

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

**GRANTS AND COOPERATIVE AGREEMENTS PROGRAM**

**GRANTS PROGRAM MANUAL**

**CHAPTER 1  
APPLICATION INSTRUCTIONS**

**APPLICATION INSTRUCTIONS  
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## **1.0 APPLICATION INSTRUCTIONS**

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### **1.1 Regulations**

The Division STRONGLY ENCOURAGES the Applicants to read the Program Regulations thoroughly prior to beginning work on the Application to ensure submission of a complete Application that complies with all State requirements. Failure to follow the Program Regulations and accompanying instructions can result in rejection of an Application or the Application receiving low scores during the evaluation process.

The Grants Program Manual is used in conjunction with the Regulations. Provisions of the Grants Program Manual and the Regulations shall be interpreted so as to give effect to each and every provision, direction, instruction, or other requirement contained in each document. The Division provides final administrative interpretation of any provisions in the Regulations or the Grants Program Manual. Any conflicts between the provisions contained in the Grants Program Manual and the Regulations shall be resolved by the Division so as to give effect to the more stringent provision consistent with the OHMVR Act or other applicable law. Applicants are responsible for bringing any interpretive questions to the attention of the Division as specified in the Regulations.

### **1.2 Off-Highway Motor Vehicle Recreation Grants and Cooperative Agreements Program Cycle**

The Commission holds an annual program review meeting prior to the start of each Grants Program Cycle (hereafter "Grants Cycle") to collect input concerning the Grants Program, and to provide a forum to receive public input on specific Project needs for Grants Program areas. The Commission may also establish funding targets and provide general guidance to the Division prior to the start of each Grants Cycle.

Upon receipt of the Applications, the Division reviews each Application for timeliness of receipt, completeness, and compliance with the Regulations. Late, incomplete, or non-compliant Applications are rejected and returned to the Applicants. Applications deemed conformant are competitively evaluated, scored, and ranked by an Evaluation Panel of not less than three (3) Division staff members. The Division forwards the scored Applications to the Commission. The Commission reviews the scored Applications and approves the issuance of Project Agreements. Upon approval by the Commission, the Division executes Project Agreements between Grantees and the Division. The schedule on the following page provides an overview of a typical Grants Cycle. NOTE: Except for the Application Filing Date and the minimum sixty (60) calendar day notice, the Division may modify the dates of the Grants Cycle to meet the needs of the Grants Program and the Division.

## 1.2.1 Grants Cycle

<b>Activity</b>
Commission Public Meeting
Division Website Postings At least sixty (60) calendar days prior to the Application Filing Date, the Division will post Application materials and announce when Grants Program Workshop(s) may be held for potential Applicants.
Applications Due to Division (Application Filing Date) <b>Applications are due to the Division by 5:00 p.m. on the Application Filing Date (the first Monday of August).</b> Applications received after the Application Filing Date are returned to the Applicants without consideration. <b>Postmarks are not accepted.</b>
Application Evaluation System An <b>Evaluation Panel</b> of not less than three (3) Division staff evaluates, scores, and ranks each Project.
Results of Division Application Evaluation Period The results of the Division Application evaluation are made available, posted on the Division Website, and provided to the Commission thirty (30) days prior to the first Commission Subcommittee meeting (if held) or the full Commission meeting.
Commission Subcommittee Meeting – NORTH (if appointed) The Commission Subcommittee considers the Division scores and the Project Applications.
Commission Subcommittee Meeting – SOUTH (if appointed) The Commission Subcommittee considers the Division scores and the Project Applications.
Full Commission Meeting The Commission as a whole reviews the scored Applications and approves the issuance of Project Agreements.
Division and Grantees Execute Project Agreements
Division Sends Executed Project Agreements to Grantees

## 1.3 Application Filing Requirements

### 1.3.1 Filing Requirement Assistance

Questions concerning the Application process and the interpretation of these regulations shall be submitted in writing to the Division Website, Questions and Answers section. Responses to these questions will be made in writing via the Division Website within five (5) calendar days of submission of the questions. The last date for submitting questions to the

Division will be ten (10) calendar days prior to the final Application deadline. Applicants shall not rely on answers to questions unless placed on the Division Website, Questions and Answers section, by the Division.

### **1.3.2 Determining Applicant Eligibility**

Eligibility to apply for funding under the OHMVR Grants Program requires that Applicants must meet one (1) of the following organizational definitions:

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

Applications received from entities that do not comply with this requirement, shall be returned without consideration. If you need help determining Applicant eligibility, contact the Division for guidance.

### **1.3.3 Determining Project Eligibility**

Projects must meet the following general Application requirements listed below:

- Application requests for Projects shall be not less than \$10,000 per Project and not exceed a maximum of \$500,000 per Project type or a total of \$2 million per Applicant.
- Acquisition, Conservation, Development, Planning, or Restoration Projects are funded for a three (3) year period. For Facilities Operation and Maintenance, Law Enforcement, OHV Safety and/or Education Program, and Trail Maintenance Projects not exceeding \$15,000 per year, Funds may be requested for expenditure over a three (3) year period.
- Public Casual use of facilities shall not be less than sixty (60) percent of the total use in Project Areas.
- Equipment:
  - Equipment purchase or Repair must be requested as part of the Application for a specific Project.
  - Equipment Repair shall be due to normal wear and tear and may include major mechanical overhaul or replacement of parts if it is shown by a financial analysis in the Application that Repair is more cost effective than the purchase of a new piece of Equipment.
  - Equipment must be used solely for OHV related purposes unless the Applicant is funding the portion of the purchase price not dedicated to OHV purposes.
  - Each piece of Equipment with a purchase price (excluding tax) in excess of \$1000 purchased with OHV Trust Funds shall be identified as a line item on the Project Costs/Deliverables Form (see Appendix).
  - All electronics regardless of cost shall be identified as a line item on the Project Costs/Deliverables Form (see Appendix).

- Payment of Administrative Costs from the Fund may not exceed ten (10) percent of the total Project amount requested in the Application.
- Match:
  - Except as provided in 4970.66 (c), cities, counties, and appropriate districts, Nonprofit organizations, and Educational Institutions shall provide Matching Funds or the equivalent value of services, material, or property used, in an amount of not less than 25 percent of the total expense of the off-highway motor vehicle Facility to be funded by the Grant.
  - All Federal Agencies and Federally Recognized Native American Tribes are exempt from the Matching Funds requirement in accordance with PRC Section 5090.51(a).
  - There shall be no Matching Fund requirement for Applications that request Funds for Acquisition, Construction, Development, or Planning of a Regional OHV Facility as defined in Section 4970.50(w).
  - Cities, counties, and appropriate districts must provide a match as follows:
    - For Acquisition Projects, in non-Regional Facilities only.
    - For Conservation Projects, in all facilities with the exception of Construction activities in Regional Facilities.
    - For Development Projects, in non-Regional Facilities only.
    - For FO&M Projects, in all facilities with the exception of Construction activities in Regional Facilities.
    - For Law Enforcement Projects, in all facilities.
    - For OHV Safety and/or Education Program Projects, in all facilities.
    - For Planning Projects, in non-Regional Facilities only.
    - For Restoration Projects, in all facilities with the exception of Construction activities in Regional Facilities.
    - For Trail Maintenance Projects in all facilities with the exception of Construction activities in Regional Facilities.
  - Nonprofit organizations and Educational Institutions must provide a match as follows:
    - For Conservation Projects, in all facilities with the exception of Construction activities in Regional Facilities.
    - For OHV Safety and/or Education Program Projects, in all facilities.
- All Applicants shall undertake a Public Review Process of their Application(s) as detailed in 1.7, below.

