Board of County Commissioners
Agenda Request

Date of Meeting:	April 10, 2001
Date Submitted:	April 5, 2001
To:	Honorable Chairman and Members of the Board
From:	Parwez Alam, County Administrator PA Vincent Long, Assistant to the County Administrator
Subject:	Consideration of U.S. Department of Agriculture, Division of Forest Service Special Use Permit for Two Volunteer Fire Department Substation Sites

Statement of Issue:
This item seeks Board approval for staff to complete a U.S. Department of Agriculture, Division of Forest Service Special Use Permit (SUP) and submit it for two Volunteer Fire Department (VFD) Substation sites.

Background:
On January 18, 2000, staff conducted a workshop with the Board on many issues related to constructing VFD stations (Attachment #1, page 17). Included in that analysis was an evaluation of the impact of substations on ISO ratings, identification of proposed substation locations (based on five road mile coverage area capturing the highest density areas in the County which currently have no recognized ISO public fire protection), analysis of the relocating of existing stations, and ISO requirements of substations. The Chief of the Tallahassee Fire Department, the Director of Emergency Management, the district ISO representative and members of the County VFD's were also in attendance and provided their input. At the conclusion of the workshop, the Board directed staff to bring back an agenda item to include a prioritization of substations locations and options for reduced substation facility costs options based on minimum ISO criteria.

On March 21, 2000, staff presented an agenda item with the information requested by the Board (Attachment #1). At that time, the Board directed staff to pursue the establishment of the top (5) stations as prioritized by staff and to pursue land acquisition through donation. Staff has been working with the Division of Forest Service and has agreed upon the use of Federal land for the two VFD Substation sites in the Lake Talquin area (Attachment #2).

Analysis:
The Division of Forest Service has provided a copy of the SUP form that the staff will have to complete.in order to secure the two VFD Substation sites in the Lake Talquin area (Attachment #3). The County Attorney has reviewed this SUP and gave his consent to proceed with the application process.

Leon County Board of County Commissioners would be the "Holder," as referenced in the SUP. The expiration of the permit will occur 25 years from the date it is signed. At the expiration of the permit, a new permit may be issued to the County as specified in Section II (D and E) of the SUP (Attachment #3, page 2), as long as the permit area is being used for the purposes previously authorized, and operated and maintained in accordance with the provisions of the permit. It should

be noted that the decision whether to issue a new permit is at the sole discretion of the Forest Service. The date by which construction of the VFD substations must be completed will be negotiated with the Division of Forest Service upon submission of the competed SUP's.

The Board is additionally responsible for compliance with all applicable Federal, State and local laws, regulations and standards. Summaries of the three Federal Acts specifically mentioned in the SUP are provided in attachment #4.

In the section of the SUP titled "IV. Liability (C)," Selection item 1 would be applicable to the Board's SUP application because counties are considered a political subdivision of the State. In Section VI, relating to fees, the Division of Forest Services have waived or exempted the Board from any fees for the use of this property.

A clause will be added to the SUP enabling Leon County Facilities Management to construct the two VFD substation structures.

Options:
1. Direct staff to complete the SUP for the use of the two sites in the Lake Talquin area and authorize staff to submit the SUP application to the Division of Forest Services.

2. Do not direct staff to complete the SUP for use of the two sites in the Lake Talquin area and do not authorize staff to submit the SUP application to the Division of Forest Services.

3. Provide other direction to staff.

Recommendation:
Option 1.

Attachments:
1. March 21, 2000 Agenda Item
2. Mapped VFD Substation sites in the Lake Talquin area
3. U.S. Department of Agriculture, Division of Forest Service Special Use Permit (SUP)
4. Federal Act Summaries

PA/VL/AB

Board of County Commissioners

Agenda Request

DATE OF MEETING: March 21, 2000
DATE SUBMITTED: March 16, 2000

TO: Honorable Chairman and Members of the Board

FROM: Parwez Alam, County Administrator PA
Vincent Long, Assistant to the County Administrator

SUBJECT: Volunteer Fire Department (VFD) Substations

STATEMENT OF ISSUE
This agenda item provides information requested by the Board at the January 18, 2000 workshop on the consideration of Volunteer Fire Department (VFD) "substations" to house pumper tankers acquired from the Tallahassee Fire Department (TFD).

BACKGROUND
At the regularly scheduled meeting of the Leon County Board of County Commissioners of July 13, 1999, the Chairman informed that representatives of the County's Volunteer Fire Departments (VFD's) had requested that the County provide funding for the repair of retired Tallahassee Fire Department (TFD) pumper tanker fire engines to be leased by the VFD's. The Board directed that staff report back on the condition of the tankers, cost of repairs and possible impact of the use of these tankers at the VFD's on the community's Insurance Service Office (ISO) ratings.

On September 14, 1999, staff presented an analysis on the issues requested by the Board (Attachment #1). Included in that analysis was information which explained that in order to receive ISO recognition for the use of the pumper tankers by the VFD's, the apparatus must be located in a separate facility in an area not recognized by ISO as having public fire protection (ISO rating of 10). Following the discussion, the Board moved to provide funding in the amount of $40,000 ($8,000 per tanker) from FY 99/00 General Fund Contingency to provide needed repairs to the TFD pre-surplus tankers and assign tankers to VFD's based on need. In addition, the Board directed staff to evaluate constructing separate facilities ("substations") for locating pumper tankers in areas with no recognized ISO public fire protection.

On December 14, 1999, staff presented an agenda item to the Board which explained the process and criteria used by Emergency Management for the distribution of the apparatus (Attachment #2). Staff also requested that a workshop be scheduled to present the issues associated with constructing the VFD substations.

On January 18, 2000, staff conducted a workshop with the Board on many issues related to constructing VFD stations (Attachment #3). Included in that analysis was an evaluation of the impact of substations on ISO ratings, identification of proposed substation locations (based on five road mile coverage area capturing the highest density areas in the County which currently have no recognized ISO public fire protection), analysis of relocating of existing stations, and cost and ISO requirements of substations. The Chief of the Tallahassee Fire Department, the Director of Emergency Management, the district ISO representative and members of the County VFD's were also in attendance and provided their input.

The workshop analysis concluded that the establishment of substations to house the VFD pumper tankers located in the proposed areas is believed to result in an ISO rating of 9, as opposed to an ISO rating of 10, upon resurvey by ISO for homeowners within five road miles of the substations. However, it was reported that the affect of a change in ISO rating from 9 to 10 on homeowner's insurance premiums is highly variable and depends on the extent to which individual insurance companies utilize ISO ratings in determining insurance costs. In addition, staff suggested that the actual contribution of these pumper tankers, assigned to non-staffed substations, in the event of a fire emergency is unknown. Staff's recommendation was to work with TFD on adding services, through the development of a fire services fee with a capital plan for planned expansion of fully-staffed fire stations and fire flow infrastructure where needed in the unincorporated areas of the County.

The Board, however, chose to pursue the substation issue and directed staff to bring back an agenda item with the following information:

- Prioritization of (5) ISO 10 rated locations to establish substations based on emergency call data and population/density of area;
- Include less costly substation facility options based on minimum ISO criteria;
- Attach map which contains the 5 mile coverage areas of existing fire stations, 5 mile coverage area of proposed City fire stations #16, #17, and #18, the USA boundary, and the 5 mile coverage area of the proposed substations (Attachment #4).

ANALYSIS

In keeping with the Board's direction, staff analyzed areas of the County previously identified as possible substation locations. The possible substation locations (numbered #28 - #33, below), were identified for further review because of their relative density and ISO rating of 10. These locations were prioritized for Board consideration of establishing five (5) substations to house the VFD apparatus. The criteria in Table 1 were used to evaluate the proposed locations' fire incident history and maximum benefit derived from an improved ISO rating for the purpose of prioritization.

TABLE 1

VFD Substations - Proposed Location Criteria				
VFD Response Zone	**Station / General Location**	**Number of Buildings**	**Total Building Value**	**1999 Fire Calls**
Lake Iamonia VFD	#28 - Fairbanks Ferry Rd. & North Meridian Rd.	323	$20,422,000	13
Miccosukee VFD	#29 - US 90 East & Old Magnolia Rd.	220	$10,269,000	17
Chaires VFD	#30 - Tram Rd. & WW Kelly Rd.	477	$29,167,000	20
Woodville VFD	#31 - Springhill Rd. & LL Wallace Rd.	171	$6,308,000	15
Lake Talquin VFD	#32 - Blountstown Hwy. & Nature Trail Way	511	$12,597,000	67
Lake Talquin VFD	#33 - Blountstown Hwy. & Bloxham Cutoff	485	$19,421,000	12

Based on the information above, each location was ranked 1-6 (from highest to lowest) on the individual criteria. The individual criterion rankings were totaled to determine an overall priority ranking. Where the cumulative rankings were equal, the location with the higher fire call incidents received the higher overall priority ranking. Table 2 provides each criterion ranking and the overall priority ranking for the for five (5) proposed substation locations. The Tallahassee Fire Department and the Leon County Sheriff's Office Division Emergency Management participated in this analysis and concur with the final priority rankings.

TABLE 2

VFD Substations - Ranking by Criteria					
Station / General Location	**Number of Buildings**	**Total Building Value**	**1999 Fire Calls**	**Total**	**Overall Ranking**
#32 - Blountstown Hwy. & Nature Trail Way	1	4	1	6	1
#30 - Tram Rd. & WW Kelly Rd.	3	1	2	6	2
#28 - Fairbanks Ferry Rd. & North Meridian Rd.	4	2	5	11	3
#33 - Blountstown Hwy. & Bloxham Cutoff	2	3	6	11	4
#29 - US 90 East & Old Magnolia Rd.	5	5	3	13	5
#31 - Springhill Rd. & LL Wallace Rd.	6	6	4	16	N/A

As previously mentioned, the pumper tankers were distributed to the VFD's by the Division of Emergency Management in November, 1999. Five of the six County VFD's submitted requests and the pumpers tankers were assigned to each of the following: Lake Talquin VFD, Lake Jackson VFD, Lake Iamonia VFD, Chaires VFD, and Miccosukee VFD. Only Woodville VFD, which did not make a request, did not receive a pumper tanker. Leases have been entered into between the VFD's and the City of Tallahassee for the use of the apparatus and the County funded repairs are ongoing.

It is important to note, that four of the five prioritized locations have a VFD with a pumper tanker that has been assigned as indicated above. Of the VFD's which received a pumper tanker, only the Lake Jackson VFD was not found to have a substation need (based on area's five mile coverage proximity to existing fire stations, Attachment #4). Also, locations #32 and #33 both fall within the VFD response area of the Lake Talquin VFD. Since the Lake Talquin VFD has only one pumper tanker assigned to it, the establishment of substations as prioritized would require reallocating a pumper tanker to the Lake Talquin VFD.

