



# RESOLUTION No. 21-467

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION AUTHORIZING THE SHERIFF TO SUBMIT AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR AN OFF-HIGHWAY VEHICLE (OHV) GRANT FOR THE FISCAL YEAR 2022-2023

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, 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

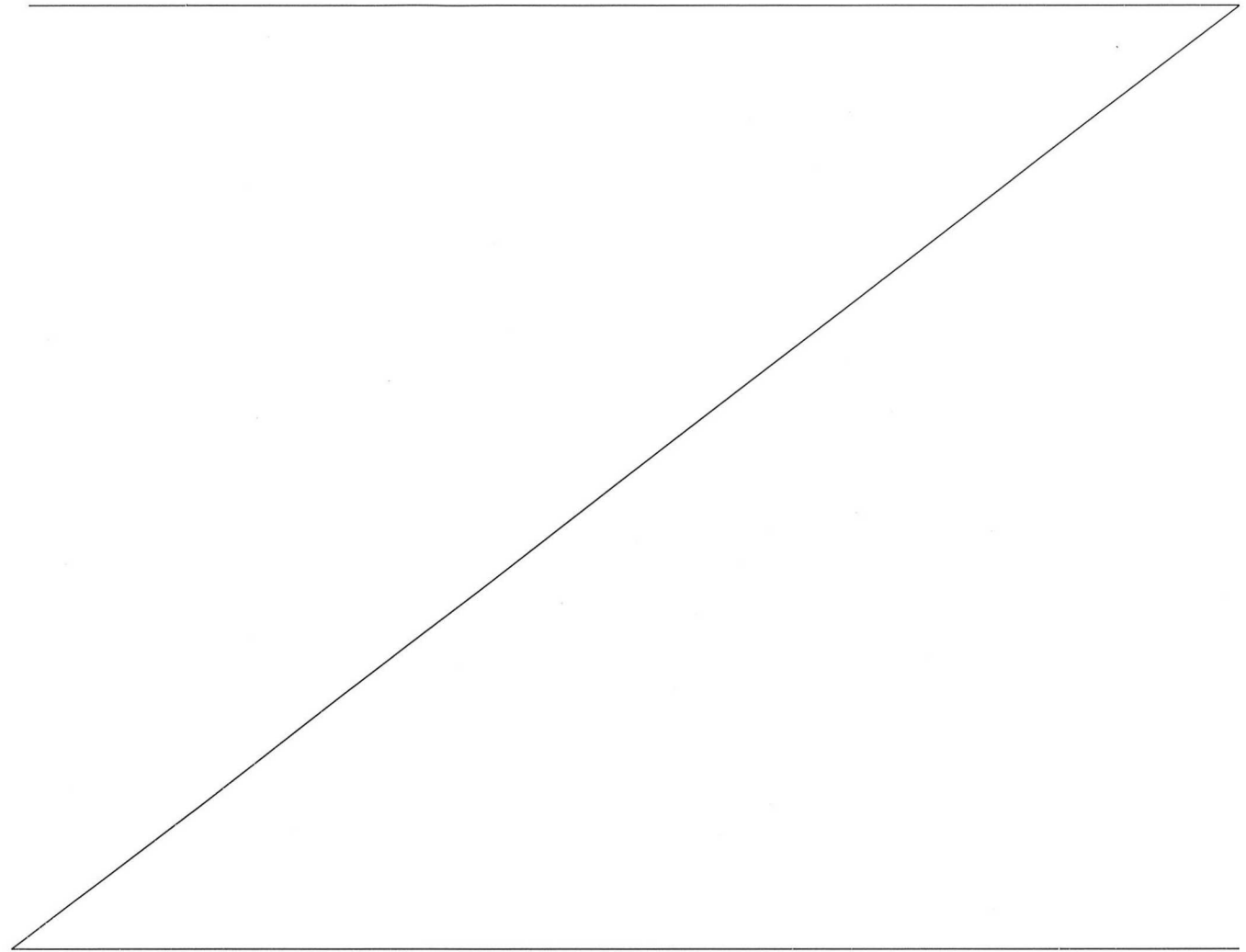
WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the application to apply for Off-Highway Motor Vehicle Grant funds; and

