



EXPLORE Act – Title III

Simplifying Outdoor Access for Recreation

Interim Guidance

Public Release Version

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Mission statement

The Bureau of Land Management sustains the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

Table of Contents

BLM RECREATION AND VISITOR SERVICES FIELD GUIDANCE	3
KEY ACTIONS FOR FIELD IMPLEMENTATION:	3
DUE DATES:.....	3
Introduction.....	4
How This Guidance Is Organized	4
Section 1 – SRP Framework Under the EXPLORE Act	6
Section – 1.1 SRP Categories (Section 311 – EXPLORE Act).....	6
Section – 1.2 SRP Permit Types (Section 311 – Title III)	6
Section 2 – Application Submission, Review, and Processing	10
Section 2.1 – Pre-Application Consultation:.....	10
Section 2.2 – Application Requirements	10
Section 2.3 – BLM Application Review and Decision Date Determination	11
Section 2.3.1 – Permit Type Determination by the Authorized Officer	12
Section 2.4 – Environmental Review Process Enhancements.....	13
Section 3 – Situations when a permit may not be required	16
Section 3.1 – When a Permit Is or Is Not Required:.....	16
Section 3.1.1 – SRPs for an Organized Group Recreation Activity or Event	16
Section 4. – Permit Issuance	18
Section 4.1 – Filming and Still Photography Associated with Special Recreation Permits.....	18
Section 4.2 – Incidental Sales	18
Section 4.3 – Elimination of Needs Assessments.....	19
Section 4.4 – BLM Discretion to Apply Terms and Conditions	19
Section 4.5 – Safety Standards Still Apply	20
Section 5. – SRP Fees and Cost Recovery	21
Section 5.1 – Predetermined Fees	21
Section 5.2 – Adjusted Gross Receipts (AGR)	22
Section 5.2.1 – AGR Calculation Methods.....	22
Section 5.3 – SRP Fee Relationship to Other Recreation Fees	24
Section 5.4 – Cost Recovery Reform.....	24
Section 5.5 – SRP Fee Authority Structure	26

Section 5.6 – Approval to Waive Fees	26
Section 6 – Permit Administration After issuance.....	27
Section 6.1 – Substantially Similar Recreational Activities.....	27
Section 6.2 – Visitor-Use Day Administration	28
Section 6.3 – Voluntary Surrender of Visitor-Use Days	29
Section 6.4 – Temporary Reassignment of Surrendered VUDs.....	30
Section 6.5 – Temporary Special Recreation Permits for Outfitting, Guiding, and Other Recreation Services	31
Section 6.6 – Monitoring and Performance Reviews for Temporary and Long-Term Permits	32
Section 6.7 – Use-of-Allocation Reviews and Adjustments	32
Section 7. – Liability	35
Section 7.1 – General Liability Insurance	35
Section 7.2 – Government Entities and Indemnification	37
Section 7.3 – Use of Exculpatory Agreements.....	37
Section 8 – Transition and Implementation	39
Section 8.1 – RAPTOR Legacy Permits, and February 2nd Transition	39
Supporting Reference Tables.....	41
Table 1. Special Recreation Permit Categories, Permit Types, Activity Descriptions, and Fee Calculation Methods	42
Table 2. Comparison of Legacy Permit Types and EXPLORE Act Permit Types	44

BLM RECREATION AND VISITOR SERVICES FIELD GUIDANCE

TOPIC: EXPLORE Act Implementation – PHASE I
Title III – Simplifying Outdoor Access for Recreation
(SPECIAL RECREATION PERMITTING)

KEY ACTIONS FOR FIELD IMPLEMENTATION:

1. Reconcile conflicts between the EXPLORE Act and certain aspects of the BLM's regulations.
2. Implement new Special Recreation Permit (SRP)-related requirements stemming from the EXPLORE Act.
3. Process and issue all new permits through RAPTOR; paper permits should be discouraged and used only upon demand of customer preference.
4. Develop localized plans for ensuring that existing SRPs comply with the EXPLORE Act.¹

DUE DATES:

Begin Processing and Issuing EXPLORE Act SRPs **(February 2, 2026)**;

Utilize RAPTOR to Process and Issue EXPLORE Act SRPs **(February 2, 2026)**;

Endeavor to convert existing SRPs to EXPLORE Act compliant SRPs **(September 29, 2029)**.

¹ For purposes of this document, SRPs that comply with the EXPLORE Act are referred to as "EXPLORE Act SRPs."

Introduction

Title III of the Expanding Public Lands Outdoor Recreation Experiences Act (EXPLORE Act), enacted in January 2025, strengthens public access to outdoor recreation on Federal recreational lands and waters by modernizing and simplifying the BLM's SRP program. Congress designed Title III to reduce administrative barriers, streamline permit issuance, and provide greater clarity and consistency for outfitters, guides, organized groups, and other recreation service providers (RSP). The provisions in Title III modernize longstanding permitting practices, reduce "red tape," and expand opportunities for the public to engage in high-quality, sustainable recreation experiences on public lands.

Certain provisions of the EXPLORE Act conflict with and supersede aspects of the BLM's existing SRP regulations at 43 CFR subpart 2932. Aspects of the EXPLORE Act also conflict with and supersede BLM policy set forth in BLM Manual Section MS-2930, the Recreation Permit and Fee Administration Handbook (H-2930-1), and other applicable agency directives. This guidance document is intended to aid BLM field personnel to reconcile those conflicts, implement new SRP-related requirements stemming from the EXPLORE Act, and serve as interim direction until the BLM can formally update its regulations and policy.² Until the BLM amends the regulations at subpart 2932, BLM field personnel should follow this guidance document.

While certain aspects of the BLM's procedures for accepting and processing SRP applications were changed by the EXPLORE Act, many were not. Those aspects of the BLM's procedures that were not changed by or conflict with the EXPLORE Act are not addressed in this guidance and remain operative. In such situations, BLM Field Personnel should continue to implement the regulations at 43 CFR subpart 2932 and the guidance set forth in the Recreation Permit and Fee Administration Handbook (H-2930-1) and other applicable guidance documents.

How This Guidance Is Organized

The changes to the BLM's SRP program are located throughout various sections of Title III of the EXPLORE Act. This guidance document organizes those changes into functional topics to support ease of use and consistent application by state, district, and offices. The functional topic areas in this guidance document are organized to reflect how the BLM evaluates issues and administers SRPs. Related requirements are grouped together so staff can readily identify the applicable framework when determining whether a permit is required, what type of permit applies, how fees are assessed, and how permits are administered over time.

