

MEETING
STATE OF CALIFORNIA
HORSE RACING BOARD

In the Matter of:)
)
Regular Meeting)
_____)

TELECONFERENCE

WEDNESDAY, AUGUST 18, 2021

9:30 A.M.

Reported by:
Martha Nelson

APPEARANCESBOARD MEMBERS

Gregory Ferraro, Chairman

Oscar Gonzales, Vice Chair

Alex Solis, Commissioner

Wendy Mitchell, Commissioner

Dennis Alfieri, Commissioner

Damascus Castellanos, Commissioner

Brenda Washington Davis, Commissioner

STAFF

Scott Chaney, Executive Director

Cynthia Alameda, Assistant Executive Director

Robert Brodник, General Counsel

Amanda Brown, Staff Counsel

Amanda Drummond, Policy, Regulations, and Administrative
Hearings Manager

Shawn Loehr, Chief of Licensing and Enforcement

Darrel McHargue, Chief Steward

Zachary Voss, Regulation Analyst

Francisco Gonzales, Audit Supervisor

Jeff Blea, Equine Medical Director

Mike Marten, Associate Analyst

ALSO PRESENT

Andrew Moore, TVG

Greg Dado, Del Mar Thoroughbred Club

APPEARANCES

ALSO PRESENT

Dino Perez, Pacific Coast Quarter Horse Racing Association

Christopher Schick, Watch and Wager

Cliff Goodrich, California Thoroughbred Horsemen's
Association

Jack Liebau, Los Alamitos Racing Association

Mary Forney, Thoroughbred Owners of California

Frank Sherren, Los Alamitos Race Course

Alan Balch, California Thoroughbred Trainers

Eric Sindler, The Stronach Group

Nate Newby, The Stronach Group

PUBLIC COMMENT

Bonnie Croker, Kill Racing Not Horse

Heather Wilson

Martha Sullivan, Kill Racing Not Horse

Lynn Frudenberg, Kill Racing Not Horse

Wayne Johnson

Kimberly Marrs, KTM Equine

Elvia Sedano, Kill Racing Not Horse

John Harris, Harris Farm

Mary Johnson

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(Note: This concludes the 15-day public comment period. The Board may adopt the proposal as presented).

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the teleconference line. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes.

13. 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 the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending

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Administrative Adjudications," 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).

Adjournment

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P R O C E E D I N G S

9:31 A.M.

TELECONFERENCE, WEDNESDAY, AUGUST 18, 2021

CHAIR FERRARO: This is the noticed meeting of the California Horse Racing Board conducted by teleconference pursuant to Executive Order N-29-20.

Participating in this meeting are: myself, Dr. Gregory Ferraro, Chair; Oscar Gonzales, Vice Chair; Dennis Alfieri, Commissioner; Damascus Castellanos, Commissioner; Brenda Davis, Commissioner; Wendy Mitchell, Commissioner; and Alex Solis, Commissioner.

We are joined by: Scott Chaney, Executive Director; Cynthia Alameda, Assistant Executive Director; Robert Brodnik, Chief Counsel; Amanda Brown, Staff Counsel; Amanda Drummond, Manager of Policy and Regulations; Shawn Loehr, Chief of Licensing and Enforcement; Darrel McHargue, Chief Steward; Zachary Voss, Regulations Analyst; Francisco Gonzales, Audit Supervisor; and Dr. Jeff Blea, Equine Medical Director.

The Board invites comments on matters appearing on the meeting agenda. Procedurally, the Board will first hear from those directly involved in the agenda item. I will then invite public comment on the agenda item. The Board will not answer questions. This item is for comment, not

1 questions. Those wishing to speak must follow the
2 directions of the operator to have their individual phone
3 lines open for comment.

4 Unsolicited speakers are limited to two minutes.
5 During all public comments, a bell will be rung after the
6 first 90 seconds, meaning the speaker will have 30 seconds
7 remaining to conclude his or her remarks. At two minutes a
8 more distinctive sound will be heard to indicate the
9 speaker's time is up. The Board may ask questions of
10 individuals who speak which may extend their two-minute
11 limit.

12 I will insist that all speakers stay strictly on
13 topic for each agenda item. If a speaker strays off topic,
14 I will ask the operator to move to the next caller. If the
15 speaker repeats himself or herself, I will ask if they have
16 any new comments to make. If there are none, the speaker
17 will be asked to let others make comments to the board.

18 If anyone has comments of a more general nature
19 that are not specific to earlier agenda items, those
20 comments must wait until agenda item number 15, Public
21 Comment. There will be a 30-minute time limit for item
22 number 15, Public Comment. In order to allow as many
23 individuals to speak as possible within that half-hour, I
24 will strictly enforce the two-minute time limit for each
25 unsolicited speaker.

1 And with that, we'll open the meeting with a
2 request for a motion to accept the minutes.

3 COMMISSIONER DAVIS: Davis moves.

4 CHAIR FERRARO: Second please?

5 COMMISSIONER CASTELLANOS: Castellanos seconds.

6 CHAIR FERRARO: All right. Commissioner Gonzales?

7 VICE CHAIR GONZALES: Yes.

8 CHAIR FERRARO: Commissioner Alfieri?

9 COMMISSIONER ALFIERI: Yes.

10 CHAIR FERRARO: Commissioner Castellanos?

11 COMMISSIONER CASTELLANOS: Yes.

12 CHAIR FERRARO: Commissioner Davis?

13 COMMISSIONER DAVIS: Yes.

14 CHAIR FERRARO: Commissioner Mitchell?

15 COMMISSIONER MITCHELL: Yes.

16 CHAIR FERRARO: Commissioner Solis?

17 COMMISSIONER SOLIS: Yes.

18 CHAIR FERRARO: And the Chair votes yes. Minutes
19 approved.

20 Item number two is a report from the Race Dates
21 Committee. I would remind the public that pursuant to
22 Government Code 11125.7(a), public comment will not be
23 permitted on the agenda item because the opportunity has
24 been given at the Committee hearing yesterday, so there will
25 be no public comment on this.

1 Commissioner Gonzales, do you wish to gives us a
2 report?

3 VICE CHAIR GONZALES: Yes. Yes, Mr. Chairman.

4 Yesterday, the Race Dates Committee meeting was
5 rather productive. I'm going to be asking Executive
6 Director Chaney to provide some of the highlights. But in
7 attendance was Commissioner Mitchell and I. You know, we do
8 look forward to the leadership that Commissioner Castellanos
9 is going to be providing to this important Committee.

10 We, obviously, didn't take a vote on any ideas or
11 measures, although I do feel that the groundwork was laid
12 for the 2022 race dates. Heard a variety of presentations,
13 some rationale that appears to have mostly what we've seen
14 over the last year or two in terms of dates layout.

15 One of the issues that the Board will be having to
16 take up as we look to solidifying that calendar, there will
17 be the idea of a break, a week in which there will be no
18 racing. That was communicated to be needed for a variety of
19 reasons.

20 One of the things that I did pledge on yesterday's
21 call was to make sure that we fully understand the impact on
22 workers, both unionized and nonunionized. Want to make sure
23 that any kind of a break does not happen arbitrarily but,
24 rather, with the full understanding of the impact.

25 I believe that, once again, CHRB Staff did a great

1 job with providing -- in asking important questions and,
2 more importantly, committing to making sure that the full
3 Board has an understanding of the proposed dates. And we
4 did take up both Northern and Southern California racing
5 dates.

6 So with the time remaining, I'd like for Scott
7 Chaney to give some of the highlights.

8 EXECUTIVE DIRECTOR CHANEY: Thank you, Mr. Vice
9 Chairman, and good morning Commissioners.

10 As noted, we conducted a productive Race Dates
11 Committee meeting yesterday morning. In addition to public
12 comment, we received complete stakeholder participation.
13 Representatives from the following racing associations
14 appeared telephonically and spoke, Del Mar, Los Alamitos
15 Thoroughbred and Quarter Horse, Cal Expo Harness, Santa
16 Anita, Golden Gate Fields, CARF, as well as representatives
17 from Alameda, Sonoma, Humboldt, and Los Angeles County Fair,
18 as well as Cal Expo Harness, I think I mentioned.
19 Additionally, input was received from the CTT, the TOC, and
20 labor representatives.

21 Much of the discussion involved the concept of
22 breaks, as Vice Chairman Gonzales noted, in the racing
23 calendar, whether they are effective, what they are for, and
24 whether they should be mandated or association determined.

25 All agreed that a longer-term approach to

1 allocation of racing dates would be ideal, but that it was
2 unrealistic given the uncertainty of COVID.

3 The Committee also relayed that when allocating
4 dates, the Board would be considering the plan for auxiliary
5 stabling and backstretch housing.

6 The Committee meeting lasted about two hours.

7 And that, Vice Chairman Gonzales, is my summary.

8 VICE CHAIR GONZALES: Thank you.

9 CHAIR FERRARO: Any questions from the Board,
10 Commissioners, for Mr. Gonzales or Scott Chaney?

11 COMMISSIONER CASTELLANOS: None.

12 CHAIR FERRARO: Are there any further comments,
13 Commissioner Gonzales, that you'd like to make?

14 VICE CHAIR GONZALES: No, sir, Mr. Chairman, other
15 than we really appreciate the information that we have been
16 receiving, mostly in the form of written materials. We do
17 encourage additional input as to the 2022 calendar.

18 The one thing that we did preface throughout is
19 that under COVID, and until we get the all-clear signal,
20 that we will be continuing to operate under the emergency
21 rules, under the guidance that's being handed down by
22 counties and the state. So that, I felt, needed to be
23 mentioned.

24 CHAIR FERRARO: Great. Thank you. Well, since
25 there's nothing to vote on here, can I have your permission

1 to move on to item number three? D

2 VICE CHAIR GONZALES: Yes. We're ready to move
3 on.

4 CHAIR FERRARO: Okay. Item number three,
5 Discussion and action by the Board regarding the amendment
6 of the application for advance deposit wagering provider ODS
7 Technologies, L.P. dba TVG Network, to allow the Del Mar
8 Thoroughbred Club to host handicapping contests through the
9 TVG network.

10 Mr. Brodnik?

11 MR. BRODNIK: Good morning Commissioners. Robert
12 Brodnik, California Horse Racing Board.

13 Yes, agenda item number three is a request by TVG
14 to amend its ADW application to allow the Del Mar
15 Thoroughbred Club to host handicapping contest through their
16 platform. This is a similar request to the one from last
17 year. Pursuant to the rule, that's to the issue of a
18 license to conduct an ADW, (indiscernible) changes or
19 amendments, information, or operating procedures contained
20 within the application will be permitted by order of the
21 Board or by Board approval.

22 A representative from TVG is available, Mr. Andrew
23 Miller, if you should have any questions.

24 Thank you.

25 CHAIR FERRARO: Well, let's hear from Mr. Moore,

1 please.

2 MR. MOORE: Hi. Thank you for your time, Mr.
3 Chairman and the Board.

4 So what we are looking to do here is just allow
5 customers to bet into Del Mar handicapping contests. TVG
6 takes no extra fees for this or take any entry fees from
7 customers. This is just another ADW wager being facilitated
8 into the Del Mar pools, as are other bets.

9 So from our perspective, we are not doing anything
10 differently, this is just another ADW wager. And Del Mar
11 receives the same host fees, et cetera, or (indiscernible)
12 fees. So it's a normal wager as far as we're concerned.

13 CHAIR FERRARO: Thank you.

14 Any questions from the Board for this gentleman?

15 Do we have a representative of Del Mar that wants
16 to chime in on this?

17 MR. DADO: This is Greg Dado.

18 CHAIR FERRARO: Go ahead Greg.

19 MR. DADO: This is a very important tournament for
20 us. As you guys know, Pacific Classic Day is Saturday and
21 I'll just kind of give you the basics.

22 There will be 120 players. There's a \$5,000 buy-
23 in, \$3,500 of which will be a bankroll, and \$1,500 will go
24 to the prize money, so there will be a total of \$185,000 in
25 prizes. The number of players is capped at 120. And we

1 expect this tournament alone to generate over \$750,000 in
2 handle.

3 So this is a big deal for us. This is our bid day
4 of the year. We're expecting great handle this Saturday.
5 So we're very excited to get the Board's approval on this.

6 CHAIR FERRARO: Questions from the Board?

7 Thank you, Greg.

8 Operator, do we have a queue on this?

9 OPERATOR: There's nobody currently in queue but I
10 would like to remind everyone, they can press star one to
11 leave a comment?

12 CHAIR FERRARO: There are no comments. Can I have
13 a motion from the Board to approve?

14 COMMISSIONER CASTELLANOS: Castellanos. Motion.

15 CHAIR FERRARO: Second?

16 VICE CHAIR GONZALES: Gonzales seconds.

17 CHAIR FERRARO: Okay. Commissioner Gonzales?

18 VICE CHAIR GONZALES: Yes.

19 CHAIR FERRARO: Commissioner Alfieri?

20 COMMISSIONER ALFIERI: Yes.

21 CHAIR FERRARO: Commissioner Castellanos?

22 COMMISSIONER CASTELLANOS: Yes.

23 CHAIR FERRARO: Commissioner Davis?

24 COMMISSIONER DAVIS: Yes.

25 CHAIR FERRARO: Commissioner Mitchell?

1 COMMISSIONER MITCHELL: Yes.

2 CHAIR FERRARO: Commissioner Solis?

3 COMMISSIONER SOLIS: Yes.

4 CHAIR FERRARO: And the Chair votes yes.

5 Moving on to item number four, discussion and
6 action by the Board regarding the Los Alamitos Equine Sale
7 Company, LLC's, request for authorization of its 17th Annual
8 Quarter Horse Yearling and Mixed Stock Sale, pursuant to
9 CHRB Rule 1807, Authorized Horse Sales.

10 Mr. Gonzales?

11 MR. GONZALES: Good morning Commissioners.
12 Francisco Gonzales, CHRB Staff.

13 This item, pursuant to Rule 1807, Los Alamitos is
14 seeking authorization from the Board to conduct an annual
15 horse sale at Los Alamitos.

16 Dino Perez from the Pacific Quarter Horse Racing
17 Association is available for further questions.

18 CHAIR FERRARO: Thank you.

19 Let's hear from Mr. Perez please.

20 MR. MARTEN: Excuse me. Would everyone check
21 their mutes or see if there's a TV on in the background?
22 We're getting some interference.

23 CHAIR FERRARO: Mr. Perez? Hello?

24 OPERATOR: Mr. Perez, if you're on the line,
25 please press star one.

1 MR. MARTEN: He's first in line there. I believe
2 Al Perez is right there. Move on.

3 OPERATOR: My apologies. Please go ahead, Mr.
4 Perez.

5 MR. PEREZ: Hey, good morning. This is Dino Perez
6 from Pacific Coast Quarter Horse on behalf of the equine
7 sale today to request authorization for the Quarter Horse
8 sale. This is our annual sale we've had for many years.

9 This year the sale will be held on October 2nd and
10 3rd. The sale company, as you know, is own by Dr. Allred
11 and Steve Burns. And this year, we have 284 horses
12 catalogued, mostly yearlings, and 14 mares.

13 We'd like to entertain any questions or comments
14 that the Board may have. Also, extend an invitation to all
15 the Board Members and Staff, if they'd like to come out and
16 see the sale, that would be great.

17 CHAIR FERRARO: And you've had this sale for 17
18 years; is that correct?

19 MR. PEREZ: In this format, yes.

20 CHAIR FERRARO: Yeah. Any questions from the
21 Board for Mr. Perez?

22 Do we have a queue on this, Operator?

23 OPERATOR: Yes. We have several people in queue.

24 CHAIR FERRARO: Well, let's get going with the
25 queue.

1 Thank you, Mr. Perez.

2 MR. PEREZ: Yes.

3 OPERATOR: And our first comment will come from
4 Bonnie Croker with Kill Racing Not Horses.

5 Please go ahead.

6 MS. CROKER: Thank you and good morning.

7 CHRFB, please stop permitting large-scale horse
8 sales, such as the one being discussed. These events amount
9 to nothing more than a dumping ground for unwanted horses
10 and further incentive for horse breeders to keep pumping out
11 new foal crops in puppy-mill fashion.

