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## OHV GRANT AND COOPERATIVE AGREEMENT PROGRAM REGULATIONS CCR Title 14, Division 3, Chapter 15, Sections 4970.00 - 4970.31.

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## ARTICLE 1 — GENERAL PROVISIONS

### 4970.00 DEFINITIONS

The words used in this chapter have the following meanings:

- (a) Application means a compilation of required documents to support a request for funding for an OHV grant or cooperative agreement.
- (b) Appropriation means a budget authorization from a specific fund to a specific agency or program to make expenditures or incur obligations for a specific purpose and period of time.
- (c) Allocation means a distribution of funds, or an expenditure limit established for an organizational unit or function.
- (d) Amendment to a Project Agreement means 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, or redirection of funds between conservation and enforcement).
- (e) ATV means an all-terrain vehicle, a vehicle designed for operation off the highway by an operator with no passengers; 50 inches or less in width; 600 pounds or less unladen weight; suspended on three or more low-pressure tires; has a single seat designed to be straddled by the operator and has handlebars for steering control.
- (f) C&E means conservation and enforcement activities as defined in PRC Sections 5090.64 (1) & (2).
- (g) CEQA means the California Environmental Quality Act, PRC Section 21000 et seq.; Title 14, California Code of Regulations (CCR) Section 15000 et seq.
- (h) Casual means non-competitive OHV recreation.
- (i) Certified means a document that has been reviewed, approved, and signed by both the grantee and the Division.
- (j) Commission means the Off-Highway Motor Vehicle Recreation (OHMVR) Commission.
- (k) Competition means an organized event requiring registration, an entrance fee, and includes scoring and awards.
- (l) Cooperative Agreement means an agreement between the Division and a federal agency.
- (m) Control Language means conditions added to the scope of an OHV project by the Commission.
- (n) Conservation means activities, practices and programs that sustain soil, plants, wildlife, and their habitat in accordance with the standards adopted pursuant to PRC Sections 5090.10 and 5090.35.
- (o) Department means California Department of Parks and Recreation (DPR).
- (p) Director means Director of the California DPR.
- (q) Division means the Division of Off-Highway Motor Vehicle Recreation of the California DPR.
- (r) Enforcement means the employing, equipping, and supervising of peace officers for the purpose of protecting natural resources; enforcement of Division 16.5 of the California Vehicle Code (CVC) (commencing with Section 38000); enforcement of PRC Sections 4442 & 4442.5, and the enforcement of other laws regulating the equipment and use of off-highway motor vehicles, and construction of physical barriers and other means of traffic control (PRC Section 5090.64(a)(2)).
- (s) Environmental Document means a document prepared in accordance with NEPA or CEQA.
- (t) Federal Agency means a unit of the federal government.
- (u) Force Account means work performed by grantee personnel.
- (v) Fund means the Off-Highway Vehicle Trust Fund as created by subdivision (c) of Section 38225, CVC.

- (w) Grantee means the government agency or nonprofit organization that is the recipient of OHV funds for an approved project.
- (x) Guide means OHV GRANT APPLICATION GUIDE, Off-Highway Motor Vehicle Recreation Act of 1988, Off-Highway Vehicle Grants Program (June 2000).
- (y) Local Agency means a city, county, or special district.
- (z) Maintenance means the work required to ensure effective and efficient use of physical facilities, the protection of natural resources and OHV recreation opportunities.
- (aa) Minor Trail Relocation means the closure and rehabilitation of an existing trail and the construction of a replacement as close as possible to the original trail (not to exceed 1/4 mile in length) and located so that the problems necessitating the closure will be eliminated.
- (bb) Monitoring means data collection used by a land-management agency and the Division to make appropriate decisions.
- (cc) NEPA means 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.
- (dd) Off-highway Vehicle Operation means the operation of motorized vehicles on roads, trails, and on public land not designated as a highway by the managing agency, or private property which is approved for OHV use, that is open, accessible to the public, and has been designated for motor vehicle use. For the purpose of the OHV Program, the definition of roads shall include: Logging roads, service roads, and other roughly graded roads and trails upon which vehicular travel is permitted (CVC 38001).
- (ee) OHV" means an off-highway motor vehicle as specified in CVC Sections 38012 and 38006 (e.g., motorcycle, snowmobile, ATV, jeep, sand buggy or dune buggy) and street-licensed motor vehicles while being used off highway.
- (ff) OHV Grant means an agreement between the Division and a local agency or nonprofit organization to perform a project.
- (gg) OHV Opportunities means providing areas that allow legal OHV recreation.
- (hh) OHV Recreation means the operation of an OHV in an area designated for its use. Such use includes the use of motorized vehicles off-highway for recreation or to reach recreational destinations (e.g., fishing, hunting, camping, etc.).
- (ii) Operation means the staff and equipment required for site administration, visitor supervision and assistance.
- (jj) PAR means Project Accomplishment Report (4/2000), a form defined in Section 4970.11 of these regulations.
- (kk) Peace Officer means any person who has received law enforcement training and is employed by an agency identified in Penal Code Sections 830, 830.1, 830.2 and 830.3, and has the authority to carry out the provisions identified in PRC Section 5090.64.
- (ll) Project means the work to be accomplished, either proposed or approved, with funding through an OHV Grant or Cooperative Agreement.
- (mm) Project Agreement means a contract executed to formally implement an approved project. This term is used interchangeably with an OHV Grant or Cooperative Agreement.
- (nn) Project Performance Period means the time period that the Project Agreement is in effect and the time in which the project must be completed, billed and paid.
- (oo) Regional OHV Facility means a facility that meets the criteria adopted by the Commission per PRC Section 5090.51(b).
- (pp) Rehabilitation means, upon closure of an OHV unit or any portion thereof, the restoration of land to the contours, plant communities, and plant covers comparable to those on surrounding

lands or at least those which existed prior to off-highway motor vehicle use. (PRC Section 5090.11).

