



RESOLUTION No. 15-072

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

APPROVING THE APPLICANT TO APPLY FOR STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE (OHV) GRANT FUNDS APPLICATION YEAR 2014-2015

WHEREAS, the people of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for Operations and Maintenance, Restoration, Law Enforcement, and Education and Safety for off-highway vehicle recreations; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

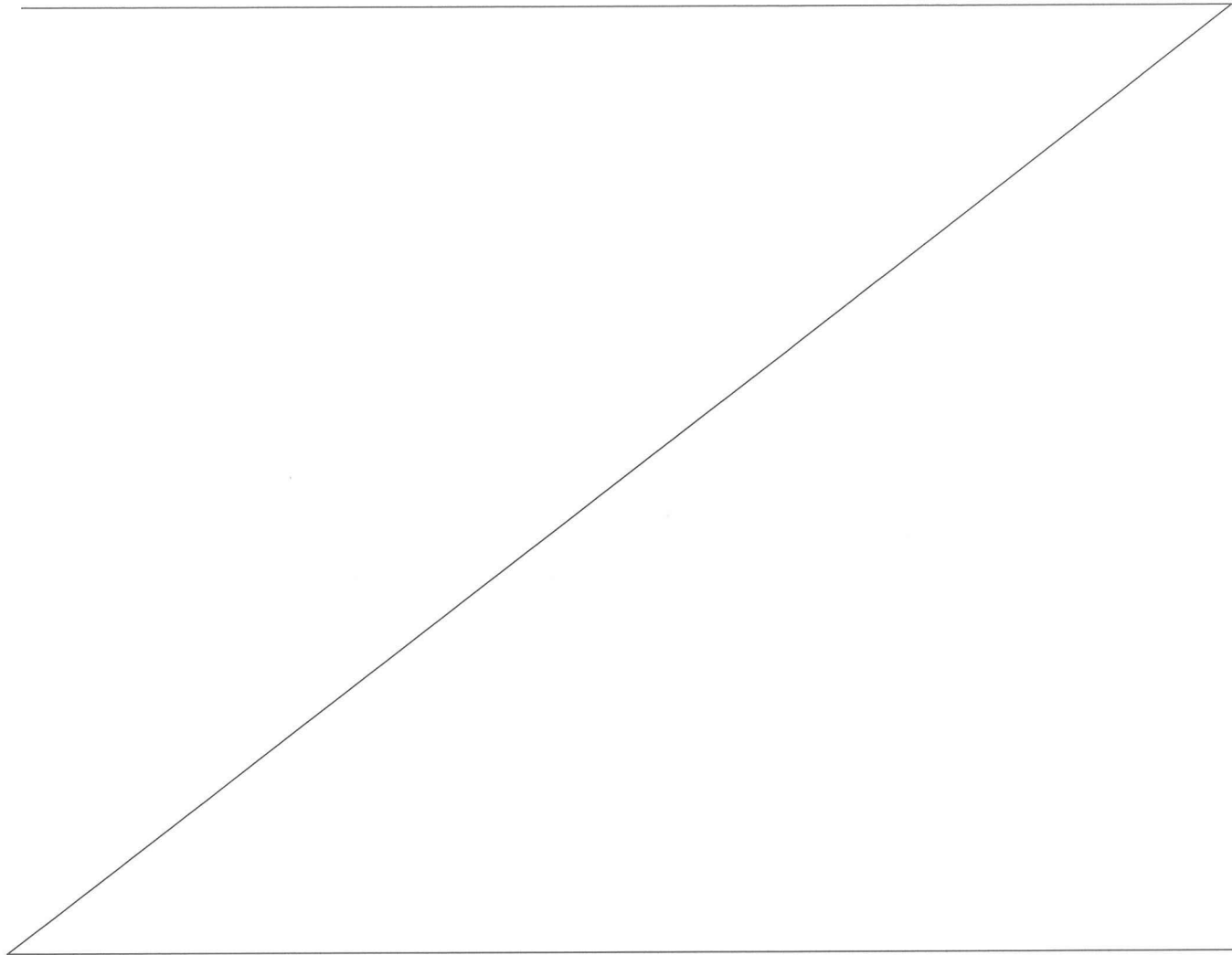
WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the application to apply for Off-Highway Motor Vehicle Grant funds; and