WHEREAS, this Project 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 is authorized to submit an application to the California Department of Parks and Recreation for an Off-Highway Vehicle (OHV) Grant for the FY 2022-2023 and will obtain the Board's approval for acceptance of this Grant 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 9th day of November, 2021, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Dan Miller, Chair

11/9/2021 cc: Sheriff\*  
AC\*

FOR OFFICE USE ONLY:

Version # \_\_\_\_\_

APP # 704957

**ITEM 1. Proposed Project**

The Nevada County Sheriff's Office proposal is for Off-Highway Vehicle (OHV) grant funding to pay for staff time and equipment for OHV trail patrols. Currently, the Nevada County Sheriff's Office does not have funding available to patrol the multitude of OHV trails and unauthorized OHV areas in our jurisdiction. Nevada County Sheriff's Office OHV enforcement incorporates large tracts of OHV-accessible federal lands in both the Tahoe National Forest and the Mother Lode Ranger District of the Bureau of Land Management. In addition to the authorized OHV areas, the Nevada County Sheriff is solely responsible for the enforcement of unauthorized OHV use on large tracts of open private lands belonging to Pacific Gas and Electric, Sierra Pacific Industries, and the Nevada Irrigation District.

**Nevada County OHV Areas**

The OHV areas in the County of Nevada are divided into two distinct areas: Western Nevada County and Eastern County.

Western Nevada County has mostly low elevation OHV (under 4,000' in elevation) areas, which incorporate the authorized OHV single track areas of Chalk Bluff and Lowell Hill contained in the Burlington Motorcycle Trail System. The remainder of the OHV areas in Nevada County are authorized and unauthorized OHV areas consisting of federal land under Tahoe National Forest and Bureau of Land Management control; along with private land belonging to Nevada Irrigation District, Pacific Gas and Electric, Sierra Pacific Industries and citizens of Nevada County. These areas generate large amounts of public complaints every year due to trespassing, unsafe OHV operations, environmental damage, vandalism, illegal camp fires, and large amount of litter left behind by illegal OHV operators. The common OHV areas in western Nevada County are listed as: Greenhorn Creek, Steephollow Creek, Jackass Flats, Deadman's Flat, Auburn Road, Chicago Park Powerhouse, and the Town of Washington.

Eastern Nevada County incorporates all of the over the snow vehicle (OSV) OHV opportunities, along with the majority of the authorized OHV use areas in Nevada County. Eastern Nevada County is home to the world class OHV opportunity, Fordyce Jeep Trail. This trail terminates into the Meadow Lake area, and attracts thousands of OHV users throughout the season. A large draw for UTV and moto riders is the Bowman Lake area's vast network of OHV approved roads. This area links together the high trafficked OHV areas of Gaston, Graniteville, Jackson Meadows, with those of Meadow Lake and Webber Lake. In the winter months, this area is open to hundreds of square miles for OSV recreation.

The Tahoe National Forest Prosser Pits OHV area is located just north of the Town of

Truckee. This, along with the Boca OHV/OSV staging area, allows riders to access the easternmost areas of Nevada County, which border and provides access to the State of Nevada OHV areas.

The Nevada County Sheriff's Office intends to conduct a public education program incorporating social media, OHV contacts, and educational booths at community fairs. This is in response to public confusion of what areas of Nevada County are open to OHV use, and what areas are closed. Many of the traditional areas seeing heavy OHV use, are in fact, closed to all but highway legal vehicles. However, years of unauthorized OHV use has led to a false public perception on the legality of accessing these lands and roadways. These educational efforts will be teamed with those efforts by the Tahoe National Forest and the Placer County Sheriff's Office.