- (qq) Rescope means a change in the Scope of a Project Agreement that is different from the intent of the original certified Project Agreement.
- (rr) 4WD route means a route that has been designated for 4X4 vehicle use by the administering agency.
- (ss) System means the State Vehicular Recreation Areas (SVRA) and trails within the State Park System.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.04, 5090.05, 5090.09, 5090.10, 5090.11, and 5090.64 (1) and (2), PRC; CVC Sections 38006 and 38012; 42 U.S.C. 4371; 40 CFR part 1500.1 et seq.

### **4970.01 PROGRAM PURPOSE**

The purpose of the OHV grants and cooperative agreements Program is to provide financial assistance to cities, counties, appropriate districts, and agencies of the United States to develop and maintain high quality OHV recreation areas, protect the environment, and provide adequate public safety services. OHV grants and cooperative agreements provide funds for land managers to develop programs that responsibly maintain the wildlife, soils, and habitat of areas in a manner that will allow long term OHV recreation. Land managers will attempt to prevent OHV trespass onto private lands, or public lands not designated for OHV operation, and to minimize conflict with other users.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d), 5090.50, 5090.53 (b)(4), 5090.55, and 5090.56, PRC.

## **ARTICLE 2 - TYPES OF PROJECTS**

### **4970.02. PLANNING PROJECTS**

- (a) Planning projects are intended to evaluate and determine the viability of an area or project prior to the commitment of acquisition, development, or resource management funds.
- (b) Planning projects will include, at a minimum, the following:
  - (1) An inventory of features, including: plants, animals, and cultural resources.
  - (2) A wildlife habitat protection program (PRC 5090.35).
  - (3) Geologic survey and slope maps or topographic maps.
  - (4) Toxic or hazardous waste site survey of the area and adjacent property that may impact the site.
  - (5) An analysis of the impact of OHV recreation on adjacent lands, residents, and potential conflict with other recreational users.
  - (6) An evaluation of OHV recreation on air and water quality.
- (c) The preparation of an environmental document prepared in conformance with CEQA or NEPA will be considered a project.
- (d) The preparation of a Recreation Management Plan, OHV Plan, or the OHV portion of a General Plan will be considered a project. A General Plan, Recreation Management Plan and OHV Plan are documents prepared by cities, counties and agencies to guide the management of the land within their jurisdiction.

- (e) If the project scope is to prepare an environmental document, the Division shall receive a copy of the completed environmental document as proof of project fulfillment.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32, 5090.50, and 5090.55, PRC.

### **4970.03. ACQUISITION PROJECTS**

- (a) Acquisition projects are intended to expand or assure adequate OHV recreation access or opportunities and eliminate trespass.
- (b) Acquisition projects may include any of the following:
  - (1) Purchase of right-of-way or easement.
  - (2) Purchase of long-term lease.
  - (3) Purchase of land in fee title.
- (c) Eligible costs for projects may include, but are not limited to the following:
  - (1) Land purchase.
  - (2) Appraisal.
  - (3) Escrow fees.
  - (4) Title insurance.
  - (5) Title report.
  - (6) Land survey.
- (d) All acquisitions shall be acquired in compliance with Chapter 16 (commencing with Section 7260), Division 7, Title 1, Government Code.
- (e) The grantee will provide the Division with the required acquisition certification.
- (f) It is the applicant's responsibility to obtain an independent technical review of the appraisal report. The review of the appraisal will be done by an independent or agency reviewer with sufficient appraisal experience and knowledge.
- (g) Appraisals will be prepared in accordance with standard state or federal appraisal practices.
- (h) The Acquisition Certification Form shall be used by the grantee; a copy of the form is included in the Grant Application Guide (June 2000).
- (i) The Acquisition Certification Form (4/2000) will include the following certifications:
  - (1) The appraisal report was independently reviewed and approved.
  - (2) A statement of just compensation was provided to the property owner and the offer to purchase was not less than the appraised value.
  - (3) If the offer/purchase was less than appraised value it was because the acquisition was pursuant to voluntary sale provisions of state law and a just compensation offer was not required.
  - (4) The title acquired is free and clear of any adverse title conditions.
  - (5) The legal description matches the appraised property and has been checked with the Assessor's Parcel Map in the County Recorder's Office.
  - (6) The acquisition map and description are accurate as to the property boundaries and known easements.
  - (7) Added exceptions or conditions have been considered in the value (revised appraisal) as appropriate and are documented.
  - (8) For improved properties, a relocation assistance program is in place and a relocation plan was prepared.

- (9) Occupants were provided with a brochure detailing benefits and eligibility requirements for relocation assistance and payments.
- (10) Agency certifies compliance with Government Code Sections 7260 et seq.
- (j) The Acquisition Certification Form will be completed, signed and dated by the grantee s designated authority.
- (k) For acquisition of land or facilities for OHV recreation, the Division shall disburse funds as follows, but not to exceed in any event the allowable OHV grant costs set forth in the Project Agreement:
  - (1) When acquisition is through negotiated purchase, the Division shall disburse funds for the purchase price and eligible acquisition costs.
  - (2) When acquisition is through eminent domain, the Division shall disburse funds to Local Agencies for the purchase price and eligible acquisition costs.
- (l) If the grantee abandons eminent domain proceedings, the grantee agrees to bear all costs in connection therewith and that no funds shall be disbursed for such costs.
- (m) The following application requirements apply to acquisition grants and cooperative agreements:
  - (1) A completed environmental document must be included as part of the application.
  - (2) All agencies acquiring property under the OHV Grant Program must comply with PRC Section 5090.53 and complete the following:
    - (A) A Wildlife Habitat Protection Program to sustain viable species composition for the project area.
    - (B) Wildlife habitat and soil survey.
    - (C) Recipient agrees to monitor the conditions of soil in the project area each year to determine whether the soil loss standard adopted pursuant to PRC Section 5090.35 is being met.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.  
 Reference cited: Section 5090.32 (d), PRC; Section 7260, Government Code.