12 Anyone can go online at losalamitosequinesale.com
13 and see proof of my accusations. Read the bold print in the
14 first three conditions of sale. Los Alamitos Equine Sale
15 Company and the sale administrator, Pacific Coast Quarter
16 Horse Racing Association, make it very clear that they will
17 not be held responsible for any condition of any horse in
18 the sale. Horses are sold as-is, like used cars. They
19 state there may be horses with eye injuries, bleeding
20 tendency, pregnancies, and many other conditions, all of
21 which the sale company and the sale administrator are not to
22 be held accountable for. All these entities do is rake in
23 the money. Breeders come to these sales to clean out their
24 barns and rid themselves of less-productive broodmares.

25 CHRFB, you can't keep track of the racehorses that

1 are already here in California, even when members of the
2 public give you their last known whereabouts and conditions.
3 The last thing we should be doing is permitting more large-
4 scale horse sales in this state.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next, please.

8 OPERATOR: Thank you.

9 Our next comment comes from Heather Wilson, equine
10 advocate.

11 MS. WILSON: Thank you. So this is regarding the
12 horse sale.

13 The breeding of Quarter Horse in the nonfiction
14 book *Bones* by Joe Tone, the process of Quarter Horse
15 breeding is fully described, and it is an eyeopener. Here
16 are some excerpts from Chapter 18 called "Little Black
17 Dots."

18 "Ruled by regulation-adverse cowboys, the American
19 Quarter Horse industry has long been willing to push an
20 envelope. It started in the 1970s when the AQHA began
21 considering artificial insemination. The cowboys at
22 AQHA approved it and they didn't stop there. In the
23 1980s, they voted to allow breeders to transfer embryos
24 out of pregnant mares and into surrogates, protecting
25 prize broodmares against the wear and tear of

1 pregnancy.

2 "In the 2000s, they allowed breeders to continue using
3 frozen semen after a stallion died. Around the same
4 time, they voted to allow multiple embryos to be
5 flushed from a mare into the same breeding season,
6 allowing mares to produce multiple foals a year."

7 The book also describes the history of California-
8 based stud First Down Dash.

9 "If First Down Dash had been a Kentucky thoroughbred,
10 he would have been greeted by a mare, but this wasn't
11 Kentucky. To his right there was a small lab cluttered
12 with vials and microscopes, to his left a brown leather
13 cylinder shaped and positioned to resemble, vaguely,
14 female companionship. First Down Dash knew what to do,
15 mounted the dummy, thrusting away, and eventually
16 ejaculated some of the sport's best semen. It was
17 enough to impregnate a dozen mares, maybe more."

18 The book *Bones* is also peppered with numerous
19 references tying Los Alamitos directly to Mexican drug
20 cartels. And this is who you are attempting to regulate and
21 oversee.

22 CHAIR FERRARO: Thank you.

23 Next, please.

24 OPERATOR: Thank you.

25 Our next comment comes from Martha Sullivan with

1 Kill Racing Not Horses.

2 Please go ahead.

3 MS. SULLIVAN: Hello. This is Martha Sullivan.

4 I have read in the OC Breeze that Cypress City
5 Council has approved like an 84-home project to go on the
6 overflow parking at Los Alamitos Race Course, which this
7 article says,

8 "The location of the now-approved proposal northeast of
9 the site of the Shea commercial project running on
10 Katella Avenue. The Shea Homes project site has
11 already been fenced off. According to a spokesman for
12 Melia Homes, their worksite will also be fenced off
13 once the sale of the property has been completed. He
14 expects fencing to take place by mid July. Once
15 fencing is in place, drivers seeking a quick shortcut
16 atop the racecourse parking lot to or from Costco will
17 be forced to use Winner's Circle, Katella Avenue, or
18 Walker Street."

19 So as the letter requesting approval for this sale
20 references temporary barns going on the parking lot at Los
21 Al, in light of this news of a residential housing project
22 going up in the overflow parking, I think this Board should
23 be asking, where exactly is the temporary barn going to be?

24 CHAIR FERRARO: Thank you.

25 Next, please.

1 OPERATOR: Thank you.

2 Our next comment comes from Lynn Frudenberg with
3 Kill Racing Not Horses.

4 Please go ahead.

5 MS. FRUDENBERG: Thank you.

6 Last month, Vice Chair Gonzales specifically
7 talked about his desire to promote the breeding of horses in
8 California. What are your plans to care for all these
9 horses through their entire existence of 30 years? It was
10 just irrelevant since most will be dead by the time they are
11 five years old, or perhaps they will cross state lines. We
12 all know what happens there.

13 Many California horse races end -- or horses that
14 end up at lower-tiered tracks when they drop in class, as so
15 callously described by the industry. Here's a perfect
16 example.

17 Smiling Angelo was a winning horse at Golden Gate
18 and Santa Anita. He was even featured in the *L.A. Times*.
19 Then what happened? He went from top-tier tracks in
20 Southern California to lower-tiered tracks in Northern
21 California, then he was dumped at Turf Paradise in Arizona
22 where he was forced to run four races in just two months.
23 His last track was Mountaineer, West Virginia. He was
24 killed on the track April 26th, 2021.

25 This is the quintessential so-called career of a

1 racehorse. It is disturbing. It is sickening.

2 Please do not grant this sale or authorize this
3 sale until you can actually take responsibility for the
4 horses under your jurisdiction.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next, please.

8 OPERATOR: Thank you. We have no additional
9 comments at this time.

10 CHAIR FERRARO: Any questions or comments from the
11 Board? Can I have a motion to approve?

12 COMMISSIONER SOLIS: I'll move. Alex Solis.

13 CHAIR FERRARO: Second?

14 COMMISSIONER CASTELLANOS: Castellanos seconds.

15 CHAIR FERRARO: Commissioner Gonzales?

16 VICE CHAIR GONZALES: Yes.

17 CHAIR FERRARO: Commissioner Alfieri?

18 COMMISSIONER ALFIERI: Yes.

19 CHAIR FERRARO: Commissioner Castellanos?

20 COMMISSIONER CASTELLANOS: Yes.

21 CHAIR FERRARO: Commissioner Davis?

22 COMMISSIONER DAVIS: Yes.

23 CHAIR FERRARO: Commissioner Mitchell?

24 COMMISSIONER MITCHELL: Yes.

25 CHAIR FERRARO: Commissioner Solis?

1 COMMISSIONER SOLIS: Yes.

2 CHAIR FERRARO: And the Chair votes yes.

3 Item number five, discussion and action by the
4 Board regarding the distribution of race day charity
5 proceeds of the WatchandWager.com, LLC, combined 2020 and
6 2021 race meetings in the amount of \$4,000 to five
7 beneficiaries.

8 I would remind everyone, this is a statutory
9 obligation that they're fulfilling.

10 Mr. Gonzales?

11 MR. GONZALES: Chairman, Francisco Gonzales, CHRB
12 Staff.

13 This item, it is Watch and Wager requesting
14 approval for these race day charity proceeds. As you
15 mentioned, they're running as two live race meetings in the
16 (indiscernible). It is important to note that Watch and
17 Wager is matching these (indiscernible) of \$4,000
18 (indiscernible) \$564.

19 CHAIR FERRARO: Thank you.

20 Do we have a comment from someone from the
21 (indiscernible) directly?

22 MR. SCHICK: Good morning Chairman Ferraro. This
23 is Chris Schick speaking. Can you hear me?

24 CHAIR FERRARO: Yes, we can. Go ahead please.

25 MR. SCHICK: Hello. Good morning. Before you is

1 our proposed charitable contribution distribution list. And
2 as always, all of our charities are equine related. And we
3 ask for approval to distribute to the above mentioned
4 charities.

5 CHAIR FERRARO: Great. Thank you.

6 Any questions from the Board?

7 Do we have a queue on this, Operator?

8 OPERATOR: We have no queue at this time.

9 Again, star one if you'd like to leave a comment.

10 We have no comments at this time.

11 CHAIR FERRARO: No comments. Can I have a motion
12 to approve please?

13 COMMISSIONER CASTELLANOS: Castellanos. Motion.

14 CHAIR FERRARO: Second?

15 COMMISSIONER ALFIERI: Second. Alfieri.

16 COMMISSIONER DAVIS: Davis. Second.

17 CHAIR FERRARO: Okay. Commissioner Gonzales?

18 VICE CHAIR GONZALES: Yes.

19 CHAIR FERRARO: Commissioner Alfieri?

20 COMMISSIONER ALFIERI: Yes.

21 CHAIR FERRARO: Castellanos?

22 COMMISSIONER CASTELLANOS: Yes.

23 CHAIR FERRARO: Commissioner Davis?

24 COMMISSIONER DAVIS: Yes.

25 CHAIR FERRARO: Commissioner Mitchell?

1 COMMISSIONER MITCHELL: Yes.

2 CHAIR FERRARO: Commissioner Solis?

3 COMMISSIONER SOLIS: Yes.

4 CHAIR FERRARO: And the Chair votes yes.

5 Moving on to item number six, discussion and
6 action by the Board regarding the request for approval of
7 the nominated members to the Board of Directors of the
8 California Thoroughbred Horsemen's Foundation, Incorporated,
9 pursuant to CHRB Rule 2049(a), Designation and Approval of
10 Horsemen's Welfare Fund.

11 Amanda Brown?

12 MS. BROWN: Yes. Good morning Commissioners.

13 Amanda Brown, Staff Counsel with the CHRB.

14 So pursuant to the Board Rule 2049, the California
15 Thoroughbred Horsemen's Foundation is requesting Board
16 approval of the nominated members to its Board of Directors.
17 There are five nominees submitted for approval, one new
18 member, Ms. Camilla Yakteen, and four incumbent members,
19 President Ken Smole, our friend, CHRB Commissioner Damascus
20 Castellanos, Thomas Bell, and Josh Rubenstein. So with the
21 addition of Ms. Yakteen, that will bring the number of
22 directors at the Foundation to nine.

23 I believe Mr. Cliff Goodrich is standing by for
24 further comment and questions.

25 CHAIR FERRARO: Well, great. Thank you.

1 Commissioner Castellanos, I'm assuming you're
2 going to recuse yourself in this item; is that correct?

3 COMMISSIONER CASTELLANOS: Yes, sir.

4 CHAIR FERRARO: Okay. Can we hear from the
5 representative of the welfare (phonetic) (indiscernible)
6 please?

7 MR. GOODRICH: Chair Ferraro, this is Cliff
8 Goodrich. Can you hear me?

9 CHAIR FERRARO: Yes, sir.

10 MR. GOODRICH: Good morning Commissioners.

11 As you ponder this slate before you, I want to put
12 forth, if you don't know, that we really do have a
13 healthcare program virtually unmatched in North American
14 racing for the backstretch workers. And why? We're only
15 able to exist because of over one-and-a-half million dollars
16 annually contributed by California racetracks, racing fairs,
17 owners, and trainers. And we appreciate their ongoing and
18 constant support because, as I said, without them, we
19 wouldn't be here.

20 We are asking that you approve this slate before
21 you. I will make mention of the one new Director, Camilla
22 Yakteen. She's married to Trainer Tim Yakteen. She started
23 as a groom in England and became an exercise rider,
24 exercised horses over here for Hall of Fame trainers. She
25 has joined HRTV and now works with XPTV in the morning

1 platform for morning workouts. The most important thing is
2 Millie is in the backstretch very day. She has a love for
3 both horses and the workers.

4 And we would ask that you approve her along
5 with -- and I do want to make one addition -- Staff somehow
6 neglected to include Rick Gold in the returning director
7 category. We actually have Ms. Yakteen and five incumbent
8 directors, of which Rick Gold is one of them. He was
9 mentioned in my letter to the Board and I think, somehow, he
10 just got lost in the shuffle. But he would be serving a
11 one-year term, heading toward a three-year transition next
12 year, like Mr. Smole. But we would ask that Mr. Gold be
13 added to the slate as requested in our letter to the Board.

14 And other than that, I'm prepared to answer any
15 questions.

16 CHAIR FERRARO: Yes, his name is on our packet,
17 Cliff, so we do have him.

18 Any questions from the Board for Cliff?

19 Do we have a queue on this, Operator?

20 OPERATOR: We have nobody in queue at this time.

21 CHAIR FERRARO: Can I have a motion for approval
22 then?

23 COMMISSIONER ALFIERI: I'll move to approve.
24 Dennis Alfieri.

25 CHAIR FERRARO: Second?

1 COMMISSIONER SOLIS: I second. Alex Solis.

2 CHAIR FERRARO: Okay. Commissioner Gonzales?

3 VICE CHAIR GONZALES: Yes.

4 CHAIR FERRARO: Commissioner Alfieri?

5 COMMISSIONER ALFIERI: Yes.

6 CHAIR FERRARO: Commissioner Davis?

7 COMMISSIONER DAVIS: Yes.

8 CHAIR FERRARO: Commissioner Mitchell?

9 COMMISSIONER MITCHELL: Yes.

10 CHAIR FERRARO: Commissioner Solis?

11 COMMISSIONER SOLIS: Yes.

12 CHAIR FERRARO: And the Chairman votes yes.

13 Unanimous decision with one recusal by Castellanos. Thank
14 you very much.

15 Let's move on to item number seven, discussion and
16 action by the Board regarding the approval of CHRB to
17 participate in the University of Kentucky's research study
18 regarding analysis of mRNA response to identify horses at
19 risk for injury.

20 Dr. Blea, would you like to explain this to the
21 Board please?

22 DR. BLEA: Yes. Chairman, Commissioners, good
23 morning. I'm going to explain the study briefly on behalf
24 of Dr. Allen Page of the Gluck Research Center at the
25 University of Kentucky. He is seeking CHRB approval to

1 conduct a study here in California titled "Pre-Race
2 Inflammation in Thoroughbred Racehorses."

3 Recently, this group at the University of Kentucky
4 published a paper demonstrating the ability to identify 76
5 percent of racehorses who are at risk for catastrophic
6 injury in five different racing jurisdictions in California.
7 They did this by measuring messenger RNA marker response to
8 injury and exercise in blood. The proposed study is the
9 next step in their investigation in order to validate those
10 blood tests.

11 This group is requesting 15,000 blood samples
12 which will be collected in specialist Tempus tubes over a
13 one-year period in California. In this study, one
14 additional blood sample will be collected at the time of
15 current TCO2 blood sample collections. The study blood
16 samples will then be shipped to the University of Kentucky
17 Lab every few weeks and stored at that lab. The request is
18 for all horses racing to be sampled.

19 A group has selected California because California
20 has a consistent population of racehorses whereby
21 quantification of messenger RNA markers which change over
22 time may provide evidence of horses at risk for injury.

23 Horses will be sampled numerous times as they race
24 numerous times throughout the year, which will not only
25 benefit the validation of the test but may provide useful

1 predictors of injury or identify trends related to injuries.

2 There is no cost to horsemen and no cost to the
3 CHRB. It is completely funded through Dr. Page's program at
4 Kentucky.

5 Confidentiality will be ensured as the University
6 of Kentucky will enter into a nondisclosure agreement with
7 the CHRB to ensure that the identity of the horses, owners,
8 and trainers remain confidential.

9 No other testing will be done on these samples
10 other than what is required for this research project.
11 Samples will be labeled with anonymous barcodes for this
12 project and stored at U of K.

13 Regarding messenger RNA, adaption to exercise can
14 be measured by analyzing certain messenger RNA markers in
15 blood. This is true in both human and equine.

16 The preliminary work from this group has
17 demonstrated the ability to potentially identify horses that
18 are at risk for catastrophic injury, as was published. The
19 proposed project will build on the researchers' previous
20 work and seek to validate this type of testing.

21 There are certainly some inherent risks with any
22 type of research. However, if this project is successful,
23 it could potentially lead to a noninvasive method of
24 reliably identifying racehorses at risk for injury. It
25 could provide another tool in the toolbox for veterinarians

1 and horsemen and women to further advance racehorse safety.

2 The researchers are requesting that the CHRB
3 approve this proposal. Further support from both the TOC
4 and the CTT is also necessary and will be sought after this
5 meeting, pending CHRB's decision.

