Northern Region 7/07, Amended 7/30/07

COST SHARE AGREEMENT
Between the
USDA FOREST SERVICE, GALLATIN NATIONAL FOREST (USFS)
And the
MONTANA DEPARTMENT OF NATURAL RESOURCES & CONSERVATION (DNRC)

The purpose of this agreement is to provide for a coordinated cooperative fire suppression operation on this fire and to describe the cost division. Following is the cost share agreement between the agencies identified above as negotiated for the following incident in accordance with the **Cooperative Fire Control Agreement Between the State of Montana and Sweet Grass County (2004) and the Montana Cooperative Fire Protection Agreement #05-FI-11015600-014 (2005)**.

Incident Name: Chi Chi Fire

Origin: T4N R12E Sec. 13

Estimated Size: 18,022 acres at the time of this agreement

Incident Start Date and Time: November 12, 2007 – 1530 hours

Jurisdictions: USDA Forest Service - Gallatin National Forest and Sweet Grass County

Incident Cause: Human Caused

Incident Numbers by Agency:

Agency	Fire #	Accounting Code
Forest Service		PND18V
Montana DNRC	MT-SOS-000023	89014

Cost Share Period: This agreement becomes effective on the date indicated below and will remain in effect until amended or terminated.

State date/time: November 12, 2007
End date/time: November 19, 2007

Command Structure: Overall direction of this incident will be by ( ) **Unified Command**, or by (X) **Single Command** structure.

Principal Contacts. The following personnel are the principal contacts:

Position	Name	Agency
Incident Commander	Mark Stephens	Sweet Grass County
Agency Administrative Rep.	Bill Avey	USFS
Agency Administrative Rep.	Dick Moore	Montana DNRC
Operations	Ashley Sites	USFS

Agency representatives participating in the development of this cost share agreement:

Forest Service:	Montana DNRC:
Name: Frank Preite	Name: Richard Moore
Title: Incident Business Advisor	Title: Area Manager, SLO

Structural Protection:

1. Identify the entity(s) that will provide structural protection and the rationale.

2. Also include the matrix that identifies the protecting entities and their responsibilities.

PROTECTING ENTITIES & RESPONSIBLIITES

Entity & Location of Protection	**Wildland Fire Responsibility (Yes or No)**	**Structure Protection Responsibility (Yes or No)**	**Structure Suppression Responsibility (Yes or No)**
Sweet Grass County	Yes	Yes	Yes
USFS – Big Timber	Yes	Yes	No

Basis or Rationale for Cost Share:

1. Federal Share: **1.7%** (if calculating by acres). Each federal agency will bill the state separately.
2. DNRC Share, through the Sweet Grass County Assist Request: **98.3%** (if calculating by acres).

Other conditions relative to this agreement (Special conditions, standard clauses, notifications, incident information, etc.)

1) 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 Agency Administrators mutual agreement.
2) Costs for nonexpendable property purchases by each agency will be charged directly to that agency and will not be shared.
3) Administrative overhead costs such as agency personnel, support and services, not directly assigned or ordered by the incident, will not be included as a part of this cost share agreement and will not be shared.
4) Cost incurred by cooperators not engaged in unified fire suppression activities will not be included as part of this cost share agreement.
5) Agency-specific costs will not be shared.
6) Responsibility for tort claims costs or compensation for injury costs will not be a part of this agreement. Responsibility for these costs will be determined outside this agreement.
7) Sharing of final actual costs between the agencies will be based on acres each agency's proportionate share thereof as agreed to by the protection agencies.
8) Within 180 days of close of the incident, 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.
9) On those lands for which DNRC contracts protection through the Forest Service, fire billing letters will be issued by the Forest Service. The Forest Service is also responsible for the investigation of these fires. Under an agreement between DNRC and the Forest Service, the

Forest Service must request and receive DNRC's endorsement on any billing letter sent out for a fire occurring on lands which the Forest Service protects for DNRC under contract. Under the terms of this agreement, if DNRC does not agree that the intent or negligence existed in the starting of a particular fire, the Department may refuse to endorse the billing, and it will be dropped. Any of these types of fires that are to be litigated must be filed in the name of the State of Montana.

10) Non-suppression rehabilitation costs are the responsibility of the jurisdictional agency and will not be shared.

This Agreement and the apportionment described are our best judgments of fair and equitable Agency cost responsibilities.

Agency: USDA Forest Service, Gallatin National Forest
10 E. Babcock Avenue
P.O. Box 130
Bozeman, MT 59771

Signature: Mary C Erickson Date: 1/19/08
Mary C. Erickson, Forest Supervisor

Agency: Montana DNRC, Southern Land Office
1371 Rimtop Drive
Billings, MT 59105

Signature: Richard A. Moore Date: 1/14/08
Richard A. Moore, SLO Area Manager