**4970.04. DEVELOPMENT PROJECTS**

- (a) Development projects are intended to provide sustained long-term OHV use.
- (b) Competition and spectator facilities are eligible for funding. Casual OHV use will constitute the primary activity in all OHV grant and cooperative agreement funded areas; competitive use shall not exceed 40% of the total use in areas maintained and managed with OHV grant funds.
- (c) The following are examples of development projects:
  - (1) Trail construction.
  - (2) Trailhead/staging area construction.
  - (3) Restroom construction.
  - (4) Fencing.
  - (5) Signing.
  - (6) Access road construction.
  - (7) Picnic and camping facilities construction.
  - (8) Facilities that will minimize conflict with other recreationists or private land-owners.
- (d) Development projects shall not commence (construction or the award of a contract for work) until the Division has approved the plans and specifications for the project in writing.
- (e) Plans for structural items such as bridges, buildings, utilities, and parking lots shall be approved by an engineer or architect duly licensed as required by the Business and Professions Code.

- (f) Local agencies or their contractors shall pay prevailing wages as listed by the California Department of Industrial Relations.
- (g) The grantee shall complete the development in accordance with the Division approved plans and specifications.
- (h) The grantee shall submit to the Division for approval, any deviation of 10% or more in the cost of the facility or a change in the size of the facility or structure.
- (i) Grantees are required to meet all appropriate access requirements under State or Federal law as applicable including, without limitation, the Americans with Disabilities Act of 1990 (Public Law 101-336, July 26, 1990, 104 Stat 327).

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32, 5090.50, 5090.55, 5090.56, and 5090.33; PRC Public Law 101-336, July 26, 1990, 104 Stat. 327.

#### **4970.05. OPERATION AND MAINTENANCE (O&M) PROJECTS**

- (a) O&M projects are intended for annually recurring work directed toward facilities, natural resources, visitor assistance, and visitor safety directly attributable to OHV recreation.
- (b) Examples of O&M activities include, without limitation, the following:
  - (1) Facility repair and servicing.
  - (2) Volunteer use and coordination.
  - (3) Visitor services.
  - (4) Site administration.
  - (5) Law enforcement including employing, equipping, and supervising peace officers.
  - (6) Snow plowing.
  - (7) Trash collection.
  - (8) First aid equipment and supplies.
  - (9) Map/brochure design and printing.
  - (10) Construction of physical barriers and other means of traffic control.
  - (11) Trail maintenance.
  - (12) Routine monitoring and surveys.
  - (13) Minor trail relocation.
  - (14) Cultural Resource mitigation/protection.
  - (15) Purchase of tools and equipment exceeding \$250.
  - (16) Sign boards, regulatory and directional signs.
- (c) O&M grants to Local Agencies require 25% in matching funds or equivalent value in services of the total expense of the project. Matching funds may be in the form of cash, equivalent value of services, material, or property used.

NOTE: Authority cited: Sections 5003 and 5001.5, PRC.

Reference cited: Sections 5090.32, 5090.33, 5090.50, 5090.55, and 5090.56, PRC.

#### **4970.06. RESOURCE MANAGEMENT PROJECTS**

- (a) Resource management projects are intended to conserve or rehabilitate natural resources in an effort to maintain environmentally balanced OHV recreation.
- (b) Resource management is a one-time-only project made up of either one or both of two sub-activities: (1) conservation, and (2) rehabilitation.

- (c) Conservation and rehabilitation activities must be related to the impacts of OHV activity.
- (d) Examples of resource management activities are as follows:
  - (1) Conservation or rehabilitation plans or projects.
  - (2) Wildlife habitat protection plans or projects.
  - (3) Soil monitoring plans.
  - (4) Wildlife habitat surveys.
  - (5) Soil surveys.
  - (6) Sensitive habitat fencing, repair, and signing.
  - (7) Sediment control structures.
  - (8) Resource conservation education projects.
  - (9) Hardening of stream crossings and/or the construction of bridges to improve or maintain water quality.
  - (10) Trail or route closure, and subsequent rehabilitation of natural soils and vegetation.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32, 5090.33, 5090.50, 5090.55, and 5090.56, PRC.

#### **4970.07. SAFETY EDUCATION PROGRAM PROJECTS**

- (a) Safety education projects are intended to teach safe and environmentally responsible operation of OHVs; examples may involve development of the following types of education materials:
  - (1) Snowmobile safety checklists.
  - (2) ATV safety video.
  - (3) ATV safety handbook.
  - (4) 4WD safety course.
  - (5) Towing safety tips booklet.
- (b) A safety education project requires 25% in matching funds, or the equivalent value of services or materials, of the total expense of the program.
- (c) No safety education program OHV grant, cooperative agreement, or contract may be entered into without approval of the Commission .
- (d) In awarding grants or entering into cooperative agreements or contracts for safety education projects, the Division shall give priority to applications that demonstrate the following:
  - (1) Cost-efficiency.
  - (2) Availability of capital, and the potential for the project to become financially self-supporting for future safety programs.
  - (3) Instruction involving a large number of enthusiasts.
  - (4) A program involving a large geographical distribution.
  - (5) A program that has user-group involvement and support.
  - (6) An emphasis on junior operators and a variety of vehicle types.
- (e) Safety education projects do not require soil and wildlife monitoring programs.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.33 (f) & (g), 5090.56 (c), (d), & (e), PRC.

#### **4970.08. EQUIPMENT PURCHASES**

- (a) Equipment purchase applications are intended to clearly identify the purchase of large and expensive equipment items.