6 Based on the previous work from this group and the
7 potential benefits to racing, I recommend support from
8 California horsemen and women and the CHRB. In this
9 project, the potential outcome is certainly worth
10 consideration.

11 Thank you. Any questions?

12 CHAIR FERRARO: Yeah. Dr. Blea, in terms of
13 collecting the blood, this is just a matter of a second tube
14 being collected at the time that the TCO2 blood is
15 collected? There's not a second stick; right?

16 DR. BLEA: That's correct. There will be one
17 stick which is used for TCO2. And when that collection gets
18 filled, another tube will be inserted into the Vacutainer
19 container, so only one needle stick for the horse.

20 CHAIR FERRARO: All right. Any questions from the
21 Board for Dr. Blea about this?

22 COMMISSIONER DAVIS: Davis here. I'm just, I'm
23 curious to know, what is the intended data timeline for
24 getting the study done and having some results to report?

25 DR. BLEA: The sample collection, if everything

1 goes well logistically, and research, that's always a
2 stretch, but ideally the sample collection time will take
3 one year. After that one year, the samples will then be
4 analyzed. And he expects in the next four to six months
5 following the year of collection to have some data, or some
6 results from his data.

7 COMMISSIONER DAVIS: And that will be --

8 CHAIR FERRARO: Any further questions?

9 COMMISSIONER DAVIS: -- looped back into previous
10 studies that he worked on to come up with a more
11 comprehensive report?

12 DR. BLEA: What he'll -- what he intends to do is
13 look at the data and if -- identify horses that either
14 suffered catastrophic injuries and compare the data to that.
15 From there, he will determine the validity of his tests, if
16 it is valid or not. And from there, they have to request --
17 they have to submit a paper for publication in a peer-
18 reviewed journal before it becomes validated.

19 COMMISSIONER DAVIS: All right. Thank you.

20 CHAIR FERRARO: Any other questions from the
21 Board?

22 My comment is this, this is a high-risk/high-
23 reward project. It's entirely likely that they're going to
24 collect all the samples, look at the data, and not find a
25 pattern that's useful. But if they do and they can predict

1 to find a pattern that identifies horses who are at risk for
2 injury, it has the potential to save the lives of many, many
3 horses. So I think this is something well worth
4 participating in.

5 Do we have a queue on this, Operator?

6 OPERATOR: Yes, we have several.

7 COMMISSIONER MITCHELL: Oh, I'm sorry.

8 Mr. Chair --

9 CHAIR FERRARO: Pardon me?

10 COMMISSIONER MITCHELL: -- I have a question.

11 CHAIR FERRARO: Yes. Yup.

12 COMMISSIONER MITCHELL: This is Commissioner

13 Mitchell.

14 You said that it's a high-risk/high-reward.

15 What's the risk?

16 CHAIR FERRARO: The risk is that you come up with
17 nothing that's useful, that's all, that you collect the
18 data --

19 COMMISSIONER MITCHELL: But we're not --

20 CHAIR FERRARO: -- you look at the data --

21 COMMISSIONER MITCHELL: -- paying for it.

22 CHAIR FERRARO: No. There's no risk --

23 COMMISSIONER MITCHELL: There's no, really,
24 risk --

25 CHAIR FERRARO: -- to us, really.

1 COMMISSIONER MITCHELL: -- to us?

2 CHAIR FERRARO: No. No. And no risk to the
3 horses either.

4 COMMISSIONER MITCHELL: Right. Okay. Thank you.
5 Just wanted to be clear. I thought I was missing something.

6 CHAIR FERRARO: The worst case, he spends a lot of
7 time and energy, Dr. Page spends a lot of time and effort
8 and comes up with nothing that's useful to the industry.

9 Any other questions from the Board?

10 COMMISSIONER MITCHELL: Thank you.

11 CHAIR FERRARO: Do we have a queue on this,
12 Operator?

13 OPERATOR: Yes, we have several in queue.

14 CHAIR FERRARO: Go ahead. Let's start.

15 OPERATOR: Okay. Our first will come from Bonnie
16 Croker with Kill Racing Not Horses.

17 MS. CROKER: Thank you. Regarding University of
18 Kentucky's research study for analysis of messenger RNA
19 marker response for the purpose of identifying horses at
20 risk for injury, I must say this, CHRB, you are
21 understandable concerned about anything or anyone who wastes
22 your time, and certainly fear that I am about to waste your
23 time.

24 Why then would you waste your time getting
25 involved with a study whose results, even if slightly

1 significant, couldn't possibly eliminate the inherent and
2 most deadly risks involved in horse racing? How utterly
3 stupid do you think the public is?

4 The only way to eliminate the risks is to
5 eliminate horse racing. Ask any person who is reasonably
6 sound of mind what the risks of horse racing are and they
7 will tell you, for example, like your two-year-olds whose
8 bones are not fully formed, racing in heat, fog, rain, and
9 mud, horses constantly bumping into and tripping one another
10 while running in a circle at 45 miles per hour.

11 Here are five horses being shoved into starting
12 gates and flipping themselves over, breaking their necks and
13 skulls. Do you really think studying messenger RNA is going
14 to prevent any of that?

15 Can you imagine the nightmarish task of
16 establishing regulatory and disciplinary protocols for
17 outcomes and defiance if mNRA is done on all horses if these
18 mRNA tests were put into your actual veterinary practice?
19 These tests would have to include all California racehorses.
20 Otherwise, it wouldn't be fair, just, and significant for
21 collecting data, making comparisons, and ultimately
22 consequential decisions.

23 And please, don't give infamous horse trainers
24 more reasons to clog the courts with lawsuits regarding
25 messenger RNA test-related arguments. You already have

1 enough in illegal blood cases.

2 Perhaps you are just curious about the novelty of
3 these mRNA tests. Perhaps you see the approval of the study
4 as another chance to pretend you care about horses. I'm just
5 asking you why you're wasting the very meeting time you
6 claim the public steals from you? It's all about lining the
7 right pockets with the right amount of money, is it not?

8 Thank you.

9 CHAIR FERRARO: Thank you.

10 Next, please.

11 OPERATOR: Thank you.

12 Next will come from Martha Sullivan with Kill
13 Racing Not Horses.

14 Please go ahead.

15 MS. SULLIVAN: Hello again. I would like to point
16 out and emphasize in the second paragraph of the University
17 of Kentucky's description of this research, quote,

18 "Numerous studies looking at catastrophic injuries in
19 racehorses have demonstrated that fractures are often
20 associated with underlying damage, refuting the, quote,
21 'bad step'," end quote, "theory."

22 I want to make sure everybody, all the Board
23 Members particularly, as well as the staff have read this
24 and it's sunk in. You know, you need to get the chart
25 writers to stop referring to a bad step too.

1 The injuries to horses are not, you know, random,
2 spontaneous, bad luck things. You know, a lot of these
3 injuries are the result of racing, training and racing. You
4 know, as this says, "underlying damage," which we know from
5 other research, you know, starts happening at a young age.

6 So, one, I wanted to emphasize that because we
7 need to just eliminate bad step from horse racing's lexicon.
8 This is about the chronic damage that is done to horses who
9 are trained and raced. And you know, you may -- maybe this
10 research will validate that there isn't a whole lot you can
11 do, other than not train and raise horses, and that would be
12 a tremendous outcome. That's the high risk, I think, that
13 Dr. Ferraro is referring to.

14 CHAIR FERRARO: Thank you.

15 Next, please.

16 OPERATOR: Thank you.

17 Next we'll go to Lynn Frudenberg with Kill Racing
18 Not Horses.

19 Please go ahead.

20 MS. FRUDENBERG: Hey, good morning, and thank you
21 for taking my call.

22 When will this industry just give it up already?
23 You have tried to blame the weather, blame the track
24 surface, and then, oh, it had to be Trainer Jerry
25 Hollendorfer. You know, we all know that these horses

1 weight at least 1,000 pounds. They have legs that are
2 supported by ankles the size of a human's, but they're still
3 forced to run around tracks at 30 miles an hour with
4 somebody on their back. You know, there's only so much
5 stress their ankles can take before giving up.

6 Then you had your ridiculous million-dollar ankle
7 scanner. We have all seen how much good that has done. Now
8 messenger RNA.

9 Do you know what kills horses? One word. Racing.

10 CHAIR FERRARO: Thank you.

11 Next, please.

12 OPERATOR: Thank you.

13 Next we'll go to Heather Wilson, an equine
14 advocate.

15 Please go ahead.

16 MS. WILSON: Yes. Thank you.

17 So the young horses, you can read all their
18 necropsies, they all have structural musculoskeletal damage,
19 chronic wear and tear, arthritis, even those that languish
20 and die in their stalls of colic. And messenger RNA has
21 nothing to do with it.

22 And why is there going to be a NDA. Why do you
23 have to sign a nondisclosure? Let's see the results public.
24 Let every single person see that what you're doing to do is
25 going to amount to nothing. You place your horses at risk

1 loading them into the starting gate and running them around
2 the track, or having them sprint 200 yards, that's what's
3 putting them at risk. It's not their messenger RNA.

4 And then what are you willing to do with the at-
5 risk horse? We know that over 90 percent, at least 90
6 percent of catastrophic breakdowns, these horses have
7 preexisting injuries, preexisting injuries because of the
8 grueling claiming and racing schedules.

9 And then you mentioned studying horses that have
10 studied catastrophic injuries, so these are obviously
11 postmortem events. So does this mean that you are not
12 checking horses that are euthanized at non-CHRB facilities?
13 It has already been established that the CHRB postmortem
14 studies is a convenience sample. You are only looking at
15 horses that are euthanized at CHRB facilities.

16 There is a complaint filed in May against the
17 California Veterinary Medical Board regarding horses
18 specifically being transported to non-CHRB clinics where
19 they don't get necropsies, where they are not counted
20 towards your data. So all of this is very unscientific.

21 And you say that this is no risk to the horses?
22 Every single time you take a horse out of the paddocks you
23 are placing them at risk, every single time. And you acting
24 all concerned about giving them a second stick to draw their
25 blood? Please.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: Next we'll go to Wayne Johnson, a
4 citizen.

5 Please go ahead.

6 CHAIR FERRARO: Please.

7 MR. JOHNSON: Good morning from rainy Santa
8 Monica. We're trying to send some of that run up north.

9 Dr. Blea was very honest when he said there's a
10 risk here. Anytime you do vivisection on non-human animals
11 there's a risk, period. And that risk exceeds the type of
12 risk that Dr. Ferraro was talking about. And what is that
13 risk for? Some kind of vein -- excuse me, vague, benign
14 potential. Is that really working?

15 The way to stop these catastrophic injuries is to
16 stop racing horses.

17 Thank you.

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: Next we'll go to Kimberly Marrs with
21 KTM Equine.

22 Please go ahead.

23 MS. MARRS: Hi guys. Good morning Board. I would
24 just like to applaud you on the reform efforts. And
25 definitely with this type of study, I think you guys

1 definitely should get onboard. And if there are other
2 studies that come up in the future, definitely, I think it's
3 things that we need to explore to help these horses.

4 I think it's going to help us as horsemen, too,
5 because once we understand a little bit more scientifically
6 about what goes on, we actually can adjust our training
7 protocols if we have sentinels (phonetic) and time frames
8 when things happen. It gives us a lot more ammunition and
9 education in order to accurately train our horses and not
10 have them have these issues or stop them before they come
11 up.

12 I coined -- I didn't coin the word but the word's
13 been coined, and I use it quite frequently, and I actually
14 adopted to train my horses, I train with a pre-habilitation
15 mindset where I don't want to do rehabilitation. I train
16 them pre-habilitation in order to offset the potential of
17 injury. And I think that any type of studies or science
18 that we can learn from is definitely needed so I applaud,
19 you know, it be passed here.

20 Thank you.

21 CHAIR FERRARO: Thank you very much.

22 Next, please.

23 OPERATOR: And we have no additional comments at
24 this time.

25 CHAIR FERRARO: Any questions or comments from the

1 Board? Can I have a motion?

2 COMMISSIONER DAVIS: Davis moves.

3 COMMISSIONER SOLIS: I second.

4 CHAIR FERRARO: Second?

5 COMMISSIONER SOLIS: Alex Solis.

6 CHAIR FERRARO: Okay. Commissioner Gonzales?

7 VICE CHAIR GONZALES: Yes.

8 CHAIR FERRARO: Commissioner Alfieri?

9 COMMISSIONER ALFIERI: Yes.

10 CHAIR FERRARO: Commissioner Castellanos?

11 COMMISSIONER CASTELLANOS: Yes.

12 CHAIR FERRARO: Commissioner Davis?

13 COMMISSIONER DAVIS: Yes.

14 CHAIR FERRARO: Commissioner Mitchell?

15 COMMISSIONER MITCHELL: Yes.

16 CHAIR FERRARO: Commissioner Solis?

17 COMMISSIONER SOLIS: Yes.

18 CHAIR FERRARO: And the Chairman votes yes. Thank

19 you.

20 Moving on to item number eight, discussion and
21 action by the Board regarding approval of an agreement,
22 pursuant to CHRB Rule 1581, Racing Secretary to Establish
23 Conditions, between the Los Alamitos -- Los Angeles County
24 Fair and the Thoroughbred Owners of California, TOC,
25 regarding entry conditions and specified drug substances or

1 medications to be implemented by the LACF at Los Alamitos.

2 Amanda Drummond please.

3 MS. DRUMMOND: Yes. Good morning Commissioners.

4 Amanda Drummond, Policy, Regs, and Administrative Hearings

5 Manager with the CHRB.

6 Agenda item eight is the discussion and action by
7 the Board regarding approval of the race day medication
8 agreement pursuant to Board Rule 1581 between the Los
9 Angeles County Fair and the TOC. The agreement pertains to
10 entry conditions and specified drug substances and
11 medications to be implemented by the LACF at Los Alamitos.

12 This is a standard agreement including but not
13 limited to: no horse shall be permitted to race in a stake's
14 race with any race day medication, including furosemide; and
15 that no horse shall be permitted to race if it has received
16 an interarticular joint injection into any joint other than
17 any of the fetlock joints within 14 days; no horse shall be
18 able to perform a timed workout for ten days after receiving
19 an injection into any fetlock joint.

20 The agreement has been signed by LACF and the TOC
21 and is reflected in the Board package. And representatives
22 from LACF are available should the Board have any questions.

23 Thank you.

24 CHAIR FERRARO: Great. Thank you.

25 Do we have TOC onboard?

1 MR. MARTEN: We have Jack Liebau, I think, who
2 wishes to speak.

3 CHAIR FERRARO: Go ahead, Jack.

4 MR. LIEBAU: We'd encourage the approval of the
5 agreement, standard agreement, that's been entered into in
6 the course of conducting any race in California.

7 CHAIR FERRARO: Okay. Is there a TOC person that
8 wants to speak or not? This is a pretty standard agreement
9 we have for all race meets.

10 Do we have questions or comments from the Board?

11 MR. MARTEN: Mary Forney of TOC is now live.

12 CHAIR FERRARO: Go ahead, Mary.

13 MS. FORNEY: Good morning. Yes, the TOC has
14 approved and signed this agreement.

15 Thank you.

16 CHAIR FERRARO: Okay. Great. Thank you very
17 much.

18 Questions from the Board?

19 If there are none, do we have a queue, Operator?

20 OPERATOR: Yes, we have several in queue.

21 CHAIR FERRARO: Go ahead and start.

22 OPERATOR: Our first will come from Martha
23 Sullivan.

24 Please go ahead.

25 MS. SULLIVAN: Yes. Hello once more.

1 I would like -- I think it's important for this
2 Board to answer a question before it adopts or approves any
3 new agreements between racetracks and the TOC for new race
4 meets. This question has been asked by Ray Paulick in the
5 Paulick report recently. He asks,

6 "As a single Racing Commission or Board of Stewards in
7 California, where the stable is based, called on the
8 horses owners to discuss this phone call with Navarro,"
9 and he's referring to a phone call that itemized in the
10 federal charges against Jorge Navarro, who just pleaded
11 guilty to doping-related charges in the federal court,
12 quote, "regulators also have known or should know,
13 based on the March 2020 indictment, that a
14 representative for one of the owners of the Navarro-
15 trained Nanoosh, according to Equibase, he was owned by
16 Zayat Stables, Locking Hand Ranch (phonetic), and David
17 Bernsen, was on a conference call with the trainer
18 assessing the horse's poor performances. According to
19 the federal indictment, that person asked whether
20 Navarro was," quote, "'giving them all the shit'," end
21 quote, "and," quote, "'that this horse jacked out. Is
22 he on f-ing pills or what or are we just f-ing,'" end
23 quote. "Navarro said," quote, "'Everything. He gets
24 everything.'"

