



**Local Operating Agreement
Between the
Bureau of Land Management, Nevada State Office
National Park Service, Lake Mead National Recreation Area
Fish and Wildlife Service, Desert National Wildlife Refuge Complex
And the
Forest Service, Inter-Mountain Region**

I. Purpose

This Interagency Agreement prescribes the procedures and guidelines for designating law enforcement authority between the United States Department of the Interior (DOI), Bureau of Land Management (BLM) Nevada State Office, National Park Service (NPS), Lake Mead National Recreation Area (LAME), and U.S. Fish and Wildlife Service, Desert National Wildlife Refuge Complex and the United States Department of Agriculture (USDA), Forest Service Region 4, Inter-Mountain, pursuant the terms of the following authority.

II. Authority

This agreement is made pursuant to the USDI/USDA Master Agreement of February 27, 1990, and is implemented by Memorandum of Understanding dated April 5, 1994, and pursuant to Title 16 U.S.C., 559d, 559d(4), 559g, Title 43 U.S.C., 1733.

III. Statement of Mutual Interest and Mutual Benefits

The Departments have determined that cross-designation of law enforcement authorities to Law Enforcement Officers and Special Agents of the Forest Service, and Law Enforcement Rangers and Special Agents of the Bureau of Land Management, National Park Service and U.S. Fish and Wildlife Service, will increase protection of the natural and cultural resources on public lands administered by the Secretary, and is mutually beneficial, economical, and advantageous to the public interest.

The Secretaries have also determined that in cases where a specific need for law enforcement assistance and investigative support have been identified or where a law enforcement emergency of a violation in progress exists, it shall be mutually beneficial, economical, and advantageous to the public interest to cross-designate law enforcement officials within both departments. In such instances, the procedures set out shall apply for cross-designation of authority between the agencies.

IV. Definitions

- A. **Special Agent-in-Charge:** Special Agent-in-Charge (SAC) for the BLM Nevada State Office, United States Forest Service Regional SAC, and the NPS Pacific West Region SAC and Chief Ranger subject to this agreement.
- B. **Manager-in-Charge:** State Director of the Nevada State Office, Bureau of Land Management, Regional Forester of the Inter-Mountain Region, Forest Service, Regional Director of the Pacific West Region, National Park Service and Regional Chief of Refuge Law Enforcement, and Refuge Manger the of the Desert NWR Complex, Fish and Wildlife Service.
- C. **Chief Ranger, National Park Service:** The position either in a region or park which is responsible for the management of that area's protection and visitor use management activities including law enforcement.
- D. **Law Enforcement Officer:** Law enforcement officers/rangers and special agents of the United States Department of the Interior to include Bureau of Land Management, National Park Service, Fish and Wildlife Service and United States Department of Agriculture to include Forest Service.
- E. **Responsible Agency:** The agency on whose land the observed or reported incident occurs.
- F. **Initial Action:** Law enforcement action taken, including but not limited to issuance of a citation and/or arrest by a cross-designated law enforcement officer in response to violation(s) in progress until relieved by the responsible agency.
- G. **Violations in Progress:** Violations that are encountered on the lands of the other agency that are incidental to the normal duties of the cross-designated law enforcement officer.
- H. **Special Operations/Pre-Planned Events:** Events where lead agency (agency whose jurisdiction the special event lies) will coordinate with all agencies to implement and write the agreed upon operation plan.

V. Procedures

The Forest Service and the Bureau of Land Management, National Park Service and the Fish and Wildlife Service hereby cross-designate law enforcement officers for the following purposes:

- A. **Investigative Support and Law Enforcement Assistance:** This requires a request and approval from the Special Agent-in-Charge, or designee for the Bureau of Land Management, the Regional Special Agent-in-Charge for the

Forest Service, the Regional Special Agent-in-Charge for the National Park Service and the Regional Chief –Refuge Law Enforcement for the Fish and Wildlife Service.

- B. Law Enforcement Emergencies: This requires a formal or informal request for emergency law enforcement response for incidents involving an immediate threat to persons, property, or resources. Notification and documentation of the interagency assistance will follow, as soon as, possible after assistance is rendered.
- C. Violations in Progress: With respect to violations in progress, the cross-designation is effective only for the purpose of taking initial action. The BLM, Forest Service, NPS, and Fish and Wildlife Service administer lands that border directly on one another or are in close proximity to one another. When in the course of official duties, law enforcement officers routinely travel across each others lands and may encounter violations in progress that may threaten the resource, persons, and /or property and which require initial law enforcement action. When a law enforcement officer encounters a violation in progress, every effort will be made to contact the other agency's law enforcement officer prior to taking action. When such contact is not possible, as will frequently be the case, appropriate initial action will be taken as called for by the agency cross training. Such action will be immediately communicated to the appropriate law enforcement officer for the other agency, with appropriate written documentation to follow (i.e., copies of citations issued, reports, written, etc.)
- D. Request for Assistance. Requests for response to law enforcement emergencies may be made officer to officer or by telephone/radio dispatch centers. If time permits, a law enforcement officer of the agency making the request should approve such requests. The closest resource concept will be utilized in determining which law enforcement officer(s) will be requested to respond.
- E. Inter-agency Operations/Pre-planned Events: The Southern Nevada Public Land Act has enabled all participating agencies, BLM, NPS, USFS, and USFWS, to work together on operations across each others jurisdictions. This operation plan will include an operations plan completed in a format approved by the Interagency Enforcement and Resource Protection team. The operation plan will be completed before an operation takes place.

