WHATCOM COUNTY CONTRACT INFORMATION SHEET

Whatcom County Contract No. 202205004-1

Originating Department: 35	Sheriff's Office	
Division/Program: (i.e. Dept. Division and Program)	3520 Bureau of LE & Investigations / 352020 Patrol and Overtime	
Contract or Grant Administrator:	Doug Chadwick, Undersheriff	
Contractor's / Agency Name:	U.S. Department of Agriculture, Forest Service	
Is this a New Contract? If not, is this an Amendment or Ro	enewal to an Existing Contract? Yes O No O WCC 3.08.100 (a)) Original Contract #: 202205004	
Does contract require Council Approval? Yes O No O Already approved? Council Approved Date:	If No, include WCC: (Exclusions see: Whatcom County Codes 3.06.010, 3.08.090 and 3.08.100)	
Is this a grant agreement? Yes O No O If yes, grantor agency contract		
Is this contract grant funded? Yes O No O If yes, Whatcom County gran	at contract number(s):	
Is this contract the result of a RFP or Bid process? Yes No If yes, RFP and Bid number(s):	Contract Cost Center: 1003502993	
Is this agreement excluded from E-Verify? No Yes	If no, include Attachment D Contractor Declaration form.	
If YES, indicate exclusion(s) below: Professional services agreement for certified/licensed professional. Goods and services provided due to an emergency Contract work is for less than \$100,000. Contract work is for less than \$100,000. Contract work is for less than 120 days. Interlocal Agreement (between Governments). Contract Amount: (sum of original contract amount and any prior amendments): \$ 21,900.00 This Amendment Amount: \$ 21,900.00 Total Amended Amount: \$ 21,900.00 Total Amended Amount: \$ 43,800.00 Summary of Scope: Summary of Scope: Interlocal Agreement (between Governments). Council approval required for; all property leases, contracts or bid awards exceeding and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when: Council approval required for; all property leases, contracts or bid awards exceeding and professional service contract amendments that have an increase greater than \$10,000 or 10% of contract amount, whichever is greater, except when: Contract is for design, construction, r-o-w acquisition, prof. services, or other capital costs approved by council in a capital budget appropriation ordinance. Bid or award is for supplies. Equipment is included in Exhibit "B" of the Budget Ordinance. Contract is for manufacturer's technical support and hardware maintenance of electronic systems and/or technical support and software maintenance from the developer of proprietary software currently used by Whatcom County.		
This agreement is for Whatcom County Sheriff's Office law enforce ensure protection of Government property and general safety of the Patrols shall be performed when requested by the Forest Service. plan.	Amendment #1 incorporates FY23 operating budget and financial	
Term of Contract: 5/26/22	Expiration Date: 12/31/26	
Contract Routing: 1. Prepared by: D.Duling	Date: 1/12/23 Date: 1/12/23	
Attorney signoff: Approved via email BW/D AS Finance reviewed: AT	Date: 02/01/2023	
4. IT reviewed (if IT related):	Date:	
5. Contractor signed:	Date:	
6. Submitted to Exec.:	Date: 2/7/23	
	B2023-123) Date: 2-21-23	
8. Executive signed:	Date: 2-22-23	
9. Original to Council:	Date: 3-30-23	





202205004-1

OMB 0596-0217 FS-1500-19

MODIFICATION OF CRANT OR ACREEMENT			OF PAGES			
1 10 1 U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 2 RECIPIENT/COOPERATOR GRANT or 3. MODIFICATION NUMBER:						
1 100	00-015; Baker Lake	AGREEMENT N	AGREEMENT NUMBER, IF ANY:		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
Recreation Are		202205004				
	OF U.S. FOREST SERVICE UNIT ADMIN NT (unit name, street, city, state, and zip + 4)		5. NAME/ADDRESS OF U.S. FOREST PROJECT/ACTIVITY (unit name, stree			TERING
	equalmie National Forest		Mt. Baker-Snoqualmie Nat			
	e Avenue, Suite 3A		2930 Wetmore Avenue, Su			
Everett, WA 9			Everett, WA 98201			
6. NAME/ADDRESS	6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS		R (For HHS			
4, county): Whatcom Cou	ntsv		payment use only): N/A			
311 Grand AV			IVA			
	/A 98225-4050					
Berningham, v		RPOSE OF	MODIFICATION			
CHECK ALL	This modification is issued p			he grant/agr	eement	
THAT APPLY:	referenced in item no. 1, abo		c modification provision in a	ine grante agr	Comen	
	CHANGE IN PERFORMANCE PERIOD:					
CHANGE IN FUNDING: Adds funding in the amount of \$21,900.00						
ADMINISTRATIVE CHANGES:						
OTHER (Specify type of modification): Incorporates the 2023 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): Output						
10. ATTACHED DOCUMENTATION (Check all that apply):						
Revised Scope of Work						
Revised Financial Plan						
Other: 2023 Operating and Financial Plan (Exhibit A); U.S. Forest Service Fire Emergency Language & Billing						
Protocol Coop Law Enforcement Agreements/Operating & Financial Plan (Addendum A); Statement of Work			'ork			
(Addendum B)						
11. SIGNATURES						
AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF			TATIVES OF			
THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.						
11.A. WHATCOM CO	DUNTYSIGNATURE	II B DATE	H.C. U.S. FOREST SERVICE SIGNAT	URE		II.D DATE
5-7	////	SIGNED	JODY WEIL Digitally Date: 20	signed by JODY \ 023.03.09 12:13:45	VEIL	SIGNED
(Signature of Signator		52 03 23	(Signature of Signatory Official)			
II.E. NAME (type or			11.F NAME (type or print):			
BILL ELFO			JODY L. WEIL			
II.G. TITLE (type or			11 H TITLE (type or print) Forest S			
Sheriff, Whatc	om County		Mt. Baker-Snoqualmie Nat	ional Forest		



