



August 12, 2021

Board of County Commissioners
Clackamas County

Members of the Board:

Approval of Modification No. 8 to Stewardship
Agreement 13-SA-11060600-013 between
Clackamas County and USDA, Forest Service Mt. Hood National Forest

Purpose/Outcome	The Clackamas County Dump Stoppers program is requesting approval of Modification No. 8 to a Stewardship Agreement with the USDA, Forest Service Mt. Hood National Forest to support program operations.
Dollar Amount and Fiscal Impact	USDA Forest Service has awarded \$30,777.28 Stewardship Retained Receipts funds, and the Dump Stoppers program has pledged \$7,960.80 from the FY21-22 budget to pay for law enforcement labor for approximately two months, and one month of vehicle operation expense.
Funding Source	Total funding is \$38,738.08 with \$30,777.28 in USDA Forest Service Stewardship Retained Receipts funds, and \$7,960.80 from the FY 21-22 Dump Stoppers program funding. No general funds are involved.
Duration	Effective upon signature from the USDA Forest Service Acting Forest Supervisor through December 31, 2022.
Previous Board Action/Review	May 2013 – Original Agreement; Modification #1 August 2014; Modification #2 June 2015; Modification #3 June 2016; Modification #4 June 2017; Modification #5 June 2018; Modification #6 May 2019; Modification #7 April 2020
Strategic Plan Alignment	<p>1. Business and Community Services mission statement as described in its Strategic Business Plan is to “provide essential economic development, public spaces, and community enrichment services”. The Dump Stoppers program is a crucial part of maintaining forest and timber lands located within Clackamas County.</p> <p>2. Honor, Utilize, Promote, and Invest in our National Resources: This funding will provide staff labor for cleanup and law enforcement related to illegal dumpsite activities on forestlands in Clackamas County.</p>
Counsel Review	<p>1. Date of Counsel review: 7/27/2021</p> <p>2. Initials of County Counsel performing review. ARN</p>

Procurement Review	No, item is a grant.
Contact Person	Tom Riggs, BCS Parks and Forestry Manager, (503) 788-3137
Contract No.	N/A

BACKGROUND:

The Dump Stoppers program operating within the Forestry division of Business & Community Services has been in operation since 2003. The goals of the program are: 1) to locate and cleanup dumpsites on forested lands in Clackamas County, 2) enforcement of anti-dumping laws and regulations and when evidence is found, pursue, fine, and/or prosecute offenders, and 3) educate the public about the potential consequences of illegal dumping. The program is operated with two part-time staff and one Clackamas County Sheriff Deputy from March through December each year. The funds received through this agreement with the USDA Forest Service Mt. Hood National Forest will provide for approximately two months of law enforcement services, and one month of vehicle operation expense in FY21-22.

RECOMMENDATION:

Staff respectfully recommends the approval of Modification No. 8 of the Stewardship Agreement with USDA Forest Service Mt. Hood National Forest, and further recommends the Board delegate authority to the Interim Director of Business and Community Services to sign the agreement.

ATTACHMENTS:

Modification No. 8 Stewardship Agreement 13-SA-11060600-013 between Clackamas, County of and the USDA, Forest Service Mt. Hood National Forest.

Respectfully Submitted,



Sarah Eckman, Interim Director
Business & Community Services



MODIFICATION OF GRANT OR AGREEMENT

PAGE	OF PAGES
1	3

1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 13-SA-11060600-013 Dump Stoppers	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY:	3. MODIFICATION NUMBER: 8
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Mt. Hood National Forest 16400 Champion Way Sandy, OR 97055	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): Mt. Hood National Forest Clackamas River Ranger District 16400 Champion Way Sandy, OR 97055	
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): Clackamas, County of 2051 Kaen Rd Oregon City, OR 97045	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only): N/A	

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 checked="" type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD: Extend from 12/31/21 to 12/31/22.
<input checked="" type="checkbox"/>	CHANGE IN FUNDING: Add \$30,000.00 for continuation of the project. All previously obligated funds remaining are available for use. The current technical proposal remains in effect.
<input checked="" type="checkbox"/>	ADMINISTRATIVE CHANGES: See Box 9 for a point of contact change and updated provisions. The due date for the final invoice and performance report has been changed from 90 to 120 days.
<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 expenditure of stewardship retained receipts is approved for use on off-forest sites in which potential pollutants and hazardous waste have a direct impact on water quality in streams that flow onto or from national forest lands. Please document with photos the types of trash and debris being cleaned up from various off-forest locations. The documentation is to be kept with the contract or agreement folder in the event of an audit. While removing abandoned cars, washers, and refrigerators, and picking up trash along forested roads, turnouts, and landings not impacting forest resources is a worthwhile project, it cannot be funded with retained receipts. Stewardship retained receipts also cannot be expended on enforcement of dumping laws, educating the public on the negative resource impacts of trash dumping, signs, or for other various prevention methods and programs.