#### **ITEM 2. Project Coverage**

In the Tahoe National Forest lands within Nevada County there are 80 miles of designated motorized OHV trails and 68 miles of OSV trails. This is in addition to hundreds of miles of OHV designated roads, and hundreds of miles of unauthorized OHV trails and roadways. During each season, Nevada County hosts numerous ATV, moto, and 4x4 events. Due to the regulation and enforcement of the neighboring Rubicon Trail and other OHV areas in Placer and El Dorado County, many of the undesirable participants have come to Nevada County aware of the historical lack of OHV enforcement.

This project will allow the Nevada County Sheriff's Office to positively impact OHV/OSV problems ranging from registration violations to fatal accidents. We will contact OHV/OSV enthusiasts, educate and take enforcement action when and where necessary to ensure that all OHV/OSV's 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 OHVs are properly fitted with spark arrestors. We will have a positive impact on the number of injuries and deaths caused by ATV and UTV riders who are not properly equipped with helmets, operating OHV in an unsafe manner, and minors operating OHV without proper 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. Talks have begun with the Placer County Sheriff's Office for the creation of

an MOU for mutual OHV enforcement, since many of the high use areas are split between both Placer and Nevada Counties.

The following areas are just a few of the portions of Nevada County with a large amount of OHV use:

**Fordyce Jeep Trail-**

The Fordyce Jeep trail is 11.9 miles long. It begins at Indian Springs Campground off of Eagle Lakes Road and ends at the Meadow Lake Campground. Due to it being inaccessible to most law enforcement resources, this area has gained a reputation for "lawlessness."

**Burlington Motorcycle Trail System-**

The Tahoe National Forest staging area for this 50-mile-long OHV single track is located on Chalk Bluff Road, just off of Highway 20. This trail wanders from Skillman, through Omega, to the Lowell Hill Ridge, and then over to touch the Bear Valley.

**Town of Washington-**

The Town of Washington is a popular and advertised staging area for all types of OHVs. Most OHV's travel up Gaston Road (closed to non-highway legal OHV's) to access the OHV legal Forest Service roads in the Graniteville and Marsh Mill area. This area is also one of the gateways to the Bowman Lake area.

**Bowman Lake-**

The general area of Bowman Lake is home to miles of Forest Service roads open to OHV use. This area is accessed from Bowman Lake Road off of Highway 20, from the Town of Washington, and from Jackson Meadows Road off of Highway 89.

**Meadow Lake-**

Meadow Lake is home to the end of the Fordyce Jeep Trail, and is central area for all type of OHV riders. This area is accessed from Meadow Lake Road off of Jackson Meadow Road, through the Fordyce Jeep Trail, or from the Bowman Lake/Jackson Meadows Reservoir areas.

**Prosser Pits OHV Area-**

This area incorporates the Tahoe National Forest Prosser Pitts OHV park, Prosser Reservoir, and the single and double-track trails around Boca Reservoir. This area is accessed on Prosser Dam Road, off of Highway 89. During the winter months, this is a common staging area for OSVs accessing the Boca riding areas.

**Greenhorn Creek-**

The Greenhorn Creek drainage was historically open to OHV access. However, after years of environmental damage, citizen complaints over noise, and dumping of trash, the federal lands were administratively closed to OHV use. The private land owned by Hansen Brothers Enterprises and the Nevada Irrigation District were also closed to

OHV use for the same reasons.

Access to the Greenhorn Creek drainage is made from Buckeye or Red Dog Road.

**Chicago Park Powerhouse/Steepollow Creek/Lowell Hill Road-**

The area is owned by Pacific Gas and Electric, Nevada Irrigation District, Tahoe National Forest, Bureau of Land Management, and private citizens. area is expressly off limits to OHV use, however, social media, online forums, and out-of-the-area OHV businesses continue to popularize the OHV use in the area.

**ITEM 3. Describe the frequency of the patrols**

This project requires the Nevada County Sheriff's Office to staff OHV patrols during the summer season, primarily on the weekends. Winter OSV patrol during the winter months, typically December to April, would focus on the historical high use areas

The project is requesting funds to staff two deputies to patrol eastern Nevada County (Fordyce Trail/Meadow Lake/Prosser), and two deputies to patrol western Nevada County (Town of Washington/Greenhorn/Lowell Hill Road) on the busy summer weekends. Two separate teams are needed due to the time needed to access each of these separate areas, and to deal with the high amount of OHV use in both areas. Patrols would be conducted at the trailheads and on the trails with vehicles capable of operating in the extreme OHV environments found in Nevada County.