² This guidance document is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its departments, agencies, instrumentalities or entities, its officers or employees, or any other person.

The guidance is organized into the following primary sections:

1. **SRP Framework Under the EXPLORE Act**
2. **Application Submission, Review, and Processing**
3. **Situations When a Permit May Not Be Required**
4. **Permit Issuance**
5. **SRP Fees and Cost Recovery**
6. **Permit Administration After Issuance**
7. **Liability**
8. **Transition and Implementation**

This organizational approach is intended to improve clarity, reduce duplication, and support efficient implementation of Title III requirements across the SRP program.

Acronyms and Key Terms

The following acronyms and key terms are used throughout this guidance to support consistent understanding and application of the Special Recreation Permit (SRP) program under the EXPLORE Act.

Acronym	Definition
AGR	Adjusted Gross Receipts
AO	Authorized Officer
ATB	America the Beautiful Pass
CE	Categorical Exclusion
FLREA	Federal Lands Recreation Enhancement Act
ISRP	Individual Special Recreation Permit
NEPA	National Environmental Policy Act
PA	Permit Administrator
RAMP	Recreation Area Management Plan
RAPTOR	Recreation and Permit Tracking Online Reporting System
RMP	Resource Management Plan
RSP	Recreation Service Provider
SRP	Special Recreation Permit
VUD	Visitor Use Day

Section 1 – SRP Framework Under the EXPLORE Act

Section – 1.1 SRP Categories (Section 311 – EXPLORE Act)

Title III of the EXPLORE Act modernizes the structure of SRPs by, among other things, establishing **four primary permit categories (i–iv)**, each containing one or more **specific permit types, for a total of ten distinct types of permitted activities**. These categories clarify the scale, structure, and purpose of activities that require SRPs and are designed to align with the BLM's mission to support responsible and accessible recreation.

The EXPLORE Act introduces the various SRP types using a naming convention based on their codification, which can lead to confusion. For example, the Act refers to Permit Category (i) and its subcategories (i.e., (i)(I), (i)(II), and (i)(III)). While this approach is consistent with the Act, it can complicate the understanding of permit types.

To enhance clarity, the BLM has adopted a revised naming and numbering system that aligns with the Act while avoiding the confusion that may result from referring solely to the codification.

Permits are grouped into four main categories based on how they are organized in the Act. Instead of restarting the permit type numbers within each category, the permit type numbers are now numbered subsequentially (1-9) across all categories. This ensures each permit type has a unique and consistent identifier, regardless of its category. Where necessary to maintain continuity with previously issued guidance and forms, alphanumeric designations (e.g., “2b”) may be used.

Section – 1.2 SRP Permit Types (Section 311 – Title III)

An SRP is a permit identified in 16 U.S.C. 6801(13) that is issued by the BLM for the uses of Federal recreational lands and waters.

The table below summarizes the SRP framework introduced by the EXPLORE Act:

Category	Permit Type
Category 1:	1. Organizational Camp
	2a. Single Event (Non-Fee)
	2b. Recurring Event (Non-Fee)
Category 2:	3. Participation by the Public where use is allocated (ISRP)
Category 3:	4. Large Group Activity or Event (Nonrecurring, 75 participants or more)
	5. Single Organized, Noncompetitive Group Activity or Event (fewer than 75 participants)
	6. Single Competitive Event
Category 4:	7. Recurring, Noncompetitive Small Group Activity (fewer than 7 participants)
	8. Long-Term Permit (Recurring outfitting, guiding, or other recreation service)
	9. Temporary Permit (Recurring outfitting, guiding, or other recreation service)

Category 1: Specialized Recreational Use Permits – Category 1 includes three separate types of permits:

1. **Organizational Camp (Permit Type 1):** are temporary, structured group uses of BLM-managed public lands (public lands) by nonprofits, schools, faith-based groups, tribal entities, government agencies, or others who are not providing or utilizing recurring outfitter or guiding services and are acting in conjunction with a nonprofit, school, or community-led program.

Permit Type 1 applies to groups of fewer than 75 participants and supports activities that focus on sports, education, recreational skill-building, cultural learning, stewardship, wellness, community engagement, youth or community development, and other organized recreational or educational experiences. These uses are non-commercial in nature, although participant fees or cost-sharing may be collected to cover reasonable expenses. Facilities are limited to short-term, portable infrastructure, and authorizations do not allow permanent improvements or exclusive use of public lands.

Commercial outfitters and guides providing recurring client-based recreation services must obtain a Type 8 (Long-term) permit. Organizational Camps cannot be used as a substitute for recurring or commercial outfitting or guiding operations.

Organizational Camps are distinguished from Type 5 permits by their programmatic camp-like structure, non-commercial character, and the presence of a pre-existing group engaged in a coordinated program, rather than an activity or event open to the general public. Commercial client-based recreation services must be permitted under appropriate permit types, as appropriate.

2.
 - a. **Single Event (Non-Fee) (Permit Type 2a):** Short-duration, non-commercial group uses without entry or participation fees, typically organized by informal groups, clubs, or civic organizations with fewer than 75 participants. Although entry or participation fees are generally prohibited, reasonable fees that are required solely to cover direct costs (and do not generate profit) may be considered under this permit type. Cost sharing among participants (e.g., food, transportation, supplies) is also allowed.
 - b. **Recurring Event (Non-Fee) (Permit Type 2b):** Recurring events involving fewer than 75 participants that do not require entry or participant fees, typically organized by informal groups, clubs, or civic organizations. While mandatory entry or participation fees are not allowed, reasonable cost-sharing among participants (for food, transportation supplies, or other direct event costs) is permitted. All events must be non-commercial, and organizers and participants may not solicit or generate profit.

Authorizations issued under this permit type are intended for recurring, non-commercial activities or events and may be issued for a term not to exceed 10 years.

- 3. Participation by the Public in a Recreation Activity where Public Use is Allocated, commonly referred to as Individual Special Recreation Permit (ISRPs) (Permit Type 3):** ISRP allocations refer to situations in which a permit is required for individual recreation use in designated Special Areas where access or participation is allocated through statute, proclamation, Presidential or Secretary's order, or agency determination. ISRP requirements apply equally to private visitors and participants in permitted activities or events. ISRPs are required where the BLM allocates or restricts access for resource protection, visitor safety, or other statutory purposes. In some instances, the BLM requires ISRPs but does not limit the number of ISRPs that may be issued in a Special Area.

