

**NEVADA OFF-HIGHWAY VEHICLES PROGRAM**  
**GRANT APPLICATION**  
**Nevada Commission on Off-Highway Vehicles**  
**Nevada Department of Conservation and Natural Resources**

This application has FIVE sections which are all REQUIRED to be filled out in full. To avoid disqualification, all application areas must be concise and complete; certifications must be signed and dated. Applications missing required information will be returned to applicants for correction if identified before submission deadline for resubmittal before the deadline.

**SECTION I - PROJECT AND APPLICANT INFORMATION**

1. **Project Name:** Railroad Safety Awareness for OHV's
2. **Project Timeline:** Calendar Year 2024
3. **Applicant Name:** Rail Aware Inc.

Mailing address: 5990 Zephyr Lane Fallon NV 89406  
Phone: 775-830-8173  
Email: rich@railaware.org

4. **Classification of Applicant:** *(check one)*

- Partnership
- Non-Profit
- For-Profit
- Individual
- Federal
- State
- County
- Local
- Municipal
- Other (specify): add here.

*If legal entity, must include proof of good standing in the entity's state of incorporation is required.*

[\(NAC 490.1345\)](#)



Applicant Signature  
**(Chairperson/President/Authorized Official)**



Date

**5. Project Manager:** Richard Gent

Mailing address:5990 Zephyr Lane Fallon NV 89406

Phone:775-830-8173

Email:rich@railaware.org

**Alternate Contact:** Chad Marsh

Mailing address:121 Red Oak Court Fernley, NV

Phone:775-691-2404

Email:Chadcert@gmail.com

**6. Classification of Land Control:** (*check all that apply*)

Federally Managed Public Land (see **Note\*** below)

County

City

Private Land [Click or tap here to enter text.](#)

Lease: Attach copy of lease with expiration date.

R&PP: Attach copy of lease with expiration date.

Other (specify):Not applicable

*\*NOTE: If the proposed project is to be carried out on public land, attach any applicable written agreement with any government entity having jurisdiction over that land, including permits, leases, easements, and rights-of-way. ([NAC 490.135](#))*

**7. Landowner / Public Lands Manager** Not applicable

Mailing address: [Click or tap here to enter text.](#)

Phone: [Click or tap here to enter text.](#)

Email: [Click or tap here to enter text.](#)

**8. The Landowner (Public Lands Manager) Must provide a letter that includes:**

a) For Public Lands - A letter of support for impacting the land from the governmental entity having jurisdiction. ([NAC 490.135](#))

b) For Private Land – Documented Interest in the land - *Proof of ownership, lease, rental, easement, right-of-way, written agreement or other legal instrument, scope inclusive to document ability to complete the proposed project; and to operate and maintain the proposed project for a period of not less than 25 years after its completion or for the normal life of the project, whichever is longer.*

**9. Project Costs:**

**List grant request and matching funds directly related to the project:**

State OHV Grant Request: \$3162.00

Matching Funds: \$5075.00

Total Project Amount: \$8237.00

**10. What are the sources or Partners for your leveraged (matching) funds?**

- Federal
- Private
- In-kind
- City
- County
- Other: Describe additional funding source(s) [Click or tap here to enter text.](#)

**11. Contemporary letters of support are required (attach to grant proposal):**

- a) Provide documentation from **Project Partners**, if not included elsewhere in this application, agreeing to provide matching funds or effort.
- b) TWO Letters of support from Non-profit organizations.

**12. Project Type: check all that apply: [\(NRS 490.069 Sec.2c\)](#)**

- Studies or planning for trails and facilities for use by owners and operators of off-highway vehicles.
- Mapping and signing of trails and facilities.
- Acquisition of land for trails and facilities.
- Reconstruction, enhancement or maintenance of existing trails and facilities.
- Construction of new trails and facilities.
- Restoration of areas that have been damaged by the use of off-highway vehicles.
- The construction of trail features and features ancillary to a trail.
- Safety training and education related to the use of off highway vehicles and registration.
- Efforts to improve compliance with and enforcement of the requirements relating to off-highway vehicles. ([OHV Enforcement Statistics Form](#) & [NRS 490 Memo](#))

**13. TRAIL or FACILITY USERS:**

Describe how this project impacts other trail users, communities, or others in outdoor recreation, include conflict mitigation strategy if necessary

Any community who has a community member involved in a train-vehicle or train pedestrian incident asks how could this happen? One of the many reasons is due to the fact that the average individual does not understand the dangers of railroad operations. This grant will allow us to

educate the OHV community on rail public safety which in turn can be spread by word of mouth to family members and others within the community.

