

FS Agreement No. 17-LE-11051360-024
 Cooperator Agreement No. MOD 011

EXHIBIT A

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

**Between The
 FRESNO COUNTY SHERIFF'S DEPARTMENT
 And the
 USDA, FOREST SERVICE
 SIERRA NATIONAL FOREST**

2021 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Fresno County Sheriff's Department, hereinafter referred to as "Cooperator," and the USDA, Forest Service, Sierra National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #17-LE-11051360-024 executed on April 19, 2017. 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, 2020 and ending September 30, 2021.

Previous Year Carry-over: \$0.00
 Current 2021 Year Obligation: \$26,000.00
FY2021 Total Annual Operating Plan: \$26,000.00

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 |
|---|--|
| Margaret Mims Sheriff-Coroner-Public Administrator P.O. Box 1788 Fresno, CA 92717 Telephone: 559-600-8800 | Kathy Curtice, Lieutenant 2200 Fresno St. Fresno, CA 93721 Telephone: 559-317-7970 Email: Kathy.Curtice@Fresnosheriff.org |



Principal USDA Forest Service Contacts:

| USDA Forest Service Program Manager Contact | USDA Forest Service Administrative Contact |
|---|--|
| Rene Villanueva, Patrol Captain 1600 Tollhouse Rd. Clovis, CA 93611 Telephone: 559-297-0706 ext. 4986 FAX: 559-294-4802 rene.villanueva@usda.gov | Mauro Napoletano, Program Support Asst. 1600 Tollhouse Rd. Clovis, CA 93611 Telephone: 559-297-0706 FAX: 559-294-4802 Email: maruo.napeltano@usda.gov |

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

Wages at the prevailing rate of \$114.98/hour plus fringe benefits for the individual officer. Residential rental at Huntington Lake for the period of June 15, 2021 through September 30, 2021 at the rate of \$50.00 per month.

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 USDA 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 USDA Forest Service roads:

Assignment of one Deputy Sheriff shall be the patrol of Stump Springs Road and the High Sierra Recreation Area; each to be provided at a minimum of once per week or as need indicates. Other roads needing patrol on a regular basis include but are not limited to: Dinkey Creek Road, McKinley Grove Road, Courtright Road, Black Rock Road, Trimmer Springs Road, and Big Creek Road. These roads will be patrolled as need indicates or as requested by the designated representative or alternate representative with the agreement of the Cooperator.

The Deputy is to provide copies of all written reports, incident reports, and citations occurring on National Forest Lands after approval of Supervisory Officer to the designated representative for agency LEIMARS data entry.



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

Assignment of one Deputy Sheriff, in addition to the present Deputy Sheriff at Shaver Lake to the Huntington Lake Recreational Area on a full time (40 hours per week basis for the period commencing on or about June 22, 2021 through August 9, 2021. The primary duties of this deputy shall include answering calls for service, routine patrol, necessary investigation of criminal offenses and insuring the general safety of recreational activities. These campgrounds and recreational sites include but are not limited to; Rancheria, Eastwood, College, Deer Creek, Kinnikinnick, Bear Cove, Catavee, Billy Creek, Billy Creek Lower, and Doweville.

These Deputies are to provide copies of all written reports, incident reports, citations, and incidents occurring on National Forest Lands after approval of their Supervisory Officer to the designated or alternate representative for agency LEIMARS data entry.

Any funding not used under section III TRAINING and Section IV EQUIPMENT will be allocated to Patrol activities under Section II. PATROL ACTIVITIES and will not exceed a combined total of \$26,000.00.

III. TRAINING:

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

Training will be limited to work related training aimed at improving the overall efficiency of the enforcement and patrol activities related to this agreement between the Cooperator and the Forest Service. This includes training for those Officers that work in the mountainous terrain and County areas within the boundaries of the Sierra National Forest. It is mutually understood that at the time of this agreement that not all parties will know of all the training that is available.

Total reimbursement for this category shall not exceed: 10% of the total agreement.

IV. EQUIPMENT:

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

The Forest Service shall provide (1) hand held radio to operate on Forest Service Frequencies and (1) mobile car radio to operate on Forest Service Frequencies.

The Forest Service agrees to: Provide the Cooperator with housing at Huntington Lake for the period identified in section II, C.

The Cooperator agrees to: Hold the Forest Service harmless as to liability for accidental loss or damages of property as result of County's use of said housing pursuant to this agreement.



Notify the Forest Service of loss or damage involving said housing within 24 hours of occurrences, or discovery of occurrence.

Any equipment purchase will be mutually agreed upon between the designated representatives or alternate representatives.

Total reimbursement for this category shall not exceed: 10% of the total agreement.

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 USDA 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.

The Cooperator will furnish the Forest Service with itemized monthly statements for expenditures. The statement shall be in sufficient detail to allow the Forest Service to tie these expenditures back to reimbursable expenses and the rate schedule and shall be certified by the County of Fresno as being current and proper. These statements must be accompanied by a Law Enforcement Activity Report, form FS-5300-5, filled out as required by Provision 11-G of the Cooperative Law Enforcement Agreement 17-LE-11051360-024.

A. Mail copies of itemized billing statements to:

Rene Villanueva, Patrol Captain
USFS Law Enforcement
1600 Tollhouse Rd.
Clovis, CA 93611

Send hard copy invoices to:

USDA 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: sm.fs.asc_ga@usda.gov

Final billings for reimbursement must be received by the Forest Service before October 30, 2021 in order to receive payment. Please see agreement provision IV-V regarding use of funding in succeeding years.



Annually update the registration of the County Sheriff's DUNS# on the System for Award Management (SAM) website at www.sam.gov for the verification of the EFT (Electronic Funds Transfer) banking information.

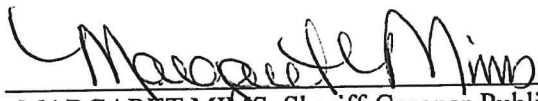
- B. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.


| Category | Estimated Costs | Not to Exceed by % |
|--------------------------------|--------------------|--------------------|
| Patrol Activities | 26,000.00 | |
| Training | | 10 |
| Equipment | | 10 |
| Special Enforcement Situations | | |
| Total | \$26,000.00 | |


- C. Any remaining funding in this Annual Operating Plan may be carried forward to the next FY2022 fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or deobligated at the request of the USDA Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-D.*
- D. 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.


MARGARET MIMS, Sheriff-Coroner-Public
Administrator, Fresno County
6/11/21
Date


DEAN GOULD, Forest Supervisor
USDA Forest Service, Sierra National Forest
May 27, 2021
Date


STEVE BRANDAU, Chairman
Chairman of the Board of Supervisors
County of Fresno
July 13 2021
Date

DON HOANG Digitally signed by DON HOANG
Date: 2021.07.20 13:07:00 -07'00'
DON HOANG
Special Agent in Charge, Pacific Southwest Region
Date

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

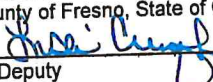
CONSTANCE ZIPPERER Digitally signed by CONSTANCE ZIPPERER
Date: 2021.05.19 13:22:28 -07'00'
CONSTANCE ZIPPERER
USDA Forest Service, Supervisory Grants
Management Specialist
Date

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.

ATTEST:
BERNICE E. SEIDEL
Clerk of the Board of Supervisors
County of Fresno, State of California
By 
Deputy



FOR ACCOUNTING USE ONLY:

USDA Forest Service – Huntington Lake Patrol \$26,000

Fund:0001

Subclass:10000

ORG:31113228

Account:4975