WHEREAS, this project appears on, or is in conformance with this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding the Project;

NOW, THEREFORE, BE IT RESOLVED, that the Nevada County Board of Supervisors hereby:

1. Approves the filing of an application(s) for an Off-Highway Vehicle Grant or Cooperative Agreement; and
2. Certifies that this agency understands its legal obligations to the State upon approval of the grant; and
3. Certifies that this agency understands the California Public Resources Code requirement that acquisition and development projects be maintained to specific conservation standards; and
4. Certifies that the project will be well-maintained during its useful life; and
5. Certifies that this agency will implement the project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and
6. Certifies that this agency will provide the required matching funds (as applicable); and
7. Certifies that the public and adjacent property owners have been notified of this project (as applicable); and
8. Appoints the Nevada County Sheriff as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the Project.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Nevada County Sheriff's Office will obtain the Board's approval for acceptance of this grant for Fiscal Year 2015-2016 if awarded.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 24th day of February, 2015, by the following vote of said Board:

Ayes: Supervisors Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: Nathan H. Beason.

Abstain: None.

ATTEST:

DONNA LANDI
Clerk of the Board of Supervisors

By: Donna Landi

Edward C. Scofield
Edward C. Scofield, Chair

2/24/2015 cc: Sheriff*
AC*

Law Enforcement

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ITEM 1. Proposed Project

The Nevada County Sheriff's Office services the unincorporated areas of Nevada County which include all of the federal lands in Nevada County. The federal lands include the Tahoe National Forest to the East of Nevada City and Bureau of Land Management lands to the North and Southeast of Nevada City. Large tracts of private lands are interspersed within the public lands.

In the Tahoe National Forest lands within Nevada County there are 80 miles of designated motorized OHV trails and 68 miles of OSV trails. There are six dedicated OHV/OSV trailheads/staging areas serving the eastern part of Nevada County. They are located at Bear Valley, Indian Springs, Rattlesnake Mountain, Meadow Lake, Prosser Hills and Little Truckee Summit. There is one dedicated OHV area located at Prosser Pits and one high OHV/OSV use area located at Boca Reservoir.

In Western Nevada County there is one dedicated OHV trailhead located at Chalk Bluff. There are six high use OHV areas that include Greenhorn Creek, Steephollow Creek, Jackass Flats, Deadman's Flat, Auburn Road, and Town of Washington areas.

This project will allow the Nevada County Sheriff's Office to positively impact OHV/OSV problems ranging from registration violations to fatal collisions. We will contact OHV/OSV enthusiasts, educate and take enforcement action when and where necessary to ensure that all OHV/OSV are properly operated as required by law. This will include those vehicles brought into our county from out of the state that are not properly permitted as required by 38087.5 CVC. We will increase the level of safety and fire prevention by enforcing equipment violations ensuring OHV's are properly fitted with spark arrestors. We will have a positive impact on the number of injuries and deaths caused by riders not being properly equipped with helmets, operating ATV's with more than the one person on board unless equipped to do so and minors operating ATV's without proper safety certification or supervision. We will aggressively seek to educate and enforce egregious violations of unsafe operation including speed and reckless operation. We will make contact with those OHV/OSV enthusiasts who trespass on private property and reduce the problem through a program of education and enforcement. We will patrol and make education and enforcement contacts relative to complaints of noise, dust and other disturbances.

We will work in conjunction with USFS and BLM law enforcement officers to meet our common goal of educating OHV/OSV enthusiasts and enforcement of OHV/OSV violations.

