

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS

ACTION AGENDA SUMMARY

DEPT: Sheriff's Department

BOARD AGENDA # \*B-4

Urgent

Routine

AGENDA DATE May 5, 2009

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval to Submit and Adopt a Resolution for a Law Enforcement Grant from the California State Parks Off-Highway Vehicle (OHV) Grant Program to Enhance Emergency Response and Safety for the County's Off-Highway Vehicle Parks

STAFF RECOMMENDATIONS:

- 1. Authorize the Sheriff to submit a grant application to the California State Parks, Off-Highway Motor Vehicle Recreation Division OHV grant program for increased Law Enforcement services at Frank Raines Regional Park and La Grange Park in Stanislaus County.
2. Adopt the Resolution to apply for the California State Parks Off-Highway Vehicle Grant.

FISCAL IMPACT:

The Stanislaus County Sheriff's Department is requesting a grant of \$104,100 from the California State Parks Off-Highway Vehicle Grant Program. The Off-Highway Vehicle Grant Program requests a match of 25% (\$26,025). Currently the County provides \$454,960 in funding which is budgeted in the Stanislaus County Park's Department budget. The Parks Department pays for law enforcement services outlined in a Service Level Agreement between the Sheriff's and Parks Departments. This existing appropriation can serve as the County match requirement. A request to increase appropriations and revenue will be made at the time the grant is awarded and approval to accept the award is requested of the Board. There is no additional cost to the County General Fund.

BOARD ACTION AS FOLLOWS:

No. 2009-295

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa, and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) X Approved as recommended
2) Denied
3) Approved as amended
4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Submit and Adopt a Resolution for a Law Enforcement Grant from the California State Parks Off-Highway Vehicle (OHV) Grant Program to Enhance Emergency Response and Safety for the County's Off-Highway Vehicle Parks

**DISCUSSION:**

The State of California Resources Agency, Department of Parks and Recreation, administers the Off-Highway Vehicle (OHV) Grant Program that provides funding to cities, counties and appropriate districts and non-profit organizations that deliver OHV recreation and OHV-related activities. An OHV is defined in the California Vehicle Code (CVC) as a motorcycle, snowmobile, all-terrain vehicle (ATV), jeep, sand buggy or dune buggy, and any street licensed motor vehicles being used off-highway. The Off-Highway Motor Vehicle Recreation Act of 2003 authorizes the allocation of grant funds for the purpose of establishing, maintaining, managing and rehabilitating OHV areas, trails and facilities in California. At the request of the Grantor, Stanislaus County is submitting requests for both parks under one application (Attachment A) and this agenda item is being submitted for Board approval to apply for the available grant funding and approval of a resolution as required by the State funding agency.

Stanislaus County is set aside from most other Counties within the State of California due to the fact that the County owns and operates not one, but two Off-Highway Vehicle Parks totaling 2,000 acres of available and dedicated land for all types of Off-Road Adventures for County residents and visitors alike. Our OHV visitors come from Stanislaus County and we routinely have visitors from the Bay Area, Sacramento, Fresno, and the Sierra Foothills. Both parks are open to all registered and CVC compliant vehicles such as: 4 wheel drive, ATVs, Sand-Rails, Motorcycles and buggies to name a few.

**Frank Raines Regional Park** is located approximately 17 miles west of Patterson, California in Del Puerto Canyon's rugged slopes of the Coastal Range. The park is divided functionally into two units separated by several miles of road. The north section encompasses over 1,600 acres of developed and undeveloped areas with off-road vehicle trails, overnight camping and a day use area. The trails are rated for beginners with stock OHVs to advanced, for well-equipped OHVs in very steep terrain, as well as rock crawling and a mud-bog. The OHV area includes an entrance station, campground with 34 hook-up campsites, recreation hall, restrooms/showers, and a group picnic shelter. The types of vehicles used in this park are trucks, motorcycles, 4-wheel drive vehicles and dune buggies. Visitors who use the park will meet challenges like hill climbing, water hazards, and challenging trails.