#### **14. SCOPE of WORK:**

- a) Provide description of project, with quantitative goals including applicable components e.g., studies, planning, mapping, trail & facility description, course or service provided, equipment maintenance, storage. storage studies, if applicable

Project: Railroad Safety Awareness for OHV's

Goal 1: Provide railroad public safety awareness training to the Nevada Off Highway Vehicle (OHV) community.

Objective A: within 3 months for Authority To Proceed (ATP), determine social media used by all NV OHV users. Provide Nevada Commission on Off-Highway Vehicles decision makers ("The Commission") with proposed rail/OHV public safety social media outreach and, when approved, place on social media platform (e.g.facebook)

Objective B: within 1 month from ATP, provide "The Commission" with proposed roll up banners to be placed in commercial OHV sales/service locations. Within 2 months from ATP, contact commercial sales/service locations statewide to determine willingness. Within 4 to 11 months from ATP, place roll up banners at commercial locations for 1 month with option to revisit.

Objective C: Within 8 months from ATP, locate one OHV event or location that is near or uses railroad property (possibly Lincoln County), set up outreach event in the community or at trail head during probable use time (weekend) with information on rail OHV public safety information/rail safety promotional items.

Goal 2: Review all NV OHV trail maps posted on webpage ([ohv.nv.gov/trails](http://ohv.nv.gov/trails)) as it relates to proximity to railroads and provide "The Commission" with the impact to the safety of OHV users.

Objective A: Within 6 month from ATP review all maps and provide "The Commission" with any potential issues related to proximity of railroad operations for consideration and possible action.



Goal 3: Provide the opportunity for Bureau of Land Management (BLM) law enforcement to receive rail public safety training and associated instruction as it relates to OHV use near railroad property.

Objective A: Within 5 months from ATP, contact Nevada BLM leadership in Carson City to determine interest in this opportunity. If BLM leadership is interested in this opportunity, this allows us 7 months to develop training schedule and provide training to all applicable field offices in the State.

b) What is the timeline for completing this project within 24 months of an award. ([NAC 490.1375](#)):

As identified in the Objectives and Goals section above, we believe we can accomplish all goals within a 12 month period. Should unforeseen issues arise, we will contact “The Commission” to determine best steps if additional time is required.

**15. STANDARDS/GUIDELINES - that will be applied to your project:**

a) How does your project conform to *Local, County, State or Federal* guidelines, plans, processes, or zoning?

A review of Nevada Revised Statutes has two applicable statutes: NRS 484B.553 Obedience to signal indicating approach of railroad train or other on track equipment and NRS 207.200 Unlawful trespass upon land; warning against trespass. Private railroad crossings are controlled through agreement with the private land owner and the railroad.

**16. Has the applicant received funding from the OHV Program in the past?**

No

Yes, if yes, complete the questions below:

Number of Projects Funded: Click or tap here to enter text.

Amount of Funding Received: Click or tap here to enter text.

Number of Projects Completed: Click or tap here to enter text.

**SECTION II – LOCATION, MAPS, PHOTOS**

**Project Location:**

County: Statewide

Nearest Municipality/Town/City: Click or tap here to enter text.

Center of project: Latitude & Longitude: Click or tap here to enter text.

Include Electronic Files: (.KMZ/.KML .GPX or SHP)

### **Required Maps:**

For all maps, include a legend, north arrow, scale, and map name. Topographic maps preferred and maps larger than 11"x17" will not be accepted. You may include *additional* aerial/google maps.

1. General location map (showing project area within the state or county)
2. Detail map indicating specific project elements (e.g., structures, trail alignment)

### **Attach the following photographs:**

At least two (2) overviews of the project area from different angles and distances.

**NOTE:** Good photographs at trail level and google aerials help the scoring committee to understand the location, depth and breadth of your project.