ITEM 2. Project Coverage

The area to be patrolled is located primarily to the east of Nevada City. This area extends to the Nevada State line with the exception of Deadman's Flat and Auburn Rd which is located west of Nevada City. This area encompasses approximately 508 square miles. This area includes all of the USFS lands and the majority of the BLM lands in Nevada County. The public lands to be patrolled total 267 square miles.

ITEM 3. Describe the frequency of the patrols

Routine patrols will be conducted in the Chalk Bluff, Greenhorn Creek, Steephollow Creek, Auburn Road, Jackass Flats, Deadman's Flat, Town of Washington, Prosser Hills, Little Truckee Summit, Prosser Pits and Boca Reservoir areas.

With the closure of the majority of the Greenhorn Creek area to OHV use, an increased amount of OHV use has been noted along the I-80 and Hwy 20 corridors in the Bear Valley, Bowman Lake, Indian Springs and Rattlesnake Mountain areas. The designated and undesignated trailheads in these areas provide access to a large portion of the trails and forest system roads within Nevada County. Another area with increased OHV activity due to the closure is the Steephollow Creek area to the Southeast of Greenhorn Creek. Patrols in these areas will need to be increased to provide proper

enforcement regarding trespassers, vandalism, and promiscuous shooting problems.

Extra patrols will be conducted on high use weekends such as Memorial Day, Independence Day, Labor Day and Martin Luther King Day.

As problematic OHV/OSV use areas are identified they will receive increased patrols.

ITEM 4. Deployment of Personnel

A Sergeant will be assigned to oversee the project and will periodically patrol with Deputies to evaluate performance and safety procedures. The Sergeant will evaluate complaints related to OHV/OSV activity and determine the appropriate action to resolve these complaints.

Two Deputies will be deployed via OHV/OSV or patrol vehicle for patrol activities. Deputies will work eight to ten hour shifts while on patrol and vary the start times to provide the best service to the OHV/OSV community.

An accountant will be assigned to assist with budget expenditure tracking and billing.

District and County Information

A. California State Senate Districts

Select one or more of the California State Senate Districts where the proposed project activities will occur. Copy and Paste the URL (http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html) in your browser to determine the State Senate district(s). (Please select applicable values)

- State Senate 01 State Senate 02 State Senate 03 State Senate 04 State Senate 05
 State Senate 06 State Senate 07 State Senate 08 State Senate 09 State Senate 10
 State Senate 11 State Senate 12 State Senate 13 State Senate 14 State Senate 15
 State Senate 16 State Senate 17 State Senate 18 State Senate 19 State Senate 20
 State Senate 21 State Senate 22 State Senate 23 State Senate 24 State Senate 25
 State Senate 26 State Senate 27 State Senate 28 State Senate 29 State Senate 30
 State Senate 31 State Senate 32 State Senate 33 State Senate 34 State Senate 35
 State Senate 36 State Senate 37 State Senate 38 State Senate 39 State Senate 40

B. California State Assembly Districts

Select one or more of the California State Assembly Districts where the proposed project activities will occur. Copy and Paste the URL (http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html) in your browser to determine the State Assembly district(s). (Please select applicable values)

- State Assembly 01 State Assembly 02 State Assembly 03 State Assembly 04 State Assembly 05
 State Assembly 06 State Assembly 07 State Assembly 08 State Assembly 09 State Assembly 10
 State Assembly 11 State Assembly 12 State Assembly 13 State Assembly 14 State Assembly 15
 State Assembly 16 State Assembly 17 State Assembly 18 State Assembly 19 State Assembly 20
 State Assembly 21 State Assembly 22 State Assembly 23 State Assembly 24 State Assembly 25
 State Assembly 26 State Assembly 27 State Assembly 28 State Assembly 29 State Assembly 20
 State Assembly 31 State Assembly 32 State Assembly 33 State Assembly 34 State Assembly 35
 State Assembly 36 State Assembly 37 State Assembly 38 State Assembly 39 State Assembly 40
 State Assembly 41 State Assembly 42 State Assembly 43 State Assembly 44 State Assembly 45
 State Assembly 46 State Assembly 47 State Assembly 48 State Assembly 49 State Assembly 50
 State Assembly 51 State Assembly 52 State Assembly 53 State Assembly 54 State Assembly 55
 State Assembly 56 State Assembly 57 State Assembly 58 State Assembly 59 State Assembly 60
 State Assembly 61 State Assembly 62 State Assembly 63 State Assembly 64 State Assembly 65
 State Assembly 66 State Assembly 67 State Assembly 68 State Assembly 69 State Assembly 70

