

**Sierra County  
Board of Supervisors'  
Agenda Transmittal &  
Record of Proceedings**

<b>MEETING DATE:</b> April 19, 2016	<b>TYPE OF AGENDA ITEM:</b> <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
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**DEPARTMENT:** Sheriff  
**APPROVING PARTY:** Sheriff Tim Standley  
**PHONE NUMBER:** 530-289-3700

**AGENDA ITEM:** Discussion/Direction Regarding Adoption of Resolution and Approval of Cooperative Law Enforcement Controlled Substance Annual Operating Plan and Financial Plan Between the Sierra County Sheriff's Office and the USDA, Forest Service Tahoe and Plumas National Forests for Fiscal Year 2016.

**SUPPORTIVE DOCUMENTS ATTACHED:**  Memo  Resolution  Agreement  Other

**BACKGROUND INFORMATION:** See Attached Agreement

**FUNDING SOURCE:**  
**GENERAL FUND IMPACT:** General Fund Impact  
**OTHER FUND:** USFS Reimbursement Cooperative Agreement  
**AMOUNT:** \$5,000 Annually

**ARE ADDITIONAL PERSONNEL REQUIRED?**  
 Yes, 1 Seasonal Help Employee(s)  
 No

**IS THIS ITEM ALLOCATED IN THE BUDGET?**  Yes  No  
**IS A BUDGET TRANSFER REQUIRED?**  Yes  No

**SPACE BELOW FOR CLERK'S USE**

<p><b>BOARD ACTION:</b></p> <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2016- _____ Agreement 2016- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
	<p><b>COMMENTS:</b></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	

CLERK TO THE BOARD \_\_\_\_\_ DATE \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF SIERRA,  
STATE OF CALIFORNIA

IN THE MATTER OF THE APPROVAL OF AGREEMENT BETWEEN THE SHERIFF'S  
OFFICE AND THE TAHOE & PLUMAS NATIONAL FORESTS RE: FY 2016 FINANCIAL  
AND OPERATING PLAN

RESOLUTION NO. 16-\_\_\_\_\_

BE IT RESOLVED THAT:

1. Agreement No. 12-LE-11051360-007, Mod. 009 captioned 2016 Controlled Substance Annual Operating and Financial Plan by and between the County of Sierra ("the County") and Contracting Party:

US Forest Service, Tahoe & Plumas National Forests

dated March 4, 2016 is hereby approved;

2. The responsible administrators for said Agreement are:

County: Tim Standley  
Ted Williams, Sheriff-Coroner

Contractor: Ted Williams  
Joseph M. Cook, Patrol Captain

3. The Responsible Administrator for the County designated above and/or the Chairman of the Board of Supervisors is authorized to execute the subject Agreement.
4. The Sierra County Auditor is hereby authorized to pay said expenditure out of the Sheriff-Coroner Budget #5450.

**ADOPTED** by the Board of Supervisors of the County of Sierra on the 19 day of April, 2016.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

COUNTY OF SIERRA

\_\_\_\_\_  
Lee Adams  
CHAIR, BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
HEATHER L. FOSTER  
CLERK OF THE BOARD

\_\_\_\_\_  
Christian Curtis  
Deputy County Counsel



FS Agreement No. 12-LE-11051360-007

Modification No. 009

**EXHIBIT B**

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

**Between The  
SIERRA COUNTY SHERIFF'S DEPARTMENT  
And the  
USDA, FOREST SERVICE  
TAHOE AND PLUMAS NATIONAL FORESTS**

**2016 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 Sierra County Sheriff's Department, hereinafter referred to as "the Cooperator," and the USDA, Forest Service, Tahoe and Plumas National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-11051360-007 executed on November 4, 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, 2015 and ending September 30, 2016.

