race until one-to-two hours
Following last posted race;
- Extended hours for necessary follow-up care and/or upon
Request from track management or CHRB.

EMERGENCY MEDICAL PROCEDURES
-LIVE RACING-
FOR ON-TRACK INJURY TO JOCKEYS

"FIRST RESPONSE"

- In the event of an accident, the Stewards and/or Outriders shall immediately contact the Track Physician ("Jockey Down") using Radio Channel #7 *(or the accident may very well be witnessed directly by the Track Physician)*;
- The on-track GGF Human Ambulance (manned by GGF-contracted medical personnel) and the Track Physician (transported via the GGF "chase" or "Vet" truck) shall respond immediately to the site of the accident;
- The attending medical professionals shall arrive equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment & supplies;
- An "on-site evaluation" of injuries to the jockey(s) shall be made by the Track Physician.



"ON-SITE EVALUATION"

- Based on the Track Physician's "on-site evaluation" of injuries, a decision shall be made to either treat the injured jockey(s) on-site or to request emergency medical transport for off-site treatment at a hospital trauma center;
 - If on-site treatment is deemed sufficient, the GGF Human Ambulance shall transport the injured jockey(s) directly to the GGF Medical Clinic; or,
 - If off-site treatment is deemed necessary, "911" shall be used to summon a City of Albany Fire Dept. ambulance *(a Fire Dept. truck shall also respond)*.



"INJURY TREATMENT"

- If the injured jockey(s) is treated at the GGF Medical Clinic, the Track Physician shall be the primary care provider unless (or until) the Track Physician surrenders custody of the patient based on his/her medical judgment;
- If the City of Albany Fire Dept. ambulance is summoned to respond, the injured jockey(s) shall be transferred to this ambulance *(accompanied by the Track Physician)* at either of the two following locations for transport to a local hospital;
 - If the injuries are deemed less severe, the jockey will be transported by the GGF Human Ambulance to an off-track location for pick-up by the City of Albany Fire Dept. ambulance; or,
 - If the injuries are deemed severe and the jockey(s) cannot be moved, the City of Albany Fire Dept. ambulance will be escorted by GGF security personnel directly onto the track for patient pickup.



"POST INJURY ACTIVITIES"

- The incident must be reported immediately to the appropriate CHSA representative;
- In consultation with the Track Physician, an "Accident/Injury Investigation Report" must be completed by track management following completion of the above-noted procedures.

Should the GGF Human Ambulance need to leave the track premises, for whatever reason(s), racing must be delayed until a city-chartered or other substitute ambulance is on-site and available for on-track medical service.

**PROCEDIMIENTOS MÉDICOS DE EMERGENCIA
-DURANTE LAS CARRERAS-
PARA HERIDAS A JINETES EN LA PISTA**

"PRIMEROS AUXILIOS"

- En caso de accidente, los comisarios de carreras y/o los paradores deberán contactarse de inmediato con el médico de la pista (por "jinete caído") a través del canal de radio n.º 7 (o tal vez el médico de la pista presencia el accidente directamente);
- La Ambulancia para pacientes humanos del Golden Gate Fields (GGF) que se encuentra en la pista (con personal médico contratado del GGF) y el médico de la pista (que se trasladará en el camión escolta o veterinario del GGF) deberán atender al jinete de inmediato en el lugar del accidente;
- Los profesionales médicos que asistan deberán contar con conocimientos en soporte vital cardiovascular avanzado (SVCA) y demás equipos y suministros necesarios de tratamiento médico inmediato;
- El médico de la pista llevará a cabo una "evaluación en el lugar" de las heridas del jinete.



"EVALUACIÓN EN EL LUGAR"

- De acuerdo con la evaluación de las heridas que realice el médico en la pista, se tomará una decisión acerca de tratar al jinete herido en dicho lugar o bien solicitar un transporte médico para emergencias para llevar a cabo un tratamiento en un centro de traumatología;
 - Si se considera suficiente el tratamiento en el lugar, la Ambulancia del GGF deberá trasladar al jinete herido directamente a la Clínica Médica del GGF o
 - Si es necesario un tratamiento fuera del predio, se deberá utilizar el "911" para llamar una ambulancia del Departamento de Bomberos de la ciudad de Albany (también podrá actuar un camión del Departamento de Bomberos).



"TRATAMIENTO DE HERIDAS"

- Si el jinete herido recibe tratamiento en la Clínica Médica del GGF, el médico de la pista deberá ser el que provea asistencia primaria a menos que (o hasta que) derive al paciente de acuerdo con su criterio médico;
- Si se llama la ambulancia del Departamento de Bomberos de la ciudad de Albany para brindar atención, se deberá trasladar al jinete herido en dicha ambulancia (*acompañado por el médico de la pista*) hasta una de las siguientes ubicaciones para trasladarlo a un hospital local;
 - Si las heridas se consideran poco graves, se trasladará al jinete en la Ambulancia del GGF fuera de la pista para que lo recoja la ambulancia del Departamento de Bomberos de la ciudad de Albany o
 - Si las heridas se consideran graves y no se puede movilizar al jinete, el personal de seguridad del GGF escoltará la ambulancia del Departamento de Bomberos de la ciudad de Albany directamente hacia la pista para que recoja al paciente.



"ACTIVIDADES POSTERIORES A LAS HERIDAS"

- Se debe informar el incidente de inmediato al representante correspondiente de la Asociación de jinetes de California (CSHA, por su sigla en Inglés);
Con el asesoramiento del médico de la pista, la gerencia debe completar un "Informe de investigación de accidentes/ heridas" luego de que se completen los procedimientos que se apuntaron anteriormente.

Si la Ambulancia del GGF debe retirarse del predio, por cualquier motivo, se debe demorar la carrera hasta que una ambulancia de la ciudad u otra de reemplazo se encuentre en el lugar y disponible para brindar servicio médico en la pista.



EMERGENCY MEDICAL PROCEDURES -MORNING TRAINING-

FOR ON-TRACK INJURY TO JOCKEYS OR EXERCISE RIDERS

"FIRST RESPONSE"

- In the event of an accident, the Outriders shall immediately contact the on-track GGF Human Ambulance using Radio Channel #1 ("Rider Down");
(or the accident may very well be witnessed directly by the Ambulance Crew);
- The on-track GGF Human Ambulance (manned by GGF-contracted medical personnel) shall respond immediately to the site of the accident;
- The attending contracted medical personnel shall arrive equipped with advanced cardiac life support (ACLS) and other necessary acute medical treatment equipment & supplies;
- An "on-site evaluation" of injuries to the jockey(s) or exercise rider(s) shall be made by the attending contracted medical personnel.



"ON-SITE EVALUATION"

- Based on the attending contracted medical personnel "on-site evaluation" of injuries, a decision shall be made to either treat the injured jockey(s) or exercise rider(s) on-site or to request emergency medical transport for off-site treatment at a hospital trauma center;
 - If on-site treatment is deemed sufficient, the GGF Human Ambulance shall provide the injured jockey(s) or exercise rider(s) with appropriate medical treatment; or,
 - If off-site treatment is deemed necessary, "911" shall be used to summon a City of Albany Fire Dept. ambulance *(a Fire Dept. truck shall also respond)*.



"INJURY TREATMENT"

- If an injured jockey(s) is treated on-site:
 - the attending contracted medical personnel shall provide medical treatment until surrendering custody of the patient based on his/her medical judgment;
 - the Track Physician of the GGF Medical Clinic shall likewise be notified either via telephone or when arriving on-site (live race days only).
- If an exercise rider(s) is treated on-site:
 - the attending contracted medical personnel shall provide medical treatment until surrendering custody of the patient based on his/her medical judgment;
- If the City of Albany Fire Dept. ambulance is summoned to respond, the injured jockey(s) or exercise rider(s) shall be transferred to this ambulance at either of the two following locations for transport to a local hospital;
 - If the injuries are deemed less severe, the jockey(s) or exercise rider(s) will be transported by the GGF Human Ambulance to an off-track location for pick-up by the City of Albany Fire Dept. ambulance; or,
 - If the injuries are deemed severe and the jockey(s) or exercise rider(s) cannot be moved, the City of Albany Fire Dept. ambulance will be escorted by GGF security personnel directly onto the track for patient pickup.



"POST INJURY ACTIVITIES"

- The incident must be reported immediately to the appropriate CHSA representative;
- In consultation with the attending contracted medical personnel, an "Accident/Injury Investigation Report" must be completed by track management following completion of the above-noted procedures.

Should the GGF Human Ambulance need to leave the track premises, for whatever reason(s), all morning training must be delayed until a city-chartered or other substitute ambulance is on-site and available for on-track medical service.

PROCEDIMIENTOS MÉDICOS DE EMERGENCIA -ENTRENAMIENTO MATUTINO-

PARA HERIDAS A JINETES O JINETES DE EJERCICIO EN LA PISTA

"PRIMEROS AUXILIOS"

- En caso de accidente, los paradores deberán contactarse de inmediato con la Ambulancia para pacientes humanos del Golden Gate Fields (GGF) a través del canal de radio n.º 1 (por "jinete caído") (o tal vez el equipo de la ambulancia presencia el accidente directamente);
- La Ambulancia del GGF (con personal médico contratado del GGF) deberá actuar de inmediato en el lugar del accidente;
- El personal médico contratado que asista deberá contar con conocimientos en soporte vital cardiovascular avanzado (SVCA) y demás equipos y suministros necesarios de tratamiento médico inmediato;
- Dicho personal llevará a cabo una "evaluación en el lugar" de las heridas del jinete o del jinete de ejercicio.



"EVALUACIÓN EN EL LUGAR"

- De acuerdo con la evaluación de las heridas que realice el personal médico contratado en el lugar, se tomará una decisión acerca de tratar al jinete o jinete de ejercicio herido en dicho lugar o bien solicitar un transporte médico para emergencias para llevar a cabo un tratamiento en un centro de traumatología;
 - Si se considera suficiente el tratamiento en el lugar, la Ambulancia del GGF deberá proporcionar el tratamiento médico correspondiente al jinete o jinete de ejercicio herido o
 - Si es necesario un tratamiento fuera del predio, se deberá utilizar el "911" para llamar una ambulancia del Departamento de Bomberos de la ciudad de Albany (también podrá actuar un camión del Departamento de Bomberos).



"TRATAMIENTO DE HERIDAS"

- Si se trata un jinete herido en el lugar:
 - el personal médico contratado que asista deberá proveer tratamiento médico hasta que derive al paciente de acuerdo con su criterio médico;
 - también se deberá notificar al médico de la pista de la Clínica Médica del GGF ya sea por vía telefónica o cuando llegue al lugar (únicamente los días de carreras).
- Si se trata un jinete de ejercicio en el lugar:
 - el personal médico contratado que asista deberá proveer tratamiento médico hasta derivar al paciente de acuerdo con su criterio médico;
- Si se llama a la ambulancia del Departamento de Bomberos de la ciudad de Albany para brindar atención, se trasladará al jinete o jinete de ejercicio herido en dicha ambulancia hasta una de las siguientes ubicaciones para trasladarlo a un hospital local;
 - Si las heridas se consideran poco graves, se trasladará al jinete o jinete de ejercicio en la Ambulancia del GGF fuera de la pista para que lo recoja la ambulancia del Departamento de Bomberos de la ciudad de Albany o
 - Si las heridas se consideran graves y no se pueden movilizar al jinete o jinete de ejercicio, el personal de seguridad del GGF escoltará la ambulancia del Departamento de Bomberos de la ciudad de Albany directamente hacia la pista para que recoja al paciente.



"ACTIVIDADES POSTERIORES A LAS HERIDAS"

- Se debe informar el incidente de inmediato al representante correspondiente de la Asociación de jinetes de California (CSHA, por su sigla en inglés);
- Con el asesoramiento del personal médico contratado que asista, la gerencia debe completar un "Informe de Investigación de accidentes/ heridas" luego de que se completen los procedimientos que se apuntaron anteriormente.

This is to certify that the Policy(ies) of insurance listed below ("Policy" or "Policies") have been issued to the Named Insured identified below for the policy period(s) indicated. This certificate is issued as a matter of information only and confers no rights upon the Certificate Holder named below other than those provided by the Policy(ies).

Notwithstanding any requirement, term, or condition of any contract or any other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the Policy(ies) is subject to all the terms, conditions, and exclusions of such Policy(ies). This certificate does not amend, extend, or alter the coverage afforded by the Policy(ies). Limits shown are intended to address contractual obligations of the Named Insured.

Limits may have been reduced since Policy effective date(s) as a result of a claim or claims.

Certificate Holder: California Horse Racing Board 1010 Hurley Way Sacramento, CA 95825 Attn.: Insurance Department	Named Insured and Address: Pacific Racing Association dba Golden Gate Fields 1100 Eastshore Highway Albany, CA 94706 Subsidiary/Divisions: Pacific Racing Association 1100 Eastshore Highway Albany, CA 94706 and Pacific Racing Association II dba Golden Gate Fields 1100 Eastshore Highway Albany, CA 94706
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This certificate is issued regarding:
 Evidence of Insurance

Type(s) of Insurance	Insurer(s)	Policy Number(s)	Effective/Expiry Dates	Sums Insured Or Limits of Liability	
COMMERCIAL GENERAL LIABILITY • Non-Owned Automobile	Zurich American Insurance Company	GLO 9302183-18	Jun 30, 2020 to Jun 30, 2021	Each Occurrence	USD 2,000,000
				Products-Completed Operations Aggregate	USD 2,000,000
				General Aggregate	USD 2,000,000
WORKERS' COMPENSATION & EMPLOYERS' LIAB	LIBERTY MUTUAL FIRE INSURANCE CO	WA2-B7D-170912-010	Jun 30, 2020 to Jun 30, 2021	Workers' Compensation	Statutory
				Employers' Liability Each Accident	USD 1,000,000 Bodily Injury by Accident
				Employers' Liability Each Employee	USD 1,000,000 Bodily Injury by Disease
				Employers' Liability Policy Limit	USD 1,000,000 Bodily Injury by Disease

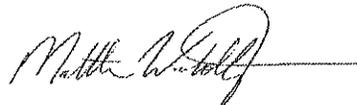
Additional Information:

The Commercial General Liability Policy, placement was made by Marsh Commercial Business Center, a Service of Marsh USA Inc. Marsh Canada Limited has only acted in the role of a consultant to the client with respect to this placement, which is indicated here for your convenience.

The Workers' Compensation and Employers' Liability Policy, placement was made by Marsh USA Inc. Marsh Canada Limited has only acted in the role of a consultant to the client with respect to this placement, which is indicated here for your convenience.

Notice of cancellation:

The insurer(s) affording coverage under the policies described herein will not notify the certificate holder named herein of the cancellation of such coverage.

Marsh Canada Limited 120 Bremner Boulevard Suite 800 Toronto, ON M5J 0A8 Telephone: 1-844-990-2378 Fax: - Certs.Stronach@marsh.com	Marsh Canada Limited  By: _____ Matthew Warnholtz
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Medical Technician Paramedic, as defined in section 1797.84 of the Health and Safety Code. (b) Each racing association and racing fair shall adopt and maintain an emergency medical plan detailing the procedures that shall be used in the event of an on-track injury. The plan shall be posted in each jockey room in English and Spanish. (c) Prior to every race meeting, the racing association or racing fair shall contact area hospitals to coordinate procedures for the rapid admittance and treatment of emergency injuries. (d) Each racing association or racing fair shall designate a health and safety manager and assistant manager, who shall be responsible for compliance with the provisions of this section and one of whom shall be on duty at all times when live racing is conducted. The health and safety manager may, at the discretion of the racing association, be the person designated to perform risk management duties on behalf of the association.