### **1.3.4 Form of Filing**

Applicants must submit all Applications electronically using the compact disc (CD) provided by the Division. Windows 98 or newer version is required to use the CD.

Any photos submitted shall be at a resolution of no more than 300 dpi. Photos must fit on an 8 ½ by 11 inch page. No more than six (6) viewable photos may be on each page. For the number of pages of photos allowed for each Project, see the Project Type information in this chapter. These requirements apply to all documents submitted as Word or Acrobat documents.

Applicants must submit two (2) CDs and three (3) paper copies **printed from the CD**, including one (1) with **original** signatures and two (2) copies of the signed original of their completed Application, to the Division addressed as follows:

**Department of Parks and Recreation  
Off-Highway Motor Vehicle Recreation Division  
1725 23<sup>rd</sup> Street, Suite 200  
Sacramento, CA 95816-7100**

### **1.3.5 Application Filing Date**

Applications are due to the Division no later than 5:00 p.m. on the Application filing date. Applications received after 5:00 p.m. on the Application filing date are considered “late” and will be returned to the Applicant without consideration. Postmarks will not be accepted.

### **1.3.6 Baseline Documents and Information**

Documents on file with the Division from the 2005-2006 Grants and Cooperative Agreements Cycle shall be used as the “baseline” information year for prior Applicants. Baseline information may be referred to as supporting documentation for current year Applications. Applicants who submitted Applications in or subsequent to the baseline year shall clearly state that the documents on file with the Division still apply to the current Project, or shall clearly describe any updates to the documents on file in the current year Application. If there is any doubt as to the applicability of the documents on file to the current Project, new Baseline Documents shall be provided with clear instructions to the Division that the new documents replace those currently on file.

Prior Applicants are not required to resubmit environmental/planning documents (e.g., environmental assessments (EA), environmental impact reports/statements, general plans, land and resource management plans, maps) or any other long-term programmatic documents that were submitted prior to the current year cycle, unless these documents have undergone revision, amendment, etc. If there is doubt as to the applicability of the environmental/planning documents on file to the current Project, new Baseline Documents shall be provided with clear instructions to the Division that the new documents replace those currently on file.

Trail Soil Condition Rating Tables (OHV Form G) must be updated and submitted each year (See Section 1.9). Prior Applicants are not required to resubmit Soil Conservation Plans and Wildlife Habitat Protection Programs (WHPP)/Habitat Management Programs (HMP) that were submitted prior to the current year cycle, unless these documents have undergone revision, amendment, etc. If there is any doubt as to the applicability of the documents on file to the current Project, new Baseline Documents shall be provided with clear instructions to the Division that the new documents replace those currently on file. Applicants required to submit WHPP/HMP OHV Form F must **always** submit Tables 5, 6, and 7 each year. Additionally, **if any information listed in Tables 1-4 has changed from the previously submitted WHPP/HMP, then the Applicant must submit a new WHPP/HMP**. The new WHPP/HMP must be complete and revised to address the new information.

### 1.3.7 Eligible Project Costs

Except as provided in the specific Project types, the following costs are eligible for reimbursement from the OHV Trust Fund:

1. Preliminary costs for contract preparation, acquisition appraisal, and negotiation.
2. Costs for an employee directly engaged in OHV Project implementation, subject to the following restrictions:
  - a. Costs must be computed according to the prevailing wage or salary scale, and may include benefits (i.e., vacation, sick leave, and social security contribution) that are customarily charged by the Grantee. Personnel benefit charges must be calculated in proportion to the actual time worked on an OHV Project.
  - b. Costs charged to an OHV Project must be computed on actual time worked on the Project and supported by timesheets and attendance records or comparable documentation (describing the work performed on the OHV Project).
  - c. Costs for overtime may be allowed under the Grantee's established overtime policy if related to work during normal work hours.
  - d. Costs for direct Project supervision.
3. Stipends paid to Volunteers according to the Grantee's normal practice or policy.
4. Costs for consultation or subcontractor services are reimbursable on the same basis as eligible costs under these regulations.
5. With prior written approval from the Division, consultant fees may be paid for consulting services of a Grantee's employee.
6. Acquisition of Equipment necessary to implement the Project. Any Equipment purchased must be used on OHV-related Activities unless the Applicant pays the portion of the acquisition cost attributable to other uses.
7. Costs associated with Equipment acquired with Grantee's funds and used for an OHV Project must be charged on a use basis in accordance with the Caltrans Division of Equipment, Equipment Rental Rates, but must 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 similar source document must describe the operator, work performed, and hours or miles charged to the Project. The operator and the operator's supervisor must sign the logbook.
8. Supplies and materials, including personal safety items, may be purchased for a specific OHV Project or may be drawn from a central stock, provided the items are claimed at a cost no higher than the original purchase price paid by the Grantee.
9. The costs charged as supplies and materials, when such supplies or materials are purchased with the intent of building a structure or part of a structure, are capitalized according to the Grantee's normal practice or policy. If capitalized, only those costs attributed to the OHV Project may be charged to the OHV Project.
10. Construction activities, from site preparation (e.g., demolition, excavation, grading, etc.) through completion of the structure or Facility.



11. Relocation costs that result from the displacement of a person and/or business, in accordance with California Government Code Sections 7260-7277 or the agency's applicable law if different from California law.
12. Grantee insurance premiums for Casual riding, hazard, and liability insurance for an OHV Facility.
13. Transportation costs for moving Equipment, material, and personnel (excluding moving and relocation expenses resulting from changes in assignments).
14. Preparation and publication of maps and/or handouts may be included as part of any related Project.
15. Installation of barriers may be included as part of any related Project.
16. Administrative Costs, not to exceed ten (10) percent of the total Project amount, which are attributable to Project management. Administrative Costs are the costs of functions or activities performed in support of the Project Deliverables. Examples of Administrative Costs include, but are not limited to, costs of human resources functions, time keeping, accounting, fiscal management, record keeping, and/or purchasing. All Administrative Costs must be documented as described in Chapter 3 of the Grants Program Manual.