- State Assembly 71 State Assembly 72 State Assembly 73 State Assembly 74 State Assembly 75
 State Assembly 76 State Assembly 77 State Assembly 78 State Assembly 79 State Assembly 80

C. California Congressional Districts

Select one or more of the California Congressional Districts where the proposed project activities will occur. Copy and Paste the URL (<https://www.govtrack.us/congress/members/CA>) in your browser to determine the Congressional district(s). (Please select applicable values)

- Congressional District 1 Congressional District 2 Congressional District 3 Congressional District 4
 Congressional District 5 Congressional District 6 Congressional District 7 Congressional District 8
 Congressional District 9 Congressional District 10 Congressional District 11 Congressional District 12
 Congressional District 13 Congressional District 14 Congressional District 15 Congressional District 16
 Congressional District 17 Congressional District 18 Congressional District 19 Congressional District 20
 Congressional District 21 Congressional District 22 Congressional District 23 Congressional District 24
 Congressional District 25 Congressional District 26 Congressional District 27 Congressional District 28
 Congressional District 29 Congressional District 30 Congressional District 31 Congressional District 32
 Congressional District 33 Congressional District 34 Congressional District 35 Congressional District 36
 Congressional District 37 Congressional District 38 Congressional District 39 Congressional District 40
 Congressional District 41 Congressional District 42 Congressional District 43 Congressional District 44
 Congressional District 45 Congressional District 46 Congressional District 47 Congressional District 48
 Congressional District 49 Congressional District 50 Congressional District 51 Congressional District 52
 Congressional District 53

D. County

Select one or more of the California Counties where the proposed project activities will occur. (Please select applicable values)

- Alameda Alpine Amador Butte Calaveras Colusa
 Contra Costa Del Norte El Dorado Fresno Glenn Humboldt
 Imperial Inyo Kern Kings Lake Lassen
 Los Angeles Madera Marin Mariposa Mendocino Merced
 Modoc Mono Monterey Napa Nevada Orange
 Placer Plumas Riverside Sacramento San Benito San Bernardino
 San Diego San Francisco San Joaquin San Luis Obispo San Mateo Santa Barbara
 Santa Clara Santa Cruz Shasta Sierra Siskiyou Solano
 Sonoma Stanislaus Sutter Tehama Trinity Tulare
 Tuolumne Ventura Yolo Yuba

LE Certification

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Law Enforcement - Page 1

1. Identify areas with high priority law enforcement needs because of public safety, cultural resources, and sensitive environmental habitats, including wilderness areas and areas of critical environmental concerns:

The Greenhorn Creek, Chalk Bluff and Steephollow Creek areas have historically been a high use OHV area seeing many OHV enthusiasts each weekend. With the closure of Hanson Brothers and BLM properties in the Greenhorn Creek area, there will be increased intrusions onto public and private lands that have been traditionally closed to OHV use.

The Steephollow Creek area located to the southeast of Greenhorn Creek has seen an increase of OHV use due to the Greenhorn Creek closures. The public lands surrounding Steephollow Creek are managed by the BLM and are closed to OHV use. Nevada Irrigation District and private land owners are experiencing intrusions onto their private lands that are also closed to OHV use.

