

**STATE OF CALIFORNIA
OFF-HIGHWAY MOTOR VEHICLE RECREATION COMMISSION**

**PROPOSED POLICIES
For Local Assistance Grants and Cooperative Agreements
April 15, 2003**

Preamble

The following proposed policies are presented for Commission consideration, public comment, and adoption pursuant to the Commission's role as established by Public Resources Code section 5090.23. Section 5090.23 states as follows:

The commission shall establish policies for the general guidance of the director and the division regarding all aspects of the system and the program.

Compliance with executive orders issued by President Richard Nixon (1972) and by President Jimmy Carter (1977) in conjunction with current regulations will significantly improve off-road vehicle recreation and management on federal lands. These orders require federal land managers to designate legal off-highway vehicle (OHV) roads, trails and areas, monitor the effects of motorized vehicles on soil, vegetation, watersheds, wildlife, and cultural and historic resources, and to minimize environmental impacts and conflicts with existing or proposed recreational uses, as well as, ensure compatibility in populated areas.

The Off-Highway Motor Vehicle Recreation Commission (OHMVR Commission) supports these goals for federal lands. The local assistance program will be used to assist federal land managers in achieving these goals. Grants should supplement federal appropriations, and should not be used as a surrogate for federal funding to carry out land management responsibilities.

There have been significant changes in the California OHV program since the Off-Highway Motor Vehicle Recreation Act of 1988. The population of the State has continued to grow at a rapid rate, with a result in increased demand for OHV riding areas, and an increase in urban encroachment threatening existing OHV recreation opportunity. The increased population along with demand for OHV recreation has created further concern for the environment and the need for effectively managed areas and ecologically balanced recreation programs.

The keys to successfully competing for a grant include, but are not limited to:

- Having a designated system of roads, trails and areas, or embracing the goals of completing a designation process;
- Providing sufficient environmental documentation to sustain opportunity and meet CEQA compliance;
- Restoration of permanently closed routes and damaged areas;
- Reopening of adequately repaired routes; closure of areas and trails should not be used in place of sound management;

- Restricting cross-country travel of wheeled vehicles to designated roads, trails and areas. Boundaries of open areas need to be clearly defined on user guide maps and marked on the ground;
- Improving wildlife habitat protection and monitoring;
- Addressing and minimizing conflicts with residents, landowners, and non-motorized users to enhance and/or sustain OHV recreation opportunity;
- Protecting air and water quality; and
- Repair and maintenance of a system of routes designed to encourage and promote responsible use while providing quality recreation for all OHV skill levels.

The OHMVR Commission, through the adoption of these proposed guiding policies, seeks to: (1) inform and educate applicants in the importance of understanding these issues and priorities, and (2) guide the director and the division in implementing the grant program and its regulations. Consistent with Regulations sections 4970.16 (d) and 4970.17, the allocation of funding to grant applications and establishment of the funding priority list for grants will be based on the applicant's ability to apply in a manner that is consistent with OHMVR Commission goals and priorities. Additionally, applicants should support sound resource management and OHV recreation opportunities. The higher priorities are identified in the policies set forth below.

Conservation

The top priorities for conservation grants are:

- Restoration of off route impacts to minimize and/or eliminate resource damage; maintain the integrity of the routes, and prevent closure;
- Resource inventories and surveys to aid in the accomplishment of route designation;
- Restoration of routes and areas that are causing significant resource damage;
- Monitoring and repair of existing resource damage and prevention of future damage;
- Restoration of closed routes or damaged areas within inventoried roadless areas; and
- Implementing appropriate measures to protect wildlife and cultural sites when studies or monitoring indicate a route is having an adverse impact.

Recreational Opportunity

The priority for the OHMVR Commission is a balanced approach to restoration, conservation, and law enforcement activities designed to protect the environment and sustain OHV recreational opportunity. To obtain funding and support for enhancement of opportunities or development, applicants should demonstrate a compelling need and technical ability to maintain existing opportunities in a manner that exhibits sound resource practices and care for the environment. Priority funding may be provided for the following activities:

- Reduce dense trail networks and replace with a trail system designed to disperse use and extend the distance between the recreational activity and urban interface areas;

- Trails which have an educational or interpretive component;
- Destination trails and/or extended loop trails;
- Long distance motorized corridors designed with a minimum degree of challenge for a heightened outdoor recreational and educational experience; and
- Reroute, where feasible alternatives exist, steep, poorly located and eroding trails.

Law Enforcement

The primary mission of law enforcement is the protection of life and property. Furthermore, patrol efforts provide a visible presence with the intent to reduce crime and achieve compliance with laws and regulations.