### **1.3.8 Ineligible Project Costs**

Except as provided in the specific Project types, costs associated with the following are ineligible for reimbursement from the OHV Trust Fund:

1. Expenditures outside the Project Performance Period as specified in the Project Agreement.
2. Work or services performed outside of the Deliverables in the Project Agreement.
3. Any interest expense, discount not taken, deficit or overdraft, or bonus payment.
4. Charges for a contingency reserve or other similar reserve.
5. A damage judgment against the Grantee arising from the operation, acquisition, Construction, or equipping of an area or trail even when determined by judicial process, arbitration, negotiation, etc.
6. Unapproved contract cost overruns that exceed the allowable amount specified in the Project Agreement.
7. Workers' compensation claims.
8. Travel claims when no work time was claimed for the same period.
9. Employee relocation (moving expenses resulting from duty station or assignment change).
10. Charges incurred contrary to the policies and practices of the Grantee.
11. Services, materials, or Equipment obtained under any other State program.
12. Awards, trophies, or plaques for Volunteers.
13. Dispatch/communication support costs.
14. Replacement or Repair of Equipment not properly secured or maintained.
15. Use fee for Equipment purchased with moneys from the OHV Trust Fund.
16. Miscellaneous costs may not be reimbursable. If costs are in question, the Grantee should seek clarification from the Grant program manager or Grant Administrator before submitting a payment request.

### 1.3.9 Eligible Costs by Project Type

See sections below on Specific Project Types and Requirements for details.

### 1.3.10 Determining the Appropriate Project Type

Nonprofit organizations with 501(c)(3) status and Educational Institutions may apply for Conservation Projects or Off-Highway Vehicle (OHV) Safety and/or Education Program Projects. Federal Agencies, Recognized Tribes, Cities, Counties and appropriate Districts are eligible to apply for any Project type.

Applications must request funding for Projects according to the Project types as defined in the Regulations and described in this Grants Program Manual. Projects submitted as the incorrect Project type or using incorrect Evaluation Criteria will be rejected. Other Projects within the same Application found to be in compliance with relevant statutes and regulations will be processed. If you are unsure what Project type your Project is, contact the Division for assistance.

### 1.3.11 Specific Project Types and Requirements

This section identifies and describes the Project types eligible for funding in the Grants Program. This section also provides information on Application component order, Project specific eligible costs and other Project requirements.

The following are the different Project types available for funding:

<b>SPECIFIC PROJECT TYPES</b>
Acquisition Projects (CCR, Title 14, 4970.54)
Conservation Projects (CCR, Title 14, 4970.55)
Development Projects (CCR, Title 14, 4970.56)
Facilities Operation and Maintenance (FO&M) Projects (CCR, Title 14, 4970.57)
Law Enforcement Projects (CCR, Title 14, 4970.58)
OHV Safety and/or Education Program Projects (CCR, Title 14, 4970.59)
Planning Projects (CCR, Title 14, 4970.60)
Restoration Projects (CCR, Title 14, 4970.61)
Trail Maintenance Projects (CCR, Title 14, 4970.62)

Read the Regulations and these Application requirements carefully to determine the specific Project type, the activities to be performed, and whether your Project appears likely to qualify. If you are unsure, contact the Division to request clarification.

Eligible Applicants are defined at CCR, Title 14, 4970.50(e). Each Applicant shall submit only one (1) Application using one (1) set of General Application Requirements (refer to CCR, Title 14, 4970.53). The Application may contain multiple Projects. If the Division receives multiple Applications from one (1) Applicant, the Division will process the first compliant Application received. The remainder will be returned to the Applicant.

The Application consists of one (1) each of forms A through I, as needed, whether applying for single or multiple Projects (e.g., Acquisition Projects, Planning Projects) under one (1) Application package.

When Applicants apply for multiple Projects, Applicants shall reference general Application information (i.e., sections applicable to all Grants or Cooperative Agreements) by cross-referencing the pages, including page numbers containing the referenced information.

The Division checks each Project independently for completeness and conformance with the appropriate Project category and any other Application requirements. Unless the Division decides any defects may be waived as provided for in the Regulations, Projects with incomplete documentation or submitted in the wrong category will be rejected.

**The Application Checklist below lists the common documents and the Project-specific documents that must be completed for each Project type.**

<b>Application Checklist</b>									
<b>Common Documents (Submit only once for each Application as needed)</b>									
	<b>OHV Form</b>								
Application Face Sheet	<b>A</b>								
Location Map	<b>B</b>								
Application Summary Sheet	<b>C</b>								
Opportunity Summary, if needed	<b>D</b>								
Equipment Inventory	<b>E<sup>1</sup></b>								
WHPP/HMP	<b>F<sup>2</sup></b>								
Soil Conservation Program	<b>G<sup>2</sup></b>								
Public Review Process	<b>H</b>								
Governing Body Resolution	<b>I<sup>3</sup></b>								
General Criteria, if needed	<b>K</b>								
Photos	<b>(none)</b>								
<b>Project-specific Documents (Submit one (1) for each Project)</b>									
PC/D	<b>J</b>								
General Project Description	<b>(none)<sup>4</sup></b>								
Project Specific Criteria	<b>K</b>								
Project Specific Photos, if needed	<b>(none)</b>								
Project Specific Maps, if needed	<b>(none)</b>								
Environmental Review Data Sheet (ERDS)	<b>L<sup>5</sup></b>								
CEQA/NEPA	<b>(none)</b>								
<b>Documents Unique to Specific Project Types (Submit only if checked below)</b>									
	<b>Acquisition</b>	<b>Conservation</b>	<b>Development</b>	<b>Facilities Op. &amp; Maintenance</b>	<b>Law Enforcement</b>	<b>OHV Safety &amp; Education</b>	<b>Planning</b>	<b>Restoration</b>	<b>Trail Maintenance</b>
Acquisition Plan	<b>X</b>								
Due Diligence	<b>X</b>								
Conceptual Drawings and Site Plans			<b>X</b>						
Timeline and products due			<b>X</b>		<b>X<sup>6</sup></b>		<b>X</b>	<b>X</b>	
Goals, Objectives & Methodologies		<b>X<sup>6</sup></b>			<b>X<sup>6</sup></b>		<b>X<sup>6</sup></b>		
Curriculum Vitae		<b>X<sup>6</sup></b>			<b>X<sup>6</sup></b>		<b>X<sup>6</sup></b>		
Peer Review		<b>X<sup>6</sup></b>			<b>X<sup>6</sup></b>		<b>X<sup>6</sup></b>		
Trail Maintenance Plan (OHV Form M)									<b>X</b>
Law Enforcement Efforts								<b>X</b>	
Land Tenure			<b>X</b>						
Written Agreement		<b>X<sup>7</sup></b>				<b>X<sup>7</sup></b>			

<sup>1</sup> Required only if Equipment is being requested.

