

**OFF-HIGHWAY MOTOR VEHICLE RECREATION
GRANTS AND COOPERATIVE AGREEMENTS PROGRAM
PROPOSED REGULATIONS**

Text of Modified Regulations and Documents Incorporated by Reference
(15 Day Notice)

The original proposal is in single underline and deletions with a strikeout. Changes made are illustrated by double underline for proposed additions and by double underline and strikeout for proposed deletions.

4970.01. DEFINITIONS

...
(f)(q) "Equipment" means tangible property that has a normal useful life of at least one year and has a unit acquisition cost of at least ~~\$1,000~~\$5,000 (e.g., ~~four~~five identical assets which cost ~~\$400~~\$1,000 each, for a ~~\$1,600~~total of \$5,000, would not meet the requirement). Equipment does not include expendable items such as personal safety gear, or tires.

...
(x)(w) "Ground Disturbing Activity" means any earth moving Project-related activity. The act of installing and/or replacing a sign, placing of boulders or other materials (other than fencing) to delineate a Facility, maintenance or replacement of existing fence lines that do not require disturbance beyond replacement of fence posts and wire or existing component, or sweeping sand/dirt from a paved road are not considered a "Ground Disturbing Activity".

...
(z)(y) "Heavy Equipment" means self-propelled, self-powered or pull-type equipment and machinery, including generators weighing 5,000 pounds or more, primarily employed for construction, industrial, and forestry uses (i.e., water tender, backhoe, mini-excavator, and SWECO tractor).

...
4970.08. ELIGIBLE PROJECT COSTS

...
(b) Examples of eligible costs include but are not limited to:

...
(10)(9) Transportation costs for moving Equipment, material, and personnel from base of operations to project sites (excluding moving and relocation expenses resulting from changes in assignments). The base of operations shall be considered the centralized location where the material, and/or personnel are stored or gathered., or 100 miles from the main project site whichever is less; any cost exceeding the 100 mile maximum may be claimed only as match. Nonprofit Grantees shall be limited to the base of operation or 100 miles from the main project site whichever is less; any cost exceeding the 100 mile maximum may be claimed only as match. All

transportation costs shall be stated as a “per mile” charge in the Project Cost Estimate and shall not exceed the federal Internal Revenue Service standard mileage business rate provided as of the start of the grant cycle for which the cost is being requested,

...

(12) Equipment costs for Nonprofit Grantee.

When claiming a “per mile” fee, it shall be stated as a “per mile” charge in the Project Cost Estimate and shall not exceed the federal Internal Revenue Service standard mileage business rate provided as of the start of the grant cycle for which the cost is being requested.

...

(D) Equipment acquired solely with funds outside this grants program.

1. A daily use fee may be charged in accordance with the Applicant’s local fair market rental rates but shall never exceed the Grantee’s actual cost and/or

2. A per mile fee for the cost of operating Equipment during Project activities for a maximum of one hundred and fifty (150) miles per day. Any amount beyond the 150 mile maximum amount may only be charged as match.

(E) Equipment acquired within this grants program.

1. A daily use fee may not be charged.

2. A per mile fee may be charged for the cost of operating Equipment up to the amount listed in 4970.08(b)(123)(D)(2).

...

4970.09. INELIGIBLE PROJECT COSTS

...

(b) Examples of ineligible Project costs include but are not limited to:

...

(10) Any Project cost more appropriately funded by other OHMVR Division programs or reimbursed by any other funding source, with the exception of a “Youth” mentoring program project. No grant funds and/or match funds shall be expended at any property owned and/or managed by the Department of Parks and Recreation. A Youth Mentoring Program project may utilize a State Vehicular Recreation Area property owned and/or managed by the Department for OHV training purpose only and whereby the Department derives no financial value from the Project.

...

4970.22.23 ACCOUNTING PRACTICES

...

(c) Equipment Use

~~Costs associated with Equipment used for a Project will be paid on a use basis in accordance with the Applicant’s local fair market rental rates, but shall never exceed the Grantee’s actual cost. The Grantee may not charge a use fee for vehicles or Equipment purchased with OHV Trust Funds, except for fuel and~~

~~minor maintenance costs.~~ A logbook or source document shall identify the operator, date of activity, work performed, and hours or miles charged to the Project.

...

DOCUMENTS INCORPORATED BY REFERENCE

Evaluation Criteria - General Criteria

<u>5. The Applicant has been in Good Standing at all times during the two calendar years immediately prior to the current grant cycle.</u>	
5. At any time in the last two complete calendar years prior to the current Grant Cycle, has the applicant been not in Good Standing with the Division: 5. For Applicant's OHV grant Projects which reached the end of the Project performance period within the last two years, the percentage of all Projects closed out in accordance with Program regulations:	
<input type="checkbox"/>	<u>No (10 points)</u> 100% of Projects closed out (10 points)
<input type="checkbox"/>	75% to 99% of Projects closed out (5 points)
<input type="checkbox"/>	<u>Yes (No points)</u> Less than 75% of Projects closed out (No points)
<input type="checkbox"/>	<u>First time Applicants or Applicants without active projects in the last two complete calendar years. (5 points)</u> First time Applicants, Applicants with active Project(s) which have not reached the end of the Project performance period, and past Applicants with no active Projects within the last two years (4 points)
<u>List all Projects that have reached the end of the performance period in the last two years:</u>	

Evaluation Criteria – Acquisitions

4. Primary funding source for future development <u>of the acquired property</u> and operation <u>and maintenance of developed area</u> cost will be:	
(Check the one most appropriate)	
<input type="checkbox"/>	Applicant's operational budget. <u>Applicant will not come in apply</u> for future OHV grants (5 points)
<input type="checkbox"/>	Volunteer support and/or donations (4 points)

Evaluation Criteria – Education and Safety

<u>2. The Applicant has been in Good Standing at all times during the two calendar years immediately prior to the current grant cycle.</u> For Applicant's OHV Grant Projects which reached the end of the Project performance period within the last two years, the percentage of all Projects closed out in accordance with Program regulations <u>At any time in the last two complete calendar years prior to the current Grant Cycle, has the applicant been not in Good Standing with the Division:</u>	
<input type="checkbox"/>	100% of Projects closed out <u>No (10 points)</u>
<input type="checkbox"/>	75% to 99% of Projects closed out (5 points)

<input type="checkbox"/>	Less than 75% of Projects closed out (No points) <u>Yes (No points)</u>
<input type="checkbox"/>	First time Applicants or Applicants without active projects in the last two complete calendar years. , Applicants with active Project(s) which have not reached the end of the Project performance period, and past Applicants with no active Projects within the last two years (54 points)
	List all projects that have reached the end of the performance period:

Habitat Management Program (HMP) Part 2

Appendix (Rev. 1/4419)