The Board could choose to address the situation above in one of the following ways, each of which provide for a substation to be assigned to each VFD which received a pumper tanker. First, the Board could pursue the establishment of the substations as prioritized above, with the exception of the lesser ranked Lake Talquin proposed substation location. This option would provide that each of the VFD's that serve the proposed substation locations would receive one substation. In addition, this would not require that the Board request any of the VFD's to have their apparatus reallocated. This would result in the establishment of four, rather than five substations (#32, #30, #29, #28).

Secondly, the Board could pursue the establishment of the substations as prioritized above and request that the Lake Jackson VFD (which does not have a proposed substation location within their VFD response zone) release the pumper tanker previously assigned to them for the purposes of reassigning it to one of the Lake Talquin substations. The Board could then direct the Division of Emergency Management to ensure that the Lake Jackson VFD receives first priority on the next apparatus made available to the VFD's.

A third option, should the Board choose to pursue the establishment of the substations as prioritized above, would be to request that the Chaires VFD release the pumper tanker previously assigned to them for the purposes of reassigning it to one of the Lake Talquin substations. The justification for this option is that based on the original allocation process for the pumper tankers, the Chaires VFD was given last priority. The reason for this is that the equipment allocation process considers which VFD's received the latest equipment made available to the VFD's through the Division of Emergency Management. Chaires VFD had received the most recent equipment allocation.

In addition, the Chaires VFD originally stated that they would not accept the pumper tanker which was assigned to their station because of additional maintenance costs and lack of space for the additional apparatus (Attachment #5). The Chaires VFD, however, eventually accepted the pumper tanker. It is important to note that this option still provides for a substation (#30- Tram Rd. & WW Kelly Rd.) for the Chaires VFD. However, because the Chaires VFD currently has a 2500 gallon tanker, it is assumed that this apparatus could be housed in the substation. This

option also provides that the Chaires VFD avoid additional expenses associated with the additional pumper tanker.

Substation Costs

At the January 18, 2000 workshop, the Board directed that staff bring back costs associated with establishing minimal structures designed to house one pumper tanker per substation. Table 3 below provides cost options for site built frame, site built masonry and pre-engineered steel buildings. The cost of land acquisition, if not obtained through donation, is not included.

TABLE 3

COST SUMMARY FOR 12' EAVE HEIGHT WITH HEAT AND LIGHTS (NO PLUMBING)

TYPE	Size Req.	Unit Costs	TOTAL*
Site built Frame	16' x 36' (576 sf)	$35 psf	$20,160 ($25,200)
Site built Masonry	18' x 36' (648 sf)	$40 psf	$25,920 ($32,400)
Pre-Engr Steel	20' x 38' (760 sf)	$30 psf	$22,800 ($28,500)

***Total costs shown are void of the required design fees, permitting costs, contractor's profit and overhead, and contingency; (adjusted figures shown as assumed rate of +25%).**

The costs associated with establishment of these substations depends on the number of substations that the Board decides to pursue and the land acquisition costs of each. Similarly, the time frame of establishing the substations depends, in part, on how the Board wishes to address funding. As this is not a budgeted project, the Board may wish to consider addressing this issue during the budget process. However, as the Board has recently contracted with Government Services Group (GSG) on the development of an unincorporated area fire services fee, staff would recommend that this funding be considered as part of a capital component of the fee.

Conclusion

While the VFD's are generally in support of the establishment of the substations, they have raised concerns about their ability to fund ongoing expenses associated with the substations. In addition, the VFD have indicated that they intend to look to the County for operating budgets, as well as capital needs including vehicle replacement, should a fire services fee be implemented in the unincorporated area of the County.

This type of increased budgetary commitment to the VFD's constitutes a shift of focus in the provision of rural fire services from that which is primarily accomplished through the Fire Services Agreement (FSA) with the assistance of a self sufficient VFD program. This shift in focus would result in a recurring and increasing annual funding obligation to the County. In addition, the VFD's would in turn be required to assume some associated administrative responsibilities not currently necessary.

Staff suggests that the Board consider the County's overall approach to the provision of fire services in the unincorporated area of the County when considering establishing VFD substations. The fire services fee is currently being developed as an alternative mechanism for funding fire services in the unincorporated areas of the County. Similar fees in other jurisdictions do not completely fund, but offset the costs associated with funding particular programs. However, given no that there are no viable funding alternatives, it is the intent that this fee provide the necessary funding for the annual payment of the FSA ($2.8 million for FY99/00).

The FSA provides for our current level of fire services. Future enhancements to the system that become necessary, including funding additional fire stations, must be negotiated and the FSA amended to reflect the cost of such enhancements. The majority of the fire services fee would be used to pay for the FSA, leaving a limited amount of resources for enhancements to the current system. The Board may wish to consider that these resources may be best dedicated to a capital program of the fee to address future rural fire station expansion and improved fire flow water infrastructure where most needed in the unincorporated area of the County. This longer term approach may serve to further benefit unincorporated area fire services and ISO ratings.

<u>OPTIONS</u>

1. Pursue the establishment of the substations as prioritized with the exception of the lesser ranked Lake Talquin proposed substation location (#33-Blountstown Hwy. & Bloxham Cutoff). **This option provides for a total of four substations.**
2. Pursue the establishment of the substations as prioritized and request that the Lake Jackson VFD (which does not have a proposed substation location within their VFD response zone) release the pumper tanker previously assigned to them for the purposes of reassigning it to one of the Lake Talquin substations and direct the Division of Emergency Management to ensure that the Lake Jackson VFD receive first priority on the next apparatus made available to the VFD's.
3. Pursue the establishment of the substations as prioritized and request that the Chaires VFD release the pumper tanker previously assigned to them for the purposes of reassigning it to one of the Lake Talquin substations.
4. Direct staff to factor the costs associated with the Board's direction into a capital plan of the fire services fee.
5. Direct staff to bring back this item for funding consideration during the upcoming budget workshop with the Board.

6. Do not proceed further on the establishment of VFD substations and direct staff to develop a capital program in the fire services fee to provide for a comprehensive plan for future fully staffed fire station expansion in the unincorporated areas and improved fire flow and/or water storage infrastructure.
7. Provide staff other direction.

RECOMMENDATION
Board Direction

Attachments:
#1 - September 14, 1999 Agenda Item
#2 - December 14, 1999 Agenda Item
#3 - January 18, 2000 Workshop Item
#4 - Proposed Substation Coverage Map
#5 - December 5, 1999 Letter From Chaires VFD

Board of County Commissioners

Agenda Request

DATE OF MEETING: September 14, 1999
DATE SUBMITTED: September 9, 1999

TO: Honorable Chairman and Members of the Board

FROM: Parwez Alam, County Administrator
Vincent Long, Assistant to the County Administrator

SUBJECT: Volunteer Fire Department (VFD) Tankers and Insurance Service Office (ISO) Ratings for Unincorporated Area Residents

STATEMENT OF ISSUE
This agenda item provides information requested by the Board regarding the repair of Tallahassee Fire Department (TFD) pre-surplus pumper tanker fire engines for lease by the County Volunteer Fire Departments (VFD) and the possible impact of this on Insurance Service Office (ISO) fire insurance ratings.

BACKGROUND
At the regularly scheduled meeting of the Leon County Board of County Commissioners on July 13, 1999, the Chairman informed that representatives of the County's VFD's had requested that the County provide funding for the repair of retired TFD pumper tanker fire engines to be leased by the VFD's. The Board directed that staff report back on the condition of the tankers, cost of repairs and possible impact of the use of these tankers at the VFD's on the community's Insurance Service Office (ISO) ratings.

ANALYSIS
Below is the requested information on the retired TFD tankers, followed by an evaluation of the possible impact of their use at VFD's on ISO ratings.

Tankers
Not long after the execution of the Fire Services Agreement with the City of Tallahassee in 1988, the Fire Chief recommended and City Manager agreed that the City would make all retired TFD equipment available to the VFD's prior to surplusing the equipment. The TFD currently has (5) five retired pumper tankers in pre-surplus and is expected to soon make them available to the VFD's. Purchased in 1988, these vehicles have met their 10 year life expectancy and have been replaced by new equipment.

It has been the practice of the TFD to notify the County's Director of Emergency Management, who acts as the Board's liaison to the VFD's, on the availability of apparatus to be surplused. Upon notification, the Emergency Management Director informs the VFD's of the equipment available and establishes a date for interested VFD's to respond as to the equipment needed for their respective stations. The Emergency Management Director assigns the apparatus to the VFD's based on need and the VFD enters into a lease agreement with the TFD for the apparatus.

Representatives of the VFD's are asking, that upon the City making these tankers available to the VFD's, that the County provide funding to bring the pumper tankers up to mechanically sound condition and assign the tankers to the VFD's based on need.

On August 26, 1999, the County's Fleet Management Director, inspected the apparatus and reviewed maintenance records to determine their condition. The five pumper tankers are fully equipped 2,500 gallon fire engines with Mack chassis. The new cost for each tankers was $125,264 or over $600,000 for all five. The mileage of the pumper tankers range from 30.0000 - 60,000 miles. The Fleet Management Director determined that each had excellent maintenance records, but required repairs in the amount of approximately $8,000 - $10.000 per pumper tanker. The County's Fleet Management Division is capable of making the needed repairs in-house. He further concluded that in their current condition these tankers are far superior to apparatus currently being utilized by the VFD's (current VFD equipment, Attachment #1).

The Director of Emergency Management has determined that there is a need for all five pumper tankers to assign among the six VFD's. Once assigned, the VFD's will enter into a lease agreement with the TFD for the apparatus (Attachment #2). The lease agreement provides that in consideration for the use of the leased pumper tanker, the VFD will pay the City $1 per year. Ongoing maintenance of the tankers will be handled in one of two ways. Upon making the needed repairs to the apparatus, the City will have the option to accept them into their comprehensive vehicle maintenance program. If the City does not accept the pumper tankers into the City Fleet Management program, they will provide an annual payment of $2,000 to the VFD for apparatus maintenance per the Fire Services Agreement, Amendment #1, (2).

Impact on ISO Ratings

ISO is an independent statistical, rating and advisory organization that serves the property and casualty insurance industry. ISO collects information on a community's public,fire protection and analyzes data using its Fire Suppression Rating Schedule. ISO assigns a public protection classification from 1-10. Class 1 represents the best public protection and Class 10 indicates no recognized protection. The general criteria used to determine a fire public protection class are fire department dispatch (10%), distribution of fire companies (50%), and water supply (40%).

