

Exhibit A
2005/2006 Grant Program
Funding Approvals Found Non-Compliant

To: Paul Spitler, Chair
Off-Highway Motor Vehicle Recreation Commission

Dated: January 26, 2006

The following discussion summarizes the Division's findings wherein Commission scoring and funding determinations are not supported by the factual evidence in the record, including the applications submitted and public testimony during the Commission hearing.

OR-1-B-57 - BLM - Bakersfield Field Office – Restoration Project

Revised upward the scores on second, third and fourth of the six criteria with no new facts presented in public testimony or indication by Commissioners as to facts in the application to support the revisions. This resulted in 75% funding rather than zero funding as determined by the Division's score.

OR-1-CD-311 – BLM - Needles - Law Enforcement Project

Revised downward the first, second, and sixth of the six criteria with no new factual information presented nor discussion as to the facts in the application to support the lower scores. This resulted in a zero funding determination rather than 45% funding as determined by the Division's score.

OR-1-CD-319 – BLM - Palm Springs South Coast Office - Trail Maintenance, Conservation, and Reroute Project

The overall score was revised upward from 24 to 95 with no factual support for any of the new scores given in each of the five criteria.

OR-1-CD-324 – BLM - El Centro Field Office - Law Enforcement Project

The overall score was revised downward from 62 to 57. The reason given by the moving Commissioner in the transcript was that the funding needed to be reduced, but not to zero, in order to stay within overall available funds. There was no discussion of facts relating to the criteria.

OR-1-CD-325 – BLM - El Centro Field Office – Restoration Project

Although the Agency provided additional facts to support increased scores for the 3rd, 4th, and 5th criteria, the increased scores for the 1st, 2nd, and 6th criteria were not supported or addressed. This resulted in increasing the overall score from 62 to 97, increasing the funding determination from 55% to 100%, without adequate factual support.

OR-1-CD-326 – BLM - El Centro Field Office - Facilities Operation and Maintenance Project

The overall score was reduced from 74 to 44, resulting in a zero funding determination, with no factual support or discussion other than a Commissioner comment that user fees are available to pay for the services. The availability of user fees is not a criterion provided in the evaluation process. Scores must be based on existing criteria and new or outside criteria may not be introduced at the time of final approval.

OR-1-CD-327 – BLM - El Centro Field Office – Planning Project

The overall score was increased from 22 to 52 with no factual support connected to the existing criteria. One Commissioner noted the applicant does not have the funds needed, which is not a criteria established for the evaluation process. While there was testimony of high public usage, the facts did not support the revised scores in all of the criteria categories.

OR-1-CD-328 – BLM - El Centro Field Office - Resource Management Projects

Commission revised scores downward from 61 to 46 resulting in zero funding without reference to factual discussion by the agency or the applications as related to the criteria. Only reason given by the moving Commissioner was a reference to a feeling that "...this is not something that we can afford at this point or even rank." without reference to or discussion concerning the criteria.

OR-1-CD-329 – BLM - California Desert District Office – Restoration Project

The overall score was increased from 32 to 97 points. Agency testimony added information concerning the 1st, 2nd, and 3rd criteria, but no new facts were introduced for the remainder other than a general statement by a Commissioner as to his personal observations, but without elaboration directed at the individual criteria.

OR-1-CD-335 - BLM - Ridgecrest Field Office – Restoration Project

The overall score was increased from 39 to 99 with minimal added factual support for the 1st and 4th criteria, but no new facts or discussion from the applications for the other score increases.

OR-734 – Camp Fire USA - OHV Safety or Education Project

The overall score was reduced to 56 from 91 total points. All the factual information and testimony supported the higher score as submitted. The Commission discussion centered on concerns about training younger children and on a request from a member of the public to fund at least 50% of the Division staff recommendation. Neither of these concerns is included in the evaluation criteria: thus, may not be used to allocate scores or funds.

OR-1-CD-339 – BLM - Ridgecrest Field Office – Equipment Project

The score was reduced from 62 to 42; the only Commission comment being that the funding situation would be helped by a local volunteer group, not a criteria to be used in scoring the application under the existing rules.

