

MODIFICATION No. 1
To
INTERAGENCY COOPERATIVE FIRE MANAGEMENT AGREEMENT
between
US FOREST SERVICE, ROCKY MOUNTAIN REGION and INTERMOUNTAIN
REGION
and the
USDI BUREAU OF LAND MANAGEMENT, WYOMING
USDI NATIONAL PARK SERVICE, INTERMOUNTAIN REGION
USDI BUREAU OF INDIAN AFFAIRS, ROCKY MOUNTAIN REGION
USDI FISH AND WILDLIFE SERVICE, MOUNTAIN PRAIRIE REGION
and the
THE STATE OF WYOMING, STATE BOARD OF LAND COMMISSIONERS
OFFICE OF STATE LANDS AND INVESTMENTS
WYOMING STATE FORESTRY DIVISION

This **MODIFICATION**, is hereby entered into by and between the listed agencies, as specified under the provisions of the Interagency Cooperative Fire Management Agreement No. 07-FI-11020000-018, executed on February 6, 2007.

The purpose of this Modification is to add the following to the agreement:

1. Add the following Clause to be included under the General Provisions section:

59. Supplemental Fire Department Resources – There are situations when additional support personnel are necessary for national mobilization and the need can be filled by supplemental personnel available to the fire district. When this situation arises, resources will be mobilized via the process outlined in Exhibit E.

2. The following definition of Supplemental Fire Department Resources shall be added to the Glossary of Terms (Exhibit A):

Supplemental Fire Department Resources - Overhead tied to a local fire department generally by agreement who are mobilized primarily for response to incidents/wildland fires outside of their district or mutual aid zone. They are not a permanent part of the local fire organization and are not required to attend scheduled training, meetings, etc. of the department staff.

3. Add the following Exhibit.

FS Agreement No. 07-FI-11020000-018

Cooperator Agreement No. _____

3/25/09

Except as set forth above, all other terms and conditions of the agreement shall remain the same, unchanged, and in full force and effect.

THE PARTIES HERETO have executed this instrument as of the last date shown below.

STATE OF WYOMING
BOARD OF LAND COMMISSIONERS

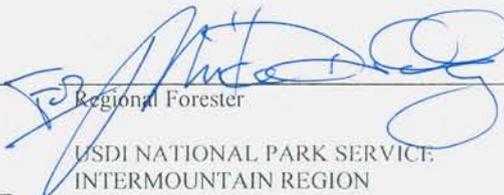
USDA FOREST SERVICE
INTERMOUNTAIN REGION

Chairman

Date

Regional Forester

Date

 4/13/09

Bridget Hill, Assistant Attorney General

Date

USDI NATIONAL PARK SERVICE
INTERMOUNTAIN REGION

WY State Forester

Date

Regional Director

Date

USDI BUREAU OF LAND MANAGEMENT
WYOMING STATE OFFICE

USDI FISH AND WILDLIFE SERVICE
MOUNTAIN PRAIRIE REGION

State Director

Date

Regional Director

Date

USDI BUREAU OF INDIAN AFFAIRS
ROCKY MOUNTAIN REGION

USDA FOREST SERVICE
INTERMOUNTAIN REGION

Regional Director

Date

Regional Grants and
Agreements Officer

Date

BIA Contracting Specialist

Date

USDA FOREST SERVICE
ROCKY MOUNTAIN REGION

USDI NATIONAL PARK SERVICE
INTERMOUNTAIN REGION

Deputy Regional Forester

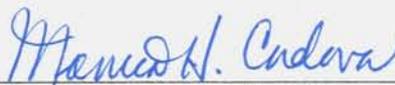
Date

Contracting Officer

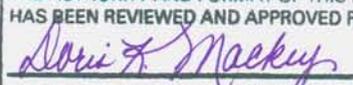
Date

The authority and format of this instrument has been reviewed and approved for signature.

