

Law Offices Of

JOSHUA D. MACKENROTH

6549 Mission Gorge Road #270
San Diego, CA 92120
(619) 265-1873

October 28, 2004

Barbara Learn
Dept. of Parks & Recreation
P.O. Box 942896
Sacramento, CA 94296-0001

Re: Public Records Act Request [Gov. C. §6250 et seq.]

Dear Ms. Learn,

On behalf of my client, the Off-Road Business Association ("ORBA"), please consider this letter a formal request under the California Public Records Act for records pertaining to the Dangermond Group. If you are not the proper Public Records Officer for the California Dept. of Parks & Recreation, Off-Highway Vehicle Division, please forward this request to the responsible person. The scope of this request shall extend from a time period of October 28, 1999 to the present.

1. Any and all contracts, correspondence, memoranda, bids, billings, reports, or proposals from the Dangermond Group for the rendering of professional services to the California Dept. of Parks & Recreation, Off-Highway Vehicle Division or the OHVMR Commission.

The term "professional services" as used in these requests shall mean general consulting, funding assistance, qualitative and quantitative research, project feasibility studies, public process facilitation, grant writing, funding strategies and development, park system design, management and operation of park systems, trail planning, site planning, public/private sector partnership consulting, environmental modeling and impact studies, OHV site suitability modeling, land conservation studies, environmental mitigation, habitat conservation studies, public/private land purchase proposals, project vision development, conflict resolution studies, meeting planning and facilitation, revenue generating studies, building community relations, biological analysis, demographic analysis, park user studies, and mapping studies.

2. Any and all contracts, correspondence, memoranda, bids, reports, billings, or proposals to the Dangermond Group concerning the rendering of professional services to the California Dept. of Parks & Recreation, Off-Highway Vehicle Division or the OHVMR Commission.

3. Any notes, emails, memoranda, or correspondence between any member of the OHVMR Commission or any member of the Off-Highway Vehicle Division staff concerning the Dangermond Group.

Request For Production In Electronic Format: We are requesting that the records be produced in an electronic Windows compatible format such as .pdf file format, MS Word, or similar word processor application and contained on a CD-ROM, to the extent those records are already maintained in that format by your agency or could easily be converted to that format, in accordance with Gov. C. §6253.9. It is believed that producing the records in this manner would substantially cut down on the volume of paper materials generated by your agency, and most likely expedite the production as well.

Request For Fee Reduction Or Waiver: The Off-Road Business Association is a non-profit trade association organized under 26 USC 501(c)(6), representing the interests of hundreds of off-road businesses concerned with the continued accessibility of public lands for off-road recreation. The materials requested are of paramount importance to ORBA's members, as they concern the expenditure of funds relating to OHV use in the state of California.

Information obtained by this request will be made available to ORBA's members and the general public through ORBA's office located in Santee, California, to reach a better understanding of the implications of recent budget activity surrounding the OHV budget and the anticipated impact of these expenditures on Off-Highway Vehicle businesses. This request will facilitate public dialogue on critical policy and land use issues statewide. A summary of this information will also be provided on ORBA's website at www.orbanet.org for the public at large.

Disclosure of the requested information therefore serves an important public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of ORBA. My client therefore respectfully requests that the duplication fees be waived in their entirety, as it is anticipated that the actual volume of records requested will be minimal. However, ORBA agrees to pay fees associated with this request not to exceed \$400.00 without prior approval. If the agency anticipates costs above this amount, please notify me of the full amount of anticipated costs in advance, and I will respond accordingly.

I look forward to your response to this request within 10 working days. If you need further information in order to process this request, please feel free to contact me at the above number, or via email. Please send the requested records to the address above. Thank you for your anticipated courtesy and cooperation in this regard.

Very Truly Yours,

Joshua D. Mackenroth
Attorney for the Off-Road Business Association
joshuamackenroth@justice.com

cc: Client