(Signature of Signature Official) 11.M. NAME (type or print): BRANDON WALDRON	ILL DATE SIGNED ILLZ 123	C. Andrew Coriell Digitally signed by C. Andrew Coriell Date: 2023.02,24 12:46:27 -06:00* (Signature of Signatory Official) 11. N. NAME (type or print) ANDY CORIELL	II L. DATE SIGNED
11.O. TITLE (type or print): Civil Deputy Prosecuting Attorney, Whatcom (County	11.P. TITLE (type or print) Special Agent in Charge, U.S. Forest Service Pacific Northwest Law Enforcement and Inve	
(Signature of Signatory Official) 11.S NAME (type or print): Carol Way 11.T TITLE (type or print) Executive, Whatcom County (Pro Terro)	IIR DATE SIGNED		
	12. G&A	REVIEW	
Ben Martin Date 2023.01 12 08 29:09		12.B DATE SIGNED	
BEN MARTIN (22-LE-11060500-01 U.S. Forest Service Grants & Agreements Specialist	5 Mod 001)		

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. (400 Independence Avenue, SW, Washington, DC 20250-9410 or call toil 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. 22-LE-11060500-015

Cooperator Agreement No.

EXHIBIT A

COOPERATIVE LAW ENFORCEMENT OPERATING & FINANCIAL PLAN Between WHATCOM COUNTY And the USDA, FOREST SERVICE MT. BAKER-SNOQUALMIE NATIONAL FOREST

2023 OPERATING AND FINANCIAL PLAN

This Financial and Operating Plan (Operating Plan) is hereby made and entered into by and between Whatcom County, hereinafter referred to as "Whatcom County," and the United States Department of Agriculture (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 #22-LE-11060500-015. This Operating and Financial Plan is made and agreed to as of the last signature date on the Cooperative Law Enforcement Agreement and is in effect through December 31, 2026 unless modified during the annual review.

CY23 Total Operating Plan: \$21,900.00

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:

Whatcom County Program Contact	Whatcom County Administrative Contact	
Bill Elfo, Sheriff	Doug Chadwick, Undersheriff	
Whatcom County Sheriff's Office	Whatcom County Sheriff's Office	
311 Grand Avenue	311 Grand Avenue	
Bellingham, WA 98225-4078	Bellingham, WA 98225-4078	
Telephone: (360) 778-6600	Telephone: (360) 778-6600	
Email: belfo@co.whatcom.wa.us	Email: dchadwic@co.whatcom.wa.us	



Dawn Pierce, Senior Administrative Assistant

Whatcom County Sheriff's Office

311 Grant Avenue

Bellingham, WA 98225-4078

Telephone: (360) 778-6606

Email: dpierce@co.whatcom.wa.us

Email:SheriffAccounting@co.whatcom.wa.us

Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact	
James V. Griffin, Patrol Captain	Cindy Orlando, Program Assistant	
PNW R6 LEI, NWWZ	PNW R6 LEI, NWWZ	
2930 Wetmore Avenue, Suite 3A	1835 Black Lake Blvd SW	
Everett, WA 98201	Olympia, WA 98512	
Telephone: (425) 783-6090	Telephone: (360) 956-2286	
Email: james.griffin@usda.gov	Email: cindy.orlando@usda.gov	
	U.S. Forest Service	
	Grants and Agreements Contact	
	Cynthia Moscoso	
	Grants Management Specialist	
	215 Melody Lane	
	Wenatchee, WA 98801	
	Cynthia.moscoso@usda.gov	

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

IRS 2023 Standard Mileage Rate/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 \$55.71/hour plus fringe benefits of \$8.98/hour for a total rate of \$64.69/hour.

