

**OFF-HIGHWAY MOTOR VEHICLE RECREATION (OHMVR)
DIVISION MANUAL FOR GRANTS AND COOPERATIVE
AGREEMENTS PROGRAM**

GLOSSARY OF TERMS

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Act – The Off-Highway Motor Vehicle Recreation Act of 2003 as amended, 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 or activities directly performed in support of the scope of work or activities on the project. Examples of Administrative Costs include, but are not limited to, costs of such activities as personnel, 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 Section 111.

Amendment to a Project Agreement – A change or clarification in the scope of a project that is within the original intent and purpose of the project, not requiring Commission approval (e.g., change in project performance period, purchase of previously unidentified equipment under \$500, or redirection of funds between conservation and enforcement).

Applicant – Cities, counties, appropriate districts, federal agencies, federally recognized Native American tribes, educational institutions, and nonprofit organizations that are eligible to apply for funding under this program.

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

Application Face Sheet – The form (OHV Form A) used to apply for State Off-Highway Motor Vehicle Recreation (OHMVR) 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 Manual for Grants and Cooperative Agreements dated March 2006.

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

Application Summary Sheet – A listing of projects submitted by an applicant, where the amount requested is entered by funding categories as applicable (OHV Form H).

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's Parcel Number (APN) – Identifies each 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 of all expenditures or other fiscal and/or programmatic elements of expired project agreements funded pursuant to PRC Section 5090.50 for compliance with law, program objectives, and fiscal and/or programmatic soundness of a contract, grant, or cooperative agreement.

Authorized Representative – The position within the grantee organization with delegated authority 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.

Buffer – Refers to lands or physical barriers acquired or established contiguous to, or in the vicinity of, existing or proposed off-highway motor vehicle recreational activities to protect plant and wildlife habitat, soils, view sheds, or reduce noise and other effects on real estate development in the surrounding area for the purpose of sustaining OHV recreation.

CCR – California Code of Regulations.

California Native Plant Society (CNPS) – A statewide non-profit organization of amateurs and professionals with a common interest in California's native plants. CNPS 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.

CalTrans – California Department of Transportation.

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

Casual – Non-competitive OHV recreation.

CDFG – California Department of Fish and Game.

CNDDDB – California Natural Diversity Data Base.

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.

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

CNPS 2 – A CNPS 2 ranking 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 – 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.

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.

Control Language – Conditions to the scope of a project added by the OHMVR Commission at the time of its allocation of funds and approval of the applications.

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 – Assets 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).

Deliverables – The specific proposed tasks, activities to be performed, or accomplishments to be funded by the grant program funds as defined within each project application and any resulting approved project agreement.

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

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

Development Project – 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.

Director – The Director of the California Department of Parks and Recreation.

Division – Off-Highway Motor Vehicle Recreation (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.

DMV – California Department of Motor Vehicles.

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 grants funds, including but not limited to: availability of utilities, waste disposal facilities, suitability of the

property/project for intended use including applicable permits and other governmental approvals, presence or absence of any hazardous wastes on or under the property/project, presence of improvements on the property, environmental compliance, access easements, 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 recreational 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.

Facilities – Any real property improvements that support OHV recreation, other than roads, trails or areas used for OHV recreation. Examples include, but are not limited to parking areas and access roads, restrooms, information kiosks.

Federal Agency – A unit of the federal 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 – 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.

Funding Cycle – Dates of the grant and cooperative agreement cycle that may be modified from year to year.

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 Manager – The OHMVR Division's manager of the grants program.

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.

Habitat Management Program (HMP) – Also known as a WHPP or 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.

Indirect Costs – Those expenses not directly attributable to the project, but a percentage of which are used for project work such as lighting, building rental, telephones, etc.

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

this section, “ordinance” includes an order, rule, or regulation enforceable under the authority of the grantee.

Law Enforcement Project – Projects that provide for enforcement of OHV laws, public safety, OHV-related search and rescue, personnel support, placement of barriers and other means of traffic control, and training.

Long Term (as it pertains to facilities) – At a minimum, twenty-five (25) years.

Maintenance – “Maintenance” means the routine, ongoing work required to ensure roads, trails, areas, related facilities used for OHV recreation and conservation features (e.g., water bars, culverts, sediment basins, etc.) for the protection of natural and cultural resources that are impacted by OHV recreation activities, continue to function as intended.