25 I think that this question, this very, very

1 salient and relevant question needs to be answered by this
2 Board before any new agreements regarding entry conditions
3 for horses by their owners, and regarding drug substances is
4 approved.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Next we'll go to Lynn Frudenberg with
8 Kill Racing Not Horses.

9 Please go ahead.

10 MS. FRUDENBERG: Hey, good morning.

11 Racing licenses in California are subject to the
12 California Business and Professional [sic] Code. Section
13 19460 states, "All licenses granted under this Chapter B are
14 subject to all rules, regulations, and conditions prescribed
15 the Board."

16 The Business and Professional Code continues with
17 section 19461 which states,

18 "Every license granted under this chapter is subject to
19 suspension or revocation by the Board in any case where
20 the Board has reason to believe that any condition
21 regarding it has not been complied with."

22 Racetracks are routinely out of compliance with
23 CHRB Rules. Most commonly, we see whipping and drugging
24 rules violated. But then there is also CHRB Rule 1444 which
25 is,

1 "No person shall cut, mutilate, alter, or change any
2 photo finish photograph, cam patrol photo, photographic
3 or a videotape recording for the purpose of deceit or
4 fraud of any type."

5 Last month, Mr. Chaney tried to weasel out of this
6 but, once again, the CHRB is allowing racetracks not to
7 comply with their own local regulations.

8 Why does California even have a Horse Racing Board
9 since none of their racetracks comply?

10 According to the California Business and
11 Professional Code, a racetrack's licensure is contingent
12 upon compliance with CHRB rules and regulations. Until
13 racetracks can fully adhere to your rules and regulations,
14 these licenses should not be granted.

15 Thank you.

16 CHAIR FERRARO: Thank you. Thank you.

17 I'd like to make a comment that the last two
18 comments had very little to do with this item. This is an
19 agreement between the tracks and the TOC regarding racing
20 conditions and what medications can or cannot be used. It's
21 not licensing Los Alamitos. That comes up on item number
22 nine. So any further comments, please, stick to the agenda
23 item.

24 Next, please.

25 OPERATOR: Next we'll go Heather Wilson, equine

1 advocate.

2 Please go ahead.

3 MS. WILSON: Thank you. This is regarding
4 specified drug substances or medications to be implemented
5 by LACF at Los Alamitos.

6 Possibly, every single steward's minute's report
7 has descriptions of rules and regulations being broken or
8 violated, typically regarding medications and other things.

9 The most recent Los Al is dated July 27th. The
10 very first page is about a drug violation involving Trainer
11 Michael Robbins injecting his horse with a prohibited drug
12 substance isotretinoin, which is a corticosteroid. And
13 since his horse, PJs Rockin Rose, one the race on June 18th,
14 does that mean he has to forfeit his winnings? Or does the
15 \$500 fine get siphoned off of the horse's earnings, which
16 was over \$4,000? This fine is simply the cost of doing
17 business. So these specified drug substances or medications
18 that you try to come up with as agreements, it's not really
19 working.

20 And as someone else had mentioned, this is -- the
21 violation of CHRB rules and regulations and specific drug
22 substances is a violation of California Business and
23 Professions Code regarding licensure.

24 CHAIR FERRARO: Thank you.

25 Next, please.

1 OPERATOR: Next we'll go to Elvia Sedano with Kill
2 Racing Not Horses.

3 Please go ahead.

4 MS. SEDANO: Good morning. I was calling on the
5 racing license, so I just heard that's item nine?

6 CHAIR FERRARO: That item nine. You're out of
7 order --

8 MS. SEDANO: Okay.

9 CHAIR FERRARO: -- here, ma'am.

10 MS. SEDANO: Thank you. Okay. Thank you.

11 CHAIR FERRARO: Next, please.

12 OPERATOR: Next is John Harris with Harris Farm.
13 Please go ahead.

14 CHAIR FERRARO: Mr. Harris, how are you? Hello?

15 MR. MARTEN: John, are you on mute?

16 MR. HARRIS: I'm sorry. Okay. Now I'm back live
17 here. Thanks.

18 But anyways, a lot of these calls are not really
19 relevant. And I think we have a wonderful sport. And that
20 may be looked at as, you know, somebody that wasn't too
21 close -- was too close to appreciate any faults it may have.
22 I think it all, really, has faults, but I wish we could keep
23 these meetings more on track of what the issue was. And
24 that was just my thought for the moment.

25 CHAIR FERRARO: Thank you for the comment.

1 Next, please.

2 OPERATOR: And we have no additional comments at
3 this time.

4 CHAIR FERRARO: Questions or comments from the
5 Board? Can I have a motion to approve please?

6 COMMISSIONER CASTELLANOS: Castellanos moves.

7 COMMISSIONER SOLIS: I move.

8 CHAIR FERRARO: Solis is second.

9 Commissioner Gonzales?

10 VICE CHAIR GONZALES: Yes.

11 CHAIR FERRARO: Commissioner Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIR FERRARO: Commissioner Castellanos?

14 COMMISSIONER CASTELLANOS: Yes.

15 CHAIR FERRARO: Commissioner Davis?

16 COMMISSIONER DAVIS: Yes.

17 CHAIR FERRARO: Commissioner Mitchell?

18 COMMISSIONER MITCHELL: Yes.

19 CHAIR FERRARO: Commissioner Solis?

20 COMMISSIONER SOLIS: Yes.

21 CHAIR FERRARO: And the Chair votes yes.

22 Moving on to item number nine, discussion and
23 action by the Board on the Application for License to
24 Conduct a Horse Racing Meeting of the Los Angeles County
25 Fair at Los Alamitos, commencing September 8, 2021 through

1 September 28, 2021, inclusive.

2 Amanda Drummond?

3 MS. DRUMMOND: Yes. Good morning, again,
4 Commissioners. It's Amanda Drummond again.

5 Agenda item nine is the Application for License to
6 Conduct a Horse Race Meeting at the Los Angeles County Fair
7 at Los Alamitos. The race meet would run September 8th
8 through September 28th, 2021, with live racing starting
9 September 10th.

10 There's no outstanding items. However, the NYRA
11 ADW agreement does expire during the course of the meet, so
12 an updated one will need to be obtained.

13 And the representatives from LACF are available
14 should the Board have any further questions.

15 Thank you.

16 CHAIR FERRARO: Yes. Can we hear from their
17 representative please, especially regarding the renewal of
18 the ADW agreement?

19 MR. LIEBAU: This is Jack Liebau. Am I live?

20 CHAIR FERRARO: Yes.

21 MR. LIEBAU: Well, the ADW agreement is in the
22 process of being negotiated on behalf of all the Southern
23 California tracks by Monarch, which undertakes that
24 responsibility for everybody, so I'm sure that it will be
25 forthcoming.

1 We would, of course, urge the approval of our
2 application.

3 And I would just like to say something. Last
4 meeting hat the CHRB had, I think last month, in the course
5 of the public comment there was numerous people that spoke
6 to the drought and the shortage of water. And the inference
7 was that the tracks were not doing anything to conserve
8 water.

9 Los Alamitos has had a conservation policy in
10 place for a considerable period of time. Frank Sherren is
11 here, who is part of our management team, and if the Board
12 so desired would be available to describe what that policy
13 is and how it does, in fact, conserve water, which is
14 something that Los Alamitos, and I assume all the tracks,
15 are interested in doing.

16 CHAIR FERRARO: Thank you.

17 Would the Board like to hear from that gentleman?

18 Probably not necessary, Jack. We know what you're
19 doing.

20 COMMISSIONER SOLIS: I'm sorry. I would like to
21 hear.

22 CHAIR FERRARO: Okay.

23 MR. SHERREN: Good morning. Good morning. Thank
24 you Commissioners. This is Frank Sherren. I'm the
25 Facilities Manager here at Los Alamitos Race Course.

1 Of course we take water conservation and these
2 drought conditions very seriously. Since 2018, we've
3 implemented some water conservation measures, including
4 drought tolerant planting and landscaping to hardscape,
5 those type of things.

6 The most recent drought this year, of course, we
7 have implemented water restrictions in the barn area since
8 June. So the practice of washing down or conserving water
9 is taken very seriously, as I mentioned. We have restricted
10 water washing down the barn area to two days a week. The
11 notices are posted on the overnights. We have daily
12 announcements over our PA system, and security patrols.
13 Noncompliance by trainers are cited and fined with the
14 cooperation from the stewards here at the racetrack, the
15 CHRB stewards.

16 Cooperation by the trainers has been excellent.
17 We have reduced our water usage, probably, by at least 30
18 percent since June.

19 Thank you. Any questions, I'm happy to answer.

20 CHAIR FERRARO: Any questions from the Board?

21 Thank you.

22 MR. SHERREN: Thank you.

23 CHAIR FERRARO: Do we have a queue on this,
24 Operator?

25 OPERATOR: Yes, we have several in queue.

1 CHAIR FERRARO: Let's go.

2 OPERATOR: The first comes from Martha Sullivan
3 with Kill Racing Not Horses.

4 Please go ahead.

5 MS. SULLIVAN: Yeah. I appreciated hearing about
6 Los Al's water conservation measures. And I thank
7 Commissioner Solis for asking to hear them. I mean, this is
8 the kind of information sharing that is productive. You
9 know, in the absence of information, you know, assumptions
10 are drawn. You know, this is a lesson that, you know, this
11 Board and the industry seems to need to keep learning.

12 So I'm glad to hear that Los Al, since April this
13 year, has instituted some, you know, water restriction
14 measures. That's going to need to continue as we continue
15 in another drought in the west.

16 I also just want to comment that, also, I thought
17 Chairman Ferraro was off on the last item. I specifically
18 referenced entry conditions and, you know, drug substances,
19 which is very much a part of the question of whether an
20 owner, regulated by this Board, you know, has been found by
21 the FBI and the U.S. Attorney to have participated in
22 illegal doping of a horse, that might be very well under the
23 jurisdiction of this Board.

24 So is this Board doing anything to investigate
25 that relative to whether this owner should be allowed to

1 enter horses? I mean, that's a reasonable question. I
2 don't see why that seems to be off topic when you're talking
3 about an agreement that specifies entry conditions and, you
4 know, regulates drug substances.

5 What are you afraid of?

6 CHAIR FERRARO: Thank you.

7 Next, please.

8 OPERATOR: Thank you.

9 Next we'll go to Elvia Sedano with Kill Racing Not
10 Horses.

11 MS. SEDANO: Good morning.

12 There are still so many horses missing from Los
13 Alamitos. Dr. Ferraro has admitted in open forum that
14 horses are being sent to facilities that do not have CHRB
15 oversight where they are euthanized. He even called it a
16 minor problem. This confirms that the CHRB is working with
17 the racetracks to deceive the public and to conceal
18 fatalities.

19 Gowdy (phonetic) is another racehorse with First
20 Down Dash and His Pedigree (phonetic).

21 CHAIR FERRARO: Excuse me, ma'am.

22 MS. SEDANO: On January --

23 CHAIR FERRARO: Excuse me, madam, but please
24 pertaining to whether or not we're going to award this
25 license to Los Alamitos.

1 MS. SEDANO: Yes. This --

2 CHAIR FERRARO: We're not talking about --

3 MS. SEDANO: -- this is about --

4 CHAIR FERRARO: You're getting off topic.

5 MS. SEDANO: -- why they should not -- this is why
6 Los Alamitos should not be given a license. Can I please
7 finish?

8 CHAIR FERRARO: Finish.

9 MS. SEDANO: Okay. Thank you.

10 On January 23rd, '21, it was pouring rain out when
11 the gates opened (indiscernible) slipped and fell in the
12 mud. His body slammed to the ground and he desperately
13 tried to get back up but was unable. The racing chart
14 originally said, "Injured, ran," but was then changed to
15 say, "Locked up (indiscernible)." Dottie's (phonetic)
16 racing video was also deleted by Los Alamitos after Alan
17 Pines (phonetic) criticized the tracks were running the
18 horses in a thunderstorm and a sloppy track. This is a
19 place of deceit, altered racing chart, deleted video,
20 missing horse.

21 This racing license at Los Alamitos should not be
22 renewed. They continue to harm and kill horses and deceive
23 the public.

24 Lastly, I noticed the fenced-off section in the
25 giant unused parking lot with a sign that states, "Two- and

1 four-bedroom condos coming soon," a sign of good things to
2 come.

3 Thank you.

4 CHAIR FERRARO: Thank you.

5 Next, please.

6 OPERATOR: Thank you.

7 Next we'll go to Heather Wilson, equine advocate.

8 Please go ahead.

9 MS. WILSON: Yes. Thank you.

10 This is regarding the license at Los Alamitos.
11 Horse racing licenses in the state of California are subject
12 to California BPC section 19461, stating,

13 "Every license granted under this chapter is subject to
14 suspension or revocation by the Board in any case where
15 the Board has reason to believe that any condition
16 regarding it has not been complied with or that any
17 law, including the Labor Code and the regulations
18 adopted thereunder, or any rule or regulation of the
19 board affecting it has been broken or violated."

20 We know that Los Alamitos is infamous for breaking
21 the rules, especially regarding drugs and whipping.

22 Speaking of, El Eracata (phonetic) is still
23 missing. This two-year-old gelding was last seen at Los Al
24 on November 13th of last year. He was whipped 19 times, a
25 violation of your rule, by Victor Salazar, who apparently

1 cannot count to six. And after being beaten over three
2 times the allowable limit, El Eracata places fourth and is
3 vanned off the track.

4 The rules are broken, horses go missing,
5 California BPC is blatantly violated.

6 Chairman Ferraro has acknowledged that horses are
7 being vanned to non-CHRB facilities for euthanasia.
8 Therefore, this license should absolutely not be granted.

9 CHAIR FERRARO: Thank you.

10 Next, please.

11 OPERATOR: Next we have Wayne Johnson, citizen.

12 Please go ahead.

13 MR. JOHNSON: How many horses have to die at Los
14 Alamitos before the Board refuses to grant a license? Tear
15 down this license.

16 Thank you.

17 CHAIR FERRARO: Thank you.

18 Next, please.

19 OPERATOR: Thank you. We have no additional
20 comments at this time.

21 CHAIR FERRARO: Comments or questions from the
22 Board? Can I have a motion please?

23 VICE CHAIR GONZALES: Yeah. Dr. Ferraro, just,
24 you know, I have been part of the Commissioners that really
25 have raised the bar on Los Alamitos. And I have seen what I

1 would describe as improvement and the right commitment of
2 leadership, resources, and time on the part of Los Alamitos.

3 If I were to ask a direct question about is Los
4 Alamitos doing better than it had in the past, I'm very,
5 very confident that the answer would be yes. Is there room
6 for improvement? Always. I think that applies to not just
7 California racing but across the country.

8 I just want to see continued improvement by the
9 leadership of Los Alamitos. I believe that they have made
10 all of the adjustments and honored the requests of this
11 Board. And again, I have gone on record as being among the
12 toughest, I would describe. But also want to acknowledge
13 leadership when I see it and I have seen that effort being
14 made.