The Boca Reservoir, Prosser Reservoir and the Interstate 80 corridor areas have a high percentage of OHV enthusiasts from out of state utilizing the area. There will continue to be a large number of OHV/OSV's without Non-resident Special Operating Permits or registration from their states.

2. Describe how the proposed Project relates to OHV Recreation and will sustain OHV Recreation, motorized off-highway access to non-motorized recreation, or OHV Opportunities associated with the Project Area:

By coupling aggressive education with enforcement activities this project will allow safe OHV/OSV opportunities in Nevada County. The project will help reduce the number of OHV/OSV complaints directed towards federal land agencies by neighboring private landowners which will help reduce potential public land closures to OHV/OSV recreation. The projects will also ensure that out of state OHV/OSV users comply with California's laws and standards of safe OHV/OSV operation.

3. Describe the Applicant's formal or informal cooperation with other law enforcement agencies:

The Nevada County Sheriff's Office works with the USFS, BLM and State Parks on a mutual aid basis.

Additionally the USFS contracts with the Nevada County Sheriff's Office for additional law enforcement coverage during the summer months. One deputy is assigned to patrol the USFS Lands within Nevada County.

Around the Martin Luther King Day weekend, the Nevada County Sheriff's Office and the USFS work together during the annual three day OHV Winter Fun Fest gathering held at the Nevada County Fairgrounds.

Law Enforcement - Page 2

4. Does the Applicant recover a portion of the law enforcement costs directly associated with privately sponsored OHV events where sponsors have obtained a local permit? Yes No
(Please select Yes or No)

Explain:

The privately sponsored OHV/OSV events in Nevada County obtain their use permits through the USFS. The Nevada County Sheriff's Office receives no funds from these events.

5. The Applicant agrees to implement a public education program that includes information on safety programs available in the area and how to report OHV violations? Yes No
(Please select Yes or No)

6. Describe the Applicant's OHV law enforcement training program including how the training program educates personnel to address OHV safety and natural and cultural resource protection:

The Nevada County Sheriff's Office conducts hands on training for deputies on OHV/OSV operation and safety as needed. The training is currently provided for select deputies and specialized teams. Briefing training is provided for all deputies on vehicle code sections pertaining to OHV/OSV operation and enforcement. Additionally selected deputies will be sent to OHV Enforcement Training provided by the California State Parks OHV Program.

Law Enforcement - Page 3

7. Is the proposed project in accordance with local or federal plans and the OHMVR Division Strategic Plan? (Please select Yes or No) Yes No
8. LOCAL AGENCIES ONLY - Describe the Applicant's policies and/or agreements regarding enforcement on federal land:
The Nevada County Sheriff's Office enforces all local and state laws on public lands within its jurisdiction pursuant to a memorandum of understanding with Federal Agencies.
9. COUNTIES ONLY - Describe how the OHV in-lieu of tax funds are being used and whether the use of these fees complements the Applicant's project:
The Nevada County Sheriff's Office uses its in-lieu of tax funds for OHV/OSV enforcement during daily operations. These operations include, patrols in high use areas, designated areas as well as areas of ingress and egress. These patrols are done in marked Sheriff 4x4 vehicles, on quads, snowmobiles and at times on foot. A portion of these funds will be used as matching funds for these listed patrols related to this project.

Law Enforcement - Page 4

10. APPLICANTS WHO MANAGE OHV RECREATION FACILITIES – Describe how your organization is meeting its operation and maintenance needs:
The Nevada County Sheriff's Office does not manage any OHV Facilities.
11. The Applicant agrees to enforce the registration of OHVs and the other provision of Division 16.5 commencing with Section 38000 of the vehicle code and to enforce other applicable laws regarding the operation of OHVs? (Please select Yes or No) Yes No

