

Land /Facilities Acquisition

Land Use and Facility Rental Agreements

Temporary rental of property for fire purposes requires the same degree of good business judgment, including reasonable price determinations, as any other procurement action. In making the determinations, as to price fairness, consideration should be given, but not limited, to the following items:

1. Fair market rental rates for the property in the area
2. Costs to the property owner, loss of rental fees from other sources, disruption
3. Alterations needed and who will make them
4. Impacts on the property
5. Costs of restoration, and who will do the restoration work
6. Duration of the rental, (emphasis should be on weekly or monthly rates), with a limit on total costs

Schools and other governmentally owned facilities should be compensated for operating costs only, since these facilities are funded by the taxpayers through tax revenues. Additional costs incurred will be paid for by the incident such as additional janitorial services or cleaning fees.

A pre-inspection and post-inspection shall be made of the premises using the forms later on in this chapter. The inspections can be documented on separate inspection documents if additional details or information are needed. Pre- and post-inspection photographs are required showing where actual damages occur that may result in a claim.

Such pre- and post-inspections shall note all improvements and conditions, including items such as fences, buildings, wells, crops, road conditions, etc. The rental documents shall indicate who will be responsible for providing services and utilities, if any are required. Whenever possible, coordinate with the Division's Procurement Officer. The rental documents shall indicate whether site rehabilitation requirements exist, or a site rehabilitation plan must be signed by the owner/agent and the state prior to completion of the final inspection.

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
- Computers
- Kitchen
- Keys, Access
- Security
- Sleeping Areas
- Noxious Weeds
- 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 facility by owner
- Parking
- Athletic Field

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 / cattle guards / 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 Plant
- Hours of Operation
- Access
- Check with Air Ops for further concerns

LAND/FACILITY RESTORATION CONSIDERATIONS

- Loss of crop/pasture – how many seasons
- Reseeding / 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 systems, 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 Borough 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

The Supplement consists of:

- ❖ Emergency Facilities and Land Use Agreement
- ❖ Temporary Emergency Land Pre- and Post-Use Inspection Report
- ❖ Land Use Agreement Negotiated Rate Suggestions
- ❖ Land Use Agreement Checklist

Land Use Agreement Negotiated Rate Suggestions

Category	Forest Service	ODF	DNR	Comments	Restoration
Bare Land Staging Drop Point Overflow Parking	\$50- \$100/day	\$50/day ODF rates include any anticipated rehab restoration costs	\$50/day - \$100.00	<ul style="list-style-type: none"> • Ask about the taxes on the land/USFS only • Don't pay more than what the taxes are for a year (generally)/USFS only • Try to put a cap; not to exceed X per month or X per incident 	<ul style="list-style-type: none"> • Tilling about \$100 per Ac • Seed \$50-70 per Ac ODF - Damages occurring during an incident are dealt with through State Risk Management. Contact the Local ODF District
					Watch outs
					<ul style="list-style-type: none"> • Septic Systems • Gates • Sprinklers • Ownership
Gray Water Disposal	Usually fixed/commercial city rate \$.12/1,000 gallons \$.50/1,000 gallons	\$.15/gallon Usually fixed/commercial rate per gallon. Equipment Often will include grey water dump costs	Contractor is responsible for disposal, if a cost is associated the Contractor shall provide an invoice verifying date, time, amount of grey water disposed	<ul style="list-style-type: none"> • Usually a fixed rate that is established to dispose of grey water • Some places will allow you to use grey water for dust abatement • Most places will make you dispose at a city/county site • Mostly governed by other city/county/government agency • Easier to have grey water equipment dispose & provide us with an invoice • Many require an account to be set up 	N/A
					Watch outs
					<ul style="list-style-type: none"> • Is this truck supporting other incidents • Do the drivers know where they are dumping • Who is keeping track of the gallons dumped • How will dumping fees be paid • Taxing older systems, set a max dumping estimate