Major Scope Amendment – A change to the scope of a project that requires movement of funds from one funding source category to another. An example of a major amendment to a project scope would move the grant or cooperative agreement funding from conservation, a restricted funding category, to facility operations and maintenance, a non-restricted funding category. (From the Conservation, Enforcement Services Account (CESA) to the (Non-CESA account.)

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 funded by the grant.

Minor Scope Amendment – A change in the scope of a project that does not involve a new funding source category. Examples of minor scope amendments include, but are not limited to: minor changes in deliverables within the same funding category, purchases of different supplies, and time extensions.

Monitoring – The periodic data collection and review to determine if the OHV funded project is in compliance with the statutory requirements and program or project objectives.

Negative Declaration – A written statement by the lead agency briefly describing the reasons that a proposed project, not exempt from CEQA, will not have a significant effect on the environment and therefore does not require preparation of an EIR, as defined in Title 14, CCR, Chapter 3, Article 20, Section 15371.

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.

Off-Highway Motorcycle – Any vehicle as defined in CVC 400 or 436, when such motor vehicle is operated on land to which CVC 38001 has application.

Off-Highway Vehicle Operation – The activity of driving or riding motorized vehicles on public lands and/or private property approved for OHV recreation, which is open and accessible to the public, and has been identified for recreational motor vehicle use.

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 off-highway.

OHV Opportunities – Trails, roads, areas and/or other facilities on areas of land that allow use for legal OHV recreation.

Operation – The staff, supervision, and equipment assigned 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.

OSV – Over snow vehicle.

Performance Review – Ongoing review of an open project to determine progress toward the accomplishment of deliverables including, but not limited to, desk reviews of project accomplishments reports, questionnaires, and other methods of inquiry, and/or site visits.

PRC – Public Resources Code.

Project – The work to be accomplished with funding through an OHV grant or cooperative agreement.

Project Activity Report – A report used to present to the Division activities from projects prior to the current Grants and Cooperative Agreements Program funding cycle.

Project Administrator – A person doing work for the grantee who oversees, implements, and performs fiscal coordination of the grant or cooperative agreement (also known as the contact person).

Project Agreement – A contract executed to formally implement a project through an approved grant or cooperative agreement.

Project Costs/Activities to be Performed (Deliverables) – Referred to as Project Costs/Deliverables (PC/D) that identify project costs and activities to be performed.

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

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 sound condition or condition 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 that alleviates previous environmental, maintenance, and/or visitor safety concerns.

Restoration – The 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, upon closure to OHV recreation:

Restoration Environmental Review Data Sheet – The information to be provided for all restoration project applications to allow the Division to make a sufficient project review to determine the appropriate level of CEQA compliance and any additional environmental documentation required.

Roads – Include 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 – The study and exploration into questions posed by theories and hypotheses, and defined by measurable steps or operations (e.g., sample design, methodology, statistical inferences).

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 restore lands damaged by erosion to the extent possible. The Soil Conservation Program complies with the “Soil Conservation Guidelines/Standards for Off-Highway Vehicle Recreation Management (11/14/91)” until that document is replaced by the 2006 soil conservation standards.

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.

State Endangered Species (SE) – As designated under the California Endangered Species Act: A native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.

State Fully Protected Species (SP) – The State of California's initial effort in the 1960's to identify and provide additional protection to those animals that were rare or faced possible extinction. Most fully protected species have also been listed as threatened or endangered species under the more recent endangered species laws and regulations.

State Threatened Species (ST) – As formally designated under the California Endangered Species Act: A native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by the California Endangered Species Act.

Validation Monitoring – Determines whether the underlying management assumptions 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 – Species found in the project area have populations with the estimated numbers and distribution of reproductive individuals to enable their continued existence.

Website – The internet page of the applicant.

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 and 5090.50.

Wildlife, Habitation Data Analysis Branch (WHDAB), California Department of Fish and Game – Provides high quality scientific information, tools, and expertise needed by Department of Fish and Game employees, other public agencies, private organizations, and the public for making informed decisions regarding biological resources. In addition, serves as the State's clearinghouse for biological data and center for conducting conservation analyses at statewide, regional, and local scales, and actively acquires, integrates, improves, and distributes biological resource data and associated spatial data in support of conservation needs (<http://www.dfg.ca.gov/whdab>).