Project Cost Estimate

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APPLICANT NAME :	Nevada County Sheriff's Office		
PROJECT TITLE :	Law Enforcement	PROJECT NUMBER (Division use only) :	G14-03-16-L01
PROJECT TYPE :	<input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Development <input type="checkbox"/> Restoration <input type="checkbox"/> Ground Operations <input type="checkbox"/> Education & Safety <input type="checkbox"/> Planning <input type="checkbox"/> Acquisition		
PROJECT DESCRIPTION :	<p>The Nevada County Sheriff's Office services the unincorporated areas of Nevada County which include all of the federal lands in Nevada County. The federal lands include the Tahoe National Forest to the East of Nevada City and Bureau of Land Management lands to the North and Southeast of Nevada City. Large tracts of private lands are interspersed within the public lands.</p> <p>In the Tahoe National Forest lands within Nevada County there are 80 miles of designated motorized OHV trails and 68 miles of OSV trails. There are six dedicated OHV/OSV trailheads/staging areas serving the eastern part of Nevada County. They are located at Bear Valley, Indian Springs, Rattlesnake Mountain, Meadow Lake, Prosser Hills and Little Truckee Summit. There is one dedicated OHV area located at Prosser Pits and one high OHV/OSV use area located at Boca Reservoir.</p> <p>In Western Nevada County there is one dedicated OHV trailhead located at Chalk Bluff. There are six high use OHV areas that include Greenhorn Creek, Steephollow Creek, Jackass Flats, Deadman's Flat, Auburn Road, and Town of Washington areas.</p> <p>This project will allow the Nevada County Sheriff's Office to positively impact OHV/OSV problems ranging from registration violations to fatal collisions. We will contact OHV/OSV enthusiasts, educate and take enforcement action when and where necessary to ensure that all OHV/OSV are properly operated as required by law. This will include those vehicles brought into our county from out of the state that are not properly permitted as required by 36087.5 CVC. We will increase the level of safety and fire prevention by enforcing equipment violations ensuring OHV's are properly fitted with spark arrestors. We will have a positive impact on the number of injuries and deaths caused by riders not being properly equipped with helmets, operating ATV's with more than the one person on board unless equipped to do so and minors operating ATV's without proper safety certification or supervision. We will aggressively seek to educate and enforce egregious violations of unsafe operation including speed and reckless operation. We will make contact with those OHV/OSV enthusiasts who trespass on private property and reduce the problem through a program of education and enforcement. We will patrol and make education and enforcement contacts relative to complaints of noise, dust and other disturbances.</p> <p>We will work in conjunction with USFS and BLM law enforcement officers to meet our common goal of educating OHV/OSV enthusiasts and enforcement of OHV/OSV violations.</p>		

Project Cost Estimate for Grants and Cooperative Agreements Program - 2014/2015
 Agency: Nevada County Sheriff's Office
 Application: Law Enforcement

1/27/2015

Line Item	Qty	Rate	UOM	Grant Req.	Match	Total
DIRECT EXPENSES						
Program Expenses						
1	Staff					
	1. Sergeant Notes : FLSA Overtime for Sergeant	80.0000	67.120 HRS	5,370.00	0.00	5,370.00
	2. Law Enforcement Officers Notes : FLSA Overtime for Patrol Deputies	580.0000	56.970 HRS	33,043.00	0.00	33,043.00
	3. Law Enforcement Officers Notes : From in-lieu funding	400.0000	33.020 HRS	0.00	13,208.00	13,208.00
	Total for Staff			38,413.00	13,208.00	51,621.00
2	Contracts					
3	Materials / Supplies					
4	Equipment Use Expenses					
	1. Vehicle Operations and Maintenance Notes : Maintenance for patrol vehicles and tow vehicles. These vehicles include 4x4 SUV type patrol vehicles, quads, snowmobiles, sno-cat (if needed), associated trailers and other equipment.	2560.0000	0.575 MI	0.00	1,483.00	1,483.00
	2. Vehicle Operations and Maintenance Notes : First Aid supplies for patrol vehicles	41.0000	1.000 EA	41.00	0.00	41.00
	Total for Equipment Use Expenses			41.00	1,483.00	1,524.00
5	Equipment Purchases					
6	Others					
	Total Program Expenses			38,454.00	14,691.00	53,145.00
	TOTAL DIRECT EXPENSES			38,454.00	14,691.00	53,145.00
INDIRECT EXPENSES						

