



PLACER COUNTY
SHERIFF
CORONER-MARSHAL



MAIN OFFICE
2929 RICHARDSON DR.
AUBURN, CA 95603
PH: (530) 889-7800 FAX: (530) 889-7899

TAHOE SUBSTATION
DRAWER 1710
TAHOE CITY, CA 96145
PH: (530) 581-6300 FAX: (530) 681-6377

EDWARD N. BONNER
SHERIFF-CORONER-MARSHAL

DEVON BELL
UNDERSHERIFF

To: The Honorable Board of Supervisors
From: Edward N. Bonner, Sheriff-Coroner-Marshall
Date: February 28, 2012
Subject: U.S. Forest Service Contract to Provide Law Enforcement

Action Requested

Approve the annual contract updates between the Sheriff's Office and the U.S. Forest Service. Authorize the Sheriff to execute the 2012 Patrol Annual Operating and Financial Plan (Exhibit A) and 2012 Controlled Substance Annual Operating and Financial Plan (Exhibit B), and authorize the Chair to sign Exhibit B. The term of the contract is from October 1, 2011 through September 30, 2012 with a total reimbursement of \$42,000.

Background

The Sheriff's Office contracts annually with the U.S., Forest Service to provide Visitor Protection (campground patrol) for \$22,000 and Controlled Substance Enforcement (narcotics investigations) for \$20,000 in the Tahoe and El Dorado National Forests. Your Board approved a five-year master agreement for these services on November 8, 2011. The exhibits are updated annually to reflect the current 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. Your Board's approval for the updated contract exhibits is required.

Fiscal Impact

The revenue from this contract has been included in the FY 2011-2012 Budget. The actual reimbursement for Visitor Protection Services is allocated in the amount not-to-exceed \$22,000 annually and the amount allocated for Controlled Substances is \$20,000 for a total contract amount of \$42,000. The services covered under the exhibits will be billed at the current hourly rate of \$100.00. There is no impact to the General Fund.



COPY

FS Agreement No. 12-LE-11051360-006
Modification No. Mod 01
Cooperator Agreement No. _____

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT ANNUAL PATROL OPERATIONS PLAN &
FINANCIAL PLAN**

**Between The
PLACER COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
LAKE TAHOE BASIN MANAGEMENT UNIT
AND THE
TAHOE NATIONAL FOREST**

2012 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual 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, Lake Tahoe Basin Management Unit and the Tahoe National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-1105-1360-006 executed on December 9, 2011. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 1, 2011 and ending September 30, 2012.

FY-2012 Total Annual Operating Plan: \$22,000

I. GENERAL:

- 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.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Bill Walton Admin Sergeant 2929 Richardson Dr Auburn, CA 95603 Telephone: 530-889-7800 Email: wwalton@placer.ca.gov	Jeff Granum Captain PO Box 1710 Tahoe City, CA 96145 Telephone: 530-581-6305 Email: jgranum@placer.ca.gov

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Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Gary Barnett, Patrol Captain 9646 Donner Pass Road Truckee, CA 96161-2949 Telephone: 530-587-3558 x237 FAX: 530-587-4857 Email: gbarnett@fs.fed.us	Melissa Ewing 631 Coyote Street Nevada City, CA 95959 Telephone: 530-478-6166 FAX: 530-478-6179 Email: melissaewing@fs.fed.us
Frank Aguilar, Patrol Captain 100 Forni Rd Placerville, CA 95667 Telephone: 530-642-5130 Email: faguilar@fs.fed.us	Suwannee Milburn, G&A Specialist 1323 Club Drive Vallejo, CA 94592-1110 Telephone: 707-562-8782 FAX: 707-562-9144 Email: semilburn@fs.fed.us
Westside Tahoe U. S. Forest Service Contact	Eastside Tahoe U. S. Forest Service Contact
Jeff Granum Captain Placer County Sheriff's Office P.O. Box 1710 Tahoe City, CA, 96145 Telephone: 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 96145 Telephone: 530.583.2869 Email: lclarke@fs.fed.us

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise. The following rates include wages, fringe benefits, and equipment:

Regular Deputies: For the services provided in Section II, the Forest Service agrees to reimburse the COOPERATOR at a rate not to exceed \$100 per hour (rate includes mileage).

Reserve Deputies: For the services provided in Section II, the Forest Service agrees to reimburse the COOPERATOR at a rate not to exceed \$100 per hour (rate includes mileage).

