

# **LAND USE AGREEMENTS**

**CHECKLISTS**

**AND**

**GENERAL GUIDANCE**

**SCHOOLS, FAIRGROUNDS OR OTHER RELATED FACILITY**  
**CHECKLIST**

- Number of Classrooms
- Gym
- Cleaning/Janitorial/Custodial Services
- Use of Showers
- Government furnished supplies vs. Contractor furnished supplies.
- Phones
- Copiers
- Computers
- Kitchen
- Keys, Access
- Security
- Sleeping Areas
- Noxious Weeds
- Availability
- AC/Heater operational or available
- 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.)
- Other prescheduled / concurrent uses of the facilities by owner
- Parking
- Athletic Fields

**DIPPING SITES/PONDS**  
**CHECKLIST**

- Impact – amount of drawdown, site disturbance, etc
- Fish
- Noxious Weeds
- Water (usage and/or replenishment)
- Water Rights (who owns the water)
- Fences
- Access
- Flight Path
- Livestock/Wildlife
- Loss of Foliage/Crop/Pasture
- Use of pumps or wells

**IC CAMP/HELIBASE**  
**CHECKLIST**

- Access – roads, gates
- Noxious Weeds
- Fences / cattleguards / gates
- Livestock
- Flight Path
- Irrigation/Sprinkler System
- Spillage/Hazmat
- Hours of Operation
- Property Impact
- Re-seeding / de-compaction requirements
- Abandonment of improvements
- Specific clean-up requirements (bark, mulch, sawdust, gravel, carpet, etc)

## AIRPORTS CHECKLIST

- Facilities Usage (except for federally funded runways, towers)
  - Check other FAA restrictions
- Landing Fee
- Fuel Fee (If Contractor provided)
- Security
- Flight Path
- Hazmat/Spillage
- Parking
- Availability
- Water/Electricity/Phones
- Portable Retardant Bae
- Hours of Operation
- Access
- Check with Air Ops for further concerns

## **SITUATIONS *NOT* REQUIRING A LAND USE AGREEMENT**

- Federal Government land/facilities run by concessionaire (Check Concessionaire's agreement; they may need to be paid for usage.)
- Land/Facilities of other Federal agencies (would fall under Economy Act agreements)
- Land/Facilities of state and local governments (usually cooperative agreement)
- Non Wildland fire incidents, i.e. FEMA.
- Direct fire suppression activity (fire line construction, back-burn, access to fire)
- Federally funded runways and towers (county/state/local)

## **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)
- Pumping of septic systems (feasible to use system, or rely solely on port-a-potties?)
- Mending fences damaged during incident

## **CONSIDERATIONS FOR DETERMINING RATE**

- BEFORE NEGOTIATING RATE:
  - Determine ownership of land / facilities
  - Confirm owner's agent if applicable
  - Resources available to confirm ownership
    - City or County Tax Assessor's Office
    - Courthouse
  
- 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 assessor offices
  - local agency lands offices
  - newspapers
  - feed store bulletin boards
  - documentation at local offices from previous incidents
  
- Reference OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments, when renting from public entities such as schools and airports.