USDI BUREAU OF LAND MANAGEMENT
WYOMING STATE OFFICE

 6/10/09
Grants and Agreements Specialist
USDA Forest Service, Region 2

Agreements Coordinator
WY BLM

THE AUTHORITY AND FORMAT OF THIS INSTRUMENT
HAS BEEN REVIEWED AND APPROVED FOR SIGNATURE
 4/13/09
AGREEMENTS COORDINATOR DATE

Except as set forth above, all other terms and conditions of the agreement shall remain the same, unchanged, and in full force and effect.

THE PARTIES HERETO have executed this instrument as of the last date shown below.

STATE OF WYOMING
 BOARD OF LAND COMMISSIONERS

USDA FOREST SERVICE
 INTERMOUNTAIN REGION

 Chairman Date

 Regional Forester Date

 Bridget Hill, Assistant Attorney General Date

USDI NATIONAL PARK SERVICE
 INTERMOUNTAIN REGION

 WY State Forester Date

 Regional Director Date

USDI BUREAU OF LAND MANAGEMENT
 WYOMING STATE OFFICE

USDI FISH AND WILDLIFE SERVICE
 MOUNTAIN PRAIRIE REGION

 State Director Date

 Regional Director Date

USDI BUREAU OF INDIAN AFFAIRS
 ROCKY MOUNTAIN REGION

USDA FOREST SERVICE
 INTERMOUNTAIN REGION

Edward P. ... 4/24/09

 Regional Director Date

 Regional Grants and Agreements Officer Date

[Signature] 4/13/09

 BIA Contracting Specialist Date

USDA FOREST SERVICE
 ROCKY MOUNTAIN REGION

USDI NATIONAL PARK SERVICE
 INTERMOUNTAIN REGION

 Deputy Regional Forester Date

 Contracting Officer Date

The authority and format of this instrument has been reviewed and approved for signature.

USDI BUREAU OF LAND MANAGEMENT
 WYOMING STATE OFFICE

 Grants and Agreements Specialist Date
 USDA Forest Service, Region 2

 Agreements Coordinator Date
 WY BLM

Except as set forth above, all other terms and conditions of the agreement shall remain the same, unchanged, and in full force and effect.

THE PARTIES HERETO have executed this instrument as of the last date shown below.

STATE OF WYOMING
 BOARD OF LAND COMMISSIONERS

USDA FOREST SERVICE
 INTERMOUNTAIN REGION

 Chairman Date

 Regional Forester Date

 Bridget Hill, Assistant Attorney General Date

USDI NATIONAL PARK SERVICE
 INTERMOUNTAIN REGION

 WY State Forester Date

 Regional Director Date

USDI BUREAU OF LAND MANAGEMENT
 WYOMING STATE OFFICE

USDI FISH AND WILDLIFE SERVICE
 MOUNTAIN PRAIRIE REGION

 State Director Date

 Regional Director Date

USDI BUREAU OF INDIAN AFFAIRS
 ROCKY MOUNTAIN REGION

USDA FOREST SERVICE
 INTERMOUNTAIN REGION

 Regional Director Date

 Regional Grants and Agreements Officer Date

 BIA Contracting Specialist Date

USDA FOREST SERVICE
 ROCKY MOUNTAIN REGION

USDI NATIONAL PARK SERVICE
 INTERMOUNTAIN REGION

TRISH FRESQUEZ - HERNANDEZ
 CONTRACTING OFFICER
 NATIONAL PARK SERVICE

 Deputy Regional Forester Date

 Contracting Officer Date

The authority and format of this instrument has been reviewed and approved for signature.

USDI BUREAU OF LAND MANAGEMENT
 WYOMING STATE OFFICE

5/5/09

 Grants and Agreements Specialist Date
 USDA Forest Service, Region 2

 Agreements Coordinator Date
 WY BLM

Except as set forth above, all other terms and conditions of the agreement shall remain the same, unchanged, and in full force and effect.

THE PARTIES HERETO have executed this instrument as of the last date shown below.