17. CONCESSIONAIRES AND SERVICE CONTRACTORS

Names and addresses of all persons to whom a concession or service contract has been given, **other than those already identified**, and the goods and/or services to be provided by each:

Armored Car	Loomis Armored Car, P.O. Box 44196, San Francisco, CA 94144
Track Physician	Dr. David Seftel, Conocen Corp., 20066 Austin Lane, Castro Valley, CA 94546
Official Program	Wesco Graphics Inc., 410 East Grant Line Rd, Tracy, CA 95376
Starting Gate	Mike Costello, United Puett Starting Gate Co., P.O. Box 18, S. Salem, NY 10590
Track Photographer	Bill Vassar, Vassar Photography, 1167 Sapphire Drive, Livermore, CA 94550

Does the association provide its own concessions? Yes No

18. ON-TRACK ATTENDANCE/FAN DEVELOPMENT

A. Attach a copy of the promotional and marketing plans for the race meeting: On File with the Board

B. Promotional/ Marketing budget for this race meeting: On file with the board

Promotional/Marketing budget for prior race meeting: On file with the board

C. Number of hosts and hostesses employed for meeting: Staff TBD

D. Describe facilities set aside for new fans:

Customer Service – Our customer service center is open year round with a trained customer service representative to assist fans with general racing information, maintain our frequent fan club known as the THOROUGHBREDS, and assist with XpressBet sign ups and account maintenance

Xpressbet Customer Service – An Xpressbet ambassador is open year round with a trained service representative to assist fans in joining a new program “XB Rewards Club.” This new program provides fans with admission discounts and wagering points to be accumulated for designated rewards

Mutuel Newcomer Window - A specific Mutuel teller window has been created which includes a hand-selected Mutuel clerk trained in customer service

Group Sales Contest Area – All group attendees can enter contests for prizes which creates a festive atmosphere where people can mingle and share their handicapping prowess

E. Describe any improvements to the physical facility in advance of the meeting that directly benefit:

1. Horsemen

- Replaced turf course rail (inside and outside) with PVC by Duralock
- Upgraded entire surveillance system in the barn area
- Remodeled Jockey's Room
- Replaced Tapeta® in Paddock area
- Remodeled Racing Office and balcony viewing area
- Built new office for the TOC (Horse Wizard in Club House) in close proximity to Turf Club/Club House entrance
- Capital barn improvements in the barn area
- Commissioning artist to provide mural for Paddock wall
- Continuation of laundry service for the Jockey's Room by GGF
- Adhered to the yearly Tapeta® maintenance schedule of 5x per year in January, April, June, September and December
- Continual roadway, horse paths, and barn repairs

2. Fans

- Upgraded entire surveillance system; total of 106 cameras installed throughout the frontside facility
- Created new family area on A Deck complete with fencing, artificial turf, BBQ's, etc. (Golden Gate Green) which includes games to play in-between races
- Hired Wagering Ambassadors to assist fans with questions regarding racing and wagering
- Remodeling Paddock Pub with projection screen TV, furniture, and flooring
- Upgraded televisions in Grandstand to enhance viewing pleasure
- Providing tours of the front side facility to fans upon request
- Creating a portable selfie station for picture taking
- Created a red top area on Mezzanine to add additional customer service
- Installing new BBQ on Grandstand Apron
- Continual parking lot and roadway repairs

3. Facilities in the restricted areas **Equine Hospital**

19. SCHEDULE OF CHARGES

A. Proposed charges, note any changes from the previous year:

Admission (general)	\$6.00
Admission (club house)	\$10.00
Admission (turf club)	\$12.00 Weekdays
Admission (turf club)	\$15.00 Weekends/Holidays
Reserved seating (general)	N/A
Reserved seating (clubhouse)	\$ 5.00 (Free with TB card)
Parking (general)	\$ 6.00
Parking (preferred)	\$12.00
Parking (valet)	\$12.00
Programs (on-track)	\$ 2.75
(off-track)	\$ 2.75

Thoroughbred Club Members
Bundled Pricing includes free program

General Admission:

1-10 Visits	\$5.00
11-20 Visits	\$4.00
21-30 Visits	\$3.00
31-40 Visits	\$2.00
Over 40 Visits	\$1.00

Club House Admission:

1-10 Visits	\$8.00
11-20 Visits	\$7.00
21-30 Visits	\$6.00
31-40 Visits	\$5.00
Over 40 Visits	\$4.00
Reserved seating	Free

Thoroughbred Club Prepaid Admission/Program Packages

TB Club Members can purchase a minimum of 30 Prepaid G/A admissions @ \$2.00 each
 TB Club Members can purchase a minimum of 15 Prepaid C/H admissions @ 4.00 each
 Horsemen Free

B. Describe any "Season Boxes" and "Turf Club Membership" fees:

Turf Club – Full Season Single Membership	\$ 1,000.00
Turf Club – Full Season Dual Membership	\$ 2,000.00
Top of the Stretch – Full Season Membership	\$ 500.00
Club House Box (4 seats, no admission)	\$ 450.00
Club House Season Pass (Admission only)	\$ 400.00
Grandstand Season Pass (Admission only)	\$ 200.00

C. Describe any "package" plans such as combined parking, admission and program:
Designated Group Sales packages include parking, admission, program, and buffet

20. JOCKEYS/DRIVERS' QUARTERS

A. Check the applicable amenities available in the jockeys/drivers' quarters:

<input checked="" type="checkbox"/> Corners (lockers and cubicles)	How many	<input type="text" value="23"/>
<input checked="" type="checkbox"/> Showers	<input checked="" type="checkbox"/> Steam room, sauna or steam cabinets	<input checked="" type="checkbox"/> Lounge area
<input checked="" type="checkbox"/> Masseur	<input checked="" type="checkbox"/> Food/beverage service	<input checked="" type="checkbox"/> Certified platform scale

B. Describe the quarters to be used for female jockeys/drivers: **Fifteen by twenty foot room accessed from a community hallway. The room has a television and bed with attached shower room, sink, and toilet.**

21. BACKSTRETCH EMPLOYEE HOUSING

A. Inspection of backstretch housing was completed by (name) Mike Alford on (date) 8/30/2019.

CHRB to provide name of CHRB inspector and date of last inspection conducted with Stable Superintendent, Carrie Fawcett

B. Number of rooms used for housing on the backstretch of the racetrack: **140**

C. Number of restrooms available on the backstretch of the racetrack: **18 with showers, 7 in office areas**

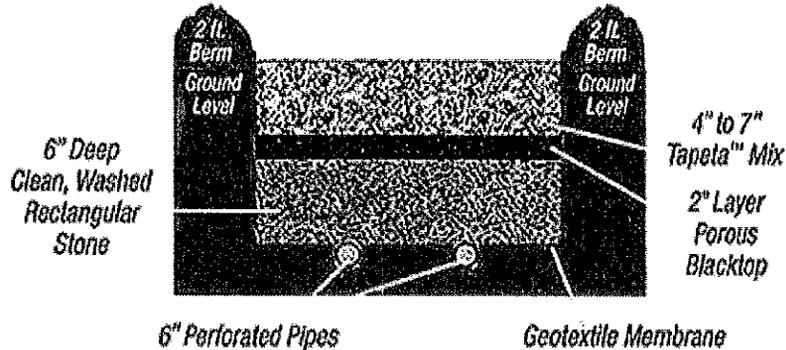
D. Estimated ratio of restroom facilities to the number of backstretch personnel:
1 restroom for every 12 people

22. TRACK SAFETY

- A. Total distance of the racecourse - measured from the finish line counterclockwise (3' from the inner railing) back to the finish line: 5,280 feet.

- B. Describe the type of track surface at the facility, including the specific track surface composition:

Tapeta® Footings Synthetic Track Surface



- C. The percent of cross slope in the straight-aways is: 1.5%
The percent of cross slope in the center of the turns is: 4%
- D. Describe the type(s) of materials used for the inner and outer railings of the race course, the type of inner railing supports (i.e., metal gooseneck, wood 4" x 4" uprights, offset wood 4" x 4" supports, etc.), the coverings, if any, on the top of the inner railing, and the approximate height of the top of the inner railing from the level of the race course.
Main Track: Inner and outer railings are metal gooseneck. Coverings are Rider Protection Rail by Horsemen's Track & Equipment, Inc. Approximate height of the top of the inner railing is 42 inches.
Turf Course: Inner and outer railings are PVC by Duralock. Approximate height of the top of the inner railing is 50 inches.
- E. Name of the person responsible for supervision of the maintenance of the racetrack safety standards pursuant to CHRB Rule 1474: **Juan Meza**
- F. Attach a Track Safety Maintenance Program pursuant to CHRB Rule 1474. Attached
- G. If the association is requesting approval to implement alternate methodologies to the provisions of Article 3.5, Track Safety Standards, pursuant to CHRB Rule 1471, attach a Certificate of Insurance for liability insurance which will be in force for the duration of the meeting specified in Section 2. The CHRB is to be named as a certificate holder and given not less than 10 days' notice of any cancellation or termination of liability insurance. Additionally, the CHRB must be listed as additionally insured on the liability policy at a minimum amount of \$3 million per incident. The liability insurance certificate must be on file in the CHRB headquarters office prior to the conduct of any racing. **Not applicable**

23. DECLARATIONS

PACIFIC RACING ASSOCIATION/ GOLDEN GATE FIELDS
TRACK SAFETY STANDARDS FALL 2019
Attachment (22F)

Please accept this as an attachment to the Pacific Racing Association's License Application per the California Horse Racing Board's request for policies regarding track safety and maintenance.

It is the policy of Golden Gate Fields to perform the following:

1. Regular maintenance of the track surface is performed daily under the direction of the Track Superintendent. The Tapeta® synthetic surface requires substantially less water and is designed to face heavy rains without making the surface sloppy. Harrowing is performed before morning training and again prior to the running of the first race. Subsequent harrowing throughout the day will be performed as needed. Customarily during morning training there has been a break for renovation.
2. Track Equipment – We conduct the maintenance of track equipment on a regular preventative maintenance control program and it is conducted under the direction of the Track Mechanic, with daily safety and equipment check-lists conducted by Operators. Typical items checked are fluid levels, water truck nozzles, equipment settings, fluids, batteries and brakes, etc. Monthly, quarterly and annual maintenance is conducted by the Shop Mechanic.
3. Tapeta® racing surface has been manufactured for Golden Gate Fields using the Tapeta® formula to determine the percentage of ingredients. This engineered surface has been applied on top of a macadam base as specified by the manufacturer and there should be no infiltration of foreign material. The maintenance plan includes picking up equine fecal material after morning training and in-between races.
4. Juan Meza is the Main Track Superintendent and is responsible for the supervision of the track maintenance program.
5. Track Surface Grade – A written certification by a licensed Civil Engineer or Land Surveyor is on file for the permanent track surface elevation.

TRACK SAFETY – CHRB
June 2019


Signed: David Duggan
Vice President & General Manager

- A. All labor and lease agreements and concession and service contracts necessary to conduct the entire meeting have been finalized except as follows (if no exceptions, so state): **No exceptions**
- B. Attach each horsemen's agreement pursuant to CHRB Rule 2044.
TOC agreement forwarded to Board upon receipt
CTT agreement forwarded to Board upon receipt
- C. Attach an agreement to provide for race-day furosemide administration pursuant to CHRB Rule 1845. **On file with the board**
- D. Attach a lease agreement permitting the association to occupy the racing facility during the entire term of the meeting. (In the absence of either a lease agreement or a horsemen's agreement, a request for an extension pursuant to CHRB Rule 1407 shall be made).
- E. All service contractors and concessionaires have valid state, county or city licenses authorizing each to engage in the type of service to be provided and have valid labor agreements, when applicable, which remain in effect for the entire term of the meeting except as follows (if no exceptions, so state): **No exceptions**
- F. Absent natural disasters or causes beyond the control of the association, its service contractors, concessionaires or horsemen participating at the meeting, no reasons are believed to exist that may result in a stoppage to racing at the meeting or the withholding of any vital service to the association except as follows (if no exceptions, so state): **No exceptions**

NOTICE TO APPLICANT: Pursuant to CHRB Rules 1870 and 1871, the CHRB shall be given 15 days' notice in writing of any intention to terminate a horse racing meeting or the engagements or services of any licensee, approved concessionaire, or approved service contractor.

24. CERTIFICATION BY APPLICANT

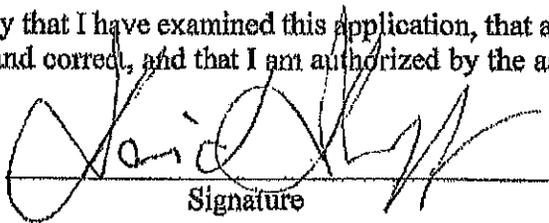
I hereby certify under penalty of perjury that I have examined this application, that all of the foregoing statements in this application are true and correct, and that I am authorized by the association to attest to this application on its behalf.

David Duggan

Print Name

GM / VP

Print Title



Signature

5-29-20

Date

STAFF ANALYSIS
DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT
TO CHRB RULE 1843.3, PENALTIES FOR MEDICATION VIOLATIONS, AND PROPOSED
ADDITION OF CHRB RULE 1843.4, MULTIPLE MEDICATION VIOLATIONS (MMV), TO
INCORPORATE PENALTIES FOR MULTIPLE MEDICATION VIOLATIONS

Regular Board Meeting
July 16, 2020

ISSUE:

At the February 12, 2020 California Horse Racing Board (Board) Medication, Safety, and Welfare Committee Meeting, the committee reviewed the penalty guidelines outlined in Board Rule 1843.3, Penalties for Medication Violations, which are modeled after the Association of Racing Commissioners International (ARCI) Penalty Guidelines. During that discussion, it was brought up that a major criticism of California racing is that the state does not utilize the multiple medication violation (MMV) penalties, as ARCI does.

ANALYSIS:

The MMV system utilizes a series of points which can be used to determine additional penalties and suspensions. Points are assigned based on the classification of a medication violation and are documented in the ARCI database. The ARCI database provides a record to determine if MMVs should be considered as an aggravating factor in the determination of an appropriate penalty.

The proposed amendment to Board Rule 1843.3, Penalties for Medication Violations, would authorize the Board to consider multiple violations as separate, enhanced penalties and shall run consecutive to any imposed suspension. Additionally, the proposed addition of Board Rule 1843.4, Multiple Medication Violations (MMV), would allow for the consideration of MMVs and detail the points assigned per violation, the expiration per penalty, and the suspension time per points accumulated.

BACKGROUND:

[Business and Professions Code \(BPC\) section 19440](#) states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. [BPC Section 19461](#) provides that all licensees are subject to suspension or revocation if the Board determined there has been a violation of a law or regulation. [BPC section 19580](#) requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California.

RECOMMENDATION:

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4., CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1843.3. PENALTIES FOR MEDICATION VIOLATIONS

1843.3. Penalties for Medication Violations.

(a) In reaching a decision on a penalty for a violation of Business and Professions Code section 19581, the Board, the board of stewards, the hearing officer or the administrative law judge shall consider the penalties set forth in subsections (d) and (e) of this Rule and any aggravating and mitigating circumstances. Deviation from these penalties is appropriate where the facts of the particular case warrant such a deviation, for example: there may be mitigating circumstances for which a lesser or no penalty is appropriate, and aggravating factors for which a greater penalty is appropriate. Multiple violations of Business and Professions Code section 19581 are also subject to separate, enhanced penalties pursuant to CHRB Rule 1843.4. Any enhanced penalty imposed under CHRB Rule 1843.4 shall run consecutive to any suspension imposed under this section.

