

**OFF-HIGHWAY MOTOR VEHICLE RECREATION (OHMVR)
DIVISION**

GRANTS AND COOPERATIVE AGREEMENT PROGRAM

GRANTS PROGRAM MANUAL

GLOSSARY OF TERMS

Glossary of Terms

Acquisition Project – A Project that secures interests in land to: expand and/or sustain OHV Recreation access and Opportunities; provides Buffers; and/or eliminates trespass.

Act – The Off-Highway Motor Vehicle Recreation Act of 2003, as amended, and commencing at Public Resources Code Section 5090.01, or any subsequent amended versions.

Adaptive Management – A process of adjusting management over time and in a timely manner, based on new information derived from scientific experimentation, field observations, Monitoring data collected, and professional experience or judgment.

Administrative Costs – The costs of functions performed in support of the Deliverables associated with the Project. Examples of Administrative Costs include, but are not limited to, activities such as personnel providing administrative support directly related to the Project, time keeping, accounting, fiscal management, record keeping and/or purchasing.

Allocation – A determination of Funds to be made available for, or an expenditure limit established for, an organizational unit or function, a Project or work activity or Deliverable.

All-Terrain Vehicle (ATV) – Any vehicle as defined by California Vehicle Code (CVC) Section 111.

Applicant – Any of the following that are eligible to apply for Funding under the Off-Highway Motor Vehicle Recreation (OHMVR) Division Grants and Cooperative Agreements program:

1. For a city or county: a department or comparable subdivision;
2. An Appropriate District;
3. For the U.S. Forest Service: a Forest or Regional Office;
4. For the U.S. Bureau of Land Management: a Field, District, or State Office;
5. For other Federal Agencies: a Field, District, Regional or State Office or similar subdivision;
6. A Federally Recognized Native American Tribe;
7. An Educational Institution;
8. A Nonprofit organization.

Application – A compilation of required documents in conformance with these regulations to support a request for Funding from the Off-Highway Motor Vehicle Recreation Division's Grants and Cooperative Agreements program for proposed Project(s).

Application Face Sheet – The form (OHV Form A) used to apply for OHV local assistance Grants, Grants to Nonprofit Organizations and Educational Institutions, or Cooperative Agreements.

Application Instructions – The directions for completing an Application for an OHV Grant or Cooperative Agreement found in Chapter 1 of the Off-Highway Motor Vehicle Recreation Division Grants Program Manual dated March 2007.

Application Package – The individual Application form and its required attachments.

Application Summary Sheet – A listing of Projects submitted by an Applicant, (OHV Form C).

Appropriate District – One that has clear legal responsibility for open space, recreation, parks, and resource related activities that are land based.

Appropriation – A legislative act authorizing the expenditure of a designated amount of public funds for a specific purpose and usually for a specific period of time.

Assessor Parcel Number (APN) – Identifies each land parcel or lot for tax assessment purposes and location within the official jurisdiction map books (www.info@californiatax.data.com).

Audit – A comprehensive review in accordance with Generally Accepted Auditing Standards (GAAS), developed by the American Institute of Certified Public Accountants (AICPA) and the Government Auditing Standards issued by the United States General Accounting Office (GAO). The Audit is a review of the Grantee's relevant financial records by the Department of Parks and Recreation Audit Office staff or other Department designee to determine that they support the expenditures authorized in the Project Agreement.

Authorized Representative – The person within the Grantee organization having the ultimate approval and signature authority, with regard to the Grant or Cooperative Agreement, to conduct all negotiations, and execute and submit all documents, including, but not limited to, Applications, Cooperative Agreements, contracts, amendments, payment requests, and to ensure compliance with current state and federal laws which may be necessary for the completion of the Project (e.g. BLM-Field Office or District Manager, USFS-Forest Supervisor, Local Agency-Parks Director, Sheriff).

Baseline Document – Document on file with the Division from the 2005-2006 grants cycle that is referred to as supporting documentation of the basic standard or level of a project.

Buffer – The lands or physical barriers acquired or established contiguous to existing or proposed off-highway motor vehicle recreational areas to protect plant and wildlife habitat, soils, view sheds, or reduce noise and other effects to the surrounding lands, for the purpose of sustaining OHV Recreation.

California Native Plant Society (CPNS) – A statewide non-profit organization of amateurs and professionals with a common interest in California's native plants. CPNS maintains and updates a list of plants it considers to be "rare" in California.

