

## COMMERCIAL LAND-BASED SPECIAL RECREATION PERMIT STIPULATIONS

---

Name of Company:

Special Recreation Permit Number:

SRP Valid from:                      to:

Activities authorized by this SRP:

Operation areas:

Pre-trip Itineraries Required?

Post Use Report Due:

Minimum Insurance Requirements:

Fee formula:

Applicable deductions and/or discounts:

---

### BLM Utah Terms and Stipulations

#### A. General

(1) Permits issued for more than one year are subject to annual validation. To secure validation the permit holder must:

- (a) have performed satisfactorily under the terms and conditions of this permit and be in conformance with applicable federal, state, and local laws, ordinances, regulations, orders, postings, and written requirements applicable to the area and operation covered by the permit,
- (b) ensure that all persons operating under the permit have obtained all required federal, state, and local licenses or registrations,
- (c) have on file, with the office issuing the permit, current insurance identifying the U.S. Department of the Interior, Bureau of Land Management as additional insured as specified in stipulation C; and
- (d) have no outstanding, past due, or unpaid billing notices.

(2) Permittees may not leave unattended personal property on public lands administered by the Bureau of Land Management for a period of more than 48 hours without written permission of the authorized officer, with the exception that vehicles may be parked in designated parking areas for up to 14 consecutive days. Unattended personal property is subject to disposition under the Federal Property and Administrative Services Act of 1949 as amended.

(3) The permit only authorizes the use for the activity, the time(s) and in the area(s) specifically described above.

(4) The permittee must maintain a current and correct list of employees who will be conducting services for the company on public land on file with the BLM. Persons providing services under

this permit must be an employee of the permittee.

(5) Placement of caches of supplies and food or equipment for future trips is not allowed unless specifically authorized.

(6) The permittee must allow BLM representatives to complete permit checks to determine the validity of the permit, ascertain the group has a copy of the permit, all required equipment, and to orient trip participants about the use of public lands and safety.

## B. Financial

(1) The permittee must submit a post use report (see Appendix A) thirty days after the last use of the permit in a calendar year, or as agreed upon with the field office administering the permit. Alternative reporting arrangements may be established by written agreement with the authorized officer. An extension of this due date may be approved by the issuing office on a case-by-case basis. The report must contain a trip-by-trip log of: trip location, beginning and ending dates of each trip, number of clients, number of guides, and gross receipts for the trip. In reporting gross receipts, the outfitter will report all payments made by the customer, with the only exception being retail sales of durable goods that remain the property of the customer and have an expected service life extending beyond the guided activity. The request for deductions based on pre- and post- trip transportation and lodging expenses and percentage of time on public land, if being claimed, must also be submitted at this time. Requests for transportation and lodging deductions must be accompanied by copies of supporting receipts documenting proof of payment.

(2) The permittee must submit a Post Use Report to the authorized officer for every year the permit is in effect. If the post use report is not received by the established deadline (see above) the following late fee schedule will be initiated:

- More than 15 days but less than 30 days after the due date: \$125
- More than 30 days after the due date, but less than 45 days: \$250

Post use reports submitted more than 45 days after the due date may result in criminal, civil, and/or administrative action to protect the interest of the United States.

(3) The permittee must maintain the following internal accounting records pertaining to the permit:

- (a) W-2 records or a similar record of employment for all employees conducting trips under the permit,
- (b) a record of all financial relationships with booking agents or advertisers,
- (c) a record of all receipts or compensation including payments, gratuities, donations, gifts, bartering, etc., received from any source on trips conducted under the permit, and
- (d) a record of all payments made by the permittee and claimed as a deduction in the permittee's fee submission.

The BLM retains the right to verify permit compliance from the books, correspondence,

memoranda, and other records of the permittee, and from the records pertaining thereto of a proprietary or affiliated company during the period of the permit and for three (3) years thereafter regardless of physical location.