<sup>2</sup> Cities, counties, and appropriate districts must prepare a WHPP/HMP and Soil Conservation Program only when applying for Acquisition and Development Projects.

<sup>3</sup> Federal Agencies are exempt from this requirement.

<sup>4</sup> The Project Description is a narrative. Submit as described.

<sup>5</sup> An ERDS is not required when an NOD has been filed for the Project.

<sup>6</sup> Required if Project includes Scientific Research.

<sup>7</sup> Required for Nonprofit and Educational Institutions only.

### 1.3.11.1 Acquisition Projects

Acquisition Projects secure interests in land to: expand and/or sustain OHV Recreation access and Opportunities; provide Buffers; and/or eliminate trespass.

Examples of Acquisition Projects include, but are not limited to the following:

- Purchase of right-of-way or easement;
- Lease of twenty-five (25) years or more;
- Purchase of land in fee title;
- Purchase of an option; and
- Rights to use real property, such as permits or licenses.

In addition to the common documents listed in Section 1.3.11, Applications for Acquisition Projects must also include the documents listed below.

**1. Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix.

When the Project itself will result in land acquisition, eligible costs for Acquisition Projects may include, but are not limited to:

- Appraisals;
- Escrow fees;
- Title insurance;
- Title report;
- Site specific Project planning such as design, permitting, or CEQA or NEPA analysis, as required by law, before implementation of a specific Acquisition Project;
- Land survey;
- Title searches; and
- Due Diligence.

**2. Project Description.** Describe your Project in three (3) pages or less with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. The Project description must include:

- How the proposed Project relates to OHV Recreation and will add to, enhance, or otherwise sustain OHV Opportunity.
- The location(s) of existing OHV Opportunities in and around the acquisition property and how the Project will affect or relate to that existing OHV Recreation.
- Total estimated cost of land to be acquired. Provide any information to substantiate value such as an appraisal, sales comparables, and discussions with realtors or appraisers.
- Total acreage to be acquired.
- Easements.
- The number of parcels.

**3. Project Specific Photos.** Photos are limited to two (2) pages.

4. **Project Specific Maps.** Submit:
  - A map or maps identifying the specific Roads, trails, areas, and/or Facilities to be acquired under the Project. The map(s) shall contain enough detail to provide someone unfamiliar with the area the ability to locate the site. If necessary, include maps referred to in your Evaluation Criteria.
  - Assessors Parcel Maps, including Assessor Parcel Number (APN), of each parcel to be purchased.
5. **Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project.
6. **Acquisition Plan.** Include an acquisition plan that describes the process for accomplishing the Acquisition Project. An acquisition plan shall include, but is not limited to the following:
  - Acquisition timeline, which shows the steps and timelines for completing the Project, including the preparation and delivery of any reports to be prepared with the funds as a deliverable.
  - Discussion of the Applicant's ability to accomplish the acquisition Project. The Applicant must demonstrate the ability to complete the acquisition within the timelines.
7. **Due Diligence.** Describe Due Diligence undertaken, or to be undertaken, to determine the property is usable for its intended purpose (e.g., Preliminary Title Report and underlying documents under Schedule B, zoning information, Phase 1 Environmental Site Assessment, biotic assessment).
8. **Environmental Review Data Sheet.** Refer to the Grants Program Manual Appendix.
9. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual.

### 1.3.11.2 Conservation Projects

Conservation Projects are 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 WHPPs/HMPs as required by the Act, including Monitoring or researching those practices, activities, or Projects to provide data for management decisions. Restoration activities for Trail Reroutes must be applied for as a separate Restoration Project or component thereof.

Examples of Conservation Projects include, but are not limited to the following:

- Implementation of best management practices including erosion and/or sediment control structures and stream crossing improvements;
- Rerouting of Roads or trails to comply with soil standards and wildlife habitat protection programs or to protect Cultural Resources;
- Storm water protection plans, sediment control structures, and stream crossing improvements;
- Vegetation protection;
- Construction Projects related to Conservation such as habitat or Cultural Resource protection;
- WHPP/HMP development and/or implementation;
- Soil Conservation Program development and/or implementation;
- Monitoring the effectiveness of prior and ongoing Conservation Projects;
- Scientific research to determine the best management practices, including Maintenance and Conservation practices, available or designed to provide for sustainable long-term OHV Recreational use of Roads, trails, areas, or lands; and
- Identify and/or further technological advances to reduce noise, air, and water pollution from OHVs.

In addition to the common documents listed in Section 1.3.11, Applications for Conservation Projects must also include the documents listed below.

#### 1. **Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix.

Eligible costs for Conservation Projects may include, but are not limited to:

- Preparation of a Wildlife Habitat Protection Program (WHPP)/Habitat Management Program (HMP) or Soil Conservation Program;
- WHPP/HMP implementation, including, Monitoring, Scientific Research or surveys, and vegetation protection;
- Public Outreach and information programs related to Conservation;
- Scientific Research activities to evaluate, estimate, analyze, and address the possible impact on, or of, OHV Recreation and develop responsive management recommendations; and
- Site specific Project planning such as design, permitting, or CEQA or NEPA analysis, as required by law, for implementation of the specific Project when the Project itself implements Conservation measures.

2. **Project Description.** Describe your Project in three (3) pages or less with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. Include the following:
  - An explanation of how the Project will sustain OHV Recreation or OHV Opportunities.
  - The size of the Project site(s) in acres and/or miles.
  - A description of all activities to be conducted, such as: scraping, grading, or similar activities; planting; erosion control; irrigation system installation; pesticide application.
3. **Project Specific Photos.** Photos are limited to two (2) pages.
4. **Project Specific Maps.** Include maps if necessary.
5. **Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project.
6. **Conservation Projects Involving Scientific Research must provide:**
  - A timeline for completion of the Scientific Research activities.
  - The research Project design that includes a description of the goals, objectives, and methodologies.
  - The curriculum vitae of the primary researcher(s).
  - Documentation of Peer Review of the research plan. The Peer Review shall be conducted by at least three (3) qualified experts from the scientific discipline or related fields.
7. **Written Agreement.** Nonprofit organization and Educational Institution Applicants must submit either: 1. a written agreement with the property manager, land management agency, or land owner giving permission to perform the Project, or 2. documentation from the property manager, land management agency, or land owner stating that no such agreement will be required.
8. **Environmental Review Data Sheet.** Refer to the Grants Program Manual Appendix.
9. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual.



### 1.3.11.3 Development Projects

Development Projects sustain OHV Opportunity and provide 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 Road or trail when the relocation is not to be completed as a required part of either a Conservation or Trail Maintenance Project.

Restoration activities for Trail Reroutes must be applied for as a separate Restoration Project or component thereof.

