

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

233



FROM: Stanley L. Sniff Jr., Sheriff-Coroner-PA

SUBMITTAL DATE:
02/28/12

SUBJECT: Approval of the FY 2011-12 Operating and Financial Plans with the U. S. Department of Agriculture, Forest Service

RECOMMENDED MOTION: Move that the Board of Supervisors approve the FY 2011-12 Operating and Financial Plans, Exhibits A and B, pursuant to the Cooperative Law Enforcement Agreement with the U.S. Department of Agriculture, Forest Service and authorize the Chairperson and Sheriff to sign all copies of the documents.

BACKGROUND: On July 26, 2011 (3.70), the Forest Service and the Sheriff's Department renewed their Cooperative Agreement with a term extending until December 31, 2014. The Agreement provides for law enforcement patrols in the Cleveland and San Bernardino National Forest. Each year, the Sheriff and the Forest Service execute Operating and Financial Plans pursuant to this Agreement.

(Continued on Page 2) BR 12-071

Will Taylor for

Stanley L. Sniff Jr., Sheriff-Coroner-PA
Will Taylor, Director of Administration

FINANCIAL DATA	Current F.Y. Total Cost:	\$15,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	No
	Annual Net County Cost:	\$0	For Fiscal Year:	FY 2011-12

SOURCE OF FUNDS: Federal funds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:
APPROVE

Elizabeth J. Olson
Elizabeth J. Olson

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
 BY: NEAL R. KIPNIS
 Environmental Concurrence
 3/7/12

ATTACHMENTS FILED
 Dept Request THE CLERK OF THE BOARD
 Consent
 Policy
 Consent
 Policy
 Per Exec. Ofc.:

3.34

Under the FY 2011-12 Annual Operating and Financial Plan-Exhibit A, Sheriff's Deputies from the Hemet and Lake Elsinore Sheriff's stations will conduct patrols on National Forest System lands, as necessary. The operating budget shall not exceed \$17,000.

Under the FY 2011-12 Controlled Substance Annual Operating and Financial Plan-Exhibit B, the Sheriff's Department will be reimbursed up to \$30,000 for detection and investigation of persons producing or trafficking controlled substances on National Forest System lands.

All patrols provided pursuant to these Plans are conducted on Overtime. All costs for the service are recovered at Board-approved rates. The term of each Plan is from October 1, 2011 to September 30, 2012. County Counsel has approved the Master Cooperative Agreement and the Operating and Financial Plans as to form.



EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN**

**Between The
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT**

**And the
USDA, FOREST SERVICE
CLEVELAND AND SAN BERNARDINO NATIONAL FORESTS**

2012 PATROL ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Riverside County Sheriff's Department, hereinafter referred to as "Cooperator," and the USDA, Forest Service, Cleveland and San Bernardino National Forests, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #11-LE-11051360-230 executed on August 1, 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 Patrol Annual Operating Plan: \$17,000.00

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
Lake Elsinore Station Captain, Dave Fontneau 333 Limited Avenue Lake Elsinore, CA 92530 Telephone: 909-245-3300	Bob Meyers, Administrative Manager 4095 Lemon St., 1 st . Floor Riverside, CA 92501 Telephone: 909-955-2722
Hemet Station Captain, Scot Collins 43950 East Acacia Ave., Ste B Hemet, CA 92544 Telephone: 909-791-3400	



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
<p>Anthony Rose, Patrol Captain 10845 Rancho Bernardo Rd., Ste 200 San Diego, CA 92127 Telephone: 858-524-0125 Fax: 858-673-6188 Email: arose@fs.fed.us</p> <p>Curtis Davis, Patrol Captain 602 S. Tippecanoe San Bernardino, CA 92408 Telephone: 909-382-2698 FAX: 909-382-0705 Email: cdavis@fs.fed.us</p>	<p>Cynthia Maldonado, Admin. Assistant 444 East Bonita Ave. San Dimas, CA 91773 Telephone: 909-599-1267 ext. 214 FAX: 909-592-1404 Email: cmaldonado@fs.fed.us</p>
U.S. Forest Service Program Coordinator Contact	U.S. Forest Service Grants & Agreements Contact
<p>Rita Wears, Patrol Commander 444 East Bonita Ave. San Dimas, CA 91773 909-599-1267 ext. 214 (office) FAX: 909-592-1404 Email: rwears@fs.fed.us</p>	<p>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</p>

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

\$0.85/mile patrolled. Per diem rate is N/A/day. Wages at the prevailing wage rate of \$91.71/hour plus fringe benefits for the individual officer at the rate of: NA/hour.