### C. Insurance

- (1) At a minimum, the permittee shall have in force public liability insurance in the appropriate amount as shown on the permit.
- (2) The policy shall state that the insurance company shall have no right of subornation against the United States of America.
- (3) Such insurance must name the U.S. Department of the Interior, Bureau of Land Management as additional insured and provide for specific coverage of the permittee's contractually assumed obligation to indemnify the United States.
- (4) The policy shall stipulate that the authorized officer of the Bureau of Land Management shall be notified 30 days in advance of the termination or modification of the policy.
- (5) The permit is not valid unless the permittee maintains a current authenticated certificate of the required insurance on file with the office issuing the permit.
- (6) The permittee shall indemnify and hold harmless the United States against any responsibility or liability for damage, death, injury, or loss to persons and property which may occur during the permitted use period or as a result of such use.
- (7) The permittee shall furnish a copy of the insurance policy directly to the authorized officer.
- (8) The name of the insured on the insurance policy must be the same as the name on the permit. Those permittees holding insurance policies which only insure the permittee and not the permittee's employees must ensure that their employees also have the required insurance in effect, and that a certificate of insurance is furnished to the authorized officer.
- (9) For multi-year permits, the insurance policy must be provided the first year, but on each subsequent year the authorized officer may accept a valid certificate of insurance.
- (10) The insurance need only be valid during periods of actual use.

### D. Marking of Outfitter Vehicles

Every street-legal motor vehicle used to transport clients or equipment shall be marked with at least one sign, decal, or placard on each side of the vehicle. The sign shall at a minimum include the company name and the city and state where the permittee is headquartered. Information must be readable from a distance of 50 feet.

### E. Pre-Trip Itinerary

Prior to each trip, the permittee will file a notice of intent in writing with the BLM. The notice of intent must specify the intended dates of the trip, number of clients, number of guides, name of the lead guide and area to be visited, including the location of camps. Alternative reporting arrangements may be specified in writing by the Authorized Officer.

### F. Environmental and Resource Protection

All trips must conform to *Leave No Trace* principles.

(1) For all trips and at all base camps with locations served by a motorized vehicle, the permittee must have a toilet system that allows for the proper carry-out and disposal of solid human body waste that is adequate for the size of the group and length of the trip. Toilets must be accessible for use by passengers and crew at all sites where a company motorized vehicle is present, except in developed locations where public restrooms are provided. In locations remote from a permittee's vehicle, solid human waste must be cat holed in a sunny location in bare soil or carried out (unless otherwise stipulated). Toilet paper must be carried out and not buried or burned.

(2) Cans, rubbish, and other trash shall not be discarded, buried, or dumped on public lands or related waters. Wet garbage such as egg shells, orange peels, leftover solid food, bones, melon rinds, etc., must be carried out. Trash cleanup at campsites and day use areas will include all litter or discarded items including small items such as bottle caps and cigarette butts.

(3) Washing or bathing with soap is not permitted in tributary streams, springs or other natural water sources. Dishwater must be strained prior to dispersal. Dishwater and bathwater may not be dumped within 100 feet of streams, springs, or other natural water sources. Only biodegradable soap may be used.

(4) The permittee will be responsible to ensure that historical, archaeological, cultural, or ecological values are not damaged, destroyed, or removed by any participants on authorized trips. Unless specifically authorized, collection of plants, rocks, fossils, artifacts, shed antlers, animals or parts of animals is prohibited. Permits for such collecting are issued separately outside of this Special Recreation Permit.

(5) The permittee must conduct operations authorized by the permit in accordance with applicable BLM management plans and the permittee's own operating plan submitted to the BLM in support of this permit.

(6) The number of participants on any trip, including guides, may not exceed the number specified in the permittee's operating plan and approved permit. The exception to this requirement is over-the-road bus tours using state and federal highway and class B county roads.

(7) No camping is permitted within 300 feet of a known prehistoric or historic site.

(8) No camping is permitted within 300 feet of a water source other than perennial streams unless prior authorization is received from the authorizing officer.