Land Use Agreement Negotiated Rate Suggestions

<p>Non Potable Water (Tactical Water Needs)</p>	<p>\$.01/gallon \$2 or \$3 per 1,000 gallons</p>	<p>Commercial rate for Tender usually a daily rate</p>		<ul style="list-style-type: none"> •Can be hard to measure •Can measure by tender load/load counts •Daily rate is easier for payment tracking unless there is a meter 	<p style="text-align: center;">N/A</p> <p style="text-align: center;">Watch outs</p> <ul style="list-style-type: none"> • Gates • Use Restrictions • Ownership
<p>Potable/City Water</p>	<p>Usually fixed/commercial rate \$.01 per gallon or \$30 per load \$.75/1,000 gallons \$20.00/1,000 gal</p>	<p>Usually fixed rate est. by city/county Often metered</p>	<p>Negotiate water rates at time of hire. If purchased commercially market rate will be used, receipts are required to reimburse</p>	<ul style="list-style-type: none"> •Easier to track, can look at market rates •City can put a meter on to track water usage •Just one or two loads, keep track on log and measure •ODF - usage log may be required to support cost (shift ticket) 	<p style="text-align: center;">N/A</p> <p style="text-align: center;">Watch outs</p> <ul style="list-style-type: none"> • Which meter is yours • Good initial/ final meter reading • Making sure the backflow is returned • Keeping Tactical Trucks out
<p>Ponds/Dipping Sites</p>	<p>\$50 to \$450/day Can use 1 cent per gallon for non potable water to estimate daily rate for pond</p>	<p>Streams, ponds, lakes are considered "Waters of the State" therefore ODF does not pay for water.</p>	<p>Depending on ownership of property, State, Federal or private</p>	<ul style="list-style-type: none"> •Not recommended to keep load counts for payment (cumbersome work) but ok for estimate •We don't pay for flowing water; flowing water is not considered to be "owned" by anyone •We can pay for catching water/pump/equipment/access and replacing water 	<p style="text-align: center;">N/A</p> <p style="text-align: center;">Watch outs</p> <ul style="list-style-type: none"> •If Helitack are on site what types of support do they need, add to agreement •Ask how quickly pond replenishes itself naturally •Double check on water ownership/easement/special uses permit • Do not overuse pump

Land Use Agreement Negotiated Rate Suggestions

	use	However we can pay for access, power for generator to run pump, personnel to provide access etc. we can replenish the water w/tenders		<ul style="list-style-type: none"> •Heli dipping little to no impact, minimal cost or just replace water 	
Schools/ Fairgrounds	\$1000 to \$2,000/day (Type 1 & 2 assignments)	Depends on how much of the facility is available for use: rooms, showers, fields, etc. also what impact we will have & pop. of facility	\$500.00 to \$1,000.00/day Type 1 & 2 assignments	<ul style="list-style-type: none"> •Lump sum per day not to exceed X per month or X per incident •I've seen a cap not to exceed \$7K or \$8K per month, some as high as \$15K •Consider renegotiate as the number of people in camp decreases •Impact is greatest on the first couple days •Places where property is high, price goes up •Try to include rehab in daily 	<ul style="list-style-type: none"> • Lawns and fields around schools are usually high traffic so fertilizer and water will bring them back to life. Typical \$20 to \$40 per acre for fertilizer • Physical damage ask them to find contractors and provide quotes, pay off that estimate • ODF/Restoration is not a separate item. • Additional charges as Internet
Watch outs					

