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STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
DIVISION of FORESTS and LANDS

172 PEMBROKE ROAD CONCORD, NEW HAMPSHIRE 03301
PHONE: (603) 271-2214 FAX: (603) 271-6488 WWW.NHDFL.ORG

June 21, 2018

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His Excellency, Governor Christopher T. Sununu
and the Honorable Executive Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

1. Authorize the Department of Natural and Cultural Resources (DNCR), Division of Forests and Lands to enter into a Memorandum of Agreement (MOA) with the New Hampshire Fish and Game Department (NHF&G) for the purpose of providing Off Highway Recreational Vehicle (OHRV) Enforcement Patrols upon approval of Governor and Executive Council for the period through June 30, 2019. 100% Other Funds
2. Further authorize the Department to accept and expend payments not to exceed \$5,400 to be made by NHF&G in accordance with the terms of the MOA. 100% Other Funds

03-35-35-351010-35200000 FOREST PROTECTION

		<u>FY 2019</u>	<u>Requested</u>	<u>FY 2019</u>
		<u>Budget</u>	<u>Action</u>	<u>Budget</u>
001-405893	Transfers from Other Agency	\$0	(\$5,400)	(\$5,400)
004-403631	Intra-Agency Transfers	(83,141)	0	(83,141)
010-500100	Personal Services Perm Classified	721,580	0	721,580
018-500106	Overtime	0	4,060	4,060
020-500200	Current Expenses	25,000	0	25,000
023-500264	Heat/Electricity/Water	200	0	200
026-500251	Organizational Dues	5,100	0	5,100
039-500188	Telecommunications	12,000	0	12,000
050-500109	Personal Services - Temporary	17,000	0	17,000
060-500612	Benefits	537,282	1,340	538,622
070-500704	In State Travel Reimbursement	37,000	0	37,000
103-502673	Contracts for Op Services	12,600	0	12,600
		\$1,367,762	\$5,400	\$1,373,162

EXPLANATION

NHF&G wishes to enter into a MOA with DNCR, Division of Forests and Lands to provide OHRV Enforcement Patrol coverage on the properties known as Connecticut Lakes Headwaters, Jericho State Park, Nash Stream Forest and other areas of the State under their jurisdiction and adjacent properties, pursuant to the authority under RSA 215-A:23, VIII(f). Additional areas other than the above may be patrolled if a need is determined by NHF&G and DNCR. OHRV Enforcement Patrols will be provided by Division Forest Rangers dressed in a recognizable department uniform.

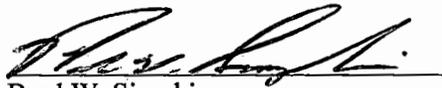
The following additional appropriation is requested for Fiscal 2019:

Class 018 – Overtime \$4,060, to pay current Forest Protection Bureau staff to patrol a minimum of 4 hours per shift on properties under their jurisdiction.

Class 060 – Benefits \$1,340, benefits associated with the above overtime shifts

Your approval of this MOA will ensure this relationship. The Attorney General's Office has reviewed and approved this MOA as to form, substance and execution.

Respectfully submitted,



Brad W. Simpkins
Director



(CSW)

Sarah L. Stewart
Commissioner

MEMORANDUM OF AGREEMENT

between

DEPARTMENT OF CULTURAL AND NATURAL RESOURCES
DIVISION OF FORESTS AND LANDS

and

THE NEW HAMPSHIRE FISH AND GAME DEPARTMENT

The Department of Cultural and Natural Resources (DNCR) and the New Hampshire Fish and Game Department agree to cooperate in the performance of the project described below:

Project Title: OHRV ENFORCEMENT

Project Outline: The Department of Natural and Cultural Resources shall perform the following services during the period upon Governor and Council Approval to June 30, 2019.

1. Provide adequate Off Highway Recreational Vehicle Enforcement Patrol coverage for a minimum of 4 hours per shift on the on the properties commonly known as Connecticut Lakes Headwaters Trail, Jericho State Park, Nash Stream Forest, other areas of the State under their jurisdiction and adjacent properties, pursuant to the authority under RSA 215-A:23, VIII(f).
2. If the DNCR, Forests and Lands Forest Protection Bureau and the New Hampshire Fish and Game Department shall determine that there is a need for additional Off Highway Recreational Vehicle Enforcement Patrols in areas other than Connecticut Lakes Headwaters Trail, Jericho State Park, Nash Stream Forest, other areas of the State under their jurisdiction and adjacent properties, prior approval must be obtained by the DNCR Forests and Lands Forest Protection Bureau from the New Hampshire Fish and Game Department.
3. All police officers providing Off Highway Recreational Vehicle Enforcement Patrols shall be employed by the Department of Natural and Cultural Resources, Division of Forests and Lands Forest Protection Bureau.
4. All police officers providing Off Highway Recreational Vehicle Enforcement Patrols shall be dressed in a recognizable department uniform.

