



MODIFICATION OF GRANT OR AGREEMENT

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1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 19-LE-11060500-007 (Cooperative Law Enforcement)		2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY: 201903039-3	3. MODIFICATION NUMBER: 003
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Mt. Baker-Snoqualmie National Forest 2930 Wetmore Avenue, Suite 3A Everett, WA 98201		5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): Mt. Baker-Snoqualmie National Forest 2930 Wetmore Avenue, Suite 3A Everett, WA 98201	
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): Whatcom County 311 Grand Avenue STE 503 Bellingham, WA 98225-4050		7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only):	

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 funding for 2022 Annual Operating Plan in the amount of \$21,773.14*.
<input type="checkbox"/>	ADMINISTRATIVE CHANGES:
<input checked="" type="checkbox"/>	OTHER (Specify type of modification): See Exhibit A – 2022 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):

* Due to Continuing Resolution current obligation amount reflects authorized spending. Additional commitment may be obligated upon final budget approval, after February 18, 2022. Will modify the AOP once notified by budget officer.

10. ATTACHED DOCUMENTATION (Check all that apply):

<input type="checkbox"/>	Revised Scope of Work
<input type="checkbox"/>	Revised Financial Plan
<input checked="" type="checkbox"/>	Other: Exhibit A: 2022 Annual Operating and Financial Plan



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. WHATCOM COUNTY SIGNATURE <i>Bill Elfo</i> (Signature of Signatory Official)	11.B. DATE SIGNED 5-4-2022	11.C. U.S. FOREST SERVICE SIGNATURE (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print): BILL ELFO		11.F. NAME (type or print): JODY L. WEIL	
11.G. TITLE (type or print): Sheriff, Whatcom County		11.H. TITLE (type or print): Forest Supervisor, Mt. Baker-Snoqualmie National Forest	

11.I. WHATCOM COUNTY SIGNATURE <i>Approved via email 5/18/22</i> (Signature of Signatory Official)	11.J. DATE SIGNED 3/18/22	11.K. U.S. FOREST SERVICE SIGNATURE C CORIELL Digitally signed by C CORIELL Date: 2022.02.15 16:00:05 -08'00' (Signature of Signatory Official)	11.L. DATE SIGNED
11.M. NAME (type or print): BRANDON WALDRON		11.N. NAME (type or print): JOHN BYAS	
11.O. TITLE (type or print): Civil Deputy Prosecuting Attorney, Whatcom County		11.P. TITLE (type or print): Special Agent in Charge, Pacific Northwest Region	

11.S. WHATCOM COUNTY SIGNATURE (Signature of Signatory Official)	11.T. DATE SIGNED
11.W. NAME (type or print): SATPAL SIDHU	
11.Y. TITLE (type or print): Executive, Whatcom County	

12. G&A REVIEW

12.A. The authority and format of this modification (19-LE-11060500-007 M3) have been reviewed and approved for signature by: AMY VERELLEN <small>Digitally signed by AMY VERELLEN Date: 2022.01.31 15:41:57 -08'00'</small> AMY D. VERELLEN U.S. Forest Service Grants & Agreements Specialist	12.B. DATE SIGNED
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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).

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FS Agreement No. 19-LE-11060500-007 M3
Cooperator Agreement No. 201903039-3

EXHIBIT A

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

Between

WHATCOM COUNTY

And the

USDA, FOREST SERVICE

MT. BAKER-SNOQUALMIE NATIONAL FOREST

2022 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between Whatcom County, hereinafter referred to as "Whatcom County," and the USDA, Forest Service, Mt. Baker-Snoqualmie National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #19-LE-11060500-007 executed on July 9, 2019. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning March 1, 2022 and ending December 31, 2022.

*Current 2022 Year Obligation: \$21,773.14

***2022 Total Annual Operating Plan: \$21,773.14**

** Due to Continuing Resolution current obligation amount reflects authorized spending. Additional commitment may be obligated upon final budget approval, after February 18, 2022. for beginning work amount available of \$21,773.14.

