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Version # _____

APP # _____

ITEM 1. Proposed Project

The Rubicon Trail, located between Georgetown, California and Homewood (Lake Tahoe) in the California Counties of El Dorado and Placer, is generally accepted to be the first and oldest recreational off-highway (OHV) vehicle trail in the United States. This recreational resource provides The project area within El Dorado County is a designated non-maintained county road that is bordered by both USFS and private property. El Dorado Sheriff's Department works with the USFS enforcing laws in regards to trespass, fire permits, resource damage, etc. EDSO is the primary responsible agency for all code violations occurring on private property. While California Highway Patrol would be the primary agency to enforce vehicle code violations they do not have the resources assigned to the area to make accessibility to the trail available to their officers so EDSO also takes an active role in traffic enforcement.

Deputies assigned to the Rubicon Trail would focus enforcement activities on violations that involve health and safety issues along with violations that impact the surrounding environment.

Deputies have previously assisted the USFS and County Department of Transportation (DOT) with educating the public regarding right of ways, trespass issues, code violations, etc by answering questions near the entrances to the Rubicon Trail and by providing a hand-out created by DOT and California State Parks. This hand-out contains a map of the Rubicon Trail along with providing information about the history, regulations, required equipment, gps coordinates, etc. EDSO deputies will continue to inform and educate the public regarding the Rubicon Trail as before.

Due to the remote location and extreme terrain of the Rubicon Trail, response times for a normal patrol deputy could range from 2-8 hours, depending on the location on the trail where the emergency is occurring. The proposed project would provide for a regular, scheduled, patrol during the busy summer months. This would put 2 patrol deputies in a specially equipped vehicle allowing for a much quicker response to calls for service.

Federal and state law favor co-operative law enforcement relationships over areas like the Rubicon Trail that cross state and federal jurisdictional boundaries. The Forest Service does not appear to have the latitude to delegate authority or contract with county officials for law enforcement in the Eldorado National Forest the way the Secretary of the Interior can for other public lands. However, the Forest Service can empower members of a single Rubicon Trail Officers force to enforce federal law within the forest by employing these officers as members of the Forest Service, El Dorado and Placer County officials can then complete the law enforcement authority of these officers by deputizing these officers as reserve or auxiliary deputies in one county and granting written consent for them to enforce state law in the other county.

An alternative way to accomplish a co-operative law enforcement arrangement for the Rubicon Trail would entail enacting federal legislation to grant the Secretary of Agriculture the same power to contract for co-operative law enforcement for the Trail

that the Secretary of the Interior has for public lands administered by the Bureau of Land Management. This law could be narrowly tailored to the portions of the Rubicon Trail within the Eldorado National Forest, though it probably would not include a

power to delegate law enforcement power to local law enforcement without an express contract defining the delegation of power. Although not strictly necessary, state and county governments could further this arrangement by passing laws and ordinances

authorizing their respective officials to negotiate a mutually acceptable contract with each other and with the Forest Service to establish a single officer force to enforce federal or state law in all areas of the Rubicon Trail.

Currently there are no agreements in place to provide for a single Law Enforcement Entity to patrol the Rubicon Trail leaving us with our current proposal and request for funding.

ITEM 2. Project Coverage

The Rubicon Trail in El Dorado County includes approximately 12 miles on designated non-maintained county roadway.

The center of the roadway in some areas has been marked or is clearly delineated by the terrain on either side. It has been determined that in these areas, the county roadway extends 25ft on either side of the centerline. There are several areas where the trail is unmarked and unclear which has caused several variant routes. The Board of Supervisors approved the route on January 26, 2010 which closes several variant routes. The proposed project would provide patrol to the adopted Rubicon Trail and provide enforcement for the variant trail areas to insure compliance and enforcement when necessary. The patrol would also assist USFS law enforcement with education and enforcement in the areas adjoining the Rubicon Trail.

ITEM 3. Describe the frequency of the patrols

Patrols by 2 deputies would be conducted during times of high use of the Rubicon Trail, generally on Fridays, Saturdays, and Sundays, between the holidays of Memorial Day and Labor Day.

Due to recent winter issues of vandalism that have been reported, El Dorado County will be providing random weekend patrols during the winter months as well. Having a law enforcement presents in the winter will send the message to the users that the county will have a presents year round and not just in the summer season.

ITEM 4. Deployment of Personnel

The project is requesting monies to provide for 2 deputies working on overtime for a total of 80 hours per week along with the described additional patrols. The deputies would be assigned as a 2 man patrol unit, using the specially equipped Rubicon Patrol vehicle. The project is also requesting monies to pay part time for a Sheriff's Sergeant for approx. 10 hrs per week to provide for scheduling and maintenance of equipment and files.

In response to several complaints brought forward during Rubicon Oversight Committee (ROC) meetings along with hearings by the County Board of Supervisors regarding the status of the Rubicon Trail, additional patrols will be scheduled. These additional patrols will be scheduled on random midweeks along with additional patrols during the night-time hours to include overnight patrols.

Winter patrols will also be added with this funding. On the weekends patrols to the area to indentify use and to send the message that the Sheriff's Department will be present year round.