

## AIRCRAFT

2770

(No. 15 January 2001)

The administrative provisions of appropriations acts annually provide for Forest Service acquisition of excess aircraft from military services and federal civilian agencies. This includes aircraft seized by federal law enforcement agencies. The purpose of this authorization is to permit the USFS to loan these aircraft to state foresters for support of the state fire protective programs.

States acquiring aircraft through the FEPP program shall use the aircraft for fire activities. States may not acquire aircraft through the FEPP program to support the USFS or other state or federal agencies. The states requesting aircraft, aircraft parts and specialized aircraft tools, must be able to justify FEPP aircraft based entirely on the fire protection needs of the state.

**Loaning of FEPP aircraft by CAL FIRE is not permitted.** FEPP used in the conduct of either public or civil aircraft operations must be in full compliance with applicable federal Aviation Administration Regulations (14CFR137).

Government competition with private industry is not allowed. The government should not use FEPP to provide services for others when there are commercial services reasonably available to provide the service.

Forest Service aircraft on loan to state forestry agencies are subject to recall if not used in accordance with federal aviation laws and regulations and property management laws and regulations.

The primary use of all aircraft must be for fire protection purposes. Incidental use for unplanned non-fire emergencies of up to 10 percent is allowed. Written explanation is required for non-fire use exceeding this level.

**Renting of FEPP aircraft is not permitted.** When FEPP aircraft are dispatched for fires, it is permissible to recover the direct cost of operating the equipment. Use rates shall not include depreciation, amortization, modifications, profit, risk, start-up or replacement cost.

**Personal use of FEPP aircraft is never permitted.** Aircraft must be placed into use within two years of receipt. The Regional Property Manager may allow additional time when justified.

All arrangements for acquisition and disposal of fixed and rotary-wing aircraft and aircraft parts for state or contract county use must be made through USFS which will cooperate with GSA in San Francisco.

[\(see next section\)](#)

(see HB Table of Contents)

(see Forms or Forms Samples)