STATE OF WYOMING BOARD OF LAND COMMISSIONERS	USDA FOREST SERVICE INTERMOUNTAIN REGION
_____ Chairman Date	_____ Regional Forester Date
_____ Bridget Hill, Assistant Attorney General Date	USDI NATIONAL PARK SERVICE INTERMOUNTAIN REGION
_____ WY State Forester Date	_____ Regional Director Date
USDI BUREAU OF LAND MANAGEMENT WYOMING STATE OFFICE	USDI FISH AND WILDLIFE SERVICE MOUNTAIN PRAIRIE REGION
_____ State Director Date	_____ Regional Director Date
USDI BUREAU OF INDIAN AFFAIRS ROCKY MOUNTAIN REGION	USDA FOREST SERVICE INTERMOUNTAIN REGION
_____ Regional Director Date	_____ Regional Grants and Agreements Officer Date
_____ BIA Contracting Specialist Date	
USDA FOREST SERVICE ROCKY MOUNTAIN REGION	USDI NATIONAL PARK SERVICE INTERMOUNTAIN REGION
 Deputy Regional Forester	_____ Contracting Officer Date
The authority and format of this instrument has been reviewed and approved for signature.	USDI BUREAU OF LAND MANAGEMENT WYOMING STATE OFFICE
 Grants and Agreements Specialist USDA Forest Service, Region 2	 Agreements Coordinator WY BLM

FS Agreement No.

07-FI-11020000-018

Cooperator Agreement No.

14-48-60139-07-K001
3/25/09

Except as set forth above, all other terms and conditions of the agreement shall remain the same, unchanged, and in full force and effect.

THE PARTIES HERETO have executed this instrument as of the last date shown below.

STATE OF WYOMING
BOARD OF LAND COMMISSIONERS

USDA FOREST SERVICE
INTERMOUNTAIN REGION

Chairman Date

Regional Forester Date

Bridget Hill, Assistant Attorney General Date

USDI NATIONAL PARK SERVICE
INTERMOUNTAIN REGION

WY State Forester Date

Regional Director Date

USDI BUREAU OF LAND MANAGEMENT
WYOMING STATE OFFICE

USDI FISH AND WILDLIFE SERVICE
MOUNTAIN PRAIRIE REGION

State Director Date

Regional Director *Steph Hunt* c/r/02 Date

USDI BUREAU OF INDIAN AFFAIRS
ROCKY MOUNTAIN REGION

USDA FOREST SERVICE
INTERMOUNTAIN REGION

Regional Director Date

Regional Grants and Agreements Officer Date

BIA Contracting Specialist Date

USDA FOREST SERVICE
ROCKY MOUNTAIN REGION

USDI NATIONAL PARK SERVICE
INTERMOUNTAIN REGION

Deputy Regional Forester Date

Contracting Officer Date

The authority and format of this instrument has been reviewed and approved for signature.

USDI BUREAU OF LAND MANAGEMENT
WYOMING STATE OFFICE

Grants and Agreements Specialist Date
USDA Forest Service, Region 2

Agreements Coordinator Date
WY BLM

Except as set forth above, all other terms and conditions of the agreement shall remain the same, unchanged, and in full force and effect.

THE PARTIES HERETO have executed this instrument as of the last date shown below.

STATE OF WYOMING
BOARD OF LAND COMMISSIONERS

USDA FOREST SERVICE
INTERMOUNTAIN REGION

Chairman Date

Regional Forester Date

Bridget Hill, Assistant Attorney General Date

USDI NATIONAL PARK SERVICE
INTERMOUNTAIN REGION

WY State Forester Date

Regional Director Date

USDI BUREAU OF LAND MANAGEMENT
WYOMING STATE OFFICE

USDI FISH AND WILDLIFE SERVICE
MOUNTAIN PRAIRIE REGION

for  _____
State Director Date *4-28-09*

Regional Director Date

USDI BUREAU OF INDIAN AFFAIRS
ROCKY MOUNTAIN REGION

USDA FOREST SERVICE
INTERMOUNTAIN REGION

Regional Director Date

Regional Grants and Agreements Officer Date

BIA Contracting Specialist Date

USDA FOREST SERVICE
ROCKY MOUNTAIN REGION

USDI NATIONAL PARK SERVICE
INTERMOUNTAIN REGION

Deputy Regional Forester Date

Contracting Officer Date

The authority and format of this instrument has been reviewed and approved for signature.

