Message to potential lodging accommodation providers:

*The Bureau of Land Management (BLM) would like to get the word out that third party accommodation providers (Airbnb, VRBO, Home Away, etc.) using BLM land as overnight lodging sites for guests requires either a Lease, or Commercial Special Recreation Permit (SRP) from the local BLM Field Office. As an agency, the BLM would like to support this activity where appropriate and in accordance with authorized BLM land use plans and applicable laws and regulations. With growing demand for diverse types of accommodations to support travel and tourism in the state of Utah by local, national and international visitors, this activity has the potential to benefit the local economy and compliment the BLM’s multiple-use mission. As the managing agency, the BLM has the responsibility to ensure that uses of public lands protect recreational and natural resources, and provide for the health, safety and effective management of visitors. Permits and Leases are also a mechanism to provide fair market value to the United States for the commercial use of public lands. The BLM also supports local communities and landowners who may wish to provide these opportunities on private lands.*

Message about use of SRPs for permitting (note: Lease wording should also be developed)

*By collecting a fee for this service and posting public advertising, this activity falls under the BLM commercial use definition for Special Recreation Permits. You will need to consult with the local BLM office first, and complete a Special Recreation Permit application (Form 2930-1). Once a complete application packet is received the BLM Field Office will have 180 days to process the application and a determination of plan conformance will be made. Additional analysis could be needed on a case by case basis. For more information about the BLM’s Special Recreation Permit program, visit our website at* <https://www.blm.gov/programs/recreation/permits-and-passes/special-recreation-permits> .

From BLM Handbook 2930-1 Recreation Permit and Fee Administration:

“*Commercial use means recreation use of the public lands and related waters for business or financial gain.*"  "*The activity, service, or use is commercial if any of these conditions is present: (1) Any person, group, or organization makes or attempts to make a profit, receives money, amortizes equipment, or obtains goods or services as compensation from participants in recreation activities occurring on public lands and led, sponsored by, or organized by that person, group, or organization. Compensation for recreation services may come from participants and/or other sources.*"

"*There is paid, public advertising to seek participants*." "*As noted, paid public advertising qualifies a use as commercial. Paid public advertising includes, for example, newspaper ads, Internet banners, and radio and television air time (43 CFR 2932.5(1) (iii))*."

"*Public Advertising- any written, oral, or graphic statement or representation made by any person or event representative to the general public for the purpose of soliciting participants for a recreational activity or event (e.g., television, radio, Internet/social media sites available to the general public, listing on public event calendars, printed brochures, newspapers, billboards, banners, and signs). Advertising is considered public if it is an inducement for anybody to participate, as opposed to an invitation or communication to members of an identifiable membership such as a church or club."*

**Example of Moab Stipulations:**

***SUPPLEMENTAL STIPULATIONS FOR BLM DEVELOPED CAMPGROUNDS***

*(1) A campsite must be secured by the client prior to delivery of the [fill in the blank: rental camp trailer/RV/camping equipment]. Individual campsites within the developed campgrounds are available to the client on a first-come/first-serve basis. Group campsites are available for advanced reservations made through*[*www.recreation.gov*](http://www.recreation.gov/)*. The permittee may not “occupy” or otherwise reserve any BLM campsite on behalf of the client.*

*(2) The permittee will retrieve rental camp trailers and any associated equipment and/or refuse from developed campsites before 12:00 PM on the client’s departure date.*

 *(3) All rental camp trailers are defined as “vehicles” for the purposes of Utah Statewide Stipulation D. Marking of Outfitter Vehicles (above).  The [fill in the blank: rental camp trailer/RV/camping equipment] must be clearly marked with the company name and must be readable from a distance of 50 feet.*

*(4) [fill in the blank: rental camp trailer/RV/camping equipment] may only be parked on hardened surfaces within developed BLM campgrounds.*

*(6)  All developed campsites managed by the Moab Field Office have a fourteen (14) day camping limit.   Camping or occupancy of a site within a 30 mile radius by the same person or group may not occur again for a period of fourteen (14) consecutive days thereafter.*

*The stay limit also applies to [fill in the blank: rental camp trailer/RV/camping equipment]. [fill in the blank: rental camp trailer/RV/camping equipment] may not remain in place longer than the stay limit, even if used by a different person or group. [fill in the blank: rental camp trailer/RV/camping equipment]must be removed by the end of the fourteen (14) day stay limit."*

**Example of St. George stipulations:**

**SUPPLEMENTAL STIPULATIONS FOR ZIONS TINY GETAWAY LLC**

*(1) There will be seven authorized sites (see map).*

*(2) Each site can be occupied for no more than 14 days*

*(3) The rental unit can be advertised on online and rented to visitors.*

*(4) The rental unit will be fully self-contained for human waste*

*(5) Human waste will be disposed of at an appropriate RV dump facility*

*(6) The rental unit will be fully self-contained for gray water*

*(7) Gray water will be disposed of at an appropriate RV dump facility*

*(8) All trash will be transported to the landfill or an appropriate facility/container*

*(9) Every time a campsite change occurs, the new location will be provided to the BLM*

*(10) The rental unit must display the company name for ease of identification by law enforcement*

Feedback regarding commercial rentals (AirBnB) on public lands:

1) By offering a commercial rental as an SRP, the BLM is undercutting similar operations on private property. Some see the 3% of gross receipts that is charged as overly cheap and uncompetitive.

2) The public doesn’t want to see commercial rentals when out mountain biking, ATV riding, trail running, camping, etc..

3) The lodging rental is taking away dispersed camping opportunities that the public depends on.

4) If public lands have been annexed by a municipality, those cities are particularly against this type of operation.

5) Local and State municipalities are more equipped to regulate these operations, and may depend on fees and tax revenue (particularly in gateway communities).

6) Local and State municipalities may be the end recipients of associated waste water/ sewage/ trash disposal.