(b) Mitigating circumstances and aggravating factors, which must be considered, include but are not limited to:

- (1) The past record of the licensee regarding violations of Business and Professions Code section 19581;
- (2) The potential of the drug(s) to influence a horse's racing performance and the amount of the drug present;
- (3) The legal availability of the drug and whether the drug was prescribed to the horse by a California Horse Racing Board (CHRB) licensed veterinarian;
- (4) Whether there is reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug;
- (5) The steps taken by the trainer to safeguard the horse;
- (6) The steps taken by an owner to safeguard against subsequent medication violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer;

(A) "Unaffiliated trainer" means a trainer or an assistant trainer who is not related by blood, marriage or domestic partnership, or who is not or was never employed by the trainer from whose care such horse(s) were transferred.

(7) The probability of environmental contamination or inadvertent exposure due to human drug use or other factors;

(8) The purse of the race;

(9) Whether the drug found to be present in the official test sample was one for which the horse was receiving treatment as determined and documented through the process described in Rule 1842 of this division;

(10) Whether there was any suspicious wagering pattern on the race;

(11) Whether the licensed trainer was acting under the advice of a CHRB licensed veterinarian.

(c) The Board shall consider the classification of a drug substance as referred to in Rule 1843.2 of this division and the California Horse Racing Board (CHRB) Penalty Categories Listing by Classification, (Revised 4/15), which is hereby incorporated by reference, if a determination is made that an official test sample from a horse contained:

(1) Any drug substance, medication, metabolites or analogues thereof foreign to the horse, whose use is not expressly authorized in this division, or

(2) Any drug substance, medication or chemical authorized by this article in excess of the authorized level or other restrictions as set forth in the article.

(d) Penalties for violation of each classification level are as follows:

CATEGORY “A” PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category A penalty are as follows:

LICENSED TRAINER:		
1st offense	2nd LIFETIME offense	3rd LIFETIME offense
<ul style="list-style-type: none"> ◦ Minimum one - year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. <p>AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$10,000 or 10% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000 or 25% of purse (greater of the two). <p>AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Board for any further action deemed necessary by the Board. 	<ul style="list-style-type: none"> ◦ Minimum two-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a three-year suspension. <p>AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$20,000 or 25% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 50% of purse (greater of the two). <p>AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Board for any further action deemed necessary by the Board. 	<ul style="list-style-type: none"> ◦ Minimum three-year suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of permanent license revocation. <p>AND</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$25,000 or 50% of gross purse (greater of the two) absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of \$100,000 or 100% of purse (greater of the two). <p>AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Board for any further action deemed necessary by the Board.
LICENSED OWNER:		
1st offense	2nd LIFETIME offense in owner's stable	3rd LIFETIME offense in owner's stable
<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. <p>AND</p> <p>Horse may be placed on the veterinarian's list for up to 90 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered.</p> <p>AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. <p>AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for up to 120 days and must pass a Board - approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p>AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<ul style="list-style-type: none"> ◦ Disqualification of horse, loss of purse and absent mitigating circumstances, minimum fine of \$10,000. The presence of aggravating factors could be used to impose a maximum fine of \$50,000. <p>AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian's list for up to 180 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p>AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner's expense and be negative for prohibited drug substances as defined in Rule 1843.1. <p>AND</p> <ul style="list-style-type: none"> ◦ Referral to the Board with a recommendation of a suspension of owners license for a minimum of 90 days.

CATEGORY “B” PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRBR drug classification is categorized as warranting a Category B penalty are as follows:

LICENSED TRAINER:		
1st offense	2nd offense (within two year time period)	3rd offense (within five year time period)
<ul style="list-style-type: none"> ◦ Minimum 30 -day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000. 	<ul style="list-style-type: none"> ◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$1,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$20,000. 	<ul style="list-style-type: none"> ◦ Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a one-year suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$50,000 or 10% of purse (greater of the two). <p>AND</p> <ul style="list-style-type: none"> ◦ May be referred to the Board for any further action deemed necessary by the Board.
LICENSED OWNER:		
1st offense	2nd offense in stable (within two year time period)	3rd offense in stable (within five year time period)
<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. <p>AND</p> <ul style="list-style-type: none"> ◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p>AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner’s expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. <p>AND</p> <ul style="list-style-type: none"> ◦ Horse must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p>AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner’s expense and be negative for prohibited drug substances as defined in Rule 1843.1. 	<ul style="list-style-type: none"> ◦ Disqualification of horse, loss of purse and absent mitigating circumstances minimum fine of \$5,000. The presence of aggravating factors could be used to impose a maximum fine of \$20,000. <p>AND</p> <ul style="list-style-type: none"> ◦ Horse shall be placed on the veterinarian’s list for up to 45 days and must pass a Board-approved examination pursuant to Rule 1846 before becoming eligible to be entered. <p>AND</p> <ul style="list-style-type: none"> ◦ Be subject to drug testing at the owner’s expense and be negative for prohibited drug substances as defined in Rule 1843.1.

CATEGORY “B” PENALTIES FOR RULE 1843.6 TOTAL CARBON DIOXIDE (TCO₂) TESTING

Penalties for violations due to exceeding permitted levels of TCO₂ as defined in Rule 1843.6 are as set forth below. All concentrations are for measurements in serum or plasma.

LICENSED TRAINER:		
1st offense TCO₂ (> 37.0 mmol/l- <39 mmol/l)	2nd offense TCO₂ (> 37.0 mmol/l-<39 mmol/l)	3rd offense TCO₂ (> 37.0 mmol/l-<39 mmol/l)
<ul style="list-style-type: none"> ◦ Up to a 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$1,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$5,000. 	<ul style="list-style-type: none"> ◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 120-day suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000. 	<ul style="list-style-type: none"> ◦ Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000.
LICENSED OWNER:		
1st offense TCO₂ (> 37.0 mmol/l- <39mmol/l)	2nd offense TCO₂ (> 37.0 mmol/l-<39 mmol/l)	3rd offense TCO₂ (> 37.0 mmol/l-<39 mmol/l)
<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. 	<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. 	<ul style="list-style-type: none"> ◦ Disqualification of horse, loss of purse and in the absence of mitigating circumstances, \$2,500 fine.
LICENSED TRAINER:		
1st offense TCO₂ (≥ 39.0 mmol/l)	2nd offense TCO₂ (≥ 39.0 mmol/l)	3rd offense TCO₂ (≥ 39.0 mmol/l)
<ul style="list-style-type: none"> ◦ Minimum 30-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 60-day suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$2,500 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$10,000. 	<ul style="list-style-type: none"> ◦ Minimum 60-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 180-day suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$5,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$15,000. 	<ul style="list-style-type: none"> ◦ Minimum 90-day suspension absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum of a 365-day suspension. <p>AND/OR</p> <ul style="list-style-type: none"> ◦ Minimum fine of \$10,000 absent mitigating circumstances. The presence of aggravating factors could be used to impose a maximum fine of \$25,000.
LICENSED OWNER:		
1st offense TCO₂ (≥ 39.0 mmol/l)	2nd offense TCO₂ (≥ 39.0 mmol/l)	3rd offense TCO₂ (≥ 39.0 mmol/l)
<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. 	<ul style="list-style-type: none"> ◦ Disqualification of horse and loss of purse. 	<ul style="list-style-type: none"> ◦ Disqualification of horse, loss of purse and a fine ranging from a minimum of \$5,000, up to a maximum of \$20,000.

CATEGORY “C” PENALTIES

Penalties for violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category C penalty and furosemide as defined in Rule 1845 of this division in an official test sample are as set forth below. All concentrations are for measurements in serum or plasma.

LICENSED TRAINER:		
1st offense	2nd offense (within 365-day period)	3rd offense (within 365-day period)
<ul style="list-style-type: none"> Minimum fine of \$500 to a maximum fine of \$1,000 absent mitigating circumstances. 	<ul style="list-style-type: none"> Minimum fine of \$1,000 to a maximum fine of \$2,500, and up to a 15 - day suspension absent mitigating circumstances. 	<ul style="list-style-type: none"> Minimum fine of \$2,500 and up to a 30 - day suspension absent mitigating circumstances

Penalties for a fourth violation within a 365-day period shall require a minimum 15-day suspension and \$2500 fine. Penalties for any subsequent violation within a 365-day period shall require a greater suspension and fine than the penalty imposed for the previous violation.

(e) Violations due to the presence of a drug substance in an official test sample, which CHRB drug classification is categorized as warranting a Category “D” penalty, may result in a written warning to the licensed trainer and owner.

CATEGORY “D” PENALTIES

1st offense (within 365-day period)	2nd offense (within 365-day period)	3rd offense (within 365-day period)
Minimum of an official written warning to a maximum fine of \$250.	Minimum of a \$250 fine to a maximum fine of \$500.	Minimum of a \$500 fine to a maximum fine of \$750.

(f) If a licensee has received a penalty for a Class A, B or C medication violation, and within a 365-day period has a subsequent lesser violation (e.g. an A violation followed by a B violation), the earlier violation shall count as a “prior violation” for the purposes of determining the penalty for the subsequent lesser violation.

(g) If a licensee has received a penalty for a Class B, C or D medication violation, and within a 365-day period has a subsequent greater violation (e.g. a D violation followed by a C violation), the earlier violation shall count as an aggravating factor for the purposes of determining the penalty for the subsequent greater violation.

(h) Any drug or its metabolite or analogue thereof found to be present in an official test sample that is not classified in Rule 1843.2 of this division shall be classified as a Class 1 substance and a Category "A" penalty until classified by the Board.

(i) The administration of a drug substance to a race horse must be documented by the treating veterinarian through the process described in Rule 1842 of this division.

(j) Any licensee found to be responsible for the administration of any drug substance resulting in a positive test may be subject to the same penalties set forth for the licensed trainer and his presence may be required at any and all hearings relative to the case.

(1) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "A" shall be referred to the California Veterinary Medical Board (CVMB) for consideration of further disciplinary action.

(2) Any veterinarian found to be involved in the administration of any drug substance resulting in a positive test in Penalty Category "B" or "C" may be referred to the CVMB for consideration of further disciplinary action upon the recommendation of the Equine Medical Director, the board of stewards or hearing officers.

(k) A licensee who is suspended because of a medication violation is not able to benefit financially during the period of suspension. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members or, for any licensee whose suspension is for more than 30 days, to any other licensee who has been an employee of the suspended licensee within the previous year.

(1) A licensee whose license is revoked because of a medication violation is not able to benefit financially following the revocation of his or her license. This includes, but is not limited to, ensuring that horses are not transferred to licensed family members or to any other licensee who has been an employee of the licensee whose license is revoked within the previous year.

(l) "Licensed family members" means any person who holds an occupational license issued by the CHRB and who is related to the suspended licensee, or the licensee whose license is revoked, by blood, or by marriage or domestic partnership, or who is related by blood to the spouse or domestic partner of such licensee.

(1) Licensed trainers suspended 60 days or more shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, during the period of suspension, such trainer shall forfeit all assigned stall space and shall remove from the inclosures all signage, colors, advertisements, training-related equipment, tack, office equipment, and any other property.

(2) A trainer whose license is revoked shall be banned from all inclosures under the jurisdiction of the CHRB. In addition, such trainer shall forfeit all assigned stall space and shall remove from the inclosures all signage, colors, advertisements, training-related equipment, tack, office equipment, and any other property.

Authority: Sections 19440, 19461 and 19580,
Business and Professions Code.

Reference: Sections 19461, 19580, 19581 and 19582,
Business and Professions Code; and
Section 11425.50, Government Code.

CALIFORNIA HORSE RACING BOARD
 TITLE 4. CALIFORNIA CODE OF REGULATIONS
 ARTICLE 15. VETERINARY PRACTICES
 RULE 1843.4 MULTIPLE MEDICATION VIOLATIONS (MMV)

1843.4. Multiple Medication Violations (MMV).

(a) A trainer who receives a penalty for a medication violation based upon a horse testing positive for a Class 1-5 medication with Penalty Class A-D, pursuant to Business and Professions Code section 19581 and Rule 1843.3, shall be assigned points as follows:

<u>Penalty Class</u>	<u>Points If Controlled Therapeutic Substance</u>	<u>Points If Non-Controlled Substance</u>
<u>Class A</u>	<u>N/A</u>	<u>6</u>
<u>Class B</u>	<u>2</u>	<u>4</u>
<u>Class C</u>	<u>½ for first violation with an additional ½ point for each additional violation within 365 days</u>	<u>1 for first violation with an additional ½ point for each additional violation within 365 days</u>
<u>Class D</u>	<u>0</u>	<u>0</u>

If the Board determines that the violation is due to environmental contamination, they may assign lesser or no points against the trainer based upon the specific facts of the case.

(1) Points for phenylbutazone violations with a concurrent flunixin violation apply only when the primary threshold is exceeded. Points are not to be separately assigned for a stacking violation.

(b) The points assigned to a medication violation by the Board shall be included in the Association of Racing Commissioners International (ARCI) official database and the Board shall assign points consistent with this section for advisory purposes for medication violations where points have not been assigned by regulatory action. Points assigned by such regulatory action shall reflect, in the case of multiple positive tests as described in subsection (d), whether they shall thereafter constitute a single violation. The Board's ruling shall be posted on the official website and within the official database of the ARCI. If an appeal is pending, that fact shall be noted in such Ruling. No points shall be applied until a final adjudication of the enforcement of any such violation.

(c) A trainer's cumulative points for violations in all racing jurisdictions shall be maintained by the Board and ARCI. Once all appeals are waived or exhausted, the points shall immediately become part of the trainer's official Board and ARCI record and shall be considered by the Board in its determination to subject the trainer to the mandatory enhanced penalties by the Board as provided in this regulation.

(d) Multiple positive tests for the same medication incurred by a trainer prior to delivery of

official notice by the commission may be treated as a single violation. In the case of a positive test indicating multiple substances found in a single post-race sample, the Board may treat each substance found as an individual violation for which points will be assigned.

- (e) The official Board and ARCI record shall be used to advise the Board of a trainer's past record of violations and cumulative points. Nothing in this administrative regulation shall be construed to confer upon a licensed trainer the right to appeal a violation for which all remedies have been exhausted or for which the appeal time has expired as provided by applicable law.
- (f) The Board shall consider all points for violations in all racing jurisdictions as contained in the trainer's official Board and ARCI record when determining whether the mandatory enhancements provided in this regulation shall be imposed.
- (g) In addition to the penalty for the underlying offense, the following enhancements shall be imposed upon a licensed trainer based upon the cumulative points contained in their official Board and ARCI record:

<u>Points</u>	<u>Suspension in days</u>
<u>5-5.5</u>	<u>15 to 30</u>
<u>6-8.5</u>	<u>30 to 60</u>
<u>9-10.5</u>	<u>90 to 180</u>
<u>11 or more</u>	<u>360</u>

MMV penalties are not a substitute for the current penalty system and are intended to be an additional uniform penalty when the licensee:

- (1) Has more than one violation for the relevant time period, and
- (2) Exceeds the permissible number of points.

The Board shall consider aggravating and mitigating circumstances, including the trainer's prior record for medication violations, when determining the appropriate penalty for the underlying offense. The MMV is intended to be a separate and additional penalty for a pattern of violations.

