

STAFF ANALYSIS

DISCUSSION AND ACTION BY THE BOARD TO APPROVE THE REQUEST BY HUMBOLDT COUNTY FAIR ASSOCIATION AND BERNAL PARK RACING LLC FOR RACE DATES IN OCTOBER 2025.

Regular Board Meeting
June 19, 2025

ISSUE:

On or about June 2, 2025, the California Horse Racing Board (“CHRB” of “the Board”) received a request for racing dates from the Humboldt County Fair Association (“HCFA”) and Bernal Park Racing LLC. HCFA and Bernal Park have requested race dates for three successive weekends between October 8, 2025, and October 28, 2025, for a total of six live racing days (October 11, 12, 18, 19, 25 & 26). If approved, HCFA will run its race meet with Bernal Park. This race meet will not take place concurrently with the Humboldt County Fair.

ANALYSIS:

Business & Professions Code § 19440(a)(6) authorizes the Board to allocate racing dates and CHRB Rule 1430 requires that the Board allocate racing dates in a way that “will best subserve the purposes of the Horse Racing Law and which will be in the best interests of the people of California in accord with the intent of the Horse Racing Law.” The Board is authorized to allocate fractional racing weeks of four days or less. See Bus. & Prof. Code § 19414.5. The Board may, at any time, change, limit, restrict, or reallocate racing weeks. Bus. & Prof. Code § 19530(b).

Should the Board decide to award these race days and approve this race meet, HCFA will have the right to simulcast and collect wagers for both out-of-state races as well as other races happening simultaneously in California in the southern and central zones. See Bus. & Prof. Code § 19596.2 (permitting simulcasting of out-of-state thoroughbred races) and § 19601 (permitting simulcasting of in-state races). If the Board does not award HCFA with the above-proposed race dates, the active race meet in the southern zone during these dates will be deemed to be operating in the northern zone for the purpose of simulcasting and related wagering. Bus. & Prof. Code § 19531(d)(3).

The Board previously voted not to allocate racing dates to HCFA for the dates they requested to run concurrently with their Fair in August/September 2025.

BACKGROUND:

Authority:

Bus. & Prof. Code § 19440 (in part): (a) The board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of this chapter. Responsibilities of the board shall include, but not be limited to, all of the following:

(6) Allocation of racing dates to qualified associations in accordance with law.

CHRB Rule 1430 (Board Allocation of Racing Dates): The Board shall allocate racing weeks and dates for the conduct of horse racing in this State for such time periods and at such racing facilities as the Board determines will best subserve the purposes of the Horse Racing Law and which will be in the best interests of the people of California in accord with the intent of the Horse Racing Law. Upon a finding by the Board that the allocation of racing weeks and dates for any racing year is completed, the racing weeks and dates so allocated shall be subject to reconsideration or amendment only for conditions unforeseen at the time of the allocations. The allocation of racing weeks and dates does not commit the Board to the granting of a license to conduct a horseracing meeting to any specific racing association nor for the allotted time period nor at the racing facility scheduled for such racing weeks and dates.

Bus. & Prof. Code § 19414.5 (Racing Days, Weeks, and Fractional Weeks): (a) "Racing days" are days on which a licensed racing association or fair is authorized by the board to conduct horse racing.

(b) "Racing weeks" are seven consecutive days during which a licensed racing association or fair is authorized by the board to conduct horse racing for a minimum of five racing days. The board, however, upon joint petition of the association or fair and the organization representing horsemen participating in the meeting of that association or fair, may authorize the conduct of horse racing for less than five racing days. Fractional racing weeks of four days or less may be authorized by the board at the beginning and end of any horse racing meeting. Fractional weeks may also be authorized during weeks containing holidays and during periods of overlap with thoroughbred meetings and fairs if the total number of weeks authorized by the board in any calendar year for each breed does not exceed the maximum annual allocation of racing weeks provided for in Article 6 (commencing with Section 19530). If a licensed racing association holds a split meeting, each part of the split meeting shall be deemed a horse racing meeting solely for the purposes of authorizing fractional racing weeks.

Bus. & Prof. Code § 19530: (a) The board shall have the authority to allocate racing weeks to an applicant or applicants pursuant to the provisions of this article and Article 6.5 (commencing with Section 19540) and to specify such racing days, dates, and hours for horse racing meetings as will be in the public interest, and will subserve the purposes of this chapter. The decision of the board as to those racing days, dates, and hours shall be subject to change, limitation, restriction, or reallocation only by the board. No municipality or county shall adopt or enforce any ordinance or regulation that has or may have the effect of directly or indirectly regulating, limiting, restricting, or reallocating the racing days and dates of horse racing meetings.

(b) The board may, at any time, change, limit, restrict, or reallocate racing weeks, days, or dates that are allocated pursuant to this section regardless of whether a condition giving rise to that action is foreseen at the time of allocation or whether a license is issued to conduct a horse racing meeting during an allocated week, day, or date. The board's exercise of authority pursuant to this subdivision is not a revocation subject to the proceedings required by Section 19461, regardless of any effect on a license issued under this chapter.

Bus. & Prof. Code § 19531 (in part): (d) (1) Notwithstanding any other law, if the board does not license a thoroughbred race meet to be conducted by a racing association at a racetrack located in the cities of Berkeley and Albany after July 1, 2024, a thoroughbred racing association, or racing fair, in the southern or central zone licensed by the board to conduct a thoroughbred race meet or fair meet shall, during racing weeks not allocated by the board for a race meet in the northern zone, be deemed to be operating in the northern zone for the purpose of conducting all permissible forms of wagering in the northern zone pursuant to this chapter and making and receiving required distributions from those wagers in accordance with this chapter.