The addition of a pumper tanker would be evaluated for ISO purposes in the context of the community's water supply and to a lesser extent as a part of the distribution of fire companies criteria, which considers fire department equipment. The water supply criteria primarily focuses on fire main flow capacity, storage, filtration, and distribution of fire hydrants. The distribution of fire companies criteria considers equipment among other things such as officer training. However, Tallahassee Fire Department equipment is considered when evaluating a community's ISO rating if the VFD is colocated with a TFD station (Miccosukee VFD is the only VFD that is not colocated). Consequently, the addition of VFD equipment does not figure significantly in the overall ISO grading.

In an effort to determine whether the utilization of the tankers would have an impact on ISO ratings, staff contacted the ISO regional representative and the corporate office located in New Jersey. Both reported that the addition of a tanker to an existing fire station would not constitute a significant change in evaluating the water supply criteria of a community's public fire protection to affect the ISO rating. ISO did suggest that special consideration may be given if the

addition of a tanker would be to a station without fire suppression apparatus or if the VFD established an ISO certified tanker shuttle system which utilizes several tankers and a recognized water source. All of the County's VFD's have fire suppression apparatus and it is not the intent to establish an ISO tanker shuttle system. Consequently, the only other way for Leon County to receive ISO recognition for the use of the pumper tankers by the VFD's is to have the pumper tankers located in a separate facility in an area not recognized by ISO.

ISO field representatives evaluate communities with a population of 25,000 or more every ten years. Based on this, Leon County can expect to be reevaluated some time between now and 2001. The ISO reevaluation is expected to rely heavily on the geographical information technology not available when ISO last surveyed Leon County 10 years ago. Attachment #3 depicts the County in terms of ISO recognized fire protection classification based on accurate geographical information. The highlighted areas reflect the ISO fire protection criteria of (1) five paved road miles to a fire station and (2) proximity within 1,000 feet from an ISO certified fire hydrant. Anything outside these areas could expect to receive an ISO rating of Class 10, indicating no recognized public fire protection.

As mentioned, currently the only option available to the Board to receive ISO recognition by utilizing these pumper tankers would be to construct a separate facility in a Class 10 rated area to house the apparatus with the closest VFD responsible for its operation. Even though the facility requirements are minimal, consisting of a heated, enclosed facility, and are not required to be staffed, ISO recognizes this as a station. The ISO recognition for this alone (absent fire flow infrastructure) would be the lowest rating of public fire protection of an ISO rating of Class 9. Class 9 indicates a fire station within 5 paved road miles but not within 1,000 feet of an ISO recognized water source. However, Class 9 recognition generally translates to a 20% to 50% decrease in fire insurance premiums over Class 10 premiums. It should be noted that many insurance companies may not write policies for properties with an ISO Class 10 rating.

Conclusion

In sum, the retired TFD pumper tankers appear to be in relatively good condition and would be a major improvement over most of the VFD equipment currently in operation. However, the use of the retired tankers by the VFD's at their current department locations would likely not affect the communities' ISO ratings. It should be noted, however, the addition of this much improved apparatus would likely result in an improved level of fire protection for these communities. As explained herein, the only alternative to affect the ISO rating by the use of these pumper tankers (absent establishing an ISO tanker shuttle system) would be to construct facilities to house the apparatus in areas that are determined by ISO to have no recognized fire protection (Class 10 rated areas). This would result in ISO recognition of Class 9 within a five mile radius of the facility.

The County VFD's are asking that the Board fund the cost of needed repairs to the retired TFD pumper tankers which is estimated at $8,000 - $10,000 per tanker. As this expenditure is not accounted for in the FY 99/00 Budget, staff recommends funding this request through FY 99/00 General Fund Contingency if approved. However, as presented in Option #2, the Board may direct that tankers be assigned "as is" to VFD's and require them to raise the funding necessary to make the needed repairs to the tankers. The Board may also wish to direct staff to evaluate constructing separate facilities for locating the tankers in Class 10 areas as indicated in Option

#3. This evaluation would provide information on the existence of County owned property and the best possible siting within these regions for Board consideration. Possible sites in Class 10 areas will be identified where "gaps" in coverage exist and within reasonable proximity to existing VFD's (see Attachment #3). Please note that the County's most outlying Class 10 areas will not be affected by this effort.

OPTIONS

1. Agree to provide funding in the amount of $40,000 ($8,000 per tanker) from FY 99/00 General Fund Contingency to provide needed repairs to the TFD pre-surplus tankers and assign tankers to VFD's based on need.
2. Do not agree to provide funding for tanker repairs and assign tankers to VFD's "as is" based on need.
3. Direct staff to evaluate constructing separate facilities for locating pumper tankers in Class 10 areas and bring back for Board consideration.
4. Provide other direction.

RECOMMENDATIONS

Options 1 & 3.

Attachments:

#1 - VFD Equipment Inventory.
#2 - Example VFD lease agreement with City for retired TFD apparatus.
#3- Existing Fire Station Coverage Map.

PA/LR/VL

F:\SPECPRJ\FIRESVS\AGTANKS.WPD

Sheriff Larry Campbell

Leon County Sheriff's Office
Post Office Box 727 · Tallahassee, FL 32302-0727
Office Phone 904-922-3300 · Jail Phone 904-922-3500

Memorandum

To: Parwez Alam, County Administrator

From: Richard R. Smith, Director, Emergency Management

Date: November 16, 1999

Re: Fire Apparatus Distribution

As you are aware the Tallahassee Fire Department has made available "pre-surplus" apparatus to the Volunteer Fire Departments (VFD's) in accordance with the City/County agreement. Additionally, the Board of County Commissioners has authorized the Fleet Management Division to effect repairs to this apparatus.

When the TFD makes available "pre-surplus" equipment and/or apparatus the following process is initiated:

1. TFD notifies the Division of Emergency Management (DEM) as to the availability of equipment and/or apparatus, where and when it may be inspected;

2. DEM notifies the VFD's of the above and establishes a deadline for requesting equipment/apparatus;

3. After the deadline, assignment is made by;

   A. If only one department makes a request they are awarded the equipment/apparatus.
   B. If more than one department requests the same equipment/apparatus an assessment is made to determine community impact. For example if Miccosukee VFD and Chaires VFD both request a Tanker, and Chaires already has a tanker in service and Miccosukee does not, the TFD is directed to assign the tanker to Miccosukee.
   C. If community need can not be clearly determined, whoever requested and did not receive the last equipment/apparatus is assigned. As in the example above if Chaires and Miccosukee again request the same apparatus such as a Brush truck, and community need was determined to be equal, Chaires would receive the Brush truck since Miccosukee had previously received the Tanker.

Regarding the present apparatus, the above process was used. The VFD's were asked to identi their preferences in order (i.e. First through Fifth choice). Five VFD's requested a piece of apparatus by the deadline of October 15, 1999. On October 20, 1999, I met with Chief Quillin,

TFD and we reviewed the requests, the existing apparatus within each department and determined distribution based on community need. If two or more departments identified a preference for the same vehicle, the department having greatest need was awarded the requested vehicle. On November 2, 1999, TFD, Vince Long and I met with the VFD's to discuss apparatus distribution and potential County Fire Station locations. At that time, the recommended vehicle distribution was discussed (See Attached) and the VFD's indicated they were satisfied with the allocation.

Additionally, as allocated and with the addition of the proposed stations this apparatus could be assigned by those VFD's to the new station and be recognized by the Insurance Services Office (ISO), with the exception of the Lake Jackson VFD. (There is not a station proposed within their response territory). Also, since two stations are proposed in the Lake Talquin VFD response territory an additional pumper/tanker would be necessary for ISO purposes. The same is true for the proposed station at Springhill Road and L.L. Wallace Road. Also, there currently is no VFD for this area.

This information will be available and discussed at a workshop to be scheduled in the near future.

Should you have any further questions or require additional information concerning this matter please call me at 488-5921.

cc: Major Al Watson, Leon County Sheriff's Office
Vince Long, Leon County Administration

Sheriff Larry Campbell

Leon County Sheriff's Office
Post Office Box 727 · Tallahassee, FL 32302-0727
Office Phone 904-922-3300 · Jail Phone 904-922-3500

November 4, 1999

Chief Tom Quillin
Tallahassee Fire Department
327 North Adams Street
Tallahassee, Florida 32301

Dear ~~Chief Quillin~~ Tom:

After review of the requested apparatus, distribution criteria, and in consultation with the Volunteer Fire Departments (VFD) please distribute the pre-surplus apparatus as follows:

Chaires Volunteer Fire Department	1405
Lake Iamonia Volunteer Fire Department	1403
Lake Jackson Volunteer Fire Department	1404
Lake Talquin Volunteer Fire Department	1402
Miccosukee Volunteer Fire Department	1401

If you have any questions please call me at 488-5921.

Sincerely,

Richard R. Smith, Director
Emergency Management

RRS/ks

cc: Parwez Alam, County Administrator
Volunteer Fire Department Chiefs
VFD Alternate Contacts
Major Al Watson

Board of County Commissioners

Agenda Request

DATE OF MEETING: December 14, 1999
DATE SUBMITTED: December 9, 1999

TO: Honorable Chairman and Members of the Board

FROM: Parwez Alam, County Administrator PA
Vincent Long, Assistant to the County Administrator

SUBJECT: Update on allocation of TFD pre-surplus pumper tankers to County VFD's and request to schedule workshop on "substations" to house apparatus

---

STATEMENT OF ISSUE

This agenda item is to provide an update on the allocation of the TFD pre surplus pumper tankers to be leased by the County VFD's and to request to schedule a workshop on the provision of "substations" to house the apparatus in areas without ISO recognized public fire protection (ISO rating of 10).

BACKGROUND

At the regularly scheduled meeting of the Leon County Board of County Commissioners on July 13, 1999, the Chairman informed that representatives of the County's Volunteer Fire Departments (VFD's) had requested that the County provide funding for the repair of retired TFD pumper tanker fire engines to be leased by the VFD's. The Board directed that staff report back on the condition of the tankers, cost of repairs and possible impact of the use of these tankers at the VFD's on the community's Insurance Service Office (ISO) ratings.

On September 14, 1999, staff presented an analysis on the issues requested by the Board (Attachment #1). Included in that analysis was information which explained that in order to receive ISO recognition for the use of the pumper tankers by the VFD's, pumper tankers must be located in a separate facility in an area not recognized by ISO as having public fire protection (ISO rating of 10). Following discussion, the Board moved to provide funding in the amount of $40,000 ($8,000 per tanker) from FY 99/00 General Fund Contingency to provide needed repairs to the TFD pre-surplus tankers and assign tankers to VFD's based on need. In addition, the Board directed staff to evaluate constructing separate facilities for locating pumper tankers in areas with no recognized ISO public fire protection.