- (h) The suspension periods as provided in Section 13(g), shall run consecutive to any suspension imposed for the underlying offense.
- (i) The Board shall distinguish between the penalty for the underlying offense and any enhancement based upon a Board review of a trainer's cumulative points and regulatory record, which may be considered an aggravating factor in a case.

(j) Points shall expire as follows:

<u>Penalty Classification</u>	<u>Time to Expire</u>
<u>A</u>	<u>3 years</u>
<u>B</u>	<u>2 years</u>
<u>C</u>	<u>1 year</u>

In the case of a medication violation that results in a suspension, any points assessed expire on the anniversary date of the date the suspension is completed.

Authority cited: Sections 19440, 19461 and 19580,
Business and Professions Code.

Reference: Sections 19461, 19580, 19581 and 19582,
Business and Professions Code; and Section 11425.50, Government Code.

STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD REGARDING THE PROPOSED AMENDMENT OF CHRB RULE 1588, HORSE INELIGIBLE TO START IN A RACE, AND PROPOSED ADDITION OF CHRB RULE 1866.3, 30-DAY STAND DOWN FOR FETLOCK INJECTIONS, TO PROHIBIT THE USE OF CORTICOSTEROID INTRA-ARTICULAR JOINT INJECTION WITHIN THIRTY (30) DAYS OF RACE DAY AND TEN (10) DAYS BEFORE COMPLETING A TIMED WORKOUT.

Regular Board Meeting
July 16, 2020

ISSUE:

California Horse Racing Board (Board) [Rule 1581, Racing Secretary to Establish Conditions](#), allows the racing secretary to establish the conditions for any race run during the race meeting. In instances where the racing secretary wishes to set a condition based on a participating horse's use or non-use of a drug substance or medication, or the presence or lack of presence of a drug substance or medication, the association must first obtain approval from the horseman's organization and the Board. Beginning in March 2019, all racing associations in California have come to the Board seeking approval of agreements with the respective horseman's organizations involving a mandatory stand down for intra-articular injections.

ANALYSIS:

The proposed amendment to Board Rule 1588, Horse Ineligible to Start in a Race, would modify subsection 1588 (a)(13) to state that a horse is ineligible to start in a race if it has received an intra-articular injection within fourteen days prior to the scheduled post-time for a race. Additionally, the proposed addition of Board Rule 1866.3, 30-Day Stand Down for Fetlock Injections, would establish timelines for prohibiting horses to race for both intra-articular joint injections and corticosteroid intra-articular joint injection into a fetlock joint.

Typically, the race day agreements, pursuant to Board Rule 1581, prohibit a horse from racing for 14 days if it has received a joint injection, and prohibits a horse from racing for 30 days if it has received an injection in the fetlock joint. The proposed language identified in Board Rules 1588 and 1866.3 are consistent with the race day agreements the Board approves when considering race meet applications.

Additionally, the Board may wish to consider the following as alternatives:

- Revising the language so that all fetlock injections are subject to either a 30-day stand down or a 14-day stand down.
- Revising the penalties stated in 1866.3(d) to a Class B penalty, with a minimum 15-day suspension and \$1,000 fine with increasing subsequent penalties.

- Limiting intra-articular corticosteroid injections into the same joint. A recommended proposal would be to require diagnostic imaging prior to a second intra-articular corticosteroid injection being administered or limiting intra-articular injections to one per a 30-day time period.

BACKGROUND:

[Business and Professions Code \(BPC\) section 19440](#) states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. [BPC section 19580](#) requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California.

RECOMMENDATION:

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4., CALIFORNIA CODE OF REGULATIONS
ARTICLE 6. ENTRIES AND DECLARATIONS
PROPOSED AMENDMENT OF
RULE 1588. HORSE INELIGIBLE TO START IN A RACE

1588. Horse Ineligible to Start in a Race.

- (a) In addition to any other valid ground or reason, a horse is ineligible to start in any race:
 - (1) if such horse is not registered by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;
 - (2) if the parentage verification to both the sire and the dam of all horses foaled in 1992 and thereafter has not been certified by the Jockey Club if a thoroughbred, the United States Trotting Association if a standardbred, the American Quarter Horse Association if a quarter horse, the Appaloosa Horse Club if an appaloosa horse, the Arabian Horse Registry of America if an Arabian horse, or the American Paint Horse Association if a paint horse;
 - (3) if, unless the stewards permit otherwise, the certificate of foal registration, eligibility papers, or other registration issued by the official registry for such horse is not on file with the racing secretary at the time of entry;
 - (4) if such horse has been entered or raced at any recognized race meeting under any name or designation other than the name or designation duly assigned by and registered with the official registry;
 - (5) if the certificate of foal registration, eligibility papers or other registration issued by the official registry has been altered, erased, or forged;
 - (6) if the identification markings of the horse do not agree with the identification markings as set forth in the registration of such horse;
 - (7) unless he is eligible to enter said race and is duly entered for such race;
 - (8) when such horse is owned in whole or in part by an unlicensed person or is in the care of an unlicensed trainer;
 - (9) when such horse is on the Steward's List, the Starter's List or the Veterinarian's List;

- (10) when, except with prior approval of the stewards for good cause, such horse is on the Veterinarian's List in another racing jurisdiction. Good cause includes:
- (A) unforeseen administrative issues in removing the horse from the Veterinarian's List of another racing jurisdiction;
 - (B) the location of the horse prevents it from being evaluated by the official veterinarian of another racing jurisdiction and cleared from that jurisdiction's Veterinarian's List, and the horse is approved to race by a California official veterinarian; or
 - (C) any other unforeseen event or reason that would prevent a horse that would otherwise not be on a Veterinarian's List from being cleared from the Veterinarian's List of another racing jurisdiction.
- (11) when, except with prior approval of the stewards, such horse has not been on the grounds of the association or its approved auxiliary stable area for at least 24 hours prior to the time the race is to be run.
- (12) when such horse does not carry a microchip or has not received a waiver from the stewards in accordance with Rule 1597.5.
- (13) when such horse has received an intra-articular injection within the previous ~~five~~fourteen days (~~120 hours~~) prior to the scheduled post-time for the race in which it is entered.
- (14) when such horse has not raced at a recognized race meeting within 12 consecutive months since its previous start, until the horse has performed satisfactorily in a workout or standardbred qualifying race as provided in Rule 1866(e) and (f).
- (15) when such horse is a first-time starter four (4) years of age or older, until the horse has performed satisfactorily in a workout or standardbred qualifying race as provided in Rule 1866(e) and (f).

Authority cited: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19440 and 19562,
Business and Professions Code.

CALIFORNIA HORSE RACING BOARD
TITLE 4., CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
PROPOSED AMENDMENT OF
RULE 1866.3. INTRA-ARTICULAR INJECTIONS RESTRICTED

1866.3. Intra-articular Injections Restricted

- (a) No horse shall be permitted to race if it has received an intra-articular joint injection within fourteen (14) days of race day.
- (b) No horse shall be permitted to race if it has received a corticosteroid intra-articular joint injection into a fetlock joint within thirty (30) days of race day.
- (1) The fetlock joint includes both the metacarpophalangeal joints and the metatarsophalangeal joints
- (2) No horse shall be permitted to complete a timed workout if it has received a corticosteroid intra-articular injection into the fetlock joint within the last ten (10) days.
- (c) The official veterinarian shall place any horse receiving Intra-articular Injection treatment on the Veterinarian's List consistent with this regulation.
- (d) Any person in violation of this rule shall be considered to have committed a prohibited veterinary practice and is subject to a Category A penalty pursuant to Board Rule 1843.3 of this Division.

Authority: Sections 19440, 19562, and 19580,
Business and Professions Code.

Reference: Sections 19440, 19562, and 19580,
Business and Professions Code.

STAFF ANALYSIS
PUBLIC HEARING AND ACTION BY THE BOARD REGARDING
THE PROPOSED ADDITION OF CHRB RULE 1503.5,
CONTINUING EDUCATION FOR TRAINERS AND ASSISTANT TRAINERS,
TO REQUIRE CONTINUING EDUCATION AS A CONDITION OF
RENEWAL OF LICENSE FOR TRAINER AND ASSISTANT TRAINER

Regular Board Meeting
July 16, 2020

ISSUE:

The California Horse Racing Board (Board) requires first-time applicants for license as trainer or assistant trainer to pass written, oral, and practical examinations prior to issuance of license. Upon renewal of license, however, the applicant is only required to complete an application and pay a fee. The Board currently does not require trainers or assistant trainers to demonstrate that they have taken any actions to improve their level of horsemanship or to keep abreast of equine medication or health and safety issues. The proposed addition of Board Rule 1503.5, Continuing Education for Trainers and Assistant Trainers, will address the issue by requiring that applicants for renewal of a Board license as trainer or assistant trainer certify that they have completed a total of 12 hours of approved continuing education (ACE) coursework over the previous 36-month period.

One comment was received during the 45-day public comment period from the Thoroughbred Owners of California (TOC) and is attached.

ANALYSIS:

Trainers and assistant trainers' duties involve considerable responsibility, complexity, and variety. They decide the day-to-day preparations needed to train a horse to run in a race. They manage the care, feeding, and grooming regimen of the horse, as well as the horse's exercise and rest. In addition, trainers in large part make decisions regarding the medications and physical therapy treatments their horses receive. Ideally, trainers and assistant trainers work to run stables that are efficient, cost effective, and successful, and they hire and train employees in the best practices. All of this requires that trainers and assistant trainers be informed about changing theories in training methods, discoveries regarding the physiological effects of exercise, or research regarding medications and its effects on the horses in their care. They must also be aware of issues that involve stable management and their employees. To ensure California's trainers and assistant trainers are keeping abreast of changes in their profession, the proposed addition of Board Rule 1503.5 requires that applicants for renewal of a Board license as trainer or assistant trainer certify that they have completed a total of 12 hours of ACE coursework over the previous 36-month period. The rule defines such coursework as instruction intended to foster competence in horsemanship and that specifically promotes compliance with horse racing law and regulations; equine health, safety, and welfare in racing; or human safety and welfare. Under Board Rule 1503.5, the Board is required to keep a current posting of

approved ACE courses on its website and at all Board offices. Proposed ACE curriculum shall be presented to the Board for approval no later than November 1 of the year prior to it being added to the list of Board-approved ACE courses. If a trainer or assistant trainer fails to keep adequate ACE coursework records, he or she may be ineligible to renew a license and must complete the required education prior to renewal. If, however, the trainer or assistant trainer can demonstrate good cause for not having met the ACE requirements, the stewards may waive the requirements and authorize the renewal of license. The trainer or assistant trainer must then complete the ACE requirements within 12 months of renewal of license. Falsification of ACE coursework records will result in the issuance of fines and suspension or revocation of license. Applicants for renewal of a trainer or assistant trainer license who are not domiciled in California and who have had 12 or fewer starts in races other than stakes races in California may obtain an exemption from the ACE coursework requirements.

BACKGROUND:

[Business and Professions Code \(BPC\) section 19420](#) provides that jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. [BPC section 19440](#) provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. [BPC section 19460](#) provides that all licenses granted under this chapter are subject to all rules, regulations, and conditions prescribed by the Board. [BPC section 19520](#) provides that every person who participates in, or has anything to do with, the racing of horses shall be licensed by the Board pursuant to rules and regulations that the Board may adopt.

RECOMMENDATION:

Staff recommends that the regulation be adopted as proposed.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 4. OCCUPATIONAL LICENSES
PROPOSED ADDITION OF
1503.5. CONTINUING EDUCATION FOR TRAINERS AND ASSISTANT TRAINERS

1503.5. Continuing Education for Trainers and Assistant Trainers

(a) Commencing June 1, 2021, an applicant for renewal of license as trainer or assistant trainer shall certify that during the preceding 36-month period, he or she has completed a total of 12 hours of approved continuing education (ACE) coursework.

(1) Certification of completion of ACE coursework shall be provided on the form CHRB-59a Certification of Approved Continuing Education (ACE) Coursework (New 09/19), which is hereby incorporated by reference. The CHRB-59a shall be submitted with the application for renewal of license.

(b) Licensees shall maintain evidence of completed ACE coursework for a period of four years from the date the course was completed and shall provide such records of completion to the Board upon request. Records of completed ACE coursework may be in a form provided by an ACE course, meeting or conference, or shall otherwise be recorded on the form CHRB-242 Continuing Education Certificate of Attendance (New 9/19), which is hereby incorporated by reference. The CHRB-242 shall be available at all CHRB offices and on the Board's website. Any record of completed ACE coursework shall state at least:

(1) The title of the ACE course, meeting or conference;

(2) The date, location and provider of the ACE course, meeting or conference;

(3) The number of continuing education hours earned.

(c) Unless a waiver is granted under subsection (e) of this regulation, an

application for license renewal will be denied if form CHRB-59a is not submitted and/or for failure to produce records of completed ACE coursework should such records be requested by the Board at the time of renewal.

(d) The stewards shall fine and/or suspend or revoke the license of any applicant for renewal of license as trainer or assistant trainer who is found to have provided false certification of completed ACE coursework or who fails to produce records of completed ACE coursework upon the Board's request.

(e) The stewards shall waive the ACE requirements for applicants for renewal of license as trainer or assistant trainer if the trainer or assistant trainer is not domiciled in California and has had twelve or fewer starts in races in California during the previous 36-month period. Stakes races shall not be counted in the number of starts.

(1) Requests for ACE waivers shall be submitted to the Board of Stewards at the time of application for renewal of license on the form CHRB-59b Request for Waiver of Approved Continuing Education (ACE) Requirements (New 09/19), which is hereby incorporated by reference.

(2) The ACE requirements may be waived at the time of application for good cause conditioned upon the completion of the ACE requirements within a timeframe not to exceed 12 months from the date of renewal of license.

(A) "Good cause" includes but is not limited to a change in the licensee's state of domicile or not having acted as a trainer or assistant trainer for an extended period.

(3) A waiver for good cause shall be made using a recommendation card form CHRB-59 (Rev. 12/15), which shall be signed by the stewards.

(4) Denial of a waiver will result in the applicant being ineligible for renewal of

license until he or she has completed the requirements of subsection (a) of this regulation.

(f) The Equine Medical Director (EMD), in consultation with the California Thoroughbred Trainers, shall submit proposed ACE curriculum to the Board for approval.

(1) Subsequent to the presentation required under subsection (f), the EMD may modify the Board approved ACE course list to:

(A) add new coursework offerings, or

(B) remove discontinued coursework.

(2) A current listing of Board approved ACE courses shall be available at all CHRB offices and on the Board's website. The list shall include the hours credited to each ACE course.

(A) The hours credited to an ACE course shall be assigned by the EMD, and shall be determined by factors including, but not limited to, difficulty of subject matter, expected learning outcomes and the actual time necessary to complete the ACE course.

(3) If a licensee has completed ACE coursework, and the course is subsequently removed from the listing of Board approved ACE courses, the ACE course completed by the licensee will satisfy the requirements under subsection (a) of this regulation.

(g) For the purposes of this regulation, ACE coursework means instruction intended to foster competence and knowledge in horsemanship, and which specifically promotes: compliance with California's horse racing law and regulations; equine health, safety, and welfare in racing; or ethics, human resource training, and the promotion of human safety and welfare.

Authority: Sections 19420, 19440, 19460 and 19520, Business and Professions Code.

Reference: Sections 19420 and 19440,
Business and Professions Code.