Examples of Development Projects include, but are not limited to the following:

- Trail and Trailhead/staging area Construction or improvements to trails to improve the visitor experience.
- Access Road and parking lot Construction;
- Picnic, restroom, and camping facilities Construction;
- Construction Projects to reduce use conflicts;
- Competition and spectator facilities, provided that public Casual use shall be at least sixty (60) percent of total use; and
- Other related improvements such as visitor centers, kiosks with a unit cost of \$5,000 or more (excluding tax), Facility fencing, utilities installation (e.g., water, electrical, sewer), and storage buildings.

In addition to the common documents listed in Section 1.3.11, Applications for Development Projects must also include the documents listed below.

**1. Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix.

When the Project itself will result in completion of the Development Project, eligible costs for Development Projects may include, but are not limited to the following:

- Mitigation measures required by CEQA or NEPA
- Site specific Project planning such as design, permitting, or CEQA or NEPA analysis, as required by law.

**2. Project Description.** Describe your Project, in three (3) pages or less, with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. The Project description must include:

- The timeline for completing the Project.
- Location and description of existing OHV Opportunities in the area.
- Size of park or Facility to be developed.
- A description of activities to be conducted, such as: scraping, grading, or similar activities; planting; erosion control; irrigation system installation; pesticide application. The description must include maintenance or other follow-up needed.
- How the proposed Project relates to OHV Recreation and will add to, enhance, or otherwise sustain OHV Opportunity.
- If the Facility is open to competitive use, demonstrate that public Casual use shall be at least sixty (60) percent of total use.

**3. Project Specific Photos.** Photos are limited to two (2) pages.

4. **Project Specific Maps.** Submit a map or maps containing enough detail to provide someone unfamiliar with the area the ability to locate the site. Trails map(s), if available, should show existing Roads, trails, or areas available for OHV Recreation. Trail map(s) should also show Roads, trails, or areas proposed to be made available in the future as part of this Project or other existing plans.
5. **Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project.
6. **Conceptual Drawings and Site Plans.** Provide conceptual drawings of the site depicting proposed improvements and the location of those improvements. If the Project includes Construction of a building, indicate floor plans and square footage. (See Chapter 3 for Development Project procedures applicable after Project is approved for funding).
7. **Land Tenure Certification.** Local Agencies must certify to the Division that they have adequate tenure to, and site control of, the properties to be improved. Tenure includes, but is not limited to:
  - Ownership
  - Lease
  - Easement
  - Joint powers (or similar agreement)
8. **Environmental Review Data Sheet.** Refer to the Grants Program Manual Appendix.
9. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual.

#### 1.3.11.4 Facilities Operation and Maintenance (FO&M) Projects

FO&M Projects are for routine work directed to maintain existing facilities, other than Roads, trails, or riding areas, and provide visitor assistance, and health and safety measures attributable or related to OHV Opportunity being provided by the Applicant.

Examples of FO&M Projects include, but are not limited to the following:

- Facility servicing, including, but not limited to painting, cleaning restrooms, re-roofing, electrical Repairs, and maintaining kiosks;
- Visitor services (excluding law enforcement);
- Sign boards, information kiosks with a unit cost of up to \$5,000 (excluding tax), and regulatory and directional signs;
- Water and/or sewage treatment system Maintenance and testing;
- Trash collection;
- Repaving existing parking lot or access Roads to these areas; and
- Snow plowing of parking areas and access Roads to these areas.
- OHV site management

In addition to the common documents listed in Section 1.3.11, Applications for FO&M Projects must also include the documents listed below.

1. **Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix.
2. **Project Description.** Describe your Project in three (3) pages or less with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. The Project description must include how the proposed Project relates to OHV Recreation and will sustain OHV Recreation or OHV Opportunities associated with the Project Area.
3. **Project Specific Photos.** Photos are limited to two (2) pages.
4. **Project Specific Maps.** Submit a map or maps showing the location of the facilities along with related OHV Opportunities, or other lands being served by the facilities.
5. **Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project.
6. **Environmental Review Data Sheet.** Refer to the Grants Program Manual Appendix.
7. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual.

### 1.3.11.5 Law Enforcement Projects

Law Enforcement Projects provide financial assistance to local and Federal Agencies for protection of life and property, including natural and Cultural Resources of 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.

Examples of Law Enforcement Projects include, but are not limited to the following:

- Law enforcement patrol, including aircraft support, and search and rescue;
- Training and Equipment for law enforcement, and search and rescue;
- Installation of physical barriers and other means of traffic control regulating the use of OHVs; and
- Law enforcement Outreach and education.
- Scientific Research regarding law enforcement related issues.

In addition to the common documents listed in Section 1.3.11, Applications for Law Enforcement Projects must also include the documents listed below.

Applications applying solely for Law Enforcement Projects are exempt from the WHPP/HMP and Soil Conservation Program (refer to CCR, Title 14, 4970.64 and 4970.65) requirements.

1. **Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix.
2. **Project Description.** Describe your Project in three (3) pages or less with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. The Project description must include:
  - How the proposed Project relates to OHV Recreation and will sustain OHV Recreation or OHV Opportunities associated with the Project Area.
  - Number of miles or acres to be patrolled.
3. **Project Specific Photos.** Photos are limited to two (2) pages.
4. **Project Specific Maps.** Submit a map or maps identifying and marking areas to be targeted with law enforcement activities. The map(s) shall contain enough detail to provide someone unfamiliar with the area the ability to locate the site. Map(s) must show:
  - All Roads, trails, and areas to be patrolled;
  - Areas of special concern; and
  - Areas with recurring law enforcement issues.
  - If necessary, include maps referred to in your Evaluation Criteria.
5. **Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project.

6. **Law Enforcement Projects Involving Scientific Research must provide:**
  - A timeline for completion of the Scientific Research activities.
  - The research Project design that includes a description of the goals, objectives, and methodologies.
  - The curriculum vitae of the primary researcher(s).
  - Documentation of Peer Review of the research plan. The Peer Review shall be conducted by at least three (3) qualified experts from the scientific discipline or related fields.
  
7. **Environmental Review Data Sheet.** Refer to the Grants Program Manual Appendix.
  
8. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual.

### 1.3.11.6 OHV Safety and/or Education Program Projects

OHV Safety and/or Education Program Projects provide to the OHV recreating public:

- OHV safety activities and/or
- Education concerning safe and environmentally responsible operation of OHVs.

Examples of OHV Safety and/or Education Program Projects include, but are not limited to the following:

- Safety orientation and training;
- Program and school Outreach, including, but not limited to education or information concerning:
  - Creating or staffing sound testing, spark arrester inspection, and/or first aid stations;
  - Responsible riding;
  - Public service announcements;
  - OHV safety;
- Curriculum development;
- Internet site development and other electronic media supporting OHV Recreation related safety and/or educational program Projects;
- OHV safety-related Equipment loan program;
- OHV search and rescue.
- Design and production of signs, maps, and brochures.

In addition to the common documents listed in Section 1.3.11, Applications for OHV Safety and/or Education Program Projects must also include the documents listed below.

