

LAND USE AGREEMENTS CHECKLISTS & GENERAL GUIDANCE

GENERAL:

- These guidelines are not applicable in all situations, it is recommended to consult with local Fire CO's/IBMA's/local personnel prior to initiating new agreements to ensure that an agreement is needed (one may already be in place)
- All rates are negotiable and subject to variability depending on the location. Ensure that local considerations are factored into the negotiation process and not only personal historical knowledge.
- Ensure the point of contact have authority to enter into the agreement such as the owner, superintendent, or official designee by the owner.
- Usage area: be specific for the area use and write the agreement so that it is scalable for the incident. Instead of writing lump sum for all the facilities maybe breakout the buildings or area pricing so that if the incident grows or shrinks the agreement does not have to be rewritten.
- Rates: consider how the agreement will be paid at the end of the incident. The pricing is important to reflect a scalable incident, breakdown the rate when appropriate to reflect sections like gym, cafeteria, parking, facilities. For potentially long duration fires identify a cap or max amount that can be paid under the agreement.
- Restoration what is the extent the government is responsible and who will perform the work. (bark, mulch, sawdust, gravel, carpet, etc)
- Long term compaction effects on the land being used. (Crops, reseeded)
- Noxious weeds consideration, is it an issue and how will it be managed.

SCHOOLS, FAIRGROUNDS OR OTHER RELATED FACILITY

- Consumables- such as paper towels, toilet paper, soap (who will supply)
- Janitorial services
- Supplemental staffing (such as maintenance or janitorial) who will pay for OT and is that included in the rate
- Additional equipment such as copiers,
- Will the kitchen being used
- Keys, Access
- Security requirements (for school/facility)
- Sleeping Areas
- Availability- is the facility going to be used for other events
- AC/Heater operational or available
- Athletic field use, where are sprinkler system
- Reduce / increase costs when camp changes (i.e. from Type I – II – III) (reduce number of classrooms needed, area needed, buildings needed, etc.)

DIPPING SITES/PONDS

- How will gallons be tracked, price for paying or replenishment
- Rate should reflect if there are pumps involved
- Who owns the water (some states it belongs to the government)

CAMP/HELIBASE

- Access – roads, gates, security (how will the site be secured)
- Property Impact
- Are improvements need to have the area useable to purpose

AIRPORTS

- Facilities Usage (except for federally funded runways, towers)
 - Check other FAA restrictions
- Landing Fee
- Fuel Fee (If Contractor provided flowage fees may be applicable)
- Security
- Parking
- Availability of the site for the duration of the incident
- Water/Electricity/Phones are these existing or does it need to be brought in
- Portable Retardant Bae
- Hours of Operation
- Check with Air Ops for further concerns

LAND/FACILITY RESTORATION CONSIDERATIONS

(Items for COs to consider – not all items apply to every agreement)

- Loss of crop/pasture – how many seasons
- Re-seeding / de-compaction requirements
- Noxious Weeds Abatement and Survey
- General clean-up (trash removal, final janitorial service, floor waxing, etc)
- Re-sod of athletic fields
- Reconditioning floors (of gyms, carpet replacement, etc. and who will perform work)
- Pumping of septic systems (feasible to use system, or rely solely on port-a-potties?)
- Mending fences damaged during incident

CONSIDERATIONS FOR DETERMINING RATE

- Private Campgrounds – what are average receipts / revenues for similar time period
- Historical record of rates for use in local area – local rangers may be good source
- Facilities – if facility is abandoned from normal use, consider revenue lost for the activities
- Fairgrounds – were there any events cancelled or rescheduled to make them available?
- Cost of relocating and feeding of stock
- Are there vacant facilities held by other agencies that may be available?
- Consider a not to exceed rate commensurate with property value
- Sources of market research:
 - banks
 - real estate offices
 - local employees
 - local agency lands offices
 - newspapers
 - historical rates from previous incidents