VI. Conditions

- A. All parties shall be liable to the other for any loss, damage, personal injury or death occurring as a consequence of the performance of this agreement, except as provided herein.

- B. No member of, or delegate to, Congress, or State Official shall be admitted to any share or part of this agreement, or any benefit that may arise therefrom.
- C. During the performance of this agreement, the participants agree to abide by the terms of the Executive Order 11246 on nondiscrimination and will not discriminate against any person because of race, color, religion, sex, age, disability, or national origin. The participants will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, age, disability, or national origin.
- D. If cost reimbursement is deemed necessary (i.e., work not directly associated with the conservation initiatives), the administrative staffs of the respective agencies will utilize normal interdepartmental procedures for reimbursement. Since most actions will be considered part of the interagency conservation initiative agreement, reimbursement will not be necessary. Additional commitment of resources and work beyond the conservation initiative agreement will be billed to the appropriate agency on an incident by incident basis.

VII. Scope and Limitations

This cross-designation of law enforcement authority is limited to the Clark County public lands administered by the Bureau of Land Management, National Park Service, Fish and Wildlife, and Forest Service in Southern Nevada.

VIII Cross-training and Reporting

- A. Cross-designated law enforcement personnel will be required to complete training/briefing on the laws, regulations, policies, and procedures of the other agencies before exercising the law enforcement authority of that agency as provided for in this agreement.
- B. All law enforcement actions taken or incidents detected or investigated by cross-designated law enforcement personnel on lands administered by the other agencies will be reported to that agency in a timely manner. Necessary forms/formats, policies and procedures will be provided by the requesting agency.

IX. Length of Term/Termination

This agreement shall be effective from the date of execution and shall remain in effect for 5 years; unless terminated with a 60-day written notice to either party to the other party. This agreement may be modified or amended upon written notice and concurrence of all parties.

X. Principle Contacts

Bureau of Land Management:

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| Special Agent-in-Charge | Mark Pirtle | 775-861-6446 |
| Chief Ranger-Las Vegas Field Office | Erika Schumacher | 702-515-5030 |

National Park Service:

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| Special Agent in Charge Pacific Northwest Region | Scott Hinson | 702-293-8722 |
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| Chief Ranger Lake Mead Nation Recreation Area | Mary Hinson | 702-293-8963 |
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Fish and Wildlife Service:

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| Regional Chief | Scott Stevens | 916-414-6444 |
| Refuge Law Enforcement Refuge Manager | Amy Springer-Allworth | 702-879-6110 |

Forest Service:

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|-------------------------------------|-----------------|--------------|
| Special Agent-in-Charge Region 4 | Kim Christensen | 801-625-5430 |
| Patrol Captain | Dave Leveille | 775-355-5327 |

XI. Requirements for cross-designation:

Each officer cross designated by this agreement must meet the following:

- A. Is a permanent, full-time, commissioned Law Enforcement Officer or Special Agent, who is a Federal employee and is assigned law enforcement responsibilities on a full-time basis;
- B. Has successfully completed a basic course of instruction at the Federal Law Enforcement Training Center or other basic law enforcement training approved by the Department's Office of Managing Risk and Public Safety;
- C. Has successfully completed at least 40 hours of "in-service" law enforcement training each year;
- D. Has successfully qualified with agency approved firearms per agency requirement;
- E. Has attended the cross-agency training as identified in Section VIII A and;
- F. Is not prohibited from possessing a firearm by 18 U.S.C. 922.

XII. Law Enforcement officers authorized to take initial actions on violations in progress and Special Agents authorized to assist with investigations.

(See attached agency lists of employees for the following offices in Appendix A.)

National Park Service, Lake Mead National Recreation Area

Bureau of Land Management, Nevada State Office

Forest Service, Inter-Mountain Region

Fish and Wildlife Service, Desert National Wildlife Refuge Complex

XIII. Approved

for Wenker
Ron Wenker-State Director
Nevada State Office
Bureau of Land Management

July 18, 2006
Date

Mark Pirtle
Mark Pirtle-Special Agent in Charge
Nevada State Office
Bureau of Land Management

10/5/06
Date

William K. Dickenson
William K. Dickenson Superintendent
Lake Mead Nation Recreation Area
National Park Service

8/7/06
Date

for Kim Christensen
Kim Christensen
Special Agent-in-Charge
Forest Service

July 26, 2006
Date

for Steve Thompson
Steve Thompson
CNO, Manager
Fish and Wildlife Service

10-306
Date