



DEPARTMENT OF PARKS AND RECREATION  
1725 23rd Street, Suite 200  
Sacramento, CA 95816

Ruth Coleman, *Director*

October 21, 2008

Dear Interested Party,

The Off-Highway Motor Vehicle Recreation (OHMVR) Division has reviewed the comments on the proposed OHMVR Grants and Cooperative Agreements Program Regulations received during the written comment period and public meetings. In response to the many helpful suggestions and comments the OHMVR has made a number of improvements to the regulations. The improvements are as follows:

### **Definitions**

- 4970.01(q) - Ecological Restoration means an intentional activity that initiates or accelerates the recovery of an ecosystem with respect to its health, integrity and sustainability.
- 4970.01(y) - Ground Disturbing Activity means any earth moving Project-related activity.
- 4970.01(nn) - Repair means to fix, mend, make new or revitalize to the condition of the habitat that existed prior to authorized or unauthorized OHV use and related.
- 4970.01(oo) - Restoration means upon closure of the unit or any portion thereof, the return of land to the contours, the plant communities, and the plant covers comparable to those on surrounding lands or at least those which existed prior the OHV use.

### **General Application Requirements**

- 4970.05(h) is changed to read: all Applicants shall complete an inventory of Equipment for items purchased with OHV trust funds within the last five years.

### **Environmental Requirements**

- 4970.06.1(d)(1) is changed to read: all federal agencies and Federally Recognized Native American Tribe Applicants shall submit an analysis of the proposed Project comparable with the requirements of CEQA. This analysis may be in the form of completed Project-related NEPA compliance documentation for each project or other comparable documentation prepared by the Applicant. In addition, the Applicant shall submit responses to the ERDS for each Project to allow the OHMVR Division to make a sufficient Project review to determine the

Appropriate level of CEQA compliance and any additional environmental documentation required from the Applicant to conform the Applicant's environmental analysis to CEQA.

- 4970.06.2(a) is changed to read: in order to qualify for consideration of its Application, all Applicants submitting a proposed Project involving Ground Disturbing Activity shall submit a HMP.
- 4970.06.3(c) is changed to read: in order to qualify for consideration of its Application, all Applicants submitting proposed Project(s) involving Ground Disturbing Activity shall submit a Soil Conservation Plan that achieves the Soil Conservation Standard with regard to the proposed Project(s). Applicants shall submit only one Soil Conservation Plan for each Application. The Soil Conservation Plan shall encompass all Project Areas for every Project with Ground Disturbing Activities for which funding is requested.
- 4970.06.3(e)(1) is changed to read: protocol for assessment and maintenance to receive funding all OHV Projects involving Ground Disturbing Activities shall have a protocol for assessment and maintenance which considers:
- 4970.06.3(g) is changed to read: when Soil Conservation Plan implementation is required, the Grantee shall implement the Soil Conservation Plan regardless of whether the Grantee received funds specifically for Soil Conservation Plan implementation.

### **Ground Operations**

- 4970.10.1(c)(6) is changed to read: HPM implementation including monitoring the effectiveness of prior and ongoing Conservation activities, and
- 4970.10.1(c)(7) is changed to read: Soil Conservation Plan implementation.

### **Restoration**

- In 4970.11(a)(1) is changed to read: to provide Ecological Restoration or Repair to habitat damaged by authorized or unauthorized OHV use.
- In 4970.11(a)(2) is changed to read: the goal of the Restoration Program is to aid the return of natural resource systems to their natural state:

### **Appendix**

- Habitat Management Program, Part 2, Section 1, bottom of page 1, the wording "No" was corrected to read "Note".
- Planning Criteria, Question 2, third box, is changed to read: potential effects of OHV Recreation on soil conditions.

## **Soil Conservation Standard and Guidelines**

- On Page 4 of 51, Footnote 1 - the standard correctly identifies the Consulting Agency Review Committee (CARC).
- Section 1.3.3., definition of Sustainable is changed to read: the facility is managed to meet the soil conservation standard for a minimum service life of 25 years.
- Section 2.3.4. Physiographic Data, Cultural and Historical Resources, bullet number 1 is changed to read: cultural and historical resources within or adjacent to an OHV Project should be identified so that the OHV project can be designed to minimize potential impacts to the features.
- Section 2.6.2, Project Design Features, Rolling Dips, bullet number 4, is changed to read: rolling dips are used for drainage control and should not be considered as features for OHV recreation – they are not intended as jumps for OHVs. Ideally, the trough length of a rolling dip is long enough so that spinning wheels of OHVs do not gouge the trail tread and alter the effectiveness of the rolling dip. Many factors dictate the appropriate spacing and dimensions of rolling dips, road steepness being the most important. The speed of OHV traffic on a trail is also important – rolling dips dimensions should generally be more elongated with faster traffic. As a general rule, rolling dips troughs should be at least as long as the average wheelbase of vehicles on the trail or road. For example, if a trail is intended for motorcycles only, and the typical motorcycle wheelbase is 55 inches, then the trough flat on a rolling dip should be approximately 55 inches. The figures below provide examples of basic rolling dip design.
- Section 2.6.2, Project Design Features, Waterbreaks, bullet number 4, is changed to read: the spinning wheels of OHVs eventually obliterate the waterbreaks. More durable waterbreaks can be made by mixing soil with rock in the waterbreak core and/or adding a soil amendment such as cement or bentonite. Waterbreaks may also be hardened by positioning pre-formed concrete blocks known as “dogbones,” along the waterbreak crests. On-site materials, such as rock or timber, can be used if sufficient amounts of soil are unavailable.

## **Soils Guidelines – OHV Trail Condition Evaluation Code Key**

- Code C9 is changed to read: segment is not designed for the type or amount of use occurring.
- Code c15 is changed to read: design / layout / construction prevents effective drainage.
- Code C20 is changed to read: segment is not designed for the type and amount of use occurring.

Thank you again for your on-going interest and participation in the OHMVR Grants and Cooperative Agreements Program. We welcome your comments on these regulation changes.

Sincerely,

ALLEN CHANCEY, Manager  
Grants and Cooperative Agreements Program