- (b) Single equipment items to be purchased exceeding \$5,000 (excluding tax) shall be put in an equipment purchase application, rather than being included as part of an O&M type application.
- (c) Multiple equipment items (each exceeding \$5,000) shall be put on a single application with each item identified.
- (d) Equipment purchased with OHV funds shall be used exclusively on OHV projects.
- (e) Each item of equipment or tool in excess of \$250, purchased with OHV funds, shall be identified as a line item in the application.
- (f) Any equipment and implements purchased with OHV funds (equal to or greater than \$30,000) shall be registered in the Division's name, used for an OHV program during the normal life of the equipment and then returned to the Division for disposal or sale. Notification of OHMVR Headquarters that an equipment item is eligible for surplus is the responsibility of the grantee.
- (g) Grantee shall keep tools and equipment, purchased with OHV funds, maintained and in safe working order.
- (h) The purchase of tools or equipment exceeding \$250 not identified in the certified Project Agreement shall have written approval from the Division prior to purchase.
- (i) All equipment and implements purchased with OHV funds must display an OHV funds at Work insignia. Grantees may obtain insignias free of charge from the Division.
- (j) The Division may direct grantees to specific vendors or locations for snow tractor servicing and repairs.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.  
Reference cited: Section 5090.32 (c) & (d), PRC.

### **ARTICLE 3 - OHV GRANT APPLICATION REQUIREMENTS**

#### **4970.09. APPLICATION - GENERAL**

- (a) OHV grants may be made to cities, counties, and appropriate districts, and cooperative agreements may be made with agencies of the federal government.
- (b) Applications shall be entertained once annually as long as funds are available.
- (c) A complete application shall include the information identified in the Application Requirement Matrix within the Grant Application Guide (June 2000).
- (d) All local agency OHV grant applications must include a completed Governing Body Resolution certified by the clerk of the governing body. A sample form is in the Guide.
- (e) The Division shall establish a time line for the submission of applications; the time line may be found in the OHV Grant Application Guide (June 2000).
- (f) Funding for OHV safety education programs may be awarded to federal agencies, cities, counties, appropriate districts, and nonprofit organizations.
- (g) Grant and cooperative agreement applications shall be made available by grantee Applicants for public review and comment prior to submission of the application to the OHV Division for consideration. Applicants will hold at least one public meeting to receive comments prior to submitting the application. The meetings shall be noticed at a minimum in a local newspaper with additional notification in the Agency newsletter and/or web site.
- (h) Applications shall include the appropriate environmental documentation with regard to compliance with NEPA and CEQA requirements.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.  
Reference cited: Sections 5090.32, 5090.33(f), 5090.50, 5090.55, and 5090.56, PRC.

## 4970.10. CONTENT

- (a) Applications for planning projects will include the following:
  - (1) A discussion of the planning goals.
  - (2) The proposed planning process including public involvement, environmental setting, existing OHV opportunities and/or problems.
  - (3) Identify any matching funds to be used.
- (b) Applications for Acquisition projects will include the following:
  - (1) An acquisition schedule.
  - (2) Parcel maps.
  - (3) A project description that identifies the total acreage involved, average cost per acre, easements and the number of parcels.
- (c) Applications for development projects will comply with PRC, Section 5090.53. Include all items identified in Figure 4 — Application Requirement Matrix — OHV Grant Application Guide.
- (d) Applications for O&M projects will include the following:
  - (1) A map identifying the specific areas/routes that will be maintained by OHV funds.
  - (2) Resource management activities performed within the O&M project shall identify the dollar amount and scope of the activity in the application.
  - (3) O&M grants to Local Agencies require a 25% match in funds or equivalent value in services. Local agencies must identify the source of the 25% match.
  - (4) Local and Federal Agencies with multiple OHV units shall prepare a master application supported by sub-applications for each individual OHV unit.
  - (5) Where multiple sites, parks, districts, or areas are being applied for within the required single application, the master application will summarize the information contained in the sub-applications.
  - (6) O&M activities must be in accordance with local or federal land management plans.
  - (7) Each piece of equipment or tool in excess of \$250 purchased with OHV Grant Trust Funds shall be identified as a line item in the OHV grant application.
  - (8) Monitoring summary from previous OHV funded O&M project.
  - (9) Applications will discuss, as applicable, the existing situation, the status of resources, problems, and the desired outcome or results.
  - (10) A map identifying known range of state- or federally-designated endangered or threatened species and the extent of habitat for those species.
  - (11) A map in accordance with the Soil Conservation Guidelines/Standards for Off-Highway Vehicle Recreation Management (11/14/91) that identifies the types of soil and their erosion potential in the OHV areas funded by OHV funds.
- (e) The law enforcement plan will be included in the O&M application and will consist of the following:
  - (1) A map identifying existing law enforcement problems and areas, and a description of how this grant or cooperative agreement will solve those problems. Law enforcement tasks shall include, but not be limited to, enforcement of the following: checking for spark arresters and current registration, compliance with noise requirements, prevention of illegal activity that may result in resource damage or trespass, enforcement of alcohol-related laws, and OHV-related search and rescue. The law enforcement Plan shall identify what method the public will use to seek assistance for law enforcement problems or emergencies (e.g., telephone number for District Office or County Sheriff s Department).

- (2) A map of the OHV areas, routes, and corridors that will be patrolled and enforced with OHV funds.
- (3) Identification of the number and classification of law enforcement personnel involved in implementing the OHV project.
- (4) A Schedule of patrols that will be conducted and the classification of law enforcement personnel used (e.g., Level - 4 law enforcement officer, 10 weekends, or Sergeant, 10 weekends).
- (5) The number, price and type of enforcement signs to be purchased and installed.
- (6) The cost of educational materials such as displays or brochures.
- (7) All OHV grant Applicants must identify whether the law enforcement problems are in areas that are identified for OHV use (as authorized by PRC 5090.50) or if the problems are occurring in areas where OHV operation is prohibited (as authorized by CVC Section 38225).
- (f) Administrative costs shall be identified in the application; those costs exceeding 10% shall be justified.
- (g) If an OHV project will require more than one year to complete, an explanation shall be provided in the application.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32, 5090.50, 5090.55, and 5090.64, PRC.

#### **4970.11. PROJECT ACCOMPLISHMENT REPORT (4/2000) (PAR)**

- (a) Project Accomplishment Report (4/2000) (PAR) is a form to be completed by the grantee that provides information on an OHV project and is submitted to the Department.
- (b) A grantee shall complete a PAR for each required OHV project, a list of the types of projects that require a PAR is included in the Guide.
- (c) O&M applications shall include a completed PAR for the previously funded O&M project.
- (d) A PAR form (4/2000) is included in the OHV Grant Application Guide (June 2000); all pages of the form must be completed.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Section 5090.32 (d), PRC.