## **SECTION III – FEDERAL LANDS OR OTHER**

### **Federal Environmental Compliance:**

**A. If Federal funds or Land are a part of the project and NEPA was completed,** indicate which document was produced, and **attach the decision document to this application:**

- Record of Decision (ROD)
- Finding of No Significant Impact (FONSI)
- Categorical Exclusion (CX)
- SHPO 106 compliance/concurrence letter
- Other compliance documents already completed. (do not attach the EA or EIS)
- Not applicable

## **SECTION IV - BUDGET**

**Proposed Budget:** Provide your budget details to include, at a minimum, the items in the following table. You may create your own spreadsheet and attach to the application.

Your budget must align clearly with your scope of work from Section 1, #14. Be specific, as your application will rate higher.

Reminder: Include all sources of funds for the completion of the project including federal, in-kind, private/city/county and state funds.

Attach copies of estimates to support your budget and identify what each contract will include.

**EXAMPLE BUDGET**

Item Description	OHV Grant Request	Matching Funds / Contributor	Total Cost
<b>Contracts: Environmental studies</b>			
<b>Contracts: design, engineering &amp; construction</b>			
<b>Direct labor costs: Salaries, including fringe, actual costs</b>			
<b>Volunteer or donated labor/in-kind</b>  <b># Hrs. skilled labor @\$27.20/hr.</b> <b>Note: Not required but is important for scoring higher</b>			
<b>Purchase or rental of equipment - Specify type of equipment – cost- # of days. Attach estimate or quote.</b>			
<b>Materials – Purchase or rental of materials for project</b>			
<b>Travel Costs, Hotel Nights, Per-diem</b>			
<b>Vehicle gas and maintenance standard is now at .655 per mile. Estimate miles.</b>			
<b>Other: (Specify)</b>			
<b>Totals</b>			
<b>Percentages</b>			<b>100%</b>



## SECTION V – PRIORITIES AND SCORING NARRATIVE

Grants will be scored based on answers to the Ten (10) criteria listed below. Each criteria carries a weight determined by the OHV Commission and voted upon during the public meeting for this application. See grant scoring sheet , with Grant announcement for weights.

- 1. Planning, Environmental Studies, Conservation:** *Describe how the environmental studies, conservation and/or planning will mitigate resources impacted by OHV recreation. How will your project contribute to the conservation of our natural resources, while enhancing OHV opportunities?* ([NRS 490.069 2.\(c\).1,6,7](#))

Planning an OHV trail that may cross or be near railroad operations requires a full understanding of idiosyncrasies of railroad crossings (public and private) as well as railroad private property. We would like to be available to all OHV planners (to include snowmobiles) to answer generic railroad public safety concerns or put planners in contact with the correct railroad authority or State agency to answer any railroad public safety questions or concerns.

- 2. Trail mapping and signing of existing trails and facilities:** *If a mapping component is included in the grant, describe how it will be integrated with the current web mapping application found on OHV.NV.GOV* ([NRS 490.069 2.\(c\).2](#))

Initial review of one map on OHV.NV.GOV, specifically Rye Patch, shows unimproved roads dangerously close to or physically on private railroad maintenance of way roads. Although there is a caveat stating unimproved roads are not authorized, this could imply that the use of private railroad maintenance of way roads is legal for OHV's. It is not and places OHV operators in harm's way. We would like to review all OHV.NV.GOV maps, identify locations near railroad tracks, and determine the best method to help keep OHV operators away from railroad operations.

- 3. Demand for New Facilities:** *Provide justification for NEW facility/program development: restrooms, trails, signs, and other amenities.* ([NRS 490.069 2.\(c\) 3,4](#))

Not Applicable

- 4. Enhancement or Maintenance of existing trails and facilities:** *How will maintenance needs be prioritized and how often will your project hold a maintenance/ trails enhancement event? HOW will your project be maintained and WHO has committed to the ongoing maintenance of the facility or trail (note: a minimum of 2 maintenance/ trail events are required per year).* ([NRS 490.069 2.\(c\) 3,4,5,6](#))

Not Applicable

- 5. Connectivity/Loops:** *How will the project impact connectivity of OHV trails, facilities, and local communities? Include maps of areas impacted by your project and describe those impacts.* ([NRS 490.069 2.\(c\) 2,5,6](#))



This project will help keep local community OHV operators safe. By keeping OHV operators from a train-vehicle incident it will also keep first responders from responding to a horrific situation should a OHV be hit by a train.