15 So I just want to just be on the record for saying
16 what I just did, sir.

17 CHAIR FERRARO: And I would certainly endorse
18 those comments myself.

19 Anyone else that would like to comment? Can we
20 have a motion please?

21 VICE CHAIR GONZALES: I move.

22 COMMISSIONER CASTELLANOS: Castellanos. Motion.

23 CHAIR FERRARO: Gonzales moves.

24 CHAIR FERRARO: Second?

25 COMMISSIONER CASTELLANOS: Castellanos.

1 CHAIR FERRARO: Okay. Commissioner Gonzales?

2 VICE CHAIR GONZALES: Yes.

3 CHAIR FERRARO: Commissioner Alfieri?

4 COMMISSIONER ALFIERI: Yes.

5 CHAIR FERRARO: Commissioner Castellanos?

6 COMMISSIONER CASTELLANOS: Yes.

7 CHAIR FERRARO: Commissioner Davis?

8 COMMISSIONER DAVIS: Yes.

9 CHAIR FERRARO: Commissioner Mitchell?

10 COMMISSIONER MITCHELL: Yes.

11 CHAIR FERRARO: Commissioner Solis?

12 COMMISSIONER SOLIS: Yes.

13 CHAIR FERRARO: And the Chairman votes yes.

14 Application accepted.

15 Item number ten, this is the same policy we just
16 approved for Los Alamitos and it applies to Los Angeles Turf
17 Club. Item number ten, discussion and action by the Board
18 regarding approval of an agreement, pursuant to CHRB Rule
19 1581, Racing Secretary to Establish Conditions, between the
20 LATC and the Thoroughbred Owners of California, regarding
21 entry conditions and specified drug substances or
22 medications to be implemented by the Los Angeles Turf Club
23 at Santa Anita.

24 Amanda?

25 MS. DRUMMOND: Yes. Good morning, again,

1 Commissioners.

2 Agenda item ten is the discussion and action by
3 the Board regarding approval of the race day medication
4 agreement pursuant to Board Rule 1581 between the Los
5 Angeles Turf Club and the TOC. The agreement outlines entry
6 conditions and specified drug substances or medications to
7 be implemented for the upcoming meet. This is the standard
8 agreement and contains all the same conditions as previously
9 outlined in agenda item eight.

10 The agreement has been signed by Santa Anita and
11 TOC and is reflected in the Board package.

12 And representatives are available if you have any
13 questions.

14 Thank you.

15 CHAIR FERRARO: Do we have someone from Los
16 Angeles Turf Club that wants to comments? No one? Anyone
17 from TOC?

18 (Background conversation.)

19 CHAIR FERRARO: Pardon me?

20 (Background conversation.)

21 MR. MARTEN: Are you on mute, Eric?

22 MR. SINDLER: Yes. Hello. Can you guys hear me?

23 CHAIR FERRARO: Yes.

24 MR. SINDLER: Yes. Good morning. Yes. As has
25 been noted, it's kind of the, now, new normal, and we just

1 seek your approval. If you have any questions, I'm happy to
2 answer them.

3 CHAIR FERRARO: Any questions from the Board for
4 Eric?

5 Thank you, Eric.

6 Does TOC wish to comment?

7 OPERATOR: And we have Mary Forney on the line.

8 MS. FORNEY: Good morning. Mary Forney, TOC.

9 Yes, TOC approves and has signed this agreement. Thank you.

10 CHAIR FERRARO: Okay. Questions from the Board?

11 Do I have a queue on this, Operator?

12 OPERATOR: Yes, we have a couple in queue.

13 CHAIR FERRARO: Let's go.

14 OPERATOR: We'll go with Heather Wilson, equine
15 advocate.

16 MS. WILSON: Thank you.

17 Just like with Los Alamitos, page one of the most
18 recent Santa Anita steward's minutes are, what else, a drug
19 violation dated 06/17/21. Trainer Richard Baltas was in the
20 Steward's Office regarding several violations of the CHRB,
21 including Rule 1843.1(a), Prohibited Drug Substance, and
22 Rule number 1843.4, Multiple Medications Violation. Mr.
23 Baltas's horse Galilea (phonetic) tested positive for the
24 drug phenylbutazone. Mr. Baltas stated that he and his barn
25 staff could not figure out how the positive had occurred.

1 He was then fined \$500. So he was baffled. We've heard
2 that excuse before.

3 Trainers, jockeys, racetrack owners, and
4 videographers continue to block out your useless rules and
5 regulations.

6 CHAIR FERRARO: Thank you.

7 Next, please.

8 OPERATOR: Next we'll go to Martha Sullivan with
9 Kill Racing Not Horses.

10 Please go ahead.

11 MS. SULLIVAN: So these agreements are between the
12 racetrack and the Thoroughbred Owners of California
13 regarding entry conditions and specified drug substances and
14 medications to be implemented during, you know, the subject
15 meet. The regulatory disconnect that I see is that while
16 you have this agreement with the Thoroughbred Owners of
17 California, I don't believe I've ever seen or heard of a
18 penalty against a thoroughbred owner or any other horse
19 owner for notation violations, for example. The drug
20 violations, as far as I can tell, are almost always against
21 the trainers.

22 So, as I say, it seems like there are regulatory
23 disconnects here, that you've got an agreement establishing,
24 you know, specifications for drug substances or medications
25 to be implemented during a race meet with the Thoroughbred

1 Owners of California but there don't seem to be any
2 penalties taken against said owners when there are
3 violations. That's a head-scratcher for me. I would hope
4 it would be for the Board as well.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Thank you.

8 And next we'll go to Alan Balch with California
9 Thoroughbred Trainers.

10 Please go ahead.

11 MR. BALCH: Chairman Ferraro and Directors, I
12 apologize. I think I'm on the wrong item. You're on the --
13 you're on, let's see, ten now; correct?

14 CHAIR FERRARO: Correct.

15 MR. BALCH: So I apologize.

16 CHAIR FERRARO: Do you wish to speak?

17 MR. BALCH: I want to be on 11. But I do want to
18 say that we endorse the -- the CTT does endorse the
19 agreement with TOC.

20 And there's a long rulemaking process, to respond
21 to the previous caller, that places that responsibility with
22 the TOC. But the Racing Board and the associations are very
23 careful to include the trainers in that process.

24 Thank you.

25 CHAIR FERRARO: Thank you.

1 Next, please.

2 OPERATOR: We have no additional callers in queue.

3 CHAIR FERRARO: Questions or comments from the
4 Board? Can I have a motion to approve please?

5 COMMISSIONER CASTELLANOS: Castellanos. Motion.

6 CHAIR FERRARO: Second?

7 COMMISSIONER SOLIS: I second. Alex Solis
8 seconds.

9 CHAIR FERRARO: Commissioner Gonzales?

10 VICE CHAIR GONZALES: Yes.

11 CHAIR FERRARO: Commissioner Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIR FERRARO: Commissioner Castellanos?

14 COMMISSIONER CASTELLANOS: Yes.

15 CHAIR FERRARO: Commissioner Davis?

16 COMMISSIONER DAVIS: Yes.

17 CHAIR FERRARO: Commissioner Mitchell?

18 COMMISSIONER MITCHELL: Yes.

19 CHAIR FERRARO: Commissioner Solis?

20 COMMISSIONER SOLIS: Yes.

21 CHAIR FERRARO: And the Chair votes yes.

22 Moving on to item number 11, discussion and action
23 by the Board on the Application for License to Conduct a
24 Horse Racing Meeting of the Los Angeles Turf Club II at
25 Santa Anita, commencing September 29th, 2021 through

1 November 2nd, 2021, inclusive.

2 Amanda?

3 MS. DRUMMOND: Yes. Good morning, again,
4 Commissioners. Amanda Drummond here.

5 Agenda item 11 is the Application for License to
6 Conduct a Horse Racing Meeting of the Los Angeles Turf Club
7 at Santa Anita. The racing would run September 29th through
8 November 2nd, 2021. And live racing would start October
9 1st.

10 There are some outstanding items needed to
11 complete the application, including COVID protocols, and
12 updated bond as the current one does expire in September
13 before the meet ends, the NYRA ADW agreement, and the CTT
14 agreement.

15 Additional, a fire clearance for Santa Anita dated
16 June 20th, 2021 was approved at the May 19th, 2021 Board
17 meeting for a period of one year. With this current
18 application, Santa Anita also submitted a 45-day exemption
19 request letter pursuant to Board Rule 1927.

20 And then representatives from Santa Anita are
21 available should the Board have any questions.

22 Thank you.

23 CHAIR FERRARO: Can we hear from Santa Anita
24 please?

25 MR. SINDLER: Yes. Hello. Good morning.

1 CHAIR FERRARO: Yes. Go ahead please.

2 MR. SINDLER: Yes. Eric Sindler on behalf of
3 Santa Anita. Just an update on a few of the outstanding
4 items before I send it over to Nate to continue.

5 With the NYRA Bets, I would just add -- so I would
6 echo the comments that Jack Liebau made with respect to Los
7 Angeles County Fair's meet. With the surety bond, there's
8 no issues, it's just they don't issue a renewal certificate
9 this far in advance. But we will send one to the Board as
10 practices indicate.

11 The fire clearance, I think everything is good to
12 go. And they have been -- Arcadia Fire has been here in the
13 last couple of weeks to do their inspection. It takes a
14 little bit of time to get through all of it. But we will
15 send the Board the clearance letter once we receive it. We
16 hope it's sometime this week or next. But you know, it's
17 Arcadia Fire. We can't actually control exactly when they
18 do it.

19 Nate will comment on the COVID protocols. I know
20 they will be doing them just because L.A. County, just
21 yesterday, set out some new guidance for outdoor stadiums
22 which takes effect tomorrow, but Nate can get into that in
23 more detail in just a moment.

24 And as far as the CTT agreement is concerned, we
25 do not have one at the time.

1 CHAIR FERRARO: Okay. Can we have Nate please?

2 MR. NEWBY: Good morning Commissioners. Can you
3 hear me?

4 CHAIR FERRARO: Yes.

5 MR. NEWBY: Great.

6 CHAIR FERRARO: I'd like to know --

7 MR. NEWBY: Nate Newby, Santa Anita Park.

8 CHAIR FERRARO: -- what your comments are.

9 MR. NEWBY: We're very much looking forward to our
10 autumn meet. The Racing Office has put together a fantastic
11 program. We're actually kicking off opening weekend with 14
12 stakes' races over our first three days. Of those 14
13 stakes, 7 of them are Breeders' Cup Win & You're In races.
14 So we're really excited to feature some of the best horses
15 in the world kicking off on our opening week.

16 During our five-week season, we have four three-
17 day weeks and one four-day week.

18 We have a promotion focused on outdoor events,
19 taking advantage of the big venue that we have where we can
20 really spread people out. As Eric mentioned and you
21 probably saw, L.A. County has updated their guidelines for
22 large outdoor venues this week, so we'll update our COVID
23 protocols and, likely, continue to do that over the next six
24 weeks to follow the latest guidelines from health officials.

25 L.A. County Department of Health typically visits

1 Santa Anita, you know, if not every week, multiple times per
2 month as we're, you know, such a big venue. So we follow
3 every directive they give us and maintain a good
4 relationship with the Health Department.

5 For our stable area, our plan, pending any
6 different advice from our health officials, is to follow
7 similar guidelines with -- as Del Mar where backstretch
8 personnel are required to either show proof of vaccination
9 or a negative COVID test, so that's been ongoing at Del Mar.
10 The good news is a large percentage of our backstretch was
11 vaccinated, either on their own or at our vaccination event
12 that we held in the stable area, and prior to the Del Mar
13 meet.

14 One additional item that we're excited to -- that
15 was just announced this week with our partners at TOC is
16 that there will be a ten percent purse increase for our
17 autumn meet over last year, which is important because that
18 brings us now to three consecutive Santa Anita meets with a
19 ten percent purse increase. So it's safe to say we're
20 optimistic and we think things are heading in the right
21 direction.

22 And happy to answer any questions from the Board.

23 CHAIR FERRARO: What are the major changes in your
24 COVID protocol request by the County? I mean --

25 MR. NEWBY: The biggest change is now masks will

1 be required, or at least as of today, we know what the
2 policy will be in six weeks, but as of today for venues over
3 10,000 people, masks are required outdoors, as well as
4 indoors.

5 CHAIR FERRARO: Okay. Regarding your CTT
6 agreement, I think Commissioner Davis has some comment she'd
7 like to make about that.

8 Commissioner Davis?

9 COMMISSIONER DAVIS: Yes. My concern is that we
10 appear to be making progress on getting that updated and I
11 would like to keep the forward momentum. So if we are
12 moving forward on this approval of this license, I would
13 like to have it at least contingent upon a signed 2021 race
14 meet agreement.

15 CHAIR FERRARO: That sounds reasonable to me,
16 Commissioner.

17 Any comments from the Commissioners? Well --

18 COMMISSIONER MITCHELL: Yeah.

19 CHAIR FERRARO: -- if not --

20 COMMISSIONER MITCHELL: This is Commissioner
21 Mitchell. I would say I agree wholeheartedly, we're making
22 progress. We've had several calls. Commissioner Davis has
23 done amazing work. And we appreciate all the parties and
24 look forward to resolving this.

25 CHAIR FERRARO: (Indiscernible.)

1 VICE CHAIR GONZALES: If I, Chairman Ferraro, if I
2 could ask Scott Chaney, the Executive Director and his team,
3 to weigh in on if there's any stipulation that we need to
4 add in terms of -- I'm okay with the stipulation, but what
5 if an agreement is failed to be reached, is what I -- I
6 don't know if we have to have a backup plan in the event
7 that there isn't a -- is not an agreement? In other words,
8 I would hate to see racing jeopardized.

9 EXECUTIVE DIRECTOR CHANEY: Thank you, Vice
10 Chairman.

11 CHAIR FERRARO: Scott, go ahead, but I think
12 Commissioner Davis here is requesting that this agreement be
13 signed by September 2nd.

14 Is that correct?

15 COMMISSIONER DAVIS: Yes, because my understanding
16 is the agenda is posted on September 2nd for our next
17 meeting. And if we need to take this item up again because
18 there is no signed agreement, I would like to have the Staff
19 be able to do that.

20 CHAIR FERRARO: Okay. Great.

21 Mr. Chaney, you want to elucidate?

22 EXECUTIVE DIRECTOR CHANEY: Yes. I think -- thank
23 you. Thank you, Commissioners. Yes, I think that's
24 correct.

25 I mean, first off, the -- our reg and the law

1 gives the CHRB the power to condition licenses. And so the
2 condition that Commissioner Davis advocates is perfectly
3 acceptable. Obviously, it would be met. If there's an
4 agreement reached before the next Board meeting -- should
5 there not be an agreement reached, we can place it on the
6 agenda again for the Board to reconsider.

7 So this wouldn't be the final time. We would just
8 ask the Board to have it by like September 1st because we do
9 put out the agenda for September on the 2nd.

10 CHAIR FERRARO: Okay. Does that answer your
11 questions --

12 VICE CHAIR GONZALES: Yeah, that makes --

13 CHAIR FERRARO: -- Oscar?

14 VICE CHAIR GONZALES: It sure does. It sure does,
15 yeah. Thank you.

16 CHAIR FERRARO: Any other questions from the
17 Board?

18 Does Santa Anita want to comment on this
19 requirement?

20 MR. SINDLER: Hello. This is Eric Sandler again.

21 I can say that we do have a call scheduled for
22 this afternoon with counsel for CTT. And we are hoping to
23 make some more progress today on one, what I believe is,
24 really, just one outstanding issue. It is a big issue for
25 sure but I think we've gotten it down to just one issue.

1 And I would like to thank all of the CHRB Commissioners and
2 Staff that has spent so much time on dealing with us, the
3 various meetings that we have had, and I think we are making
4 progress.

5 As far as what conditions you guys take, that's
6 really up to the Board to decide. You know, we clearly
7 cannot tell the Board what to do, so --

8 CHAIR FERRARO: Very good. Thank you.

9 Do we have a representative of CTT? Mr. Balch, do
10 you want to speak to this?

11 MR. BALCH: Hello?

12 CHAIR FERRARO: Yes. Go ahead.

13 MR. BALCH: Thank you, Chairman Ferraro and
14 Commissioners. Alan Balch for CTT.

15 I agree with what Mr. Sindler just said. We are,
16 we believe, making progress. And it is really thanks to the
17 Board itself and the assignment of Commissioners Davis and
18 Mitchell joining Commissioner Gonzales and Mr. Chaney in
19 moving this forward. I think it is important to keep the
20 pressure on, so we welcome the deadline of September 1. As
21 Mr. Sindler said, there is a meeting scheduled this
22 afternoon of the attorneys, every important, of course, and
23 I think we are making progress.