**Prior Year Carryover: \$0.00**  
**Current 2016 Funds: \$5,000**  
**FY-2016 Total Annual Operating Plan: \$5,000**

**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:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Tim Standley, Sheriff-Coroner Sierra County Sheriff's Office P.O. Box 66 Downieville, CA 95936-0066 Telephone: (530)289-3700	Michelle Anderson Sierra County Sheriff's Office P.O. Box 66 Downieville, CA 95936-0066 Telephone: (530)289-2880 FAX: (530)289-3318 E-mail: <a href="mailto:michelleanderson@sierracounty.ws">michelleanderson@sierracounty.ws</a>

**Principal U.S. Forest Service Contacts:**

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
Ted Williams, Special Agent Tahoe National Forest, LEI 631 Coyote Street Nevada City, CA 95959 <b>Office:</b> 530-515-8686 <b>E-Mail:</b> <a href="mailto:ewwilliams@fs.fed.us">ewwilliams@fs.fed.us</a>	Jennie Shirley, Administrative Specialist Pacific Southwest Regional Office – LEI 1323 Club Drive Vallejo, CA 94592 <b>Office:</b> 707-562-9127 <b>FAX:</b> 707-562-9031 <b>E-Mail:</b> <a href="mailto:jennieshirley@fs.fed.us">jennieshirley@fs.fed.us</a>
<b>U.S. Forest Service Program Contact - Alternate</b>	<b>U.S. Forest Service Administrative Contact - Alternate</b>
Joe Cook Tahoe National Forest, LEI 631 Coyote Street Nevada City, CA 95959 <b>Office:</b> 530-906-2087 <b>FAX:</b> 530-478-6179 <b>E-Mail:</b> <a href="mailto:jcook02@fs.fed.us">jcook02@fs.fed.us</a>	Melissa Ewing Tahoe National Forest – LEI 631 Coyote Street Nevada City, CA 95959 <b>Office:</b> 530-478-6166 <b>FAX:</b> 530-478-6179 <b>E-Mail:</b> <a href="mailto:melissaewing@fs.fed.us">melissaewing@fs.fed.us</a>
<b>U.S. Forest Service Program Coordinator Contact</b>	<b>U.S. Forest Service Grants and Agreement Contact</b>
Pete Jordan, Assistant Special Agent in Charge Pacific Southwest Region 1323 Club Drive Vallejo, CA 94592-1110 <b>Office:</b> 707-562-8662 <b>FAX:</b> 707-562-9031 <b>E-Mails:</b> <a href="mailto:pjordan@fs.fed.us">pjordan@fs.fed.us</a>	Geraldine C. Bordash (Gerri) Grants Management Specialist Pacific Southwest Region 1323 Club Drive Vallejo, CA 94592-1110 <b>Office:</b> 707-562-8782 <b>FAX:</b> 707-562-9144 <b>E-Mails:</b> <a href="mailto:gbordash@fs.fed.us">gbordash@fs.fed.us</a>

**II. CONTROLLED SUBSTANCE OPERATIONS**

Pursuant to IV- J of Agreement No. 12-LE-11051360-007, 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 **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.
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 U.S. 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 U.S. 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 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. 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 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 **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;

*Regular Deputies:* For services provided, the U.S. Forest Service agrees to reimburse the Cooperator at a rate not to exceed \$65.00 per hour (salary and mileage) and OT rate \$98.00 per hour.

*Reserve Deputies:* For the services provided, the U.S. Forest Service agrees to reimburse the Cooperator at a rate not to exceed \$65.00 per hour (salary and mileage) OT rate \$98.00 per hour.

Helicopter flight time	<b>Actual documented costs,</b>
Supplies or equipment	<b>Actual documented costs</b>

- 2. The total expenditures of **the Cooperator** that may be reimbursed may not exceed.... **\$5,000**

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.**

**III. BILLING FREQUENCY:**

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



**The Cooperator** 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:

Melissa Ewing  
Tahoe National Forest - LEI  
631 Coyote Street  
Nevada City, CA 95959

- 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](mailto: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 October 31, 2016 in order to receive payment.
- d. **Annually update the registration of the County Sheriff's DUNS# on the System for Award Management (SAM) website at [www.sam.gov](http://www.sam.gov) for the verification of the EFT (Electronic Funds Transfer) banking information.**

**Job Code: NFLE0516 1360 \$5,000**



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

TIM STANDLEY, Sheriff-Coroner  
Sierra County

Date

JAMES CURTIS, County Counsel  
Sierra County

Date

DON HOANG, 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.

03/01/2016

GERALDINE C. BORDASH  
U.S. Forest Service, Grants Management Specialist

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.