6. **Access:** *Describe how your project improves OHV access in the project area. Explain what access/opportunities would be lost or restricted if the project does not occur. ([NRS 490.069 2.\(c\) 6,7](#))*

Should a OHV find itself stuck on the tracks crossing where there is not a legal crossing, the operator could find him/herself not only getting a ticket but paying for repair of any damages or cost of holding up trains. The cost of this may result in such a financial loss that the recreation of OHV riding may not be worth it.

7. **Training:** *Describe the goals and objectives of your public safety training program. Is it a nationally recognized certification? What sets your safety training program apart from the others? ([NRS 490.069, 8](#))*

A initial internet search on dedicated OHV rail safety education showed only one attempt in Canada to address Off Highway Vehicle use and railroad public safety. There are several rail public safety organization that could provide generic rail public safety information. However, to our knowledge, Rail Aware, Inc would be the only organization in the nation to tailor OHV rail safety education. Additionally, we know Nevada.

8. **Law Enforcement Strategy that addresses registration enforcement, including Public Education & Outreach aimed at increasing renewals and new registrations:** *How will your project increase the number of OHV registrations on the district. How will the equipment and time be used to increase OHV safety and awareness? Reference the Law Enforcement Statistics reporting form. ([NRS 490.069 2.\(c\) 8, 9](#))*

The Bureau of Land Management (BLM) webpage on law enforcement (<https://www.blm.gov/programs/law-enforcement>) specifically cites interaction with off highway vehicle users and trespass. We would like to provide the opportunity to educate BLM law enforcement on railroad operations and safety tailored to OHV use. We would modify our existing law enforcement training called "5 minutes or fame" which only takes 5 to 10 minutes of uniformed officers time to understand the basics of railroad public safety. We would modify this training to reflect OHV use to ensure BLM law enforcement understand all matter related to compliance with requirements related to railroad operations and OHV use.

9. **Partnering and Leverage:** *Who else is involved in this project? Describe outreach with stakeholders, partners and local governments, that you have communicated with in planning this project. ([490.068, 3 \(a\) 2,3](#))*

We have partnered with Nevada's rail safety and security organization: Hot Rail LLC. Additionally, the National Rail Safety Alliance has agreed to assist with rail safety education.

10. **Economic Integration:** *How will this project improve OHV recreation opportunities that help local, regional, or state economies grow? ([NRS 490.069 2.\(c\) 7, 5](#))*

Ensuring OHV operators comply with existing laws, respect private property and are safe always opens up more doors to recreation opportunities and improve the OHV experience. Railroad public safety, although not on the top of the list of OHV safety issues, provides OHV operators with this safety knowledge.

Title: Railroad Safety Awareness for OHV's

ITEM DESCRIPTION	OHV GRANT REQUEST	MATCHING FUNDS/CONTRIBUTOR	TOTAL COST
Goal 1: Social media "advertisement" development and posting			
Goal 1.0: Direct Labor costs for social media development	\$300.00	\$300.00/Hot Rail LLC matching funds	\$600.00
Goal 1.0: Volunteer labor (est 10 hours @ 27.70) social media	\$0.00	\$272.00	272.00
Goal 1.1: Materials; Roll up banner 1 x \$250 (need 2)	\$500.00	\$0.00	\$500.00
Goal 1.1: Roll up banner placement travel to 1. Reno (126 miles = \$82) 2. Winnemucca (Wmca) (256 miles = \$168) 3. Elko (504 miles = \$330)	\$580.00	\$120.00/Hot Rail LLC shipping/volunteer in-kind (est. 30 hours)	\$700.00
Goal 1.1 Roll up banner placement shipping to/fm Las Vegas	\$0.00	\$120.00/Hot Rail LLC shipping	\$120.00
Goal 1.1 Roll up banner placement Las Vegas Volunteer labor (est 6 hours)	\$0.00	\$166.00	\$166.00
Goal 1.2: 1 x OHV public safety event: Lincoln County transportation to Caliente (734 miles = \$481.00)	\$481.00	\$0.00	\$481.00
Goal 1.2: 1 x OHV public safety event: Lincoln County: lodging (RV park is cheaper)	\$70.00	\$0.00	\$70.00
Goal 1.2: 1 x OHV public safety event: Lincoln County: Volunteer labor (est 30 hours)	\$0.00	\$816.00	\$816.00
Goal 1.2: 1 x OHV public safety event: Lincoln County: Direct labor (est 8 hours @ \$50/hour)	\$400.00	\$0.00	\$400.00
Goal 1: Goal 1.2: 1 x OHV public safety event: Lincoln County: promotional items	\$0.00	\$350.00/Rail Aware.inc	\$350.00
Goal 2.0: Review of NV OTS Maps			
Goal 2.0: Review of NV OTS maps direct labor cost(6 labor hours @ \$50.00/hour)	\$0.00	\$300.00/Hot Rail LLC	\$300.00



