

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

May 9, 2023

FROM

SHANNON D. DICUS, Sheriff/Coroner/Public Administrator

SUBJECT

Grant Application to the State of California, Department of Parks and Recreation for the Off-Highway Motor Vehicle Grant Program

RECOMMENDATION(S)

1. Find that the California Department of Parks and Recreation Off-Highway Motor Vehicle 2023-24 Grant Program application and usage of funds are exempt under the California Environmental Quality Act, 14 California Code of Regulations §15321(b) and 15061(b)(3).
2. Adopt **Resolution No. 2023-56**, as required by the California Department of Parks and Recreation, for the Off-Highway Motor Vehicle 2023-24 Grant Program, to:
 - a. Approve a grant application to the California Department of Parks and Recreation for the Off-Highway Motor Vehicle Grant Program requesting \$600,000 for off-road law enforcement activities in the unincorporated areas of San Bernardino County, with a required County match of \$200,000 (25%), for a total amount of \$800,000; and
 - b. Authorize the Sheriff/Coroner/Public Administrator to execute and submit the grant application, award documents, and any non-substantive amendments on behalf of the County, subject to review by County Counsel.
3. Direct the Sheriff/Coroner/Public Administrator to transmit the grant application, award documents, and any non-substantive amendments in relation to the California Department of Parks and Recreation Off-Highway Motor Vehicle 2023-24 Grant Program to the Clerk of the Board of Supervisors within 30 days of execution.
4. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption.
(Presenter: Ernie Perez, Deputy Chief, 387-3760)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Provide for the Safety, Health and Social Service Needs of County Residents.

Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The application for the Off-Highway Motor Vehicle 2023-24 Grant Program (Grant) totals \$800,000, which includes the grant funding request of \$600,000 and a required 25% County match of \$200,000. The Grant will allow the Sheriff/Coroner/Public Administrator (Department) to continue Off-Highway Vehicle (OHV) enforcement activities in the unincorporated areas of San Bernardino County. The 25% required match will be accomplished through funds available within the Department's 2023-24 recommended budget allocation. The Grant will fund overtime, services, supplies, equipment and administrative costs.

**Grant Application to the State of California, Department of Parks and Recreation for the Off-Highway Motor Vehicle Grant Program
May 9, 2023**

BACKGROUND INFORMATION

The Department has received grant funding from the OHV Grant Program since 2006. The State of California, Department of Parks and Recreation, administers the OHV Grant Program which provides funding to cities, counties, appropriate districts and non-profit organizations to provide OHV recreation, education, enforcement and maintenance. The Grant is funded from OHV registrations, fines and forfeitures, fees and fuel taxes. The Grant is no longer awarded on a competitive basis; it is based on a proportional, needs-based distribution.

The deadline to submit the Grant application is June 5, 2023. The Department is seeking grant funds for the purpose of continuing off-road enforcement activities in the unincorporated areas of San Bernardino County (County). Funds awarded will be used to provide off-highway vehicle law enforcement on peak off-road days, safeguard the desert habitat, and provide information and education materials to the public on the safe and legal use of off-road vehicles. Continuation of the off-road enforcement activities is contingent upon receiving grant funding.

In accordance with County Policy 05-13, approval from the Board of Supervisors (Board) is needed for grant applications requiring a governing board resolution. If awarded, the Department will seek Board approval to accept the funds under this Grant in accordance with the same policy. The Resolution identified in Recommendation No. 2 is required by the California Department of Parks and Recreation and approves the filing of the application by the County and certifies that the County understands its legal obligations, comprehends the applicable Public Resources Code pertaining to maintenance and conservation requirements, and understands the match requirements upon approval of the Grant. Additionally, the Resolution appoints the Sheriff/Coroner/Public Administrator as the County's agent to submit all documents related to this item and certifies that the County has notified the public and adjacent property owners (as applicable). The public and adjacent property owner notification requirements were met, as the Department posted the OHV information on the Department's website with a link to the State's OHV website for public comment for 60-days in March 2023.

The grant application was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be exempt from future environmental review in accordance with 14 California Code of Regulations §15061(b)(3), "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment," and 14 California Code of Regulations §15321(b) as law enforcement activities by peace officers acting under any law providing a criminal sanction. Approval of Recommendation Nos. 1 and 4 will fulfill the County's obligation under CEQA with the filing and posting of the Notice of Exemption by the Clerk of the Board.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Richard D. Luczak, Deputy County Counsel, 387-5455) on April 19, 2023; Finance (Erika Rodarte, Administrative Analyst, 387-4919) on April 24, 2023; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on April 24, 2023.

**Grant Application to the State of California, Department of Parks and Recreation for the Off-Highway Motor Vehicle Grant Program
May 9, 2023**

Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman

Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 9, 2023



cc: Sheriff-Dicus w/ NOE & Rec.
File - Sheriff w/ attachments

JLL 05/16/2023