Project Cost Estimate for Grants and Cooperative Agreements Program - 2014/2015
 Agency: Nevada County Sheriff's Office
 Application: Law Enforcement

1/27/2015

Line Item	Qty	Rate	UOM	Grant Req.	Match	Total
Indirect Costs						
1 Indirect Costs						
1. Adjustments (Rounded)-Contract Administr	80.0000	21.050	HRS	1,684.00	0.00	1,684.00
Total Indirect Costs				1,684.00	0.00	1,684.00
TOTAL INDIRECT EXPENSES				1,684.00	0.00	1,684.00
TOTAL EXPENDITURES				40,138.00	14,691.00	54,829.00

Category	Grant Req.	Match	Total	Narrative
DIRECT EXPENSES				
Program Expenses				
1 Staff	38,413.00	13,208.00	51,621.00	
2 Contracts	0.00	0.00	0.00	
3 Materials / Supplies	0.00	0.00	0.00	
4 Equipment Use Expenses	41.00	1,483.00	1,524.00	
5 Equipment Purchases	0.00	0.00	0.00	
6 Others	0.00	0.00	0.00	
Total Program Expenses	38,454.00	14,691.00	53,145.00	
TOTAL DIRECT EXPENSES	38,454.00	14,691.00	53,145.00	
INDIRECT EXPENSES				
Indirect Costs				
1 Indirect Costs	1,684.00	0.00	1,684.00	Accounting and contract administration.
Total Indirect Costs	1,684.00	0.00	1,684.00	
TOTAL INDIRECT EXPENSES	1,684.00	0.00	1,684.00	
TOTAL EXPENDITURES	40,138.00	14,691.00	54,829.00	

Environmental Review Data Sheet (ERDS)

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ITEM 1 and ITEM 2

ITEM 1

- a. ITEM 1 - Has a CEQA Notice of Determination (NOD) been filed for the Project? Yes No
(Please select Yes or No)

ITEM 2

- b. Does the proposed Project include a request for funding for CEQA and/or NEPA document preparation prior to implementing the remaining Project Deliverables (i.e., is it a two-phased Project pursuant to Section 4970.06.1(b)) (Please select Yes or No) Yes No

ITEM 3 - Project under CEQA Guidelines Section 15378

- c. ITEM 3 - Are the proposed activities a "Project" under CEQA Guidelines Section 15378? Yes No
(Please select Yes or No)
- d. The Application is requesting funds solely for personnel and support to enforce OHV laws and ensure public safety. These activities would not cause any physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and are thus not a "Project" under CEQA. (Please select Yes or No) Yes No
- e. Other. Explain why proposed activities would not cause any physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and are thus not a "Project" under CEQA. DO NOT complete ITEMS 4 – 10.

ITEM 4 - Impact of this Project on Wetlands

ITEM 5 - Cumulative Impacts of this Project

ITEM 6 - Soil Impacts

ITEM 7 - Damage to Scenic Resources

ITEM 8 - Hazardous Materials

- Is the proposed Project Area located on a site included on any list compiled pursuant to Section 65962.5 of the California Government Code (hazardous materials)? (Please select Yes or No) Yes No

If YES, describe the location of the hazard relative to the Project site, the level of hazard and the measures to be taken to minimize or avoid the hazards:

ITEM 9 - Potential for Adverse Impacts to Historical or Cultural Resources

- Would the proposed Project have potential for any substantial adverse impacts to historical or cultural resources? (Please select Yes or No) Yes No

Discuss the potential for the proposed Project to have any substantial adverse impacts to historical or cultural resources:

ITEM 10 - Indirect Significant Impacts

CEQA/NEPA Attachment