



### MODIFICATION OF GRANT OR AGREEMENT

PAGE 1 OF PAGES 7

1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 19-LE-11020300-009	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY: n/a	3. MODIFICATION NUMBER: 03
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4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Black Hills National Forest, Supervisor's Office 1019 N. 5 <sup>th</sup> Street Custer, SD 57730	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): R2, LE & I, North Zone Patrol Captain David Hartley 2013 Eastside 2nd Street Sheridan, WY 82801
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6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): Lawrence County Sheriff's Office 78 Sherman St., P.O. Box 405 Deadwood, SD 57732	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only): n/a
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### 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: Obligates \$14,200 for 2022 work outlined in Exhibit A
<input type="checkbox"/>	ADMINISTRATIVE CHANGES:
<input type="checkbox"/>	OTHER (Specify type of modification):

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):

The purpose of this modification 03 is to add additional funding for the 2022 Annual Operating and Financial Plan.

### 10. ATTACHED DOCUMENTATION (Check all that apply):

<input checked="" type="checkbox"/>	Revised Scope of Work – Exhibit A
<input checked="" type="checkbox"/>	Revised Financial Plan
<input type="checkbox"/>	Other:

### 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. PENNINGTON COUNTY SIGNATURE: <i>See last page of Exhibit A for signature</i> (Signature of Signatory Official)	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURES <i>See last page of Exhibit A for signatures</i> (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print):	11.F. NAME (type or print):		
11.G. TITLE (type or print):	11.H. TITLE (type or print):		

### 12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by:  <i>See last page of Exhibit A for signature</i>	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).

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. 19-LE-11020300-009  
Modification No. 03

**EXHIBIT A**

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

**Between The  
LAWRENCE, COUNTY OF  
And the  
USDA, FOREST SERVICE  
BLACK HILLS 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 the Lawrence, County Of hereinafter referred to as "Cooperator," and the USDA, Forest Service, Black Hills National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #19-LE-11020300-009 executed on March 22, 2019. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning May 1, 2022 and ending September 30, 2022

Previous Year Carry-over: \$0  
Current Fiscal Year Obligation: \$14,200.00  
**CY 2022 Total Annual Operating Plan: \$14,200.00**

**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:**

<b>Cooperator Program Contact</b>	<b>Cooperator Administrative Contact</b>
Sheriff Brian C. Dean 78 Sherman St., P.O. Box 405 Deadwood, SD 57732 Telephone: (605) 578-2230 FAX: (605) 578-3913 Email: bdean@lawrence.sd.us	Chief Deputy, Patrick D. Johnson 80 Sherman St., Deadwood, SD 57732 Telephone: (605) 578-2230 FAX: (605) 578-3913 Email: pjohnson@lawrence.sd.us



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

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
PC David B. Hartley 2013 Eastside 2 <sup>nd</sup> Street Sheridan, WY 82801 Telephone: (307) 674-2682 FAX: (307) 674-2668 Email: david.hartley@usda.gov	Dave Graham 8221 S. Mt Rushmore Rd Rapid City, SD 57702 Telephone: (605) 719-2119 FAX: (605) 343-7134 Email: david.graham@usda.gov

U.S. Forest Service Field Contact	U.S. Forest Service Payment Approver Contact
Eric Carney 2014 N Main Spearfish, SD 57783 Telephone: (605) 642-4622, x 3684 FAX: (605) 642-4156 Email: eric.carney@usda.gov	Linda Hartman 2013 Eastside 2 <sup>nd</sup> Street Sheridan, WY 82801 Telephone: (307) 674-2653 FAX: (307) 674-2668 Email: linda.hartman@usda.gov

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

\$.54/mile patrolled

Wages at the prevailing rate of \$37.50/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 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. Starting May 1, 2022 and ending September 30, 2022 the Cooperator agrees to make vehicular patrols on National Forest system lands. Patrols will be conducted based on the agreed upon hourly rate and mileage listed above. Expenditures will not exceed the amount specified below. Patrols will be staggered during the week and the hours will vary with each trip to increase the visibility of their presence. A trip log will be furnished by the Cooperator each month.
2. Cooperator personnel assigned to Item 1 above will record names, addresses, and acts of persons involved in possible violation of Federal regulations and turn information over to the Forest Service law enforcement. If court appearances are necessary, Cooperator personnel will appear as witnesses.



3. Cooperator personnel assigned to Item 1 above will be regular employees of the Lawrence County Sheriff's Office. All patrols will be with an official vehicle equipped with Sheriff's Office decals and law enforcement lights.
4. Patrol in the following campgrounds, developed sites or dispersed areas:
  - a. Areas near Roubaix Lake, Dalton lake, Steamboat Rock, Box Elder Campground, Box Elder Job Corps Center, primarily.
  - b. Any areas where USFS Law Enforcement Officers may need additional assistance.

Total reimbursement for this category shall not exceed the amount of: \$ 14,200.00

### 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 Annual Operating Plan. The designated representative will then notify the 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.

**IV. BILLING FREQUENCY:**

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

- A. Itemized billing for reimbursement for Items listed under II-A, and III. will be invoiced monthly to:

Invoice must be sent by one of three methods (email is preferred):

EMAIL: SM.FS.asc\_ga@usda.gov      POSTAL: USDA Forest Service  
Albuquerque Service Center  
Payments – Grants & Agreements  
101B Sun Ave NE  
Albuquerque, NM 87109

FAX: 877-687-4894

- B. Certification that services have been performed (Form FS-5300-5 and Daily Activity Log) (Refer to Clause II-F. of the Cooperative Law Enforcement Agreement #19-LE-11020300-009) will be completed monthly and mailed to:

David Hartley, Patrol Captain  
Bighorn National Forest  
2013 Eastside 2<sup>nd</sup> Street  
Sheridan, WY 828010

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

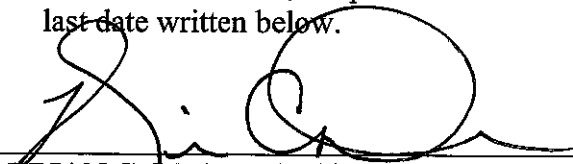
Category	Estimated Costs	Not to Exceed by %
Patrol Activities	\$14,200.00	100%
Equipment	0	
<b>Total</b>	<b>\$14,200.00</b>	<b>100%</b>

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

- E. By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement.



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

  
\_\_\_\_\_  
BRIAN C. DEAN, Sheriff  
Lawrence County Sheriff's Department

02/04/22  
Date

\_\_\_\_\_  
JEFF TOMAC, Forest Supervisor  
U.S. Forest Service, Black Hills National Forest

Date

\_\_\_\_\_  
RANDALL ROSENAU, Chair  
Lawrence County Commissioner

Date

\_\_\_\_\_  
KEN PEARSON, Special Agent in Charge  
U.S. Forest Service, Rocky Mountain Region

Date

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

**DAVID GRAHAM** Digitally signed by DAVID GRAHAM  
Date: 2022.02.04 14:33:16 -07'00'

\_\_\_\_\_  
DAVID GRAHAM  
U.S. Forest Service Grants Management Specialist

Date

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