Category 2: Large Group Activities or Events:

- 4. Large Group Activity or Event (Permit Type 4):** Applies to any organized use involving **75 or more participants**, regardless of whether the activity is commercial or non-commercial. These are noncompetitive, nonrecurring activities and events that typically require additional coordination and oversight compared to those in Category 1 and 3 due to their size, complexity, and potential resource impacts.

Category 3: Single or Recurring Organized Group or Single Competitive Recreation Activities and Events – Category 3 includes three separate types of permits:

- 5. Single Organized Group Activity or Event (Permit Type 5):** This permit applies to a structured or scheduled, noncompetitive group activity or event with fewer than 75 participants, and no more than 200 VUDs in total, even if the events occur at different locations. The authorization may involve the use of motorized recreational vehicles or outfitting and guiding services, but it may not involve an activity or event occurring more than 3 times at the same site per year.
- 6. Single Competitive Event (Permit Type 6):** A single event involving competition, scoring, winners, or rankings. The event may occur over multiple days, but it must have a defined start time and end time and occur within a discrete, identifiable period rather than being an ongoing or open-ended activity.
- 7. Recurring Small Group Activity (Permit Type 7):** The permit is for small, low impact, structured or scheduled, non-competitive activities (including outfitting and guiding) that occur with regularity and involve groups of fewer than 7 participants. The term of the permit is limited to 180 days, and the permit is limited to fewer than 40 VUDs. The limits are cumulative, not per location or per occurrence.

Category 4: Recurring Outfitting, Guiding, and Other Recreation Services (Long-Term and Temporary) – Category 4 includes two separate permit types:

8. **Recurring Long-Term (Permit Type 8):** Authorizes recurring outfitting, guiding, or other recreation services that do not qualify for one of the other permit types. These permits can be issued for up to 10 years.
9. **Recurring Temporary (Permit type 9):** Authorizes new or additional recurring recreation services for up to 2 years, with the possibility of transitioning, at the authorized officer's (AO) discretion, to a long-term permit after 2 years of satisfactory performance.

Other Recreation Services are activities or events other than outfitting and guiding, that provide, facilitate, or enhance public recreation experiences on Federal lands and waters. Examples include equipment rentals, shuttle or transportation services, educational clinics, ski hills, festivals, or vending that facilitate recreation at permitted sites, consistent with land use plans and resource objectives. Other Recreation Services does not include agency operations, resource management work, volunteer stewardship activities, trail maintenance crews, or other non-public-facing functions, none of which require authorization under Title III of the EXPLORE Act.

Section 2 – Application Submission, Review, and Processing

This section addresses how SRP applications are submitted by applicants and reviewed and processed by the BLM.

Section 2.1 – Pre-Application Consultation:

Consistent with current practices, Field Personnel should continue to hold pre-application consultation meetings (or calls) with prospective SRP applicants. These meetings help ensure applicants understand the permit requirements and can submit complete applications for timely processing. As part of these consultations, Field Personnel should discuss with potential applicants the BLM's new permit types authorized under the EXPLORE Act, as well as updated fee structures.

Pre-application consultation also serves as an important screening step to support the streamlining objectives of Title III. For proposed activities or events that are **clearly** low-impact, small in scale, and unlikely to result in more than nominal effects, the BLM may determine that an SRP is not required without requiring a completed application or performing a formal nominal effects determination (See Section 3 of this guidance for more information about nominal effects determinations).³ For example, the BLM may determine that an organized activity involving a small number of participants (e.g., a trail running club with five participants using an existing designated trail) is unlikely to result in resource impacts, conflicts with other users, or management concerns and, pursuant to changes enacted by the EXPLORE Act, does not require an SRP. For that reason, conducting thorough pre-application consultation meetings can reduce unnecessary burdens for both applicants and the BLM while ensuring that permits are required where appropriate. When such a determination is made, field offices must document the basis for the determination in writing and retain in the appropriate program/office file to ensure transparency and defensibility.

When there is uncertainty about potential effects, scale, or complexity, field offices should require the submission of a complete application and proceed with formal processing, including, where applicable, a nominal effects determination.

Section 2.2 – Application Requirements

Entities and individuals must submit a **complete application** to the BLM for all proposed uses that require an SRP.

Applicants must submit applications using the BLM's electronic permitting system (RAPTOR), which provides the most current version of the application form and ensures complete and consistent submission of required information. In rare circumstances

³ See Section 3.1 and 3.2 of this guidance for more information about nominal effects determinations.

where applicants demand to use a paper process, the **most current version⁴ of Form 2930-1** provided by the BLM must be used. This applies to all recreational uses requiring an SRP (i.e., those recreational uses that do not constitute casual use) except Permit Type 3, which are ISRPs that the BLM typically issues through an over the counter, online, or point-of-sale transaction.

The BLM should no longer ask or expect applicants to identify the permit category or type for which they are applying. The BLM will make that determination based on the detailed contents of the application, as discussed in section 2.3.1 of this guidance.

The BLM must ensure timely communication and transparency during the application and proposal review process for all SRPs (Section 2.3).

Section 2.3 – BLM Application Review and Decision Date Determination

The BLM has revised its approach to reviewing and issuing SRPs in accordance with the EXPLORE Act. These changes establish a more flexible, activity-based permit structure and clarify the BLM's role in determining the appropriate permit type for proposed uses.

Section 314(b) of the EXPLORE Act (16 U.S.C. 8543(b)) requires the BLM to acknowledge the receipt of a completed SRP application or proposal within 60 days of receipt. That section also requires the BLM to either issue a decision or notify the application of a projected date for a decision within 60 days of receiving the application. Because they involve low complexity, small group size, and limited duration, **BLM field offices are expected to issue a decision on Category 1 and Category 3 permit applications prior to the 60-day maximum acknowledgment period required whenever possible.**

Best Practice: Offices should process these permits within **30 calendar days**, unless additional documentation or environmental review is required.

Within 60 calendar days of receiving a complete application, the AO must:

1. Acknowledge Receipt

The AO must: (1) issue a written notice to the applicant confirming that the completed application or proposal has been received and logged for processing; and (2) **communicate next steps by either:**

- **Issuing a final decision on the application or proposal, or**
- **Providing the applicant with a written notice** stating the projected date by which a final decision will be made.