State of California

CALIFORNIA HORSE RACING BOARD

CHRB License Number: _____

CHRB-59a (New-01/20)

CERTIFICATION OF APPROVED CONTINUING EDUCATION (ACE) COURSEWORK

I _____, certify that I have completed _____ hours of ACE

(NAME)

Coursework during the period of _____ through _____.

(DATE)

(DATE)

Per Rule 1503.5, applicants shall maintain records of completed ACE coursework for a period of four years from the date of completion, and shall provide such records to the Board upon request.

I hereby make application for license to be issued in accordance with the terms and provisions of the Rules and Regulations of the California Horse Racing Board. I certify under penalty of perjury that the statements and answers I have made in this application are true and correct.

(DATE)

(SIGNATURE)

INFORMATION PROVIDED ABOVE IS PUBLIC PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT (Government Code section 6250 et seq.)

CONTINUING EDUCATION CERTIFICATE OF ATTENDANCE

Meeting/Conference Title: _____

Date: _____ Location: _____

Provider: _____

Presentation/Topic: _____

Program Speaker(s) (If any): _____

Name of Licensee (Print): _____

CHRB License Number: _____

I certify that I attended the approved continuing education (ACE) coursework described above for a total of _____ continuing education hour(s).

Signature: _____ Date: _____

INSTRUCTIONS

Per Rule 1503.5, Continuing Education for Trainers and Assistant Trainers, licensees shall maintain records of completed ACE coursework for a period of four years from the date the course was completed and shall provide such records to the Board upon request. Individual licensees are responsible for the completeness and accuracy of their own ACE records. By signing this form you are certifying under penalty of perjury that the statements and answers you have made on this form are true and correct.

State of California

CALIFORNIA HORSE RACING BOARD

CHRB License Number: _____

CHRB-59b (New-01/20)

REQUEST FOR WAIVER OF APPROVED CONTINUING EDUCATION (ACE) REQUIREMENTS

I _____, certify that I am a resident of _____,

(NAME)

(CITY/STATE)

And have had twelve or fewer starts in California for the period of _____
through _____.

List all starts in California over the previous 36-month period on the reverse of this form. Per Rule 1503.5, stakes races are not counted in the number of starts.

I hereby make application for license to be issued in accordance with the terms and provisions of the Rules and Regulations of the California Horse Racing Board. I certify under penalty of perjury that the statements and answers I have made in this application are true and correct.

(DATE)

(SIGNATURE)

INFORMATION PROVIDED ABOVE IS PUBLIC PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT (Government Code section 6250 et seq.)

List all California starts, including track & date, over the previous 36-months. **Do NOT list stakes races.**

- | | |
|----|-----|
| 1. | 7. |
| 2. | 8. |
| 3. | 9. |
| 4. | 10. |
| 5. | 11. |
| 6. | 12. |

Approve: _____ Disapprove: _____

(Steward's Signature and Date)

I hereby make application for license to be issued in accordance with the terms and provisions of the Rules and Regulations of the California Horse Racing Board. I certify under penalty of perjury that the statements and answers I have made in this application are true and correct.

INFORMATION PROVIDED ABOVE IS PUBLIC PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT (Government Code section 6250 et seq.)



June 29, 2020

Mr. Scott Chaney
California Horse Racing Board
1010 Hurley Way
Sacramento, CA 95814

RE: ARTICLE 4. OCCUPATIONAL LICENSES, PROPOSED ADDITION OF
1503.5. CONTINUING EDUCATION FOR TRAINERS AND ASSISTANT TRAINERS

Dear Scott,

We would like to submit the following comments regarding your proposed addition of 1503.5, Continuing Education for Trainer and Assistant Trainer, which is on the agenda for your board meeting on July 16.

Based on our assessment of the Workers Comp program for CTBL and Post Time Insurance, we believe the hours requirement should be expanded to include the following:

- An increase to a total of 16 hours per year of Continuing Education for trainers and assistant trainers. We believe the proposed 4 hours is inadequate.
- A requirement to verify that the stable staff have also been trained.
- A requirement that all training materials and training be bilingual.

Thank you for the opportunity to submit public comment.

Sincerely,

Mary W. Forney
Executive Director

cc: Greg Avioli, Joe Hasson

STAFF ANALYSIS
PUBLIC HEARING AND ACTION BY THE BOARD
REGARDING THE PROPOSED AMENDMENT TO CHRB RULE 1845, AUTHORIZED
BLEEDER MEDICATION, TO CHANGE THE ALLOWABLE DOSAGE OF
FUROSEMIDE THAT CAN BE ADMINISTERED FROM NOT LESS THAN 150 MG
AND NOT MORE THAN 500 MG TO 250 MG; AND TO PROHIBIT THE
ADMINISTRATION OF FUROSEMIDE IN TWO-YEAR-OLDS ENTERED TO RACE

Regular Board Meeting
July 16, 2019

ISSUE:

Furosemide, or Lasix, is a medication used for the treatment of Exercised-Induced Pulmonary Hemorrhage (EIPH) in race horses. EIPH refers to the presence of blood in the airways of the lung in association with exercise and is seen in race horses and other horses participating in equine sports. In March 2019, The Stronach Group and Thoroughbred Owners of California (TOC) reached an agreement regarding the use of Lasix at Santa Anita Park Race Track (SA) and Golden Gate Fields (GGF). The agreement marked a shift in the racing industry toward medication-free racing on race day. Subsequent agreements at all California tracks would reduce the maximum allowable level of Lasix for racing, which under California Horse Racing Board (Board) [Rule 1845, Authorized Bleeder Medication](#), is 500 mg, to a level of no more than 250 mg. The agreements also sought to prohibit the administration of Lasix to two-year-old horses on race day. The Board supported the initiative for a move toward medication-free racing by approving an amendment to Board Rule 1845 to make the restrictions implemented in the various agreements permanent in regulation. However, when the rulemaking file for the amendment to Board Rule 1845 was submitted for adoption to the Office of Administrative Law (OAL) on May 18, 2020, OAL pointed out clarity issues that needed resolution before the rulemaking could be approved.

ANALYSIS:

Board Rule 1845 currently provides for a race-day level of Lasix of 250 mg of furosemide intravenously unless an alternative dose of not less than 150 mg and not more than 500 mg has been determined necessary after consultation between the trainer, owner, or owner's veterinarian and the furosemide veterinarian. From 1991 to 2005, the maximum level of furosemide was 250 mg, but in 2005 the maximum level was changed to a level of not less than 150 mg to a maximum level of 500 mg to produce national uniformity. To accommodate the recent initiatives to limit the use of furosemide use at California race tracks, the proposed amendment to Board Rule 1845 sets the maximum level for race-day furosemide at 250 mg. Additionally, the proposed amendment adds a new subsection 1845(a)(1), which provides that furosemide is prohibited for two-year-olds entered to race as specified in Board Rule 1843.5(a). The proposed language for 1845(a)(1) has been modified in response to concerns that the

original language submitted to OAL for adoption raised clarity concerns. The original language provided that “Furosemide is prohibited for two-year-olds”. OAL determined that the originally submitted language was unclear about whether furosemide was prohibited for two-year-olds only on race day, or if it was an anywhere, anytime prohibition. To resolve said clarity issue, OAL recommended specifying the parameters of the prohibition. The new proposed subsection will result in all two-year-old horses running without furosemide once entered in a race. Entered in a race is defined in Board Rule 1843.5(a) as “48 hours before post time of the running of the race”.

BACKGROUND:

[Business and Professions Code \(BPC\) section 19440](#) provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the Board shall include adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. [BPC section 19562](#) states the Board may prescribe rules, regulations and conditions under which all horse races with wagering on their results shall be conducted in California. [BPC section 19580](#) requires the Board to adopt regulations to establish policies, guidelines, and penalties relating to equine medication to preserve and enhance the integrity of horse racing in California. [BPC section 19581](#) provides that no substance of any kind shall be administered by any means to a horse after it has been entered to race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. [BPC section 19582](#) provides that violations of section 19581, as determined by the Board, are punishable as set forth in regulations adopted by the Board.

The proposed amendment to Board Rule 1845 was originally discussed at the July 2019 regular Board meeting when language was approved for public notice. The proposed amendment was noticed to the public on January 24, 2020 and after the close of the 45-day public comment period was brought before the Board for a public hearing on March 26, 2020. At the public hearing, the Board approved amendments to the proposed language and directed staff to initiate a 15-day public notice, after which the rulemaking was submitted to OAL on May 18, 2020. Another amendment to the proposed language resulted from OAL’s review of the rulemaking, and a second 15-day notice was issued. The 15-day public comment period was open from June 22, 2020 to July 7, 2020. Two comments were received during the second 15-day comment period and are attached for consideration.

RECOMMENDATION:

This item is presented for Board discussion and action.

CALIFORNIA HORSE RACING BOARD
TITLE 4. CALIFORNIA CODE OF REGULATIONS
ARTICLE 15. VETERINARY PRACTICES
RULE 1845. AUTHORIZED BLEEDER MEDICATION

1845. Authorized Bleeder Medication.

(a) The only authorized bleeder medication for the control of exercise-induced pulmonary hemorrhage (EIPH) shall be furosemide, and it shall only be administered by a single intravenous injection, in a dosage of not less than 150 mg and not more than ~~500~~250 mg, on the grounds of the racetrack where the horse will race, and no later than four hours prior to the post time of the race for which the horse is entered. It shall only be administered to a horse that is registered on the authorized bleeder medication list.

(1) Furosemide is prohibited for two-year-olds entered to race as specified in Board Rule 1843.5(a).

(ab) A horse is registered on the authorized bleeder medication list as follows:

(1) The trainer and the owner's veterinarian shall determine whether furosemide is medically necessary to control EIPH and is not otherwise contraindicated for that horse; and

(2) Prior to entry for race, the official veterinarian approves form CHRB-194 (Rev. 01/16), Authorized Bleeder Medication and Medical History Request, which is hereby incorporated by reference, submitted to the official veterinarian by the trainer and owner's veterinarian.

(bc) Once registered, any horse that will be administered furosemide shall:

(1) Arrive on the grounds of the racetrack where the horse will race no later than five hours prior to the post time of the race for which the horse is entered; and

(2) Be assigned to a pre-race security stall prior to the scheduled post time for the race in which it is entered, and shall remain there until it is taken to the receiving barn or the paddock to be saddled or harnessed for the race.

(A) The pre-race security stall shall be identified by the posting of a form CHRB-234 (New 09/15), Detention Stall Sign, which is hereby incorporated by reference. The trainer shall post the Detention Stall Sign no later than eight hours prior to the post time of the race for which the horse is entered or, for a horse arriving from off the grounds of the racetrack, when the horse is placed in the pre-race security stall.

(B) While in the pre-race security stall, the horse shall be in the care, custody, control, and constant view of the trainer, or a licensed employee assigned by the trainer. The trainer shall be responsible for the condition, care and handling of the horse while it remains in the pre-race security stall.

(C) The official veterinarian may permit a horse to leave the pre-race security stall to engage in track warm-up heats prior to a race.

(ed) Furosemide shall be administered only after:

(1) The trainer, owner, or the owner's veterinarian has consulted with the furosemide veterinarian regarding the condition of the horse and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of California Code of Regulations, title 16, section 2032.1; or

(2) The trainer, owner, or owner's veterinarian has consulted with the official veterinarian or racing veterinarian and the furosemide veterinarian has examined the horse sufficient to establish a veterinary-client-patient relationship within the meaning of

California Code of Regulations, title 16, section 2032.1, and that the consulting official veterinarian or racing veterinarian directly supervises the furosemide veterinarian, or California registered veterinary technician, who administers furosemide.

(~~de~~) The person who administers furosemide pursuant to subsection (~~ef~~)(1) of this regulation shall notify the official veterinarian of the treatment of the horse. Such notification shall be made on form CHRB-36 (New 08/04), Bleeder Treatment Report, which is hereby incorporated by reference, not later than two hours prior to post time of the race for which the horse is entered.

(1) The trainer or a licensed employee of the trainer shall be present and observe the furosemide administration.

(~~ef~~) The horsemen's organization, trainers' organization, and racing association shall enter into an agreement to provide for race-day furosemide administration. The agreement to provide for race-day furosemide administration shall be submitted to the Board in accordance with Rule 1433 of this Division. The agreement shall describe the racing association's program for the administration of race-day furosemide, the minimum level of staffing necessary to carry out the program, and the projected costs to horsemen for such administration.

(1) Furosemide shall be administered by a furosemide veterinarian or California-registered veterinary technician under the direct supervision of the furosemide veterinarian. The furosemide veterinarian or California registered veterinary technician who provides race-day furosemide administration shall be employed by the racing association and shall not have a current business relationship, or prior veterinarian-client-patient relationship, with participating licensees within 30 days of the date he or she is

employed to administer furosemide.

(2) All parties present during the administration of furosemide shall certify in writing that they have witnessed the furosemide administration by signing the form CHRB-36 (New 08/04), Bleeder Treatment Report. The furosemide veterinarian or California registered veterinary technician shall place the syringe used to administer furosemide in an evidence bag which will be sealed in front of the witnesses. The witnesses shall sign the sealed evidence bag. The syringe used to administer furosemide shall be provided to and securely stored by the Board in accordance with subsection (h~~i~~) of this regulation.

(3) "Furosemide veterinarian" is defined as the veterinarian, licensed by the Board, and hired by the racing association to administer race-day furosemide to horses registered on the authorized bleeder medication list.

(4) "Owner's veterinarian" is defined as the veterinarian, licensed by the Board, and hired by the owner to provide veterinary care to horses.

(f~~g~~) A horse registered to be administered furosemide shall receive 250 mg of furosemide intravenously unless an alternative dose of not less than 150 mg and not more than ~~500~~250 mg has been determined after consultation between the trainer, owner, or owner's veterinarian, and the furosemide veterinarian pursuant to subsection (e~~d~~).

(g~~h~~) In the event of an adverse reaction or other emergency related to the administration of furosemide, the furosemide veterinarian, or California registered veterinary technician, who administered furosemide shall attend the horse until the arrival of the owner's veterinarian.

(h~~i~~) The syringe used to administer furosemide shall be provided to and securely stored by the Board until all testing of the horse is completed. In the event of a positive

test finding as defined in this article, the Board may order, or the owner or trainer may request, the retained syringe be tested for prohibited substances. The results of the test may be used in any action before the Board.

(ij) A horse that has been administered furosemide must show a detectable concentration of the drug in post-race serum, plasma, or urine samples, as follows:

(1) The official laboratory shall measure the specific gravity of post-race urine samples to ensure samples are sufficiently concentrated for proper chemical analysis. The specific gravity of such samples shall not be below 1.010.

(2) If the specific gravity of the post-race urine sample is determined to be below 1.010, or if the urine sample is not available for testing, quantitation of furosemide in serum or plasma shall then be performed. Concentrations may not exceed 100 nanograms of furosemide per milliliter of serum or plasma.

(jk) A horse registered on the official authorized bleeder medication list must remain on the list unless the trainer or owner's veterinarian requests the horse be removed. The request must be made using form CHRB-194 (Rev. 01/16), and must be submitted to the official veterinarian prior to the time of entry. A horse removed from the authorized bleeder medication list may not be placed back on the list for a period of 60 calendar days unless the official veterinarian determines it is medically necessary for the horse. If a horse is removed from the authorized bleeder medication list a second time in a 365-day period, the horse may not be placed back on the list for a period of 90 calendar days.

(kl) If the official veterinarian observes a horse bleeding externally from one or both nostrils during or after a race or workout, and determines such bleeding is a direct result

of EIPH, the horse shall be ineligible to race for the following periods:

- First incident -14 days;
- Second incident within 365-day period -30 days;
- Third incident within 365-day period -180 days;
- Fourth incident within 365-day period -barred from racing lifetime.