OR-1-CD-340 – BLM - Barstow Field Office - Law Enforcement Project

Overall score reduced from 79 to 59, resulting in reduction of funding from 65% to 45%, without factual discussion related to the criteria. Reason given by moving Commissioner was that funding not available and the northern grants would suffer, neither being appropriate reasons under the rules.

OR-1-CD-341 – BLM - Barstow Field Office - Facilities Operation and Maintenance Project

The overall score was reduced from 87 to 67 based a Commissioner comment that the Commission does not believe the visitor center will be ready. This was not a criteria and the factual evidence and testimony indicated significant usage in the area.

OR-1-NO-53 – BLM - Arcata Field Office – Restoration Project

Total score was increased to 95 from 27, with no additional testimony as to new facts. Commission based its score on Commissioner general comment that application and agency testimony supported the higher score in his opinion, without elaboration.

OR-1-NO-59 – BLM - Ukiah Field Office - Law Enforcement Project

Total score was decreased from 67 to 43 points with no reference to new facts or discussion of facts in the application to support the new scores. The general comment from the Chair was that there was insufficient funds to continue to fund law enforcement applications, which is not a criteria for scoring the applications.

OR-1-N0-62 – BLM - Redding Field Office - Resource Management Projects

Commission reduced the score to 43 from 68, with zero funding, with the comment that compared to another project, the other was superior. No new facts or discussion tied to the criteria was presented.

OR-1-NO-64 – BLM - Redding Field Office – Acquisition Project

Although the facts supported the submitted score of 81, the Commission reduced the score to 47, or zero funding. The comments from the Commission indicated that the reason for the lower score was that funds were no longer available, which is not a criteria for evaluating acquisition, thus may not be used to score the application and make a funding determination.

OR-1-SW-36 – BLM - CA State Office - Facilities Operation and Maintenance Projects

The overall score was reduced from 61, or 55% funding, to 50, or 45% funding, with no new facts or discussion of the application facts to support a change in scoring. The comments made by the members reflected factors other than the established criteria; such as failure to compare favorably with other projects and that funds were not sufficient to fully fund the project as submitted.

OR-2-E-68 – USFS - Eldorado National Forest - Law Enforcement Project

Scores were revised upwards from 70 to 89, resulting in funding increase from 65% to 75%, with no new facts presented or discussion related to the criteria. Commission discussion centered on motion for staff recommendation and how Forest would allocate the funds.

OR-2-E-69 – USFS - Eldorado National Forest - Trail Maintenance, Conservation, and Reroute Project

Commission revised scores from 79 to 45, with no discussion other than the project did not compare favorably with others, despite discussion of an urgent need for maintenance, but without specific facts to support the conclusion.

OR-2-E-70 – USFS - Eldorado National Forest – Restoration Project

Score was revised upward from 45 to 97, with no new facts or discussion of facts related to the criteria. The Commission comments concluded that the benefits of restoration were undervalued by the scores but with no factual reference or discussion.

OR-2-HT-13 – USFS - Humboldt-Toiyabe National Forest - Equipment Projects

Commission reduced score from 61 to 0, with no factual discussion related to the criteria. The commission comments related to other than established criteria, such as; this being an area where a proposed wilderness was opened to snowmobiles, no citations being issued, and how can there be snowmobiles in a wilderness area.

OR-2-I-70 – USFS - Inyo National Forest - Law Enforcement Project

The score was reduced from 78 to 53 with no discussion referencing the established criteria.

OR-2-LA-87 – USFS - Lassen National Forest - Law Enforcement Project

Score reduced from 69 to 44, with new facts supporting even higher scores. Commission discussion centered on available funding and small number of public contacts, warnings, and citations, neither being established criteria.

OR-2-LA-90 – USFS - Lassen National Forest – Restoration Project

Scores were increased from 69 to 96 with no new facts or discussion centered on the criteria. Discussion centered on available funds.

OR-2-LA-92 – USFS - Lassen National Forest - Resource Management Project

Commission reduced score from 71 to 41, with significant revisions to 2nd and 4th criteria but no new facts or discussion, other than reference to other more pressing applications, which is not a criterion.

