

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE BUREAU OF LAND MANAGEMENT, OREGON STATE OFFICE
AND
THE LAKE COUNTY SHERIFF, LAKE COUNTY, OREGON**

I. PURPOSE

This Memorandum of Understanding provides procedures for the adequate protection of persons and property on the public lands, water, roads, and trails administered by the Bureau of Land Management. This Memorandum of Understanding further provides for the granting and acceptance of authority to BLM law enforcement officers to enforce State and local laws, regulations, and ordinances.

II. AUTHORITY

A. Bureau of Land Management

1. Section 303(d) of the Federal Land Policy and Management Act of 1976, P.L. 94-579, (90 Stat. 2763; 43 U.S.C. 1733(d)) provides that, in connection with the administration and regulation of the use and occupancy of the public lands, the Secretary is authorized to cooperate with the regulatory and law enforcement officials of any State or political subdivision thereof in the enforcement of the laws or ordinances of such State or subdivision.
2. Section 303(c)(2) of the Federal Land Policy and Management Act of 1976, P.L. 94-579, (90 Stat. 2763; 43 U.S.C. 1733(c)(2)) to authorized Federal personnel to carry out law enforcement responsibilities with respect to the public lands and their resources.
3. Department of the Interior, Departmental Manual 446 encourages interdepartmental assistance and the publication of guidelines for this cooperation by Bureau/office heads with law enforcement responsibilities.
4. Bureau of Land Management Manual 9262.32.B.1 and 2 authorizes the State Director to enter into cooperative agreements with State and local agencies to allow Bureau law enforcement officers to become deputized to enforce State and local laws as they relate to the use, management and protection of the public lands.

B. Lake County Sheriff

The Sheriff has the authority to deputize any person as specified under Oregon Revised Statute section 204.635(2) to enforce County and State laws under the jurisdiction of the Sheriff and as such can deputize Bureau of Land Management law enforcement personnel to enforce the laws of the State of Oregon and ordinances of the County of Lake on property owned or possessed by the United States Government or as otherwise required per this Memorandum of Understanding.

III. DEFINITIONS

- A. Secretary: the Secretary of the Interior
- B. Bureau: the Bureau of Land Management
- C. State Director: the Bureau of Land Management's State Director for the State of Oregon.
- D. Special Agent-in-Charge: the Bureau's senior law enforcement officer for the State of Oregon.
- E. Sheriff: the Sheriff of Lake County
- F. Public Lands: any land and interest in land owned by the United States and administered by the Secretary of Interior through the Bureau of Land Management.
- G. Bureau Law Enforcement Personnel: those Law Enforcement Rangers and Special Agents of the Bureau of Land Management who have been delegated Federal law enforcement authority by the Director of the Bureau of Land Management.

IV. OPERATIONS

- A. The Sheriff has the authority to enforce the State and local laws for Lake County on such public lands, waters, roads, and trails administered by the Bureau of Land Management as lies within the confines of Lake County. The Sheriff is limited by the level of financing as to the amount of protection and patrol that can be provided at the more remote areas within Lake County, i.e. those public lands, water, roads, and trails administered by the Bureau.
- B. Therefore, the Sheriff and the State Director hereby mutually agree that it is desirable to cooperate in better utilizing the resources of both agencies while providing for more adequate protection of persons and property on the public lands as follows:
 - 1. The Sheriff agrees to:
 - (a). Continue to enforce the civil and criminal laws of the State and/or County on the public lands, waters, roads, and trails administered by the Bureau within the normal scope of their duty to the extent of the Sheriff's current financial and personnel resources.
 - (b). Deputize certain Bureau law enforcement personnel with the ability to enforce applicable State law or County ordinances on public lands for violations which affect Bureau resources, programs or personnel. The Sheriff further understands and agrees that officers so designated are limited by the BLM to exercise said enforcement authority only in connection with their duties in the administration and regulation of the use and occupancy of the public lands.

2. The Bureau agrees to:

(a). Continue to enforce the Federal laws and regulations relating to the public lands and their resources.

(b). In direct relationship to public lands or resources, detain persons suspected of State law or County ordinance violations, any witnesses to those violations, and to protect any related crime scene, pending arrival of the State and/or local agency having primary jurisdiction.

(c). To respond to requests for assistance from the Sheriff's Office in accordance with provisions found in Oregon Revised Statute 133.245(6).

(d). To issue citations and release person(s) suspected of misdemeanor violations of Oregon State laws and County ordinance violations which occur on the public land and relate to the use, management and protection of public lands and resources.

(e). When feasible, and relating to public lands and resources, to arrest, transport, and release to an available County Sheriff's Deputy, any person having an active warrant for their arrest for which a warrant abstract can be obtained by the Sheriff's Department.

V. SCOPE

A. Each party shall remain solely responsible for the actions of its employees, officers, or agents, pursuant to this M.O.U., any indemnification or hold harmless regarding civil action relating to the enforcement of State, County, local or Federal law shall be decided based upon relevant State or Federal Statutes.

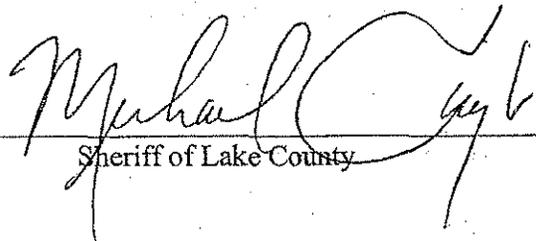
B. Law enforcement personnel of the Bureau will remain under the supervision, authority, and responsibility of the Bureau of Land Management.

C. If Bureau law enforcement officers are acting under the Sheriff's auspices on public lands, then all authority and protection provided under County deputization or House Bill 2596 will apply.

D. Bureau law enforcement personnel shall not be considered employees of the Sheriff's Department for any purpose and shall not represent themselves as such.

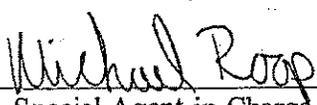
E. The terms of this agreement may be modified by written amendment hereto by mutual consent of the parties, and may be terminated for any reason by either party upon thirty (30) days written notice to the other party.

- F. Any credentials issued by the Sheriff's Office will be returned to the Sheriff's Office upon termination of written consent outlined in part IV.B.1.(b).
- G. This agreement will be re-negotiated at the request of either party.



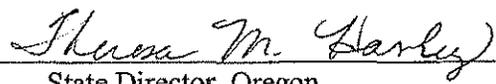
Sheriff of Lake County

1-20-2015
Date Approved



for Special Agent-in-Charge
Bureau of Land Management

1-21-2015
Date Approved



for State Director, Oregon
Bureau of Land Management

1-21-2015
Date Approved