For the purposes of counting the number of days a horse is ineligible to run, the day after the horse bled externally is the first day of such period.

(~~h~~) The owner(s) of a registered horse shall:

(1) Pay all costs associated with the materials used in the administration of furosemide, including the syringe and medication, and reasonable administrative costs as set under the race-day furosemide agreement entered into by the horsemen's organization, trainers' organization, and the racing association.

(2) Consent to the procedures in this section and agree that the pre-race examination conducted under the direction of the official veterinarian or racing veterinarian shall constitute a veterinary-client-patient relationship within the meaning of California Code of Regulations, title 16, section 2032.1.

Authority: Sections 19440 and 19562,
Business and Professions Code.

Reference: Sections 19580, 19581 and 19582,
Business and Professions Code.



Pacific Coast Quarter Horse Racing Association

June 25, 2020

Zachary Voss, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Dear Mr. Voss,

I am writing this letter on behalf of the Pacific Coast Quarter Horse Racing Association (PCQHRA) Board of Directors. As the statutory designated representative of racing quarter horse horsemen and horsewomen of California, PCQHRA is concerned with the timing of proposed CHRB Rule 1845, Authorized Bleeder Medication.

The section of the amendment we have a concern with is; (1) Furosemide is prohibited for two-year-olds entered to race as specified in Board Rule 1843.5(a). At the beginning of our current race meet, in our horsemen's agreement with the track, we agreed to the reduction of not more than 250mg of furosemide. Prohibiting furosemide for two-year-olds, on race day, was not included.

Los Alamitos Race Course (LARC) has several significant futurities throughout the year with nominations from across the nation. To prohibit the use of furosemide on race day for two-year-olds in the middle of the year without proper notification would be devastating to our current race meet and stakes schedule. PCQHRA respectfully requests the California Horse Racing Board wave this portion of the amendment for quarter horses until the 2021 race meet. This temporary waiver would give LARC and PCQHRA proper time to notify all participants of the changes.

We have seen great support from horsemen around the country and want to continue with this trend. If you have any comments or questions, please feel free to contact me.

Sincerely,

Vince Genco
President

CHRB RULE 1845: AUTHORIZED BLEEDER MEDICATION

SUMMARY OF CONTENTS OF MEMO FROM DONALD C. SMITH II, D.V.M. July 7, 2020

It has been unequivocally proven that essentially all horses experience EIPH at peak exercise, that pulmonary hemorrhage leads to serious respiratory infections, that the intensity of the hemorrhaging worsens with unchecked repeated episodes, that blood in the airways interferes with the function of the lungs, and that treatment with furosemide lessens the severity of the hemorrhaging.

The only proven benefit rendered by furosemide is lessening of pulmonary hemorrhaging.

If EIPH is not controlled in 2 yo racehorses, the severity of EIPH as they age is worsened.

All racehorses bleed to some extent.

- 1. Most horses suffer EIPH when performing at their maximum ability.**
- 2. The degree of EIPH will worsen if left unchecked.**
- 3. Young horses suffer from this condition, just as older horses do. If it is prevented in young horses, it is less likely to worsen as they age.**
- 4. Grade 3 or greater EIPH significantly compromises a horse's ability to perform**
- 5. Furosemide significantly lessens the severity of the EIPH. No other acceptable medication, therapy or management is very effective.**

The administration of furosemide reduced the incidence of observable bleeding from the nose by 80%.

Furosemide is an inexpensive, highly effective, very short acting, specifically targeted medication. In its absence many archaic, ineffective, expensive alternatives are used with little success. In its absence horses experience discomfort and disease. There are no scientific arguments in favor of the prohibition of Lasix in 2 yo racehorses. The arguments are based on political, cultural or economic or conjectural reasoning. The arguments in its favor are based on science, experience, and empathy for our horses.

CHRB RULE 1845: AUTHORIZED BLEEDER MEDICATION

MEMO

TO: The California Horse Racing Board

FROM: Donald C. Smith II, D.V.M.

RE: Proposed changes to CHRB Rule 1845

I am writing with regard to the proposed change to CHRB Rule 1845: Authorized Bleeder Medication. The proposal would prohibit the use of race day furosemide (“Lasix”) in 2 yo racehorses.

I have practiced veterinary medicine for forty one years. For the past thirty seven years I have specialized in performance horses (racing as well as jumping, dressage, and endurance).

During this time I have become very familiar with the syndrome of EIPH and its prevention with furosemide.

Over the course of my career there have been occasional challenges to the use of furosemide in racehorses. These have been based on various reasons proposed for its prohibition. However, **I have not encountered a single cogent reason which justifies prohibiting horses from receiving furosemide.** Political reasons, economic reasons, cultural reasons have been advanced. But no scientific reasons.

Conversely, **it has been unequivocally proven that essentially all horses experience EIPH at peak exercise, that pulmonary hemorrhage leads to serious respiratory infections, that the intensity of the hemorrhaging worsens with unchecked repeated episodes, that blood in the airways interferes with the function of the lungs, and that treatment with furosemide lessens the severity of the hemorrhaging.**

Furthermore, it is clear that **the only benefit rendered by furosemide is the lessening of the pulmonary hemorrhaging.** Repeated experiments and data analyses have not shown any benefits other than the lessening of the pulmonary hemorrhaging. Any improvement in performance is due to the prevention of EIPH.

The change in CHRB Rule 1845 would prohibit race day administration of furosemide (“Lasix”) to 2 yo racehorses. However, there is no evidence that EIPH does not occur in 2 yo racehorses. In fact, 2 yo racehorses experience EIPH, just as older horses do. **Furthermore, if EIPH is not controlled in 2 yo racehorses, the severity of EIPH as they age is worsened.** Uncontrolled EIPH weakens the lungs and subsequent episodes of EIPH are more severe.

Elimination of furosemide therapy exposes our horses to disease and suffering. It is inhumane to withhold inexpensive, effective medicine from our horses. I am upset as a horse breeder and owner. My wife and I breed horses, provide for their well being, raise them to maturity, train them to race, care for them when they are sick, and find new homes for them when their racing careers are over. We have a bond which prompts us to do whatever possible for their comfort and safety and security. I am appalled that some people would force us to expose them to entirely avoidable disease and distress. And to what avail? Because it is sporting? Because that is the way the Europeans do it? Because it would somehow result in higher profits for American Breeders? Are we truly willing to sacrifice the health of our horses to satisfy these nebulous, base, unproven assertions?

CHRB RULE 1845: AUTHORIZED BLEEDER MEDICATION

We are frequently confronted with the contention that pulmonary hemorrhage is only a problem in America, that European horses don't bleed. Actually they do bleed. On race day. They are aggressively treated to prevent its occurrence during training. It is simply accepted as a consequence of race day exertion.

About 40 years ago Dr. John Pascoe from UC Davis, did some truly elegant research to show that **all racehorses bleed to some extent**. He performed microscopic examination of lung tissue from all horses which died for any reason at a major Asian racetrack. Capillaries would rupture from the elevated blood pressure. Even if the blood did not flow into the airways, there was hemorrhage present. This was very significant information. Until then the assumption was that only about 4% of horses "bleed" during a race (based on the number which experience nosebleeds). Subsequently the flexible endoscope came into wide usage at racetracks and practicing veterinarians came to appreciate that, just as Dr. Pascoe had shown, pulmonary hemorrhage is ubiquitous in racehorses. Repeated, extensive clinical research has defined the extent of the problem and the obvious solution:

- 1. Most horses suffer EIPH when performing at their maximum ability.**
- 2. The degree of EIPH will worsen if left unchecked.**
- 3. Young horses suffer from this condition, just as older horses do. If it is prevented in young horses, it is less likely to worsen as they age.**
- 4. Grade 3 or greater EIPH significantly compromises a horse's ability to perform**
- 5. Furosemide significantly lessens the severity of the EIPH. No other acceptable medication, therapy or management is very effective.**

Additionally, clinical experience has illustrated some further truisms. I began practicing medicine at the racetrack about 40 years ago. When I began, EIPH was a much more significant problem. Many horses raced without furosemide. Many jurisdictions prohibited furosemide administration in 2 year olds. Very few horses received furosemide before working. All of these things exacerbated the problem. The degree of bleeding which I encountered was more extensive than it has become subsequently. Horses sometimes would suffer copious nosebleeds and occasionally collapse from the obstructive blood in their lungs. More importantly, I was regularly called upon to treat horses with fulminant pleuropneumonia. These cases were heart rending. The horses were in great distress and discomfort. We would often place large tubes into their chest and drain off *gallons* of purulent material. Many of these patients died. This was the consequence of the EIPH which they experienced during their races. Blood is a perfect medium for bacterial growth (in laboratories, pathogens are grown on blood enriched nutrients). Pathogenic bacteria thrived in the blood in the lungs of the horses which experienced EIPH. Over the intervening years these cases went away. I have not been confronted with one in many years. This can be credited to the more accepted and extensive use of furosemide to prevent EIPH during races and during training. It has become routine to treat horses with furosemide before they work and to scope them extensively after works to monitor and prevent the onset of serious EIPH.

The crusade against furosemide use has waxed and waned throughout my career. Early on New York did not allow its use. There were studies intended to discredit furosemide administration. But the studies themselves were discredited. In fact, Dr. Arthur himself, in an eloquent presentation at the annual meeting of the American Association of Equine Practitioners

CHRB RULE 1845: AUTHORIZED BLEEDER MEDICATION

defended furosemide use by exposing the inconsistencies and errors of the research done to discredit it.

Eventually NY accepted scientific evidence and in 1995 approved race day furosemide administration. In New York there was an immediate drop of 80% in the incidence of nosebleeds during and after races. **The administration of furosemide reduced the incidence of observable bleeding from the nose by 80%.**

I have never understood the motivation for suspending furosemide use. Furosemide is an inexpensive, highly effective, very short acting, specifically targeted medication. In its absence many archaic, ineffective, expensive alternatives are used with little success. In its absence horses experience discomfort and disease. Even if someone would present a creditable argument against it I would be reluctant to abandon its use. But there are no scientific arguments. The arguments are based on political, cultural or economic reasoning. The arguments in its favor are based on science, experience, and empathy for our horses.

Proponents of Lasix prohibition have various agendas. They are responding to the demands of breeders, gamblers and sporting "purists". I have only one motivation to retain its race day usage: the health of our horses. There is no economic motivation for my opposition to Rule 1845. My only compensation for race day administration of Lasix is the satisfaction of diminishing the incidence of serious health issues in the horses under my care.

I ask you as a member of the California Horse Racing Board to stand up for our horses and resist misguided or uninformed individuals who would expose our horses to unnecessary and avoidable health risks. Please advocate for the health and comfort of our horses. Please do not accept the amendment to CHRB Rule 1845.

DC Smith II DVM

Donald C. Smith II, D.V.M.

If you would like to access more extensive information about furosemide and EIPH, refer to www.lasixeiphfacts.com

Efficacy of furosemide for prevention of exercise-induced pulmonary hemorrhage in Thoroughbred racehorses.

Hinchcliff KW¹, Morley PS, Guthrie AJ.

Author information

Abstract

OBJECTIVE: To evaluate the efficacy of furosemide for prevention of exercise-induced pulmonary hemorrhage (EIPH) in Thoroughbred racehorses under typical racing conditions.

DESIGN: Randomized, placebo-controlled, blinded, crossover field trial.

ANIMALS: 167 Thoroughbred racehorses.

PROCEDURES: Horses were allocated to race fields of 9 to 16 horses each and raced twice, 1 week apart, with each of the 2 races consisting of the same race field and distance. Each horse received furosemide (500 mg, IV) before one race and a placebo (saline solution) before the other, with the order of treatments randomly determined. Severity of EIPH was scored on a scale from 0 to 4 after each race by means of tracheobronchoscopy. Data were analyzed by means of various methods of multivariable logistic regression.

RESULTS: Horses were substantially more likely to develop EIPH (severity score ≥ 1 ; odds ratio, 3.3 to 4.4) or moderate to severe EIPH (severity score ≥ 2 ; odds ratio, 6.9 to 11.0) following administration of saline solution than following administration of furosemide. In addition, 81 of the 120 (67.5%) horses that had EIPH after administration of saline solution had a reduction in EIPH severity score of at least 1 when treated with furosemide.

CONCLUSIONS AND CLINICAL RELEVANCE: Results indicated that prerace administration of furosemide decreased the incidence and severity of EIPH in Thoroughbreds racing under typical conditions in South Africa.

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Exercise-induced pulmonary haemorrhage impairs racing performance in Thoroughbred racehorses.

Morley PS¹, Bromberek JL, Saulez MN, Hinchcliff KW, Guthrie AJ.

Author information

Abstract

REASONS FOR PERFORMING STUDY: Exercise-induced pulmonary haemorrhage (EIPH) occurs commonly in Thoroughbred racehorses worldwide. While EIPH is believed to be an important cause of impaired performance in these horses, there is limited evidence from sufficiently powered studies to evaluate this association.

OBJECTIVES: To evaluate whether EIPH is associated with finishing position, distance finished behind race winners and differences in race earning among Thoroughbred horses racing in South Africa.

STUDY DESIGN: Prospective cross-sectional study.

METHODS: One thousand Thoroughbred horses racing in South Africa were enrolled prior to a single race and underwent tracheobronchoscopic examination within 2 h of racing. Three observers, blinded to the horses' identity and race performance, independently evaluated EIPH occurrence and severity using video recordings of the examination. Data were analysed using multivariable logistic and linear regression while controlling for important horse and race factors as potential confounding variables.

RESULTS: Overall, 68% of horses had evidence of EIPH (grade ≥ 1). Horses without evidence of EIPH (severity grade 0), when compared with horses with any evidence of EIPH (grade ≥ 1), were >2 times more likely to win races (odds ratio = 2.3; 95% confidence interval 1.4-3.7; $P = 0.001$), finished an average of one length ahead of horses with EIPH ($P = 0.03$), and were 2.5 times more likely to be in the highest decile in race earnings (odds ratio = 2.5, 95% CI 1.5-4.1, $P < 0.001$). However, no association was identified regarding finishing in the top 3 positions or earning money when analysed as a continuous variable or analysed as any winnings vs. none.

CONCLUSIONS: Exercise-induced pulmonary haemorrhage was associated with impaired performance in Thoroughbred racehorses not medicated with furosemide and not using

nasal dilator strips. These findings provide strong corroboration of previous research indicating that the occurrence of EIPH has a major impact on the ability of Thoroughbred racehorses to compete successfully as elite athletes.

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KEYWORDS: eiph; exercise; haemorrhage; horse; lung; risk factor

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Furosemide, the Prevention of Epistaxis and Related Considerations: A Preliminary Evaluation

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KEY WORDS: Furosemide, Epistaxis, Exercise Induced Pulmonary Hemorrhage [EIPH], Regulatory Approval, Acute/sudden death, Horses, Jockeys, United States.

ABSTRACT

Furosemide is widely approved in the United States, Canada and elsewhere in the Americas for the prevention of Exercise Induced Pulmonary Hemorrhage [EIPH]. We review the scientific evidence for the efficacy of furosemide in reduction/ prevention of EIPH, including, presumably, EIPH related acute/sudden death in racing horses. We present evidence from the scientific literature and our own experience, clini-

cal and otherwise [RHG, AMB, DVL, and TT], that EIPH driven acute/sudden death in racing horses has significant adverse health consequences for horses and jockeys. We then outline the adverse effects on equine and human [jockey] health and welfare to be expected when furosemide is not approved for use in racing horses or, where approved, if approval is withdrawn.

