

STAFF REPORT

AGENDA ITEM: Changes to the Grants and Cooperative Agreements Program Regulations

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Issue: Revisions/improvements to the Grants and Cooperative Agreements Program (Grants Program) Regulations.

Background: Among its many duties, Public Resource Code (PRC), Section 5090.24(b), directs the Off-Highway Motor Vehicle Recreation Commission (Commission) to “. . . include a public meeting, before the beginning of each grant program cycle, to collect public input concerning the program, recommendations for program improvements, and specific project needs for the system.”

In 2008, in response to statutory changes to the program enacted in Senate Bill (SB) 742, a comprehensive revision of the regulations that govern the Grants Program was completed. The Division engaged in an extensive public process of gathering input, and worked with the Office of Administrative Law (OAL) to ensure the regulatory process was followed.

SB 742 set forth the percentages to be allocated to each funding category as follows:

- 50% for Operation and Maintenance
- 25% for Restoration
- 20% for Law Enforcement
- 5% for Education and Safety

On an annual basis, the Legislature appropriates funds to support the Grants Program. While the level of funding is set annually, the percentage distributed to each program remains the same.

The revision to the regulations was the result of considerable public input. Input was taken in written format from the public as well as from a series of public meetings held throughout the State where the public was able to voice their suggestions.

The Operation and Maintenance category contains four sub-categories: Ground Operations, Acquisition, Development and Planning. In order to comply with the statutory direction to “Give preference to applications that sustain existing off-highway motor vehicle recreation opportunities”, the following regulatory requirements were established:

- Ground Operations: a minimum of 70% of the O&M funds shall be awarded to the Ground Operations sub-category.
- Acquisition: a maximum of 30% of the O&M funds may be awarded to the Acquisition sub-category.
- Development: a maximum of 30% of the O&M funds may be awarded to the Development sub-category.
- Planning: a maximum of 30% of the O&M funds may be awarded to the Planning sub-category.

Over the past two years, the Division has worked with the OAL on changes to the regulations to address issues and resolve problems identified by members of the public, grant applicants, and Division staff. The public is afforded the opportunity to comment on proposed changes to the regulations at two public meetings and/or by submitting written comments to the Division.

The Division works to ensure the Grants Program evolves in a manner that will continue to benefit the people and resources of California. At the conclusion of each grant cycle, Division staff review and identify areas in the regulations that may require additional clarity or revision.

Discussion: As required by PRC §5090.24, it is appropriate for the Commission to seek public input on the program. Timely submission of any input will allow staff to consider changes prior to the next cycle of regulation updates. The public will have the opportunity to comment on any proposed regulatory changes pursuant to the Administrative Procedures Act.

Commission Action: Hear suggestions from the public regarding possible improvements to the Grants Program regulations.