In addition to the funding for patrol hours, there are staff hours built to facilitate maintenance, off season OHV rescues, holidays, special OHV events, and training. The OHV events include, but are not limited to education displays at the Nevada County Fair, National Night Out, and educational participation in the California Four Wheel Drive Association Winter Fun Festival and Sierra Trek.

**ITEM 4. Deployment of Personnel**

Due to the remote locations and harsh terrain, a response time for a normal patrol deputy in many of the projects areas ranges from 1-2 hours, to being inaccessible; depending on the location of the incident. It is important that deputies are doubled-up for safety while performing enforcement activities for that reason.

For a normal in-season OHV patrol deployment day, two to four deputies would deploy a UTV, dual sport motorcycles, or a trail capable Jeep; seperated into eastern and western teams. Due to the hours of drive time on rough roads between the eastern and western OHV areas in Nevada County, one two-person patrol team cannot reasonably cover both areas.

Maintenance-intensive, highly-modified/trail-capable vehicles, with trained operators are required to access the project areas with adequate staff and equipment to handle the expected law enforcement tasks.

The Nevada County Sheriff's Office is committed to deploying a part-time OHV staff

consisting of six (6) deputies who will receive training and experience in the off road operation of specialty vehicles. This program also covers a sergeant who will oversee the OHV unit for training standards, scheduling, maintenance, and field supervision. In addition, the Nevada County Sheriff's Office will provide a financial accountant to track and recover expenditures within the OHV program.

For the winter months, the Nevada County Sheriff's Office owns four (4) over the snow vehicles and a Tucker Sno Cat for winter OSV operations. For wheeled vehicles patrols, the Nevada County Sheriff's own a highly modified Jeep, a Polaris RZR UTV, and two Honda dual sport motorcycles. Funds are requested to cover the daily use of the Nevada County Sheriff's Office own Jeep and motorcycles. The daily use fees was determined by those fees charged by like rental vehicles used in our service area. The UTV was purchased with OHV grant funds and is not eliable to recieve daily use fees.

#### **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](http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html)) in your browser to determine the State Senate district(s).

State Senate 01

##### **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](http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html)) in your browser to determine the State Assembly district(s).

State Assembly 01

##### **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).

Congressional District 1

##### **D. County**

Select one or more of the California Counties where the proposed project activities will occur.

Nevada

Project Cost Estimate for Grants and Cooperative Agreements Program - 2021  
 Agency: Nevada County Sheriff's Office  
 Application: Law Enforcement

10/21/2021

FOR OFFICE USE ONLY:		Version # _____	APP # 704957
APPLICANT NAME :	Nevada County Sheriff's Office		
PROJECT TITLE :	Law Enforcement	PROJECT NUMBER (Division use only) :	G21-03-16-L01
PROJECT TYPE :	<input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Restoration <input type="checkbox"/> Education & Safety <input type="checkbox"/> Acquisition <input type="checkbox"/> Development <input type="checkbox"/> Ground Operations <input type="checkbox"/> Planning		
PROJECT DESCRIPTION :	<p>The Nevada County Sheriff's Office proposal is for Off-Highway Vehicle (OHV) grant funding to pay for staff time and equipment for OHV trail patrols. Currently, the Nevada County Sheriff's Office does not have funding available to patrol the multitude of OHV trails and unauthorized OHV areas in our jurisdiction. Nevada County Sheriff's Office OHV enforcement incorporates large tracts of OHV-accessible federal lands in both the Tahoe National Forest and the Mother Lode Ranger District of the Bureau of Land Management. In addition to the authorized OHV areas, the Nevada County Sheriff is solely responsible for the enforcement of unauthorized OHV use on large tracts of open private lands belonging to Pacific Gas and Electric, Sierra Pacific Industries, and the Nevada Irrigation District.</p> <p><b><u>Nevada County OHV Areas</u></b></p> <p>The OHV areas in the County of Nevada are divided into two distinct areas: Western Nevada County and Eastern County.</p> <p>Western Nevada County has mostly low elevation OHV (under 4,000' in elevation) areas, which incorporate the authorized OHV single track areas of Chalk Bluff and Lowell Hill contained in the Burlington Motorcycle Trail System. The remainder of the OHV areas in Nevada County are authorized and unauthorized OHV areas consisting of federal land under Tahoe National Forest and Bureau of Land Management control; along with private land belonging to Nevada Irrigation District, Pacific Gas and Electric, Sierra Pacific Industries and citizens of Nevada County. These areas generate large amounts of public complaints every year due to trespassing, unsafe OHV operations, environmental damage, vandalism, illegal camp fires, and large amount of litter left behind by illegal OHV operators. The common OHV areas in western Nevada County are listed as: Greenhorn Creek, Steepollow</p>		