In addition to these primary duties, priority will be given to applications that:

- Provide sufficient patrol presence and signage to keep riders on legally designated routes and/or within limited use or designated open areas;
- Have a high number of user contacts emphasizing environmental education, user safety, and the ethics of responsible riding;
- Provide clear and informative route maps of the area at staging areas and trailheads, as well as, during law enforcement contacts;
- Effectively enforce closed areas;
- Protect soils and watersheds; and
- Demonstrate the ability to adapt law enforcement efforts to the changing needs of the area.

The OHMVR Commission supports grants for federal law enforcement activities. The Commission recognizes the need for Forest Service Law Enforcement Officers, Forest Protection Officers and BLM Law Enforcement Rangers to enforce various local, state and federal laws and regulations.

Proper maintenance

Although the desire of the OHMVR Commission is to provide supplemental funds to applicants, the priority is to applications demonstrating a willingness to provide high-quality OHV recreation while implementing sound environmental practices aimed at sustaining OHV opportunity. Maintenance of roads and trails should be accomplished in a manner that conserves soil, prevents erosion, protects water quality, reduces potential resource damage, and sustains or enhances OHV recreation.

Education

To receive priority, applications containing an educational component should educate current and future riders about the ethics of responsible riding, promote rider safety, emphasize environmental knowledge and responsibility, and compliance with appropriate laws and regulations.

Local grants

The OHMVR Commission will prioritize grants to local entities as follows:

- Sheriffs; especially in counties where OHV problems exist on private lands;
- Cities and counties to develop local OHV areas where they can control and contain potential damage through intensive management and maintenance;
- Local entities that demonstrate an effort to work collaboratively with other federal, state, and local agencies;
- Non-profit organizations to do restoration work; and
- Various local entities to work collaboratively with groups and other agencies to conduct research to address resource and/or conflict issues.

Public Involvement

Priority will be given to applications exhibiting a willingness to involve a broad spectrum of interested parties. Applications should outline efforts to reach out and seek input from all interested publics, as well as, a demonstrated ability to gain support from the OHV, environmental, and local communities for all proposed activities.

Urban Encroachment & OHV Compatibility

To receive priority funding, grant applications submitted should strive to reduce conflicts with non-motorized recreationists, existing or proposed recreational uses, and to protect residents, private property and landowners adjacent to the proposed area from noise, trespass, and property damage.

Acquisition and non-motorized buffers

Priority funding will be granted for purchasing lands contributing to:

- Mitigation;
- Buffer needed to reduce the deleterious effects to OHV opportunity due to urban encroachment;
- The preservation of existing and future OHV opportunity; and
- The protection of important habitat by providing contiguous lands.

Compliance, Development & Acquisition

To sustain long-term OHV use, applicants should strive to insure compliance with state and/or federal laws, regulations, and/or policies. Areas out of compliance will be low priority for development and acquisition funding. Exceptions may be made for development or acquisition projects that demonstrate a direct affect on achieving environmental compliance and protection, in addition to eliminating trespass and conflict, and/or preventing closure of an area.

Specific Deliverables and Fiscal Accountability

Grant applicants that demonstrate fiscal accountability by producing a product at the end of the grant period - such as a rehabilitated hillside, repaired routes, closure enforcement and signs, or a route inventory – take precedence over those that cannot. Applicants should insure all potential expenditures are accurately reflected in the project deliverables.

Federal agency staffing

To fund higher priority projects, the OHMVR Commission will minimize funding for federal administrative overhead. The OHMVR Commission will give low priority funding for federal employees not directly involved in “on-the-ground” OHV management, conservation, resource restoration, monitoring, or law enforcement. Exceptions could be given in cases where coordination and oversight are required for “on-the-ground” project deliverables. Federal staff engaged solely in facilities work or administrative activities are in principal the responsibility of the federal agency to fund.

The following policies are directed toward the Off-Highway Motor Vehicle Recreation Division activities to provide further clarification and guidance.

Reporting

For OHMVR Commission members to be better informed, the Off-Highway Motor Vehicle Recreation Division (OHMVR Division) will provide quarterly reports to the OHMVR Commission on the status of implementation of the local assistance program. Reports will include summaries of grant expenditures, balances to date, results of field reviews at federal and non-federal sites, and implementation of grant requirements.

Education

To sustain and enhance environmentally sound OHV recreation opportunities, the OHMVR Division will implement a continuous campaign designed to reach out and educate recreationists throughout the State about the OHV program, the benefits, and the many recreational opportunities it provides.