

## **LOCAL IMPLEMENTING AGREEMENT FOR LIMITED DISASTER PREPAREDNESS/ RESPONSE ACCESS TO USFJ FACILITIES AND AREAS (DRAFT)**

This Agreement is made and entered on the date last signed by and between Commanding Officer, U. S. Marine Corps Futenma Air Station, acting as the duly authorized representative of the USG and the Mayor of Ginowan City, Okinawa, referred to as the Petitioner.

The Government of Japan (GOJ) has granted to United States Forces, Japan (USFJ) the use of certain facilities and areas in accordance with the provisions of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security Between Japan and the United States of America, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan (SOFA).

Commanding Officer, Futenma Air Station has, under the authority of the Joint Committee Memorandum on Limited Access to USFJ Facilities and Areas for Disaster Preparedness and in Response to Disasters by Prefectural or Other Local Authorities agreed on 27 April 2007, decided to grant to the Petitioner limited disaster preparedness and response access to a portion of the facility/area listed below from the date of signing this agreement through 31 March 2015. Commanding Officer, Futenma Air Station has also decided to grant access to personnel stipulated in paragraph 3 of the Joint Committee Memorandum mentioned above. Renewals will be at the local installation commander's discretion.

**FACILITY/AREA NUMBER**

**NAME OF FACILITY/AREA**

FAC 6051

Futenma Air Station

Part A: USFJ agrees to provide the Petitioner limited disaster preparedness access, subject to the following conditions:

1. The Petitioner agrees that the limited disaster preparedness access is subject to the general supervision of Commanding Officer, Futenma Air Station and also subject to local USFJ regulations. Neither USG nor its designated representative will incur any expenses or costs related to access of the USFJ facilities and areas.

1.1. To conduct disaster preparedness training, the Petitioner will send a formal request for access to Commanding Officer, Futenma Air Station a minimum of 30 days before the exercise.

1.2. The Petitioner will gain approval from the local USG installation commander before installing any temporary improvements in the designated disaster preparedness area and these temporary improvements will be done at the Petitioner's expense. At the conclusion of the disaster preparedness event, all temporary improvements will be removed. Should the Petitioner desire to make more permanent improvements to USFJ facilities and areas or to store disaster preparedness materials, a joint use agreement under Article II 4a of the SOFA needs to be initiated.

1.3. Should any damage occur to USG property incident to the access granted to the Petitioner, the Petitioner shall repair or cause such damage to be repaired expeditiously in a manner acceptable to the local USG installation commander or designated representative at no expense to the USG.

2. The limited disaster preparedness access shall not interfere with USFJ activities and shall be confined to the area as delineated on the enclosed plot plan.

3. The USFJ shall retain the right of preemptive use, as determined by Commanding Officer, Futenma Air Station.

4. Security, safety, traffic, entry and exit, and other control measures shall be coordinated with and approved by the Provost Martial, Futenma Air Station, MCB, Camp S.D. Butler, Okinawa.

5. The Petitioner shall comply with all national, prefectural, and local environmental, safety, traffic, fire protection and prevention, and sanitary regulations and laws, and the USFJ will not be responsible for the said compliance. The Petitioner shall comply with all local USFJ regulations.

6. Subject to the provisions of paragraphs 4 and 5, the Petitioner shall be responsible for the conduct of all its personnel granted access to the USFJ facilities and areas.

7. (Liability provisions permitted by Article XVIII of the SOFA and appropriate to the desired access will be inserted here, in accordance with further discussions).

8. (This template represents minimum conditions, so additional limitations or procedures may be added, such as, but not limited to, provisions requiring airfield landing permits, or procedures regarding identification and access procedures, in accordance with further discussions).

9. Access may be terminated by the local USG installation commander or designated representative due to noncompliance by the Petitioner with the conditions of access set forth herein .

**Part B: USFJ agrees to provide the Petitioner limited disaster response access, subject to the following conditions:**

1. The Petitioner agrees that the limited disaster response access is subject to the general supervision of Commanding Officer, Futenma Air Station and also subject to local USFJ regulations. Neither USG nor its designated representative will incur any expenses or costs related to access of the USFJ facilities and areas.

1.1. To gain access in response after a natural or man-made disaster, the Petitioner will contact Commanding Officer, Futenma Air Station.

1.2. The Petitioner is responsible to plan for and provide for adequate health and safety, utilities, food, water, medical care, shelter, security and any other needs required in case of disaster response access at no cost to USG.

1.3. The Petitioner will gain approval from the local USG installation commander before installing any temporary improvements in the designated disaster response area and these temporary improvements will be done at the Petitioner's expense. At the conclusion of the disaster response event, all temporary improvements will be removed. Should the Petitioner desire to make more permanent improvements to USFJ facilities and areas or to store disaster response materials, a joint use agreement under Article II 4a of the SOFA needs to be initiated.

1.4. Should any damage occur to USG property incident to the access granted to the Petitioner, the Petitioner shall repair or cause such damage to be repaired expeditiously in a manner acceptable to the local USG installation commander or designated representative at no expense to the USG.

1.5. The Petitioner will send a formal request for extension of access to Commanding Officer, Futenma Air Station if the disaster response access requires a period longer than 30 days.

2. The limited disaster response access shall not interfere with USFJ activities and shall be confined to the area as delineated on the enclosed plot plan.

3. USFJ shall retain the right of preemptive use, as determined by Commanding Officer, Futenma Air Station.

4. Security, safety, traffic, entry and exit, and other control measures shall be coordinated with and approved by the Provost Martial, Futenma Air Station, MCB, Camp S.D. Butler, Okinawa.

5. The Petitioner shall comply with all national, prefectural, and local environmental, safety, traffic, fire protection and prevention, and sanitary regulations and laws, and the USFJ will not be responsible for said compliance. The Petitioner shall comply with all local USFJ regulations.

6. Subject to the provisions of paragraphs 4 and 5, the Petitioner shall be responsible for the conduct of all its personnel granted access to the USFJ facilities and areas.

7. (Liability provisions permitted by Article XVIII of the SOFA and appropriate to the desired access will be inserted here, in accordance with further discussions).

8. (This template represents minimum conditions, so additional limitations or procedures may be added, such as, but not limited to, provisions requiring airfield landing permits, or procedures regarding identification and access procedures, in accordance with further discussions.)

9. Access may be terminated by the local USG installation commander or designated representative due to noncompliance by the Petitioner with the conditions of access set forth herein.

Enclosure: Plot Plan for Limited Disaster Preparedness Area

PETITIONER

FOR THE UNITED STATES  
GOVERNMENT

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TAKESHI ASATO  
Mayor of Ginowan City  
Okinawa, Japan

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DALE M. SMITH  
Colonel, USMC  
Commanding Officer  
Futenma Air Station

Date:

Date: