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California State Parks OHV Division

Sierra Access Coalition is a non-profit group who works to preserve access to public lands. We also work to assure that our green sticker funds are used appropriately. We appreciate the opportunity to submit comments on the Mt Hough 2015 / 2016 Ground Operations grant application submitted by Plumas County (G15-03-84-G01).

The Mt. Hough Trail System is heavily used by the public, particularly by mountain bikes. We are concerned about the amount of OHV funding that has been provided to this project the past few years. A summary of recent grants for these 30 miles of trails is listed below.

Grant #	Grantee	Mileage	Amount
G12-02-13-G02	PNF	20 mi maintenance	$85,541
G12-02-13-D01	PNF	10 mi construction	$104,211
G13-03-84-G01	Plumas Co	10 mi maintenance	$158,695
G13-03-84-D01	Plumas Co	19 mi construction	$299,702
G14-03-84-G01	Plumas Co	21 mi maintenance	$169,560
		Total	$817,709
Current grant application		26 mi maintenance	$254,725
		Grand Total	$1,072,434

Over $800,000 has been spent on approx. 30 miles of trails over the past 1-3 years, with this year's request bringing the total to over $1-million. Sierra Buttes Trail Stewardship (SBTS) builds high quality trails, designed and built to withstand weather and vehicle use. But the costs have been high. This year's request for over $1/4-million has not been justified by Plumas County in the grant application.

The trails were all built or maintained over the past 1-3 years, so the current request of $254,725 for maintenance of freshly built high quality trails is extremely high. These professionally built trails should only require maintenance consisting of brushing and some minor work with hand tools. SBTS is known to have a large volunteer match, which causes us to further question the high cost of this year's grant request. Maintenance work is much less labor intensive than construction.

The February 2016 public meeting in Quincy, referenced in the Evaluation Criteria, was attended by SAC members but essentially no information was available at the meeting (no maps, no list of routes to be maintained, no description of work to be performed, no proposed budget, or other information.) This gives the appearance that Plumas County wants a blank check for the project. This is unacceptable to those of us who pay green sticker fees.

This project is on federal land, administered by the County, and funded by the State. This creates serious conflicts regarding which government policies will be used. For example:

- Policy for contracting: Plumas County says their county purchase policy does not apply since the project is on Federal land so they can give SBTS the $200,000 contract without competition. But since County policy is not being followed, it stands to reason that either State or Federal procurement policies must be used. State and Federal policies both require contracts over $10,000 must be bid competitively but the County is choosing not to follow either of these government policies. It appears that government regulations are being ignored by the County to the detriment of local contractors and taxpayers.

- There is another conflict regarding Federal, State, and County wage rates. The grant application states Federal Davis-Bacon wages will be paid to employees. This is inappropriate because Davis-Bacon wage rates are only applicable to construction contracts. Federal maintenance contract wages are regulated under the Service Contract Act, which are approx. $14/hr for laborers and $20/hr for equipment operators working on maintenance contracts, compared to over $65/hr for Davis-Bacon construction contract rates that are being requested for this project. Under Federal regulations, the high costs of skilled construction labor were never intended to be paid for maintenance work. Certainly an employer has the ability to pay its employees whatever rate it chooses with its own funds, but in this case asking taxpayers to pay these high rates is inappropriate.

- Plumas County Facilities told SAC that a State Contractors license is not required for work performed for the County on Federal land. However, Plumas County Public Works state they do require a Contractors License for work on Federal land. This is another inconsistency.

- The County should be consistent in its choice to use either Federal, State, or County regulations on this and other projects on Federal land.

- The County should not be allowed to mix and match regulations for their convenience. A determination needs to be made regarding which legal regulations apply to work on Federal lands that is administered by the County.

These Federal, State, and County regulations are in conflict with each other and need to be resolved prior to any additional grant allocations. SAC attempted to contact Plumas County with the questions listed above, but didn't receive a timely response. So we are now forced to ask these questions publicly.

Other comments on the grant application:

1. We also question the $30,000+ purchase of a mini-excavator and trailer. This grant request is for a maintenance contract that should require relatively little work on the newly constructed trails. SBTS currently owns and operates their own mini-excavator. The grant application does not justify why SBTS needs a second excavator, at taxpayer expense, for maintenance work that consists mainly of brush cutting which is done with hand labor. The SBTS excavator is certainly adequate for routine maintenance work. A second excavator is not necessary and should be not be paid for by OHV funds.

2. SAC has asked Plumas County repeatedly if it is legal to supply a contractor with equipment to perform a County contract. We also asked what the liability to the taxpayers is when the County supplies an unlicensed contractor with equipment for use by their own employees and volunteers. We have asked Plumas County for a copy of the determination from the Plumas County Counsel, but have not been provided with the documentation. SBTS carries insurance, but as taxpayers we are still concerned whether the County can legally require reimbursement for accidental damage to equipment caused by SBTS or volunteers.

3. There is a $7000+ match for Plumas County equipment that was purchased last year with an OHV grant. Is this appropriate use of matching funds?

4. The grant requests over $4600 for purchase of hand tools. In years past, SBTS has always had an inventory of hand tools they provide to their volunteers so we question why they need OHV funds to pay for additional hand tools. Many volunteers bring their own hand tools when the work on volunteer days. We are also concerned about who will retain possession of these tools and expensive equipment after the contract is completed, and how the taxpayers can be assured the equipment will not be used for projects that are not related to the OHV trails.

The following are comments on specific items in the Evaluation Criteria:

Item #2. The third box should not be checked. There are no special status species or sensitive habitat in the area of the trails. The Mt Hough-South Park Environmental Assessment dated April 2013 states *"There are no known Threatened or Endangered (T&E) Species or T&E species habitat, including any critical habitat, located within or adjacent to the MHSP Trails Project area."*

Item #3. What is the traffic control that is referred to? We can find no mention of traffic control in the application.

Item #4. SAC members attended the Quincy meeting in February 2016. But we were disappointed to find there was no information provided at the meeting (no maps, no list of routes to maintained, no proposed budget, etc). There was virtually no information shared with the public at that meeting.

Item #6. The 4th line item claims to protect special status species, but there are none present. (See Item #2 above.) The 5th line item claims to reroute trails away from riparian areas, but this is a maintenance contract for trail locations that were studied and approved by the Forest Service in their Environmental Analysis. As a result of the EA, the trails are already located away from riparian or other sensitive areas. The trails were constructed over the past 1-3 years, so there is no rerouting necessary.

Item #7. Erosion control features consist of rocks that are obtained onsite, and do not contain recycled materials. This box should not be checked.

Item #8. The box for equestrian trails is checked, but the trail specifications on page 2 of the application say the trails will be maintained to a height of 6'-7'. The Forest Service Equestrian Trail Guidebook states clearing height for equestrian trails is a minimum of 10' and trail widths should be wider than stated in the specs in the application. Either the specifications in the application are not accurate, or the trails should not be claimed for equestrian use.

Thank you for the opportunity to comment on this project. Please respond to all of our comments at info@sierraaccess.com. Please feel free to contact us with any questions.

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