OR-2-LTB-56 – Lake Tahoe Basin Management Unit - Law Enforcement Project

Overall score was reduced from 75 to 45, resulting in zero funding, with no new factual presentation or discussion related to the established criteria.

OR-2-LTB-57 – Lake Tahoe Basin Management Unit - Restoration Project

Overall score was increased from 47 to 96, with no new factual discussion or discussion of application factual support related to the criteria.

OR-2-ST-63 – USFS - Stanislaus National Forest - Law Enforcement Project

Overall score was reduced from 41 to 0, which resulted in no change in funding determination. The factual discussion supported the existing, or possibly a higher score on some of the criteria, but overall, there was no factual discussion supporting the changed scores.

OR-2-ST-64 – USFS - Stanislaus National Forest – Restoration Project

Overall score was increased from 48 to 93, with no factual references to the established criteria.

OR-2-ST-66 – USFS - Stanislaus National Forest - Development Project

Overall score was reduced from 56 to 47 on a single criteria to eliminate funding for the application with out factual discussion referenced to the criteria.

OR-2-ST-67 – USFS - Stanislaus National Forest - Planning Project

Score was increased from 12 to 55 with no factual discussion referencing the criteria.

OR-2-T-93 – USFS - Tahoe National Forest; Law Enforcement Project

Overall score was reduced from 89 to 77 based on discussion of how many points required to achieve a certain level of funding rather than a factual discussion related to the criteria.

OR-2-T-96 – USFS - Tahoe National Forest - Restoration Project

Overall score increase from 62 to 92 with no factual discussion referencing the criteria.

OR-726 – Alpine County Sheriff - Equipment Project

Overall score increase from 28 to 55 with no factual discussion referencing the criteria. Commission discussion in support of the scoring revisions was centered on county being small and the need to provide some equipment money, neither of which is an established criteria.

OR-728 – Colusa County Sheriff - Law Enforcement Project

Revised score upward from 72 to 95 with no factual discussion referencing the established criteria or new facts from testimony.

OR-737 – Calaveras County Sheriff - Law Enforcement Project

Overall score was increased from 50 to 95. While five of the six criteria scores were supported by extensive public testimony, the sixth criteria concerning volunteer use was increased from 3.3 to 14 points with no factual support whatsoever.

OR-738 – Calaveras County Sheriff - Law Enforcement (Interface) Project

Overall score was increased from 50 to 96. However, two of the six criteria score revisions were not supported by the factual discussion, including the volunteer criteria similar to that discussed in OR-737 above.

OR-744 – Plumas County Sheriff - Law enforcement Project

Overall score was increased from 52 to 95 with no factual discussion referenced to the existing criteria on four of the six criteria. The other two were supported by public testimony providing added facts to the consideration.

OR-747 – Tuolumne County Sheriff - Law Enforcement Project

The score was increased from 40 to 95 based on agency testimony that supported only four of the six criteria. The other two criteria, staffing and volunteers, were rescored with no factual discussion referenced or new testimony.

OR-750 – Trinity County Resource Conservation District – Restoration Project

Overall score was increased from 47 to 96 with no factual discussion referencing the established criteria. Where there was a referenced discussion, the testimony noted that the project could not be connected to OHV recreation use.

OR-753 – Town of Yucca Valley - Law Enforcement Project

Overall score was increased from 57 to 95 with no factual discussion referencing the established criteria.

OR-760 – San Bernardino County Sheriff (Barstow) - Law Enforcement Project

Overall score was increased from 61 to 96 with no factual discussion referencing the established criteria.

OR-762 – Nevada County Sheriff - Law Enforcement Project

Overall score was reduced from 64 to 50. Only one criteria received factually related discussion of number of visitors to the amount of funds requested. Otherwise, the discussion centered on the fact this was the first time the applicant had come before the Commission.

OR-767 – Butte County Sheriff - Law Enforcement Project

Overall score was increased from 76 to 91. However, two of the criteria scores were increased with no factual discussion, while one was increased with reference to public information, which was not a listed consideration for that criteria.