Rachel LaMedica replaced Jane Dalgliesh as the U.S. Forest Service Contact. She can be reached at:

Mt. Hood National Forest
16400 Champion Way
Sandy, OR 97055
Telephone: 503-668-1776
E-mail: rachel.lamedica@usda.gov

The following provisions have been updated to the following:

PAYMENT/REIMBURSEMENT The Forest Service shall reimburse the County for the Forest Service's share of actual expenses incurred, not to exceed the amount shown in the Financial Plans. In order to approve a Request for Reimbursement, the Forest Service shall review such requests to ensure payments for reimbursement are in compliance and otherwise consistent with the terms of the agreement. The Forest Service shall make payment upon receipt of the County's monthly invoice. Each invoice from the County shall display the total project costs for the billing period, separated by Forest Service and the County's share. In-kind contributions must be displayed as a separate line item and must not be included in the total project costs available for reimbursement. The final invoice must display the County's full match towards the project, as shown in the financial plan, and be submitted no later than 120 days from the expiration date.



Each invoice must include, at a minimum:

1. The County’s name, address, and telephone number.
2. Forest Service agreement number.
3. Invoice date.
4. Performance dates of the work completed (start & end).
5. Total invoice amount for the billing period, separated by Forest Service and share with in-kind contributions displayed as a separate line item.
6. Display all costs, both cumulative and for the billing period, by separate cost element as shown on the financial plan.
7. Cumulative amount of Forest Service payments to date.
8. Statement that the invoice is a request for payment by “reimbursement”.
9. If using SF-270, a signature is required.
10. Invoice Number, if applicable.

The invoice must be forwarded to:

EMAIL: SM.FS.ASC_GA@USDA.GOV
 FAX: 877-687-4894
 POSTAL: USDA Forest Service
 Albuquerque Service Center
 Payments – Grants & Agreements
 101B Sun Ave NE
 Albuquerque, NM 87109

Send a copy to: Rachel LaMedica at rachel.lamedica@usda.gov

AGREEMENT CLOSEOUT. Within 120 days after expiration or notice of termination the parties shall close out the award/agreement.

Any unobligated balance of cash advanced to the County must be immediately refunded to the Forest Service, including any interest earned in accordance with 7CFR3016.21/2CFR 215.22.

Within a maximum of 120 days following the date of expiration or termination of this grant, all financial performance and related reports required by the terms of the agreement must be submitted to the Forest Service by the County.

If this agreement is closed out without audit, the Forest Service reserves the right to disallow and recover an appropriate amount after fully considering any recommended disallowances resulting from an audit which may be conducted later.

PROGRAM MONITORING AND PROGRAM PERFORMANCE REPORTS. The parties to this agreement shall monitor the performance of activities under this Stewardship Agreement to ensure that performance goals are being achieved.

Performance reports must contain information on the following:

- A comparison of actual accomplishments to the goals established for the period. Where the output of the project can be readily expressed in numbers, a computation of the cost per unit of output, if applicable.
- Reason(s) for delay if established goals were not met.
- Additional pertinent information.

The County shall submit annual performance reports to the U.S. Forest Service Program Manager. These reports are due 90 days after the reporting period. The final performance report shall be submitted either with the County’s final payment request, or separately, but not later than 120 days from the expiration date of this Stewardship Agreement.

10. ATTACHED DOCUMENTATION (Check all that apply):

Revised Scope of Work



<input type="checkbox"/>	Revised Financial Plan
<input checked="" type="checkbox"/>	Other: Appendix A 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. THE COUNTY SIGNATURE	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURE	11.D. DATE SIGNED
(Signature of Signatory Official)		(Signature of Signatory Official)	
11.E. NAME (type or print): SARAH ECKMAN		11.F. NAME (type or print): DUANE BISHOP	
11.G. TITLE (type or print): Interim Director, Business and Community Services		11.H. TITLE (type or print): Acting Forest Supervisor	

12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by:	12.B. DATE SIGNED
<p>_____ (13-SA-11060600-013 Mod 8) JESSICA CLARK U.S. Forest Service Grants & Agreements Specialist</p>	

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.

Attachment:

USFS Agreement No.:
Cooperator Agreement No.:

Mod. No.:

Agreements Financial Plan (Short Form)

Financial Plan Matrix: Note: All columns may not be used. Use depends on source and type of contribution(s).

COST ELEMENTS	FOREST SERVICE CONTRIBUTIONS		COOPERATOR CONTRIBUTIONS		(e) Total
	(a) Noncash	(b) Cash to Cooperator	(c) Noncash	(d) In-Kind	
Direct Costs					
Salaries/Labor	\$680.00	\$25,536.00	\$7,660.80	\$0.00	\$33,876.80
Travel	\$14.00	\$4,282.08	\$300.00	\$0.00	\$4,596.08
Equipment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Supplies/Materials	\$0.00	\$181.92	\$0.00	\$0.00	\$181.92
Printing	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal	\$694.00	\$30,000.00	\$7,960.80	\$0.00	\$38,654.80
Coop Indirect Costs		\$0.00	\$0.00		\$0.00
FS Overhead Costs	\$83.28				\$83.28
Total	\$777.28	\$30,000.00	\$7,960.80	\$0.00	\$38,738.08
Total Project Value:					\$38,738.08