⁴ Until an EXPLORE Act compliant version of Form 2930-1 is available, applicants may use the existing form. Ideally all new SRP applications will be directed to come through the BLM's online RAPTOR SRP application and permitting program, though paper applications will be accepted upon customer demand.

2. Inform the applicant of the BLM's Permit Type Determination when providing the applicant with written notice:

- If the BLM determines that the applicant requires a permit to engage in the proposed use or activity, the BLM's written acknowledgement must include:
 1. The proposed permit type, based on the BLM's review of the application;
 2. An overview of applicable fees (e.g., base fee, cost recovery thresholds, minimum annual fee if applicable);
 3. Any next steps or documents the applicant must complete to proceed.

Within 60 calendar days of receipt of a complete application, the AO should, to the maximum extent practicable, make a final determination and issue a permit for Category 1 and 3 uses.

Implementation Notes:

- **"Completed" applications** refer to those that meet all filing requirements and contain sufficient information for the BLM to initiate review (e.g., maps, proposed use description, detailed operations plan, timelines, fee info if applicable).
- The acknowledgment and projected timeline **must be documented** in RAPTOR or the corresponding permit file.

Section 2.3.1 – Permit Type Determination by the Authorized Officer

Under the EXPLORE Act, applicants are not required to identify their permit type; the BLM will make that determination. This notification ensures applicants understand what type of permit they are being considered for and what fees and requirements may apply, before final authorization is issued. **The BLM will determine the appropriate permit type after reviewing a completed application and assessing the attributes and parameters of the proposed recreational use.**

The AO will consider the following criteria to determine the permit type that applies to a proposed use or activity:

- The **scale** of the activity (group size, duration, Visitor Use Days (VUD))
- The **structure and frequency** of the use (e.g., one-time vs. recurring)
- Whether the activity is **competitive** or **noncompetitive**

Whether the activity or use involves **fee collection, public solicitation, or is revenue-generating**

- The **setting, resource impacts, and need for oversight**

Other appropriate considerations based on the parameters of each permit type and agency expertise

Section 2.4 – Environmental Review Process Enhancements

The EXPLORE Act reinforces and emphasizes the need to streamline the environmental review of proposed recreational activities. To improve the efficiency and consistency of the SRP Program's compliance with the National Environmental Policy Act (NEPA), field offices should **tier to programmatic NEPA and utilize applicable Categorical Exclusions (CE) to the maximum extent practicable, across all permit types**, to improve processing times and reduce administrative burden throughout the program.

NEPA streamlining under the SRP program is a shared responsibility across HQ, State Offices, and Field/Unit Offices. Accordingly, State, District, and Field Offices should also support HQ's evaluation of the continued relevance and adequacy of current CEs and identify, where appropriate, opportunities for the development of new CEs and the adoption of other agencies' existing CEs.

The BLM has adopted **six new CEs** specifically designed to support SRPs.

Overview of CEs

516 DM 1, Appendix 2, Section 11.9 (H)(1)	Short-term SRPs for day use or up to 14 nights, affecting ≤3 acres for staging, or recreation on existing authorized roads/trails/areas. Limits: Cannot be used for (1) commercial boating on Wild and Scenic Rivers or (2) establishing the requirement for ISRPs in “Special Areas” (43 CFR 2932.5).
516 DM Appendix 2, Section 11.11 (H)(3)	Applies to issuing or amending recreation authorizations when the activity occurs on existing roads or trails, within existing facilities or recreation sites, or in areas where the activity is already allowed. It covers administrative permitting actions that do not expand the footprint or introduce new disturbance, such as outfitting/guiding, organized events, or group uses conducted within established recreation infrastructure or designated use areas.
516 DM 1, Appendix 2, Section 11.11 (H)(11)	Approval, modification, or continuation of minor, short-term (1 year or less) special uses of NFS lands. For example, approving, on an annual basis, the intermittent use and occupancy by a State-licensed outfitter or guide.
516 DM 1, Appendix 2, Section 11.11 (H)(12)	Issuance of a new special use authorization to replace an existing or expired special use authorization, when such issuance is to account only for Administratively Established changes, such as a change in ownership of authorized improvements or expiration of the current authorization, and where there are no changes to the authorized facilities or increases in the scope or magnitude of authorized activities. The applicant or holder must be in compliance with all the terms and conditions of the existing or expired special use authorization.
516 DM 1, Appendix 2, Section 11.11 (H)(13)	Approval, modification, or continuation of special uses that require less than 20 acres of NFS lands. For example, approving the use of land for a one-time group event.
516 DM 1, Appendix 2, Section 12.5 (D)(5)	Issuance of permits for demonstrations, gatherings, ceremonies, concerts, arts and crafts shows, etc., entailing only short-term or readily mitigable environmental disturbance.

Permit Administrators must:

- Become familiar with the new SRP-related CEs;
- Evaluate each CEs applicability when authorizing qualifying activities;
- Ensure that any use of a CE is properly documented and consistent with NEPA Handbook guidance.

Section 3 – Situations when a permit may not be required

Before initiating full permit processing, Authorized Officers must first determine whether a proposed activity requires an SRP at all. Section 3 describes the statutory circumstances under which a permit may be waived.

Section 3.1 – When a Permit Is or Is Not Required:

Section 3.1.1 – SRPs for an Organized Group Recreation Activity or Event

The EXPLORE Act directs the BLM to streamline the processing of SRPs for certain organized group recreation activities and events (including youth groups) where particular criteria are met. Specifically, if (1) general public use of an area is not subject to a limited entry permit system (e.g., any ISRP, RUP, or other time-entry systems that limit public use of the area) and (2) capacity is available during the proposed dates and times of the proposed activity or event, the BLM must determine whether the proposed organized group activity or event will have nominal effects on public lands and, therefore, does not require an SRP.

The nominal effects analysis applies to Permit Type 5 (Single Organized Group Activities or Events) and Permit Type 7 (Recurring Organized Group Activities or Events), but it does not apply to Permit Type 6 (Single Competitive Events). Field offices must also apply the same nominal effects evaluation framework to Category 1 Type 1 (Organizational Camps), Type 2a (Single Events-noncommercial) and Type 2b (Recurring Events-noncommercial).