Approximate wages for a senior deputy/sergeant at the prevailing overtime rate of \$88.31/hour plus fringe benefits of \$13.25/hour for a total rate of \$101.56/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.
 - 1. Patrol on following U.S. Forest Service roads:
 - a. Baker Lake Road from the county line north to the end, this should include checks at roadside dispersed campsites.
 - b. Forest Road 1106 to Kulshan campground and boat launch, continue across the dam for a couple miles
 - c. Spur road of Forest Road 1106 to Depression Lake
 - d. Forest Road 1122 to area of Lower Sandy recreation area
 - e. Forest Road 1130 to Hot Springs
 - f. Forest Road 1152 across from Shannon Creek Campground for approximately 1 mile.
 - 2. Patrol in the following campgrounds, developed sites, or dispersed areas:
 - a. Horseshoe Cove Campground
 - b. Bayview Campground
 - c. Boulder Creek Campground
 - d. Panorama Point Campground and Boat Launch
 - e. Park Creek Campground
 - f. Swift Creek Campground and Boat Launch
 - g. Shannon Creek Campground
 - h. Dispersed recreation sites adjacent to Baker Lake.
- B. Patrol services shall be provided from May 26, 2023 through September 30, 2023. Officers should use discretion when the weather is bad, or the activity level is otherwise low to adjust or even shorten their shift accordingly.
- C. Reports relating to incidents or crimes that have occurred on National Forest Systems (NFS) lands should be collectively submitted to the U.S. Forest Service Law Enforcement on a quarterly basis. Reports relating to severe or major crimes should also be submitted individually, as soon as possible.

Total reimbursement for this category shall not exceed the amount of: \$21,900.00.

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 Operating Plan. The designated representative will then notify Whatcom County whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised 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 U.S. 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.
 - 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 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.

IV. BILLING FREQUENCY:

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

A. Whatcom County will submit invoices on a quarterly basis for *reimbursement* of services provided under Section II of this Operating Plan, and as outlined in *Cooperative Law Enforcement Agreement Provisions II-H and III-B*.

Submit invoices by Email to: <u>SM.FS.asc_ga@usda.gov</u> Copy to U.S. Forest Service Contacts (See Section I.A.)



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

Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$21,900.00	N/A
Training	N/A	N/A
Equipment	N/A	N/A
Special Enforcement Situations	N/A	N/A
Total	\$21,900.00	N/A

C. Any remaining federally appropriated funding (this does not apply to funding from FERC license which is limited to one-year availability) in this 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-C.

Addendum A

U.S. Forest Service Fire Emergency Language & Billing Protocol Coop Law Enforcement Agreements / Operating & Financial Plan

Fire Emergencies:

During fire emergencies, the U.S. Forest Service will reimburse the County for actual costs incurred while the County is providing assistance requested by either the Agency Administrator or Incident Commander.

Reimbursement for personnel wages and services are based upon the information in the resource order and must identify the number of roadblocks, number of personnel required, hours and time frame required and must be ordered by the Incident Commander or Agency Administrator. A copy of the resource order generated for the request for assistance will be provided by the U.S. Forest Service dispatch to the County. It is critically important that the Incident Management Team, Agency Administrator, and the Sheriff/County Official agree to what emergency services are needed and listed in the Resource Order and Incident Action Plans for each day until this resource is no longer required.

Upon request of the Agency Administrator or Incident Commander, a County designated Liaison(s) to the fire incident(s) may be established. The liaison will be requested via an incident resource order. The liaison(s) primary duties, on behalf of the County Sheriff, will be to attend public meetings, planning and Incident Command meetings. Eligible costs for reimbursement will include personnel time.

If meals and lodging are required for county officials, authorization must be documented using the standard fire meals and lodging authorization forms provided by the host fire unit. Cooperator personnel directly assigned to the incident by a resource order will be entitled to meals that are provided on the incident.

Administrative support (e.g. posting incident time, delivering meals, bill preparation, etc.) will be reimbursed on an actual cost basis. The County will prepare and submit an itemized accounting of actual cost as part of the reimbursement request.

What is not eligible for reimbursement?

1. Law enforcement duties that are within the normal jurisdictional responsibilities such as enforcement, patrols, evacuation. 2. Automotive repairs, tires, and services are covered in the prevailing wage rate as identified in the OP Provision I. B.