24 As Mr. Sindler said, it is a big issue, which is
25 the standard for exclusion, but I won't say it's the only

1 thing but it's the main thing that's been narrowed down.
2 Thanks to Mr. Sindler, we made a lot of progress on the
3 process for dispute resolution. He's worked very hard on
4 that and we appreciate that. And I think that's a very
5 good, positive sign.

6 I do want to say that, in general, we endorse this
7 application under the leadership of Mr. Newby and Chris
8 Merz, the communication between the Racing Office and the
9 management at Santa Anita, and the trainer's organization is
10 excellent. We're very appreciative, of course, of the purse
11 increase and TOCs involvement in that. And there's a lot of
12 excitement for the upcoming meeting. And we really
13 appreciate having that involvement and the much improved
14 communication.

15 Thank you.

16 CHAIR FERRARO: Questions from the Board for Mr.
17 Balch?

18 I can say, from my point of view, possibly the
19 Board's, that this lack of this agreement has been going on
20 for far too long. And so as a consequence of that, the
21 Board elected to send our A Team in there, Commissioner
22 Davis and Commissioner Mitchell. And I'm pleased to see
23 that they've managed to get things moving, so I appreciate
24 the work of everybody involved on that. Thank you very
25 much.

1 Operator, do we have a queue on this? We must.

2 OPERATOR: Yes.

3 CHAIR FERRARO: Let's go.

4 OPERATOR: Okay. The first comes from Bonnie
5 Croker with Kill Racing Not Horses.

6 MS. CROKER: Yes. Good morning, again, and thank
7 you.

8 CHRB, please remind Santa Anita that their license
9 must be denied or revoked if they fail to comply with CHRB
10 Rules, in particular, on the relatively CHRB Rule 1444 which
11 states that no person shall cut, mutilate, alter, or change
12 any photo finish photographs, cam patrol photo, photograph
13 or videotape recording for the purpose of deceit or fraud of
14 any type.

15 Santa Anita, like other tracks, continue to do
16 cuts and alters their livestream playbacks for the purpose
17 of deceiving the public about the truly grueling nature of
18 the blood sport. There is not one CHRB sanctioned horse
19 race in California that isn't watched and legally filmed by
20 animal rights activists.

21 Two recent examples of videotape cutting and
22 alteration by Santa Anita are (indiscernible) 22, '21, Santa
23 Anita, race nine, horse named Go Smiley Go, pulled up, DNF,
24 vanned off. Head-on video was drastically edited to deceive
25 public and, possibly, horse racing officials.

1 Number two, date (indiscernible) 28, '21, Santa
2 Anita, race eight, horse named Arrow Point (phonetic),
3 injured front leg. Head-on video was drastically edited to
4 deceive public and, possibly racing officials.

5 California horse racing licenses are contingent
6 upon compliance with CHRB rules and regulations. If tracks
7 continue to violate CHRB rules, then their licenses must be
8 revoked in accordance with California Business and
9 Professions Code section 19460.

10 Thank you.

11 CHAIR FERRARO: Thank you.

12 Next, please.

13 OPERATOR: Next we'll go to Heather Wilson with --
14 equine advocate.

15 Please go ahead.

16 MS. WILSON: Yes. Thank you. So my comments will
17 be very similar to the Los Alamitos comments, except for
18 different reasons.

19 Horse racing licenses in the state of California
20 are subject to California Business and Professions Code,
21 which I'm not going to repeat, but basically stating that
22 these licenses are contingent upon the racetracks complying
23 with the overseeing Board, being the CHRB, with CHRB rules
24 and regulations.

25 Santa Anita continues to violate Rule 1444, which

1 the previous caller has quoted, so I don't need to repeat
2 that whole rule. However, what's most important here is for
3 the purpose of deceit or fraud. Santa Anita continues to
4 deceive the public. They do not want the public seeing what
5 is happening to the horses at their tracks.

6 The following race videos have been altered by
7 Santa Anita, which violates CHRB Rule 1444. These horses
8 were all killed in action at the last racing meet.

9 December 27th, Abaco (phonetic). January 23rd,
10 Jack's Choice. February 28th, Squeaky Cheeky. March 23rd,
11 Mantra. April 17th, My Child Sbud. And April 18th,
12 Multiplier. Every single one of these horses is now dead.
13 And Santa Anita does not want to see the public to see their
14 last moments on earth.

15 Based on California Business and Professions Code,
16 this license should not be granted.

17 CHAIR FERRARO: Thank you.

18 Next, please.

19 OPERATOR: Next we'll go to Elvia Sedano with Kill
20 Racing Not Horses.

21 Please go ahead.

22 MS. SEDANO: Good morning. As long as Santa Anita
23 is butchering and editing their racing videos, this license
24 should not be renewed. It is a violation of CHRB Rule 1444
25 to edit videos, yet Santa Anita continues.

1 California Business and Professions Code section
2 19460 states, and I quote, "All licenses granted under this
3 chapter are subject to all rules, regulations, and
4 conditions prescribed by the Board."

5 Very simple. If racetracks violate CHRB rules,
6 they should lose their license. Racetracks violate CHRB
7 rules all the time, most commonly with excessive whipping
8 and doping the horses with banned substances. As long as
9 racetracks are disregarding your rules, they should to be
10 operating.

11 Thank you.

12 CHAIR FERRARO: Thank you.

13 Next, please.

14 OPERATOR: Next we'll go to Lynn Frudenberg with
15 Kill Racing Not Horses.

16 Please go ahead.

17 MS. FRUDENBERG: Good morning.

18 You know, there are so many horses unaccounted for
19 whose last known whereabouts were at CHRB facilities,
20 including Santa Anita. The CHRB wants transparency, yet it
21 cannot even answer the very question, if a particular horse
22 is dead or alive, horses that were allegedly under CHRB
23 oversight.

24 Last month we heard from a pro-racing caller
25 stating that horses are property. Well, that couldn't be

1 any clearer. Racehorses even have bar codes on them in the
2 form of lip tattoos.

3 Chairman Ferraro has also publicly acknowledged
4 that horses are being vanned off and euthanized at non-CHRB
5 facilities. These findings coincide with a recent complaint
6 filed against California Veterinarian Medical Board.

7 With that being said, where's Quarantined Diamond
8 (phonetic)? This filly was last seen at Santa Anita on
9 January 16th, 2021. She placed seventh out of nine and then
10 was vanned off. She was vanned off to -- was she vanned off
11 to a non-CHRB facility for euthanasia?

12 There's also Honor America. This filly was last
13 seen racing at Santa Anita on February 6th, 2021. The chart
14 states, "Weakened, eased off, walked off," and then she
15 placed last out of five. She has not been seen in the major
16 databases since.

17 Where are these two -- I'm sorry, excuse me.
18 Where are these two fillies?

19 We need to properly keep track of the horses that
20 are supposed to have a CHRB oversight. Until then, no
21 license should ever be granted for a place that can't even
22 be accountable for the horses under their care.

23 CHAIR FERRARO: Thank you.

24 Next, please.

25 OPERATOR: Next we'll go to Martha Sullivan with

1 Kill Racing Not Horses.

2 MS. SULLIVAN: You know, there's a reason why
3 Santa Anita alters race videos to remove the sight of horses
4 being injured, often catastrophically. And this quote, this
5 recent quote, from Alan Foreman, chairman and CEO of the
6 Thoroughbred Horsemen's Association in the recent Jockey
7 Club Roundtable at Saratoga, you know, highlights it.

8 Quote,

9 "We have not moved as society has moved in many
10 respects. The public simply doesn't accept the way we
11 do business. We have not been the same since 30 horses
12 died on the racetrack on Santa Anita because we
13 couldn't explain it. This is a perfect storm. That's
14 why this is happening," end quote.

15 There have been 46 equine athletes die this year
16 at CHRB facilities, you know, these are the ones reported by
17 CHRB. Fourteen of these were in Santa Anita's spring race
18 meet. I want to, again, ask, how many other sports have
19 this many of their, quote, "athletes" die? In Santa Anita's
20 case in, you know, six months of their race meet, they have
21 14 horses die. You know, any other sport would be shut
22 down.

23 The racing industry has to come to grips with
24 this. And you know, Santa Anita is still, because it's so
25 fearful of the public waking up to this, it's altering video

1 because it knows how devastating it is.

2 This license shouldn't be granted.

3 CHAIR FERRARO: Thank you.

4 Next, please.

5 OPERATOR: And next we'll go to Wayne Johnson,
6 citizen.

7 Please go ahead.

8 MR. JOHNSON: Squeaky Cheeky knew exactly how
9 unsafe Santa Anita is. So did the 14 other horses that died
10 there.

11 Deny this license.

12 CHAIR FERRARO: Thank you.

13 Next, please.

14 OPERATOR: And, finally, we'll go to Cliff
15 Goodrich with CTHF.

16 MR. GOODRICH: Thank you, Chairman --

17 CHAIR FERRARO: Go ahead.

18 MR. GOODRICH: -- Commissioners. I just have to
19 weigh in.

20 First of all, I love racing and I love horses, and
21 I fully admit it.

22 I'm in support of this license and, likely, any
23 other responsible racing license. And while I recognize the
24 general public is free to comment on specific agenda items,
25 I'm, frankly, tired of charges of Racing Board, racetrack,

1 and horsemen improprieties when the evidence over the past
2 two years or so shows significant progress because of the
3 resolve of the CHRB tracks and horsemen in an effort to
4 improve and protect the health and safety of horses.

5 You know, racehorses, I believe the statistics
6 will show, live longer lives than those in the wild. And in
7 addition, they are loved and cared for.

8 Guys, it's not a perfect world but progress has to
9 be recognized. This Board and this industry has made
10 significant progress and it should be well noted.

11 Thank you.

12 CHAIR FERRARO: Thank you.

13 Anyone else, Operator?

14 OPERATOR: No additional comments at this time.

15 CHAIR FERRARO: Questions or comments from the
16 Board?

17 Commissioner Davis, do you want to make the motion
18 and include your requirement for the TTT [sic] agreement?

19 COMMISSIONER DAVIS: Yes. So I move approval of
20 the license contingent upon receipt of all of the documents
21 that would complete the application, and in particular the
22 signed 2021 race meet agreement and, if necessary, if that
23 doesn't happen, we bring it back for the Board agenda in
24 September.

25 CHAIR FERRARO: And that agreement has to be

1 received by September 2nd; is that correct?

2 COMMISSIONER DAVIS: Or September 1st.

3 CHAIR FERRARO: September 1st.

4 COMMISSIONER DAVIS: I believe it would be
5 September 1st.

6 CHAIR FERRARO: Okay. Great. Second that motion?
7 I second that motion.

8 Commissioner Gonzales?

9 VICE CHAIR GONZALES: Yes.

10 CHAIR FERRARO: Commissioner Alfieri?

11 COMMISSIONER ALFIERI: Yes.

12 CHAIR FERRARO: Commissioner Castellanos?

13 COMMISSIONER CASTELLANOS: Yes.

14 CHAIR FERRARO: Commissioner Davis?

15 COMMISSIONER DAVIS: Yes.

16 CHAIR FERRARO: Commissioner Mitchell?

17 COMMISSIONER MITCHELL: Yes.

18 CHAIR FERRARO: Commissioner Solis?

19 COMMISSIONER SOLIS: Yes.

20 CHAIR FERRARO: And the Chair votes yes.

21 Moving on to item number 12, discussion and action
22 by the Board regarding the proposed amendment of CHRB Rule
23 1588, Horse Ineligible to Start in a Race, and proposed
24 addition of CHRB Rule 1866.3, 30-Day Stand Down for Fetlock
25 Injections, to prohibit the use of corticosteroid intra-

1 articular joint injection within 30 days of race day and 10
2 days before completing a timed workout.

3 Mr. Voss?

4 MR. VOSS: Hello and thank you, Commissioners.
5 This is Zachary Voss, Regulation Analyst for the California
6 Horse Racing Board.

7 Item number 12 is discussion and action regarding
8 the proposed amendment to Board Rules 1588 and 1866.3. The
9 rulemaking was originally approved by the Board in July of
10 2020. And following the initial notice and comment period,
11 it was submitted to the Office of Administrative Law, or
12 OAL, on June 2nd, 2021 to review. Then OAL informed the
13 Board that the rulemaking needed further modification for
14 clarity and consistency before it could be approved.

15 The Board, subsequently, re-noticed OAL's
16 recommended modifications for a 15-day comment period. That
17 commenced on August 2nd, 2021, and then through August 17th,
18 2021. No comments were received.

19 The modified language is now before the Board for
20 approval, conditioned upon which the staff will then
21 resubmit the rulemaking to OAL.

22 Additionally, Amanda Drummond is going to
23 highlight a few additional items that were addressed in the
24 staff analysis.

25 MS. DRUMMOND: Yes. Good afternoon, again,

1 Commissioners.

2 So in Rule 1588, subsection (14), it cites Rule
3 1866, subsections (e) and (f) for reference. I just wanted
4 to bring it to your attention that when this language was
5 noticed originally there was a notice for the language for
6 1866, also, going out the same time. And as a result
7 subsections (e) and (f) are actually now (h) and (i). So it
8 should not be a problem because when it was originally
9 noticed that was the correct, but I just wanted to flag that
10 for your attention.

11 CHAIR FERRARO: So if I understand this,
12 basically, we've already approved this, it's just,
13 basically, a correction of the wording in the statute; is
14 that correct, what we're doing here?

15 MS. DRUMMOND: Yes. Yes, that's correct, so it's
16 just for clarifying purposes. OAL recommended we make these
17 changes so we did and we noticed it. Since they've already
18 reviewed it, when we return it to them, it should be a
19 relatively quick process. And we are requesting an
20 effective upon filing with them. So once they approve it,
21 it will go into effect at that time.

22 CHAIR FERRARO: Thank you. Any questions from the
23 Board?

24 Do we have a queue on this, Operator?

25 OPERATOR: We have nobody in queue at this time.

1 CHAIR FERRARO: Can I have a motion?

2 OPERATOR: I'm sorry. We did just get one through
3 the queue.

4 CHAIR FERRARO: Okay. Let's hear it.

5 OPERATOR: And this is from Alan Balch.
6 Please go ahead.

7 MR. BALCH: Thank you, Chairman Ferraro. Is Dr.
8 Blea available on this item? He and I -- he reached out to
9 me yesterday about this and I just want to make sure we're
10 understanding it properly. I think that this is -- these
11 things are already in place, if I'm understanding it right,
12 and this is formalizing it. It's not really a change in
13 what we are presently doing, so I want to make sure that
14 understanding is correct. Because if the effective date of
15 this, the effective date of this reg, is upon filing, I
16 think it heard it said, do we have an estimate of when that
17 date would be?

18 MS. DRUMMOND: It's --

19 CHAIR FERRARO: Well --

20 MS. DRUMMOND: So this is Amanda Drummond again.

21 Unfortunately, I can't say when OAL will complete
22 their review. They have a window to complete it, so I'm not
23 entirely sure when that will be. It's really dependent on
24 what is on the attorney's desk. But this language is
25 already what is in the 1581, Racing Conditions Agreement.

1 So this is really just putting into regulations what is
2 already in those racing agreements.

3 MR. BALCH: Okay. Great. That clarifies it for
4 me that -- because I've had some questions about whether
5 these numbers of days and stuff are changing. And the
6 answer is that they are not from the current regs.

