

I'm happy to see the Forest prioritizing OHV enforcement at popular OHV areas, especially Barrett Lake Jeep Trail and Rubicon Trail. As a regular Rubicon volunteer, I particularly appreciate the Rubicon-related education/enforcement portions of this grant – that includes the Rubicon Trail itself, its trailheads, and access roads. In specific context to the Rubicon Trail, I did not see much LEO presence from ENF forest protection officers and LEOs on the trail in 2009, but I look forward to it in 2010. The LEO presence that I did see was principally limited to traffic enforcement on Highway 50, Icehouse Road, and Wentworth Springs Road. Enforcement is more than just a simple issue of quantity (though working up from nearly nothing, that would seem to be an improvement) – we need balanced enforcement displaying appropriate levels of both social and professional interaction. Most of this is in line with the verbiage in this grant which lists a focus on enforcing restrictions on traveling on designated routes, wet weather and other seasonal closures, prohibiting wilderness incursions as well as various vehicle code requirements. This balanced approach makes more sense than the excessive focus we've seen in the past on registration and insurance (in the case of street-registered vehicles). While I understand that license/registration checks are necessary, I hope that ENF enforcement efforts will give higher-priority to enforcing against something more impactful than these 'paperwork' violations. As well, we need something closer to 'community enforcement' of all Forest Users, and not heavy-handed enforcement that unfairly focuses on OHV users while allowing other users to simply drive by. OHV grant funding needs to protect OHV *resources* without focusing unfairly on OHV *users* to the exclusion of other ENF users.

Generally, beyond the access routes, I have not seen much OHV enforcement on the actual 4x4 and OHV trails and would hope that this will change as a result of funding this grant – indeed, much of my support is contingent upon it. Some LEOs believe that a highly-modified 4x4 vehicle is critical for enforcing OHV routes, but time and time again we find that officers on foot bring provide the best education and enforcement, followed a distant second by officers on motorcycles or quads. Frankly, I think that 4x4s insulate the officers when they are on the trail and impair their ability to contact, engage, and be most effective. One set of priorities that I don't think are particularly of value is the stated intention to focus patrols on "sensitive ecological areas include meadows, streams and stream crossings along designated routes, sensitive plant occurrences and sensitive wildlife habitat identified through the travel management analysis, and sensitive cultural resources close to designated roads and trails." Unless these resources are receiving active abuse from OHV users specifically, I believe that focused patrols on nearby roads and OHV trails could keep education and enforcement officers in the area to engage as necessary for any OHV violations on these sites. It makes little sense to me to prioritize enforcement on empty, unmarked, untrafficked sites, otherwise.

I continue to be disappointed to see how few motorized routes remain on this Forest after completion of the FEIS and ROD that came out of ENF's Route Designation / Travel Management process, which is one of the reasons why I'm still working with Public Lands for the People in their lawsuit against ENF's Route Designation actions. OHV lost thousands of miles of access to roads and trails in ENF but there have been no meaningful changes to Forest staffing to reflect how many fewer miles now need maintained or patrolled, and how many fewer months those services are needed courtesy of seasonal closures. I am also disappointed at how little of the Forest is left to cross-over uses such as OHVs used over-the-snow in the FEIS/ROD. Seasonal closures and 'Managing away' (a.k.a. 'closing) roads to use by wheeled vehicles over-the-snow has lost us access to hundreds/thousands of miles of access to OHV opportunity, but ENF's funding requests continue unabated... you'd think that fewer miles of opportunity might correspond to fewer grant dollars required, but that certainly isn't reflected in ENF's grant requests. Let's hope that the funds requested will result in a higher level of service on the routes that survived Travel Management.

I'm surprised not to see better documentation of ENF's Over Snow Vehicle (OSV) program, and I suspect that further grant funding would be available in future years if ENF documented this program more thoroughly. I definitely hope to see better documentation of OSVs and over-the-snow OHVs in future grant cycles.

Though I'm most involved with 4x4 OHV recreation, and Travel Management lost us thousands of miles and about a third of the year's worth of access to what trails are left, I am increasingly concerned about the loss of high-quality single-track motorcycle experiences on all public land, and especially in the ENF. I hope that the enforcement efforts documented in this grant proposal will be matched with an ongoing effort to add access to trails (especially single-track) that were missed during Travel Management. All Forests have repeatedly emphasized that the FEIS and ROD are not the end, but rather, are the beginning of a continued management process that will include annual consideration and review of routes for addition into the Forests' System of Roads and Trails. Other Forests have fallen short of this commitment for annual review, but I hope that ENF will deliver on their commitments. I'm particularly interested in documenting the routes along Rubicon Trail that were excluded from consideration during Route Designation, when USFS elected not to consider routes near Rubicon because they deemed it to be a County Road. While the road itself is a public highway through El Dorado and Placer Counties, these stub roads off of it are indeed historic routes on USFS property that should have been considered for inclusion into ENF's System of Roads and Trails.

