



MODIFICATION OF GRANT OR AGREEMENT		PAGE 1	OF PAGES 3
1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 14-LE-11061720-011 (Kittitas County Cooperative Law Enforcement)		2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY:	
3. MODIFICATION NUMBER: 003			
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Amy Verellen Okanogan-Wenatchee National Forest 215 Melody Lane Wenatchee, WA 98801 Telephone: (509) 664-9231 FAX: (509) 664-9281 EMAIL: averellen@fs.fed.us		5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): Michael Kujala, Acting Patrol Captain Okanogan-Wenatchee National Forest 215 Melody Lane Wenatchee, WA 98801 Telephone: (509) 668-5817 FAX: (509) 664-9283 EMAIL: mkujala@fs.fed.us	
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): Kittitas County Sheriff's Office 307 W. Umptanum Road Ellensburg, WA 98926		7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only): N/A	
8. PURPOSE OF MODIFICATION			
CHECK ALL THAT APPLY:	This modification is issued pursuant to the modification provision in the grant/agreement referenced in item no. 1, above.		
<input type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD:		
<input checked="" type="checkbox"/>	CHANGE IN FUNDING: Add CY funding in the amount of \$47,960.00		
<input checked="" type="checkbox"/>	ADMINISTRATIVE CHANGES: Update contacts from Moelder to Kujala (block 5) and Stofleth to Verellen (block 4)		
<input checked="" type="checkbox"/>	OTHER (Specify type of modification): See item no. 9, below.		
Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full force and effect.			
9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed):			
This modification is to add the 2017 Annual Operating and Financial Plan and update contacts.			
The following provisions are updated to reflect this modification:			
A. <u>PAYMENT/REIMBURSEMENT</u> . The U.S. Forest Service shall reimburse the Cooperator for the U.S. Forest Service's share of actual expenses incurred, not to exceed \$47,960.00 , as shown in the Financial Plan for this modification. The U.S. Forest Service shall make payment upon receipt of the Cooperator's monthly invoice. Each invoice from the Cooperator shall display the total project costs for the billing period, separated by U.S. Forest Service and the Cooperator's share. In-kind contributions must be displayed as a separate line item and must not be included in the total project costs available for reimbursement. The final invoice must display the Cooperator's full match towards the project, as shown in the financial plan, and be submitted no later than 90 days from the expiration date.			
Each invoice must include, at a minimum:			
1. Cooperator's name, address, and telephone number.			
2. U.S. Forest Service agreement number.			
3. Invoice date.			
4. Performance dates of the work completed (start & end).			
5. Total invoice amount for the billing period, separated by the U.S. Forest Service and Cooperator share with in-kind contributions displayed as a separate line item.			
6. Display all costs, both cumulative and for the billing period, by separate cost element as shown on the financial plan.			
7. Cumulative amount of the U.S. Forest Service payments to date.			
8. Statement that the invoice is a request for payment by 'reimbursement'.			



9. If using SF-270, a signature is required.

10. Invoice Number, if applicable.

The invoice shall be forwarded to:

EMAIL: ase_ga@fs.fed.us

FAX: 877-687-4894

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

Send a copy to:

Shirley Tutino

Okanogan-Wenatchee National Forest

215 Melody Lane

Wenatchee, WA 98801

stutino@fs.fed.us

B. **LIMITATION OF FUNDS.** U.S. Forest Service funds in the amount of **\$47,960.00** are currently available for performance of this agreement through December 31, 2018. The U.S. Forest Service's ability to provide additional funding is contingent upon the availability of appropriated funds from which payment can be made. There is no legal liability on the part of the U.S. Forest Service for any payment above this amount until the Cooperator receives notice of availability confirmed in a written modification by the U.S. Forest Service.

The following provisions are added to section IV of LE Agreement per this modification:

A. **PROHIBITION AGAINST INTERNAL CONFIDENTIAL AGREEMENTS:** All non federal government entities working on this agreement will adhere to the below provisions found in the Consolidated Prohibition Act, 2016, Pub. L. 114-113, relating to reporting fraud, waste and abuse to authorities:

- (a) The recipient may not require its employees, contractors, or subrecipients seeking to report fraud, waste, or abuse to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting them from lawfully reporting that waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.
- (b) The recipient must notify its employees, contractors, or subrecipients that the prohibitions and restrictions of any internal confidentiality agreements inconsistent with paragraph (a) of this award provision are no longer in effect.
- (c) The prohibition in paragraph (a) of this award provision does not contravene requirements applicable to any other form issued by a Federal department or agency governing the nondisclosure of classified information.
- (d) If the Government determines that the recipient is not in compliance with this award provision, it:
 - (1) Will prohibit the recipient's use of funds under this award, in accordance with sections 743, 744 of Division E of the Consolidated Appropriations Act, 2016, (Pub. L. 114-113) or any successor provision of law; and
 - (2) May pursue other remedies available for the recipient's material failure to comply with award terms and conditions.