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

Whatcom County Program Contact	Whatcom County Administrative Contact
Bill Elfo, Sheriff, Whatcom County 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6600 Email: belfo@co.whatcom.wa.us	Doug Chadwick, Undersheriff, Whatcom Co. 311 Grand Avenue Bellingham, WA 98225-4078 Phone: 360-778-6601 Email: dchadwic@co.whatcom.wa.us
	Dawn Pierce, Sr. Administrative Assistant Phone: 360-778-6606 Email: dpierce@co.whatcom.wa.us Email: SheriffAccounting@co.whatcom.us



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Grants and Agreement Contact
James V. Griffin, Patrol Captain PNW Region 6 LEI, NWWZ Everett, WA 98201 Phone: 425-783-6090 Email: james.griffin@usda.gov	Cynthia Moscoso, 215 Melody Lane Wenatchee, WA 98801 Phone: 509-664-9386 Email: cynthia.moscoso@usda.gov
U.S. Forest Service Administrative Contact	
Cindy Orlando, Program Assistant PNW Region 6 LEI, NWWZ Olympia, WA 98512 Phone: 360-956-2286 Email: cindy.orlando@usda.gov	

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

Mileage rate at **\$0.56**/mile patrolled

Wages and benefits will be billed at **actual overtime rates plus associated payroll costs. Rates will vary based on officer experience level.**

Approximate wages for a new deputy at the prevailing overtime rate of \$52.85/hour plus fringe benefits of \$8.68/hour for a total rate of **\$61.53**/hour.

Approximate wages for a senior deputy/sergeant at the prevailing overtime rate of \$83.75/hour plus fringe benefits of \$12.77/hour for a total rate of **\$96.52**/hour.

II. PATROL ACTIVITIES:

A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Whatcom County 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. Patrols will be in those areas utilized by the visiting public such as administered recreation sites, dispersed recreation sites, buildings and boat launching facilities.



1. Patrol all roads in the Mt. Baker-Snoqualmie National Forest that are located within the boundaries of Whatcom County, Washington.
2. Patrol in the following campgrounds, trailheads, developed sites, or dispersed areas, active logging and firewood cutting areas, and unplanned seasonal special emphasis areas.

Total reimbursement for this category shall not exceed the amount of **\$21,773.14**.

- B. Specific workdays and core hours on the ground will be determined by Whatcom County with concurrence by the U.S. Forest Service at least five days prior to the schedule taking effect. It is expected that patrols will include Saturday, Sunday, and Holidays on National Forest System (NFS) lands, for the period of the agreement, or until such time as funding is exhausted.
- C. Whatcom county will assign one part-time officer with a fully equipped and marked Whatcom County Sheriff's Office vehicle, suitable for patrol of forest areas.
- D. Reports relating to incidents or crimes that have occurred on National Forest System (NFS) lands should be collectively submitted to the U.S. Forest Service Law Enforcement on a quarterly basis. Reports relating to severe or major incidents or crimes should also be submitted individually, as soon as possible.
- E. Whatcom County shall notify the U.S. Forest Service, as soon as possible, of all search and rescues occurring on NFS lands. Deputies assigned to this agreement an perform preliminary search and rescue duties, but Whatcom County shall furnish another Deputy for lengthy missions.
- F. Patrols should be variable, and Deputies should plan routes making them more visible after sunset, especially during peak use months (generally May through September).
- G. The U.S. Forest Service shall loan Whatcom County one portable radio and one mobile radio for communication purposes. *See Provision IV.K in agreement.*
- H. Whatcom County will be responsible for the installation and maintenance of radio equipment. In the event this agreement is cancelled, the radios will be returned to the USDA Forest Service.



III. 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 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 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.

IV. BILLING FREQUENCY:

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



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