(2) Required distributions described in paragraph (1) shall be made in accordance with the requirements applicable to a racing association in the northern zone and any consent or approval rights shall be exercised by the appropriate racing association or racing fair in the central or southern zone conducting racing.

(3) The amounts generated for purses and commissions pursuant to this subdivision shall be used to pay simulcast funding requirements and board support that the thoroughbred racing associations and racing fair in the central or southern zones are required to make under Section 19616.51. Any remaining funds after those payments are made shall be distributed to each thoroughbred racing association and racing fair in the central and southern zone proportionally based on their respective handle in the central and southern zone during the previous fiscal year and that money shall be divided between purses and commissions in the same relative proportion as was generated in the central and southern zone during the previous fiscal year.

RECOMMENDATION:

This item is presented for Board discussion and action.

MOIRA KENNY, CEO
HUMBOLDT COUNTY FAIR ASSOCIATION
1250 5th Street Ferndale, California 95536
Telephone: (707) 786-9511
ceo@humboldtcountyfair.org

June 2, 2025

Sent via email to: cschaney@clnb.gov

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

Sent via email to: oscargonzalesjr@gmail.com

Oscar Gonzales, Jr.
Chairman, Racing Dates Committee
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825

Re: Humboldt County Fair Association Application for Racing Dates in 2025

Dear Executive Director Chaney and Racing Dates Committee Chairman Gonzales:

The Humboldt County Fair Association has elected to perpetuate its tradition of offering a live race meet for the benefit of owners, trainers, breeders, horsemen, employees and live racing fairs in the Northern California region. Specifically, we are requesting race dates for three successive weekends between October 8, 2025, through October 28, 2025. There would be six days of live racing, Saturday and Sunday each week.

In making this request the HCFA is cognizant of the challenges in running a race meet outside of CARF, the horse population, the funding of related expenses and the variables required to run an entertaining, safe and self-sustaining race meet. Prior to making this request HCF has agreed to run a race meet with Bernal Racing LLC. Larry Swartzlander will be the Director of Racing.

In determining that Humboldt is able to conduct a successful meet when awarded the requested race dates please consider the following:

1. Race Dates from October Eighth through October Twenty Eighth.

These dates would follow Fresno racing the previous three weeks. With Fair meets back-to-back totaling six weeks offers horsemen an opportunity to ship into Northern California and run for an extended period.

2. Financial Viability

The HCFA board is aware of the expense involved in conducting a live horse race meet and replacing the services previously provided by CARF. With that in mind an agreement has been reached with Bernal Racing LLC. Bernal Racing is headed by George Schmidt and John Harris, both prominent owners and breeders in Northern California.

Last year the Humboldt raced for three weeks without overlap for the first time in its history. The results were astounding and establish a track record of precedent that live racing at Ferndale can self-sustain.

The 2024 meet generated \$353,000 in underpayment of purses. All other CARF venues were overpaid. The Humboldt meet generated enough purse money to wipe out the overpayment from other fair venues. In 2025, that established record will enable Humboldt to offer even higher purses and entice additional horses to participate in its three week meet.

In addition, the 2024 meet generated over \$900,000 in commissions. This amount is enough to sustain the fair and its live horse racing activities. It is also assurance that those who advance funds to cover the pre-meet expenses will be able to be paid back out of commissions once received.

The HCFA in recent years has invested in retrofitting its Grandstand, Re-roofing its barns, widening its track, improved railings/fencing and otherwise investing in its racing facilities.

Unlike the fair race meets that came before Humboldt in 2024, Ferndale was able to generate purses and commissions for CARP and itself.

3. Staffing a Live Race Meet

HCFA has reached an agreement with Bernal Racing LLC and two prominent and experience personnel will host the meet, Larry Swartzlander will be the Director of Racing and Tom Dautrich will be the Racing Secretary. Collectively, they bring decades of experience in California racing, offering invaluable insight into the history, challenges, and future of the industry.

4. CQnclusion

It is impossible to overestimate the importance of live horse racing to the Humboldt County Fair and the citizens of Humboldt County. Ferndale has been the site of the Humboldt County Fair since 1896. As a spectator sport, horse racing flourished in Ferndale and is a mainstay of the fair. The financial contribution provided by horse racing to the community brings in millions in revenue to the shops, restaurants, hotels and attractions throughout our county.

It is not only horse racing that takes you back to "yesteryear" in Ferndale. The entire community, with its unique atmosphere of Victorian structures, bountiful shops and friendly residents, recreates a sense of times past. This unique treasure of a live racing venue was aptly summarized by the CALIFORNIA THOROUGHBRED in its miracle "Escape to Ferndale...Racing As Its Meant to Be."

The HCFA Board along with the residents of our county continue to strongly support live racing with strong attendance and a determined resolve to perpetuate our historic live racing tradition. Humboldt is no stranger to having to self-advocate for its race dates. The year 2024 was our best year ever and we anticipate 2025 can be even better still. As an important by-product of our meet, we continue to foster new race fans, respectfully embrace horsemen who have no other place to race, provide a competitive venue for Cal Breds and to assist the California Horse Racing industry.

Sincerely,



Moira Kenney

CEO Humboldt County Fair

2025 Bernal Racing LLC Proposed Dates

2024 6.3.25

December						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
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29	30	31				
31						

RACE DAYS

Alameda County Fair	0
California State Fair	0
Sonoma County Fair	0
Dark Days	23
Humboldt County Fair	6
Big Fresno Fair	7
Simulcast Days	6
Bernal Racing LLC	13

Fresno Sep 17 - Oct 7; HCF Oct 8 - Oct 28

2025

January						
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September						
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December						
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