

PLACER COUNTY
SHERIFF
CORONER-MARSHAL

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TAHOE CITY, CA 96145
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EST. 1851

EDWARD N. BONNER
SHERIFF-CORONER-MARSHAL

STEPHEN L. D'ARCY
UNDERSHERIFF

To: Board of Supervisors
Date: May 8, 2007
From: Edward N. Bonner, Sheriff-Coroner 
Subject: U.S. Forest Service Contract to Provide Law Enforcement

ACTION REQUESTED

Your Board's approval is requested for contract Exhibits A and B between the Sheriff's Department and the U.S. Forest Service for services provided by the Sheriff's Department for the current year. The services include Visitor Protection and Controlled Substances on Federal lands. The contract is for a maximum reimbursement amount of 27,000. The term of the contract is from the last signature date through September, 2007.

BACKGROUND

The Sheriff's Department has been contracting annually with the U.S. Forest Service to provide Visitor Protection (campground patrol) and controlled substance enforcement (narcotics investigations) in the Tahoe and El Dorado National Forests. Your Board approved a five-year master agreement for these services in April 2006 for a total annual amount for these services not-to-exceed \$27,000 each year. Although the total contract amount does not change, the exhibits are updated annually to reflect the updated hourly rates billed. Essentially the amount of services is reduced each year proportionate to the increase realized in the law enforcement rates. The law enforcement rates include an hourly equivalent for overtime salary and benefits, equipment, training, administration overhead and vehicle use. The services covered under the exhibits will be billed at a rate of \$88.50. The services are typically provided between Memorial Day and continue into the fall. Your Board's approval for the updated contract exhibits is required.

FISCAL IMPACT

The reimbursements for this contract have been included in the current and upcoming budget. The reimbursement for Visitor Protection Services is allocated in the amount not-to-exceed \$22,000 and the amount allocated for Controlled Substances is \$5,000.

EXHIBIT A**FY2007 FINANCIAL AND OPERATING PLAN for COOPERATIVE PATROL
USFS, Tahoe National Forest – Sheriff, Placer County**

FY 2007 Total Allocation: \$22,000.00

Placer County Fed Tax ID: 94-6000527C

This operating plan is effective from the last signature date through 30 Sep 2007.

This Annual Financial and Operating Plan (Operating Plan), is hereby made and entered into by and between the Placer County Sheriff's Department, hereinafter referred to as the COOPERATOR, and the USDA Forest Service, Tahoe National Forest, hereinafter referred to as the FOREST SERVICE, under the provisions of Cooperative Law Enforcement Agreement: 07LE11051360-031.

I. GENERAL:

Annually the Forest Service and Cooperator designated representatives will meet before May 15 to review this Exhibit.

- A. The following individuals shall be the designated and alternate representative(s) of each party, so designated, to make or receive requests for special enforcement activities:

Designated Representatives:

Dave Keyes
Patrol Captain
Placer County Sheriff's Office
P.O. Box 6990
Auburn, CA, 95604
530.889.7819
email: dkeyes@placer.ca.gov

Gary Barnett
Patrol Captain, Tahoe National Forest
Law Enforcement & Investigations
9646 Donner Pass Road
Truckee, CA 96161-2949
530.587.3558 ext. 237
email: gbarnett@fs.fed.us

Dennis Cullen
Patrol Captain, Eldorado National Forest
Law Enforcement & Investigations
100 Forni Road
Placerville, CA 95667
530.642.5130
email: dcullen@fs.fed.us

Alternate Representatives:

Westside Tahoe NF
Bill Walton
Admin Sergeant
Placer County Sheriff's Office
P.O. Box 6990
Auburn, CA, 95604
530.889.7800
email: wwalton@placer.ca.gov

Tom Madrigal
Law Enforcement Officer
Tahoe National Forest / American River Ranger District
22830 Foresthill Road
Foresthill, CA, 95631
530.367.2224 ext. 226
email: tmadridal@fs.fed.us

Eastside Tahoe NF
 Jeff Granum
 Captain
 Placer County Sheriff's Office
 P.O. Box 1710
 Tahoe City, CA, 96145
 530.581.6305
 email: jgranum@placer.ca.gov

Laura Clarke
 Law Enforcement Officer
 Lake Tahoe Basin Management Unit
 3080 North Lake Blvd
 Tahoe City, CA
 530.583.2869
 email: lclarke@fs.fed.us