Field Offices must consider the following criteria to determine whether a proposed activity or event will have nominal effects on public lands:

1. The general public is not subject to a limited-entry permit system (e.g., any ISRP, RUP, or timed-entry system that limits public use of the area) that caps or allocates public access in the proposed area during the proposed timeframe. If the area or activity is subject to a limited-entry permit system that caps or allocates public access during the proposed timeframe, the event does not qualify for nominal effects. In this case, the activity must be evaluated for evaluation under the appropriate permit category and type based on the nature, scale, and impacts of the proposed use. ISRPs used solely for visitor tracking, seasonal management, or implementation of standard terms and conditions that do not, by themselves, restrict the number of users who can recreate in an area do not constitute as a limited-entry permit system for purposes of this determination.
2. The activity results in no more than minimal impacts on natural, cultural, or recreational resources and programs. Minimal impacts are those that are short-term, easily reversible, and do not require mitigation. This criterion is not met if special site protection, restoration, or post-event cleanup beyond normal capacity is needed.

3. No insurance or substantial terms (e.g., bonding, operating plans) are required. If an event's risk profile requires insurance coverage, bonding, or a formal operating plan to address hazards, the activity has more than nominal effects, and an SRP is required.
4. The proposed use is consistent with the land use plan and does not exceed infrastructure capacity (e.g., toilets, parking). Even if the proposed activity or event meets all other nominal effects criteria, if facilities cannot support the event without crowding, sanitation issues, or safety hazards, the proposed activity or event will not have nominal effects on public lands.
5. The proposed activity or event will not have adverse impacts on other visitors or conflict with existing authorized uses. This includes timing conflicts (e.g., another scheduled event), displacement of casual visitors, or impacts on commercial operators with valid authorizations. If material conflicts cannot be fully avoided without special terms, a permit is required.

If (1) general public use of an area is not subject to a limited entry permit system (e.g., any ISRP, RUP, or timed-entry system that limits public use of the area), (2) capacity is available during the proposed dates and times of the proposed activity or event, (3) the proposed activity or event satisfies the five criterion above, and (4) no additional terms and conditions are necessary, then an SRP is **not** required. Additionally, the BLM may not issue a Letter of Agreement or authorization in lieu of a permit, as such document inherently imposes terms and conditions on the activity or event. Note, the BLM can determine that a proposed activity or event will have nominal effects on public lands only when all five criteria are met.

An SRP is required if a proposed activity or event does not satisfy all the criteria above (i.e., it will have more than nominal effects on the public lands), or if additional terms and conditions are necessary to protect or avoid conflict on or with resources and programs.

Additionally, all nominal effects determinations must be documented in the permit file and uploaded to RAPTOR. Where applicants refuse to use RAPTOR, permit file must include the required documentation, along with any supporting documentation.

Nominal effects determinations are intended to support streamlined decision-making under Title III of the EXPLORE Act. In some cases, particularly for clearly low-impact, small-scale activities consistent with Category 1 or Category 3 permit types, the BLM may determine that a permit is not required **based on pre-application consultation or initial review**, without completing a formal nominal effects worksheet or SRP application. In such cases, Field Office should make informal nominal effects determinations in accordance with the criteria above. Informal nominal effects determinations in the same general manner as formal nominal effects determinations.

When there is uncertainty regarding potential impacts, scale, duration, or complexity, or

when documentation is needed to support the administrative record, field offices should complete a nominal effects.

Section 4. – Permit Issuance

Section 4.1 – Filming and Still Photography Associated with Special Recreation Permits

The EXPLORE Act provides that filming or still photography that is incidental to, or conducted in support of, a recreational activity that is covered under an SRP does not require a separate filming or photography authorization. Accordingly, to facilitate implementation of this provision, Authorized Officers must ensure that filming or photography activities that are incidental to the authorized recreational activity are adequately addressed in the SRP's terms and conditions.

By comparison, filming or photography activities that are not incidental to an authorized recreational activity may require a filming or photography permit, in accordance with applicable law.

Section 4.2 – Incidental Sales

When issuing an SRP, the BLM may include an **authorization for sales that are incidental** to the permitted use, provided such sales are not otherwise prohibited by law.

When assessing whether to authorize incidental sales, Permit Administrators should consider whether the incidental sale is part of and supports the overall participant experience and is not separately marketed beyond the permitted activity. An item or service is offered only to participants during the event or activity and remains minor and supportive of the primary use; this may support the finding that the sale is incidental in nature. Conversely, sales that are promoted outside of the permitted event or activity, advertised independently, or structured as standalone commercial offerings may indicate the need for a separate SRP (e.g., a vending permit under Permit Type 8 or 9) or additional review.

Incidental sales determinations must be documented and retained in the permit file and should be evaluated before final permit issuance under Section 4.2.

Amounts related to goods, souvenirs, merchandise, gear, and additional food provided or sold by the recreation service provider must be included as deductions when calculating fees (see section 5).

Section 4.3 – Elimination of Needs Assessments

The EXPLORE Act clarifies that SRP issuance must be based on site-specific conditions, resource impacts, and operational needs, **not forecasts of demand**. The EXPLORE Act prohibits the use of **needs assessments** as a prerequisite for SRP issuance, unless required by another statute.

For the purposes of this guidance, a “needs assessment” includes, but is not limited to:

- any analysis or determination that an SRP should or should not be issued based primarily on projected public demand, market trends, or perceived supply of similar opportunities; or
- any process, formal or informal, that conditions permit issuance on proving “need” apart from site-specific resource or operational considerations.

Although BLM national policy has **never required needs assessments** for SRP issuance, **some offices have independently developed or applied local needs assessments**, often as a condition for evaluating demand or allocating use. **Effective immediately, such practices are prohibited**, as they are now inconsistent with the statutory direction provided in the EXPLORE Act.

This change is intended to:

- Eliminate discretionary procedural barriers not grounded in law or national policy;
- Reduce the administrative burden on program staff and applicants; and
- Improve consistency and efficiency in SRP processing across the Bureau.

Section 4.4 – BLM Discretion to Apply Terms and Conditions

Nothing in the EXPLORE Act or this guidance limits the BLM’s authority to apply reasonable and necessary terms and conditions to Special Recreation Permits (SRPs) or to deny or conditionally approve an application where appropriate. Consistent with existing statutory and regulatory authority, the BLM retains discretion to impose permit terms and conditions or deny authorization as needed to protect public lands and resources, ensure public health and safety, manage visitor use, and ensure compliance with applicable laws, land use plan decisions, and site-specific rules or restrictions.