Frank Raines Regional Park resources are in fair condition after the fire that occurred on July 22, 2003. The campgrounds, buildings and maintenance facilities were not damaged. The trails in the lower and upper 800 acres of the OHV Park suffered significant fire damage. The entire park was closed down temporarily to assess the damage. On October 17, 2003, approximately 200 acres of the OHV Park were re-opened to the public. Since October 2006, the park's lower 800 acres have been open for OHV use to the public.

**La Grange Regional Park** is located at 2315 South Old LaGrange Road, LaGrange, California. This OHV Park offers undeveloped camping and approximately 150 acres of land open to recreational riding. The trails are rated for beginners with stock OHVs to intermediate riders. There is a motocross style course and a track dedicated for our younger beginners with an OHV under 90cc.

Visitors who go to the La Grange OHV area will meet challenges like soft sandy soil, water hazards, and hill climbs. There was a recent addition of an intermediate track for users between the ages of ten and fifteen years old. The user of the park can expect to enjoy groomed trails, groomed competitive tracks, camping, restrooms, benches, shade trees, and barbeques.

Approval to Submit and Adopt a Resolution for a Law Enforcement Grant from the California State Parks Off-Highway Vehicle (OHV) Grant Program to Enhance Emergency Response and Safety for the County's Off-Highway Vehicle Parks

**DISCUSSION (continued):**

The groups who enjoy the parks are the Over the Hill Gang, Modesto 4-wheel drive, California Motor Cross Association, East Bay High Tailers, American Motocross Promotions, Mutant Motor Sports, A.M.P. Racing, Merced Dirt Riders, and CORVA. The types of vehicles used here are dune buggies, motorcycles and ATVs and miscellaneous 4 wheel drives.

This Law Enforcement Grant would allow the Sheriff's Department to purchase much needed patrol, safety, and rescue equipment and allow over-time shifts for patrol, rescues, and special events in both parks. Having these additional resources and funds would enhance off-road patrols, allow greater patrol coverage in our parks, provide deputies with safety gear for searches and rescues, and allow immediate first aid to injured persons within our parks.

The Sheriff's Department requests the Board of Supervisors approve the Department's application for this grant and adopt the required grant resolution (Attachment B), which is provided in the grant application. This resolution requires that the Board approve the filing of the application and certify that the project will be well maintained during its useful life. The final application for this grant, which entails funding for both Frank Raines and La Grange Parks, will be completed on May 1, 2009 and sent to the Clerk of the Board. Upon notice that the grant is awarded to Stanislaus County, the Sheriff will bring back an agenda item requesting approval to accept the award and request an adjustment to the budget at that time.

**POLICY ISSUES:**

This grant will meet the Board's priority of Effective Partnerships by leveraging the resources of the County Parks and Recreation Department to obtain additional State funding to improve the emergency response and safety in the County's two Off Highway Vehicle Parks. The grant will expand the existing collaboration between the two departments to provide law enforcement services for the County Park system. This grant also supports the Board's priority of a Safe Community by enhancing off-road patrols, allowing greater patrol coverage in the parks, providing deputies with safety gear for searches and rescues, and allows immediate first aid to injured persons within the parks.

**STAFFING IMPACTS:**

There is no request to increase staffing at this time. The grant will continue to help fund existing staff for special events and rescues and fund the purchase of additional equipment.