ANALYSIS

On November 16, 1999, the County Administrator received a memorandum from the Director of Emergency Management (Attachment #2) informing that he has requested that the Tallahassee Fire Chief make the apparatus available to the VFD's. Attachment #2 also presents the process and criteria used by Emergency Management for the distribution of "pre-surplus" equipment which considers the apparatus requested by the VFD's and community need. The Fire Department is currently in the process of entering into leases and making the apparatus available to the VFD's as reflected in Attachment #3.

County staff has also been working with GIS, Emergency Management, TFD and the VFD's on the Board's direction to evaluate constructing separate facilities, referred to here as substations, for locating pumper tankers in areas with no recognized ISO public fire protection. In order to best convey all of the information associated with this issue, staff is requesting to schedule a workshop with the Board for January 18, 1999 from 2:30 pm - 4:00 pm.

OPTIONS

1. Schedule workshop for January 18, 1999.
2. Schedule workshop for alternate date.
3. Do not schedule workshop on this issue and provide staff other direction.

RECOMMENDATIONS

Option #1

Attachments:

#1 - September 14, 1999 agenda item
#2 - Memorandum from Richard Smith to Parwez Alam dated November 16, 1999
#3 - Memorandum from Richard Smith to Chief Tom Quillan dated November 4, 1999.

PA/LR/VL

F:\SPECPRJ\FIRESVS\AG12_14.WPD

Board of County Commissioners

Workshop Information

DATE OF MEETING: January 18, 1999
DATE SUBMITTED: January 13, 1999

TO: Honorable Chairman and Members of the Board

FROM: Parwez Alam, County Administrator
Vincent Long, Assistant to the County Administrator

SUBJECT: Consideration of Leon County Volunteer Fire Department "Substations" to House Pumper Tankers acquired from Tallahassee Fire Department

---

STATEMENT OF ISSUE
This workshop is being conducted at the request of the Board on the consideration of "substations" to house the VFD pumper tankers in areas of the County without ISO recognized public fire protection (ISO rating of 10) to mitigate high fire insurance premiums.

BACKGROUND
At the regularly scheduled meeting of the Leon County Board of County Commissioners on July 13, 1999, the Chairman informed that representatives of the County's Volunteer Fire Departments (VFD's) had requested that the County provide funding for the repair of retired Tallahassee Fire Department (TFD) pumper tanker fire engines to be leased by the VFD's. The Board directed that staff report back on the condition of the tankers, cost of repairs and possible impact of the use of these tankers at the VFD's on the community's Insurance Service Office (ISO) ratings.

On September 14, 1999, staff presented an analysis on the issues requested by the Board (Attachment #1). Included in that analysis was information which explained that in order to receive ISO recognition for the use of the pumper tankers by the VFD's, the apparatus must be located in a separate facility in an area not recognized by ISO as having public fire protection (ISO rating of 10). Following the discussion, the Board moved to provide funding in the amount of $40,000 ($8,000 per tanker) from FY 99/00 General Fund Contingency to provide needed repairs to the TFD pre-surplus tankers and assign tankers to VFD's based on need.

On December 14, 1999, staff presented an agenda item to the Board which explained the process and criteria used by Emergency Management for the distribution of the apparatus (Attachment #2). At that time, staff informed that the Tallahassee Fire Department was in the process of entering into leases and making the apparatus available to the VFD's. To date, all of the leases have been executed, the apparatus have been distributed to the VFD's and the needed repairs are being performed by the County's Fleet Management Division.

ANALYSIS

In March, 1988, Leon County entered into a 20 year, renewable, Fire Services Agreement (FSA) with the City of Tallahassee for the provision of fire services throughout the County. The original FSA stipulated that the City operate a minimum of 14 fire stations countywide. Recognizing a need to extend fire services as far as possible into the outlying areas of the County, stations #10-#14 were established as "rural stations" in the unincorporated area. These stations were located after consultation with ISO and agreement by both parties. Station #15 was negotiated and the FSA so amended in April, 1999.

Per the FSA, VFD's were co-located with rural fire stations #10-#14. The Miccosukee VFD, which operates stations 11A and 11B, were established prior to the FSA and are not co-located with a rural fire station. The 11A and 11B stations were recognized by ISO in 1995. The Lake Iamonia VFD was established in 1994 without a station, but will co-locate with station #15 upon completion. See Attachment #6 for a listing of all fire stations.

ISO Ratings

As assigned to existing County's VFD's, the pumper tankers are believed to be an immediate enhancement to the fire protection of rural areas of the County. However, the only way that the additional pumper tankers could be utilized to mitigate high ISO ratings in the unincorporated areas of the County is to locate the tankers in separate facilities (substations) in areas with no ISO recognized public fire protection (i.e. areas more than five miles away from a fire station and not within proximity to an ISO recognized water source). The affect of this for homeowners in these areas is believed to be an improved ISO rating from 10 to a rating of 9.

The Insurance Services Office (ISO) is an independent statistical, rating and advisory organization that serves the property and casualty insurance industry. ISO collects information on a community's public fire protection and analyzes data using its Fire Suppression Rating Schedule. ISO assigns a public protection classification from 1-10. Class 1 represents the best public fire protection and Class 10 indicates no recognized public fire protection. The general criteria used to determine a public fire protection class are fire department dispatch (10%), distribution of fire companies (50%), and water supply (40%).

Receiving ISO's best public fire protection classifications (or ratings) depends on (1) how well a community receives and dispatches calls for fire services, (2) the number of engine companies (this criterion also considers the distribution of fire stations, fire station equipment and firefighter training) and (3) the whether the community's water supply is sufficient for fire suppression. The ISO public fire protection classification of 10 indicates that there is no fire fighting mechanism or fire flow water supply in place (no fire station and no ISO recognized water source).

In Leon County, generally speaking, areas of the County which are inside city limits receive an ISO rating of 2. Unincorporated areas of the County within five paved road miles of a fire station and 1,000 feet of an ISO fire flow rated water source (hydrant) receive an ISO rating of 4. For the unincorporated areas of the County which are within five paved road miles of a fire station, but not within 1,000 feet of a hydrant, an ISO rating of 9 is received. Lastly, as mentioned, areas of the unincorporated County which are not within five paved road miles of a fire station and not with 1,000 feet of a hydrant receive an ISO rating of 10.

While it is commonly understood that there is a direct correlation between ISO ratings and insurance premiums, this analysis found that the correlation is highly variable depending on individual insurance company. For example, several of the large national insurance company affiliates, including State Farm and Nation-Wide, report using one insurance rating for Leon County. While the individual premiums vary because the unique characteristics of individual dwellings, the rate is not adjusted for ISO rating or any related criteria that considers proximity to fire stations or water supply. For policies holders with these companies, a home located in downtown Tallahassee is assessed the same premium as a similar home found in the outermost regions of the unincorporated areas of the County. See Table 1 for details.

The reasons offered by these companies for not utilizing ISO ratings when writing policies in Leon County is that the County as a whole is recognized as having excellent fire response to all fires. It is currently the policy of these companies not to consider ISO in Leon County for this reason. The companies report that this policy has existed for several years and that there is no known plans to change it, however, the companies could not say that this policy could not change in the future. In addition, they informed that their companies do consider ISO for other communities which are not regarded as providing this level of fire services.

While aforementioned insurance companies do not base their premiums on ISO ratings, it is important to note that ISO ratings do figure importantly in cost of insurance for many independent agents writing policies in Leon County. Further, certain companies will not write policies for dwellings with an ISO rating of 10. The table below provides information on the price difference for homeowner's insurance reported by a randomly selected group of local insurers. For these purposes, only ISO ratings of 9 and 10 are presented.

Based on the random selection of insurers representing the local market in Table 1, it is apparent that the correlation between ISO rating and homeowners insurance premiums is highly variable depending on individual insurance company. It should be noted, that the State of Florida operates a program called the Florida Residential Property and Casualty Joint Underwriting Association, or JUA, that exists for the purposes of providing homeowners insurance to the highest risk individuals. The JUA offers "last resort" insurance for individuals who are denied conventional homeowners insurance usually because of a combination of high risk factors. The JUA reported that, based on the criteria used in Table 1, their premiums would be $843 for an ISO rating of 9 or 10.

TABLE 1

Insurer	ISO 9	ISO 10	% Difference	$ Difference
All State	$531	$1,036	96%	$505
American Strategic	$690	$825	20%	$135
Capital Preferred	$453	$453	0%	$0
Cotton State	$306	$355	16%	$49
Farm Bureau	$501	$601	17%	$100
Florida Family Mutual	$749	*would not write a policy for ISO 10	N/A	N/A
Nation-Wide	$419	$419	0%	$0
State Farm	$440	$440	0%	$0

NOTE: All premiums represent annual homeowners insurance for a $100,000 masonry dwelling built in 1980 with a $500 deductible.

ISO representatives resurvey communities with a population of 25,000 or more every 10 years. Based on this practice, Leon County can expect to be resurveyed by ISO in 2000 or 2001. Upon resurvey by ISO, it is believed that housing the VFD pumper tankers in substations located in the proposed areas will result in an ISO rating of 9, as opposed to an ISO rating of 10, for homeowners owners within five road miles of the substations.

Proposed Substation Locations

County staff has been working with Emergency Management, TFD, GIS and the VFD's to identify substations locations in areas which currently have no recognized ISO public fire protection (not within five miles of an existing fire station). General locations for substations have been identified in areas which could derive maximum benefit from the improved ISO public fire protection classification based on the density of the areas. Attachment #3 shows the five road mile coverage areas from existing fire stations (with the inclusion of fire station #15). On this map, the areas which are not highlighted are those which are not within the five miles of an existing fire station.

The proposed substation locations identified below, and depicted in Attachment # 4, are situated so that their five road mile coverage area captures the highest density areas which currently have no recognized ISO public fire protection. Based on the existing locations of fire stations throughout the County, six substation locations were identified in areas which are not within the five mile coverage area of a fire station. The numbers 28-33 are used below because TFD has assigned station numbers 16-27 to specific areas for the purposes of collecting call information to be used to assess the long term need for additional fire stations. The general substation locations

are identified as follows:

* 28 - Fairbanks Ferry Road and Meridian Road
* 29 - Highway 90 and State Road 59
* 30 - WW Kelly Road North
* 31 - Springhill Road and LL Wallace
* 32 - Highway 20 between stations #4 and #14
* 33 - Highway 20 West at Smith Creek or Bloxham cutoff

It is important to note that the City has identified three stations in their five year capital improvement plan (Attachment #6). Of the substation locations above, only the area identified for *30 could be affected by the eventual establishment one of the three in the CIP. This station, Southwood Plantation I, would capture some portion of the area identified for *30 depending on its location within Southwood and could mitigate the need for *30. TFD is also studying the possibility of a second future fire station for Southwood (Southwood Plantation II).