II. PATROL ACTIVITIES:

A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Cooperator and the U.S. 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.

B. Patrol in the following campgrounds, developed sites, and dispersed areas:

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	Kaspian
Martis Peak Lookout	Blackwood Canyon	William Kent	Sixty-four Acres
Chambers Landing		McKinney/Rubicon OHV staging area	

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

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

PC Frank Aguilar is the Forest Service Representative for the Hell Hole Reservoir area:
Hell Hole Big Meadow Campgrounds

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.

Total reimbursement for this category shall not exceed the amount of: \$22,000.

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.

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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 cooperator during regular duties. Both report forms are attached to this Exhibit and/or the Cooperative Agreement. Each Forest Service designated representative 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.

III. EQUIPMENT AND SUPPLIES:

See Cooperative Law Enforcement Agreement Provision IV-J for additional information.

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. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.
- B. 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 U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. 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 Annual Operating Plan.
1. **Drug Enforcement:** This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.
 2. **Fire Emergency:** During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the Forest Service will specify times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.
 3. **Group Gatherings:** This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.



V. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

For services requested in items I, II and agreed to under II and IV, reimbursement will be based upon itemized bills furnished monthly, along with certification that the services have been performed. Final billings for reimbursement must be received by the Forest Service before December 31, 2012.

a. Mail copies of itemized billing statements and patrol logs to:

Melissa Ewing
631 Coyote Street
Nevada City, CA 95959

b. The Albuquerque Service Center (ASC) is the payment center for all payments. Do not send backup documents to the ASC. Send only the hard copy invoice & Law Enforcement Billing Summary to the ASC via any of the following three options:

1. US Forest Service
Albuquerque Service Center
Payment – Grants and Agreements
101 B Sun Ave NE
Albuquerque, NM 87109
2. Or FAX to : 877.687.4894 – Attn: Payments, Grants and Agreements
3. Or e-mail scanned invoice to: asc_g&a@fs.fed.us

NOTE: Annually update the Central Contractors Registration (CCR) of the County Sheriff's DUNS# on the CCR website at www.ccr.gov for the verification of the Electronic Funds Transfer (EFT) banking information.

A. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$22,000	
Training		
Equipment and Supplies		
Total	\$22,000	

B. Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or deobligated at the request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-D.*

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In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.

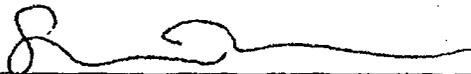
EDWARD N. BONNER, Sheriff-Coroner-Marshal
Placer County
Date

TOM QUINN, Forest Supervisor
US Forest Service, Tahoe National Forest
Date

NANCY J. GIBSON, Forest Supervisor
US Forest Service, Lake Tahoe Basin Mgt. Unit
Date

SCOTT HARRIS, Special Agent in Charge
U.S. Forest Service, Pacific Southwest Region
Date

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


SUWANNEE MILBURN, Grants Management Specialist
U.S. Forest Service, Pacific Southwest Region
Date 01/20/2012

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.



FS Agreement No. 12-LE-11051360-006
Cooperator Agreement No. _____
Modification No. 002

EXHIBIT B

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN
Between The
PLACER COUNTY SHERIFF'S OFFICE
And the
USDA, FOREST SERVICE
TAHOE AND ELDORADO NATIONAL FORESTS**

2012 CONTROLLED SUBSTANCE ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Placer County Sheriff's Office, hereinafter referred to as "PCSO," and the USDA, Forest Service, Tahoe and Eldorado National Forests, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-11051360-006 executed on _____. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 01, 2011 and ending September 30, 2012.

FY-2012 Annual Operating Plan: \$20,000

I. GENERAL:

- 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.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Edward N. Bonner, Sheriff Placer County P.O. Box 6990 Auburn, CA 95604-6990 Telephone: (530) 889-7800 FAX: (530) 886-3898 E-Mail: ebonner@placer.gov	Virginia Valenzuela Placer County Sheriff's Office P.O. Box 6990 Auburn, CA 95604-6990 Telephone: (530) 886-5386 FAX: (530) 886-3898 E-Mail: VValenzu@placer.ca.gov
Cooperator Alternate Program Contact	
Sergeant Brad McKenzie Placer County Sheriff's Office P.O. Box 6990	

