

VIRGINIA DEPARTMENT OF FORESTRY PRESCRIBED BURNING AGREEMENT

TRACT NUMBER: _____

PARCEL: _____

The Department of Forestry, in an effort to aid landowners to "develop the forest resources of the state," enters into an agreement with the landowner(s) as follows:

IT IS MUTUALLY AGREED _____ (landowner) on behalf of themselves, and the State Forester on behalf of the Department of Forestry, that the landowner does herein request the advice and service of the Department of Forestry to carry out a prescribed burning project for forestry purposes, on approximately _____ acres of forestland of the landowner, known as the _____ tract(s), located _____ in _____ County/City, Virginia.

A. THE LANDOWNER WILL:

1. Accept full responsibility for damage to landowner's own property and for injuries to landowner's person. Accept full responsibility for and hold the Department harmless from and against payment of all civil damage claims arising out of the performance of this agreement including , without limitation, claims for injury to persons (including death) or damage to property made by third parties and by agents or employees of the landowner. The landowner will reimburse the state and county for costs of suppressing the fire should the fire escape beyond prepared control lines. (It is suggested that the landowner contact their insurance agent to arrange for liability coverage and to be sure that adequate casualty insurance is in effect to protect landowner's own property).
2. Set the initial fire on the area to be burned and continue firing for the distance of at least 300 feet along established control lines. The landowner will provide necessary personnel to patrol and safeguard the burned area until the fire is dead-out.
3. Pay to the State Forester, within thirty (30) days of receipt of an itemized statement, the total amount due for all services, supplies, and equipment costs. Charges will be made on the basis of current rates established by the State Forester.
4. Observe the forest fire laws and air pollution regulations of Virginia pertaining to this prescribed burning operation.

B. THE DEPARTMENT OF FORESTRY WILL:

1. Prepare a smoke management plan utilizing current and expected weather forecasts.
2. Prepare or supervise the preparation of interior and/or exterior fire lines.
3. Provide a supervisory Department employee(s), necessary hand tools, equipment, and a tractor fire plow unit and operator during the prescribed burning operation. The Department of Forestry will exercise necessary skills and responsible care in prescribed burning, but gives no warranty, expressed or implied, as to the effectiveness or control of the prescribed burning operation.

LANDOWNER SIGNATURE	LANDOWNER NAME (PRINT)	DATE
DOF EMPLOYEE SIGNATURE	DOF EMPLOYEE NAME (PRINT)	DATE

I, _____ owner of the parcel of land referred to in this agreement, hereby authorize the Department to arrange for _____ contract laborers to assist with the prescribed burn on said tract of land.

If deemed advisable and necessary, I also name _____ of _____ to act as my agent in my absence on matters associated with the prescribed burning operation.

It is understood that I am responsible for these contract laborers for their payment at agreed upon rates.

LANDOWNER SIGNATURE	DATE	WITNESS SIGNATURE	DATE
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