California Species of Special Concern (CSSC) – Applies to vertebrate animals not listed under the California Endangered Species Act, but that nonetheless, 1) are declining at a rate that could result in listing, or 2) historically occurred in low numbers and known threats to their persistence currently exist. Such species are designated by CDFG and may already be listed under the Federal Endangered Species Act.

California Vehicle Code (CVC) – Text of laws relating to the use of highways or the operation of motor vehicles.

Caltrans – California Department of Transportation.

Casual – Non-competitive OHV Recreation.

CCR – California Code of Regulations.

CDFG – California Department of Fish and Game.

CEQA – The California Environmental Quality Act, Public Resources Code (PRC) Section 21000 et seq.; Title 14, California Code of Regulations (CCR), Division 6, Chapter 3, Article 20.

Certified – A document that has been reviewed, approved, and signed by both the Grantee and the Division.

CNDDDB – California Natural Diversity Data Base

CNPS 1B – A ranking that applies to plants determined by CNPS to be rare, threatened, or endangered in California and elsewhere.

CNPS 2 – A ranking that applies to plants determined by CNPS to be rare, threatened, or endangered in California, but more common elsewhere.

Commission – The Off-Highway Motor Vehicle Recreation (OHMVR) Commission.

Consent Calendar – An agenda of Grant or Cooperative Agreement Applications reviewed by the Commission subcommittee and recommended for Funding approval without discussion by the full Commission at the final Allocation meeting(s).

Conservation – The activities, practices, and programs developed and/or implemented in connection with ongoing OHV Recreation that sustain and preserve soils, plants, wildlife and their habitat, and natural and Cultural Resources as referenced in or required by PRC Sections 5090.10, 5090.35, 5090.50, and 5090.53.

Conservation and Enforcement Services Account (CESA) – The account established by Section 8352.8 of the Revenue and Taxation Code to provide for expenditures solely for Restoration, Conservation, and law enforcement activities.

Conservation Project – A Project implemented in connection with ongoing OHV Recreation and OHV Opportunities to protect natural and Cultural Resources, and develop and/or implement soil conservation standards and Wildlife Habitat Protection Programs/Habitat Management Programs as required by the Act, including Monitoring or researching those practices, activities, or Projects to provide data for management decisions.

Construction – The act of building or assembling using different parts, materials, or elements in an ordered manner including, but not limited to, physical barriers, trails, Roads, facilities, hardening of stream crossings, fencing, sediment control structures, and facilities landscaping.

Contact Person – Also referred to as the “Project Administrator”, is the person working for the Applicant or Grantee who prepares the Application and subsequently, upon award, performs the overall implementation, fiscal coordination, and oversees implementation of the Grant or Cooperative Agreement.

Cooperative Agreement – An agreement between the Division and a Federal Agency, or a Federally Recognized Native American Tribe for the purposes authorized and defined in PRC 5090.50 and these regulations.

Cultural Resources – Are associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; are associated with the lives of persons important in our past; embody the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or have yielded, or may be likely to yield, information important in prehistory or history. Cultural Resources also include Historical Resources. Historical Resources include, but are not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. A resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (PRC Section 5024.1, Title 14 CCR, Section 4852).

Curvilinear Trail Alignment – Placement of a trail route that follows topographic contours.

Deliverables – The specific tangible outcomes or work products to be provided, acquired or produced with the Funds made available pursuant to the Project Agreement. Examples include the purchase of specified property, installation of specified erosion control measures, Construction of a restroom, specific hours or days of patrol, Construction of a specified length fencing, production of a specified number of maps, purchase of specified Equipment, Restoration of a specific area, Maintenance of a specific length of trail, completion of research resulting in a written report, and planning that results in a report or reports including any related specified documents.

Department – California Department of Parks and Recreation (DPR).

Deputy Director – The manager of the California Department of Parks and Recreation, OHMVR Division.

Development – The Construction of new, and/or improvement of, existing, facilities, Roads, trails, or areas to improve existing or provide additional opportunity, experiences, or services for OHV Recreation.

Development Project – A Project that sustains OHV Recreation Opportunity(ies), and provides OHV Recreation experiences or related visitor services in the form of new, improved, or upgraded facilities, Roads, trails, or areas, including the relocation of an existing trail or Road that is not a required Reroute within a Conservation or Trail Maintenance Project.

Division – The OHMVR Division of the California Department of Parks and Recreation.

Division Website – The internet page of the Department of Parks and Recreation, OHMVR Division at (www.ohv.parks.ca.gov).