Given the Board's direction, the proposed substation locations were identified based on the current locations of the existing fire stations. However, the following information is presented should the Board wish to consider closing and moving existing stations pursuant to the existing Fire Services Agreement.

Relocation of Station #11 and #14

Section 5 (d) of the FSA provides for the closing and relocation of the County's rural fire stations to address changing fire services needs. The said provision simply states that "in the event that either party wishes to close or relocate any of the stations numbered #10-#14, the parties shall enter into good faith negotiations to amend this agreement to accomplish the objective in a fair and equitable way" (FSA 5 (d)). Although the FSA was amended in April, 1999 to establish fire station #15, this provision to close and relocate a station has not been exercised by the County.

At the Board Retreat of December 8, 1999, Commissioners requested information regarding the relocation of fire station #11 given the establishment of fire station #15. Station #11 was established at in its current location at 6787 Centerville Road in 1989 along with rural stations #10-#14. At the time station #11 was located, neither stations #11A, #11B or #15 had been established. Attachment #5 shows the movement of station #11 to the north which would minimize the five millage coverage overlap with stations #11A, #11B and #15 and would add approximately 210 additional structures to within five paved road miles of a fire station (Attachment #5, page 2).

However, although the movement of station #11 would reduce the overlap in existing five mile coverage areas among the aforementioned stations located in that region, the current location of

station #11 is believed to provide the quickest response to the greatest density areas in a fire emergency. In short, relocating station #11 as shown may reduce the ISO ratings from a 10 to a 9 for the properties identified on page 2 of Attachment #5, however, this move could increase fire emergency response times to the highest density areas in this region.

Attachment #5 also shows the relocation of station #14. Whereas Attachment #4 shows proposed substation locations *32 and *33, the movement of station #14 is shown in Attachment #5 to demonstrate that this move could eliminate the need for two substations in this region.

Substation Requirements/Costs

The facility requirements for housing the apparatus for ISO purposes are minimal. The requirements as defined by ISO are that the facility be an enclosed and heated structure of a size capable of housing the apparatus. As these facilities are not required to be staffed, additional features such as restrooms, are not required by ISO or local or state regulations. Below, Table 2 presents cost estimates for pre-engineered and site built facilities. Cost estimates are based on 1 or 2 bay facilities with and without restroom facilities and do not include land acquisition costs.

TABLE 2

Description	Size Requirement (sf)		Unit Cost (psf)		Total	
	Pre-Engr.	Site Built	Pre-Engr.	Site Built	Pre-Engr.	Site Built
1-Bay	1920 40x48	1672 38x44	$30	$35	$57.6K ($72K)	$58.5K ($73K)
2-Bay E/E	3920 40x98	3344 38x88	$30	$35	$117.6K ($147K)	$117K ($146K)
2-Bay S/S	5900 50x118	3344 44x76	$30	$35	$177K ($221K)	$117K ($146K)
1-Bay w/RR	2350 40x58	1976 38x52	$35	$40	$82.3K ($103K)	$79K ($99K)
2-Bay E/E w/RR	4900 50x98	4048 46x88	$35	$40	$171.5K ($215K)	$162K ($203K)
2-Bay S/S w/RR	6400 50x128	3696 44x84	$35	$40	$224K ($280K)	$147.9K ($185K)

Notes: E/E - Apparatus parked end to end
S/S - Apparatus parked side by side
RR - Including restrooms
( ) - Total costs shown do not include design fees, local permitting costs, contractor's profit, overhead and contingency; such costs would likely amount to a 25% adjusted

The above table presents several options for very minimal structures to house VFD apparatus. These structures are not intended to nor could they accommodate staffing. By comparison, rural fire stations #10-#14, which are 3,259 square foot fully staffed stations, cost $400,000 each in 1989. TFD will be represented at the workshop and will be able to provide updated figures for the construction of a rural fire station should the Board be interested in that information.

Conclusion

As assigned to existing County's VFD's, the pumper tankers are believed to be an immediate enhancement to the fire protection of rural areas of the County. As stated, the establishment of substations to house the VFD pumper tankers located in the proposed areas is believed to result in an ISO rating 9, as opposed to an ISO rating of 10, upon resurvey by ISO for homeowners owners within five road miles of the substations. However, the contribution of these pumper tankers in non-staffed facilities in the event of a fire emergency is unknown. In addition, the affect of a change in ISO rating from 9 to 10 on homeowner's insurance premiums is highly variable and depends on the extent to which individual insurance companies utilize ISO ratings in determining insurance costs. Furthermore, it should be noted that closing and relocating existing fire stations, which has been shown here for the purposes of discussion, is believed be a costly and potentially contentious process for which no funding has been budgeted.

Should the Board not wish to pursue constructing substations or closing and relocating stations, the FSA provides for additional services, including fully equipped and staffed fire stations, which could be established in a comprehensive manner as negotiated by the County and the City. The Tallahassee Fire Department hired a consultant in 1994 to conduct a fire station location study to determine the most efficient and effective placement of fire stations including the most appropriate placement of new stations. This work included identifying, evaluating and prioritizing criteria so that fire response could be provided in a minimum amount of time. TFD continues to expand this information by evaluating call data and monitoring response time in order to best determine the most effective placement of future stations. As such, TFD has identified "proposed stations" in Attachment #6 of which stations #22-#26 are located in the unincorporated areas of the County. The FSA provides that the County may negotiate with the City on these or other locations for fully staffed and equipped fire stations which utilize the best available information for minimum fire and emergency medical response time.

This workshop is intended to give the Board the information requested on the establishment of VFD substations and their impact on the community's ISO rating, as well as illustrating the current fire services provided in the unincorporated area of the County. Future analysis forthcoming on the establishment of a County fire services fee figures prominently in the future of fire services, especially the ability to provide for expanded capital facilities and fire flow infrastructure in the unincorporated areas of the County.

Agenda Request: Consideration of Leon County Volunteer Fire Department "Substations" to House Pumper Tankers acquired from Tallahassee Fire Department
Date: January 18, 2000
Page :8

OPTIONS

1. Direct staff to pursue the establishment of such substations determined by Board to house VFD apparatus in the general areas identified by staff and direct staff to bring back an agenda item with more detailed costs and a construction schedule. (Please note, the only funding source available outside the budget process would be General Fund Contingency)

2. Direct staff to pursue the establishment of such substations determined by Board to house VFD apparatus in the general areas identified by staff and direct staff to include a capital program which incorporates these structures into the fire services fee structure to be considered by the Board.

3. Direct staff to work with Tallahassee Fire Department and identify a "rural fire station capital program", negotiate with the City to amend the FSA to include a rural fire station capital program and structure the fire services fee to account additional costs associated with adding the rural fire stations in the capital program.

4. Direct staff to continue to monitor the FSA and to work with the Tallahassee Fire Department on adding services, including fire stations, that serve to most adequately meet the fire services need of the unincorporated area and bring such recommendations to the Board for consideration.

5. Provide staff other direction.

RECOMMENDATIONS

Option 4

Attachments:
#1 - September 14, 1999 agenda item
#2 - December 14, 1999 agenda item
#3 - Map 1 - Five road mile coverage areas from existing fire stations
#4 - Map 2 - Five road mile coverage areas from proposed substation locations
#5 - Map 3 - Five road mile coverage areas from relocated stations #11 and #14
#6 - Listing of existing and proposed fire stations

PA/LR/VL

F:\SPECPRJ\FIRESVS\AG1-18-9.WPD

CHAIRES-CAPITOLA VOLUNTEER FIRE DEPARTMENT

December 5, 1999

Richard R. Smith, Director
Division of Emergency Management
535 Appleyard Dr.
Tallahassee, FL 32304

Dear Mr. Smith:

We received your letter notifying the Departments of the tanker distribution. Throughout the process of the tanker acquisition we have had many questions regarding maintenance costs, where these units will be housed, etc. We keep hearing these items will be worked out but until I know the answers to these questions, Chaires will not accept responsibility for the tanker as we do not have the funds to bring this additional unit on line. We also have no place to house the unit. These items must be worked out for the various Departments to be in compliance with the contracts with TFD.

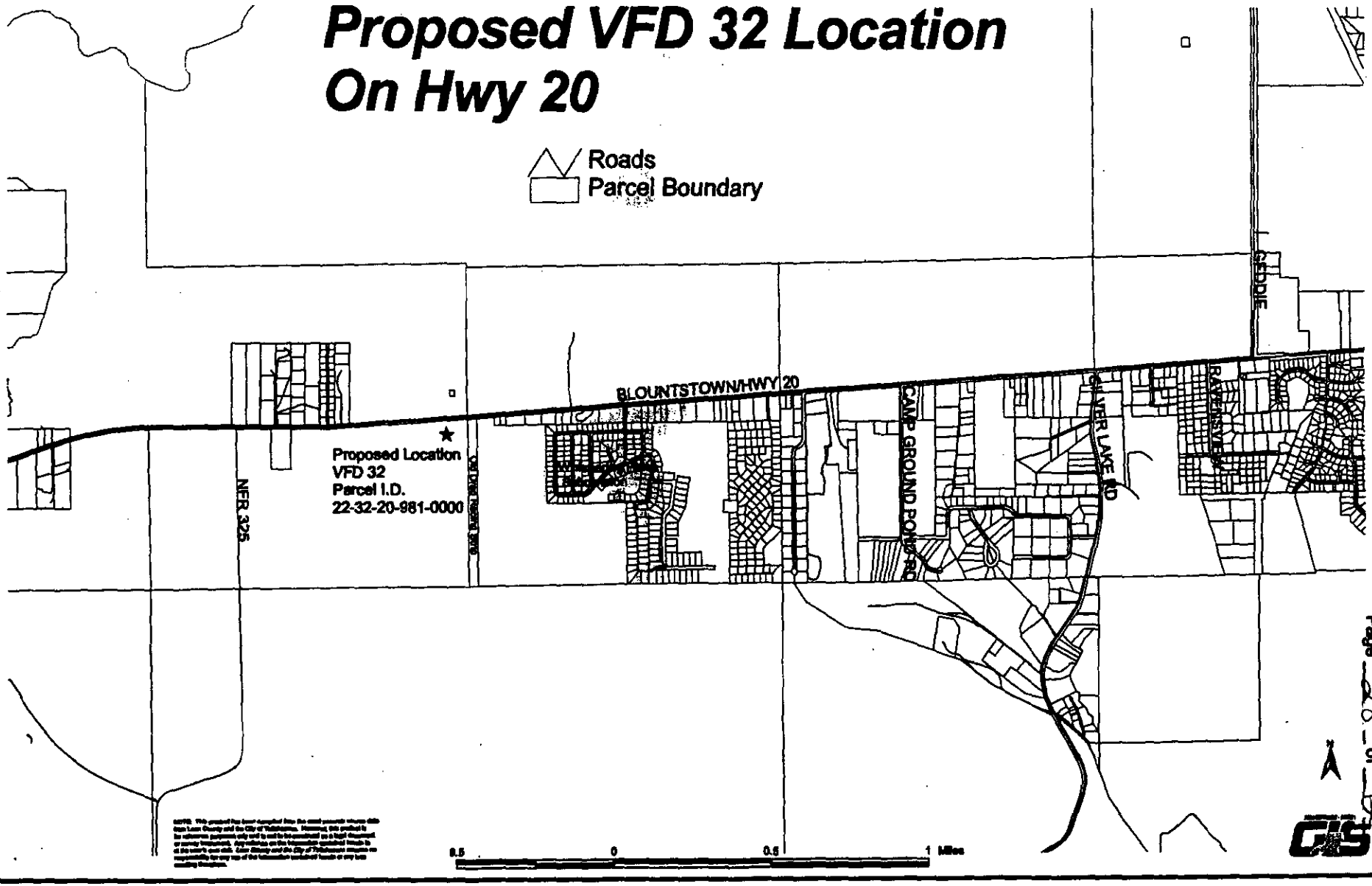
If you wish to reallocate this unit to another Department which has funding available, feel free to do so. I understand it may be some time before the County decides where to place stations and address these other issues.