#### **4970.12. CONFORMANCE WITH RESOURCE, RECREATION, GENERAL OR MASTER PLANNING DOCUMENTS**

Compliance with applicable planning documents will be documented in the applications.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d) and 5090.50, PRC.

#### **4970.13. ENVIRONMENTAL DOCUMENTATION**

- (a) Applications shall include completed environmental documentation, as applicable.
- (b) When a federal agency submits a NEPA document, Division staff shall review it for comparability to CEQA. If the NEPA document does not meet the requirements of CEQA, Division staff will work with the federal agency to obtain the missing information and will complete the necessary CEQA documentation. If the information is not received from the federal agency, no CEQA document will be prepared and no Project Agreement will be certified.

- (c) All Federal Agencies that have approved cooperative agreements shall develop a Wildlife Habitat Protection program in cooperation with the Division. The Wildlife Habitat Protection Program shall include the following:
- (1) A map identifying the trails, roads, corridors, and areas that are open for use by OHVs and receive funding from the OHV fund.
  - (2) A baseline survey of the soils, and sensitive wildlife, and wildlife habitats found in the area that are open for use by OHVs and receive funding from the OHV fund.
  - (3) A monitoring program:
    - (A) The program shall be able to detect accelerated and unnatural erosion and the loss of wildlife habitat in the area that is open for use by OHVs and is maintained and managed with OHV Grant Program Funds. An annual monitoring program report shall be provided to the Division at the end of each implementation period.
    - (B) In order to assist in sustaining viable species composition, on the lands within their jurisdiction, grantees shall identify and monitor endangered, threatened, and other species of concern that are identified by the management agency, consistent with current laws and policies within the areas maintained and managed with OHV Grant Program Funds. The grantee shall also appraise the biological diversity of the areas receiving OHV Grant Program Funds as well as those factors that may contribute to the overall ecological health of the habitat within the bioregion and include this information with the annual monitoring program report.
    - (C) The Wildlife Habitat Protection Program shall specify management objectives for protecting identified species and their associated habitats. Utilizing the information gathered via the monitoring of these species and their associated habitats, the grantees shall evaluate and accordingly modify the management processes of the Program. Grantees shall discuss within the annual monitoring program report the changes to the Wildlife Habitat Protection Program that were implemented as a result of this adaptive management process.
  - (4) A resource protection program that includes but is not limited to law enforcement, public education, signing, and barriers.
  - (5) A management component that uses the above information to resolve resource issues.
  - (6) Federal land managers shall include in their 2000/2001 grant application a list or map that identifies all roads and trails maintained with OHV funds that have been identified as non-compliant with the Soil Conservation Guidelines/Standards for Off-Highway Vehicle Recreation Management (11/14/91). Beginning with the 2001/2002 grant cycle, applications shall include a plan that identifies the roads and trails to be repaired, relocated, or closed with a timeline when the projects are expected to be completed. A report on the status of the implementation of the plan shall be included with the annual monitoring program report.
- (d) The Soil Conservation Guidelines/Standards for Off-Highway Vehicle Recreation Management (11/14/91) is hereby incorporated by reference. The standards and guidelines that are identified in the Soil Conservation Guidelines/Standards for Off-Highway Vehicle Recreation Management are applicable to Federal agencies that are awarded cooperative agreements.
- (e) Compliance with The Wildlife Habitat Protection Program and the Soil Conservation Guidelines/Standards is required at areas maintained or managed with OHV funds from the OHV Program and will be evaluated under the stewardship criteria provided in Section 4970.31 (c) (7) for applicants to receive future grants and cooperative agreements.
- (f) The decision on whether to close an area, route or trail shall comply with PRC 5090.35.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.  
Reference cited: Sections 5090.32 (d), 5090.35, 5090.50, 5090.53, and 5090.55, PRC.

#### **4970.14. GRANTEE OBLIGATIONS**

- (a) The Project Agreement in no way restricts a grantee from cooperating with or receiving cooperation from other public and private agencies, organizations and individuals, or from accepting contributions and gifts for development, administration and operation of OHV areas and facilities. The applicant must consider the cumulative effects of other projects that have been conducted in the OHV funded areas when completing the environmental documentation in compliance with NEPA and CEQA.
- (b) The grantee and its employees, in the performance of an OHV project, shall act in an independent capacity and not as officers or employees of the Department.
- (c) The Project Agreement shall not obligate the grantee to expend or be a part of any contract or other obligation of the fund in excess of the funds authorized by law and administratively allocated by the Division.
- (d) If a grantee does not complete a project within the time frame specified in the Project Agreement, the grantee shall notify the Division in writing what issues, reasons, or problems precluded the grantee from completing the project on schedule. The grantee will then request, in writing, permission from the Division to: (1) drop the project, (2) proceed in a second effort, or (3) proceed with a new course of action that assures completion.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.  
Reference cited: Section 5090.32 (d), PRC.

#### **4970.15. INSPECTIONS**

Property and facilities developed or managed with OHV funds shall be available for inspections by the Division.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.  
Reference cited: Section 5090.32 (d), PRC.

### **ARTICLE 4 — PROJECT FUNDING**

#### **4970.16. FUNDING AMOUNTS AND PRIORITY**

- (a) OHV grants and cooperative agreements shall be awarded on a competitive basis.
- (b) The Division shall use an evaluation criteria as the basis to recommend the funding level and priority of each application.(See Section 4970.31)
- (c) The Division shall recommend to the Commission the priority, funding level, and, if applicable, conditions for each application.
- (d) The Commission shall review and comment annually on the applications and consider Division recommendations, public input, and agency testimony as a basis to allocate funds and establish a Commission Priority and Funding List.
- (e) The minimum amount of an application shall be \$5,000.00.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32, 5090.33, 5090.50, 5090.55, PRC.

