

**MODIFICATION OF GRANT OR AGREEMENT**

PAGE OF PAGES

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1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER:
09-LE-11061700-0222. RECIPIENT/COOPERATOR GRANT or
AGREEMENT NUMBER, IF ANY:
None3. MODIFICATION NUMBER:
2 (2011 Op Plan)4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING
GRANT/AGREEMENT (unit name, street, city, state, and zip + 4):
Okanogan-Wenatchee National Forest
215 Melody Lane
Wenatchee, WA 988015. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING
PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4):
Same6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip +
4, county): Kittitas County Sheriff's Office
307 W. Umptanum Road
Ellensburg, WA 98926**8. PURPOSE OF MODIFICATION**CHECK ALL
THAT APPLY:

This modification is issued pursuant to provision no. IV-Q



CHANGE IN PERFORMANCE PERIOD:



CHANGE IN FUNDING: The parties agree that: (1) Any USFS funding that remains unspent from the 2009 and 2010 operating periods may be used to reimburse expenses in subsequent operating periods and (2) An additional \$54,500.00 is currently available for performance under this agreement through 4/16/2014.



ADMINISTRATIVE CHANGES:



OTHER (Specify type of modification): CY 2011 Annual Operating and Financial Plan

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 documents the CY 2011 Cooperative Law Enforcement Annual Operating & Financial Plan. In addition, any unused funds obligated to this agreement through prior year Annual Operating & Financial Plans remain available for use in accordance with the terms and conditions of this and subsequent Annual Operating & Financial Plans.

Addition to Block #11 Signatures:BARB SEVERSON
Special Agent in Charge
Pacific Northwest Region

5/18/11

Date

10. ATTACHED DOCUMENTATION (Check all that apply):

Revised Scope of Work: 2011 Operating and Financial Plan



Revised Financial Plan: 2011 Operating and Financial Plan





Other:




USDA Forest Service

OMB 0596-0217
FS-1500-19**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. RECIPIENT/COOPERATOR SIGNATURE  (Signature of Signatory Official)	11.B. DATE SIGNED 3/30/11	11.C. U.S. FOREST SERVICE SIGNATURE  (Signature of Signatory Official)	11.D. DATE SIGNED 4/25/2011
11.E. NAME (type or print): GENE DANA		11.F. NAME (type or print): REBECCA LOCKETT HEATH	
11.G. TITLE (type or print): Sheriff, Kittitas County		11.H. TITLE (type or print): Forest Supervisor, Okanogan Wenatchee NF	

12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by:  RICK EDWARDS U.S. Forest Service Grants & Agreements Specialist	12.B. DATE SIGNED 2/10/11
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By Mutual consent of both parties as per IV.Q. of U.S. Forest Service Agreement No. 09-LE-110617-022, this modification of agreement also modifies IV.D.3 of 09-LE-11061700-022 and allows this 2011 Operating Plan to authorized the performance and reimbursement of patrol work prior to the execution date of this agreement (January 1, 2011 through the last date of signature above). Funding for this work was committed on 1/11/2011.

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 30 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, 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.



FS Agreement No. 09-LE-11-61700-022
Cooperator Agreement No. _____

ATTACHMENT
To
MODIFICATION #2
For
COOPERATIVE LAW ENFORCEMENT AGREEMENT
No. 09-LE-11061700-022
Between
KITTITAS COUNTY SHERIFF'S OFFICE
And the
U.S. FOREST SERVICE, OKANOGAN-WENATCHEE NATIONAL FOREST

2011 OPERATING AND FINANCIAL PLAN

This Annual Operating and Financial Plan (Operating Plan), is hereby made and entered into by and between the Kittitas County Sheriff's Office, hereinafter referred to as the **Cooperator**, and the U.S. Forest Service, Okanogan-Wenatchee National Forest, hereinafter referred to as the **Forest Service**, under the provisions of Cooperative Law Enforcement Agreement #09-LE-11061700-022 executed on April 28, 2009.

This 2011 Operating Plan is made and agreed to as of the last date of signature of Modification #2 and is for the period beginning January 1, 2011 and ending December 31, 2011.

