



**BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA**

**RESOLUTION APPROVING AGREEMENT BETWEEN THE SHERIFF'S OFFICE  
AND THE HUMBOLDT-TOIYABE NATIONAL FOREST RE: FY2020 FINANCIAL  
AND OPERATING PLAN**

**Resolution 2020-**

**BE IT RESOLVED THAT:**

1. Agreement No. 16-LE-11041701-007, Mod. 04, Captioned FY20 Annual Operating and Financial Plan by and between the County of Sierra ("the County") and Contracting Party: USDA Forest Service, Humboldt-Toiyabe National Forest is hereby approved;
2. The responsible administrators for said Agreement are  
**County:** Mike Fisher, Sheriff-Coroner  
**Contractor:** Donald Harris, 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 7<sup>st</sup> day of January, 2020, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

COUNTY OF SIERRA

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JIM BEARD, CHAIRMAN  
BOARD OF SUPERVISORS

ATTEST:

APPROVED AS TO FORM:

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HEATHER FOSTER  
CLERK TO THE BOARD

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DAVID PRENTICE  
COUNTY COUNSEL



FS Agreement No. 16-LE-11041701-007  
Mod 04

Cooperator Agreement No. \_\_\_\_\_

**EXHIBIT A**

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

**Between The  
SIERRA COUNTY SHERIFF'S OFFICE**

**And the  
USDA, FOREST SERVICE  
HUMBOLDT-TOIYABE NATIONAL FOREST**

**FY20 ANNUAL OPERATING AND FINANCIAL PLAN**

This Annual Operating and Financial Plan (Annual Operating Plan), is hereby made and entered into by and between the Sierra County Sheriff's Office, hereinafter referred to as the "Cooperator" and the USDA, Forest Service, Humboldt-Toiyabe National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #16-LE-11041701-007 executed on May 27, 2016. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the period beginning on the last date of signature and ending December 31, 2020 unless modified during the annual review.

**FY20 Total Annual Operating Plan: \$8,000.00**

**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:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Mike Fisher, Sheriff-Coroner Sierra County Sheriff's Office PO Box 66 100 Courthouse Square Downieville, CA 95936 Telephone: (530) 289-3700 FAX: (530) 289-3318 Email: <a href="mailto:mikefisher@sierracounty.ca.gov">mikefisher@sierracounty.ca.gov</a>	TBA Sierra County Sheriff's Office PO Box 66 100 Courthouse Square Downieville, CA 95936 Telephone: (530) 289-3700 Fax: (530) 289-3318 Email: TBA

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

<b>U.S. Forest Service Program Manager Contact</b>	<b>U.S. Forest Service Administrative Contact</b>
Donald Harris Law Enforcement Patrol Captain Humboldt-Toiyabe National Forest 1200 Franklin Way Sparks, NV 89431 Telephone: (775) 355-5327 Email: <a href="mailto:donald.e.harris@usda.gov">donald.e.harris@usda.gov</a>	Ragan Hall R4 LE&I Administrative Assistant Intermountain Region 324 25 <sup>th</sup> Street Ogden, UT 84401 Telephone: (801)-625-5780 Email: <a href="mailto:ragan.hall@usda.gov">ragan.hall@usda.gov</a>
<b>U.S. Forest Service Grants and Agreement Contact</b> Mallory Munz Grants Management Specialist Southwest ID & NV Acquisition Center 1249 S. Vinnell Way, Suite 200 Boise, ID 83709 Telephone: (208) 373-4289 Email: <a href="mailto:mallory.munz@usda.gov">mallory.munz@usda.gov</a>	

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

- Wages at the prevailing rate of \$65.00/hour
- Overtime wages at the prevailing rate of \$98.00/hour
- Mileage rate of \$00.58 per mile (Sierra County mileage rate)

**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.

1. Patrol on following U.S. Forest Service roads:
  - a. Long Valley and Dog Valley area.
2. Patrol in the following campgrounds, developed sites, or dispersed areas:
  1. Crystal Mine, all campgrounds, picnic area, recreation sites in the Long Valley and Dog Valley area.

Total reimbursement for this category shall not exceed the amount of: **\$8,000.00.**

Unused dispatch funds may be used for patrol activities, in which case the maximum reimbursement may not exceed the amount of: \$0.00.

## **II. TRAINING:**

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

Total reimbursement for this category shall not exceed the amount of: \$0.00

## **III. EQUIPMENT:**

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

Total reimbursement for this category shall not exceed the amount of: \$0.00

## **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. **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.*

- A. The Cooperator shall bill the U.S. Forest Service on quarterly basis.
- B. Each statement shall display the Cooperator’s actual expenditures to date of the invoice, for each separate cost element as documented in the Annual Operating Plan. The invoice should be forwarded as follows:

**Submit original invoice(s) for payment to:**

USDA, Forest Service  
Albuquerque Service Center  
Payments – Grants & Agreements  
101B Sun Avenue NE  
Albuquerque, NM 87109  
FAX: (877) 687-4894  
Email: [sm.fs.asc\\_ga@usda.gov](mailto:sm.fs.asc_ga@usda.gov)

**Send copy to:**

Jon Knudson, Law Enforcement Officer  
Humboldt-Toiyabe National Forest  
1536 S Carson St  
Carson City, NV 89701  
Telephone: (775) 884-8113  
FAX: (775) 884-8199  
Email: [jon.knudson@usda.gov](mailto:jon.knudson@usda.gov)

Invoices should be short in length (i.e., 2 pages at most), but contain the following information in order to reduce the possibility of payment delays: your signature, your name, invoice date, invoice number, agreement number, period of performance, description of goods provided or services performed, dates of service, and amount of payment request.