The BLM may deny or conditionally approve an SRP application when legitimate concerns are present. Discretionary limitations may be based on, but are not limited to:

- Adverse resource conditions;
- Significant administrative burdens; or

- Public health and safety risks.

Any SRP issued under Title III, including those eligible for streamlined processing or exempt from allocation thresholds, must meet the BLM's established health and safety requirements, which may include:

- Risk management measures appropriate to the proposed activity;
- Public health protocols;
- Equipment and staffing expectations; and

Participant limits or area closures when necessary.

Section 4.5 – Safety Standards Still Apply

Where the BLM has established VUD allocations for an activity or event under Category 4 permits, SRPs issued for other category types, including organized group recreation activities or events authorized through Category 3 permits, are not subject to those VUD allocations. Accordingly, the BLM may not deny an SRP application for a Category 3 organized group activity or event because the BLM has fully allocated an area's VUDs to Category 4 permittees.

However, although other permit types are not subject to VUD allocation associated with Category 4 permits, the BLM may still limit or abate proposed activities falling within those permit types based on resource conditions, administrative burdens, or safety concerns.

Section 5. – SRP Fees and Cost Recovery

Section 5.1 – Predetermined Fees

Section 311 of the EXPLORE Act authorizes the BLM to charge predetermined fees for SRPs. Section 311 further provides that the predetermined fee may be a fixed fee that the agency established prior to enactment of the EXPLORE Act. Accordingly, BLM Field Personnel should charge the predetermined fees reflected in the table below.

The BLM makes fee determinations once a complete application has been received and the BLM has determined the appropriate permit type and use level. The BLM adopted and adjusted these fees prior to enactment of the EXPLORE Act (88 Fed. Reg. 29692, May 5, 2023), in accordance with Section 311.

Category	Permit Type	BLM Predetermined Fee
1	Permit Type 1 – Organizational Camp	\$130 minimum annual fee or \$7 per person/per day, whichever is greater.
	Permit Type 2a – Single Event (non-fee, >75 people)	
	Permit Type 2b Recurring Event (non-fee, 75 people)	
	Permit Type 3 – Public Participation in a recreation activity where public use is allocated (ISRP)	Fee determined through BLM business planning and public participation process and by meeting the requirements to obtain an Individual Special Recreation Permit.
2	Permit Type 4 – Large Group Activity or Event (75 or more participants)	\$130 minimum annual fee or \$7 per person/per day, or 3% of adjusted gross receipts, whichever is greater.
3	Permit Type 5 – Single Organized Group (Limited-use)	The RSP must elect either ⁵ : (1) \$130 minimum annual fee, or \$7 per person/per day, whichever is greater; or (2) 3% of adjusted gross receipts.
	Permit Type 6 – Single Competitive Event (Limited-use)	
	Permit Type 7 – Recurring Organized Group Activity or Event (Limited-use)	
4	Permit Type 8 – Long-term Permit	The RSP must elect either ⁶ : (1) \$130 minimum annual fee, or \$7 per person/per day, whichever is greater; or (2) 3% of adjusted gross receipts.
	Permit Type 9 – Temporary Permit	Regardless of the method selected, the \$130 minimum annual fee applies. If both elected calculations exceed the \$130 minimum, the BLM will collect the amount chosen by the RSP.

⁵ The RSP must make this election. The BLM may not make this election on the RSP's behalf.

⁶ The RSP must make this election. The BLM may not make this election on the RSP's behalf.

Section 5.2 – Adjusted Gross Receipts (AGR)

Adjusted Gross Receipts (AGR) Calculation

The BLM must assess permit fees for Category 2, 3, and 4 SRPs using Adjusted Gross Receipts (AGR), where applicable. For Category 2, 3, and 4 permits, Recreation Service Providers may elect the applicable fee calculation method, consistent with this guidance. The EXPLORE Act establishes two calculation methods for applicable SRPs. Once an election is made, the BLM must apply the selected method consistently across all trips or events authorized through the reporting year, unless the Authorized Officer approves a change.

RAPTOR supports implementation of these fee calculation flexibilities and allows post-use reports to be submitted electronically. For Recreation Service Providers who permit fees in advance, permit holders should coordinate with their permit administrator prior to the use period to discuss their intended fee calculation method. Advance payments will be based on estimated use. At the time of post-use reporting, Recreation Service Providers will formally elect their preferred fee calculation method through RAPTOR, and the selected method will be applied based on actual reported use.

Gross Receipts — the total of all financial gains received by the permittee, its employees, and/or its agents for goods or services provided in connection with commercial activities authorized by a special recreation permit on public lands and related waters. Nonrefunded deposits or cancellation fees for an activity on public lands and related waters are also included in gross receipts for the activity.

Gross receipts do not include separately itemized state or local transaction taxes associated with outfitting and guiding services that are collected from participants and remitted directly to a taxing authority, provided that such taxes are documented and not retained by the permittee. This exclusion applies only to government-imposed transaction taxes associated with outfitting and guiding and does not apply to business expenses, service fees, commissions, or other operational costs including but not limited to income tax, utility bills, and leases.

RSPs (and their employees, business affiliates, and agents) must maintain records that support the selected AGR calculation method for each trip, including breakdowns of trip duration, geographic location, and fee components, and make such documentation available for BLM review upon request.

Section 5.2.1 – AGR Calculation Methods

Method 1: Proportional Allocation Based on Federal Land Use

This method calculates AGR based on the portion of the trip or event that occurred on

public lands:

1. Determine the base trip payment paid by participants to the RSP:

- *Include only* the standard amount paid for the trip or event.
- *Exclude* any revenue from goods, merchandise, gear, souvenirs, and additional food. These must be presented as explicit exclusions, documented within the permit authorization (e.g., operations plan, incidental sales worksheet).

2. Calculate the proportion of the trip on public lands:

- Divide the number of days on public lands by the total number of trip days.
- Round the result to the nearest whole day.

3. Multiply the base trip payment by the proportion of the trip on public lands.

4. Add any revenue received for optional or add-on activities occurring on public lands that are authorized under the SRP.

Formula:

AGR (Method 1) = (Base Trip Payment × % of Trip on Public Lands) + Add-on Revenue on Public Lands

Method 2: Total Revenue Minus Excluded Amounts

This method calculates AGR by subtracting specific non-SRP-related revenues from total participant payments:

1. Determine the total amount paid by participants for the activity or event, *including* payments for any optional or add-on activities occurring on public lands.