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Line Item	Qty	Rate	UOM	Total	Grant Req.	Match
<b>DIRECT EXPENSES</b>						
<b>Program Expenses</b>						
<b>1 Staff</b>						
1. Staff-Staff-Law Enforcement Officers Notes : 2. Staff-Law Enforcement Officers	1000.0000	66.750	HRS	66,750.00	50,062.00	16,688.00

Project Cost Estimate for Grants and Cooperative Agreements Program - 2021  
 Agency: Nevada County Sheriff's Office  
 Application: Law Enforcement

10/21/2021

Line Item	Qty	Rate	UOM	Total	Grant Req.	Match
Notes : FLSA Overtime for Patrol Deputies for proactive OHV patrol, OHV specific training, and public education as assigned/scheduled by the Sergeant for Eastern Nevada County on UTV/Jeep/Patrol Vehicle.						
2. Staff-Staff- Law Enforcement Office-SGT Notes : FLSA overtime and straight time for the OHV sergeant conduction field patrol, OHV specific trainings, and public education in OHV areas, supervision of deputies, and scheduling.	200.0000	83.470	HRS	16,694.00	12,520.00	4,174.00
<b>Total for Staff</b>				83,444.00	62,582.00	20,862.00
<b>2 Contracts</b>						
<b>3 Materials / Supplies</b>						
1. Materials / Supplies-Hand Held GPS, Garmin 66st Notes : This is to outfit each of our OHV vehicles with a GPS (Jeep, UTV, and 2 motorcycles). Most of our OHV areas are lacking street signs, and navigation by GPS is the only option. This is considered officer safety equipment, for GPS coordinates are many times the only accurate description of a their location a deputy can give in the field. The Garmin 66st is the same GPS fielded by our search and rescue team, and is supported by current department owned software. One hundred percent of this item's use would be used in the OHV program.	4.0000	500.000	EA	2,000.00	1,500.00	500.00
<b>4 Equipment Use Expenses</b>						

Project Cost Estimate for Grants and Cooperative Agreements Program - 2021  
 Agency: Nevada County Sheriff's Office  
 Application: Law Enforcement

10/21/2021

Line Item	Qty	Rate	UOM	Total	Grant Req.	Match
1. Equipment Use Expenses-Jeep Daily Use Fee Notes : The Jeep Daily Use Fee applies to the Jeep purchased and modified by the Nevada County Sheriff's Office with funds outside of the OHV Grants program. Due to the major modifications to the stock Jeep, totaling approximately \$59,000, in order to make it capable to patrol the Fordyce Trail; no comparable rentals could be found. The \$700 daily use fee represents an expected reasonable rental fee under that of a comparable vehicle if one could be found. Barlow Adventures offer guided Jeep excursions on the neighboring Rubicon Trail at approximately \$1,500 per day to use their Jeeps. The Barlow Adventures' Jeeps are comparable to the Jeep owned by the Nevada County Sheriff's Office.	50.0000	700.000	DAY	35,000.00	26,250.00	8,750.00
2. Equipment Use Expenses-Motorcycle Daily Use Fee Notes : The Motorcycle Daily Use Fee applies to the two Honda CRF250L motorcycles purchased by the Nevada County Sheriff's Office with funds outside of the OHV Grants program. The \$150 daily use fee was determined by the comparing daily rental rates from vendors in our area. Tahoe Dirt Bikes, in Nevada County, rents a comparably motorcycle, the Yamaha XT 250, for a daily rental fee of \$200.	60.0000	150.000	DAY	9,000.00	6,750.00	2,250.00
<b>Total for Equipment Use Expenses</b>				44,000.00	33,000.00	11,000.00
<b>5 Equipment Purchases</b>						

