

1 | Page
PARKS AND WILDLIFE COMMISSION POLICY
(January 8, 2012)
STATE OF COLORADO
DEPARTMENT OF NATURAL RESOURCES
COLORADO PARKS AND WILDLIFE DIVISION

Policy Number _____

SUBJECT: Colorado's Off-Highway Vehicle Good Management Program

Statutory Authority:

33-10-101	Legislative Declaration
33-11-101 to 33-11-112	Recreational Trails System Act of 1971
33-14.5-106	Off-highway Vehicle Recreational Fund

I. PURPOSE

The purpose of this Parks and Wildlife Commission (the Commission) policy is to acknowledge the importance of the Off-highway Vehicle (OHV) Good Management Program to maintain and promote motorized recreational opportunities throughout Colorado and to validate its priority standing in the OHV Grant Program.

II. HISTORY OF THE OFF-HIGHWAY VEHICLE TRAILS PROGRAM AND THE GOOD MANAGEMENT PROGRAM

With the passage of the Recreational Trails System Act in 1971, the Colorado General Assembly established the State's mandate to "provide for the needs of specialized recreational motor vehicles" in Colorado.

To implement the provisions of the Act, the General Assembly authorized the state to "...Coordinate trail plans and development among legal jurisdictions and with the state and federal governments; encourage where possible the development of trails on federal lands by the federal government; and promote at all levels of government a more complete use of all or any portion of public property for recreational purposes."

The 1989 House Bill 1329, titled "Concerning Vehicles Used for Recreation Purposes on Routes for Off-Highway Use", authorized the collection of registration fees for unlicensed off-highway vehicles used for recreational purposes and the collection of permit use fees for the operation of licensed vehicles on certain off-highway recreational routes. The implementation plan for HB 1329 recognized that while the program was to be administered by the Division of Parks and Outdoor Recreation, the vast majority of off-highway recreation occurred and would continue to occur on National Forest and Bureau of Land Management lands. The law also intended to promote stronger partnerships among the state and federal agencies through the use and distribution of the new funding stream as an essential component needed to fulfill the objectives of the off-highway vehicle program. These objectives were to enhance riding opportunities, protect sensitive resources, and promote tourism.

2 | Page
PARKS AND WILDLIFE COMMISSION POLICY
(January 8, 2012)
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COLORADO PARKS AND WILDLIFE DIVISION

HB 1329 established the Off-Highway Vehicle Recreation Fund where all the fees collected from the sale of off-highway registrations and use permits are deposited. The law specified that the fees were to be used “for information and awareness on the availability of off-highway vehicle recreation opportunities, for the promotion of off-highway vehicle safety, for the establishment and maintenance of off-highway vehicle routes, parking areas, and facilities, and for the purchase or lease of private land for the purposes of access to public land for uses consistent with the provisions of this article...”

The new funding source accelerated the development and adoption of designated off-highway vehicle trails. In 1985, a new federal Travel Management Rule (36 CFR 212) was introduced to provide resource protection by eliminating open, cross-country motorized travel on federal lands nationwide. The Travel Rule directed the Forest Service and the Bureau of Land Management to designate roads, trails and areas for public motorized use. The intent of the Travel Rule was to insure long-term sustainable use of federal lands by eliminating unmanaged OHV travel.

The OHV Good Management Program was borne out of a need to proactively maintain these newly designated, high-use, motorized recreation areas and to aggressively implement adopted travel management plans for those areas. The OHV Good Management Program was formally initiated with the execution of a Memorandum of Understanding titled “Good OHV Management: A Program for Continual Operations and Maintenance” between Colorado’s Division of Parks and Outdoor Recreation and the USDA Forest Service in 2001. The agreement acknowledged the need to actively manage motorized recreational opportunities in Colorado and the benefits in addressing those needs when and where they occurred.

The OHV Good Management Program institutionalized OHV grant funding mechanisms for federal grantees and their direct supporters who demonstrated an exceptional ability in the managing, operating and maintaining Colorado’s most popular OHV riding areas. The program provides a consistent and predictable level of funding so that federal agencies can attract and retain experienced trail crews for the operation and maintenance of their OHV riding areas. Since its inception in 2001, the trail crews supported by the OHV Good Management Program have grown from three (3) to seventeen (17).

III. ELIGIBILITY REQUIREMENTS FOR THE GOOD MANAGEMENT PROGRAM

Successful OHV Good Management Program grant applicants must demonstrate, over a consecutive period of three or more years, their ability to fulfill the fiscal and field objectives as presented in their annual OHV grant proposals and achieve all aspects of a Good Management Program. Good Management crews must take a holistic management approach that preserves riding opportunities while protecting sensitive resources within the areas they service. Service includes trail and support facility maintenance, and reconstruction, monitoring, signing, trail and signage inventory, education, mapping, compliance checks, and, in the case of the Forest Service, law enforcement. These trail crews use “best practices” to maintain and restore OHV riding areas.

3 | Page
PARKS AND WILDLIFE COMMISSION POLICY
(January 8, 2012)
STATE OF COLORADO
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Good Management trail crews must include at least two, but preferably three, full-time, seasonal crew members and must be deployed for at least five months during the summer and fall recreation seasons.