7 CHAIR FERRARO: No. Correct. We're just
8 formalizing a current practice.

9 MR. BALCH: Thank you very much.

10 CHAIR FERRARO: Okay. Is that all, Operator?
11 Nobody else?

12 OPERATOR: That was our only comment.

13 CHAIR FERRARO: Okay. Motion please?

14 COMMISSIONER CASTELLANOS: Castellanos. Motion.

15 COMMISSIONER DAVIS: Davis.

16 CHAIR FERRARO: Second?

17 COMMISSIONER DAVIS: Davis seconds. Davis.

18 CHAIR FERRARO: Oh, okay.

19 COMMISSIONER DAVIS: Commissioner Davis.

20 CHAIR FERRARO: Commissioner Davis, thank you.
21 Commissioner Gonzales?

22 VICE CHAIR GONZALES: Yes.

23 CHAIR FERRARO: Commissioner Alfieri?

24 COMMISSIONER ALFIERI: Yes.

25 CHAIR FERRARO: Commissioner Castellanos?

1 COMMISSIONER CASTELLANOS: Yes.

2 CHAIR FERRARO: Commissioner Davis?

3 COMMISSIONER DAVIS: Yes.

4 CHAIR FERRARO: Commissioner Mitchell?

5 COMMISSIONER MITCHELL: Yes.

6 CHAIR FERRARO: Commissioner Solis?

7 COMMISSIONER SOLIS: Yes.

8 CHAIR FERRARO: And the Chairman votes yes.

9 Moving on to item number 13, discussion and action
10 by the Board regarding consideration of comments received
11 during the 45-day comment period and public hearing
12 regarding the proposed amendment of CHRB Rule 1845,
13 Authorized Bleeder Medication, to clarify the usage of
14 furosemide in specific races.

15 Amanda, can you explain this, please?

16 MS. DRUMMOND: Yes. Good afternoon, again,
17 Commissioners. Amanda Drummond here.

18 So agenda item 13 is the proposed amendment to
19 Board Rule 1845. This rule was originally approved at the
20 January 2021 Board meeting. The proposed amendment to Board
21 Rule 1845 will eliminate the provisions that prevent a horse
22 from being removed from the Authorized Bleeder Medication
23 List from immediately returning to the List. This will
24 allow a horse to run in a graded stake's race where
25 furosemide is prohibited and, immediately thereafter, return

1 to the List to run in a non-graded stake's race that allows
2 furosemide.

3 Additionally, the proposed amendment will prohibit
4 the administration of furosemide to a horse registered on
5 the Authorized Bleeder Medication List when entered in a
6 race where furosemide is prohibited under race conditions
7 approved by the Board which will eliminate confusion as to
8 whether a horse's registration on the Authorized Bleeder
9 Medication List takes precedence over Board-approved race
10 conditions that ban furosemide.

11 The 45-day public comment period was open from
12 April 16th through June 1st. One comment was received and
13 is included for reference.

14 If approved, this regulation will be sent to OAL
15 for finalization. And we are requesting an effective upon
16 filing. So if OAL approves this regulation, it will go into
17 effect upon approval.

18 And if the Board has any questions, I'm available.

19 CHAIR FERRARO: Well, we have approved this
20 previously, and now we had the 45-day comment period --

21 MS. DRUMMOND: Um-hmm.

22 CHAIR FERRARO: -- and we need to re-approve it;
23 is that correct?

24 MS. DRUMMOND: That is correct, yes. You approved
25 it in January. There were no changes to the text of the

1 language coming back from the comment period. And we
2 included the comment for your consideration.

3 CHAIR FERRARO: Thank you.

4 Questions or --

5 MS. DRUMMOND: Um-hmm.

6 CHAIR FERRARO: -- comments from the Board?

7 Do we have a queue on this, Operator?

8 OPERATOR: We have nobody in queue at this time.

9 CHAIR FERRARO: Can I have a motion?

10 COMMISSIONER ALFIERI: So moved. Alfieri.

11 CHAIR FERRARO: Second?

12 COMMISSIONER DAVIS: Davis seconds.

13 CHAIR FERRARO: Commissioner Gonzales?

14 VICE CHAIR GONZALES: Yes.

15 CHAIR FERRARO: Commissioner Alfieri?

16 COMMISSIONER ALFIERI: Yes.

17 CHAIR FERRARO: Commissioner Castellanos?

18 COMMISSIONER CASTELLANOS: Yes.

19 CHAIR FERRARO: Commissioner Davis?

20 COMMISSIONER DAVIS: Yes.

21 CHAIR FERRARO: Commissioner Mitchell?

22 COMMISSIONER MITCHELL: Yes.

23 CHAIR FERRARO: Commissioner Solis?

24 COMMISSIONER SOLIS: Yes.

25 CHAIR FERRARO: And the Chairman votes yes.

1 We move on now to item number 14, which is the
2 Executive Director's Report and the Equine Medical
3 Director's Report.

4 Mr. Chaney?

5 EXECUTIVE DIRECTOR CHANEY: Thank you, Mr.
6 Chairman and Commissioners.

7 Regarding handle for August, day racing was up 20
8 percent on five less programs, night racing was down 17
9 percent on two less programs, and overall handle was up 15
10 percent, all compared to August of 2020. Year to date, as
11 compared to the same period last year, handle for day racing
12 is up 24 percent, night racing is down 5 percent, and total
13 handle is up 19 percent.

14 Last month I relayed that the plan was to revert
15 to in-person Board meetings in September. However, given
16 the recent surge in COVID cases, and the new mask mandates
17 in several counties in California, it is prudent to delay
18 that reversion until the data and science dictate that is
19 appropriate and responsible for such a move.

20 In addition, going forward, I'd like to point out
21 the Committee meetings will now be broadcast on our website,
22 in addition to the teleconference access already in place.

23 Last Friday, Chairman Ferraro, Vice Chair Gonzales
24 and I did a trip to San Luis Rey Downs to tour the training
25 facility, to review the progress with regard to sprinklers,

1 and appreciate the overall scope of fire prevention
2 measures. We were joined by several members of The Stronach
3 Group management, Kevin Habau (phonetic), who runs the
4 facility, the fire marshal, and Safety Steward George Amiga
5 (phonetic), who is assigned to San Luis Rey Downs.

6 Lastly, we were able to speak with Examining and
7 Monitoring Veterinarians Doctors Gonzales and Grant, who
8 both offered insight as to how the Racing Safety Program in
9 California could further be improved. I found the visit
10 extremely productive and informative.

11 Lastly, next month at a meeting of the Medication,
12 Safety, and Welfare Committee, the Board will begin the
13 process of contemplating a regulation that would seek to
14 penalize trainers for fatalities of horses in their care.
15 The regulation will seek to both recognize that there are
16 some fatalities that are outside their control and would
17 occur in any live animal population, such as those due to
18 some accidents and sickness, but also acknowledge the
19 trainers are in the best position to prevent catastrophic
20 musculoskeletal failures.

21 We will begin this process on the Committee level
22 because, as far as I know, this would be the first rule of
23 it's kind, and because we expect and anticipate a fair
24 amount of discussion and input from all horse racing
25 constituencies.

1 And that, Mr. Chairman, is my report.

2 Mr. Chairman --

3 CHAIR FERRARO: Mr. Chaney --

4 EXECUTIVE DIRECTOR CHANEY: -- I think you might
5 be muted. Now we can. I think you might have been muted.

6 CHAIR FERRARO: I was cut off, actually, so I
7 didn't hear your report. Can you summarize it for me?

8 EXECUTIVE DIRECTOR CHANEY: Well, it was my best
9 one yet, frankly. No, I -- three major topics.

10 I related to everyone listening that our Board
11 meetings will not revert to public ones as we anticipated in
12 September.

13 I talked about the Vice Chairman and our trip to
14 San Luis Rey Downs last week.

15 And then previewed the regulation that would
16 penalize trainers for fatalities at next month's meeting.

17 CHAIR FERRARO: Great. Thank you. Thanks.

18 Commissioner Gonzales, do you want to make some
19 comments about our trip to San Luis Rey?

20 VICE CHAIR GONZALES: Yes, I would. Thank you
21 very much. I really appreciated the opportunity to see
22 first hand the steps that are being taken regarding the
23 sprinkler system. We did commit to the Commissioners and
24 those who have weighed in.

25 What I was able to see was not only a training

1 center that has taken every precaution, every measure to
2 make sure they remain safe in the event that there's another
3 fire situation, but I was also just impressed with the
4 overall facility. It is, without a doubt, a very tranquil,
5 safe, kind of serene environment.

6 That goes without saying that while we were there
7 we did address a couple of training fatalities that had
8 happened that we have every commitment to make sure that
9 greater measures are in place. I believe that the staff,
10 particular the CHRB staff that is on the ground, is going to
11 make sure that they remain vigilant. And we have buy-in
12 from The Stronach Group personnel that they are going to
13 step up their scrutiny, especially from horses coming off of
14 very long layoffs.

15 I appreciate Executive Director's commitment to
16 making sure that there is a good flow of information. That
17 is a very important component to Southern California racing.
18 And we want to make sure that they have all the support that
19 we can offer.

20 And Dr. Ferraro, it really was just great to join
21 you. I think, you know, the drive over there and back
22 really just allowed for us just to, you know, understand the
23 work that lies ahead, but also recognizing that a tremendous
24 amount of effort has been put forward to get us to this
25 point.

1 I believe for future Commissioners, assuming we
2 all, at some point, will be moving on, I believe at least a
3 trip like this has to happen. And it's my understanding
4 that it's been quite some time, as in years, that any
5 Commissioners have visited the facility. So I do encourage
6 that to be something in regular rotation for future
7 Commissioners.

8 Thank you, Dr. Ferraro.

9 CHAIR FERRARO: Thank you. I'd endorse Oscar's
10 comments.

11 I'd also say that, you know, looking at the effort
12 that's been made for fire control, prevention, suppression,
13 the elements that are taking place there, you begin to
14 realize that this issue that we've agonized over so much
15 about sprinklers in the barns are really a minor part of the
16 total fire control situation. I was very impressed with the
17 steps they've taken. The sprinklers are being installed in
18 the old barns. It will be completed under the plan that was
19 presented to us last month. And again, I would also endorse
20 Oscar's comments. The facility is really quite good and we
21 should be proud of it.

22 Any other questions or comments about this?

23 Let's hear from Dr. Blea please.

24 DR. BLEA: Good morning, Chairman and
25 Commissioners, again.

1 The Jockey Roundtable was held this past Saturday
2 and -- or excuse me, this past Sunday. And there's a link
3 on the Jockey Club website if you're interested in viewing
4 the Roundtable.

5 If you go to that link and view it at hour 20, 1
6 hour, 20 minutes, it's the start of a presentation by both
7 Dr. Tess Amure (phonetic), who is the Director of Equine
8 Sciences, and Charlie Scheeler, who's the Horse Racing and
9 Safety Integrity Act chairman, and they both provide a nice
10 overview of the Horse Racing and Safety Integrity Act and
11 give you some information about how they're proceeding and
12 kind of what to expect in the future. So it was quite
13 informative. If you haven't seen it, I would encourage you
14 to see it.

15 Trainer CE continues to develop. And while we've
16 hit the trainers with a portfolio of webinars and training
17 modules, recently we had a -- we provided a trainers CE
18 webinar titled Understanding Shoulder Fractures by Dr. Sue
19 Stover from UC Davis and Dr. Lee Novell (phonetic) from the
20 CHRB. That webinar was very, very well done and well
21 attended with over 100 participants signed in throughout the
22 entire webinar. We received some very positive feedback.
23 And the results of the webinar will lead to a better
24 understanding of how shoulder fractures occur and, more
25 importantly, help reduce their instances in the future.

1 The Governor's Panel continues to function
2 effectively at all racetracks. And the Track Veterinarian
3 Monitoring Program in the morning during training has proven
4 and continues to proven -- continues to prove to be a real
5 safety asset. Compliance in horsemen has been outstanding
6 and it's a win-win for everybody.

7 Statewide, there were five fatalities in July of
8 2021. All five fatalities were in training, with one of
9 those fatalities occurring as a sudden death. The sudden
10 death was presumed to be a cardiac-related issue but was
11 diagnosed in the Necropsy Program and very frustrating. The
12 entire horse's history and medical records were provided by
13 the breeder and we still have an undiagnosed cause of death.

14 A minimal (phonetic) stress fracture and a tibia
15 stress fracture that occurred in training in July were the
16 impetus and the driving force for providing the
17 aforementioned Trainer CE.

18 There were zero fatalities in racing in July of
19 2021.

20 The Ken Maddy Lab tested a total of 1,361 post-
21 race samples from 753 individual (indiscernible) horses; 677
22 were analyzed in blood, 608 were in urine, and that included
23 an additional 76 official vet work bloods that were analyzed
24 in blood. Of the 1,361 samples analyzed in July, there were
25 two medication violations reported. Both of the violations

1 were Class 4, methocarbamol overages identified in post-race
2 samples. Out-of-competition testing that took place at the
3 Maddy Lab included 1,005 samples that were analyzed, and
4 that's not including the TCO2 samples that are analyzed as
5 well.

6 That is what I have to report this month.

7 CHAIR FERRARO: Thank you.

8 Any questions from the Board for Dr. Blea?

9 Dr. Blea, Dr. Grande has a new position. I think
10 you and he are reorganizing some of the tasks and
11 everything. Is that progressing along to your satisfaction
12 or working out all right? Is there anything we can do to
13 help that situation?

14 DR. BLEA: That is correct. Dr. Grande is the
15 Chief Official Veterinarian which is a new position created
16 on July 1. He and I have a very good relationship and a
17 good rapport. He's been extremely helpful in dealing with
18 issues related to the official vet, monitoring vets, and the
19 panel, and we talk frequently. At this point, things are
20 going very, very smoothly. And it's been a real asset to
21 what I'm doing to have him right along side. We had the
22 same vision as far as institutionalizing and formalizing the
23 panel, and we've begun to that, and we talk quite
24 frequently.

25 So at this point, things are moving along quite

1 nicely. I think the intended purpose of that position is
2 reaching its potential and will continue to be successful.

3 CHAIR FERRARO: Thank you.

4 Any questions or comments from the Board here?

5 Operator, do we have a queue on this?

6 OPERATOR: Yes, we've got several callers in
7 queue.

8 CHAIR FERRARO: Let's go.

9 OPERATOR: Okay. The first will come from Martha
10 Sullivan with Kill Racing Not Horses.

11 MS. SULLIVAN: Yes. Hello again. I wanted to
12 follow-up on something.

13 I have been in communication with the CHRB Public
14 Inquiries email address since late July about the California
15 Veterinarian List that is posted on the CHRB website and is
16 referenced by CHRB Public Inquiries when we send it in, you
17 know, questions about the status of horses. There are two
18 different lists. And I know I was told last year that there
19 are two different lists. And actually, you know, one of
20 your staff says that he uses the list that's not posted on
21 the website because it's more current. And this was the
22 case this last July as well.

23 Now I did get a reply from CHRB Public Inquiries
24 that the Board has recently updated the software used to
25 maintain this list to update the CHRB website list. And you

1 know, following a brief training period to familiarize
2 personnel with the new software, the Board anticipates that
3 the Veterinarian's List posted on the Board's website will
4 be the most current.

5 I did reply and ask when this was expected to
6 happen? I didn't get a reply. As of, at least, last night,
7 it still is not current compared to the other list that is
8 maintained and is not on the CHRB website.

9 So I think that, you know, if you're going to keep
10 referring the public to the Veterinarian's List that's on
11 your website, that Veterinarian's List needs to be current.

12 And it would be helpful to be given a time frame about when
13 you expect that to happen.

14 CHAIR FERRARO: Thank you.

15 Next, please.

16 OPERATOR: Next we'll go to Wayne Johnson,
17 citizen.

18 Please go ahead.

19 MR. JOHNSON: Dr. Ferraro, I'm wondering if you
20 and Mr. Gonzales and Mr. Chaney, when you went to San Luis
21 Rey Downs, saw the ghosts of Handsome Boy, Wild Bill
22 Hickory, Malibu Dixon, Lizmeister, Into Mischief, Warm Hugs?
23 Did you see any of those horses? Did you see any of their
24 ghosts? Did you see any of the other 38 horses that died
25 there as the California Horse Racing Board waives the fire

1 rules, waives the sprinkler rules, delays them?

2 Dr. Blea, those five horses that died in training
3 had parents, they had friends, and they have names. And
4 it's about time we name them rather than refer to them as
5 five horses.