Sincerely,

Robert Robertson, Chief
Chaires-Capitola Fire & Rescue

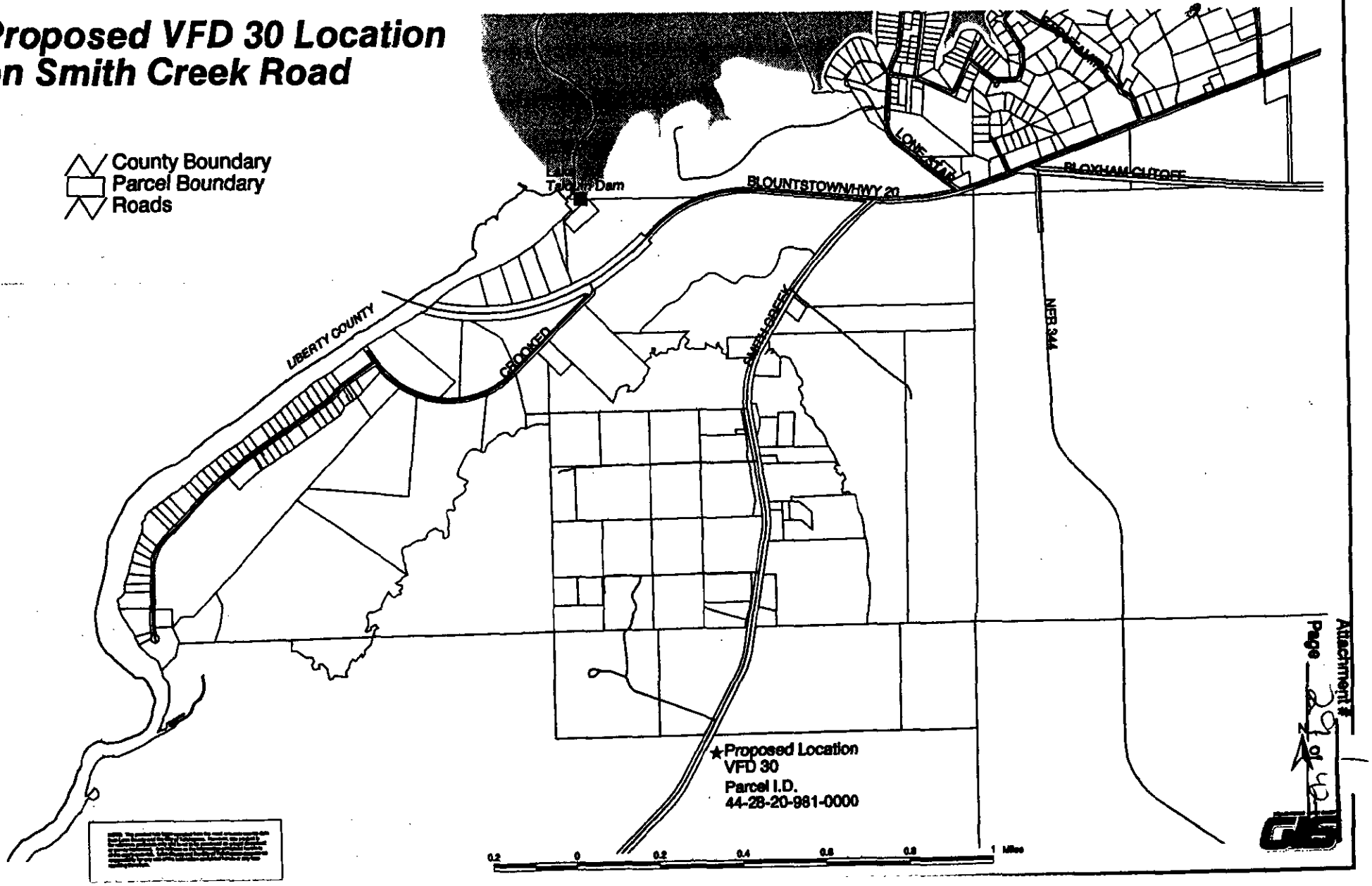
RECEIVED
[illegible] 1999
Leon County Emergency Management

Proposed VFD 32 Location On Hwy 20



Attachment # 1
Page 28 of 43

Proposed VFD 30 Location on Smith Creek Road



Attachment #
Page 20 of 42

Authorization ID ____
Contact ID ____
Expiration Date: ____

FS-2700-4 (8/99)
OMB 0596-0082

U.S. DEPARTMENT OF AGRICULTURE
Forest Service
SPECIAL USE PERMIT
AUTHORITY:
<Enter Authority Name>

<Holder name> of <Address, City, State and Zip Code> (hereinafter called the Holder) is hereby authorized to use or occupy National Forest System lands, to use subject to the conditions set out below, on the <NF Name> National Forest or <Name> unit of the National Forest System.

This permit covers <Number> acres, and/or <Number or width in feet x length in feet of use authorized> miles and is described as <e.g. NW1/4, NW1/4, Section 26, T24N, R16E, W.M.; Tract 419-A; MS 309 ID; etc.> as shown on the location map attached to and made a part of this permit, and is issued for the purpose of:

The above described or defined area shall be referred to herein as the "permit area".

TERMS AND CONDITIONS

I. AUTHORITY AND GENERAL TERMS OF THE PERMIT

A. Authority. This permit is issued pursuant to the authorities enumerated at Title 36, Code of Federal Regulations, Section 251 Subpart B, as amended. This permit, and the activities or use authorized, shall be subject to the terms and conditions of the Secretary's regulations and any subsequent amendment to them.

B. Authorized Officer. The authorized officer is the Forest Supervisor or a delegated subordinate officer.

C. License. This permit is a license for the use of federally owned land and does not grant any permanent, possessory interest in real property, nor shall this permit constitute a contract for purposes of the Contract Disputes Act of 1978 (41 U.S.C. 611). Loss of the privileges granted by this permit by revocation, termination, or suspension is not compensable to the holder.

D. Amendment. This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms, conditions, and stipulations as may be required by law, regulation, land management plans, or other management decisions.

E. Existing Rights. This permit is subject to all valid rights and claims of third parties. The United States is not liable to the holder for the exercise of any such right or claim.

F. Nonexclusive Use and Public Access. Unless expressly provided for in additional terms, use of the permit area is not exclusive. The Forest Service reserves the right to use or allow others to use any part of the permit area, including roads, for any purpose, provided, such use does not materially interfere with the holder's authorized use. A final determination of conflicting uses is reserved to the Forest Service.

G. Forest Service Right of Entry and Inspection. The Forest Service has the right of unrestricted access of the permitted area or facility to ensure compliance with laws, regulations, and ordinances and the terms and conditions of this permit.

H. Assignability. This permit is not assignable or transferable. If the holder through death, voluntary sale or transfer, enforcement of contract, foreclosure, or other valid legal proceeding ceases to be the owner of the improvements, this permit shall terminate.

I. Permit Limitations. Nothing in this permit allows or implies permission to build or maintain any structure or facility, or to conduct any activity unless specifically provided for in this permit. Any use not specifically identified in this permit must be approved by the authorized officer in the form of a new permit or permit amendment.

II. TENURE AND ISSUANCE OF A NEW PERMIT

A. Expiration at the End of the Authorized Period. This permit will expire at midnight on <Insert Date>. Expiration shall occur by operation of law and shall not require notice, any decision document, or any environmental analysis or other documentation.

B. Minimum Use or Occupancy of the Permit Area. Use or occupancy of the permit area shall be exercised at least <Number> days each year, unless otherwise authorized in writing under additional terms of this permit.

C. Notification to Authorized Officer. If the holder desires issuance of a new permit after expiration, the holder shall notify the authorized officer in writing not less than six (6) months prior to the expiration date of this permit.

D. Conditions for Issuance of a New Permit. At the expiration or termination of an existing permit, a new permit may be issued to the holder of the previous permit or to a new holder subject to the following conditions:

1. The authorized use is compatible with the land use allocation in the Forest Land and Resource Management Plan.
2. The permit area is being used for the purposes previously authorized.
3. The permit area is being operated and maintained in accordance with the provisions of the permit.
4. The holder has shown previous good faith compliance with the terms and conditions of all prior or other existing permits, and has not engaged in any activity or transaction contrary to Federal contracts, permits, laws, or regulation.

E. Discretion of Forest Service. Notwithstanding any provisions of any prior or other permit, the authorized officer may prescribe new terms, conditions, and stipulations when a new permit is issued. The decision whether to issue a new permit to a holder or successor in interest is at the absolute discretion of the Forest Service.

F. Construction. Any construction authorized by this permit may commence by <date or N/A> and shall be completed by <Date or N/A>. If construction is not completed within the prescribed time, this permit may be revoked or suspended.

III. RESPONSIBILITIES OF THE HOLDER

A. Compliance with Laws, Regulations, and other Legal Requirements. The holder shall comply with all applicable Federal, State, and local laws, regulations, and standards, including but not limited to, the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., the Comprehensive Environmental Response, Control, and Liability Act, 42 U.S. C. 9601 et seq., and other relevant environmental laws, as well as public health and safety laws and other laws relating to the siting, construction, operation, and maintenance of any facility, improvement, or equipment on the property.