- B. Reimbursement for all types of enforcement shall be at the following rates unless specifically stated otherwise: activities while doing work for the Forest Service
1. *Regular Deputies:* For the services provided in Section II, the Forest Service agrees to reimburse the COOPERATOR at a rate not to exceed \$88.50 per hour. (rate includes mileage)
 2. *Reserve Deputies:* For the services provided in Section II, the Forest Service agrees to reimburse the COOPERATOR at a rate not to exceed \$88.50 per hour. (rate includes mileage)
- C. COOPERATOR personnel assigned to duties in Section II, must be regular employees of the Placer County Sheriff's Office with at least POST certification to operate in a solo-officer capacity. The COOPERATOR'S assigned personnel will utilize the County's standard equipment and vehicle, or perform foot patrol, and will be in standard uniform at all times, unless otherwise requested by the Forest Service.

The assigned Deputy will possess a Forest Service radio and maintain communications with Grass Valley ECC Dispatch, including going in and out of service, at all times during the patrols.

Duties for that day or time period will be entirely Forest Service oriented and patrol the areas at the request of the Forest Service designated representative. The assigned Deputy should not generally be available for routine calls for service other than those at the request of the Forest Service. Since the billable period is an hour, any calls off National Forest land that result in absence for an hour or more, will be documented and will not be billable. Patrols should be conducted with a designated Forest Officer accompanying the Deputy, as available.

For each patrol shift, the Deputy will complete and turn in a Daily Field Activity Report (DFAR, FS 5300-26, attached). The Sheriff's Deputy will complete the report after each activity and give to the Forest Service designated representative bi weekly.

The COOPERATOR will complete and submit to the Forest Service the Forest Service Cooperative Law Enforcement Activity Report (FS 5300-5, attached) identifying the number of crimes occurring on NFS lands. The report shall follow the FBI Uniform Crime Reporting groupings, Part I and Part II offenses. Offenses and arrest information shall be combined and reported for each crime. This report shall separate the crimes handled under this agreement from those handled by the cooperators during regular duties. Both report forms are attached to this Exhibit and/or the Cooperative Agreement. Each Forest Service designated representatives will also provide the forms as needed.

The COOPERATOR may not be reimbursed for the services of personnel who are employed by the Forest Service in a law enforcement capacity and are also Reserve Officers of the COOPERATOR.

II. PATROL ACTIVITIES: Total reimbursement for this category shall not exceed \$22,000.00

Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the COOPERATOR and the Forest Service. The emphasis for patrols should focus on periods of higher visitor use such as Friday evenings, Saturday days, evenings, nights, and Sunday mornings, primarily between Memorial and Labor Day holiday weekends with potential extra emphasis on the Independence Day weekend, or as otherwise requested by the Forest Service. Actual work schedules will be negotiated between the designated representatives a minimum of 24 hours in advance. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.

COOPERATOR agrees to make patrols through the campgrounds and areas of concentrated use, including but not limited to the high use areas, or as otherwise directed by the Forest Service.

LEO Laura Clarke is the Forest Service Representative for the following areas:

Granite Flat	Goose Meadows	Silver Creek	Truckee River
Pole Creek Road	Sawtooth Ridge Road	Barker Pass	Martis Peak Lookout,
Blackwood Canyon	William Kent	Kaspian	Chambers Landing
Sixty-four Acres.	McKinney/Rubicon OHV staging area,		

LEO Tom Madrigal is the Forest Service Representative for the following areas:

Forbes Creek	Shirrtail	Giant Gap	Manzanita Day Use
China Wall Staging Area	North Fork Campground	Onion Valley	Tunnel Mills
Big Bend	Hampshire Rocks	French Meadows	
Ralston Picnic and Big Reservoir/Morning	Parker Flat OHV & Sugar Pine OHV area		

PC Dennis Cullen is the Forest Service Representative for the Hell Hole Reservoir area:

Hell Hole	Big Meadow Campgrounds
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Patrols shall be conducted on a call when needed basis or as scheduled by the Forest Service designated representative.

When requested by the Forest Service designated representative, and as resources are available, the COOPERATOR will assist the Forest Service in conducting support activities related to the enforcement and investigation of violations of criminal law as they pertain to the mission of the Forest Service.

III. EQUIPMENT:

The Forest Service will loan those surplus items that will further the cooperative effort. These items are property, but in most cases will be expendable. The items will be tracked and accounted for by the Tahoe National Forest Patrol Captain. Items will be returned to the Forest Service when no longer needed and will report the damage or destruction of such property when applicable or no longer serviceable.