6 Thank you.

7 CHAIR FERRARO: Thank you.

8 Next, please.

9 OPERATOR: Next we'll go to Heather Wilson, equine
10 advocate.

11 MS. WILSON: Thank you. I want to take this
12 opportunity to thank Mr. Chaney for bringing up the motion
13 of regulations regarding penalties for fatalities. But I
14 would like to clarify, will this only be at CHRB facilities?
15 Because as we have been hounding the CHRB, many horses are
16 being euthanized at non-CHRB facilities, at private ranches
17 and clinics that do not have CHRB oversight, so when you're
18 talking about penalties for fatalities, you need to confirm.

19 Because, in my opinion, and in the opinion of the
20 general public, even John Philip of *L.A. Times*, he talked
21 about horses that are killed in training and not just ones
22 that die during a race. So every single horse that is being
23 used in training, that is stalled at a racetrack that has
24 CHRB oversight, every single one of these horses, whether
25 it's racing, training, stall accidents, every single one of

1 these horses needs to be counted.

2 And this also includes the ponies. I mean, we
3 actually have no idea how many horses are being euthanized
4 offsite because, oh, you can pat yourselves on the back and
5 say we've got less fatalities, well, that's, one, because
6 there are less horses on the card, the field sizes are
7 smaller, but two, we know that you're taking horses offsite
8 to be euthanized. So these numbers are very deceiving,
9 they're very inaccurate, and the public has a right to know.

10 This Board is a state-created entity and the
11 public is demanding answers. Otherwise, you have no
12 integrity and no transparency, and we cannot believe
13 anything that comes out of your mouths.

14 CHAIR FERRARO: Thank you.

15 Next, please.

16 OPERATOR: And next we'll go to Elvia Sedano with
17 Kill Racing Not Horses.

18 MS. SEDANO: I'm calling on public comment. Is
19 this public comment?

20 CHAIR FERRARO: Public comment is next. Public
21 comment is next.

22 MS. SEDANO: Okay. Thank you.

23 CHAIR FERRARO: Next. Next, please.

24 OPERATOR: We have no additional comments in
25 queue.

1 CHAIR FERRARO: Okay. Can I have a motion to
2 approve the Executive Director's and Equine Medical
3 Director's Reports please?

4 COMMISSIONER CASTELLANOS: Castellanos. Motion.

5 CHAIR FERRARO: Second?

6 COMMISSIONER SOLIS: Solis seconds.

7 CHAIR FERRARO: Commissioner Gonzales?

8 VICE CHAIR GONZALES: Yes.

9 CHAIR FERRARO: Commissioner Alfieri?

10 COMMISSIONER ALFIERI: Yes.

11 CHAIR FERRARO: Commissioner Castellanos?

12 COMMISSIONER CASTELLANOS: Yes.

13 CHAIR FERRARO: Commissioner Davis?

14 COMMISSIONER DAVIS: Yes.

15 CHAIR FERRARO: Commissioner Mitchell?

16 COMMISSIONER MITCHELL: Yes.

17 CHAIR FERRARO: Commissioner Solis?

18 COMMISSIONER SOLIS: Yes.

19 CHAIR FERRARO: And the Chairman votes yes.

20 Moving on to item number 15, public comment,
21 communications, reports, requests for future actions of the
22 Board. During the public comment period a total of 30
23 minutes will be allowed for public comments via the
24 teleconference line. After 30 minutes, no further comments
25 will be accepted. Each person commenting will be limited to

1 two minutes.

2 Operator, do we have a queue?

3 OPERATOR: Yes, we have multiple --

4 CHAIR FERRARO: No queue, Operator?

5 OPERATOR: -- in queue at this time.

6 CHAIR FERRARO: Go ahead please. Let's start.

7 OPERATOR: All right. We'll go to Wayne Johnson,
8 citizen.

9 MR. JOHNSON: Okay. Thank you very much, Chairman
10 Ferraro. Thank you very much to the Board. Dr. Wayne
11 Johnson here in Santa Monica, California.

12 At the last Board meeting, Kimberly Marrs said
13 that horses were property and their owners could do anything
14 they want with them. This so-called reform Board obviously
15 agrees with that.

16 Mr. Goodrich, who is doing, obviously, good work
17 for backstretch workers wants us to believe that the
18 criteria should be progress, not perfection.

19 Is there really a reform Board that approves
20 waivers for fire regulations that are set by their own
21 Board? Is that a reform Board? Is there a reform Board
22 that allows sprinklers to go uninstalled at San Luis Rey
23 Downs for over a year? Is there a reform Board that allows
24 offsite mutilation? Does a reform Board authorize the
25 violation of Rule 1444 and doctor videotapes? Does a reform

1 Board allow 46 horses to be killed on the tracks of
2 California under the (indiscernible) of the CHRB? Is
3 shipping horses offsite to be euthanized, is that reform,
4 Mr. Goodrich?

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next, please.

8 OPERATOR: Next we'll go to Heather Wilson, equine
9 advocate.

10 MS. WILSON: The opening line of the CHRB's
11 mission statement refers to integrity.

12 "The mission of the California Horse Racing Board is to
13 ensure the integrity, viability, and safety of the
14 California horse-racing industry."

15 Let's look at the dictionary definition of
16 integrity. "Firm adherence to a code of especially moral or
17 artistic value; incorruptibility." Another dictionary
18 states, "Adherence to moral and ethical principles;
19 soundness of moral character; honesty."

20 The horse racing industry and, of course, the CHRB
21 are the very last things that come to mind when hearing the
22 definition of integrity. For months, we have been demanding
23 to know the whereabouts of numerous California racehorses.

24 A couple of horses have been claimed by the
25 industry folks calling in. They were both horses from Los

1 Alamitos named Verifiable and Roos Silk (phonetic), but all
2 of the others have not.

3 In June, Commissioner Mitchell expressed obvious
4 and genuine concern regarding horses being vanned to other
5 ranches and clinics that are not under purview of the CHRB.

6 In response, Chairman Ferraro stated, "Wendy, I can tell
7 you, we're working on that problem." He then adds, "It's a
8 minor issue." No. No. This is the antithesis of
9 integrity. Euthanizing horses at non-CHRB facilities so
10 that they can evade necropsies and accountability is not a
11 minor issue. It is major.

12 Since you claim to be working on it, I would like
13 to know exactly what is being done. Mr. Chaney has brought
14 up some information regarding penalties for fatalities. I
15 don't know if that counts. And, apparently, there is an
16 extra 50 stewards that I have not seen anything making any
17 difference so far. And you still refuse to answer some very
18 simple questions, if a particular horse is dead or alive.

19 CHAIR FERRARO: Thank you.

20 Next, please.

21 OPERATOR: Thank you.

22 So next we'll go to Bonnie Croker with Kill Racing
23 Not Horses.

24 MS. CROKER: Yes. Thank you, CHRB, quite
25 sincerely for any and all efforts that you put forth to

1 ensure the safety of horses. It's only sad that your work,
2 as you know, can't take the danger and risk out of horse
3 racing.

4 CHRB, please imagine for a moment that your year-
5 long association with the University of Kentucky's messenger
6 RNA study is complete. Imagine that the results of the
7 study are highly significant in terms of allowing
8 veterinarians, trainers, and horse owners to be alerted and
9 forewarned if their horses are highly vulnerable to
10 sustaining injury.

11 Now, what are you going to do about that? There
12 are privacy guards and restrictions on information sharing
13 in this study. But in real life, mRNA test results would be
14 on public vet reports. Public knowledge, of course,
15 threatens your business.

16 And for real live racing, are you going to
17 construct rules and regulations regarding mRNA tests when
18 you scratch horses from races if they're labeled mRNA test
19 shows high likeliness of injury? I doubt that. My guess is
20 that you won't use the mRNA tests at all if they interfere
21 with racing. Again, your hard work would be for nothing.

22 Thank you and have a good afternoon.

23 CHAIR FERRARO: Thank you.

24 Next, please.

25 OPERATOR: Thank you.

1 Next we'll go to Kimberly Marrs with KTM Equine.

2 Please go ahead.

3 MS. MARRS: Hi. Thank you, Board.

4 I would like to read my comment but this was not
5 written by me, and it is a quote, it's a direct quote, from
6 Donna Barton, but I think it really warrants being told.
7 And it starts off, "It's about time for us to stop
8 apologizing for who we are as a sport," and I totally agree
9 with that.

10 And Santa Anita and The Stronach Group have led
11 the way in the major industry reforms and the industry, as a
12 whole, has come a long way in a short period of time, but
13 we're still far from perfect.

14 What's right with racing? Our fatality rates.
15 Catastrophic breakdowns are down, way down. A quick look at
16 the Equine Injury Database reveals that the risk of fatal
17 injury declined 7.8 percent from 2019 to 2020, and that it
18 has declined 29.5 percent overall since 2009. The 2020 rate
19 of fatal injury is the lowest number since the EID started
20 collecting data in 2009, and that's a pretty big deal.

21 These stats indicate that in 2020, 99.86 percent
22 of racing starts at the racetrack who participated in the
23 EID were completed without fatality. In other words, the
24 catastrophic breakdown happened 0.14 percent of the time,
25 less than a quarter-of-one-percent, that they are truly a

1 rare occurrence, and one of the things that make them so
2 difficult being it's difficult to completely eliminate.

3 So we're not done. And zero is our goal. While
4 no equine discipline has yet to be able to achieve zero, we
5 are aiming high to hit our mark. And years of data show
6 that we are aware, and we are doing a good job, and we are
7 actually finding success with this. So we are all about
8 animal welfare. And we keep making these inroads and
9 changes and they are making differences.

10 So keep up the good work and let's just strive to
11 keep reducing the fatality rates and build our industry.

12 CHAIR FERRARO: Thank you.

13 Next, please.

14 OPERATOR: Thank you.

15 Next we'll go to Mary Johnson, an equine advocate.

16 MS. JOHNSON: Hi. Yes. Good afternoon. Thank
17 you to the Board.

18 I just want to respond to Ms. Marrs comments about
19 Donna Barton's quote. And, yes, I did read that quote. I
20 did read the Paulick Report.

21 I don't believe much of what comes out of Donna
22 brothers -- Barton's mouth because she's obviously a paid
23 mouthpiece for horse racing. She has a vested interest in
24 the industry because the industry puts money in her bank
25 account.

1 Now, there's approximately 1,000 horses that break
2 down on the tracks annually, but that doesn't take into
3 consideration the ones that limp back to their barns and are
4 euthanized later. I'm thinking of Mongolian Groom. I'm
5 sure you've heard of him. He did not break down on the
6 track. Now I don't know if he's in your database, but that
7 horse suffered a catastrophic injury on your tracks. So
8 when Ms. Barton babbles like that, I think she needs to be
9 challenged on her numbers.

10 Secondly, we are in a heat wave here in this
11 country, as we all know. And horses heat up ten times
12 faster than humans. So when is it too hot to race your
13 horse or ride your horse? And the answer is when their
14 temperature Fahrenheit is combined with relative humidity.
15 When those numbers reach 150, then it's too hot to race your
16 horse, event your horse, whatever it happens to be.

17 Today in San Diego those two numbers combined are
18 148, very close to that 150 number. So races need to be
19 canceled when that number is 150 because, as the previous
20 commenter said, these horses are loved and cared for. If
21 you truly love your horse, do what's best for your horse.

22 Thank you.

23 CHAIR FERRARO: Next, please.

24 OPERATOR: Next we'll go to Elvia Sedano with Kill
25 Racing Not Horses.

1 MS. SEDANO: Good morning.

2 There are two horses from Golden Gate Fields that
3 are unaccounted for.

4 On 04/18/21, Lady of the House is said to have
5 went wrong, DNF. (Indiscernible) wrote, "vanned off the
6 course." Her last workout was in March.

7 In May 9, 2021, Oomph (phonetic) placed third but
8 was then determined to be unsound after he was unsaddled. He
9 was vanned off the course. His last workout was also in
10 March.

11 Where are horses Lady of the House and Oomph?
12 Were they vanned to a private ranch or clinic that does not
13 have CHRB oversight so they could be euthanized?

14 Dr. Ferraro is already familiar with this
15 practice, calling it a minor problem. However, is this a
16 minor problem, hauling a 1,000, mortally-wounded horse to be
17 euthanized at a facility that does not have CHRB oversight?

18 Thank you.

19 CHAIR FERRARO: Thank you.

20 Next, please.

21 OPERATOR: And next we'll go to Martha Sullivan
22 with Kill Racing Not Horses.

23 MS. SULLIVAN: Yes. Hello. I wanted to follow up
24 on Commissioner Gonzales's reference to the fatalities at
25 the San Luis Rey Training Center. There have been three

1 fatalities at the San Luis Training Center this year in
2 training. And all three of them are trained by Peter
3 Miller. So all three of the horses fatalities at the San
4 Luis Rey Training Center this year are with the same
5 trainer. So I'm curious as to why we haven't heard about
6 any particular action being taken with Mr. Miller?

7 On top of that, Mr. Miller's horse, Bebeto
8 (phonetic), was the first fatality in this racing season on
9 December 27th at Santa Anita Park in which he mortality
10 injured -- was mortality injured on the racetrack. So this
11 is four horses for this one trainer in this year's racing
12 season.

13 So the regulations to penalize trainers is
14 certainly timely. I will say, I fear that it will drive
15 more mortality wounded, injured, risk horses underground to
16 be euthanized outside of CHRB facilities so that they won't
17 be counted.

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: Thank you.

21 Next we'll go to Lynn Frudenberg with Kill Racing
22 Not Horses.

23 MS. FRUDENBERG: Hi. Good morning.

24 There's so much for the public comment, but I'd
25 like to focus on the missing-in-action horses.

1 Santa Anita, 02/15/12 [sic], Aqua Seaform Shame,
2 four-year-old filly, eased and walked, placed last by
3 seventh, last workout two -- February 2nd, '21. As of
4 08/15/21, still MIA.

5 May 14th, '21, Santa Anita, Big Dog Daddy, three-
6 year-old gelding, one start, bumped, stumbled, placed last,
7 vanned. This is his first and only race. Last workout, May
8 8th, 2021. As of August 15th, '21, still MIA.

9 May 23rd, '21, Upert (phonetic), three-year-old
10 colt at Santa Anita, pulled up, vanned off, (indiscernible)
11 in gate, bumped, tripped, fell, did not finish. As of
12 August 15th, '21, still missing in action.

13 Can you please tell us where these horses are?

14 CHAIR FERRARO: Thank you.

15 Next, please.

16 OPERATOR: And we have no additional comments at
17 this time.

18 CHAIR FERRARO: Thank you.

19 Mr. Chaney, am I correct in assuming we have no
20 closed session; is that correct?

21 EXECUTIVE DIRECTOR CHANEY: You are correct. Yes,
22 sir.

23 CHAIR FERRARO: Can I have a motion? Can I have a
24 motion to adjourn then?

25 COMMISSIONER SOLIS: I move.

1 COMMISSIONER CASTELLANOS: Castellanos. Motion.

2 CHAIR FERRARO: Second?

3 COMMISSIONER CASTELLANOS: Second.

4 CHAIR FERRARO: Let it be known that we're
5 adjourning before lunch, by the way.

6 Mr. Gonzales? Mr. Gonzales?

7 Maybe he's already adjourned.

8 Mr. Alfieri?

9 COMMISSIONER ALFIERI: Yes.

10 CHAIR FERRARO: Mr. Castellanos?

11 COMMISSIONER CASTELLANOS: Yes.

12 CHAIR FERRARO: Commissioner Davis?

13 COMMISSIONER DAVIS: Yes.

14 CHAIR FERRARO: Ms. Mitchell?

15 COMMISSIONER MITCHELL: Yes.

16 CHAIR FERRARO: Mr. Solis?

17 COMMISSIONER SOLIS: Yes.

18 CHAIR FERRARO: And the Chairman votes yes.

19 Thank you all. Have a good lunch. See you next
20 month. Thank you.

21 (The California Horse Racing Board recessed into closed
22 session at 11:56 a.m. and was later adjourned.)

23

24

25

CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of August, 2021.



MARTHA L. NELSON, CERT**367

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

August 27, 2021