B. Plans. Plans for development, layout, construction, reconstruction, or alteration of improvements on the permit area, as well as revisions of such plans, must be prepared by a qualified individual acceptable to the authorized officer and shall be approved in writing prior to commencement of work. The holder may be required to furnish as-built plans, maps, or surveys, or other similar information, upon completion of construction.

C. Maintenance. The holder shall maintain the improvements and permit area to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer and consistent with other provisions of this authorization. If requested, the holder shall comply with inspection requirements deemed appropriate by the authorized officer.

D. Hazard Analysis. The holder has a continuing responsibility to identify all hazardous conditions on the permit area which would affect the improvements, resources, or pose a risk of injury to individuals. Any non-emergency actions to abate such hazards shall be performed after consultation with the authorized officer. In emergency situations, the holder shall notify the authorized officer of its actions as soon as possible, but not more than 48 hours, after such actions have been taken.

E. Change of Address. The holder shall immediately notify the authorized officer of a change in address.

F. Change in Ownership. This permit is not assignable and terminates upon change of ownership of the improvements or control of the business entity. The holder shall immediately notify the authorized officer when a change in ownership or control of business entity is pending. Notification by the present holder and potential owner shall be executed using Form FS-2700-3, Special Use Application and Report, or Form FS-2700-3a, Request for Termination of and Application for Special-Use Permit. Upon receipt of the proper documentation, the authorized officer may issue a permit to the party who acquires ownership of, or a controlling interest in, the improvements or business entity.

IV. LIABILITY

For purposes of this section, "holder" includes the holder's heirs, assigns, agents, employees, and contractors.

A. The holder assumes all risk of loss to the authorized improvements.

B. The holder shall indemnify, defend, and hold the United States harmless for any violations incurred under any such laws and regulations or for judgments, claims, or demands assessed against the United States in connection with the holder's use or occupancy of the property. The holder's indemnification of the United States shall include any loss by personal injury, loss of life or damage to property in connection with the occupancy or use of the property during the term of this permit. Indemnification shall include, but is not limited to, the value of resources damaged or destroyed; the costs of restoration, cleanup, or other mitigation; fire suppression or other types of abatement costs; third party claims and judgments; and all administrative, interest, and other legal costs. This paragraph shall survive the termination or revocation of this authorization, regardless of cause.

USER NOTES FOR "C" CLAUSE
<Delete instructions and non-applicable clauses prior to printing>

Selection item 1. This selection is the default liability clause for all authorizations. Use this clause when one of the following conditions exist: (1) The holder is not a Federal Agency, State or political subdivision thereof; (2) the authorized officer determines that the risk to public land, resources, or interest is not greater than the holder's assets or ability to correct and; (3) the use is not a high-risk or poses a high hazard (such as high-voltage power lines, oil and gas pipelines, large dams or reservoirs, and so forth, which could expose the government to significant injuries, losses or damages in the event of malfunction).

C. The holder has an affirmative duty to protect from damage the land, property, and interests of the United States.

Selection item 2. Use in situations in which the authorized officer determines that the risk to public land, resources, or interest is greater than the holder's assets or ability to correct.

If holder is a State or political subdivision thereof and such entity has statutory or constitutional authorities limiting the amount of liability or indemnification payable, the authorized officer shall prepare a risk assessment to determine the United States potential for losses due to personal injury, loss of life, or property damage caused by the State's use or occupancy. If the authorized officer determines, through the risk assessment that the potential for injury, loss, or damage caused by the State's use or occupancy is in excess of the State's liability limitation, the State shall procure, as a requirement to be fulfilled before execution of this permit, insurance, and name the United States, together with the State, as an insured on the policy(ies), in the amount determined in the risk assessment that exceeds the State's liability limitation.

C. The holder has an affirmative duty to protect from damage the land, property, and interests of the United States.

The holder shall maintain $_____ worth of insurance coverage, naming the United States additionally insured on the policy(ies), to partially fund the indemnification obligations of the holder for any and all losses due to personal

injury, loss of life, or property damage, including fire suppression and hazardous waste costs. The holder shall furnish proof of insurance (such as a surety bond, or certificate of insurance) to the authorized officer prior to execution of this permit and verify annually, and in writing, the insurance obligation to the authorized officer. The authorized officer may allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions, to the satisfaction of the authorized officer, in order to mitigate damages in addition to or as an alternative to monetary indemnification.

Selection Item 3. Use if the authorized use is a high-risk or poses a high hazard (such as high-voltage power lines, oil and gas pipelines, large dams or reservoirs, and so forth, which could expose the government to significant injuries, losses, or damages in the event of malfunction).

C. The holder has an affirmative duty to protect from damage the land, property, and interests of the United States.

The holder shall be strictly liable (liability without proof of negligence) to the United States for any injury, loss, or damage arising under this authorization. Such strict liability shall be in the amount of $1 million unless the Forest Supervisor determines at the time of issuance of this authorization that a lesser amount of strict liability is appropriate based upon a risk assessment for the use authorized by this instrument. Liability for injury, loss, or damage to the United States in excess of the prescribed amount of strict liability shall be determined under the general law of negligence.

Selection Item 4. Use if the authorized use is a high-risk or poses a high hazard (such as high-voltage power lines, oil and gas pipelines, large dams or reservoirs, and so forth, which could expose the government to significant injuries, losses, or damages in the event of malfunction) AND in situations in which the authorized officer determines that the risk to public land, resources, or interest is greater than the holder's assets or ability to correct.

If the holder is a State or political subdivision thereof and such entity has statutory or constitutional authorities limiting the amount of liability or indemnification payable, the authorized officer shall prepare a risk assessment to determine the United States potential for losses due to personal injury, loss of life, or property damage caused by the State's use or occupancy. If the authorized officer determines, through the risk assessment that the potential for injury, loss, or damage caused by the State's use or occupancy is in excess of the State's liability limitation, the State shall procure, as a requirement to be fulfilled before execution of this permit, insurance, and name the United States, together with the State, as an insured on the policy(ies), in the amount determined in the risk assessment that exceeds the State's liability limitation.

C. The holder has an affirmative duty to protect from damage the land, property, and interests of the United States.

The holder shall maintain $_____ worth of insurance coverage, naming the United States additionally insured on the policy(ies), to partially fund the indemnification obligations of the holder for any and all losses due to personal injury, loss of life, or property damage, including fire suppression and hazardous waste costs. The holder shall furnish proof of insurance (such as a surety bond, or certificate of insurance) to the authorized officer prior to execution of this permit and verify annually, and in writing, the insurance obligation to the authorized officer. The authorized officer may allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions, to the satisfaction of the authorized officer, in order to mitigate damages in addition to or as an alternative to monetary indemnification.

The holder shall be strictly liable (liability without proof of negligence) to the United States for any injury, loss, or damage arising under this authorization. Such strict liability shall be in the amount of $1 million unless the Forest Supervisor determines at the time of issuance of this authorization that a lesser amount of strict liability is appropriate based upon a risk assessment for the use authorized by this instrument. Liability for injury, loss, or damage to the United States in excess of the prescribed amount of strict liability shall be determined under the general law of negligence.

Selection Item 5. Use when issuing an authorization to a federal agency. Delete Clauses B & D.

C. Damage to National Forest Interests, Property, or Resources. The holder, as an agency of the United States, is limited by Federal law as to the assumption of liability for its acts or omissions. The holder does agree, within its legal limitations, and limitations of appropriations, to be responsible for all costs of damages and injury to persons, personal property, and land caused by its operations and activities under the terms of this permit. The holder further agrees, to the extent legally permissible, to use its appropriations and resources as required to pay any awards or claims, and to repair damages to the land within the permit area. It is the intent of this provision that the appropriations of the Forest Service be shielded from burdens, other than administrative costs, which may occur as a result of the activities by the holder under the terms of this permit.

D. In the event of any breach of the conditions of this authorization by the holder, the authorized officer may, on reasonable notice, cure the breach for the account at the expense of the holder. If the Forest Service at any time pays any sum of money or does any act which will require payment of money, or incurs any expense, including reasonable attorney's fees, in instituting, prosecuting, and/or defending any action or proceeding to enforce the United States rights hereunder, the sum or sums so paid by the United States, with all interests, costs and damages shall, at the election of the Forest Service, be deemed to be additional fees hereunder and shall be due from the holder to the Forest Service on the first day of the month following such election.

E. With respect to roads, the holder shall be proportionally liable for damages to all roads and trails of the United States open to public use caused by the holder's use to the same extent as provided above, except that liability shall not include reasonable and ordinary wear and tear.

F. The Forest Service has no duty to inspect the permit area or to warn of hazards and, if the Forest Service does inspect the permit area, it shall incur no additional duty nor liability for identified or non-identified hazards. This covenant may be enforced by the United States in a court of competent jurisdiction.

V. TERMINATION, REVOCATION, AND SUSPENSION

A. General. For purposes of this permit, "termination", "revocation", and "suspension" refer to the cessation of uses and privileges under the permit.

"Termination" refers to the cessation of the permit under its own terms without the necessity for any decision or action by the authorized officer. Termination occurs automatically when, by the terms of the permit, a fixed or agreed upon condition, event, or time occurs. For example, the permit terminates at expiration. Terminations are not appealable.

"Revocation" refers to an action by the authorized officer to end the permit because of noncompliance with any of the prescribed terms, or for reasons in the public interest. Revocations are appealable.

"Suspension" refers to a revocation which is temporary and the privileges may be restored upon the occurrence of prescribed actions or conditions. Suspensions are appealable.

B. Revocation or Suspension. The Forest Service may suspend or revoke this permit in whole or part for:

1. Noncompliance with Federal, State, or local laws and regulations.
2. Noncompliance with the terms and conditions of this permit.
3. Reasons in the public interest.
4. Abandonment or other failure of the holder to otherwise exercise the privileges granted.

C. Opportunity to Take Corrective Action. Prior to revocation or suspension for cause pursuant to Section V (B), the authorized officer shall give the holder written notice of the grounds for each action and a reasonable time, not to exceed 90 days, to complete the corrective action prescribed by the authorized officer.

D. Removal of Improvements. Prior to abandonment of the improvements or within a reasonable time following revocation or termination of this authorization, the holder shall prepare, for approval by the authorized officer, an abandonment plan for the permit area. The abandonment plan shall address removal of improvements and restoration of the permit area and prescribed time frames for these actions. If the holder fails to remove the improvements or restore the site within the prescribed time period, they become the property of the United States and may be sold, destroyed or otherwise disposed of without any liability to the United States. However, the

holder shall remain liable for all cost associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

VI. FEES

A. Termination for Nonpayment. This permit shall automatically terminate without the necessity of prior notice when land use rental fees are 90 calendar days from the due date in arrears.