I. GENERAL:

A. Representatives: 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:

Principle 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



Principle U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Robert Moelder Patrol Captain Okanogan-Wenatchee and Colville NFs 215 Melody Lane Wenatchee, WA 98801 Telephone: (509)664-9236 FAX: (509) 664-9283 Email: rmoelder@fs.fed.us	Louise Day Program Assistant Okanogan-Wenatchee and Colville NFs 215 Melody Lane Wenatchee, WA 98801 Telephone: (509) 664-9324 FAX: (509) 664-9286 Email: liday@fs.fed.us Law Enforcement Officer: Steve Roberson

B. Reimbursement Rates: Reimbursement for patrol activities (Section II) and Fire Emergencies (Section V-A-2) shall be at the following rates, unless specifically stated otherwise in modifications to this Operating Plan. These rates reflect actual costs to the Cooperator.

1. **Officer Wages:** Between January 1, 2011 and December 31, 2011 a rate of \$55.00 per hour will be paid for patrol work. This figure includes salary (base time only), fringe benefits, vehicle mileage, operational costs, officer supplies and equipment, etc. **The majority of work activity should occur between the months of February and November.** Patrol activity during the months of December and January will occur upon concurrence of the Forest Service and the Cooperator as needs for such services are identified. Whenever the assigned Deputy is not performing Forest Service patrol, or is on special assignment by the Sheriff, those days/hours will not be billed to the Forest Service for reimbursement. This agreement has no overtime built into it. Search and Rescue efforts on National Forest are reimbursable for the assigned Deputy, base time only.

Each day will include breaks as allowed by Union contract. Reimbursement for the services provided will be based upon the hours displayed as work, annual leave and sick leave days, and the monthly or quarterly billings must reflect this.

a. **For Fire Emergencies (Section V-A-2):** Payments will be based on the rates identified above.

2. **Equipment:** Use and reimbursement rates for any equipment other than patrol cars will need to be approved in advance by modification of this Operating Plan.

II. PATROL ACTIVITIES:

A. Schedules and Reporting: Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both the Cooperator and the Forest Service. Ample time will be spent in each area to make residents and visitors aware that law



enforcement officers are in the vicinity. Timely reports and/or information relating to incidents or crimes that have occurred on NFS lands should be provided to the Forest Service as soon as possible.

B. Cooperator agrees to:

1. Assign a fully trained Kittitas County Sheriff's Deputy to provide law enforcement patrols on National Forest lands. Throughout the year patrol hours will focus on Thursday, Friday, Saturday and Sunday's. Between the months of May and October, patrols will include holidays or as mutually agreed to in writing by the Cooperator and the Forest Service.

a. Developed Campgrounds, Picnic and Boat Launch Areas

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.

c. Trailheads

Coverage will be provided both day and night with no set pattern. Objective of this coverage is to prevent vandalism, harassment and other unacceptable behavior.

d. Undeveloped Campgrounds

These sites are numerous and patrols should provide coverage at varied times without any 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 and prevent vandalism and provide for public safety and order. Objective is to establish a presence, prevent vandalism and provide for public safety and order.

2. When requested by the Forest Service, the Cooperator agrees to dispatch additional Deputies, within manpower capabilities, to unforeseen or emergency situations at no cost to the Forest Service.

3. The Cooperator will furnish the Forest Service copies of reports for incidents occurring on National Forest System Lands. These reports include but are not limited to vehicle accidents, fatality accidents and search and rescues.

C. Forest Service agrees to:

Reimburse Cooperator upon receipt of satisfactory statements of expenditures in accordance with the agreed upon rates listed in Section I-B.

D. The Parties mutually agree:

Officer(s) assigned to work under the provisions of this agreement will be sworn employees of the Kittitas County Sheriff's Office and be mutually acceptable to both parties. The Officer(s) must meet POST standards for the State of Washington.



Total reimbursement for patrol activities is estimated in the amount of \$54,500.00 plus any unused funds from prior annual operating periods.

Total reimbursement for **patrol activities** shall not exceed the amount of: **\$54,500.00**

III. TRAINING:

Total reimbursement for this category shall not exceed the amount of: **\$0**

IV. EQUIPMENT:

Total reimbursement for this category shall not exceed the amount of: **\$0**

V. SPECIAL ENFORCEMENT SITUATIONS:

A. Approval Process: Special Enforcement Situations includes but is not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings. 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 Forest Service designated representative listed in Item I-A of this Operating Plan. The designated representative will then notify the Cooperator whether funds will be authorized for reimbursement. For non-fire emergencies, if funds are authorized, the parties will then jointly prepare a revised Operating Plan. For fire emergencies, see Section VI-B-2 below.