IV. FUNDING FOR THE GOOD MANAGEMENT PROGRAM

OHV Good Management crews are given first priority in funding through the OHV Grant Program because of their long standing attention to high-use OHV riding areas and their successful history of managing those areas. The costs and expenses for OHV Good Management crews are borne entirely by the Off-Highway Vehicle Recreation Fund.

Each existing and prospective grant recipient of OHV Good Management Program funding must submit a grant application for each grant cycle. Every Good Management Grant application is reviewed by the State Recreational Trails OHV Grant Review and Ranking Subcommittee. The subcommittee through its review must make either a favorable or unfavorable funding recommendation for that application. The subcommittee's recommendations are then moved to the State Recreational Trails Committee and the Parks and Wildlife Commission for final funding approvals.

Since the funding support for the program is from the Off-highway Vehicle Recreation Fund that is managed by the Colorado Parks and Wildlife Division, all equipment or tools with a retail value of \$5,000 or greater purchased with OHV funds are the property of the State of Colorado. Therefore, the state shall have the right of first refusal for those materials should any of the Good Management crews funded under the program cease to exist. All personnel shall be recruited, employed, and supervised by the federal land management agency that sponsors the OHV Good Management crew and that agency shall bear all administrative costs associated with those employees.

V. REVIEW OF GOOD MANAGEMENT PROGRAM BY THE STATE TRAILS PROGRAM

The Colorado Parks and Wildlife Division shall audit and review at least four OHV Good Management crews each year. The review shall include an audit of the condition of the riding areas, trails, and support facilities serviced by that OHV Good Management crew. In addition, the Colorado Parks and Wildlife Division shall review the fiscal management practices practiced by the OHV Good management crew to insure the grant funds and equipment purchased have been managed efficiently and conform to all applicable state and federal fiscal rules. The Colorado Parks and Wildlife Division may randomly inspect Good Management projects as the need arises.

Should an OHV Good Management crew be disqualified from Good Management status as a result of an annual audit, a representative of the organization that sponsors the OHV Good Management crew may appeal that decision before the State Recreational Trails

4 | Page
PARKS AND WILDLIFE COMMISSION POLICY
(January 8, 2012)
STATE OF COLORADO
DEPARTMENT OF NATURAL RESOURCES
COLORADO PARKS AND WILDLIFE DIVISION

Committee at the Committee's September quarterly meeting. The Committee shall render a final decision on that appeal at that meeting.

Should the Committee uphold the disqualification decision, the affected OHV Good Management crew shall be free to apply for a OHV Trails Grant in the competitive grant pool in the subsequent OHV grant cycle. In order to re-qualify under the Good Management Program that trail crew will need to demonstrate again, over a consecutive period of three or more years, the ability to fulfill the fiscal and field objectives as presented in their annual grant applications.

VI. STATE RECREATIONAL TRAILS COMMITTEE PROCEDURES FOR ITS ANNUAL REVIEW OF GOOD MANAGEMENT GRANT APPLICATIONS (Commission Policy A-104)

The State Recreational Trails Committee delegates the responsibility of reviewing and ranking the Off-highway Vehicle grant applications to the Off-highway Grant Review and Ranking Subcommittee as specified in the Commission's Policy A-104. In accordance with the protocols outlined in Policy A-104, the OHV Grant Review and Ranking Subcommittee shall:

1. At the start of each new OHV grant application cycle, convene in January for an OHV grant review orientation session and to review all OHV Good Management grant applications to initiate the annual OHV grant review process;
2. Review all new applications for OHV Good Management status or grant applications that seek to renew funding under the OHV Good Management Program from the previous year at the January meeting;
3. Finalize all funding recommendations for the OHV Good Management Program at the January meeting;
4. Receive all public comment on all new or existing grant applications for trail crews seeking OHV Good Management status and funding requests at the January meeting, and;
5. Schedule all public presentations on a selected number of OHV Good Management grant applications and for all competitive Off-Highway Vehicle trail grant applications.

The Subcommittee, at the end of the OHV grant review and ranking process, shall forward its ranking and funding recommendations on the Good Management Program and the competitive OHV grant applications to the Committee for its review and approval. Programs that receive approval for OHV Good Management status at the January meeting shall be informed of the subcommittee's intended recommendation immediately following the January meeting. These programs may elect to opt out of the

5 | Page
PARKS AND WILDLIFE COMMISSION POLICY
(January 8, 2012)
STATE OF COLORADO
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COLORADO PARKS AND WILDLIFE DIVISION

OHV Good Management Program to remain in the competitive pool of Off-Highway Vehicle grant applications for that grant cycle.

VII. GOOD MANAGEMENT PROGRAM POLICY

In recognition of the benefits provided to the State of Colorado and Colorado's federal land management partners, it is the policy of the Colorado Parks and Wildlife Commission that the Off-highway Vehicle Trail Grant Program funding provided by the Off-highway Vehicle Recreation Fund be directed on a priority basis to the OHV Good Management Program and qualifying OHV Good Management crews that remain in good standing with the OHV Good Management Program.

Commission Policy No. _____ is approved this _____ day of _____, 2012,
by:

Chair, Colorado Parks and Wildlife Commission