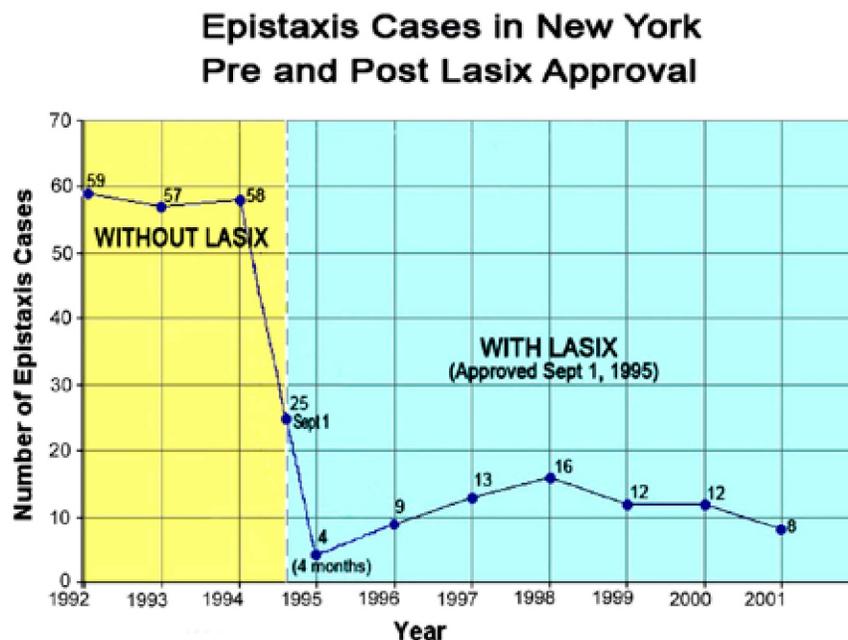
FINDINGS

Epistaxis, ie, bleeding from the nose in racing horses, has been observed by horsemen since at least the seventeenth century.¹ In the late 1960s, injectable furosemide (Lasix, Salix) became available in the United States and soon thereafter furosemide was

Epistaxis and Related Considerations

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Figure 1 Effect of Furosemide on Epistaxis Cases/Year in New York Racing



being used in the prevention of epistaxis. This initial use of furosemide was based on clinical experience and, until recently, there was little scientific evidence concerning its efficacy in the prevention of epistaxis. On the other hand, most American racing states have long since approved the use of furosemide on race day for the prevention/alleviation of epistaxis, now known to be a component of Exercise-Induced Pulmonary Hemorrhage [EIPH]. Very recently, however, questions have been raised about whether or not the routine pre-race treatment of racing horses with furosemide for the prevention of epistaxis/EIPH passes “the smell test,”² which has led to renewed examination of the scientific basis for the pre-race use of furosemide in North American racing.

We now draw attention to some clinical evidence establishing, in large numbers of racing horses, the efficacy of furosemide in reducing the incidence of epistaxis. These data were first communicated by Mr. Bill Heller in his monograph on Lasix, “Run, Baby, Run,”³ where these data have remained hidden in plain sight since the

2002 publication of this book. Reviewing this book as part of an overall review of the literature on furosemide in the horse, we noted, on pages 112 and 113, a table entitled “New York By The Numbers, Cases of Epistaxis,” dated 1992 to 2001. Inspection of these data immediately clarifies the dramatic reduction in the incidence of EIPH in New York racing following the 1995 approval of furosemide. We now present this data in standard graphical format (Fig 1), which clarifies the remarkable efficacy of furosemide in reducing the incidence of epistaxis in horses racing in New York in the 6 years and 4 months immediately following approval of furosemide in New York racing.

In analyzing these data we note the following facts. The first is that epistaxis is, by definition, clearly observable bleeding (“dripping of blood”) from the nose, sometimes defined as from both nostrils. Epistaxis is, however, only one manifestation of what is now known as Exercise-Induced Pulmonary Hemorrhage (EIPH).⁴ It is also the only manifestation of EIPH observable without special equipment, and

as such, epistaxis has long been recorded in performance horses.^{1,4} Epistaxis is thus the historical “low tech” manifestation of EIPH, with acute sudden death due to EIPH, only recently recognized by science, representing the most severe clinical outcome of this disease.^{5,6,7}

All manifestations of EIPH other than epistaxis, including acute/sudden death due to EIPH, require scientific tools and expertise to identify as being EIPH related.⁵ As such, the data represented in figure 1 reflect directly on the second most severe manifestation of EIPH, namely epistaxis, and these results speak directly and very compellingly to the efficacy of furosemide in reducing the incidence of both epistaxis and presumably the entire EIPH syndrome in all its various manifestations. The solid circles (O--O) show the total number of epistaxis cases in the previous 12 months of New York racing for 1992 to 2001, inclusive. Furosemide was approved in New York on Sept. 1, 1995, so the 1995 figures are split, with the number 25 representing cases prior to Sept. 1, and the number 4 representing cases from Sept. 1 to Dec. 31, 1995. The annual mean rate of EIPH cases prior to 1994 was 58 per year, and post Sept. 1, 1995, 11.6 per year. These data show that approval of furosemide for use in New York was associated with an immediate and well maintained essentially 80% reduction in the incidence of epistaxis in New York Racing. Data re-plotted from Heller, “Run, Baby, Run,” 2002.³

With respect to the New York data, review of figure 1 shows that for the years 1992, 1993, and 1994 the numbers of epistaxis cases reported in New York racing were, respectively, 59, 57, and 58, a consistent average of about 58 epistaxis cases per year, which equates to approximately one case per week prior to approval of furosemide. Then, on September 1st, 1995, furosemide was approved for use in New York racing, and the number of epistaxis cases dropped immediately, to a total of 4 cases for the 4 remaining months, September to December, inclusive. In the following year,

1996, the total number of epistaxis cases was 9, followed by 13 in 1997, 16 in 1998, and 12 each in 1999 and 2000, and then a total of 8 cases in 2001, by which time the proportion of horses racing on furosemide in New York had increased to 88.3%. Overall, therefore, in the six calendar years starting on January 1, 1996 and continuing to December 31, 2001, there were a total of 70 epistaxis cases over 6 years, for an average of 11.6 epistaxis cases per year during the first 6 years of furosemide approval in New York.

We also note that this rate of about 11.6 cases of epistaxis per year was remarkably consistent, in that in the last 4 months of 1995, September 1st, 1995 to December 31st, 1995, the first 4 months during which New York raced on Lasix/Salix, there was a total of four cases of epistaxis reported, completely consistent with the subsequent overall average of 11.6 epistaxis cases per year for the following 6 years.

These data are very compelling, and the conclusion to be drawn is that approval of furosemide in racing horses in New York immediately, and we emphasize the word immediately, reduced the incidence of epistaxis by almost 80%. The effect was immediate because it was apparent within the first month of approval of furosemide, and the incidence of epistaxis remained, on average, at essentially the same reduced level in New York racing, 11.6 cases per year, or approximately one case per month, over the following six calendar years. We also note that this reduced rate of epistaxis represents a close to 80% reduction from the baseline 1992-1994 rate of approaching five epistaxis cases per month prior to the regulatory approval of furosemide for use in New York racing.

An unusual aspect of these data is that they have to our knowledge remained unrecognized in the scientific literature. New York was the last major U S racing state to permit use of furosemide, and as such, there was a clearly defined time point after which furosemide was permitted for use in New York. Given the reluctance of the authori-

ties to approve the use of furosemide in New York racing, it may be understandable that these data were not reported earlier. In any event, it is clear from these data that in the actual racing situation, furosemide is remarkably effective in reducing the incidence of epistaxis, and it would have been helpful if these data had been communicated earlier in the scientific literature.

The second point of interest is that these New York data almost certainly underestimate the true efficacy of furosemide in preventing epistaxis. Because New York did not allow the use of furosemide in racing horses, any New York area horses with a propensity to bleed were more likely to race in neighboring jurisdictions that permitted furosemide. Additionally, since EIPH is associated with reduced racing performance, this provided further incentive for horses with any tendency to EIPH to race outside of New York. As such, it is reasonable to assume that the baseline epistaxis rate of 58 per year reported for 1992-1994 actually underestimates the true baseline incidence of epistaxis in North American racing, because horses known to be EIPH prone would tend to have been raced outside of New York. These data, compelling as they are, showing an almost 80% reduction in the incidence of epistaxis after the introduction of furosemide, almost certainly underestimate the true clinical efficacy of furosemide in reducing the incidence of epistaxis.

These data also speak to the lack of effective alternative therapies for epistaxis, non-race day therapies or otherwise.⁸⁻¹⁰ Where use of furosemide in the prevention of epistaxis/EIPH is prohibited, the likelihood of use of alternative epistaxis prevention therapies increases. If we make the reasonable assumption that horsemen racing in New York were likely to use any legitimate alternative therapy for epistaxis available to them that did not contravene the rules of racing in New York, we must again assume that the 1992-1994 EIPH incidence figure represent the incidence of epistaxis in the presence of whatever alternative therapies were

available to New York horsemen. Again, the demonstrated efficacy of furosemide likely represents the effect of furosemide over and above any possible baseline reducing effect of other available anti-epistaxis therapies.¹¹

We must also note that the original clinical observations that furosemide reduced the incidence of epistaxis in racing horses were made in the late nineteen sixties and early nineteen seventies by equine veterinarians and horsemen soon after the introduction of injectable furosemide. These observations were made prior to the introduction of the fiberoptic endoscope and our resulting increased understanding of EIPH and its prevalence in racing horses. The observations reported here fully support these early insightful clinical observations and interpretations and the various decisions since then by equine veterinarians, horsemen and racing authorities to support the prerace use of furosemide in the prevention of epistaxis, as it was then understood, and the entire EIPH syndrome, as it is now understood. As such, these findings leave no reasonable room for doubt that furosemide will also reduce the incidence of acute/sudden deaths during racing due to EIPH.

As well as the data reported here, it is also appropriate for us to acknowledge the recent (2009) highly significant contribution by Hinchcliff, Morley, and Guthrie in this area.¹² These workers performed a classic randomized, blinded, placebo-controlled crossover study on the efficacy of furosemide in preventing EIPH in racing horses. This study established that pretreatment with furosemide reduced the incidence of EIPH in 167 thoroughbred horses under simulated racing conditions at Vaal Racecourse, Johannesburg, South Africa, at, we might note, an altitude of 4,671 ft.

While this study provides strong experimental evidence that pretreatment with furosemide reduces the intensity of EIPH in horses under racing conditions in South Africa, this study did not directly address the efficacy of furosemide in reducing the incidence of epistaxis. We respectfully sug-

Figures 2a and 2b: Acute/Sudden Death due to EIPH as an Equine and Jockey Safety Hazard



These photographs record an acute/sudden death EIPH incident in U S Quarter Horse Racing. The horses were moving at approaching 50 mph; the far horse is crashing to the track associated with an acute/sudden EIPH event, and the jockey is being thrown onto the track. The close-up, figure 2b, highlights the blood in the horse's exhalation, consistent with these events being triggered by an acute/sudden EIPH episode. Centennial Racetrack in Littleton, Colorado, altitude 5,389 ft., photographs courtesy of Dr. Richard H. Galley, Willow Park, Texas.

gest that the New York data presented here provides further evidence that is fully supportive of the results obtained by Hinchcliff and his colleagues in their South African study, and extends the clinical efficacy of furosemide to the very effective prevention of epistaxis. Together these studies, as well as approaching 40 years of accumulated clinical experience make an extremely strong scientific case for the use of furosemide in the prevention/alleviation of the EIPH group of syndromes, including the propensity of EIPH to produce acute/sudden death in racing horses.^{5,13-17}

Acute/sudden deaths during racing due to EIPH occur when the hemorrhage is sufficiently voluminous to acutely interfere with respiration/blood oxygenation, such that the horse collapses and dies acutely on the race-track. Although acute/sudden death during racing due to EIPH has long been known to equine practitioners, more recent work has shown that acute/sudden death from EIPH can occur without blood being visible at the nostrils, as shown by the work of Gunson and her colleagues [1988] and others⁵, Morales et al⁷ and work from our group.¹⁷ Based on this work, it is now very clear that one of the outcomes of EIPH is acute/sudden death of a horse during racing with no

obvious external signs of epistaxis. Review of the relevant literature, including the 1988 paper by Gunson and coworkers suggests that in the U S such acute deaths during racing and training occur approximately once per 1,500 Thoroughbred races, and that a substantial proportion, approximately 60% of acute deaths during racing are due to EIPH.⁵ As such, the data presented here suggests that pretreatment with furosemide is likely to reduce the instance of such EIPH related sudden deaths during racing by approximately 80%, a very significant contribution to equine and human safety in racing.

Furthermore, we must also note that the Gunson analysis almost certainly underestimates the true incidence of EIPH related acute deaths in racing horses, since this study was carried out after use of furosemide had been approved in Pennsylvania racing (personal communication, Dr. Corinne Sweeney to TT, July 2011). As such, a true estimate of the incidence of EIPH related acute/sudden deaths in racing horses under U S conditions in the absence of furosemide is likely to be substantially greater than the once per 1,500 thoroughbred races reported by Gunson and coworkers, with the expected EIPH related acute sudden deaths figure in the absence of furosemide being between

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four and five fold greater, based on the data of figure 1.

With respect to the matter of equine and human safety, the question then becomes what is the incidence of equine and human deaths in racing caused by the EIPH driven acute/sudden death syndrome? At this point, we definitively know from the experience of four of us [RHG, AMB, DVL, and TT] that such EIPH related acute death events occur in racing horses, and that these events also carry clear and highly significant risks for jockeys. The incident represented in figures 2a and 2b occurred at Centennial Racetrack in Littleton, Colorado, in the early to mid 1970's, shortly prior to approval of furosemide for use in Quarter Horse Racing in Colorado. One of us, RHG, was the treating veterinarian. The photograph was taken as the horses reached the finish line and fortunately, as may happen in Quarter Horse racing, there were no horses directly behind the horse that went down. The jockey in question was slightly injured, but the horse did not survive the incident. This photograph therefore records a not an atypical EIPH related acute/sudden death event in Quarter Horse racing, which incident resulted in one equine death and, in this particular case, minor injuries to the jockey. The incident presented in figure 3 represents another EIPH related sudden death incident in racing, this time, in Thoroughbred racing at Ruidoso Downs, New Mexico, altitude 6,720 ft, in the mid 1980s. RHG was again the treating veterinarian and the horse in question was not treated with furosemide. In this particular incident, once the acute/sudden death horse went down, two following horses "went over" the "down" horse/jockey. The horse died on the racetrack, and the jockey sustained career ending injuries [RGH].

These photographic presentations emphasize that EIPH related acute/sudden

Figure 3: EIPH related sudden death, Thoroughbred racehorse, Ruidoso Downs, NM, mid 1980s. Photograph courtesy of Dr. Richard H. Galley, Willow Park, Texas.



deaths of horses on the racetrack are not infrequent occurrences, and when they do occur, they have immediate highly significant implications for the health and welfare of the horses and jockeys involved. Additionally, we must also keep in mind that when a horse goes down in a racing situation, there is always a statistical probability of following horses and jockeys becoming involved in the event, and this sequence of secondary events is more likely to occur in Thoroughbred than in Quarter Horse racing.

