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)
  o 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:
  o Determine ownership of land / facilities
  o Confirm owner's agent if applicable
  o 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:
  o banks
  o real estate offices
  o local employees
  o local assessor offices
  o local agency lands offices
  o newspapers
  o feed store bulletin boards
  o 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.