1. **Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix
2. **Project Description.** Describe your Project in three (3) pages or less with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. The Project description must include:
  - How the proposed Project relates to OHV Recreation and will add to, enhance, or otherwise sustain OHV Recreation or OHV Opportunity.
  - Include a description of the material to be developed for the Project, along with training locations if applicable.
3. **Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project.
4. **Project Specific Photos.** Photos are limited to two (2) pages.
5. **Project Specific Maps.** Include maps if necessary.
6. **Written Agreement.** Nonprofit organization and Educational Institution Applicants must submit either: 1. a written agreement with the property manager, land management agency, or land owner giving permission to perform the Project, or 2. documentation from the property manager, land management agency, or land owner stating that no such agreement will be required.

7. **Environmental Review Data Sheet.** Refer to the Grants Program Manual Appendix.
8. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual

### 1.3.11.7 Planning Projects

Planning Projects 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. (NOTE: Project specific planning efforts such as Project engineering, landscape design, environmental analysis, permitting and the like for specific Projects, such as Conservation, Development, or Restoration, must be submitted as a component of one (1) of these specific Project types.) Planning Projects may also provide programmatic management coordination.

Examples of Planning Projects that produce a report or reports to document, recommend, and adopt solutions or proposals associated with, but not limited to, the following:

- Designating authorized Roads, trails, or areas for OHV Recreation use, including inventories and mapping of Roads, trails, and areas;
- Protecting and conserving soils, water, plants, animals, and/or cultural or other natural resources affected by OHV Recreation that require protective measures in accordance with the Act or other law;
- Addressing toxic or hazardous waste within an area providing OHV Opportunity and/or adjacent property that may impact the site;
- Addressing the potential effects of OHV Recreation on or potential conflicts with adjacent lands, residents or other recreation users; and
- Preparing a Recreation Management Plan, OHV Plan, or the OHV portion of a General Plan.

Examples of coordination of OHV program management activities may include, but are not limited to, the following:

- Ensuring that different organizational units are consistent in OHV program implementation;
- Acting as liaison between the Division and regional or state offices and their organizational subdivisions on all matters pertaining to OHV Recreation where OHV Trust Funds are involved;
- Ensuring the appropriate preparation and implementation of Grants or Cooperative Agreements; and
- Coordinating agency employee and Volunteer training associated with OHV programs under the Applicant's jurisdiction.

In addition to the common documents listed in Section 1.3.11, Applications for planning Projects must also include the documents listed below.

#### 1. **Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix.

When associated with a completed Planning Project, eligible costs for Planning Projects may include, but are not limited to:

- Environmental documents, including CEQA or NEPA required in support of any plan;



- Scientific Research activities to evaluate, estimate, analyze, and address the possible impact on, or of, OHV Recreation and develop responsive management recommendations.
2. **Project Description.** Describe your Project, in three (3) pages or less, with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. The Project description must include:
    - The plan objective(s).
    - How the proposed Project relates to sustaining OHV Recreation and OHV Opportunity.
    - A list of all reports, interim or final, or other documents to be produced.
    - A timeline for completion of all planning activities.
  3. **Project Specific Photos.** Photos are limited to two (2) pages.
  4. **Project Specific Maps.** Include maps if necessary.
  5. **Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project.
  6. **Planning Projects Involving Scientific Research must provide:**
    - The research Project design that includes a description of the goals, objectives, and methodologies.
    - The curriculum vitae of the primary researcher(s).
    - Documentation of Peer Review of the research plan. The Peer Review shall be conducted by at least three (3) qualified experts from the scientific discipline or related fields.
  7. **Environmental Review Data Sheet.** Refer to the Grants Program Manual Appendix.
  8. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual

### 1.3.11.8 Restoration Projects

Restoration Projects provide 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 an official decision by the Applicant to restore the lands.

Examples of Restoration Projects include, but are not limited to, the following:

- Restoring a Road, trail, or area when soil or wildlife standards cannot be met;
- Restoring and stabilizing land contours of areas and routes damaged by OHV use upon closure to OHV Recreation;
- Construction of physical barriers and other means of traffic control devices to prevent use of the area by OHVs in order to achieve Restoration; and
- Eradicating evidence of illegal OHV Recreation and returning the land to the condition that existed prior to the illegal OHV Recreation, to the extent practical, including the planting of plants, shrubs, trees, or groundcovers.

The Applicant may, but is not required to, group together Restoration sites if the Restoration work is similar in scope and/or the sites are located in close proximity to each another. Restoration sites grouped together under one (1) Project are evaluated and scored as one complete Project. Dissimilar and unrelated Restoration activities must be applied for as separate Projects.

In addition to the common documents listed in Section 1.3.11, Applications for Restoration Projects must also include the documents listed below.

**1. Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix.

When the Project itself will result in completion of the Restoration Project, eligible costs for Restoration Projects may include, but are not limited to staffing, contracts, and materials/supplies for the following:

- Mitigation measures required by CEQA or NEPA for the Restoration Project; and
- Site specific Project planning such as design, permitting, or CEQA or NEPA analysis, as required by law.

**2. Project Description.** Describe your Project, in three (3) pages or less, with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. Include the following:

- An explanation of how the Project will sustain OHV Recreation or OHV Opportunities.
- The size of the Project site(s) in acres and/or miles.
- A description of activities to be conducted, such as: scraping, grading, or similar activities; planting; erosion control; irrigation system installation; pesticide application. The description must include maintenance or other follow-up needed.
- Describe the Monitoring that will be implemented, including the success criteria that will be used, to determine the successful outcome of the Restoration Project. Note: Monitoring results must be reported to the Division at the end of the Project.

- Official documentation of the closure of the road, trail or area and documentation of the decision to restore the land or the decision subject only to completion of CEQA or NEPA to be funded as a component of the Project Agreement.
  - If applicable, include an explanation of any legal recreational OHV activity being displaced and what Maintenance and Conservation efforts were taken to prevent permanent closure and why they were not successful.
  - Timeline. For each significant step to complete the Project, indicate the estimated completion date.
3. **Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project
  4. **Project Specific Photos.** Provide “before” photos of the site(s) to be restored. If necessary, include photos referenced in your Evaluation Criteria. Photos are limited to five (5) pages.
  5. **Project Specific Maps.** Include maps if necessary.
  6. **Law Enforcement Efforts.** Provide an explanation in one (1) page or less of what law enforcement efforts will be performed to support the Restoration Project(s). Include descriptions of barriers and signs.
  7. **Environmental Review Data Sheet.** Refer to Section 1.4 and the Appendix of this Grants Program Manual. If an individual Restoration Project addresses more than one (1) site, every site under that Project must be clearly addressed in the ERDS.
  8. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual.