Funds:

The total project cost is not to exceed \$5,400.00.

The Department of Natural and Cultural Resources, Forests and Lands Forest Protection Bureau shall receive compensation at the rate of \$45.00 per hour with a total compensation as approved by the Governor and Executive Council.

Payment shall be made to the Department of Natural and Cultural Resources, Forests and Lands Forest Protection Bureau within thirty (30) days of submission of an invoice submitted to the New Hampshire Fish and Game Department with the Off Highway Recreational Vehicle Special Detail Report form. The Fish and Game Department shall supply the printed form and/or computer program version.

Amendment

This agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto.

Termination of Agreement

Notices of intent to terminate the Agreement before the completion date shall be given, in writing, by either party desiring the termination of at least three (3) months in advance of such termination date.

Covenant Not to Discriminate: Prevention of Discrimination

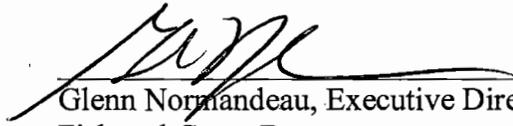
The Department of Natural and Cultural Resources will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Department of Natural and Cultural Resources will take affirmative action to ensure that applicants are employed and that employees are treated during employment without discrimination because of their race, color, religion, sex or national origin. Such action shall include, but not be limited to, employment, upgrading, demotion or transfer; recruitment or recruitment advertising; lay-off or termination; for training, including apprenticeship.

Notice of Advertisements of Employment

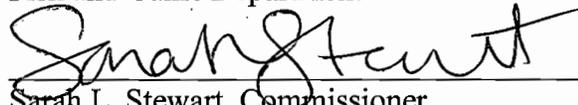
The Department of Natural and Cultural Resources will, in all solicitations of employees or advertisements of employment placed by or on behalf of the Department, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

IN WITNESS THEROF, the respective parties have hereunto set their hand on the dates indicated.

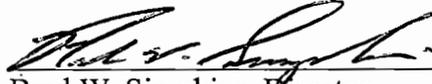
Date 6/22/2018


Glenn Normandeau, Executive Director
Fish and Game Department

Date 6/26/18

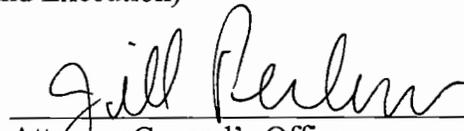

Sarah L. Stewart, Commissioner
Department of Natural and Cultural Resources

Date 6/21/18


Brad W. Simpkins, Director
Division of Forests and Lands

Approved by Attorney General (Form, Substance, and Execution)

Date 7/2/18


Attorney General's Office
Department of Justice

ATTACHMENT "A"

EXHIBIT A

SCOPE OF WORK:

The Party of the First Part, **Department of Natural and Cultural Resources (DNCR), Forests and Lands Forest Protection**, agrees to furnish the following described services:

1. To provide adequate Off Highway Recreational Vehicle Enforcement Patrol coverage for a minimum of 4 hours per shift on the commonly known as **Connecticut Lakes Headwater Trail Jericho SP, Nash Stream SF, other areas of the State under their jurisdiction** and adjacent properties, pursuant to the authority under RSA 215-A:23, VIII(f).
2. If the **DNCR, Forests and Lands Forest Protection** and the New Hampshire Fish and Game Department shall determine that there is a need for additional Off Highway Recreational Vehicle enforcement patrols in areas other than **Connecticut Lakes Headwater Trail Jericho SP, Nash Stream SF, other areas of the State under their jurisdiction** and property and adjacent properties, prior approval must be obtained by the **DNCR Forests and Lands Forest Protection** to the New Hampshire Fish and Game Department.
3. All police officers providing Off Highway Recreational Vehicle Enforcement Patrols, shall be employed by the **DNCR, Forests and Lands Forest Protection**
4. All Police Officers providing Off Highway Recreational Vehicle Enforcement Patrols shall be dressed in a recognizable department uniform.
5. The **DNCR, Forests and Lands Forest Protection** shall receive compensation at the rate of \$45.00 per hour with a total compensation as approved by the Governor and Executive Council. Such total compensation shall not exceed the amount approved.
6. Payment shall be made to the **DNCR, Forests and Lands Forest Protection** within 30 days of submission of an invoice submitted to the New Hampshire Fish and Game Department with the Off Highway Recreational Vehicle Special Detail Report form. The New Hampshire Fish and Game Department shall supply the printed form and/or computer program version.

EXHIBIT B:

Payment shall be made within 30 days upon receipt of invoice and Off Highway Recreational Vehicle Special Detail Report forms.

Total shall not exceed: **\$5,400.00** as approved