USE ONLY ONE OF THE SIX FEE CLAUSES BELOW.
<Delete instructions and non-applicable clause prior to printing>

Selection item 1. For uses that are waived or exempted from fees.

B. Fees for this use have been exempted or waived in full pursuant to 36 CFR 251.57, or revisions thereto, and direction in FSH 2709.11, chapter 30.

Selection item 2. For non-linear, fixed annual fees.

B. The holder shall pay an annual fee of <Written Amount> Dollars ($<Numeric Amount>) for the period from <Date> to <Date> and thereafter annually on ___, <Written Amount> Dollars ($<Numeric Amount>): Provided, charges for this use shall be made or readjusted whenever necessary to place the charges on a basis commensurate with the fair market value of the authorized use.

Selection item 3. For lump-sum payments for non-linear authorizations. When the annual fee is less than $100 the authorized officer may require a lump sum payment for more than one year at a time, except that private individuals may make at their option either annual payments or payments covering more than one year if the annual fee is greater than $100. If the authorization terminates at the end of the initial lump-sum period, delete that portion of the clause "...and thereafter at the beginning..." to the end.

B. The holder shall pay <Written Amount> Dollars ($<Numeric Amount>) for the period from <Date> to <Date>, and thereafter at the beginning of each ___ year period a lump sum payment for __ years rent of <Written Amount> Dollars ($<Numeric Amount>): Provided, charges for this use shall be made or readjusted whenever necessary to place the charges on a basis commensurate with the fair market value of the authorized use.

Selection item 4. For linear rights-of-way, annual payment.

B. The holder shall pay annually in advance a sum determined by the Forest Service to be the fair market value of the use granted by this authorization. The initial payment is set at $<Numeric Amount> for the remainder of the calendar year. Subsequent payments shall be determined by the use of an annual fee schedule. The Forest Service may adjust the amount of payment annually by an appropriate indexing factor to reflect more nearly the fair market value of the use. At certain intervals the Forest Service shall review the fee and adjust the fee as necessary to assure that it is commensurate with the fair market value of the authorized rights and privileges, as determined by appraisal or other sound business management principles.

Selection item 5. For lump-sum payments for linear rights-of-ways when the annual fee is less than $100. The authorized officer may require a lump-sum payment for more than one year at a time, except that private individuals may make at their option either annual payments or payments covering more than one year if the annual fee is greater than $100. If the authorization terminates at the end of the initial lump-sum period, delete that portion of the clause "...and thereafter at the beginning..." to the end.

B. The holder shall pay in advance a sum determined by the Forest Service to be the fair market value of the use granted by this authorization for a _____ year period. The payment is set at $<Numeric Amount> for the initial <Number> year period. Payments for each subsequent ___ year period shall be the amount of the payment for the initial period, adjusted using an appropriate indexing factor to reflect more nearly the current fair market value of the use at the beginning of the new period. At certain intervals the Forest Service shall review the fee and

adjust the fee as necessary to assure that it is commensurate with the fair market value of the authorized rights and privileges, as determined by appraisal or other sound business management principles.

Selection Item 6. For tenants and customers in federal communication site facilities.

B. The holder shall pay in advance an annual rental determined by the authorized officer in accordance with law, regulation, and policy. The annual rental will be adjusted by the authorized officer to reflect changes in fair market value or annual adjustments using the Consumer Price Index-Urban (CPI-U).

C. Payment Due Date. The payment due date shall be the close of business on ____ of each calendar year payment is due. Payments due the United States for this use shall be deposited at <Enter Remittance Address> in the form of a check, draft, or money order payable to "Forest Service, USDA." Payments shall be credited on the date received by the designated Forest Service collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non workday, the charges shall not apply until the close of business on the next workday.

D. Late Payment Interest, Administrative Costs and Penalties Pursuant to 31 U.S.C. 3717, et seq., interest shall be charged on any fee amount not paid within 30 days from the date the fee or fee calculation financial statement specified in this authorization becomes due. The rate of interest assessed shall be the higher of the rate of the current value of funds to the U.S. Treasury (i.e., Treasury tax and loan account rate), as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins annually or quarterly or at the Prompt Payment Act rate. Interest on the principal shall accrue from the date the fee or fee calculation financial statement is due.

In the event the account becomes delinquent, administrative costs to cover processing and handling of the delinquency will be assessed.

A penalty of 6 percent per annum shall be assessed on the total amount delinquent in excess of 90 days and shall accrue from the same date on which interest charges begin to accrue.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non workday, the charges shall not apply until the close of business on the next workday.

Disputed fees are due and payable by the due date. No appeal of fees will be considered by the Forest Service without full payment of the disputed amount. Adjustments, if necessary, will be made in accordance with settlement terms or the appeal decision.

If the fees become delinquent, the Forest Service will:

Liquidate any security or collateral provided by the authorization.

If no security or collateral is provided, the authorization will terminate and the holder will be responsible for delinquent fees as well as any other costs of restoring the site to it's original condition including hazardous waste cleanup.

Upon termination or revocation of the authorization, delinquent fees and other charges associated with the authorization will be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 *et seq.* Delinquencies may be subject to any or all of the following conditions:

Administrative offset of payments due the holder from the Forest Service.

Delinquencies in excess of 60 days shall be referred to United States Department of Treasury for appropriate collection action as provided by 31 U.S.C. 3711 (g), (1).

The Secretary of the Treasury may offset an amount due the debtor for any delinquency as provided by 31 U.S.C. 3720, *et seq.*)

VII. OTHER PROVISIONS

A. Members of Congress. No Member of or Delegate to Congress or Resident Commissioner shall benefit from this permit either directly or indirectly, except when the authorized use provides a general benefit to a corporation.

B. Appeals and Remedies. Any discretionary decisions or determinations by the authorized officer are subject to the appeal regulations at 36 CFR 251, Subpart C, or revisions thereto.

C. Superior Clauses. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provision thereof, the preceding printed clauses shall control.

<Add clauses here to address local conditions. Delete instructions prior to printing.>

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082.

This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service Public reporting burden for collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

<USE THIS SIGNATURE PAGE FOR INDIVIDUAL(S), PARTNERSHIPS, BUSINESSES, AND ALL NONCORPORATE ENTITIES. >

This permit is accepted subject to the conditions set out above.

HOLDER NAME: [DB Value 'HOLDER_NAME']

By: _____
(Holder Signature)

_____
(Holder Signature)

Date: _____

U.S. DEPARTMENT OF AGRICULTURE
Forest Service

By: _____
(Authorized Officer Signature)

_____
(Title)

Date: _____

<USE THIS SIGNATURE PAGE FOR ALL CORPORATE ENTITIES>

This permit is accepted subject to the conditions set out above.

Date _____ *CORPORATE NAME

(CORPORATE SEAL)

By _____
(Vice) President

ATTEST:

_____
(Assistant) Secretary

The following certificate shall be executed by the Secretary or Assistant Secretary of the Corporation:

I_____ certify that I am the _____ Secretary of the Corporation that executed the above permit; that _____ who signed said permit on behalf of said Corporation was then _____ of said Corporation; that I know his/her signature on said permit is genuine; and that said permit was duly signed, sealed, and attested to for and on behalf of said Corporation by authority of its governing body

(CORPORATE SEAL)

_____
(Assistant Secretary)

U. S. DEPARTMENT OF AGRICULTURE
Forest Service

By _____
(Authorized Officer Signature)

_____
(Title)

_____
(Date)

Attachment # 1
Page 40 of 42

EPA United States Environmental Protection Agency
Major Environmental Laws

Clean Water Act

33 U.S.C. s/s 1251 et seq. (1977)

The Clean Water Act is a 1977 amendment to the Federal Water Pollution Control Act of 1972, which set the basic structure for regulating discharges of pollutants to waters of the United States.

The law gave EPA the authority to set effluent standards on an industry basis (technology-based) and continued the requirements to set water quality standards for all contaminants in surface waters. The CWA makes it unlawful for any person to discharge any pollutant from a point source into navigable waters unless a permit (NPDES) is obtained under the Act.

The 1977 amendments focused on toxic pollutants. In 1987, the CWA was reauthorized and again focused on toxic substances, authorized citizen suit provisions, and funded sewage treatment plants (POTW's) under the Construction Grants Program.

The CWA provisions for the delegation by EPA of many permitting, administrative, and enforcement aspects of the law to state governments. In states with the authority to implement CWA programs, EPA still retains oversight responsibilities.

More Information About the Clean Water Act:

- Full-text of the law through Cornell University EXIT EPA

Clean Air Act | Go There

Search | Home | About Region 5 | Comments

United States Environmental Protection Agency
Region 5
77 W Jackson Blvd
Chicago, IL 60604
(312) 353-2000
or
(800) 621-8431
(IL, IN, MI, MN, OH, and WI only)

Page maintained by: Jeff Kelley, Office of Public Affairs (kelley.jeff@epa.gov)
Last updated: 06/25/99
URL: www.epa.gov/region5/defs/

Attachment # 1
Page 41 of 42

EPA United States Environmental Protection Agency

Major Environmental Laws

Resource Conservation and Recovery Act

42 U.S.C. s/s 6901 et seq. (1976)

RCRA (pronounced "rick-rah") gave EPA the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous wastes.

The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. RCRA focuses only on active and future facilities and does not address abandoned or historical sites (see CERCLA).

HSWA (pronounced "hiss-wa")—The Federal Hazardous and Solid Waste Amendments are the 1984 amendments to RCRA that required phasing out land disposal of hazardous waste. Some of the other mandates of this strict law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

More Information About The Resource Conservation And Recovery Act

- Full-text of the law from Cornell University EXIT EPA

Clean Air Act | Go There

Search | Home | About Region 5 | Comments

United States Environmental Protection Agency

Region 5
77 W Jackson Blvd
Chicago, IL 60604

(312) 353-2000
or
(800) 621-8431
(IL, IN, MI, MN, OH, and WI only)

Page maintained by: Jeff Kelley, Office of Public Affairs (kelley.jeff@epa.gov)
Last updated: 06/25/99
URL: www.epa.gov/region5/defs/

CERCLA Overview

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, $1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA:

- established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- provided for liability of persons responsible for releases of hazardous waste at these sites; and
- established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response.
- Long-term remedial response actions, that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life threatening. These actions can be conducted only at sites listed on EPA's National Priorities List (NPL).

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the NPL.

CERCLA was amended by the Superfund Amendments and Reauthorization Act (SARA) on October 17, 1986.

U.S. House of Representatives U.S. Code - Title 42 EXIT
[Click on Chapter 103 to access CERCLA and SARA]