

shall be paid by the Jurisdictional Agency. The Incident Commander will incorporate special management considerations into the incident planning process, subject to the delegation of authority.

34. Independent Action on Lands Protected by Another Agency: Nothing herein shall prohibit any Agency, on its own initiative and without reimbursement, from entering lands known to be protected by another Agency to engage in suppression of wildland fires, when such fires are a threat to lands within that Agency's protection responsibility. In such instances, the Agency taking action will promptly notify the Protecting Agency. Actions taken will be consistent with the Protecting Agency's suppression policies. *See related Provision #33 Appropriate Management Response.*

35. Wildland Fire Situation Analysis (WFSA) and Delegation of Authority: Agency policy requires that a WFSA be completed for all fires, which escape initial suppression action. Responsibility for development of a WFSA shall be the joint responsibility of the Agency Administrator from the Jurisdictional Agency and the Protecting Agency.

The Federal Agencies policies require that a Delegation of Authority be used to transfer authority and manage actions on an incident from the Agency Administrator to the Incident Commander. The Protecting Agency and the appropriate Agency Administrator from the Jurisdictional Agency will jointly develop the Delegation of Authority.

36. Determination of Cause and Preservation of Evidence: As initial attack is taken on a fire, the initial attack forces will immediately gather and preserve information and evidence pertaining to the origin and cause of the fire, regardless of jurisdiction. To the extent permitted by Federal and State law, the Protecting Agency will provide investigation files relative to the fire to the Jurisdictional Agency.

37. Fire Notifications: Each Agency will promptly notify the appropriate Protecting Agency of fires burning on or threatening lands for which the Protecting Agency has protection responsibilities. Likewise, Protecting Agencies will promptly inform Jurisdictional Agencies whenever they take action on fires for which the Protecting Agency is responsible.

38. Wildland Fire Use: The Agencies agree to cooperate in the implementation of wildland fire use. Any Wildland Fire Use fire burning out of prescription is considered a wildfire and is the financial responsibility of the Jurisdictional Agency. The Protecting Agency will be responsible for the management of the fire. Wildland Fire Use is not utilized as a type of fire by the State. *See Exhibit D item #5 Billing Procedures for Other Fire and Aviation Protection Activities.*

39. Boundary Fires: A fire burning on, or adjacent to a protection boundary will be the responsibility of the Protecting Agencies on either side of the boundary. Neither party will assume the other party is aware of the fire or that the other party will take action. Each party will make every reasonable effort to communicate with the other concerning the fire. The initial attack responders of both Agencies shall mutually agree upon fire suppression objectives, command, strategy, and the commitment and funding of Agency suppression resources. When a fire burns on both sides of a protection boundary, except under the conditions of reciprocal fire protection or voluntary independent action (*See Provision #28 Methods of Fire Protection and*