#### **4970.17. FUNDING PROCESS**

Grantees will be funded according to the Commission's OHV Grant Priority and Funding List until all available funds appropriated in the Governor's budget are allocated by the Commission.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.24 (d), 5090.32(c) & (d), 5090.56 (e), PRC.

#### **4970.18. PAYMENTS**

- (a) The Division shall develop a Payment Request Form (1/4/2000); all payment requests submitted to the Division shall be on that form. (See the OHV Grant Application Guide (June 2000)).
- (b) The Payment Request Form shall be certified before any payment may be made.
- (c) A Payment Request Form shall be submitted to the Division within the Project Performance Period as defined in the Project Agreement.
- (d) All costs claimed by the grantee will be supported by invoice, purchase order, canceled warrant, time sheet, and other such records.
- (e) Grantees using Force Account labor shall document expenditures with timesheets.
- (f) A cost is considered incurred at the time a purchase is delivered or a service is rendered.
- (g) Grantees may be paid in advance or on a reimbursement basis.
- (h) The Division may advance up to 100% of the OHV grant or cooperative agreement amount; the Division may fund advances in installments. Advances to all grant and cooperative agreement recipients shall be placed in a separate interest bearing account (if agency is legally able to do so). In order to spend the interest accrued from this account, the grantee must request written permission from the Commission. The request must state how the funds will be spent and for what purpose. Otherwise, the interest accrued from this account must be returned to the Division.
- (i) For OHV Acquisition projects, the Division shall disburse funds for the purchase price and eligible acquisition costs when acquisition is through negotiated purchase, but not to exceed the allowable project costs set forth in the Project Agreement.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (c) and (d), 5090.50, 5090.55, PRC.

#### **4970.19. ELIGIBLE COSTS**

- (a) The following costs are eligible for payment from the 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 isolated and charged in proportion to the actual time an employee works on an OHV project.
    - (B) Costs for salary and wages claimed for an employee, working on an OHV project, must not exceed the grantee's established rate for a like position.

- (C) Costs charged to an OHV project must be computed on actual time spent on the project and supported by timesheets and attendance records (describing the work performed on the OHV project).
- (D) Costs for overtime may be allowed under the grantee's established policy, provided that regular full-time work was devoted to the same project.
- (b) Costs for consultation service are reimbursable if paid according to the grantee's customary established method and rate.
- (c) Consultant fees may be paid to a grantee's own employee with prior written approval from the Division.
- (d) Equipment owned by the grantee, used on an OHV project, may be charged on a use basis. The use rate charged must be equal to that normally charged by the agency. Industry rental rates may be used as a guide, if the grantee does not have an established rate. If a grantee's equipment is used, a log or source document must describe work performed, use hours and the log or source document shall be signed by the operator and the operator's supervisor.
- (e) Supplies and materials may be purchased for a specific OHV project or may be drawn from a central stock, provided that they are claimed at a cost no higher than they were purchased by the grantee.
- (f) When supplies and/or materials are purchased with the intention of constructing a structure or part of a structure, the cost charged as supplies and materials are capitalized according to the grantee's normal practice or policy. If capitalized, only that cost reasonably attributed to the OHV project may be charged to the OHV project.
- (g) Construction activities, from site preparation (demolition, excavation, grading, etc.) through completion of the structure or facility, are reimbursable.
- (h) Acquisition costs incurred in the acquisition of real property, including the approved purchase price of the property, appraisal, survey, preliminary title report, escrow fee, title insurance fee, and court costs on condemnation, are reimbursable.
- (i) Relocation costs that result from the displacement of a person and/or business, in accordance with Government Code Sections 7260-7277, may be charged.
- (j) Grantee insurance premiums for casual riding, hazard, and liability insurance for an OHV facility may be reimbursed by the fund.
- (k) Transportation costs for moving equipment, material and personnel (excluding moving and relocation expenses resulting from changes in assignments) are reimbursable.
- (l) Work performed by another section or department within the grantee's agency is reimbursable.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d), 5090.50, 5090.55, PRC.

#### **4970.20. INELIGIBLE COSTS**

The following costs are ineligible for payment from the fund:

- (a) A cost incurred outside the project performance period as specified in the Project Agreement.
- (b) An interest expense, discount not taken, deficit or overdraft, or bonus payment.
- (c) Charges for a contingency reserve or other similar reserve.
- (d) A damage judgment against the grantee arising from the operation, acquisition, construction, or equipping of an area or trail whether determined by judicial process, arbitration, negotiation, etc.
- (e) Unapproved contract cost overruns that exceed the allowable amount identified in the Project Agreement.

- (f) Workers compensation claims of grantee workers.
- (g) Travel claimed when no work time was claimed for the same period.
- (h) Employee relocation (moving expenses resulting from duty station or assignment change).
- (i) Charges incurred contrary to the policies and practices of the grantee.
- (j) Services, materials, or equipment obtained under any other state program.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Section 5090.32 (d), PRC.

#### **4970.21. OPERATION AND MAINTENANCE OF OHV-FUNDED FACILITIES**

- (a) Local or federal agency shall maintain facilities at a level that will ensure sustained, long-term OHV use and conservation of natural values.
- (b) OHV-funded facilities shall be used primarily for casual OHV recreation.
- (c) The grantee will operate the area or facility in accordance with the days and hours identified in the application.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d), and 5090.51 (a), PRC.

#### **4970.22. USE OF OHV-FUNDED FACILITIES**

- (a) Property acquired or developed by Local Agencies with OHV funds shall be used for the purpose and time period for which the OHV funds were requested. Any use of the property other than the original purpose stated by the grantee or a third party shall have prior written approval by the Division.
- (b) The grantee shall notify the Division immediately in writing of any pending land use plan that would result in the closure of land to OHV recreation that was purchased, developed or maintained with OHV funds.
- (c) During the life of the grant, revenue generated by local agencies on land acquired or developed with OHV funds shall be used for OHV recreation activities or related activities, in the area where the revenues are generated.
- (d) Local Agencies shall obtain written approval from the Division to spend revenue generated from any OHV funded land acquisition or development project.
- (e) During the life of the grant, the grantee shall report annually to the Division the amount of revenue generated from each OHV funded land acquisition or development project and how and where the revenues were spent.
- (f) Local Agencies may use revenues generated toward the required 25% match for O&M projects.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d) and 5090.50, PRC.