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
STATE OF CALIFORNIA

Date: May 5, 2009

No. 2009-295

On motion of Supervisor Monteith Seconded by Supervisor Chiesa  
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # \*B-4

**IN RE: APPLICATION AND ACCEPTANCE OF GRANT FUNDS FOR THE STATE OF CALIFORNIA,  
DEPARTMENT OF PARKS AND RECREATION, OFF HIGHWAY VEHICLE GRANT FUNDS**

WHEREAS, The People of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for, Acquisition Projects, Conservation Projects, Development Projects, Facilities Operation and Maintenance Projects, Law Enforcement Projects OHV safety and/or Education Program Projects, Planning Projects, Restoration Projects and Trail Maintenance Projects for off-highway vehicle recreation; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the application to apply for Off-Highway Motor Vehicle Grant; funds; and

WHEREAS, this project appears on, or is in conformance with this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Stanislaus, State of California, hereby:

1. Approves the filing of an Application(s) for an Off-Highway Vehicle Grant or Cooperative Agreement; and
2. Certifies that this agency understands its legal obligations to the State upon approval of the grant; and
3. Certifies that this agency understands the California Public Resources Code requirement that acquisition and development projects be maintained to specific conservation standards; and

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk  
Stanislaus County Board of Supervisors,  
State of California



**IN RE: APPLICATION AND ACCEPTANCE OF GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF HIGHWAY VEHICLE GRANT FUNDS**

4. Certifies that the project will be well-maintained during its useful life; and
5. Certifies that this agency will implement the project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and
6. Certifies that this agency will provide the required matching funds (as applicable); and
7. Certifies that the public and adjacent property owners have been notified of this project (as applicable); and
8. Appoints the Stanislaus County Sheriff as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the project.

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**Agency Information**

*(Carefully read the instructions before completing this form)*

**1. Agency Information**

- a. Agency Name Stanislaus County Sheriff's Department
- b. Organizational Unit
- c. Address 250 E. Hackett
  
- e. City Modesto State CA Zip 95358
- f. Federal Id Number 94-6000540 DUNS Number
- g. Agency fiscal year (beginning month and January-01 day)
- h. Agency Type (Please check one)
  - City  County  U.S. Forest Service
  - U.S. Forest Service - Patrol District  U.S. Bureau of Land Management  Other Federal Agency
  - Federally Recognized Native American Tribe  Educational Institution  Nonprofit Organization - 501(c)(3) status only
  - State Agency  District

**2. Project Information**

- a. Project Name General Application Requirements
- b. Is implementing agency same as Agency (Please select Yes or No)  Yes  No
- c. Implementing Agency Name
- d. Amount of Funds Requested Project Cost

**Project Request(s) Summary**

#	Project Type	Project Title	Grant Request	Match	Total Project Cost
1	G08-03-XX-L01	Law Enforcement	104,000	344,000	448,000

2/4/2009

Contact & Certification Information for Grants and Cooperative Agreements Program - 2008/2009  
Agency: Stanislaus County Sheriff's Department  
Application: General Application Requirements

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**3. Contact**

a. Project Administrator

Name	Wayne Whitfield				
Title	OHV Specialist				
Mailing Address	320 E. Street				
City	Waterford	State	CA	Zip	95386
Telephone	(209) 652-5520			Fax	
E-mail Address	wwhitfield@stanislaussheriff.com				

b. Authorized Representative

Name	Adam Christianson				
Title	Sheriff				
Mailing Address	250 E. Hackett				
City	Modesto	State	CA	Zip	95358
Telephone	(209) 525-7003			Fax	(209) 525-7106
E-mail Address	chradam@stanislaussheriff.com				

Project Cost Estimate for Grants and Cooperative Agreements Program - 2008/2009  
 Agency: Stanislaus County Sheriff's Department  
 Application: Law Enforcement