If any of these surplus items have original high value, serial numbers, sensitivity in storage, security or use, they will be loaned and accounted for on an amendment to this operating plan

If the equipment is abused or neglected, as determined by the Forest Service, the COOPERATOR may be billed for the repairs or replacement of like equipment.

IV. SPECIAL ENFORCEMENT SITUATIONS:

A. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the Forest Service designated representative listed in Item 1A of this Operating Plan (Captain Barnett for the Tahoe National Forest and Captain Cullen for the Eldorado National Forest). The designated representative will then notify the COOPERATOR whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Operating Plan. Special Enforcement situations include, but are not limited to, large group events such as concerts, protests, fires, drug enforcement, etc.

B. Unforeseen Events

1. Unforeseen/Emergency Situations - When requested by a designated representative of the Forest Service, the COOPERATOR agrees to dispatch additional deputies within the work force capabilities to unforeseen or emergency situations or to support Forest Officers in their official capacities. (Forest Officer means an employee of the Forest Service).

Funding for these events will be provided using unexpended funds for the campground patrols as they relate to the situation. Total reimbursement for Section IV, may not exceed the total funding available under this operating plan.

2. Fire Camp Security - COOPERATOR may be requested to provide fire camp security. When requested for this kind of assignment by the Forest Service designated representative, the COOPERATOR will be reimbursed using fire fighting funds.

3. Cooperator will notify Grass Valley ECC Dispatch of all known search and rescues and/or injury/fatality incidents that occur on National Forest System lands as soon as possible.

V. BILLING FREQUENCY:

A. Itemized billings for reimbursement of all services provided in Sections II, IV will be provided to the designated representative on a monthly basis for each month that funds were expended.

1. Itemized billings must be completed on an Itemized Bill form and summarized on a Law Enforcement Billing Summary.

2. A copy of the Deputy DFAR's and the Cooperative Law Enforcement Activity Report (form FS-5300-5) will accompany the Itemized Billing and Billing Summary.

3. The County may submit an invoice and a Law Enforcement Billing Summary for reimbursement monthly or quarterly. All invoices must be received before 31 Dec 2007. Mail the invoice and the Law Enforcement Billing Summary to:

Gary Barnett
Patrol Captain
9646 Donner Pass Road
Truckee, CA 96161-2949

The authority and format of the document has been reviewed and is approved for signature.

US Forest Service, Grants and Agreements Specialist

Date

County Grants and Agreements Specialist

Date

IN WITNESS WHEREOF, the parties hereto have executed this Annual Operating and Financial Plan.

Chairman, Board of Supervisors
Placer County

Date

Ed Bonner
Sheriff, Placer County

Date

Steve Eubanks
Forest Supervisor, Tahoe National Forest

Date

Terri Marceron
Forest Supervisor, Lake Tahoe Basin Management Unit

Date

Ramiro Villalvazo
Forest Supervisor, Eldorado National Forest

Date

Robin Poague
Acting Special Agent in Charge, Region 5

Date

Law Enforcement Billing Summary

County Federal Tax ID: 94-6000527C	Agreement #: 07LE11051360-031
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USDA Forest Service, Tahoe NF	County: Placer
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Law Enforcement Billing Summary	Month:	Year:
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Check appropriate block: <input type="checkbox"/> Coop Patrol <input type="checkbox"/> Controlled Substance Operations
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A. Total Patrol/Labor Hours:	
B. Rate per Hour:	\$
C. Total Salary Reimbursement: (subtotal 1)	\$
D. Other Allowable Reimbursements: (mileage, dispatch, court, clerical, equipment, etc.)	
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
E. Total of D1 - D4 (subtotal 2)	\$
F. Total Invoice Reimbursement:	\$

Certification Statement

County Sheriff		USFS Patrol Captain	
I certify the above billing/invoice is accurate and complete.		I certify services have been received as stated.	
Sheriff	Date	USFS Patrol Captain	Date

EXHIBIT B

**FY2007 FINANCIAL AND OPERATING PLAN for Controlled Substance Operations
USFS, Tahoe National Forest – Sheriff, Placer County**

FY 2007 Total Allocation: \$5,000.00

County Fed Tax ID: 94-6000527C

This operating plan is effective from the last signature date through 30 Sep 2007.