2. Subtract the following excluded revenues:

- Revenue from the sale of goods, merchandise, gear, souvenirs, and additional food to the activity/event participants.
- Revenues or costs related to services or activities that occurred **outside** of public lands (e.g., off-site lodging, transportation, or third-party tours);
- Revenues from services occurring on public lands that are **not authorized** under the SRP.

Formula:

AGR (Method 2) = Total Participant Payments – Excluded Revenues

Section 5.3 – SRP Fee Relationship to Other Recreation Fees

- The collection of an SRP fee does **not affect** the BLM's authority to collect:
 - **Standard Amenity Recreation Fees**
 - **Expanded Amenity Recreation Fees**
 - **Individual Special Recreation Permit Fees (Permit Type 3)**
- If the BLM does not charge a RUP or ISRP fee for public use of picnic area, then an SRP cannot be required for a group less than 40 people per year to access the picnic area. For example, one-time use of a shade structure by 39 people for a wedding or similar social gathering would not require and SRP where no ISRP or RUP fee applies to public use.
- The payment of an SRP fee does not negate the need to also pay Standard Amenity Recreation and Expanded Amenity Recreation Fees in locations where the BLM charges such fees. The need to pay Standard Amenity Recreation and Expanded Amenity Recreation Fees apply equally to all visitors, including commercial service providers, event organizers, and other SRP holders.
- If an ISRP is required for a specific activity, it must be obtained and paid for by all participants or units (e.g., per person, group, vehicle) entering the designated area, as required by the ISRP at issue. The fee associated with such ISRP must be paid for in addition to any fees associated with other SRP types. Note that the BLM is not authorized to issue certain SRP types in locations where ISRPs are required. Permit Administrators must verify whether an SRP type is permissible before issuing it in areas with existing ISRP requirements.
- America the Beautiful passes (ATB) apply only to the individual passholder and cover Standard Amenity Recreation Fees assessed on that individual, regardless of whether the individual is participating independently or as part of an SRP-authorized activity.
- ATB passes do not cover:
 - Special Recreation Permit fees, including fees owed by permittees or event organizers; or
 - Standard Amenity Recreation Fees for other individuals who are not the passholder.
- An ATB pass applies only to the individual to whom the pass is issued and may not be used by a Recreation Service Provider or event organizer to waive or cover fees owed by other clients, customers, or participants.

Section 5.4 – Cost Recovery Reform

The EXPLORE Act affirmed the BLM's ability to charge cost recovery in accordance with the issuance of SRPs. In addition to any fees collected under **Section 803 of FLREA and** other authorized fees, the BLM may continue to assess a reasonable fee

from an applicant or permit holder to recover administrative costs associated with:

1. **Processing an application** for an SRP;
2. **Issuing the SRP**; and
3. **Monitoring the SRP** to ensure compliance with permit terms and conditions.

However, the EXPLORE Act changed the way the BLM can recover costs, providing that the BLM may charge an applicant for only those hours that exceed an agency-established de minimis threshold. If the BLM needs more than 50 hours of staff time to process, issue, and monitor an SRP in any one year, the BLM may charge a fee for recovery of the costs. Accordingly, effective immediately, BLM field and district offices must implement a **50-hour de minimis exemption** for cost recovery actions associated with SRPs.

- When administrative costs are assessed on an hourly basis, the first 50 hours of eligible cost recovery work are exempt from billing.
- **Only hours exceeding the 50-hour threshold in any one year** may be billed to the applicant or permit holder.

To implement these changes, field offices must (1) clearly document all administrative hours tracked for SRP cost recovery in the permit file; (2) maintain cost recovery logs in RAPTOR or the official SRP file; and (3) inform applicants in writing when their project is expected to exceed the 50-hour threshold and provide an estimate of anticipated charges in advance of billing.

When processing **multiple SRP applications for the same or similar services within the same BLM unit**, permit administrators must, to the extent practicable:

- **Prorate administrative costs** among all applicants; and
- **Apply the 50-hour de minimis threshold individually** to each applicant before cost recovery charges are assessed.

Additionally, the BLM **must not assess or collect cost recovery fees** for work conducted as part of a **programmatic environmental review**, even if such reviews support future SRP issuance.

Finally, the EXPLORE Act requires BLM offices to make every reasonable effort to **reduce administrative workload and associated costs** by:

- Leveraging existing data, environmental analyses, or previously completed NEPA documentation; and
- Coordinating with other permitting offices and programs to avoid duplication of

effort.

Section 5.5 – SRP Fee Authority Structure

The **BLM Director** established the national fee schedule for SRPs in 2023. The BLM evaluates the fee schedule every 3 years. This includes the predetermined fee structure of:

- Minimum annual fee of \$130
- Fixed Fee of \$7 per person/per day, where applicable
- Percentage-based fee of 3% of Adjusted Gross Receipts (AGR), using either AGR Calculation Method 1 or Method 2, as described above

The BLM Director may update these fee structures periodically based in accordance with applicable law.

The State Director with jurisdiction will set, and may periodically adjust, fees for ISRPs.

Section 5.6 – Approval to Waive Fees

In rare circumstances, the Authorized Officer may recommend a fee waiver in accordance with [43 CFR 2932.34](#) by submitting a request to the State Director through the District Manager (DM). The request should provide relevant background, supporting information, and justification for the recommended waiver. The State Director may approve or deny the request in writing, either through email or a formal response to the DM and Authorized Officer.

Authorized Officers should recommend fee waivers only in circumstances when the proposed activity or event advances the BLM’s mission and the Administration’s priorities. Examples of activities that may qualify for a fee waiver include high school mountain biking groups, youth events, or other activities that fall within the uses specified in [43 CFR 2932.34](#). The Authorized Officer must articulate a clear public benefit where application of standard fees would create a significant barrier to the event. A complete SRP application is required before a waiver can be considered. The approval of a waiver request does not negate the need to issue a permit.

Section 6 – Permit Administration After issuance

Section 6.1 – Substantially Similar Recreational Activities

The EXPLORE Act provides new flexibility for SRP holders by authorizing them to conduct substantially similar activities without being required to apply for or obtain a new or separate SRP, provided the activity meets specific criteria.

This provision allows permittees to make reasonable adjustments to their services, such as changing equipment types, adjusting group sizes, or shifting seasons, without triggering duplicative permitting processes, so long as the new activity is determined by the BLM to be **substantially similar** to the activity that the BLM previously authorized.