B. **SYSTEM FOR AWARD MANAGEMENT REGISTRATION REQUIREMENT (SAM).** Cooperator shall maintain current information in the System for Award Management (SAM) until receipt of final payment. This requires review and update to the information at least annually after the initial registration, and more frequently if required by changes in information or agreement term(s). For purposes of this agreement, System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a Cooperative. Additional information about registration procedures may be found at the SAM Internet site at www.sam.gov.



U.S. FOREST SERVICE

OMB 0596-0217

(03-100-15)

10. ATTACHED DOCUMENTATION (Check all that apply):



Revised Scope of Work



Revised Financial Plan



Other: 2017 Annual Operating and Financial Plan Exhibit A

11. SIGNATURES

AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT AGREEMENT.

11.A. KITTITAS COUNTY SIGNATURE

11.B. DATE
SIGNED

2/1/2017

11.C. U.S. FOREST SERVICE SIGNATURE

(Signature of Signatory Official)

11.D. DATE
SIGNED

2/24/2017

(Signature of Signatory Official)

11.E. NAME (type or print):

GENE DANA

11.F. NAME (type or print):

MICHAEL R. WILLIAMS

11.G. TITLE (type or print):

Sheriff, Kittitas County

11.H. TITLE (type or print):

Forest Supervisor, Okanogan-Wenatchee National Forest

11.I. U.S. FOREST SERVICE SIGNATURE

(Signature of Signatory Official)

11.J. DATE
SIGNED

02/02/2017

11.K. NAME (type or print): MICHAEL L. LOUDERMILK

11.L. TITLE (type or print): Special Agent in Charge

12. G&A REVIEW

12.A. The authority and format of this modification (14-LE-11661720-011-M3) have been reviewed and approved for signature by:

for

DE ETTE M. STOFLETH

U.S. Forest Service Grants Management Specialist

12.B. DATE
SIGNED

01/13/2017

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 20 minutes 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, gender identification, 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) 632-6992 (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. 14-LE-11061720-011
Modification No. 003**EXHIBIT A****COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN****Between The****KITTITAS COUNTY SHERIFF'S OFFICE****And the****USDA, FOREST SERVICE****OKANOGAN-WENATCHEE NATIONAL FOREST****2017 ANNUAL OPERATING AND FINANCIAL PLAN**

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between Kittitas County Sheriff's Office, hereinafter referred to as the "Cooperator," and the USDA, Forest Service, Okanogan-Wenatchee National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #14-LE-11061720-011 executed on **April 14, 2014**. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning **January 1, 2017** and ending **December 31, 2017**.

Previous Year Carry-over: \$0

Current 2017 Year Obligation: \$47,960.00

CY 2017 Total Annual Operating Plan: \$47,960.00

*(*Previous year carry-over funds reflect available funds as of December 1, 2016. If there are any outstanding or unpaid invoices, this amount and total amount may not be accurate. It is the responsibility of the Cooperator to know the correct amount of previous year carry-over and total funds available. Carry-over funds may be used to pay for calendar year 2017 expenditures.)*

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
Gene Dana, Sheriff Kittitas County Sheriff's Office 307 W. Umptanum Road Ellensburg, WA 98926 Telephone: (509) 962-7525 FAX: (509) 962-7599 Email: gene.dana@co.kittitas.wa.us	Clay Myers, Undersheriff Kittitas County Sheriff's Office 307 W. Umptanum Road Ellensburg, WA 98926 Telephone: (509) 962-7525 FAX: (509) 962-7599 Email: clay.myers@co.kittitas.wa.us

**Cooperator Administrative
Contact**

Heather Seibert, Chief Financial Manager
Kittitas County Sheriff's Office
307 W. Umptanum Road
Ellensburg, WA 98926
Telephone: (509) 962-7099
Email: heather.seibert.sh@co.kittitas.wa.us

Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Michael Kujala, Acting Patrol Captain Okanogan-Wenatchee National Forest 215 Melody Lane Wenatchee, WA 98801 Telephone: (509) 668-5817 FAX: (509) 664-9283 Email: mkujala@fs.fed.us	Shirley Tutino, LEI Program Assistant Okanogan-Wenatchee National Forest 215 Melody Lane Wenatchee, WA 98801 Telephone: (509) 664-9324 FAX: (509) 664-9290 Email: stutino@fs.fed.us
U.S. Forest Service Grants and Agreements Contact	
Amy Verellen, Grants Management Specialist Okanogan-Wenatchee National Forest 215 Melody Lane Wenatchee, WA 98801 Telephone: (509) 664-9231 FAX: (509) 664-9281 Email: averellen@fs.fed.us	

- B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise.
1. **Officer Wages:** At the prevailing rate of **\$55.00/hour** (includes salary and fringe benefits).
 2. **Equipment and Training:** Reimbursement for any equipment or training for fire emergencies is not authorized without prior written approval from the U.S. Forest Service.
 3. **Fire Emergencies (Section III-B-1):** Payments will be based on the rates identified above or as dispatched on the fire incident.