These findings are in good agreement with the clinical experiences of two of us, Dr. A. Morales Briceño and Dr. Diana Victoria Leon, presented in detail elsewhere in their recently published work [2011].⁷ Reporting on the incidence of EIPH related acute/sudden death in racing at "Hipodromo La Rinconada," the National Racecourse in Caracas, Venezuela, they recorded 23 cases of acute/sudden death due to/caused by EIPH. These diagnoses were confirmed by full diagnostic necropsies and toxicological examination for medications related to EIPH, which evaluations were performed on each individual animal over the 3-year period from 2008 to 2011, inclusive.

Over these 3 years at "Hipodromo La

Rinconada,” there were a total of 44,928 starts, and this population of starters yielded 23 acute /sudden deaths that were on necropsy confirmed as being due to or caused by EIPH. This amounts to one EIPH related acute/sudden death per 1,953 starts. Additionally, we [AMB, DVL] noted the incidence of jockey injuries associated with these EIPH events, which involved 85% of the jockeys riding these horses. Based on this percentage jockey injury rate, there was one jockey injury from EIPH related acute/sudden death per 2,298 starts over this 3-year period of racing at La Rinconada. At this time, however, we have no data on the nature and severity of the injuries sustained by the jockeys involved in these EIPH related acute/sudden death incidents in Caracas.

This rate of acute/sudden deaths caused by EIPH in racing in Caracas is significantly higher than the rate reported by Gunson and co-workers, who estimated one EIPH related sudden death per 1,500 races, with 9 horse fields. On this basis, the Pennsylvania rate works out at about one EIPH driven acute/sudden death event per 13,500 starts. This approximately seven fold higher EIPH acute/sudden death rate in Caracas compared with the estimated rate in Pennsylvania is unexpectedly large, and the reasons for this difference are not immediately apparent.

One major difference between the Pennsylvania and Caracas racetracks is the higher altitude of the Caracas racetrack. This racetrack, La Rinconada, at about 2,950 feet above sea level, is elevated compared with Penn National racecourse, at an elevation of 459 feet, and Pennsylvania Park, at an elevation 36 ft. Similarly, Centennial Racetrack, Littleton, Colorado, is at an altitude 5,389 feet and Ruidoso Downs, New Mexico, is at an altitude of 6,720 feet, as noted in figs 2a and 2b and 3.

With respect to the effect of altitude, we note that the principal scientific report to date on the relationship between altitude and EIPH is that of Weideman et al [2003]¹⁸ who reported that in South Africa EIPH

appeared to be more frequent at sea level than at higher altitudes. If this interpretation is correct it suggests that the altitude of the Vaal Racecourse, Johannesburg, South Africa, at 4,671 ft., made the Hinchcliff et al¹² demonstration of the preventative effect of lasix on EIPH more challenging than such a demonstration would have been at sea level. This interpretation is also consistent with the unusually small number of class 4 EIPH scores in the Hinchcliff data, as pointed out by a colleague in discussions on this matter. Additionally, as a further confounding factor in these EIPH acute/sudden death studies, we note the significant variability in pathological diagnoses on entire equines^{16, 17} presumably due at least in part to the extremely large volume of equine tissue to be subjected to histopathological analysis during equine necropsies.

In summary, for reasons that are unclear, and apparently unrelated to altitude, thoroughbred horses racing in Caracas, Venezuela, show an unusually high incidence of EIPH associated acute/sudden deaths, about one EIPH associated acute/sudden death per 1,953 starts. This acute/sudden death rate is about six-fold the rate reported in the earlier Pennsylvania study, and the reason or reasons for these differences are not clear. The fact that racing at La Rinconada is at about 2,950 feet above sea level is considered by Weideman et al. to work against the apparent discrepancy, since he and his colleagues consider that altitude above sea level is associated with a reduced incidence of EIPH. We also note, however, that the concept of increased altitude reducing the rate of EIPH is not consistent with the clinical experience of veterinarians, including one of us [RGH], working in the Western United States, where racing takes place at altitudes of up to 6,720 feet at Ruidoso Downs, New Mexico. Unrelated to the role of altitude, however, is the hard reality that 85% of the jockeys involved in EIPH related acute/sudden death events in horses racing at La Rinconada suffered injury, and that although the extent and severity of these injuries are not available to us, at least one jockey in the

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experience of one of us [RHG] suffered a career ending injury associated with acute/sudden death from EIPH [fig 3].

From the data of Gunson and her colleagues we can conservatively estimate the number of EIPH related acute/sudden death related events likely to occur in one year in American Thoroughbred racing. Based on their data, Gunson and their colleagues estimated about one EIPH related acute sudden death per 1,500 starts. Gunson reports nine horse fields, which works out at one EIPH related acute sudden death per 13,500 starts. There are about 417,492 plus thoroughbred racing starts per year in the United States, so this works out at about 31 acute/sudden-death EIPH related events /year in thoroughbred racing in the United States, on the assumption that furosemide is permitted. In the absence of furosemide, however, based on the data in figure 1, we may expect a four to five fold increase in the number of acute sudden-death EIPH related events, to around 155 events/year, or more than three per week.

Gunson also noted that 2 of her 9 reported EIPH cases were acute sudden death in not racing horses, so the final figure is about 120 acute sudden death cases in U S racing per year based on Gunson's data. However, what it is not possible to estimate at this time is the number and intensity of the jockey injuries likely to be associated with these 120 more or less EIPH related acute/sudden-death events in American racing per year in the absence of furosemide, although most of these injuries are likely to be highly significant for the actual individuals involved. [fig 3].

CONCLUSION

These scientific findings, therefore, have implications far beyond equine health and welfare. This is because while pretreatment of racing horses with furosemide serves to reduce the incidence of epistaxis and the various equine pulmonary syndromes associated with intense exercise and EIPH by about 80%, there is every reason to believe that furosemide also serves to reduce, again

by about 80%, the incidence of EIPH driven acute/sudden death syndrome in horses in training and racing. By definition, such EIPH related acute/sudden death incidents have the potential to cause severe, including career ending [fig 3] and potentially fatal injuries to jockeys and others riding these horses. As such, the currently in place regulatory approval for use of furosemide in the prevention of EIPH related syndromes in racing horses has a very direct positive and ongoing protective effect on the health and safety of jockeys racing in the United States and elsewhere in the Americas.

Given these scientific realities, we respectfully suggest that it would be unethical and inappropriate, on humane grounds with respect to equine health and welfare, and also on humane and workplace safety grounds with respect to jockeys, for any entity to ban the use of furosemide in racing horses. This is because to do so would be to knowingly significantly increase the risk of serious injury or death for jockeys or others riding racing/performance horses. In sum, any move to disapprove or to withdraw approval for furosemide as an EIPH preventive in racing horses is, from review of the available scientific literature, a move that will immediately and directly increase the risk to life and limb for both the horses and jockeys involved in racing or any other equine event involving exercise sufficiently intense to induce pulmonary hemorrhage.

LIST OF ABBREVIATIONS

[EIPH] Exercise-Induced Pulmonary Hemorrhage

COMPETING INTERESTS

The authors declare no competing interests

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NOTE ADDED IN PROOF

With respect to the data of figure #1 re-plotted from Heller 2002, our attention has recently been drawn to an undated memorandum on the New York Racing Association (NYRA) letterhead of Dr. Anthony Verderosa, DVM, Chief Examining Veterinarian. In this memorandum Dr. Verderosa notes that his analysis of the data on the rates of epistaxis in New York racing for the years 1990 to 2000, that is before and after the introduction of furosemide, showed that the introduction of furosemide in 1995 produced a ">400% decrease" in post race Epistaxis ("Bleeders") EIPH. This is essentially the same conclusion that we drew from what are presumably the same data presented in the Heller book, and appear to fully and independently support our analysis and conclusions presented herein concerning the clinical efficacy of furosemide in preventing epistaxis in New York Racing.

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THE BIG THREE

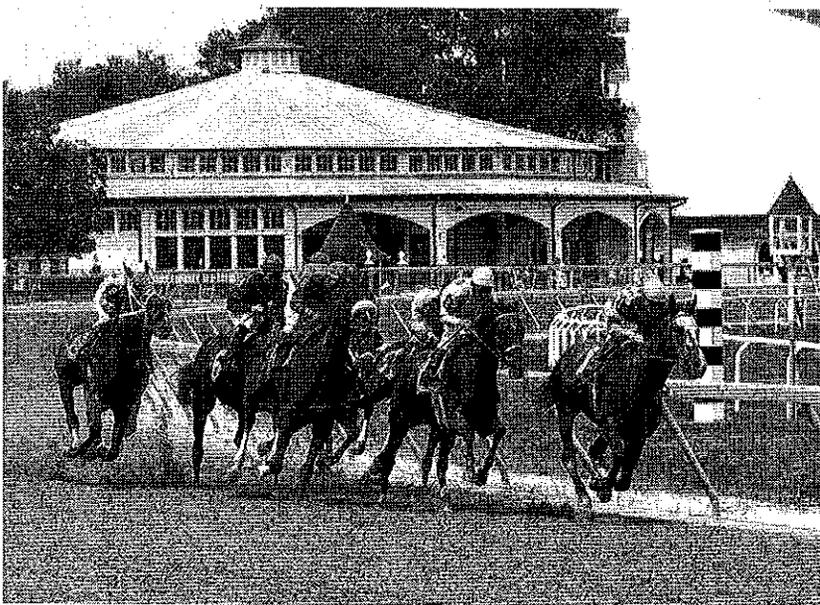
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MD Commission Pushes Back on Lasix-Free 2YOs, The Stronach Group Vows to Write No Juvenile Races

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Laurel Park | MJC/Jim McCue

By T. D. Thornton

After the Maryland Racing Commission (MRC) on Thursday refused to vote or otherwise rule on a late agenda request to allow The Stronach Group (TSG) to card Lasix-free races for 2-year-olds, an attorney for the TSG-owned Maryland Jockey Club (MJC) told the commission that the MJC-owned Laurel Park wouldn't be scheduling any juvenile races at all under the present rules that allow the use of the controversial anti-bleeding medication.

"We currently [don't] have, and I don't believe we will have, any intent of carding a 2-year-old race under the condition of the administration of Lasix," said Alan Rifkin, the MJC's lawyer. "Our position on Lasix isn't going to change."

With over 100 juveniles currently in training at Laurel and no races for 2-year-olds yet run or on the horizon in the state, Rifkin's avowal prompted commissioner Thomas Bowman to predict a short-term "devastating effect on Maryland racing, because the horses are going to have to go out of state to run."



Midlantic Fall Yearlings

Alan Foreman, the chairman/chief executive officer of the Thoroughbred Horsemen's Association (THA), whose members include Maryland owners and trainers, said TSG did not approach horsemen or breeders in advance of bringing the matter up before the commission June 25.

"We suspected something was up weeks ago because they weren't carding 2-year-old races," Foreman said, adding that the THA reached out to TSG officials for an explanation. "We couldn't get an answer. We waited weeks to get an answer. We kept getting bounced around."

Foreman continued: "So here we have, in the middle of the COVID pandemic, the horsemen with their backs up against the wall economically. We've got an industry we're trying to rebuild. We've got barns full of 2-year-olds, and they come in this past week and tell the commission, 'Oh, by the way, we're not writing 2-year-old races with Lasix. Either you do it our way, or we're not going to write those races.' And we have to tell our horsemen now to take their horses out of state."

Michael Algeo, the MRC chairperson, likened the way the MJC broached the no-Lasix topic as akin to trying to change the rules in the middle of a football game.

"And if you don't agree with the change of the rules, we're going to take our ball and go home," Algeo added.

Algeo made it clear at the outset of the discussion of the agenda item that the June 18 request in the form of a letter from TSG technically came in too late to be considered for the monthly meeting, but he wanted to end up including it because the medication issue was of such importance.

Algeo said the letter, signed by Craig Fravel, TSG's chief executive of racing operations, stated, "we intend to begin scheduling races for 2-year-olds [without Lasix] and hereby inform the commission that your action is required."

Algeo said he was "somewhat taken aback" at receiving what appeared to be more of a written directive, rather than a request, from TSG. He noted the letter was accompanied by a press release about the 2-year-old Lasix ban that seemed to suggest the commission's compliance was a foregone conclusion. Algeo said TSG then submitted a lengthy legal memorandum only 48 hours before the June 25 teleconference, meaning it came in too close to the meeting for commissioners to read and understand in a timely manner. "That, sir, put us in a very difficult position," Algeo told Rifkin. He then added in a curt tone that underscored his annoyance, "And it's a position that I don't like to be put in."

Nonetheless, Rifkin was allowed nearly 18 minutes of uninterrupted testimony to state TSG/MJC's case on not allowing 2-year-olds to race on Lasix.

"We are not asking the commission for a ban on race-day Lasix. We agree with you Mr. Chairman, that is a question for another day," Rifkin said. "All MJC intends to do here is present the opportunity to owners or trainers who voluntarily wish to race their 2-year-olds drug-free of Lasix...without the competitive

disadvantage of other horses using Lasix.”

Rifkin said no new regulation or law would be needed to approve the Lasix-free races for juveniles. He explained that’s because the current Lasix regulations hinge on the word “permissible” and not “mandatory” when describing how the drug is to be used.

“That regulation speaks to what owners and trainers may do. Not what the [MJC] must do,” Rifkin said.

“That is, there is nothing in that regulation that requires MJC to run any races for horses using Lasix.”

Rifkin then pointed out that another section of the state’s regulations limit Lasix doses on race day to “not more than 100” nanograms.

“Quite obviously, carding a race with zero nanograms of Lasix as a voluntary condition of entrance is less than the maximum permitted 100 nanograms,” Rifkin said. “That’s entirely consistent with that regulation.”

As for the request coming in only a week before the meeting (and after an edition of the MRC agenda had already been publicly noticed), Rifkin said, “I know there is some concern that this has come upon you fast. But it really hasn’t in some respects. The debate over Lasix has been here for awhile.

“We submit that MJC has a legitimate business reason and absolute right to conduct drug-free races,”

Rifkin continued. “There is no law, regulation, or condition that prohibits that action, [and that the 2-year-old Lasix ban] is in the best public interest of equine safety and the public’s general interest.

“While it may be permissible—in other words voluntary—for an owner or trainer to administer Lasix, it does not mean the track licensee is obligated to be an accomplice and run races for the benefit of those horses who have been administered the drug.

“The action we are taking here is modest,” Rifkin summed up. “The action we are taking here is a first step.”

Algeo replied that, “I understand what your argument is. I understand your interpretation. With all due respect, I just simply disagree with it.”

Algeo said that according to his interpretation, there is no statutory, case law, or regulatory authority that allows the commission to tell the MJC it can run certain races without Lasix.

“I happen to believe that...the best interests of Maryland racing would be to actually continue racing 2-year-olds with Lasix,” Algeo said.

After Algeo made his points, Rifkin asked for clarification: “Are you telling us we must run races for 2-year-olds with Lasix?”

“No sir,” was Algeo’s reply.

On the heels of that exchange was when Rifkin, in answer to another commissioner’s suggestion that Laurel try carding both Lasix-allowed and Lasix-free juvenile races to see what happens, stated his above-quoted desire by the MJC not to write any 2-year-old races at all under the current circumstances.

Algeo closed the discussion by saying that the commission’s official action on the item for Thursday would be to refer the no-Lasix proposal to the MRC’s newly formed safety and welfare committee, with the request that the issue be expedited so it can be taken up at a future meeting before the full commission.

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July 16, 2020
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July 16, 2020
REGULAR BOARD MEETING

There is no board package material for Item 16