USDI BUREAU OF LAND MANAGEMENT
WYOMING STATE OFFICE

Grants and Agreements Specialist Date
USDA Forest Service, Region 2

Agreements Coordinator Date
WY BLM

Exhibit E

When mobilizing Supplemental Fire Department Resources outside of the fire district or mutual aid zone the following will apply.

Mobilization

Mobilization will follow established ordering procedures as identified in the National, Geographic, and Local Mobilization Guides. Resources will be mobilized from the Host Dispatch Zone in which the department is located. Personnel will be provided a copy of the resource order request after confirmation of availability and prior to departure from their home jurisdiction. Resource orders shall clearly indicate incident assignment, incident location, expected incident arrival time, and any additional special needs or equipment authorizations, e.g. cell phones, laptops, rental vehicles, etc.

Reimbursable Costs

Reimbursable costs for personnel include compensation rates for hours worked, benefits, transportation, and per diem. It is the intent of this provision that the Supplemental Fire Department Resource be paid a regular compensation rate for all hours worked plus an overtime compensation rate for actual overtime hours worked, including travel. Reimbursable costs shall not include portal to portal pay or the employee portion of benefits. Travel and per diem reimbursements will be based on the Federal Travel Regulations.

Backfill is not reimbursable for personnel hired as Supplemental Fire Department Resources.

An indirect cost allowance equal to ten percent of the direct salary and wage cost of providing the service (excluding overtime, shift premiums, and fringe benefits) is allowed. (OMB Circular A-87)

Personnel

All personnel will possess an active Incident Qualification System (IQS) or equivalent incident qualification documentation commensurate with all applicable NWCG 310-1 standards for training and qualifications. Personnel will be qualified for their assigned positions. XXFD is responsible for annually certifying and maintaining the qualifications of their Supplemental Fire Department Resources. XXFD will bear the cost of training for their Supplemental Fire Department Resources.

Any personnel to be mobilized under this exhibit will be listed in the Annual Operating Plan (AOP) by name, position(s), and identified as SR. While on assignment, these individuals are **XXFD** employees and the **XXFD** will be reimbursed for their actual costs.

Rate Determination

The basis for the computation of base hourly rate is the classification level of the position filled according to the attached matrix. Base hourly rate shall be no more than step 5 of the appropriate GS wage adjusted for locality pay at the location of the fire district. These rates can be found on the OPM web site <http://www.opm.gov>, Salaries and Wages. Personnel are hired at the rate of the position being filled, not their highest qualification.

The hourly compensation rates identified in the AOP are computed as follows:

- 1) **Regular Compensation Rate:** The rates listed include base hourly rate determined above plus employee benefits. Employee benefits include only those costs actually incurred by the XXFD for the employment of these individuals, such as employer liability, workers compensation, employer share of social security, etc.

- 2) **Overtime Compensation Rate:** Overtime compensation rates are paid based on a 7 day work week beginning on day one of mobilization. Compensation rates are paid at time and a half of the base hourly rate for all hours worked in excess of 8 hours per day for the first 5 days and full time and one half for all hours worked during the remainder of the work week. Compensation includes travel time.

- 3) **Hazard Pay Rate** – Hazard pay differential is paid to those employees performing work that meets the definition of hazardous duty as defined in the Interagency Incident Business Management Handbook, Section 12.9. Compensation rates are paid at 25 percent of the base rate when performing duties that meet the definition of hazardous duties. All hazard pay differential is based on a 24-hour day from 0001-2400 and shall be paid for all hours in pay status during the calendar day in which the hazardous duty is performed.

Days off at Incident

Days off at the incident will be paid for 8 hours. Work/rest guidelines will be followed, and mandatory days off will follow current guidelines (IIBMH 12.7-2 #4) Once travel to the home unit commences days off will not be paid.

Transportation and Per Diem

Per Diem reimbursements will be based on the Federal Travel Regulations. The payment rate for privately-owned vehicles (POVs) and rental vehicles used to support Supplemental Fire Department Resources shall be at the current Federal Travel Regulation rate.

Signature
Agency Administrator
Federal Agency

Date

Signature
Fire Chief, Local Fire Protection
District or appropriate Official at State
Level

Date