Goal 3: NV BLM law enforcement training initial coordination, Carson City. Transportation	\$0.00	\$194.00/Rail Aware.inc/volunteer in-kind (est. 7 hours)	\$82.00
ITEM DESCRIPTION	OHV GRANT REQUEST	MATCHING FUNDS/CONTRIBUTOR	TOTAL COST
Goal 3.0: NV BLM law enforcement training: travel to Carson City briefing 124 miles = \$81.00	\$81.00	0.00	81.00
Goal 3.1: NV BLM law enforcement, Statewide (if accepted by BLM). Travel/ consolidated volunteer hours est 45 hours = \$1246.50		\$1247.00/volunteer in-kind	\$1247.00
Goal 3.1: NV BLM law enforcement, Statewide (if accepted by BLM). Presentation prep/briefing time (est 10 hours direct labor)	10 hours @\$50/hour = \$500.00		\$500.00
Goal 3.1: NV BLM law enforcement, Statewide (if accepted by BLM). Travel to Battle Mtn mileage (352 miles)		\$231.00/Rail Aware, Inc.	\$231.00
Goal 3.1: NV BLM law enforcement, Statewide (if accepted by BLM). Travel to Elko (504 miles)		\$330.00/Rail Aware, Inc	\$330.00
Goal 3.1: NV BLM law enforcement, Statewide (if accepted by BLM). Travel to Wnmca (256 miles)		\$168.00/Rail Aware, Inc.	\$168.00
Goal 3.1: NV BLM law enforcement, Statewide (if accepted by BLM). Travel to Vegas (772 miles)		\$505.00/Rail Aware, Inc.	\$505.00
Goal 3.1: NV BLM law enforcement, Statewide (if accepted by BLM). Travel to Vegas: Lodging (Elko, est.)		\$150.00/Rail Aware, Inc.	\$150.00
Miscellaneous Other Direct Costs upon approval	\$250.00	\$0.00	\$250.00
Total Costs	\$3162.00	\$5075.00	\$8237.00
			100%



January 5, 2024

Department of Conservation and Natural Resources  
901 S. Stewart Street.  
Carson City, Nevada 89701  
Subject: OHV Rail Safety Education Grant

To Whom it May Concern:

The National Rail Safety Alliance, a national non-profit public rail safety education program, fully supports the efforts of the Nevada Rail Auxiliary. This organization has the knowledge and experience to provide rail safety education for those in law enforcement.

Their origins go back to sponsorship by the Washoe County Sheriff's Office in 2016. Through this program, in addition to public rail safety education and awareness, the Rail Auxiliary Team provides rail safety training tailored to law enforcement. Law enforcement organizations to receive this training include the Sparks Police Department, Reno Police Department, Pershing County Sheriff's Office, and Fallon Police Department.

We highly recommend the Nevada Rail Auxiliary and the initiative to reach out to the Nevada Bureau of Land Management law enforcement as it relates to off highway vehicle use.

Please contact me with any comments or questions concerning this letter of recommendation for Nevada Rail Auxiliary.