## G. Fires

This permit does not waive any applicable restrictions that may affect the use of camp fires or cooking fires. The following stipulations apply unless specifically waived by the Authorized Officer:

(1) At sites accessed by the permittee's motor vehicle(s), the permittee must provide their own fuel wood.

(2) At sites accessed by the permittee's motor vehicle, the permittee must use a fire pan to contain the fires, ash, and charcoal. Charcoal and ash from the fire pan must be hauled out.

(3) Gathering wood from standing trees, live or dead, is prohibited.

(4) Use of dead and down wood is permitted only at backcountry sites not accessed by the permittee's motor vehicle. In such cases, if a fire pan is not used, burn all wood to ash and naturalize the area before leaving.

(5) Scatter fuel wood piles before leaving the site.

(6) Comply with all fire restrictions and orders.

#### H. Safety and Equipment

(1) The permittee shall provide the equipment necessary to serve the public in a safe manner. The permittee will ensure that trips are conducted in compliance with all laws and regulations relating to vehicle operations, land use restrictions, food handling, and any other applicable regulations.

(2) Every person serving as a guide on public land must at a minimum be trained and currently certified in Basic First Aid and Cardio-pulmonary Resuscitation (CPR). Each guide must have legible copies of certification cards in his/her possession while operating under a BLM Special Recreation Permit in Utah. In addition, certification cards must be filed at the permittee's headquarters and available for BLM review if necessary.

(3) The following equipment must be carried on all commercial trips: a) A first aid kit adequate to accommodate each activity, group, or subgroup will be carried on all trips.

(b) Adequate repair kits and spare supplies appropriate for the trip and activity.

(4) The following procedures must be followed on all commercial trips:

(a) Unless specifically authorized in the permit, discharge of firearms is allowed only for legal pursuit of game animals by a licensed hunter.

(b) Use of explosives and fireworks is prohibited.

#### **SUPPLEMENTAL STIPULATIONS FOR GUIDING HUNTERS**

(1) The permittee must ensure the hunt is conducted in full compliance with State of Utah and Federal wildlife laws and regulations and the rules of fair chase.

#### **SUPPLEMENTAL STIPULATIONS FOR OUTFITTERS USING RIDING OR PACKSTOCK**

(1) Livestock use must be specifically provided for in the permit and operating plan.

(2) All riding and pack animals must be fed certified weed-free feed for 48 hours in advance of and for the duration of the trip on public lands.

(3) Riding and pack animals may not be tied for more than one hour to live trees.

(4) Livestock shall not be tied, hobbled, or picketed for more than one hour within 300 feet of a natural water source other than perennial streams.

(5) Permittees may not clean out stock trucks or trailers onto public land.

(6) All animals will be under control en route and in camp to protect wildlife, other livestock, and range forage.

(7) Corrals located on public lands may not be available for public or permittee use. Prior authorization is required for the use of such corrals.

(8) Lost or dead animals shall be reported within 48 hours of end of trip. An appropriate response will be determined by the Authorized Officer.

#### **SUPPLEMENTAL STIPULATIONS FOR PERMITTEES USING OFF HIGHWAY VEHICLES (OHV) AND MOUNTAIN BIKES**

- (1) An OHV or mountain bike use must be specifically provided for in the permit and operating plan.
- (2) Only routes specifically approved in the permittee's operating plan may be utilized.
- (3) Permittee will be familiar and comply with State of Utah OHV laws. All trips and trip participants must follow state regulations and manufacturer's recommendations regarding operations.
- (4) Any OHV operator must be familiar and comply with the BLM's OHV designations whether posted on the ground or not.
- (5) Permittees will operate in accordance with 43 CFR 8340 concerning OHV use on public land.
- (6) All OHV operators must yield to non-motorized users. Mountain bikers must yield to pedestrians and riding or pack animals.
- (7) Operators shall not intentionally chase or harass wildlife.
- (8) The permittee shall be responsible for clean-up and remediation in the event of accident or mechanical failure resulting in the spillage of fuels, lubricants, coolants, hydraulic fluids, or other petroleum-based, or synthetic organic compounds.