Pursuant to IV. 1 of the Cooperative Law Enforcement Agreement between Placer County Sheriff's Department and the USDA, Forest Service, Agreement 07LE11051360-031, the following is in support of operations to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension and prosecution of suspects engaged in these activities:

A. The *Forest Service* agrees:

1. To reimburse the Cooperator for expenditures associated with the detection of locations and activities related to illegal production and trafficking of controlled substances, including:
 - a. Ground reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances.
 - b. Aerial reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances. Reconnaissance shall be performed using a Forest Service approved aircraft with a minimum of one Forest Service observer on board, unless waived by the Forest Service.
2. To reimburse the Cooperator for certain expenses resulting from investigative activities associated with investigating cases involving the illegal production or trafficking of controlled substances on or affecting the administration of National Forest system lands, including:
 - a. Surveillance operations to identify persons illegally producing or trafficking controlled substances.
 - b. Apprehension of persons suspected of producing or trafficking controlled substances.
 - c. Collection of evidence to support prosecution of persons suspected of illegally producing or trafficking controlled substances.
 - d. Prosecution of persons suspected of producing or trafficking controlled substances.
3. To reimburse the Cooperator for expenses resulting from the removal of cannabis plants from National Forest System lands. When circumstances indicate that removal of the cannabis plants is required before an investigation to determine the person(s) responsible can be completed, eradication operations must be approved by the Forest Service prior to taking place.

Note: The Cooperator retains the authority to eradicate cannabis plants from National Forest System lands without reimbursement from the Forest Service at its discretion.

4. To reimburse the Cooperator for the costs of purchasing supplies and equipment used exclusively for activities described in items A.1, A.2 and A.3 of this Plan. Purchases must be agreed to and approved by the Forest Service. Purchases may not exceed 10% of the total allocation without prior approval by the Forest Service Designated Representative.

B. The Cooperator agrees:

1. Within its capability, to perform the following activities on National Forest System lands:
 - a. Detect and inventory locations associated with illegal production or trafficking of controlled substances, and notify the Forest Service of such locations as soon as possible.
 - b. Investigations to determine the person(s) responsible for manufacturing or trafficking controlled substances.
 - c. Upon request and prior approval of the Forest Service, remove cannabis plants from National Forest System lands.
2. To furnish all activity reports, crime reports, investigation reports, and other reports or records, resulting from activities identified in Section A of this Operating and Financial Plan to the effected Forests for review and forwarding to the Regional Office for processing.
3. To furnish monthly itemized statements of expenses to the Forest Service for expenditures that may be reimbursed as identified in items A.1, A.2, A.3, and A.4 of this Plan.
 - a. Mail itemized billing invoice and the Law Enforcement Billing Summary to:

Gary Barnett
US Forest Service
9646 Donner Pass Road
Truckee, CA 96161-2949
 - b. Final billings for reimbursement must be received by the Forest Service before 31 Dec 2007 in order to receive payment.

C. The Forest Service and the Cooperator mutually agree to the following:

1. The following rate schedule will apply to all expenditures that may be reimbursed to the cooperator under this agreement;

Salary (base)	\$ 85.00 per hour
Salary (overtime)	\$ base + 1/2 per hour,
Per diem costs	\$39/M&IE + 65/lodging,
Travel (mileage and fares)	Actual documented costs,
Helicopter flight time	Actual documented costs,
Supplies or equipment	Actual documented costs

2. The total expenditures of the Cooperator that may be reimbursed may not exceed \$5,000.00. The total expenditures for item A.4 may not exceed 10% of the total allocation.

3. The following persons are designated as representatives of each party;

Ed Bonner
Sheriff, Placer County
PO Box 6990
Auburn, CA 95604
530.889.7800

Craig Endicott
Supervisory Special Agent
1 Pinecrest Lake Road
Pinecrest, CA 95364
209.965.3434

Alternate Representatives:

Wayne Woo
Placer County Sherrif's Dept, Sgt
PO Box 6990
Auburn, CA 95604
530.889.7845

Gary Barnett
Patrol Captain
9646 Donner Pass Road
Truckee, CA 96161-2949
530.587.3558

The authority and format of this document has been reviewed and is approved for signature.

US Forest Service, Grants and Agreements Specialist

Date

County Grants and Agreements Specialist

Date

IN WITNESS THEREOF, the parties hereto have executed this Operating Plan.

Chairman, Board of Supervisors
Placer County

Date

Ed Bonner
Sheriff, Placer County

Date

Robin Poague
Acting Special Agent in Charge, Region 5

Date