

COST SHARE AGREEMENT

**United States Forest Service
And
State of California
Department of Forestry and Fire Protection
And
Kern County Fire Department**

The following is the cost share agreement between the above named agencies as it was negotiated for the following incident.

INCIDENT NAME: POST FIRE

INCIDENT NUMBER: CA-KRN-024500 PNFS4S (1502)

INCIDENT START DATE AND TIME: August 24, 2010, at 1227 hours

JURISDICTIONS: CAL FIRE, USFS and Kern County

INCIDENT CAUSE: Under Investigation

COMMAND STRUCTURE: Unified Command
Start - August 24, 2010, at 1404 hours
End - August 30, 2010, at 2359 hours

COST SHARE PERIOD: August 24, 2010 at 1227 hours until
August 30, 2010 at 2359 hours

INCIDENT COMMANDER: Kern Co: Mark Gerry, Brian Marshall
INCIDENT COMMANDER: USFS: John Abell, Rocky Opliger
BLM: Dave Briensfield

AGENCY REPRESENTATIVE: CAL FIRE: Robin Peretto
Kirk Swartzlander

UNIFIED ORDERING POINT: Kern County Fire Department

COST SHARE AGREEMENT for the POST Incident.

Agency Representatives participating in development of this cost share agreement.

Robin Peretto, CAL FIRE

Nick Dunn, Kern Co. Fire

This cost share agreement between United State Forest Service and State of California Department of Forestry and Fire Protection (CAL FIRE) was prepared under the following guidelines:

1. In accordance with the CALIFORNIA MASTER COOPERATIVE WILDLAND FIRE MANAGEMENT AND STAFFORD ACT RESPONSE AGREEMENT (CFMA) between the USDA, Forest Service, USDI, Bureau of Land Management, National Park Service, Fish & Wildlife Service, Bureau of Indian Affairs and the California Department of Forestry and Fire Protection.
2. In accordance with the Cooperative Fire Protection Agreement between the USFS, Forest Service Los Padres National Forest and the Kern County Fire Department
3. All costs originating from orders placed by and for the incident that can be reasonably obtained and estimated for the cost share period will be included in this agreement and will be shared on the basis of the ICs/ARs' mutual agreement.
4. Costs for non-expendable property purchases by each agency will be charged direct to that agency and will not be shared.
5. Costs incurred by cooperators not engaged in joint fire suppression activities will not be included as a part of this cost share agreement.
6. Agency specific costs will not be shared.
7. Responsibility for tort claim costs or compensation for injury costs will not be a part of this agreement. Responsibility for these costs will be determined outside of this agreement.
8. Non-suppression rehabilitation costs are the responsibility of the jurisdictional agency and will not be shared.
9. Daily cost sharing will be documented and approved by the ICs/ARs for cost apportionment.
10. Sharing of final actual costs between the agencies will be based on a summary of daily estimated incident suppression costs and each agency's proportionate share thereof as agreed to by the jurisdictional representatives.

COST SHARE AGREEMENT for the POST Incident.

11. Shared costs will be based on the Incident Commanders/Agency Representatives mutual judgment and agreement as to threat, incident objectives, and resources assigned for each agency's area of responsibility.
12. Aircraft and retardant costs will be shared on an actual use basis as determined by the Incident Commanders/Agency Representatives and will be calculated as a separate cost.
13. An administrative charge, the pre-established percentage set by each agency, will be applied by the agency issuing the settlement billing for the net amount owed.
14. Within 5 months the parties to this agreement will meet to determine the total costs of each agency. The agency whose total actual costs exceed their proportional share of the overall incident final costs as determined within this agreement will bill the other agency. The billing, when paid, will result in each agency sharing overall incident costs as herein agreed.
15. CAL FIRE will be responsible for all the costs of the VLAT aircraft (DC-10) and the lead aircraft, except the cost of retardant used on Federal DPA as described in point number 16. These aircraft were on request number A-13, A-33, and A-16 which flew on 8/24/10 and 8/25/10. These cost will not be include in the cost share or pool.
16. USFS has agreed to pay for the retardant dropped from the VLAT (DC-10) on the Federal DPA at a cost of \$107,027 dollars. See Attachment A.
17. To satisfy the cost responsibly of Kern County Fire Department for the protection of structures on this incident, the Kern County Fire Department has agreed not to bill the USFS or CAL FIRE for any cost of strike team 5200B, request E- 14.
18. CAL FIRE and the USDA Forest Service recognized there were uncertainties over jurisdictional responsibilities at the onset of the incident, causing some initial resource orders to be placed based upon inaccurate information. Per agreement between CAL FIRE and the Forest Service, the Type 1 engines (E-1 - LAC 1106A, E-22 - VNC 1586A, and E-25 - LAC 1111A) used for structure protection in the Federal DPA, will be apportioned to CAL FIRE from IA at 1227 hours until August 25, 2010, at 1800 hours. This apportionment was applied on the final Engines Apportionment Worksheet (#9).
19. On August 30, 2010, at 2359 hours CAL FIRE and the USFS (CA-LPF-002626 – P5FTV0) will assign new incident numbers if any resources are to remain on the incident past this time. Resources on the incident will be not added into this incident cost pool after this date and time.

COST SHARE AGREEMENT for the POST Incident.

20. The following agencies will be responsible for collecting actual cost/expenditure data that will make up the cost pool of shareable costs.

COST SOURCES	RESPONSIBLE AGENCY
Federal Agency	USFS – Pacific Southwest Region
State Agency	CAL FIRE – Tulare Unit

In accordance with the attached documentation, it is hereby agreed that the cost sharing of this incident will be:

AGENCY	GROUND RESOURCES	AIRCRAFT/RETARDANT
USFS	47.51%	46.91%
CAL FIRE	<u>52.49%</u>	<u>53.09%</u>
TOTAL	100%	100%

This agreement and the apportionment are our best judgments of agency cost responsibilities.

Kenneth Heffner
USDA – Forest Service



Signature, Agency Representative

Los Padres National Forest
6755 Hollister, Suite 150
Golita, CA 93117

(805) 961-5733

Kirk Swartzlander
State of California, Department of
Forestry and Fire Protection



Signature, Agency Representative

CAL FIRE
1968 South Lovers Lane
Visalia, CA 93292

(559) 732-5954

COST SHARE AGREEMENT for the POST Incident.

The following contributing agency concurs with this agreement and apportionment.

Nick Dunn
Kern County Fire Dept.

Signature, Agency Representative

5642 Victor St.
Bakersfield, CA 93308

(661) 391-7000

Date of this finalized agreement: January 14, 2011

Contacts are:

Ron Borda
USFS – Stanislaus Forest
Sonora CA,
(209) 532-3671

Todd Shymanski
CAL FIRE –Riverside Unit
Riverside, CA 92530
(951) 940-6900

Attachments:

“A”--- Cost of retardant used on Federal DPA for the DC-10.

Attachment "A"

**DC-10 / Retardant cost used on Federal DPA
Taken from cost summary on period one
from Victorville tanker base.**

8/24/2010

Drop #1	100% FED	26,259.00
Drop #2	50% FED	13,127.00
Drop #3	100% FED	26,185.00
Drop #4	100% FED	26,579.00

8/25/2010

Drop #1	100% FED	26,687.00
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TOTAL		<u>\$107,027.00</u>
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This total will be deducted from the CAL FIRE costs and will be included in the US Forest Service totals.