DPR – California Department of Parks and Recreation

Due Diligence – To conduct or cause to be conducted an investigation of all aspects of property proposed to be acquired and/or developed using Funds, including investigating the suitability of the property for the intended use, and all critical facts and assumptions used in developing the proposed Project that would assist in evaluating the success of the Project in providing OHV Recreation opportunities and to avoid and/or minimize potential risks which could impair the future sustainability of OHV Recreation.

Educational Institution – A public or private preschool, elementary, or secondary school, college or university, or institution; the governing board of a school district; or any combination of school districts or counties recognized as the administrative agency for public elementary or secondary schools in accordance with Section 210.1 of the Education Code.

Effectiveness Monitoring – The review of Project outcomes against success criteria to determine if the management actions taken achieved the desired management objectives.

Environmental Document – A document prepared in accordance with the National Environmental Policy Act (NEPA) or the California Environmental Quality Act (CEQA).

Environmental Review Data Sheet – The items to be completed for all Project types other than Restoration to allow the Division to make a sufficient Project review to determine the appropriate level of CEQA compliance and any additional environmental documentation required.

Equipment – Vehicles, tools, instruments, or apparatus. Equipment includes, but is not limited to, all vehicles, GPS units, sound meters, cameras, radios, first aid kits, computers and remote-sensing devices that are used in the implementation of a Project. Equipment does not include expendable items such as first aid kit refill supplies, personal safety gear, or tires.

Evaluation Panel – A group of not less than three Division staff members who score Applications that have been deemed compliant with regulations using the Applicants' responses to General Project Criteria and Project Specific Criteria.

Facility – The assets of an organization that include: buildings, grounds, parking facilities, and structures other than buildings such as shade structures, fences, trash enclosures, cattle guards, etc. and includes the systems that support facilities (fuel, electrical, sewer, water, waste, etc.).

Facilities Operation and Maintenance (FO&M) Project – A Project for routine work directed to maintain existing Facilities, other than Roads, trails, or areas, and provides visitor assistance, and health and safety measures attributable or related to OHV Recreation being provided by the Applicant.

Federal Agency – A unit of the United States government.

Federal Candidate (FC) – A candidate species is one for which the USFWS has on file sufficient information on biological vulnerability and threats to support a proposal to list as endangered or threatened, but for which preparation and publication of a proposal is precluded by higher-priority listing actions.

Federally Endangered Species (FE) – A formal designation under the Federal Endangered Species Act. A plant or animal species that is in danger of extinction throughout all or a significant portion of its range.

Federally Recognized Native American Tribe – Any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native Village pursuant to Title 25, Code of Federal Regulations (CFR) Section 83.5(a).

Federally Threatened Species (FT) – A formal designation under the Federal Endangered Species Act. A plant or animal species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

Force Account – Work performed by Grantee personnel on a specific Project and accounted for on a time and material basis.

FSS – United States Forest Service Sensitive Species. A listing assigned by the Regional Forester that affords protection to a species on the national forest where listed. The forest goal is to protect and/or improve habitat for the species to ensure that it does not become threatened or endangered, or where management practices warrant consideration of special habitat needs.

Fund – The Off-Highway Vehicle Trust Fund as created by subdivision (c) of Section 38225, CVC.

Governing Body Resolution – The document required by all local agencies, Educational Institutions, Nonprofit organizations, and Federally Recognized Native American Tribes which permits their Application and guarantees all requirements for Grants and Cooperative Agreements Funds.

Grant – An agreement between the Division and a city, county, appropriate district, Educational Institution, or Nonprofit organization for the purposes as authorized and defined in PRC Section 5090.50 and these regulations.

Grant Administrator – A person working for the Division who is responsible for all aspects of preparing and administering a Project Agreement for the life of the Grant or Cooperative Agreement.

Grantee – Any city, county, appropriate district, Nonprofit organization, Educational Institution, Federal Agency, or Federally Recognized Native American Tribe receiving OHV Grant or Cooperative Agreement Funds.

Grants Cycle – the Division’s annual process of accepting, evaluating, and scoring Applications for OHV Grants; the Commission’s approval to issue Project Agreements to successful Applicants; and the Division’s and Grantees’ execution of Project Agreements.

Grants Program Manual – The Off-Highway Motor Vehicle Recreation Division Manual for Grants and Cooperative Agreements (March 2007) and all its contents and subsequent revisions submitted through the rulemaking process. These include: Program Regulations, Chapter 15.5, Adopted 2007; Application Instructions – Chapter 1; Application Evaluation System – Chapter 2; Project Administration Procedures – Chapter 3; Appendix; and Glossary of Terms.