2/4/2009

FOR OFFICE USE ONLY:		Version # _____	APP # _____
<b>APPLICANT NAME :</b>	Stanislaus County Sheriff's Department		
<b>PROJECT TITLE :</b>	Law Enforcement	<b>PROJECT NUMBER (Division use only) :</b>	
<b>PROJECT TYPE :</b>	<input checked="" type="checkbox"/> Law Enforcement <input type="checkbox"/> Restoration <input type="checkbox"/> Education & Safety <input type="checkbox"/> Acquisition <input type="checkbox"/> Development <input type="checkbox"/> Ground Operations <input type="checkbox"/> Planning		
<b>PROJECT DESCRIPTION :</b>	Stanislaus County has two OHV Parks totaling approximately 650 acres. Frank Raines OHV Park is closed from May through October on the request of Cal Fire due to the lack of full time patrol at this park in the high fire season. We would like to be able to staff this park year round and provide patrol at this park so it could be kept open year round. La Grange OHV Park is open year round but we are not able to patrol this park daily during the summer months due to staffing levels and other SVOU commitments. We would also like to be able to patrol this park year round.  The SVOU unit provides education programs by visiting Boy Scout troops, clubs, community events, and schools in our county. We show the equipment we have for patrol and rescues inside the parks, as well as answer question about OHV laws and safe riding.		

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
<b>DIRECT EXPENSES</b>							
<b>Program Expenses</b>							
<b>1</b>	<b>Staff</b>						
	Law Enforcement Officers	4.000	56117.500	FTE	0.00	224,470.00	224,470.00
	Sergeant	1.000	16580.000	HRS	0.00	16,580.00	16,580.00
	Supervisor	1.000	15974.000	HRS	0.00	15,974.00	15,974.00
	<b>Total for Staff</b>				0.00	257,024.00	257,024.00
<b>2</b>	<b>Contracts</b>						
<b>3</b>	<b>Materials / Supplies</b>						
<b>4</b>	<b>Equipment Use Expenses</b>						
	Vehicle Operations and Maintenance Notes : (2) 2009 Jeep Rubicons	2.000	9346.000	YR	0.00	18,692.00	18,692.00
	Vehicle Operations and Maintenance Notes : (3) Dodge 1500 4X4 Pick-Ups	3.000	9346.000	YR	0.00	28,038.00	28,038.00



Project Cost Estimate for Grants and Cooperative Agreements Program - 2008/2009  
 Agency: Stanislaus County Sheriff's Department  
 Application: Law Enforcement

2/4/2009

Line Item	Qty	Rate	UOM	Grant Request	Match	Total
Vehicle Operations and Maintenance Notes : (2) Ford Expeditions 4X4 (1) Chev Tahoe 4X4	3.000	9346.000	YR	0.00	28,038.00	28,038.00
Vehicle Operations and Maintenance Notes : (4) DRZ 400 Dirt Bikes	4.000	1800.000	YR	0.00	7,200.00	7,200.00
Vehicle Operations and Maintenance Notes : (2) Arctic Cats 500cc 4X4 Quads	2.000	1800.000	YR	0.00	3,600.00	3,600.00
Vehicle Operations and Maintenance Notes : (1) 700 cc Polaris 6X6 Ranger	1.000	1800.000	YR	0.00	1,800.00	1,800.00
<b>Total for Equipment Use Expenses</b>				0.00	87,368.00	87,368.00
<b>5 Equipment Purchases</b>						
Other-Arctic Cat 4X4 Quads	3.000	5500.000	EA	16,500.00	0.00	16,500.00
Other-Suzuki DRZ400 Dirt Bike	1.000	5500.000	EA	5,500.00	0.00	5,500.00
Other-5X8 Box Trailer	1.000	3500.000	EA	3,500.00	0.00	3,500.00
Other-Flat Bed Trailer for Quads	1.000	2500.000	EA	2,500.00	0.00	2,500.00
Other-Radio Repeaters	2.000	5500.000	EA	11,000.00	0.00	11,000.00
Other-110 watt Vehicle Radios	3.000	2500.000	EA	7,500.00	0.00	7,500.00
Other-Internal helmet radio communicatio	5.000	1100.000	EA	5,500.00	0.00	5,500.00
Radar Unit	2.000	1800.000	EA	3,600.00	0.00	3,600.00
Other-AED'S	5.000	2500.000	EA	12,500.00	0.00	12,500.00
Laptop Computers	2.000	1500.000	EA	3,000.00	0.00	3,000.00
Other-Trauma Kits-O2 Kits - Backboards	5.000	1000.000	SET	5,000.00	0.00	5,000.00
Other-Rappelling Equipment	5.000	1000.000	EA	5,000.00	0.00	5,000.00
Other-Winches and Bumpers	3.000	2500.000	EA	7,500.00	0.00	7,500.00