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Telephone: (530) 889-7845 FAX: (530) 886-3898 E-Mail: bmckenzie@placer.ca.gov	
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Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Eric Schultz, Special Agent Eldorado National Forest 100 Forni Rd Placerville, CA 95667-5310 Telephone: (530) 621-5294 Cell: (530) 919-6142 FAX: (530) 621-5260 E-mail: eschultz@fs.fed.us	Hylah Jacques, Program Support Assistant Pacific Southwest Regional Office –LEI 1323 Club Drive Vallejo, CA 94592-1110 Telephone: (707) 562-9127 FAX: (707) 562-9031 E-mail: hjacobes@fs.fed.us
U.S. Forest Service Program Coordinator Contact	
Marion Matthews Assistant Special Agent in Charge Pacific Southwest Regional Office –LEI 1323 Club Drive Vallejo, CA 94592-1110 Telephone: (707) 562-8662 (office) Cell: (559) 304-3705 FAX: (707) 562-9031 E-mail: mmatthews@fs.fed.us	

II. CONTROLLED SUBSTANCE OPERATIONS

Pursuant to IV-I of the Cooperative Law Enforcement Agreement between PCSO and the U.S. Forest Service, Agreement No. 12-LE-11051360-006; 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 U.S. Forest Service agrees:

1. To reimburse PCSO 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.

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- b. Investigations to determine the person(s) responsible for manufacturing or trafficking controlled substances.
 - c. Upon request and prior approval of the U.S. 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 II, A of this Operating and Financial Plan to the affected Forests for review and forwarding to the Regional Office for processing.

C. The U.S. Forest Service and PCSO mutually agree to the following:

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

Salary (base)	\$ 66.67 per hour
Salary (overtime)	\$100.00 per hour
Travel (mileage and fares)	Actual documented costs,
Per diem costs	\$39/M&IE + \$65 lodging
Helicopter flight time	Actual documented costs,
Supplies or equipment	Actual documented costs

- 2. The total expenditures of PCSO that may be reimbursed may not exceed.... \$20,000.
The total expenditures for item A.4 may not exceed..... 10% of the total allocation.

3. **Prior Year Funding Availability:** Prior year, confirmed, unexpended, controlled substances operational funds are available for expenditure for the remainder of the master agreement under the same operating procedures of the current year financial and operating plan, Section A, Items 1-4. In addition, confirmed unexpended prior year controlled substances operational funds may be de-obligated at the discretion of the US Forest Service, by mutual consent with the cooperator, as stated in the Master Agreement under the terms of the modification paragraph.

III. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-I and III-C for additional information.

The PCSO will furnish itemized monthly statements of expenses to the U.S. Forest Service for expenditures that may be reimbursed as identified in items II A.1, A.2, A.3, and A.4 of this Plan. Attachment A, Law Enforcement Billing Summary, Drug Enforcement must be completed and submitted to the contacts in (a) below for each billing statement.

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- a. **Mail copies of itemized billing statements to:**
 Hylah Jacques, Program Support Asst.
 Pacific Southwest Regional Office LEI, R5
 1323 Club Drive
 Vallejo, CA 94592-1110
- Send photocopy to:**
 Eric Schultz, Special Agent
 Eldorado National Forest
 100 Forni Rd
 Placerville, CA 95667-5310

- b. **Send hard copy invoices to:**
 U.S. Forest Service
 Albuquerque Service Center
 Payments – Grants & Agreements
 101 B Sun Ave NE
 Albuquerque, NM 87109-4473
 Or fax to: (877) 687-4894
 Or e-mail scanned invoice to: ASC_GA@fs.fed.us

- c. Final billings for reimbursement on this Annual Operating Plan (AOP) must be received by the U.S. Forest Service before January 31, 2012 in order to receive payment.

- d. **Annually update the CCR registration of the County Sheriff's DUNS# on the Central Contractors Registration (CCR) website at www.ccr.gov for the verification of the EFT (Electronic Funds Transfer) banking information.**

In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.

EDWARD N. BONNER, Sheriff Date
 Placer County

JENNIFER MONTGOMERY, Chair Date
 Board of Supervisors, Placer County

SCOTT HARRIS, Special Agent in Charge Date
 U.S. Forest Service, Pacific Southwest Region

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

SUWANNEE MILBURN, Grants Mgmt Specialist
U.S. Forest Service, Pacific Southwest Region

01/13/2012
Date

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

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