



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-Marshal
Date: May 24, 2011
Subject: U.S. Forest Service Contract to Provide Law Enforcement

Action Requested

Approve the annual contract update (Exhibits A and B) between the Sheriff's Office and the U.S. Forest Service. Authorize the Sheriff to execute Exhibits A and B and authorize the Chairman to sign Exhibit B. The services include Visitor Protection Cooperative Patrol (Exhibit A) and Controlled Substances on Federal lands (Exhibit B) for a total reimbursement of \$42,000. The term of the contract is from October 1, 2010 through September 30, 2011.

Background

The Sheriff's Office has been contracting 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 in April 2006. 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 11/12 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 \$95.00. There is no impact to the General Fund.



FS Agreement No. 07-LE-11051360-031
 Modification No. 11
 Cooperator Agreement No. _____

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING 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**

2011 OPERATING AND FINANCIAL PLAN

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 "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 #07-LE-11051360-031 executed on October 1, 2006. This Operating Plan is made and agreed to as of the last date signed below and is for the period beginning October 1, 2010 and ending September 30, 2011. Unspent funds may be carried forward to the succeeding fiscal year.

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 |
|---|---|
| David Keyes Patrol Captain 2929 Richardson Dr Auburn, CA 95603 Telephone: 530-889-7819 Email: dkeyes@placer.ca.gov | Rosie Dreher 2929 Richardson Dr Auburn, CA 95603 Telephone: 530-889-7821 Email: RDreher@placer.ca.gov |

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| Westside Tahoe Cooperator Contact | Eastside Tahoe Cooperator Contact |
|---|---|
| Brad McKenzie Admin Sergeant 2929 Richardson Dr Auburn, CA 95603 Telephone: 530-889-7858 Email: bmckenzie@placer.ca.gov | Jeff Ausnow Captain PO Box 1710 Tahoe City, CA 96145 Telephone: 530-581-6305 Email: jausnow@placer.ca.gov |

Principal U.S. Forest Service Contacts:

| U.S. Forest Service Program Manager Contact | U.S. Forest Service Program Manager 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 | Frank Aguilar, Patrol Captain 100 Forni Rd Placerville, CA 95667 Telephone: 530-642-5130 Email: faguilar@fs.fed.us |
| Westside Tahoe U. S. Forest Service Contact | Eastside Tahoe U. S. Forest Service 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 | Laura Clarke Law Enforcement Officer Lake Tahoe Basin Management Unit 3080 North Lake Blvd Tahoe City, CA 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:
1. *Regular Deputies:* For the services provided in Section II, the Forest Service agrees to reimburse the COOPERATOR at a rate not to exceed \$95 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 \$95 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 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.

II. PATROL ACTIVITIES:

- A. 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.
- B. Patrol 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 | 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 | Ralston Picnic and Big Reservoir/Morning | |
| Big Bend | Hampshire Rocks | French Meadows | |
| 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 |
|-----------|------------------------|

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 allocation for Patrol Activities shall not exceed:\$22,000.00

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:

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

- a. Mail copies of itemized billing statements to:
Melissa Ewing
Law Enforcement & Investigations
631 Coyote St
Nevada City, CA 95959

Send hard copy invoices to:

US Forest Service
Albuquerque Service Center
Payments – Grants & Agreements
1001 B Sun Ave NE
Albuquerque, NM 87109

Or fax to: (877) 687-4894

Or e-mail scanned invoice to: ASC_GA@fs.fed.us



Final billings for reimbursement must be received by the Forest Service before December 31, 2011. Unspent funds may be utilized in succeeding years at the discretion of the Forest Service.

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.

Total funding for 2011: NFLE2011 1360 = \$22,000



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

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

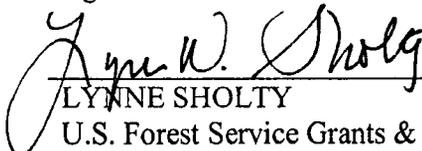
County Grants & Agreements Specialist Date

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

JEFF MARSOLAIS, Acting Forest Supervisor Date
US Forest Service, Lake Tahoe Basin Mgt. Unit

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

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



LYNNE SHOLTY Date
U.S. Forest Service Grants & Agreements Specialist

2/16/11
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).

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.

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FS Agreement No. 07-LE-11051360-031

Modification No. 012

Cooperator Agreement No. _____

EXHIBIT B

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

Between The

PLACER COUNTY SHERIFF'S OFFICE

And the

USDA, FOREST SERVICE, TAHOE AND ELDORADO NATIONAL FOREST

2011 CONTROLLED SUBSTANCES OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (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 Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #07-LE-11051360-031 executed on October 1, 2006. This Operating Plan is made and agreed to as of the last date signed below and is for the period beginning October 01, 2010 and ending September 30, 2011.

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 | Rosie Dreher Placer County Sheriff's Office P.O. Box 6990 Auburn, CA 95604-6990 Telephone: (530) 889-7821 FAX: (530) 886-3898 E-Mail: rdreher@placer.ca.gov |
| Cooperator Alternate Program Contact | |
| Sergeant John Poretti Placer County Sheriff's Office P.O. Box 6990 Auburn, CA 95604-6990 Telephone: (530) 889-7845 FAX: (530) 886-3898 E-Mail: jporetti@placer.ca.gov | |

**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: hjacob@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. 07-LE-11051360-031, 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 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.
 - b. Aerial reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances. Reconnaissance shall be performed using a U.S. Forest Service approved aircraft with a minimum of one U.S. Forest Service observer on board, unless waived by the U.S. Forest Service.



2. To reimburse PCSO 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 PCSO 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 U.S. Forest Service prior to taking place.

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

4. To reimburse PCSO 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 U.S. Forest Service.

Purchases may **not exceed 10% of the total allocation** without prior approval by the U.S. Forest Service Designated Representative.

B. PCSO 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 U.S. 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 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) | \$ 63.33 per hour |
| Salary (overtime) | \$ 95.00 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.

- a. **Mail copies of itemized billing statements to:**

| | |
|---|-----------------------------|
| Hylah Jacques, Program Support Asst. | Eric Schultz, Special Agent |
| Pacific Southwest Regional Office LEI, R5 | Eldorado National Forest |
| 1323 Club Drive | 100 Forni Rd |
| Vallejo, CA 94592 | 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.

Job Code: NFLE0511 1360 \$20,000

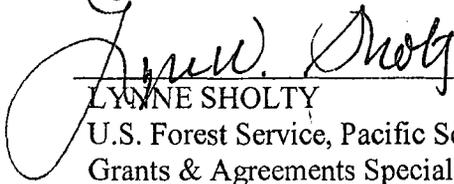
In witness whereof, the parties hereto have executed this Operating Plan as the last date written below.

Edward N. Bonner, Sheriff Date
 Placer County

Robert Weygandt, Chair Date
 Placer County Board of Supervisors

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

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

 4/13/11
 _____ Date
 LYNNE SHOLTY
 U.S. Forest Service, Pacific Southwest Region
 Grants & Agreements Specialist



Burden Statement

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