## **ARTICLE 5 - PROJECT AGREEMENTS, AMENDMENTS & RESCOPE**

### **4970.23. PROJECT AGREEMENT**

- (a) A Project Agreement shall be prepared for each OHV grant or cooperative agreement; the Project Agreement sets forth the terms and conditions of the project.
- (b) OHV funds are not available for expenditure until they are appropriated in the state budget.
- (c) No funds shall be disbursed until a Project Agreement for the project has been Certified.
- (d) The application shall be incorporated into and made part of the Project Agreement.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d), 5090.50, 5090.53, and 5090.55, PRC.

### **4970.24. AMENDMENT TO PROJECT AGREEMENT**

- (a) Advanced written approval by the Division is required for changes to a Project Agreement.
- (b) An Amendment to the Project Agreement shall be Certified to be effective.
- (c) Changes to a Project Agreement, prior to the advancement of all funds, shall be made through an Amendment to Project Agreement between the grantee and the Division.
- (d) If all funds have been advanced, minor changes to the project shall be authorized by a letter from the Division to the grantee.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Section 5090.32 (d), PRC.

### **4970.25. RESCOPE OF PROJECT AGREEMENT**

- (a) All requests for the Rescope of a project shall be in writing to the Division.
- (b) All Rescope requests shall include the following:
  - (1) An explanation of why the Rescope is necessary.
  - (2) An explanation of what will happen if the Rescope is not approved.
  - (3) What is the financial impact of the Rescope.
- (c) All Rescope requests shall be brought before the Commission for public review, comment, and approval.
- (d) Once a Rescope is approved, an Amendment to the Project Agreement will be prepared by the Division.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Section 5090.32 (d), PRC.

## ARTICLE 6 - OHMVR COMMISSION

### 4970.26. ANNUAL APPLICATION REVIEW MEETINGS

- (a) The Commission shall hold at least one public meeting to consider funding of applications. Starting in the year 2001, there will be two subcommittee meetings to take public testimony on applications: one in the north and one in the south. The subcommittee meetings will be held prior to the full Commission meeting that takes action on funding the grants and cooperative agreements.
- (b) The Commission shall review the applications, the Division's recommendation, public and agency testimony, and establish a Commission Priority and Funding List.
- (c) The Commission Priority and Funding List shall then be submitted to the Director to be included in the Department's budget.
- (d) The Division shall provide the Commission and the Department of Fish and Game with copies of the applications; other organizations and interested parties may receive a copy upon written request to the Division.
- (e) The Division shall send to the applicants, the Commission and the Department of Fish and Game its funding recommendations. Other organizations and interested parties may receive a copy upon written request to the Division.
- (f) Commission meeting notices will be sent to those who have requested in writing that they be put on the mailing list. The mailing list will be updated annually.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.  
Reference cited: Sections 5090.24 and 5090.32(d), PRC.

## ARTICLE 7 - OHV GRANT APPLICATION GUIDE

### 4970.27. APPLICATION GUIDE - GENERAL

- (a) The Division has developed and will make available to the public a Guide as defined in Section 4970.00 (x). The Guide is hereby incorporated by reference.
- (b) The OHV Grant Application Guide (June 2000) shall be made available to the public in printed form and may be made available on the Off-Highway Motor Vehicle Recreation Division's Website.
- (c) The Division may make revisions to the Guide as needed; revisions shall be subject to the Administrative Procedure Act (Government Code sections 11340 et seq.).

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.  
Reference cited: Section 5090.32 (d), PRC.

## ARTICLE 8 - ACCOUNTING AND AUDITS

### 4970.28. ACCOUNTING AND AUDITS — GENERAL

- (a) The grantee shall provide the Division a report showing total final project expenditures including state and all other moneys expended within 180 days of the completion of the project or the end of the project performance period, whichever is earlier. The report shall include a narrative of what has been accomplished with the OHV funds.

- (b) Funds advanced by the Division under the terms of the Project Agreement shall be used solely for the OHV project .
- (c) If funds are advanced to a federal agency, local agency, or nonprofit organization and not expended, the unused portion of the advance or that portion of the advance which is in excess of the actual project cost, whichever is the larger amount, shall be returned to the Division, with interest, within 60 days of project completion or end of the project performance period, whichever is earlier.
- (d) The grantee shall maintain financial accounts, documents, and records for the OHV project and shall make them available to the Division s auditor.
- (e) The Division shall have the right to inspect and make copies of any books, records or reports of the other party pertaining to the OHV project.
- (f) The grantee shall use generally accepted accounting methods.
- (g) The grantee shall retain all financial accounts, documents and records until the project has been audited by the Department or notified in writing of an audit waiver.
- (h) The Department may postpone, defer, or waive an audit; the grantee shall be notified in writing of such.
- (i) Upon completion of the Department audit, the grantee shall be notified in writing and will be provided a copy of the audit report.
- (j) If the audit report identifies a refund due to the Division, the grantee shall remit to the Division, within 60 days of the receipt of the audit report, the amount identified in the report.
- (k) If payment is not received within 60 days, the grantee shall be deemed delinquent. The Division shall notify the grantee in writing of its delinquent status and that future payments to the grantee may be withheld until the refund identified in the audit report has been paid in full.
- (l) When funds are advanced to Local Agencies or nonprofit organizations, the grantee shall place such funds in a separate interest bearing account, setting up and identifying such account prior to the advance. Interest earned on funds may be paid to the Division or used on the project with prior written approval from the Division.
- (m) Financial records shall clearly identify specific trail maintenance, rehabilitation, wildlife monitoring or habitat protection activities that were financed with OHV funds.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d), 5090.33 (g); 5090.50 and 5090.55, PRC.