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. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident. Reimbursement shall be made at the rates specified in Section I-B-1. Activities associated with drug enforcement will be identified separately on the billings supplied by the Sheriff.

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-B, 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-1; 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 assigned to the fire may make such a request and specify such times and schedules. Upon approval by the Forest Service or 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/Other Situations:



When mutually agreed to in advance, The Sheriff will assist with enforcement and management of large group gatherings. 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. Upon authorization by a Forest Service representative listed in Section I-B for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B-1; and shall be identified separately on billings supplied by the Sheriff. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

VI. BILLING FREQUENCY:

A. **Availability of Funds:** Funds in the amount of ~~54,500.00~~ are currently available for patrol activities under this Operating Plan through ~~December 31, 2011~~. Any Forest Service obligations beyond this amount are contingent upon the availability of appropriated funds from which payment can be made. No payment for any services performed after ~~December 31, 2011~~ can be made until additional funds are made available to the Forest Service. Any changes in fund amount or performance period must be agreed to in advance via formal modification of this agreement. *April 22, 2014 RZ*

April 22, 2014 RZ
After ~~December 31, 2011~~, any remaining funds from the 2011 Financial and Operating Plan funds will be made available for Cooperator expenditures in the next Operating Plan. *April 22, 2014 RZ*

B. **Billing:** The Cooperator will prepare an itemized statement for each invoice submitted to the Albuquerque Service Center. The statement will be in sufficient detail to allow the Forest Service to verify reimbursable expenditures authorized under Sections II and V. The statement shall be certified by the Sheriff, Undersheriff or Civil Deputy as being correct and proper. The Cooperator will submit invoices for reimbursement of services provided under Section II of this agreement monthly or quarterly, at the discretion of the Cooperator to:

USDA Forest Service
Albuquerque Service Center
Payment – Grants and Agreements
101B Sun Ave NE
Albuquerque, NM 87109
Customer Service: 877-372-7248

Invoices may also be faxed to:

1-877-687-4894
FAX coversheet should be addressed to:
USDA Forest Service
ASC – Payments-Grants and Agreements
or e-mailed to: asc_ga@fs.fed.us

Deputy Daily Activity Reports accompanied by a cover sheet identifying the billing period activity was recorded should be sent to:

USFS Law Enforcement & Investigations
North Central Washington Zone
ATTN: Captain Robert Moelder
215 Melody Lane
Wenatchee, WA 98801

See Cooperative Law Enforcement Agreement Provision II-I and III-B for additional information.



The Cooperator will be listed and maintain currency in the Central Contractor Registration database accessible through the internet at <http://www.ccr.gov>. The Cooperator will notify the Forest Service of any changes of their applicable account numbers or banking information to help ensure prompt payment.

1. Billing for Drug Enforcement, Group Gatherings/Other Situations: For reimbursement of services provided under Sections V-A-1 and V-A-3 of this agreement, billing instructions will be specified in a revised/modified Operating Plan.


2. Billing for Fire Emergencies: For reimbursement of services provided under Section V-A-2 of this agreement, the following billing procedure will be used:

- a. 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.
- b. 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.
- c. 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 Forest Service in the appropriate fire documentation boxes or with appropriate incident management personnel. The Cooperator will maintain copies of all such documentation.



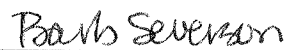
In witness whereof, the parties hereto have executed this Operating Plan as the last date written below.



GENE DANA, Sheriff Kittitas County
3-30-2011
Date

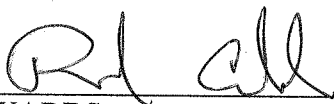


REBECCA LOCKETT HEATH, Forest Supervisor
for U.S. Forest Service, Okanogan Wenatchee National Forest
2-8-11
Date



BARB SEVERSON
Special Agent in Charge, Pacific Northwest Region
1/27/11
Date

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



RICK EDWARDS
U.S. Forest Service Grants & Agreements Specialist
2/1/11
Date

Burden Statement

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