Project Cost Estimate for Grants and Cooperative Agreements Program - 2021  
 Agency: Nevada County Sheriff's Office  
 Application: Law Enforcement

10/21/2021

	Line Item	Qty	Rate	UOM	Total	Grant Req.	Match
6	Others						
<b>Total Program Expenses</b>					129,444.00	97,082.00	32,362.00
<b>TOTAL DIRECT EXPENSES</b>					129,444.00	97,082.00	32,362.00
<b>INDIRECT EXPENSES</b>							
<b>Indirect Costs</b>							
1	Indirect Costs						
	1. Indirect Costs-Grant administration / accounting Notes : 1. Indirect Costs-Grant administration / accounting Notes : Hourly rate for an accounting specialist for billing and contract administration.	120.0000	27.210	HRS	3,265.00	2,448.00	817.00
	2. Indirect Costs-Satellite Phones Notes : This is for the purchase of three (3) satellite phones to outfit deputies on OHV patrol in each our Jeep, UTV, and one to the motorcycles. Large portions of the OHV areas in Nevada County lack cell phone reception and radio coverage. This is to allow emergency and/or essential communications by deputies working OHV patrol in remote areas without cell or radio coverage. This is an officer safety issued piece of equipment. One hundred percent of this item's use would be used in the OHV program.	3.0000	1400.000	EA	4,200.00	3,150.00	1,050.00
<b>Total for Indirect Costs</b>					7,465.00	5,598.00	1,867.00
<b>Total Indirect Costs</b>					7,465.00	5,598.00	1,867.00
<b>TOTAL INDIRECT EXPENSES</b>					7,465.00	5,598.00	1,867.00

Project Cost Estimate for Grants and Cooperative Agreements Program - 2021  
Agency: Nevada County Sheriff's Office  
Application: Law Enforcement

10/21/2021

Line Item	Qty	Rate	UOM	Total	Grant Req.	Match
TOTAL EXPENDITURES				136,909.00	102,680.00	34,229.00

Project Cost Summary for Grants and Cooperative Agreements Program - 2021  
 Agency: Nevada County Sheriff's Office  
 Application: Law Enforcement

10/21/2021

	Category	Total	Grant Req.	Match	Narrative
<b>DIRECT EXPENSES</b>					
<b>Program Expenses</b>					
1	Staff	83,444.00	62,582.00	20,862.00	
2	Contracts	0.00	0.00	0.00	
3	Materials / Supplies	2,000.00	1,500.00	500.00	
4	Equipment Use Expenses	44,000.00	33,000.00	11,000.00	
5	Equipment Purchases	0.00	0.00	0.00	
6	Others	0.00	0.00	0.00	
<b>Total Program Expenses</b>		129,444.00	97,082.00	32,362.00	
<b>TOTAL DIRECT EXPENSES</b>		129,444.00	97,082.00	32,362.00	
<b>INDIRECT EXPENSES</b>					
<b>Indirect Costs</b>					
1	Indirect Costs	7,465.00	5,598.00	1,867.00	
<b>Total Indirect Costs</b>		7,465.00	5,598.00	1,867.00	
<b>TOTAL INDIRECT EXPENSES</b>		7,465.00	5,598.00	1,867.00	
<b>TOTAL EXPENDITURES</b>		<b>136,909.00</b>	<b>102,680.00</b>	<b>34,229.00</b>	