Habitat Management Program (HMP) – Also known as a Wildlife Habitat Protection Program (WHPP) to sustain a Viable Species Composition for a Project Area.

Implementation Monitoring – Actions taken by a Grantee to determine if management actions were actually accomplished.

Land Tenure – The right to control, use, or occupy land. Examples include, but are not limited to: ownership, lease, easement, or joint powers or similar agreement.

Law Enforcement Personnel – Officers or employees of, or who are under contract with, the Grantee that have the authority and duty under applicable law to enforce statutes or ordinances, issue citations, or arrest persons for violations. For purposes of OHMVR regulations Section 4970.50, “ordinance” includes an order, rule, or regulation enforceable under the authority of the Grantee.

Law Enforcement Project – A Project that provides financial assistance to local and federal agencies for protection of life and property, including natural and Cultural Resources, enforcement of laws, public safety, search and rescue, personnel support, placement of barriers and other means of traffic control, and training related to OHV Recreation and OHV Opportunities.

Maintenance – The routine, ongoing or periodic work required to ensure Roads, trails, areas, related facilities used for OHV Recreation and Conservation features (e.g., water diversion features, sediment basins, etc.) for the protection of natural and Cultural Resources that are impacted by OHV Recreation activities, continue to function as intended.

Major Project Amendment – A modification/change in the Project Deliverables specified in an original Project Agreement or any time extension.

Matching Funds – Equivalent value of services, materials, dollars, or property used, in an amount of not less than twenty-five (25) percent of the total expense of the off-highway motor vehicle Facility to be led by the Grant.

Minor Project Amendment – A modification/change to the Project costs as specified in an original Project Agreement, and which does not involve a change in Project Deliverables or a time extension.

Monitoring – Periodic data collection and review to determine if the OHV Project is in compliance with the statutory requirements and program or Project objectives.

NEPA – The National Environmental Policy Act pursuant to United States Code (U.S.C.) Title 42, Section 4371; 40 Code of Federal Regulations (CFR) part 1500.1 et seq.

Nonprofit – An organization having tax-exempt status pursuant to Section 501(c) (3) of the Internal Revenue Code.

OHMVR – Off-Highway Motor Vehicle Recreation

OHV – An off-highway motor vehicle as specified in CVC Section 38006 and/or street licensed motor vehicle while being used on lands to which CVC Division 16.5 applies.

OHV Opportunities – Trails, Roads, or areas on lands that are open to legal OHV Recreation.

OHV Recreation – The activity of driving or riding motorized vehicles for leisure purposes on land to which CVC Division 16.5 applies.

OHV Safety and/or Education Project – A Project that provides to the OHV recreating public (1) OHV safety activities and/or (2) Education concerning the safe and environmentally responsible operation of OHVs.

Operation – The use of staff and Equipment to facilitate the proper functioning of an OHV Recreation Road, trail, area or lands and any related visitor or user facilities or services, including the protection of persons, life and property.

Opportunity Summary – A form used to report the available OHV Opportunities and attendance (OHV Form D).

OSV – Over snow vehicle

Outreach – The effort to reach an audience outside the riding areas in which the Applicant operates. Examples include school programs, websites, fair booths, billboards, parades, news releases, television, radio, community meetings, and OHV dealers.

Partnership – Association with another organization that the Applicant works with for such things as funding, cooperative patrol, or providing groups of volunteers. An Applicant's own volunteers, employees, and supporting organizations are not partners. Supporting organizations are specific to the applicant's jurisdiction. If an organization associates with multiple jurisdictions to provide support, the association may be considered a Partnership.

Peer Review – An examination of a scientific research plan by at least three qualified experts from the scientific discipline of or related fields to the proposed Project. The peer reviewers shall not be from the Applicant agency nor involved in implementing the research Project itself.

Performance Review – The review of a Project to identify any areas where the Division may provide technical advice and consultation to the Grantee to improve any aspect of a program or Project funded by OHV Funds and may include assessing progress toward the accomplishment of Deliverables.

Planning Project – A Project to fund activities to produce a report or reports that work out in advance and in general detail how an OHV Opportunity or Project Area is to be organized, developed, operated, conserved, and/or maintained to meet demand and sustain long-term OHV Recreational use. A planning project may also provide programmatic management coordination.

PRC – Public Resources Code

Project – The activities and Deliverables described in the Project Application to be accomplished with funding through a Project Agreement.