I continue to support ENF's emphasis on engaging enforcement through education, working with local user groups, and hope to see this continue and expand. Informational open houses at major trailheads would work particularly well – depending on the season, a hot cup of coffee or a cold bottle of water are great icebreakers between ENF staff and users, especially with so many rules changed as a result of Route Designation. Informal on-site forums like this will be invaluable to communicating rules changes to users, most of whom would try to be legal in the midst of an inscrutable system of seemingly ever-changing rules. This sort of visible appearance at trailheads not only helps with educating on changes in rules, but sends a visibly message to criminals that Forest staff is meaningfully on the trails. Local club meetings are another great way to get education out, and prioritizing attendance by a ENF representative will pay huge dividends in user awareness and buy-in. Please reach out to local clubs in the next years!

It is incredibly frustrating that ENF delivered such a minimal MVUM map after the OHV trust fund pumped twelve million dollars into the statewide USFS Travel Management process. ENF needs to deliver a USABLE document with lake, river, peak, campground, topo, and other context, and it is unconscionable to even consider following the Region's strategy of charging extra for the type of usable map OHV users should have received in the first place. I appreciate that ENF use many methods of communication to reach its various users, but they have a long ways to go before they can claim to be successfully communicating with the motoring public. Hopefully funding this grant will move them well towards this goal.

Most of the Direct Expense Line Items look fair, but I am concerned about the following entries:

- The numbers listed in the budget line item table do not correspond 1:1 to the numbers stated in the expository section of the grant application (check LEO patrol days, FPO person days), and the line item table contains additional positions not discussed in the expository section. It is tough to tell with partial figures missing, but it looks like the patrol staff vs. management ration is almost 1:1.5, and I'd like to see more details on this split. Certainly OHV patrol will carry some management overhead cost, and it is fair to bill that overhead to OHV funds, but at first blush, it looks like the more expensive management overhead officers are being billed more to OHV, skewing the hourly average cost up beyond market levels. Please provide more details to clarify.
- Law Enforcement Assistance: for the line item detailing a Mobile Dispatch Center (including radios) for multi-agency patrols on the Rubicon 4WD Trail during major weekends, I'd suggest getting multiple bids. I have an estimate for a mobile repeater and ten handhelds for a week this summer and the total cost is closer to \$500 for a week than \$1125 for a day... that's a tenth the cost for twice as many radios. Rubicon Trail Foundation operates a repeater facility near Spider Lake, and is likely in a position to host radio communications for the whole year for the price of this 4-day contract. ENF LEO needs to pursue more economical solutions to their communication needs.

--- Please provide more information about the Indirect Costs identified in the Grant Proposal budget line items table. There are four units at \$3000/each for a total of \$12K, with no clear documentation as to what the expense actually is.

Along with these questions, I'd like to compliment ENF on planning overnight stays for Rubicon Trail LEO and FPO as indicated by inclusion of Rubicon Trail per diem in the budget sheet. As far back in the woods as Rubicon resources are, it makes little sense to spend half the day commuting, leaving a half day for work, and it makes far more sense to work a full day on the trail and stay overnight, then be ready to work another full day. The per diem amounts acknowledge practicality that is too-infrequently seen in government – good work! As well, I am generally encouraged by documentation of volunteer matching and heartily encourage Forest management to do even more of this – with 2320 hours of documented volunteerism built into this grant application, counting every hour will be key. I do have a question about the value assigned to those volunteer hours -- the ENF Patrol Grant Application values volunteers at \$20.25/hour, other ENF non-LEO values volunteers at \$15/hour, and the ENF Forest Ground Ops Application values volunteers at \$138/day which equates to \$17.25/hour. Please identify the difference or correct it to synchronize these applications. ENF has solid relationships with Friends of the Rubicon and the Rubicon Trail Foundation on Rubicon Trail, and the Hi-Lander 4Wheel Drive Club on Barrett Lake Jeep Trail. I hope ENF continues to maintain these relationships to drive education and volunteerism, but beyond that, many hundreds more undocumented hours are devoted to the Forest every year by OHV volunteers. I encourage the Forest to work even harder to formally document these hours, it will draw them closer to the volunteers and helps with the match to OHMVR. This is truly a win-win-win proposition, since it binds federal, state, and local resources together to work on the trail resources that they all value.

I'm looking forward to seeing ENF LEOs on the trail this year, and hope that this grant can have information added before the final grant deadline that will answer some of the above questions, enhance the education/enforcement program, and improve the competitiveness of this grant application. As noted above, I have more than a few questions about LEO on the ENF, but I am willing to support this law enforcement grant and hope for the best for 2010.

Thank you for considering my comments.

Randy Burleson