### 1.3.11.9 Trail Maintenance Projects

Trail Maintenance Projects consist of two (2) types: Trail Maintenance and/or Trail Reroute where the Reroute is necessary due to safety issues and/or damage caused by natural disaster. Restoration activities for Trail Reroutes must be applied for as a separate Restoration Project or component thereof.

Trail Maintenance Projects sustain OHV Recreation by performing routine work on Roads, trails, or areas. Examples of Trail Maintenance Projects include, but are not limited to, the following:

- Brushing;
- Trail signing;
- Fallen or hazardous tree removal;
- Tread work related to safety or ease of passage; and
- Snow or trail grooming (e.g., rock rakes, tractor work).

Trail Reroute work includes closing the existing trail segment and replacing the closed trail segment with superior alignment. Examples of Trail Reroute Projects include, but are not limited to, Trail Reroute where the trail segment being replaced has:

- Been damaged by flood, wildfire, or some other natural disaster;
- Become unstable and cannot safely accommodate the designated use;
- Been destroyed by rockslide; and
- Become severely damaged, eroded, and/or rutted.

In addition to the common documents listed in Section 1.3.11, Applications for Trail Maintenance Projects must also include the documents listed below.

**1. Project Costs/Deliverables.** Refer to the Grants Program Manual Appendix.

Eligible costs for Trail Maintenance may include:

- Site specific Project planning such as design, permitting, or CEQA or NEPA analysis, when required by law, when the Project itself will result in completion of the Trail Maintenance Project.

**2. Project Description.** Describe your Project, in three (3) pages or less; with sufficient clarity such that those not familiar with your agency or Project can understand what you intend to do. The Project description must include:

- The timeline for completing the Project.
- Location and description of existing OHV Opportunities in the area.
- A description of activities to be conducted, such as: scraping, grading, or similar activities; planting; erosion control; irrigation system installation; pesticide application. The description must include maintenance or other follow-up needed.
- How the proposed Project relates to OHV Recreation and will add to, enhance, or otherwise sustain OHV Opportunity.

**3. Evaluation Criteria.** Address the Evaluation Criteria for this Project type. Complete Form K (see Appendix). Information provided or referred to in the Evaluation Criteria is the sole source of points for evaluating your Project

4. **Project Specific Photos.** If necessary, include photos referred to in your Evaluation Criteria. Photos are limited to two (2) pages.
5. **Project Specific Maps.** Include maps if necessary.
6. **Trail Maintenance Plan.** Include a proposed trail Maintenance plan. (Refer to Trail Maintenance Plan in the Appendix, Form M):
7. **Environmental Review Data Sheet.** Refer to Section 1.4 of this Grants Program Manual.
8. **CEQA/NEPA.** Refer to Section 1.4 of this Grants Program Manual

## 1.4 Environmental Documentation

The OHMVR Division is required to comply with the California Environmental Quality Act (CEQA) (PRC Section 21000 et seq.) before the approval of all Grants and Cooperative Agreements.

All city, county, appropriate district, Educational Institution, and Nonprofit organization Applicant Projects shall provide the required documentation for the OHMVR Division to determine that final CEQA compliance has been met, or, where the OHMVR Division is acting as lead agency, to determine the appropriate level of CEQA compliance and any additional Environmental Documentation required. This is defined under CCR, Title 14, 4970.63. In addition, all such Applicants relying on a Categorical Exemption (CE)/Notice of Exemption (NOE) shall submit responses to the Environmental Review Data Sheet (ERDS) questions listed on Form L (see Appendix).

All Federal Agency and Federally Recognized Native American Tribe Applicants shall submit completed Project-specific NEPA compliance documentation and responses to the ERDS questions 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.

**An ERDS shall be provided for each individual Project, even if more than one (1) Project falls under the same Project type. If an individual Project addresses more than one (1) site, every site under that Project must be clearly addressed in the ERDS.**

Section 15378 of CEQA states that “a ‘project’ is one that has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” If your Project does not meet this description (in other words, is for recurring Law Enforcement or other activities not causing physical effects, such as Planning or OHV Safety and/or Education Program Projects), you still need to complete an ERDS. State in ERDS Item 2 if your Project does not meet the definition of a “Project” under CEQA and explain why.

Where the Regulations and this Grants Program Manual require funds for Project specific environmental analysis (CEQA or NEPA compliance) to be requested as part of a Project to complete all Deliverables, such as: Acquisition, Conservation, Development, Planning, or Restoration, the Project approval and implementation process will consist of two (2) steps as follows:

1. Full funding of the Project Agreement will be specifically conditioned on completion of CEQA or NEPA activities during the first phase of the Project to complete the Environmental Documentation authorized in the Project Agreement.
2. When the CEQA or NEPA activities have been completed and the Grantee agency has made the decision to proceed with implementation of the Project, as conditioned by the outcome of the CEQA and/or NEPA document, the Project Agreement will be submitted to the Commission for approval to release the funds available for completion of the Project.

## 1.5 Wildlife Habitat Protection Program (WHPP) / Habitat Management Program (HMP)

A Wildlife Habitat Protection Program (WHPP) is defined as a Habitat Management Program (HMP), which is designed to sustain a Viable Species Composition within the Project Area, per PRC Sections 5090.35, 5090.50, and 5090.53.

All Cooperative Agreements are subject to WHPP/HMP requirements with the exception of Cooperative Agreements that apply solely for Law Enforcement Projects. Law Enforcement Projects are exempt from WHPP/HMP requirements pursuant to PRC 5090.50.

Local agencies such as cities, counties, and appropriate districts applying for Acquisition and Development Projects must prepare a WHPP/HMP as part of the Application. Local agencies with Applications that do not include an Acquisition or Development Project do not need to prepare a WHPP/HMP.

Applicants preparing a WHPP/HMP must first determine whether both parts of the WHPP/HMP form are required. As noted in the table below, Parts 1 and 2 are required for all Acquisition, Development, and Trail Maintenance Projects. In general, *only* Part 1 is necessary for FO&M, OHV Safety and/or Education Program, Planning, and Restoration Projects. Regardless of the Project type, however, submit Parts 1 and 2 if you cannot certify that the proposed activities listed in your Grant Application do not contain any risk factors to special-status species and/or sensitive habitats. If you must prepare Parts 1 and 2, submit only one (1) full (Parts 1 and 2) WHPP/HMP for each complete Application as long as the WHPP/HMP encompasses all Project Areas for which funding is requested. You may reference the full WHPP/HMP throughout all Project Application types.