Project Administrator – Also referred to as the "Contact Person", is the person working for the Applicant or Grantee who prepares the Application and subsequently, upon award, performs the overall implementation, fiscal coordination, and oversees implementation of the Grant or Cooperative Agreement

Project Agreement – A contract executed to formally implement a Project.

Project Amendment – A modification/change to the Deliverables or an extension of the Project performance period needed to accomplish the objectives of an original Project Agreement.

Project Area – The physical boundaries within which the activities will be performed and Deliverables will be accomplished as described in the Project Agreement.

Project Performance Period – The period of time specified in the Project Agreement for the Grantee to complete the OHV Project.

Public Review Process – A course of action by which an Applicant, prior to submission of the Application to the Division, makes the draft Application available for public review and comment. The process includes a minimum 30-day public notice of the availability of the draft Application for review, receipt of public comments, and a statement of how the comments are incorporated into the development of the Application.

Published Information – Facts, statistics, or other published factual documentation with citations referenced to the supporting information in the Application (see Chapter 2, Section 2.3).

Regional OHV Facility – A Facility, primarily for Casual OHV Recreation, providing a wide variety of OHV Opportunities for a wide range of OHV interests, that is 500 or more acres, and with a population of 500,000 or more within a 150-mile radius or three-hour travel time, and with the potential to become financially self-sustaining in accordance with criteria adopted by the Commission pursuant to PRC Section 5090.51(b).

Repair – To fix, mend, make new, or revitalize to a sound condition or condition existing prior to the OHV-related damage, after being damaged.

Reroute – The closure, (if not retained for other non-motorized recreation), and Restoration of an existing segment of a trail or Road and replacement with a new alignment.

Restoration – The completion of all work activities that are necessary to return of land, plant communities, and plant covers to conditions comparable to those of surrounding lands, or at least those that existed prior to OHV Recreation when the trail, Road, or area has been closed to OHV Recreation.

Restoration Project – A Project that provides funding to complete all work activities that are necessary to return land, plant communities, and plant covers to conditions comparable to those of surrounding lands or at least those that existed prior to OHV Recreation, when the trail, Road or area has been closed to OHV Recreation and following a official decision by the Applicant to restore the lands.

Roads – Fire trails, logging roads, service roads regardless of surface composition, or other roughly graded trails and roads upon which vehicular travel by the public is permitted (CVC 38001).

Scientific Research – Study and exploration into questions posed by theories and hypotheses, and defined by measurable steps or operations (e.g., sample design, methodology, statistical inferences). Scientific Research is used to evaluate, estimate, analyze, and address the possible impact on, or of, OHV Recreation and develop responsive management recommendations.

Site Visit – An inspection by a Grant Administrator to assess Deliverable accomplishment, which may become part of Audit findings, and may include a final inspection of the Project facilities or other Project Deliverables to determine if the work performed is in accordance with a Project Agreement.

Site Visit Report – A document prepared by a Grant Administrator containing any comments and recommendations with regard to the performance of a Grantee's Project.

Snowmobile – Any vehicle as defined in CVC 557.

Soil Conservation Program – A plan containing a process or processes to anticipate and prevent accelerated and unnatural erosion and provided for in the "Soil Conservation Guidelines/Standards for Off-Highway Vehicle Recreation Management (11/14/91)" or its successor.

Species of Local Concern (SLC) – Plant or animal species that are of local concern due to their population status, their sensitivity to habitat manipulation, or status as a game species.

Trail Maintenance Project – A Project to sustain OHV Recreation by performing routine work on Roads, trails, or areas to maintain them for their intended purpose. A trail maintenance project may also consist of trail reroutes when needed for safety purposes or when trails have been damaged by natural disaster.

Validation Monitoring – Determines whether the underlying Project management assumptions related to potential for environmental impact are correct (e.g., "Have the appropriate concerns and risks been identified? Does meeting the management objectives ensure that OHV activities are not adversely affecting populations of species X?").

Viable Species Composition – That species found in the Project Area have populations with the estimated numbers and distribution of reproductive individuals to enable their continued existence.

Volunteer – An unpaid worker. Volunteers may receive a stipend and/or reimbursement for expenses, but are not paid a salary or hourly wage. Volunteers may work directly for the Applicant or for one of the Applicant's partners.

Wildlife Habitat Protection Program (WHPP) – An animal and plant Habitat Management Program (HMP) designed to sustain a Viable Species Composition for the Project Area, pursuant to PRC Sections 5090.35, 5090.50, and 5090.53.