Billing Protocol:

Documentation required to be submitted by the County to the FS for payment processing:

- Resource Order. Resource order will state what kind of assistance is ordered, how many people requested, and the time period for the services as ordered by the IC or Agency Administrator.
- Copy of Cooperative Law Enforcement Agreement and Operating & Financial Plan.
- UEI number.
- Active status in System for Award Management (SAM).
- Tax ID number.
- Breakout of actual costs:
 - Salary Daily Crew Time Reports, Payroll summary by hours per day or timesheets of personnel.
 - O Supplies Copies of receipts with date and description of items purchased and FS authorization (S# or FS Signature) for purchase.
 - Mileage Summary by day by vehicle and personnel using the vehicle.

- o Incident Action Plans copies of plans that document assignment to that incident.
- o Map of roadblock locations.

BILLINGS ARE NOT TO BE SUBMITTED TO THE <u>SM.FS.ASC_GA@USDA.GOV</u> UNDER THE OBLIGTION ESTABLISHED THROUGH THE COOPERATIVE LAW ENFORCEMENT AGREEMENT.

Please coordinate remittance of billings to the Albuquerque Service Center, Incident Finance Branch through the local Fire Incident Business Specialist:

Jessica McAloon Administrative Support Coordinator 810 State Route 20 Sedro-Woolley WA 98284 jessica.mcaloon@usda.gov 360-854-2602

Invoices must include the information identified above in the Billing Protocol section in order to be processed in a timely manner.

Burden Statement

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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.

Addendum B

Statement of Work

This agreement is to ensure protection of Government property and the general safety of the public on Forest Service lands during peak periods of public use. This agreement is for Whatcom County Sheriff's Office law enforcement patrol services in the Baker Lake Recreation Area.

Objectives for Law Enforcement Patrols (LEP) in Baker Basin: Address issues that arise because of visitors attracted to the reservoir and its immediate environs because of the existence of the Baker Hydro Project.

Provide adequate law enforcement coverage during the prescribed period of time in an effort to increase the presence and visibility of law enforcement within the project area. By having a variety of law enforcement resources assigned to work the project area; the ability to actively patrol, educate, deter, and investigate violations of Federal and State laws and regulations increases the likelihood of gaining compliance from the visiting public. Additionally, with a collaborative approach to enforcement operations, coverage within the project area is sufficient to meet the needs of the LEP.

Law enforcement operations include but are not limited to handling a variety of criminal complaints, illegal drug and alcohol use, traffic violations, public health and safety issues, medical resource protection, public education and fire.

Furthermore, the collaborative efforts will address the increased visitation and attendant effects of sockeye season to include:

- 1. Traffic, parking
- 2. Boater/camper use and timing conflicts
- 3. Crowding and safety on and off the water
- 4. Emergencies, especially on the east side and on the water, which may be time sensitive
- 5. Resource impacts general use and misuse of developed and dispersed facilities
- 6. Boats anchoring in the lake in the dark w/o lights
- 7. Boaters travelling to fast
- 8. Boats not using the correct ramp for their size. i.e. only Kulshan and Swift Creek are appropriate for large boats and trailers.
- 9. Boats coming from a wide area: invasive species inspections and education
- 10. Trash, human waste, bear and wildlife management
- 11. Violations of state boating and fishing regulations
- 12. Enforcement of delineated no-wake zones, swim areas, loon platforms



BILL ELFO SHERIFF



PUBLIC SAFETY BUILDING 311 Grand Avenue Bellingham, WA 98225-4038 (360) 778-6600

RECEIVED

MEMORANDUM

FEB 07 2023

WHATCOM COUNTY EXECUTIVE'S OFFICE

TO:

Satpal S. Sidhu, County Executive

FROM:

Bill Elfo, Sheriff

DATE:

February 1, 2023

SUBJECT:

USDA Forest Service Agreement 22-LE-11060500-015

Modification Number 01

Baker Lake Recreation Area Patrols 2022-2026

WCC#202205004

Enclosed for your review and signature is one original of Modification Number 01 to Cooperative Law Enforcement Agreement (Whatcom County Contract #202205004) 2023 Baker Lake Recreation Area Annual Operating and Financial Plan for the subject agreement between Whatcom County Sheriff's Office and USDA Forest Service, Mt. Baker-Snoqualmie National Forest.

Background and Purpose

This agreement is for Whatcom County Sheriff's Office law enforcement overtime patrol services in the Baker Lake Recreation Area to ensure protection of Government property and general safety of the public on Forest Service lands during peak periods of public use. Peak periods are between Memorial Day and Labor Day each year.

Modification Number 01 incorporates an annual operating plan in the amount of \$21,900.00 for 2023 and updates the reimbursement overtime and mileage rates.

Funding Amount and Source

2023 funding of \$21,900.00 from USDA Forest Service.

Please contact Undersheriff Doug Chadwick at extension 6618 if you have any questions or concerns regarding the terms of this agreement.

Enclosures