- C. 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	\$8,000.00	\$8,000.00
Training	\$0.00	\$0.00
Equipment	\$0.00	\$0.00



Special Enforcement Situations	\$0.00	\$0.00
<b>Total</b>	<b>\$8,000.00</b>	<b>\$8,000.00</b>

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 deobligated at the request of the U.S. Forest Service. Any funds not spent at the end of the 5 year Cooperative Law Enforcement Agreement will be de-obligated. *See Cooperative Law Enforcement Agreement Provision IV-C.*

E. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement.

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

MIKE FISHER, Sheriff-Coroner  
Sierra County Sheriff's Office

Date

WILLIAM A. DUNKELBERGER, Forest Supervisor  
U.S. Forest Service, Humboldt-Toiyabe National Forest

Date

SCOTT HARRIS, Special Agent in Charge  
U.S. Forest Service, Region 4

Date

The authority and format of this agreement have been reviewed and approved for signature. **16-LE-11041701-007 (Mod 04).**

  
MALLORY MUNZ  
U.S. Forest Service Grants Management Specialist

11/7/19  
Date



## Addendum A

### **U.S. Forest Service Fire Emergency Language & Billing Protocol Coop Law Enforcement Agreements / Annual Operating Plan**

#### **Fire Emergencies:**

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.

The below information provides the specific information on the procedures and requirements for requesting Fire Reimbursements from the U.S. Forest Service. Any questions or clarifications necessary concerning incident/fire emergencies should be directed to the contacts listed below:

During fire emergencies, the Forest Service will reimburse the Cooperator for actual costs incurred for providing assistance requested by either the Agency Administrator or Incident Commander.

Reimbursement for personnel wages and services are based upon the information in the resource order and must identify the number of road blocks, number of personnel required, hours and time frame required and must be ordered by the Incident Commander or Agency Administrator. A copy of the resource order generated for the request for assistance will be provided by FS dispatch to the County. It is critically important that the IMT, Agency Administrator, and the Sheriff /County Official agree to what emergency services are needed and listed in the Resource Order and Incident Action Plans for each day until this resource is no longer required.

Upon request of the Agency Administrator or Incident Commander, a County designated Liaison(s) to the fire incident(s) may be established. The liaison will be requested via an incident resource order. The Liaison(s) primary duties, on behalf of the County Sheriff, will be to attend public meetings, planning and IC meetings. Eligible costs for reimbursement will include personnel time and mileage when fulfilling the liaison duties.

If meals and lodging are required for county officials, authorization must be documented using the standard fire meals and lodging authorization forms provided by the host fire unit.

Administrative support (e.g. posting incident time, delivering meals, bill preparation, etc.) will be reimbursed on an actual cost basis. The Cooperator will prepare and submit an itemized accounting of actual cost as part of the reimbursement request.

What is not eligible for reimbursement?

1. Law enforcement duties that are within the normal jurisdictional responsibilities such as enforcement, patrols, evacuation.
2. Automotive repairs, tires, and services are covered in the mileage rate.

**Billing Protocol:**

Documentation required to be submitted by the Cooperator to the FS for payment processing:

- Resource Order. Resource order will state what kind of assistance is ordered, how many people requested, and the time period for the services as ordered by the IC or Agency Administrator.
- Copy of Law Enforcement Agreement and Annual Operating Plan.
- DUNS number.
- Tax ID number.
- Breakout of actual costs:
  - Salary – Daily Crew Time Reports, Payroll summary by hours per day or timesheets of personnel.
  - Supplies – Copies of receipts with date and description of items purchased and FS authorization (S# or FS Signature) for purchase.
  - Mileage – Summary by day by vehicle and personnel using the vehicle

**For questions concerning incident/fire emergencies, please contact:**

Gwen Sanchez, Forest Fire Management Officer  
Humboldt-Toiyabe National Forest  
1200 Franklin Way  
Sparks, NV 89431  
[Gwen.sanchez@usda.gov](mailto:Gwen.sanchez@usda.gov)

**BILLINGS FOR FIRE ARE NOT TO BE SUBMITTED TO THE  
SM.FS.ASC\_GA@USDA.GOV UNDER THE OBLIGATION ESTABLISHED THROUGH THE  
COOPERATIVE LAW ENFORCEMENT AGREEMENT.**

Please coordinate remittance of billings to the Albuquerque Service Center, Incident Finance Branch through the local Fire Business Manager, **Irene Burkholder, Humboldt-Toiyabe National Forest, 370 American Avenue, 1200 Franklin Way Sparks, NV 89431, (775) 355-5364, [irene.burkholder@usda.gov](mailto:irene.burkholder@usda.gov)**. Invoices must include the information identified above in the Billing Protocol section in order to be processed in a timely manner.

**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.

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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.