Sincerely,

*Vern Keeslar*

Vern Keeslar  
Board of Directors, Chair



31 December 2023

Department of Conservation and Natural Resources  
901 S. Stewart Street.  
Carson City, Nevada 89701

Subject: OHV Rail Safety Education Grant.

The Nevada Offroad Association (NVORA) supports the grant application submitted by Richard Gent to provide educational outreach through the Rail Aware program. Rail Aware and the Nevada Rail Auxiliary Team (RAT) came to NVORA's attention two days before our 2022 Offroad summit in Minden Nevada. Unfortunately, the weekend before a father and son were killed in a fiery crash with a railroad 200-ton locomotive pulling a full load. It is believed the crash was the result of the operators being unable to get out from between the rails.

Mr. Gent reached out to us, and we made some immediate changes to the schedule to accommodate his educational program. He has since become our go-to expert on reducing the conflicts between OHV and railroad rolling stock.

It is this awareness we at NVORA embrace and include in any decision we have influence within, and work to convey the messaging to areas, like Lincoln County Nevada, where riding within railroad property, albeit trespassing, is a common practice, and we hope to slowly steer local users, and first time visitors away from this dangerous practice.

It is through the efforts and partnership identified projects, like Rail Aware program that we create

a

Respectfully,

Mathew D. Giltner  
Executive Director  
Nevada Offroad Association

Alexis Nelson  
Associate Director  
Nevada Offroad Association

genuine force multiplier to our allied stakeholders, and our federal agencies tasked with managing vast amounts of Nevada's Public Lands.

Nevada Offroad Association  
PO Box 1111 • Carson City NV 89701  
Nevadaoffroad.us • Info@nevadaoffroad.us • 775.430.0000



# Hot Rail LLC

Innovative Rail Safety and Security Solutions  
www.hotrailgroup.com

A disabled veteran owned business

20 December 2023

Subject: Letter of support for the Nevada Off-Highway Vehicle (OHV) Program Grant

1. Hot Rail LLC is proud to be part of the need to keep all Nevadan's safe around railroad operations. Unfortunately, in Nevada this last year we have seen a significant increase in train-pedestrian and train-vehicle collisions. In preparing to support the need for OHV rail safety education, we did research of the Federal Railroad Administration (FRA) database. It shows the most recent incident where two off highway vehicle operators were hit while driving on the train tracks in Clark County. The FRA database does not include the near misses and the times OHV's found themselves stuck on the tracks; a fact well known to all railroaders.
2. We have agreed to contribute financially, provide administrative support and personnel to assist the non-profit organization Rail Aware, Inc. in this effort to keep Nevada's Off Highway Vehicle users safe around railroad operations.

Sincerely,



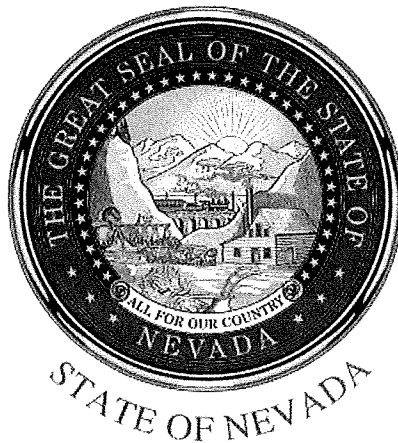
Tania Pomeroy

Managing Director, Hot Rail LLC

55 South Main Street

Fallon, NV 89406

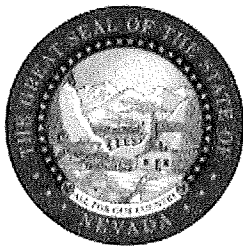
# SECRETARY OF STATE



## CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, FRANCISCO V. AGUILAR, the duly qualified and elected Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, non-profit corporations, corporations sole, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **Rail Aware Inc.**, as a DOMESTIC NONPROFIT CORPORATION (82) duly organized or formed and existing, or duly qualified or registered, as applicable, under and by virtue of the laws of the State of Nevada since 08/30/2023, and is in good standing in this state.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on 01/04/2024.

Handwritten signature of Francisco V. Aguilar.

FRANCISCO V. AGUILAR  
Secretary of State

Certificate Number: B202401044245366

You may verify this certificate  
online at <http://www.nvsos.gov>