Project Cost Estimate for Grants and Cooperative Agreements Program - 2008/2009  
 Agency: Stanislaus County Sheriff's Department  
 Application: Law Enforcement

2/4/2009

	Line Item	Qty	Rate	UOM	Grant Request	Match	Total
	Satellite Phones	2.000	1550.000	EA	3,100.00	0.00	3,100.00
	Other <sup>2000</sup> <del>200</del> watt Honda generators	2.000	1200.000		2,400.00	0.00	2,400.00
	<b>Total for Equipment Purchases</b>				<b>94,100.00</b>	<b>0.00</b>	<b>94,100.00</b>
<b>6</b>	<b>Others</b>						
<b>7</b>	<b>Administrative Costs</b>						
	Administrative Costs-Lieutenant	1.000	10000.000	YR	10,000.00	0.00	10,000.00
	<b>Total Program Expenses</b>				<b>104,100.00</b>	<b>344,392.00</b>	<b>448,492.00</b>
	<b>TOTAL DIRECT EXPENSES</b>				<b>104,100.00</b>	<b>344,392.00</b>	<b>448,492.00</b>
	<b>TOTAL EXPENDITURES</b>				<b>104,100.00</b>	<b>344,392.00</b>	<b>448,492.00</b>

Project Cost Summary for Grants and Cooperative Agreements Program - 2008/2009  
 Agency: Stanislaus County Sheriff's Department  
 Application: Law Enforcement

2/4/2009

	Line Item	Grant Request	Match	Total	Narrative
<b>DIRECT EXPENSES</b>					
<b>Program Expenses</b>					
1	Staff	0.00	257,024.00	257,024.00	
2	Contracts	0.00	0.00	0.00	
3	Materials / Supplies	0.00	0.00	0.00	
4	Equipment Use Expenses	0.00	87,368.00	87,368.00	
5	Equipment Purchases	94,100.00	0.00	94,100.00	
6	Others	0.00	0.00	0.00	
7	Administrative Costs	10,000.00	0.00	10,000.00	
<b>Total Program Expenses</b>		<b>104,100.00</b>	<b>344,392.00</b>	<b>448,492.00</b>	
<b>TOTAL DIRECT EXPENSES</b>		<b>104,100.00</b>	<b>344,392.00</b>	<b>448,492.00</b>	
<b>TOTAL EXPENDITURES</b>		<b>104,100.00</b>	<b>344,392.00</b>	<b>448,492.00</b>	

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**Law Enforcement - Page 1**

1. Identify areas with high priority law enforcement needs because of public safety, cultural resources, and sensitive environmental habitats, including wilderness areas and areas of critical environmental concerns:

Frank Raines OHV Park is located 16 miles west of Patterson off of Del Puerto Canyon Road. The current OHV Park has 500 acres open to riding and 300 acres fenced off for future expansion pending environmental review. One of our largest problems at this park is trespassing into the closed areas of our park, and onto the private property adjoining the park. With the increased patrol at this park the reports of trespassing has dropped significantly. Our other park is La Grange OHV located 18 miles east of Waterford. This park has approximately 150 acres of hills and open riding. This location is made up of an old gold dredge site which is covered in river rocks. This makes which for some difficult riding. In the past the largest problem we experienced at this park was both dirt bike riders and quad riders not using a helmet. It was not uncommon to have air ambulance respond to the park every weekend for an emergency. After we stepped up patrols, we have very few reports of riders without helmets.

