



FS Agreement No. 11-LE-11051360-229
Modification No. 005

EXHIBIT B

**COOPERATIVE LAW ENFORCEMENT ANNUAL DRUG OPERATIONS PLAN &
FINANCIAL PLAN**

**Between The
MONTEREY COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
LOS PADRES NATIONAL FOREST**

2013 CONTROLLED SUBSTANCE ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Monterey County Sheriff's Department, hereinafter referred to as "MCS," and the USDA, Forest Service, Los Padres National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #11-LE-11051360-229 executed on May 27, 2011. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning October 01, 2012 and ending September 30, 2013.

Previous Year Carry-over: \$0.00
Current FY-13 Year Obligation: \$10,000
FY-2013 Total Annual Operating Plan: \$10,000

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.

Principle Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Scott Miller, Sheriff 1414 Natividad Road Salinas, CA 93906 831-755-3702	Debbie Budd 1414 Natividad Road Salinas, CA 93906 831-759-7265 Email: budd@co.monterey.ca.us
Cooperator Alternate Contact	



Jerry Teeter, Commander
Investigations
1414 Natividad Road
Salinas, CA 93906
831-755-3822

Principle U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Alex Lomvardias, Special Agent Santa Lucia Ranger District 1616 N Carlotti Drive Santa Maria, CA 93454 805-925-9538 x 228 (office) 805-717-7915 (cell) FAX: 805-961-5781 E-mail: alomvardias@fs.fed.us	Angela O. Cabada, Program Support Assistant Pacific Southwest Regional Office – LEI 1323 Club Drive Vallejo, CA 94592 707-562-8720 (office) FAX: 707-562-9031 E-mail: aocabada@fs.fed.us

U.S. Forest Service Program Coordinator Contact	U.S. Forest Service Grants & Agreements Contact
Kent Delbon Assistant Special Agent in Charge Pacific Southwest Regional Office – LEI 1323 Club Drive Vallejo, CA 94592 707-562-8649 (office) 707-373-6672 (cell) FAX: 707-562-9031 E-mail: kdelbon@fs.fed.us	Suwannee Milburn Grants Management Specialist Pacific Southwest Regional Office- G&A 1323 Club Drive Vallejo, CA 94592 707-562-8782 (office) FAX: 707-562-9144 E-mail: semilburn@fs.fed.us

II. CONTROLLED SUBSTANCE OPERATIONS

Pursuant to IV- I of Agreement No. 11-LE-11051360-229, the following is in support of operations to suppress manufacturing and trafficking of controlled substances on or affecting the administration of National Forest System lands, with an emphasis on identification, apprehension and prosecution of suspects engaged in these activities:



A. The U.S. Forest Service agrees:

1. To reimburse **MCS** for expenditures associated with the detection of locations and activities related to illegal production and trafficking of controlled substances, including:
 - a. Ground reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances.
 - b. Aerial reconnaissance to identify and inventory locations and activities associated with producing or trafficking controlled substances. Reconnaissance shall be performed using a U.S. Forest Service approved aircraft with a minimum of one U.S. Forest Service observer on board, unless waived by the U.S. Forest Service.
2. To reimburse **MCS** for certain expenses resulting from investigative activities associated with investigating cases involving the illegal production or trafficking of controlled substances on or affecting the administration of National Forest system lands, including:
 - a. Surveillance operations to identify persons illegally producing or trafficking controlled substances.
 - b. Apprehension of persons suspected of producing or trafficking controlled substances.
 - c. Collection of evidence to support prosecution of persons suspected of illegally producing or trafficking controlled substances.
 - d. Prosecution of persons suspected of producing or trafficking controlled substances.
3. To reimburse **MCS** for expenses resulting from the removal of cannabis plants from National Forest System lands. When circumstances indicate that removal of the cannabis plants is required before an investigation to determine the person(s) responsible can be completed, eradication operations must be approved by the U.S. Forest Service prior to taking place.

Note: **MCS** retains the authority to eradicate cannabis plants from National Forest System lands without reimbursement from the U.S. Forest Service at its discretion.

4. To reimburse **MCS** for the costs of purchasing supplies and equipment used exclusively for activities described in items A.1, A.2 and A.3 of this Plan. Purchases must be agreed to and approved by the U.S. Forest Service.



Purchases may **not exceed 10% of the total allocation** without prior approval by the U.S. Forest Service Designated Representative.

B. **MCS** agrees:

1. Within its capability, to perform the following activities on National Forest System lands:
 - a. Detect and inventory locations associated with illegal production or trafficking of controlled substances, and notify the U.S. Forest Service of such locations as soon as possible.
 - b. Investigations to determine the person(s) responsible for manufacturing or trafficking controlled substances.
 - c. Upon request and prior approval of the U.S. Forest Service, remove cannabis plants from National Forest System lands.
2. To furnish all activity reports, crime reports, investigation reports, and other reports or records, resulting from activities identified in **Section II, A** of this Operating and Financial Plan to the affected Forests for review and forwarding to the Regional Office for processing.

C. The *U.S. Forest Service* and **MCS** mutually agree to the following:

1. The following rate schedule will apply to all expenditures that may be reimbursed to **MCS** under this agreement;

Salary (base)	\$77.55 per hour,
Salary (overtime)	\$78.66 per hour,
Per diem costs	\$34/M&IE + \$55/Lodging,
Travel (mileage and fares)	Actual documented costs,
Helicopter flight time	Actual documented costs,
Supplies or equipment	Actual documented costs

2. The total expenditures of **MCS** that may be reimbursed may not exceed... **\$10,000**.
The total expenditures for item **A.4** may not exceed..... **10%** of the total allocation.

D. 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 de-obligated at the request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-V.*

III. BILLING FREQUENCY:

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

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

MCS will furnish monthly itemized statements of expenses to the U.S. Forest Service for expenditures that may be reimbursed as identified in items II A.1, A.2, A.3, and A.4 of this Plan. Attachment A, Law Enforcement Billing Summary, Drug Enforcement, must be completed and submitted to the contacts in (a) below for each billing statement.

- a. Mail copies of itemized billing statements (Attachment A) to:

Angela O. Cabada, PSA
Pacific Southwest Regional Office - LEI
1323 Club Drive
Vallejo, CA 94592

Send photo copy to:
Alex Lomvardias, Special Agent
Santa Lucia Ranger District
1616 N Carlotti Drive
Santa Maria, CA 93454

- b. **Send hard copy invoices to:**

U.S. Forest Service
Albuquerque Service Center
Payments – Grants & Agreements
101 B Sun Ave NE
Albuquerque, NM 87109

Or fax to: (877) 687-4894

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

- c. Final billings for reimbursement on this Annual Operating Plan (AOP) must be received by the U.S. Forest Service before December 31, 2013 in order to receive payment.
- d. **Annually update the SAM registration of the County Sheriff's DUNS# on the website at www.sam.gov for the verification of the EFT (Electronic Funds Transfer) banking information.**

Job Code: NFLE0513 1360 \$10,000.00



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

Vice Chairman, Board of Supervisors Date
Monterey County

SCOTT MILLER, Sheriff Date
Monterey County

SCOTT HARRIS, Special Agent in Charge Date
U.S. Forest Service, Pacific Southwest Region

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

Kellie L. Hamilton 3/6/13

KELLIE L. HAMILTON Date
U.S. Forest Service, Pacific Southwest Region
Grants Management Specialist

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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