***For all Applicants having previously submitted WHPP/HMP Part 2 that is currently in use in the proposed Project Area: Submit Tables 5-7. If this Application describes changes to the WHPP/HMP on Table 5, below, then you must submit a complete new WHPP/HMP, including all Tables 1-7.***

Project Type	Required WHPP/HMP Part
Acquisition Projects (CCR, Title 14, 4970.54)	1 and 2
Conservation Projects (CCR, Title 14, 4970.55) with Project activities <i>limited to</i> Monitoring, surveys, or signing	1
Conservation Projects (CCR, Title 14, 4970.55) with Project activities <i>other than or in addition to</i> Monitoring, surveys, or signing	1 and 2
Development Projects (CCR, Title 14, 4970.56)	1 and 2
Facilities Operations and Maintenance (FO&M) Projects (CCR, Title 14, 4970.57)	1
OHV Safety and/or Education Program Projects (CCR, Title 14, 4970.59)	1
Planning Projects (CCR, Title 14, 4970.60)	1
Restoration Projects (CCR, Title 14, 4970.61)	1
Trail Maintenance Projects (CCR, Title 14, 4970.62)	1 and 2

## 1.6 Soil Conservation Program

The Soil Conservation Program is mandated in Section 5090.35 of the California Public Resources Code. All Cooperative Agreements are subject to Soil Conservation Program requirements with the exception of Cooperative Agreements that apply solely for Law Enforcement Projects. Law Enforcement Projects are exempt from Soil Conservation Program requirements pursuant to PRC 5090.50.

Local agencies such as cities, counties, and Appropriate Districts applying for Acquisition and Development Projects must prepare a Soil Conservation Program as part of the Application.

The Grantee is responsible for the prompt Repair and continuous maintenance of Roads, trails, areas, and facilities. The Grantee is expected to anticipate and prevent accelerated and unnatural erosion, and restore lands damaged by erosion to the extent possible.

The Grantee shall monitor the condition of soils in each Project Area yearly (PRC Section 5090.53(b)(2)) to determine whether the soil conservation standards are being met. The soil conservation standards are found in the Soil Conservation Guidelines/Standards for Off-Highway Vehicle Recreation Management, Nov. 14, 1991, or its officially adopted successor (Soil Conservation Guidelines). Law Enforcement Projects are exempt from the Soil Conservation Program (CCR, Title 14, Section 4970.65(a)). If Funds are requested for Open Riding Areas that do not have "designated trails," access Roads to Open Riding Areas that periodically need maintenance shall be identified in the Soil Conservation Program.

In order to qualify for funding, the Applicant shall submit its Soil Conservation Program, which must provide at a minimum the following components:

### A. Maintenance

The Application shall provide a description, either separately or by reference to the trail maintenance plan, if one is submitted, of the steps normally taken by the Applicant to maintain the Roads, trails, or areas within the Project Area so as to anticipate and prevent accelerated erosion.

### B. Soils Condition Assessment (Soil Condition Table)

The Applicant shall prepare and submit a Soil Condition Rating Table, (OHV Form G), which lists the current and prior year's condition of the Roads, trails, and other areas maintained, conserved, or otherwise operated or supported with OHMVR Funds. The Soil Condition Rating Table must include Roads, trails, and other areas proposed for funding by the current Application. If the Applicant is identifying a new Project Area, and the Applicant does not have any data for the current or prior year, "Not Applicable" shall be used in OHV Form G.

Roads, trails, and areas shall be rated green, yellow, or red. Green means the soil standards are being met, yellow means maintenance is needed, and red means the soil standards are not being met.



### C. Monitoring

The Applicant must describe the steps that were taken to monitor the condition of trails during the year to determine whether the conditions as shown on the prior year assessment have changed during the year. The Applicant must describe the results and recommendations arising from the Monitoring activities. First time Applicants need not provide this information.

### D. Actions Taken

For any Roads, trails, or areas identified as yellow or red, the Applicant must explain the steps taken as a result of such finding as follows:

Upon determination that the soil loss standards are not being met in any Project Area, the Grantee shall temporarily close and Repair, to prevent accelerated erosion, that area or portion thereof funded from the OHV Trust Fund until the soil loss standard is met. If the Road, trail, or area has not been Repaired, the Applicant will explain the reasons therefore and its plan to Repair or Restore, including any current or future request for OHV funding to meet the Soil Conservation Guidelines.

### E. Technical Assessment for New Trail Construction

The Division may not fund new trail Construction unless it complies with the Conservation specifications prescribed in the Soil Conservation Guidelines. Similarly, the Division may not fund trail Construction where Conservation is not feasible.

For any proposed Development Project that will construct new OHV Opportunities, the Applicant shall provide its technical assessment and related findings and its resulting Soil Conservation Program as described in the Soil Conservation Guidelines.

## 1.7 Public Review Process

Prior to submission of the Application to the Division, the Applicant shall make draft Applications available for public review and comment. Applications must comply with the following (refer to CCR, Title 14, 4970.53(e)):

**Public Notice.** At least thirty (30) calendar days prior to submitting the final Application, Applicants shall notice to the public of the opportunity to submit comments on the draft Application. The notice shall be published at a minimum in the Applicant's newsletter and/or website and mailed to those persons the agency or organization determines most likely to have an interest in or be affected by the Project.

**Public Review.** Draft Applications shall be made available for public review and comment not later than the date of the publication notice. At a minimum, Applicants shall make available to the public for the purpose of this review, the Application face sheet, Project description, Project costs and Deliverables, and, if applicable, past Project activities.

**Public Comments.** All public comments received by an Applicant up to ten (10) calendar days prior to the Application filing deadline shall be included in the final Application. An Applicant shall also include a brief statement of how the public's comments were incorporated into the development of the Application.

**Late Public Comments.** The Applicant shall not be required to include public comments received less than ten (10) calendar days prior to the final Application deadline. The Applicant shall forward all comments received less than ten (10) calendar days prior to the final Application deadline to the Division, along with the Application, if possible, but not later than ten (10) calendar days following the Application submission date. .

The Applicant shall complete OHV Form H to address the following:

- 1. Public Notification Efforts.** Write a brief description of your public notification efforts for this Application (e.g. letters, phone calls, web notices, meetings). Attach a list the groups that were noticed and if you held a public meeting, list those invited to and attendees of the meeting(s). Also attach evidence of your public notice, such as proof of publication, copy of newsletter, copy of newspaper article or printout of web page notice showing date.
- 2. Correspondence.** Include all correspondence received both in support and opposition, and indicate a reference in the Application package to the letters, e-mails, or documents received. Utilize OHV Form H to briefly summarize the comments you received that are relevant to each Project or the Grant Application as a whole and indicate the number of pages of public comments being submitted.
- 3. Public Input.** How did you incorporate the public input into the development of the Application?
- 4. Application Changes as a Result of Comments.** Did you make changes to the Application as a result of public comments? If yes, explain any changes.

## **1.8 Governing Body Resolution**

All local agencies, Educational Institutions, Nonprofit organizations, and Federally Recognized Native American Tribes are required to complete and include an authorizing resolution from their governing body with their Applications for Grants and Cooperative Agreements Funds. While the resolution may be modified slightly in order to comply with local requirements, it must contain the components and most of the language identified in OHV Form I in the Appendix.