2. Describe how the proposed Project relates to OHV Recreation and will sustain OHV Recreation, motorized off-highway access to non-motorized recreation, or OHV Opportunities associated with the Project Area:

This grant will allow us to purchase needed equipment to both patrol and perform rescues at our two OHV Parks in our county. These parks are located on opposite ends of our county. They are in the foothill areas, where both radio and phone communication do not work. The equipment requested will grant us better communications and give us the emergency first aid equipment we so desperately need.

3. Describe the Applicant's formal or informal cooperation with other law enforcement agencies:

The California Highway Patrol is the only other agency we work in conjunction with at our OHV Parks. The California Highway Patrol will respond at our request to take a report of any OHV motor accident.

**Law Enforcement - Page 2**

4. Does the Applicant recover a portion of the law enforcement costs directly associated with privately sponsored OHV events where sponsors have obtained a local permit? (Please select Yes or No)  Yes  No

Explain

N/A

5. The Applicant agrees to implement a public education program that includes information on safety programs available in the area and how to report OHV violations? (Please select Yes or No)  Yes  No

6. Describe the Applicant's OHV law enforcement training program including how the training program educates personnel to address OHV safety and natural and cultural resource protection:

At present the members of SVOU are members of the Tread Lightly program. We hand out Tread Lightly pamphlets as well as pamphlets we have received from the State Parks OHV program. Last year, the unit printed our own information handout that was dispersed at both parks.

**Law Enforcement - Page 3**

7. Is the proposed project in accordance with local or federal plans and the OHMVR Division Strategic Plan? (Please select Yes or No)  Yes  No

8. LOCAL AGENCIES ONLY - Describe the Applicant's policies and/or agreements regarding enforcement on federal land:

We do not have any Federal land in our jurisdiction.

9. COUNTIES ONLY - Describe how the OHV in-lieu of tax funds are being used and whether the use of these fees

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complements the Applicant's project:

The Sheriff's Department does not receive any in-lieu funds for our OHV program. All of the department's OHV patrol and equipment expenses are funded through the Sheriffs Department general budget.

**Law Enforcement - Page 4**

10. APPLICANTS WHO MANAGE OHV RECREATION FACILITIES – Describe how your organization is meeting its operation and maintenance needs:

We do not manage any OHV recreation facilities.

11. The Applicant agrees to enforce the registration of OHVs and the other provision of Division 16.5 commencing with Section 38000 of the vehicle code and to enforce other applicable laws regarding the operation of OHVs? (Please select Yes or No)  Yes  No

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**ITEM 1. Proposed Project**

Stanislaus County has two OHV Parks totaling approximately 650 acres. Frank Raines OHV Park is closed from May through October on the request of Cal Fire due to the lack of full time patrol at this park in the high fire season. We would like to be able to staff this park year round and provide patrol at this park so it could be kept open year round. La Grange OHV Park is open year round but we are not able to patrol this park daily during the summer months due to staffing levels and other SVOU commitments. We would also like to be able to patrol this park year round.

The SVOU unit provides education programs by visiting Boy Scout troops, clubs, community events, and schools in our county. We show the equipment we have for patrol and rescues inside the parks, as well as answer question about OHV laws and safe riding.

**ITEM 2. Project Coverage**

Frank Raines OHV Park has approximately 500 acres of OHV riding with about 75 miles of trails. La Grange OHV Park has approximately 150 acres of open ridding.

**ITEM 3. Describe the frequency of the patrols**

Stanislaus County has two OHV parks. There are presently four full time sheriff deputies assigned to patrol the two parks. Two deputies are on at a time, everyday of the week. These two deputies are in one of the two parks daily from September through May. In the future, we hope to be able to increase this to year round with additional staffing.

**ITEM 4. Deployment of Personnel**

The Sheriff's department has assigned four full time deputies for patrol inside the two OHV parks. There is also one Sergeant, and one Lieutenant assigned part time to supervise the unit.