**Law Enforcement Billing Summary  
Drug**

USDA Forest Service, Tahoe and Plumas NF	County: SIERRA
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Law Enforcement Billing Summary	Month:	Year:
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Check appropriate block:     Coop Patrol     Controlled Substance Operations

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:	\$
G. Total Reimbursement for Maximum Op Plan Amt:	\$

**Certification Statement**

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



**USDA**  
Forest Service

**LAW ENFORCEMENT ACTIVITY**  
**REPORT**  
(Ref. FSM 5300)

Agreement Number  
12-LE-11051360-007

Initial  Follow Up

1. Cooperator (Department Name): <b>Sierra County Sheriff's Dept.</b>			2. National Forest: <b>Tahoe and Plumas NF</b>			
3. Record (1)	4. Action Code (2) (FS Use Only) U-Update	5. Unit Identification (3-11)			6. Date (12-5)	
		Region	Forest	State	County	Month
		05	17	CA	Sierra	
7. Patrol Units (16-18)		8. Search and Rescue Missions Hours (19-22)		No. (23-24)	9. Property Stolen (25-30) Dollars	
10. Property Recovered (31-36) Dollars			11. Controlled Substances Seized (37-45) Dollars (Street Value)			
12. Record (1)		13. Number of Crimes Occurring on National Forest System Lands				
13a. Item # (16-17)	13b. Type of Crime	13c. Coop Agreement Reimbursed Activity (18-20)			13d. Non-Coop Agreement Activities (21-23)	

**PART I - FBI UNIFORM CRIME REPORTING**

01	Criminal Homicide		
02	Forcible Rape		
03	Robbery		
04	Aggravated Assault		
05	Burglary - Breaking or Entering		
06	Larceny - Theft (Except Motor Vehicle)		
07	Motor Vehicle - Theft		
08	Arson		

**PART II - FBI UNIFORM CRIME REPORTING**

09	Other Assaults (simple)		
10	Stolen Property by Buying, Receiving, Possessing		
11	Vandalism		
12	Weapons - Carry, Possessing		
13	Narcotic Drug Law		
14	Driving Under the Influence		
15	Liquor Laws		
16	Drunkenness		
17	Disorderly Conduct		
18	All Other Offenses		

**PART III - COOPERATOR ASSISTS**

19	Assists to Forest Service Officers		
20	Assists to Public		

Remarks:

**NOTE:** This document is for OFFICIAL USE ONLY. It and its contents are not to be distributed outside your agency, nor duplicated, without prior approval of the USDA, Forest Service, Law Enforcement and Investigations.

Date: 03/11/2016	Staff: AQM - G&A
From: Gerri Bordash	Phone: 707-562-8782

TO: **Mailroom Staff**

Subject: **Shipping and Mailing Request**

**1. Shipping / Mailing Method:** (Check appropriate box.)

<input checked="" type="checkbox"/> UPS Next Day	<input type="checkbox"/> Express Mail **
<input type="checkbox"/> UPS 2 <sup>nd</sup> Day	<input type="checkbox"/> Priority Mail
<input type="checkbox"/> UPS 3 <sup>rd</sup> Day	<input type="checkbox"/> Certified Mail **
<input type="checkbox"/> UPS Ground	<input type="checkbox"/> First Class Mail
	<input type="checkbox"/> Standard Mail
** Prepare required US Postal Form	

**2. Ship / Mail to:**

(Complete Address and Phone #. Note: P.O.Box Addresses are not deliverable for Fed-Ex or UPS.)

Name: Melissa Ewing
Phone: * : 530-478-6166
Company: Tahoe National Forest - LEI
Street Address: 631 Coyote Street
City/ State/ Zip: Nevada City, CA 95959-2250

**3. Billing Information:**

<input type="checkbox"/> Recipient #	<input type="checkbox"/> 3 <sup>rd</sup> Party #	<input checked="" type="checkbox"/> Sender
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**4. Additional Information- Mailroom- please provide tracking number**

**Note to self: 12-LE-11051360-007 (Sierra-TNF PNF FY-16 Drug AOP)**

To be completed by Mail Room Staff: Track Number
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