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 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.
- B. Cooperator will assign a uniformed Officer(s) in a marked vehicle to provide investigative patrols and enforcement of State and/or County Statutes for the protection of the National Forest visitors and their property on the Cle Elum Ranger District.
- C. Between January 1, 2017 and December 31, 2017 provide patrol hours on Thursday, Friday, Saturday and Sunday. Between the months of May and October, patrols will include holidays or as mutually agreed to in writing by the Cooperator and the U.S. Forest Service. Patrols should generally occur during the afternoon and evening hours. The Cooperator has the authority to request adjustment of the patrol hours when unforeseen circumstances or emergency situations occur. Any changes to the schedule of services requested may be made with prior approval of the U.S. Forest Service representative. Patrols will be conducted in the following heavy use areas:

- 1. Developed campground:

Coverage should be at varied times with both day and night patrols, visible to the public with no set pattern. Some emphasis patrols should occur between the hours of 2:00 p.m. and 10:00 p.m. The objective is to provide security for the forest visitor and to establish a visible presence to discourage vandalism, harassment and other unacceptable behavior in the campgrounds.

- 2. Trailheads:

Coverage will be provided at various times of day and night with no set pattern. The objective of this coverage is to establish a visible presence, provide security to forest visitors and prevention of vandalism, harassment and other unacceptable behavior.

- 3. Dispersed and Undeveloped Campsites and Use Areas:

These sites are numerous and patrols should provide coverage at varied times with no set pattern. Some emphasis patrols should occur between the hours of 2:00 p.m. and 10:00 p.m. The objective is to establish a presence, prevent vandalism and provide for public safety and order.

- 4. Forest User Contacts:



Patrols should include personal contacts with the public as the opportunity occurs. It should include campers, hunters, fishermen, firewood cutters, ORV/ATV operators and other recreationists.

Total reimbursement for this category shall not exceed the amount of: \$47,960.00.

III. SPECIAL ENFORCEMENT SITUATIONS:

- A. Special Enforcement Situations include but are not limited to: Fire Emergencies 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. 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 U.S. 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.
 - 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 U.S 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.

IV. BILLING FREQUENCY:

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



- A. The Cooperator will submit invoices for reimbursement of services provided under Section II of this agreement monthly.
- B. Supporting Documentation: The supporting documentation shall provide sufficient detail to allow the U.S. Forest Service to identify reimbursable expenditures authorized under Sections II and III of the Operating Plan and shall include the following:
1. The billing Incident number with details of incident
 2. Activity reports or patrol log with dates of service
- C. Billing for Fire Emergencies: For reimbursement of services provided under Section III-B-1 of this AOP, the following billing procedure will be used:
1. The billing for each incident shall include individual employee times and their agreement rate. Such times will be documented on Crew Time Reports, shift tickets or other agreed upon form, and must be approved by incident management personnel.
 2. Incident management personnel will prepare an Emergency Use Invoice and, upon concurrence of the Cooperator, will submit the invoice for payment along with all required documentation using normal incident business procedures.
 3. The designated representative, IMT official, or a designated Forest Incident Business official will approve the invoice and submit to the Albuquerque Service Center, Incident Finance, for payment along with a copy of the current Operating Plan.

Original billing documentation will be maintained by the U.S Forest Service in the appropriate fire documentation boxes or with appropriate incident management personnel. The Cooperator will maintain copies of all such documentation.

- D. 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	\$47,960.00	N/A
Fire Support	As Needed	N/A
Total	\$47,960.00	N/A

- E. Any remaining funding in this Annual Operating Plan may be carried forward to the next calendar 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.*

F 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.


 GENE DANA, Sheriff
 Kittitas County Sheriff's Office
 Date 2/1/2017


 MICHAEL R. WILLIAMS, Forest Supervisor
 U.S. Forest Service, Okanogan-Wenatchee National Forest
 Date 2/24/2017


 MICHAEL L. LOUDERMILK, Special Agent in Charge
 U.S. Forest Service, Pacific Northwest Region
 Date 02/02/2017

The authority and format of this agreement (14-LE-11061720-011, Mod 3) have been reviewed and approved for signature.


 for
 DE ETTE M. STOFLETH
 U.S. Forest Service Grants Management Specialist
 Date 01/13/2017

Burden Statement

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