#### **4970.29. PROJECT TERMINATION**

- (a) A grantee may unilaterally rescind a project any time prior to the commencement of the project. After commencement of the OHV project, the Project Agreement may be rescinded, modified, or amended by mutual agreement in writing.
- (b) Failure of a grantee to comply with the terms of the Project Agreement shall be cause for suspension of all obligations of the Division if, in the judgment of the Division, such failure was due to no fault of the grantee. In such case, any amount required to settle at minimum cost any irrevocable obligations properly incurred may be eligible for payment out of the fund.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d), 5090.50 and 5090.55, PRC.

#### **4970.30. CONSERVATION AND ENFORCEMENT SERVICES ACCOUNT**

- (a) Funds allocated pursuant to Section 8352.8 of the Revenue & Taxation Code shall be expended by the Division or by cities, counties, or appropriate districts, or by agencies of the United States, solely for the following activities: (1) conservation activities carried out for the prevention or reduction of soil loss, wildlife loss, and habitat loss as defined in PRC Sections 5090.35, 5090.50 and 5090.53 and (2) enforcement activities consisting of employing, equipping, and supervising peace officers for the purpose of protecting natural resources, enforcement of Division 16.5 (commencing with Section 38000) CVC, enforcement of PRC Sections 4442 and 4442.5 , enforcement of other laws regulating the equipment and use of off-highway motor vehicles, and (3) the construction of physical barriers and other means of traffic control.
- (b) The Division shall review annual expenditures to ensure the requirements of PRC Section 5090.64 are met.
- (c) The application shall identify the amount to be expended on C&E. The following must be provided:
  - (1) A description and cost of the conservation activities with maps and photographs of the area involved.
  - (2) A description and cost of the law enforcement activities.
- (d) Resource Management projects shall be considered 100% C&E.
- (e) Funds identified as C&E in the Project Agreement shall be spent only for C&E activities; C&E and non-C&E funds shall be accounted for separately.
- (f) The following activities are considered conservation:
  - (1) Soil, habitat and wildlife monitoring.
  - (2) Activities to prevent soil erosion and activities to repair existing soil erosion.
  - (3) Wildlife habitat enhancement projects.
  - (4) Aerial photography.
  - (5) Wildlife, habitat, and soil studies.
  - (6) Temporary closure of trails or areas, or closure and rehabilitation of unauthorized trails and trails not in compliance with PRC Section 5090.35 (d) and (e).
  - (7) Reduction of dust related to OHV recreation.
  - (8) Reduction or prevention of siltation related to OHV recreation into streams.
- (g) The following are considered enforcement:
  - (1) Peace officers, law enforcement officers (LEOs) and Federal technicians with citation authority who patrol the roads, trails, and areas that receive funds from the OHV Program.
  - (2) Installation of barriers and signs to prevent resource damage.
  - (3) Reduction of noise impacts of OHVs on wildlife through the enforcement of noise regulations found in CVC Section 38370.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.32 (d), 5090.64, PRC; Section 8352.8, Revenue & Taxation Code; Section 38370, CVC.

#### **4970.31. EVALUATION CRITERIA**

- (a) OHV grants and cooperative agreements shall be awarded on a competitive basis.
- (b) Each application shall be evaluated and ranked by Division staff and the Commission based on the criteria identified in Section 4970.31 (c).
- (c) The criteria used to evaluate applications shall include:

- (1) Past and/or Expected Use: Past OHV attendance figures (five years) shall be based on the PARs submitted by the applicant. Expected use shall be based on historic use plus any expected increase due to current or future conditions. A PAR for the previous funded year project shall be included in the application.
- (2) Application Content and Quality: The application shall provide adequate information for the Division, Commission and public to evaluate the project. The information provided is complete, current, clear and concise.
- (3) Support and opposition: All letters of support and opposition received by the applying agency shall be included in the application. Letters written to the Division regarding applications shall be included in the Commission packet.
- (4) Demand: Is there a demonstrated need for the project? Will the project sustain, expand or create OHV opportunity?
- (5) Existing OHV Opportunity: The application shall identify the legal OHV opportunities that exist within a 50-mile radius of the project area. Changes in OHV opportunity in the last two years (e.g., miles of trails or acres of OHV riding opportunity) shall also be identified.
- (6) Types of Vehicles: What types of OHVs currently use the area: (A) motorcycle, (B) ATV, (C) four-wheel drive, (D) snowmobile, or (E) dunebuggy. Facilities that are available for use by multiple vehicle types are preferred.
- (7) Stewardship: Previous grants and cooperative agreements shall have been completed on time; payment requests have been submitted on time; and audits of completed projects have found few, if any, problems or discrepancies.
- (8) Environmental Stewardship: The applicant shall have a Forest Plan or Land Management Plan in place. The applicant shall have developed a Wildlife Habitat Protection Program, soil monitoring program and the annual monitoring program report shall have been provided to the Division. Inspections by the grant administrator have found few problems. The grantee has provided the Division with maps of roads, trails, and areas that are funded with OHV funds.
- (9) CEQA / NEPA: The application shall include completed environmental documentation prepared for the project.
- (10) Useful Life: The area or facility shall be available for long-term use. The application shall identify known or anticipated threats to the longevity of OHV use (e.g., endangered species, urban expansion, wilderness expansion or management plans).
- (11) Future Commitment: The commitment of applicant funds toward O&M of the new acquisition or development and the amount of funds that shall be required annually for O&M shall be identified.
- (12) Volunteer Programs: The application shall provide information on the expected use of volunteers and the extent of the current volunteer program (e.g., number of active participants, hours volunteered, and the amount of funds used to run the program).
- (13) Cost Effectiveness: Visitation, miles/acres of opportunity, facilities, amount requested and grantee contributions shall be taken into consideration.

NOTE: Authority cited: Sections 5001.5 and 5003, PRC.

Reference cited: Sections 5090.23, 5090.24 (f), 5090.50, and 5090.55, PRC.