Matching Costs Determination	
Total Forest Service Share = (a+b) ÷ (e) = (f)	(f) 79.45%
Total Cooperator Share (c+d) ÷ (e) = (g)	(g) 20.55%
Total (f+g) = (h)	(h) 100.00%

WORKSHEET FOR

FS Non-Cash Contribution Cost Analysis, Column (a)

Salaries/Labor

Standard Calculation

Job Description		Cost/Day	# of Days		Total
Program Manager		\$340.00	2		\$680.00

Non-Standard Calculation

Total Salaries/Labor	\$680.00
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Travel

Standard Calculation

Travel Expense	Employees	Cost/Trip	# of Trips		Total
Annual Meeting	1	\$14.00	1		\$14.00

Non-Standard Calculation

Total Travel	\$14.00
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Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days		Total
					\$0.00

Non-Standard Calculation

Total Equipment	\$0.00
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Supplies/Materials

Standard Calculation

Supplies/Materials	# of Items	Cost/Item		Total
				\$0.00

Non-Standard Calculation

Total Supplies/Materials	\$0.00
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Printing

Standard Calculation

Paper Material	# of Units	Cost/Unit		Total
				\$0.00

Non-Standard Calculation

Total Printing	\$0.00
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Other Expenses

Standard Calculation

Item	# of Units	Cost/Unit		Total
				\$0.00

Non-Standard Calculation

Total Other	\$0.00
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Subtotal Direct Costs	\$694.00
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Forest Service Overhead Costs

Current Overhead Rate	Subtotal Direct Costs		Total
12.00%	\$694.00		\$83.28

Total FS Overhead Costs	\$83.28
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TOTAL COST	\$777.28
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WORKSHEET FOR

FS Cash to the Cooperator Cost Analysis, Column (b)

Salaries/Labor

Standard Calculation

Job Description	Cost/Day	# of Days	Total
Dump Stoppers Coordinator	\$332.50	48	\$15,960.00
Dump Stoppers Assistant	\$199.50	48	\$9,576.00

Non-Standard Calculation

Total Salaries/Labor

\$25,536.00

Travel

Standard Calculation

Travel Expense	Employees	Cost/Day	# of Days	Total
Mileage - Ford Ranger	1	\$42.53	48	\$2,041.44
Mileage - F450	1	\$46.68	48	\$2,240.64

Non-Standard Calculation

Total Travel

\$4,282.08

Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days	Total
				\$0.00

Non-Standard Calculation

Total Equipment

\$0.00

Supplies/Materials

Standard Calculation

Supplies/Materials	# of hours	Cost/Hour	Total
Misc trash pick up supplies			\$181.92

Non-Standard Calculation

Total Supplies/Materials

\$181.92

Printing

Standard Calculation

Paper Material	# of Units	Cost/Unit	Total
			\$0.00

Non-Standard Calculation

\$0.00

Total Printing

\$0.00

Other Expenses

Standard Calculation

Item	# of hours	Cost/Hour	Total
			\$0.00

Non-Standard Calculation

Total Other

\$0.00

Subtotal Direct Costs

\$30,000.00

Cooperator Indirect Costs

Current Overhead Rate	Subtotal Direct Costs	Total
	\$30,000.00	\$0.00

Total Coop. Indirect Costs

\$0.00

TOTAL COST

\$30,000.00

WORKSHEET FOR

Cooperator Non-Cash Contribution Cost Analysis, Column (c)

Salaries/Labor

Standard Calculation

Job Description	Cost/Day	# of Days		Total
Dump Stoppers Deputy	\$383.04	20		\$7,660.80

Non-Standard Calculation

Total Salaries/Labor	\$7,660.80
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Travel

Standard Calculation

Travel Expense	Employees	Cost/Trip	# of Trips		Total
Mileage-Ford Ranger	1	\$42.53	7		\$297.71

Non-Standard Calculation

Total Travel	\$297.71
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Equipment

Standard Calculation

Piece of Equipment	# of Units	Cost/Day	# of Days		Total
					\$0.00

Non-Standard Calculation

Total Equipment	\$0.00
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Supplies/Materials

Standard Calculation

Supplies/Materials	# of Items	Cost/Item		Total
				\$0.00

Non-Standard Calculation

Total Supplies/Materials	\$0.00
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Printing

Standard Calculation

Paper Material	# of Units	Cost/Unit		Total
				\$0.00

Non-Standard Calculation

Total Printing	\$0.00
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Other Expenses

Standard Calculation

Item	# of Units	Cost/Unit		Total
				\$0.00

Non-Standard Calculation

Total Other	\$0.00
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Subtotal Direct Costs	\$7,958.51
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Cooperator Indirect Costs

Current Overhead Rate	Subtotal Direct Costs			Total
	\$7,958.51			\$0.00

Total Coop. Indirect Costs	\$0.00
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TOTAL COST	\$7,958.51
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