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 U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.

- Patrol on the following Forest Service roads:



The Patrol Captain will determine designated patrol activities and locations for the rural areas of the Cleveland and San Bernardino National Forests. The Patrol Captain or designee shall make requests for personnel to the County. Personnel assigned to these details shall be Deputies, Reserve Deputies or Sergeants normally assigned to the Patrol Division.

•Patrol in the following campgrounds, developed sites, or dispersed areas:

Total reimbursement for this category shall not exceed the amount of: **\$17,000.**

III. TRAINING:

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

Total reimbursement for this category shall not exceed the amount of: \$1,000 and shall be approved by the Forest Service (Designated Representative or Alternate Representative).

Total reimbursement for training may not exceed: \$1,000.

IV. EQUIPMENT AND SUPPLIES:

See Cooperative Law Enforcement Agreement Provisions IV-K, IV-L, and IV-M for additional information.

(If purchase is determined necessary, document the need for such a determination and make the documentation part of the Cooperative Law Enforcement Agreements' official file)

Total reimbursement for this category shall not exceed the amount of: 10% of the total Agreement, or by authorization of the Forest Service (Designated Representative or Alternate Representative) if greater expenditures are necessary. All expenditures in this category shall be approved by the Forest Service (Designated Representative or Alternate Representative). The estimated useful life of the equipment under the law enforcement agreement provisions IV-J and IV-D (5) shall be provided at the time the documents are filed.

Total reimbursement for equipment shall not exceed: (10% of the total amount)

Total reimbursement for patrol activities, including training and equipment described above, shall not exceed the amount of \$17,000

V. 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 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.



VI. BILLING FREQUENCY:

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

A. Mail copies of itemized billing statements to:

Anthony Rose, Patrol Captain
USFS Law Enforcement
10845 Rancho Bernardo Rd., Ste 200
San Diego, CA 92127

Curtis Davis, Patrol Captain
USFS – Law Enforcement
602 S. Tippecanoe Ave.
San Bernardino, CA 92408

Send hard copy invoices to:

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

Or fax to: 877-687-4984

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, 2012 in order to receive payment. Please see agreement provision IV-V regarding use of funding in succeeding years.

B. 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	\$17,000	N/A
Training	\$1,000	N/A
Equipment and Supplies		10%
Special Enforcement Situations		N/A
Total	\$17,000	N/A

C. 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.

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.

STANLEY L. SNIFF JR., Sheriff
Riverside County
Date


COUNTY COUNSEL
Riverside County
Date

WILLIAM METZ, Forest Supervisor
U.S. Forest Service, Cleveland National Forest
Date

JODY NOIRON, Forest Supervisor
U.S. Forest Service, San Bernardino National Forest
Date

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

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



SUWANNEE MILBURN,
Grants & Agreements Specialist
U.S. Forest Service, Pacific Southwest Region
Date 12/14/2011

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) 632-9932 (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. 11-LE-11051360-230
Cooperator Agreement No. _____
Modification No. 004

EXHIBIT B

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN
Between The
RIVERSIDE COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
SAN BERNARDINO and CLEVELAND 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 Riverside County Sheriff's Department, hereinafter referred to as "RCS," and the USDA, Forest Service, San Bernardino and Cleveland National Forests, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #11-LE-11051360-230 executed on August 01, 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 01, 2011 and ending September 30, 2012.

