

FS Agreement No. 12-LE-11051360-010
Cooperator Agreement No. Mod 03**EXHIBIT A****COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN****Between The
TULARE COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
SEQUOIA NATIONAL FOREST****2013 ANNUAL OPERATING AND FINANCIAL PLAN**

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Tulare County Sheriff's Department, hereinafter referred to as "Cooperator," and the USDA, Forest Service, Sequoia National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-11051360-010 executed on February 7, 2012. 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, 2012 and ending September 30, 2013.

FY2013 Total Annual Operating Plan: \$45,000**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:

Cooperator Program Contact	Cooperator Administrative Contact
Bill Wittman, Sheriff-Coroner County Civic Center Visalia, CA 93291 Telephone: 559-636-4717	Mike Boudreaux 2404 W. Burrel Ave. Visalia, CA 93291 Telephone: 559-636-4717 Email: mboudreaux@co.tulare.ca.us

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

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Diane Welton, Patrol Captain 1839 South Newcomb St. Porterville, CA 93257 Telephone: 559-784-1500 ext. 1591 FAX: 559-781-4744 Email: dwelton@fs.fed.us	Rita Wears, Patrol Commander 444 East Bonita Ave. San Dimas, CA 91773 Telephone: 909-599-1267 ext. 214 FAX: 909-592-1404 Email: rwears@fs.fed.us

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

.55/mile patrolled
Per diem rate is \$61.00/day
Detective Sgt. \$56.97 hr/\$85.46 OT
Sgt. \$55.54hr/\$83.31 OT
Deputy II: \$43.57 hr/\$65.36 OT
Deputy I: \$35.69 hr/\$53.54 OT
Deputy I Reserve: \$23.90 hr/\$35.85 OT

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.

1. Patrol on following U.S. Forest Service roads:

All roads as required on forest property within Tulare County.

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

All such areas as required on forest property within Tulare County, with emphasis on the Kern River Canyon and the Tule River drainage.



Total reimbursement for patrol activities, including training and equipment described below, shall not exceed the amount of \$45,000.00

Any funding not used under Section III Training or Section IV Equipment will be allocated to patrol activities and will not exceed a combined total of \$45,000

III. TRAINING:

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

The Forest Service agrees to allow the Cooperator to use the Peppermint Heliport for search and rescue training at no cost to either party. A minimum of one-week prior notice will be required to allow for preparation. This notice should be given to the designated representative or alternate who will then confirm the dates for its use with the District Fire Management Officer.

Training will be reimbursed for courses that will be beneficial to fulfillment of the agreement. This training will be limited to those officers that mainly work in the mountainous terrain and County areas within the Sequoia National Forest.

Training to be determined at a later date by mutual agreement of both parties' representatives. This amount may be adjusted up or down, depending on training availability and by mutual agreement of the representatives of both parties.

Total reimbursement for training may not exceed: \$1,000.00

IV. EQUIPMENT:

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

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

If purchase is determined necessary, document the need for such a determination and make the documentation part of the Cooperative Law Enforcement Agreements' official file.

Total reimbursement for equipment shall not exceed: \$3,000.00

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 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.

**V. 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 Tulare 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 12-LE-11051360-010.

A. Mail copies of itemized billing statements to:

Diane Welton, Patrol Captain
USFS Law Enforcement
1839 S. Newcomb St.
Porterville, CA 93257

Send hard copy invoices to:

US Forest Service
Albuquerque Service Center
Payments – Grants & Agreements
1001 B Sun Ave NE
Albuquerque, NM 87109

Or fax to: 877-687-4984

Or e-mail scanned invoice to: ASC_GA@fs.fed.us

Final billings for reimbursement must be received by the Forest Service before December 31, 2013 in order to receive payment. Please see agreement provision IV-V regarding use of funding in succeeding years.

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	N/A	
Training	N/A	
Equipment	N/A	
Special Enforcement Situations	N/A	
Total	N/A	



- C. 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. *See Cooperative Law Enforcement Agreement Provision IV-D.*

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

Bill Wittman

BILL WITTMAN, Sheriff-Coroner
Tulare County

Date

KEVIN ELLIOTT, Forest Supervisor
U.S. Forest Service, Sequoia National Forest

Date

PETE VANDER POEL
Chairman Tulare County Board of Supervisors

Date

SCOTT HARRIS
Special Agent in Charge, Pacific Southwest Region

Date



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

SUWANNEE MILBURN
U.S. Forest Service Grants Management Specialist

01/31/2013
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.

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