Land Use Agreement Negotiated Rate Suggestions

		<p>ODF rates are to include minimal wear & tear (restoration). Items we can compensate for:</p> <p>Janitorial staff (usually try to add to daily rate)</p> <p>Power, water, gas, phones, etc. if used</p>		<p>cost if possible</p> <ul style="list-style-type: none"> • Minimize or discourage gym access whenever possible: gym floor resurfacing is \$\$\$!!! • Avoid rate/per person/per day • It's good to get landowner to sign, even \$50/day in case of restoration costs or do LUA for "no cost" and put into action for liability or restoration as necessary 	<ul style="list-style-type: none"> • Additional Room Rates • Restrict Access where you want to keep people out • Janitor or Maintenance fees • Pre inspect everything and document words and pictures • Know the date you have to leave • Try not to use athletic fields if at all possible • Make sure areas that are excluded are clearly marked and communicated
Bare Ground/Helibase	<p>\$100 to \$500/day</p> <p>As high as \$1,100 / day with varying types of restoration</p>	<p>No Charge to \$1,000 per day consider number / type of aircraft that will be</p>	<p>\$150 to \$200/day</p> <p>\$2,000.00/M</p>	<ul style="list-style-type: none"> • Try to include rehab within daily cost if possible/ODF must include this in the rate • Look at available water source at Helibase site; if water available daily rate may increase • Tenders for dust abatement can be \$1000 to \$1500/day 	<ul style="list-style-type: none"> • Tilling about \$100 per Ac • Seed \$50-70 per Ac • Loss of feed \$100 to \$200 per Ac dependent on crop • Possible hazardous material brought on site.
Watch outs					

Land Use Agreement Negotiated Rate Suggestions

	<p>(and availability of water, use of tenders etc)</p> <p>Organic alpha field \$500/day for 3 acres</p> <p>*\$400/day for 40 acres of bare land</p>	<p>there (i.e. Type 1 Helo/\$100, Type 2 Helo/\$50)</p> <p>Consider in rate: loss of crops, reseeding etc.</p>			<ul style="list-style-type: none"> • If Helitack are on site what types of support do they need, add to agreement • Work with air ops and landowner if it will turn into a small city • Hidden treasures like old water lines, sprinkler heads, risers
<p>Helibase - City Municipal</p>	<p>Two or less ships and/or shorter duration: \$100-\$275/day</p> <p>Three or more ships and/or longer duration: \$200-\$400/day</p>	<p>\$360/day</p> <p>Consider relationships w/local municipal. & impact to business when coming up w/rate. Use of facilities (i.e. bathrooms,</p>		<ul style="list-style-type: none"> • Consider wrapping fuel/landing & tie down fees into daily rate • Sometimes commercial rental rates already established 	<ul style="list-style-type: none"> • Physical damage ask them to find contractors and provide quotes, pay off that estimate • ODF - All claims go through State Risk Management <p align="center">Watch outs</p> <ul style="list-style-type: none"> • Como trailers and where they can park • Dust abatement and right sizing tenders on thin asphalt

Land Use Agreement Negotiated Rate Suggestions

		power etc.)			
State/PUD/ County Park for ICP	No cost to camping reimbursement only State/County Park: \$500 - \$1200/day	\$200-\$650/day (high for Holiday)	\$200.00 - \$500.00/day	<ul style="list-style-type: none"> •Consider lost revenue on camping/full closure •Boat launch access •Security if park not fully closed/partial public access •Consider number of personnel per site 	<ul style="list-style-type: none"> • Negotiate off of historical use for same period for loss revenue
					Watch outs
Private Land ICP (Usually field)	No Cost to \$800/day 60+ Acres \$1,000/day	No cost to \$1,000/day Consider # of people and incorp. rehab/rest	\$200.00 - \$500.00/day	<ul style="list-style-type: none"> •Usually heavy restoration (compaction, seeding, lost crop, wood chips etc) •ODF can renegotiate land use agreements as needed 	<ul style="list-style-type: none"> • Tilling about \$100 per Ac • Seed \$50-70 per Ac • Loss of feed \$100 to \$200 per Ac dependent on crop
					Watch outs

Land Use Agreement Negotiated Rate Suggestions

<p>Day Sleeping (Gym, Community Center, Church, Park)</p>	<p>\$100 to \$250/Day</p>	<p>\$125/day, \$350-\$400/day</p>	<p>\$100.00 to \$300.00/day</p>	<ul style="list-style-type: none"> • Access/ Security • Minimize boots on gym floor • Bathroom/Shower access 	<ul style="list-style-type: none"> • Physical damage ask them to find contractors and provide quotes, pay off that estimate <p style="text-align: center;">Watch outs</p> <ul style="list-style-type: none"> • Additional Room Rates • Restrict Access where you want to keep people out • Janitor or Maintenance fees • Pre inspect everything and document words and pictures • Know the date you have to leave
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