FY-2012 Annual Operating Plan: \$30,000

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
Stanley Sniff, Sheriff 4095 Lemon Street, 2 nd Floor Riverside, CA 92502 951-955-2400 FAX: 951-955-2428 Or Narcotics Unit Representative 4095 Lemon Street, 2 nd Floor Riverside, CA 92502 951-955-2400	Bob Meyers, Administrative Manager 4095 Lemon Street, 2 nd Floor Riverside, CA 92502 951-955-2722 FAX: 951-955-2428 Email: bmeyers@riversidesheriff.org



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
<p>Greg Meese, Special Agent Cleveland National Forest 10845 Rancho Bernardo Rd., Ste 200 San Diego, CA 92127-2107 858-674-2986 (office) 619-895-2747 (cell) FAX: 858-673-6193 gmeese@fs.fed.us</p>	<p>Gerri Bordash, Law Enforcement Assistant Pacific Southwest Regional Office – LEI 1323 Club Drive Vallejo, CA 94592 707-562-8666 (office) 530-306-2958 (cell) FAX: 707-562-9031 gbordash@fs.fed.us</p>
U.S. Forest Service Program Coordinator Contact	
<p>Daryl Rush, Assistant Special Agent in Charge Pacific Southwest Regional Office, LEI 1323 Club Drive Vallejo, CA 94592 707-562-9155 (office) 530-949-8077 (cell) FAX: 707-562-9031 drush@fs.fed.us</p>	

II. CONTROLLED SUBSTANCE OPERATIONS

Pursuant to IV- I of Agreement No. 11-LE-11051360-230, 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 **RCS** 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 **RCS** 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 **RCS** 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: **RCS** 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 **RCS** 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. **RCS** 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 **RCS** mutually agree to the following:
- 1. The following rate schedule will apply to all expenditures that may be reimbursed to **RCS** under this agreement;

Salary (base)	\$91.71 per hour,
Salary (overtime)	\$ base + ½ per hour,
Per diem costs	\$34/M&IE + \$55/Lodging,
Travel (mileage and fares)	\$0.85 per mile,
Helicopter flight time	Actual documented costs,
Supplies or equipment	Actual documented costs
 - 2. The total expenditures of **RCS** that may be reimbursed may not exceed.... **\$30,000**.
The total expenditures for item **A.4** may not exceed..... **10%** of the total allocation.
- D. 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 de-obligated at the request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-V.*

III. BILLING FREQUENCY:

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

RCS will furnish monthly itemized 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 (Attachment A) to:

Gerri Bordash, LEA
Pacific Southwest Regional Office - LEI
1323 Club Drive
Vallejo, CA 94592

Send photo copy to:
Greg Meese, Special Agent
Cleveland National Forest
10845 Rancho Bernardo Rd., Ste 200
San Diego, CA 92127-2107

- b. **Send hard copy invoices to:**

U.S. Forest Service
Albuquerque Service Center
Payments – Grants & Agreements
101 B Sun Ave NE
Albuquerque, NM 87109

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 December 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.**



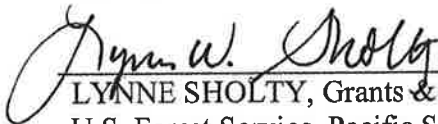
In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.

BOB BUSTER _____ Date
Chairman, Board of Supervisors
Riverside County

STANLEY L. SNIFF JR., Sheriff _____ Date
Riverside County

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

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

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

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.

Law Enforcement Billing Summary
Drug Enforcement

	Agreement #: 11-LE-11051360-230
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USDA Forest Service, NF: SAN BERNARDINO & CLEVELAND	County: RIVERSIDE
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Law Enforcement Billing Summary	Month:	Year:
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Check appropriate block: <input type="checkbox"/> Coop Patrol <input checked="" type="checkbox"/> Controlled Substance Ops
--

A. Total 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 Expenditures:	\$ _____
G. Total Invoice Reimbursement per Op Plan:	\$ _____

Certification Statement

County Sheriff		USFS – Special Agent	
I certify this billing/invoice is accurate and complete.		I certify services have been received as stated.	
Sheriff	Date	US Forest Service	Date