To qualify as “substantially similar,” the proposed activity must:

- be comparable in **type, nature, scope**, and **ecological setting** to the activity currently authorized by the holder’s existing SRP;
- **not result in greater impacts** to natural or cultural resources than those analyzed and authorized in the existing permit;
- not interfere with or adversely affect: (1) other SRP holders or their permitted operations; or (2) any other authorized uses on public lands or waters; **AND**
- align with all applicable laws, regulations, RMPs, and other applicable management plans.

All the criteria must be satisfied for an activity to be considered substantially similar to an existing authorized activity. In such cases, the BLM may **authorize the substantially similar activity** by providing the permit holder a **written authorization letter referencing the SRP that the substantially similar activity is tied to**. This letter documents the agency’s finding that the new activity meets the substantially similar criteria and may proceed under the terms of the existing SRP. In situations where the substantially similar activity will become a regular or recurring part of the permittee’s operations, the Authorized Officer should formally add that activity to the existing SRP during the next annual validation or permit renewal, whichever comes first.

Examples of activities that may be substantially similar to authorized activities include:

- One-time transition from hiking to trail running within the same trail network;
- Using paddleboards instead of kayaks on the same waterbody;
- Minor adjustment of group sizes within the maximum already analyzed in the NEPA document;

- Minor changes to existing routes within the same general ecological zone.

By comparison, a proposed activity's failure to satisfy one or more of the preceding criteria means that it is not substantially similar to any activity authorized by an existing SRP. In such cases, a permittee must apply for and obtain a new or amended SRP (as appropriate) prior to engaging in the proposed activity on public lands. When an activity is determined not to be substantially similar, the Authorized Officer must clearly document the reasons and notify the permittee using the Substantially Similar Activities Determination – Activity Not Substantially Similar letter.

Documentation Procedures:

When assessing whether an activity is substantially similar to an activity authorized under an existing SRP, the Authorized Officer must:

- Complete the Substantially Similar Activity Evaluation Checklist for every proposed change evaluated under this provision, whether the determination is “qualifies” or “does not qualify.”
- Upload the checklist to the associated SRP record in RAPTOR under “Permit Documentation,” or, in the case of paper or email permits, store the checklist in the electronic permit file.

Section 6.2 – Visitor-Use Day Administration

Visitor-use days (VUDs) are a standardized administrative tool that supports both (1) the management of allocated recreation use under certain SRPs and (2) the verification of compliance with statutory eligibility thresholds for specific organized group permit types. VUDs apply most directly to:

- Category 3 Permits Types 5 and 7, which use VUDs to establish eligibility to obtain these permits. With respect to Category 3 Permits Types 5 and 7, Field Offices must track VUDs to confirm that the VUD limits associated with each permit type are not exceeded. However, Category 3 Permits Types 5 and 7 are not subject to an area's VUD allocations.
- Category 4 permits (Outfitting, Guiding and Other recreation services), where use levels are sometimes allocated. In such cases, VUDs can be subject to surrender, temporary assignment, or reallocation in accordance with the EXPLORE Act.
- ISRPs (Category 1 Type 3 Permits) in special areas where the BLM places limits on recreational visitation either seasonally or throughout the duration of the year. Even in situations where the BLM does not place limits on visitation within a Special Area, the BLM should use VUDs to track visitation and support monitoring.

VUD administration provides the required framework, guidance, tools, and templates for applying VUD requirements consistently across permit categories. Permit Administrators must use these guidelines whenever:

- **Managing allocated use** under a permit (e.g., Category 4 outfitting or guiding, or other activities where planning decisions establish VUD ceilings), or
- **Administering Category 3 Permit Types 5 and 7**, which rely on VUD thresholds to define eligibility and scale of permitted activity.

For other permit types where no allocation or VUD-based qualifier is established through an RMP or other local management plan (e.g., Recreation Area Management Plan (RAMP)), the tracking of VUDs is not required. However, tracking VUDs with respect to other permit types can nevertheless be beneficial, as it can:

- Support consistent data tracking across permits
- Improve comparability between allocated and non-allocated use, and
- Strengthen recreation planning and reporting at the local, state, and national levels.

Section 6.3 – Voluntary Surrender of Visitor-Use Days

The EXPLORE Act authorizes Category 4 permittees to voluntarily surrender allocated VUDs they are unable to use during the current season or year. This action is **optional**, and surrendered days are **not automatically deducted from the permittee's overall allocation** unless adjusted under a future allocation review.

Prior to finalizing the surrender of VUDs, the BLM must provide the Category 4 permittee with a written determination explaining how the surrendered VUDs will be treated for purposes of future use-of-allocation reviews. The written determination ensures that the permittee can make an informed decision about whether to surrender the unused VUDs.

The manner in which unused VUDs are treated for purposes of use-of-allocation reviews depends on the reason that the VUD went unused. Consistent with section 317(b) of the EXPLORE Act (16 U.S.C. 8546(b)), the BLM must treat a VUD that went unused for reasons within the RSP's control as $\frac{1}{2}$ of a used VUD, and the BLM must treat a VUD that went unused for reasons outside the RSP's control (e.g., as a result of a wildfire, disaster, or administrative closure) as 1 used VUD.

Authorized Officers must complete the **Visitor-Use Day Request Form for VUD Surrender Determination** and issue the determination in writing to the RSP for transparency and informed decision-making. The Authorized Officer must document its rationale for its determination about how unused VUDs will be treated in sufficient detail to support the determination. Supporting documentation (closure orders, correspondence, incident reports) must be attached or referenced in the permit file.

Section 6.4 – Temporary Reassignment of Surrendered VUDs

For purposes of temporary reassignment, each surrendered VUD (within or outside the control of the RSP) represents one full VUD available for reassignment. Any reduced accounting value applied under Section 317(b) of the EXPLORE Act applies solely to allocation review calculations and does not affect the number of VUDs available for reassignment of actual use. Surrendered VUDs may be temporarily reassigned to:

- any other existing or potential SRP holder (even if the reassignment results in the SRP holder exceeding their current VUD allocation);
- any existing or potential Category 3 or Category 1 permits; or
- the public

Temporary reassignment of surrendered VUDs does not establish a permanent allocation, does not convert Category 1 or Category 3 permits into allocated-use authorizations, and does not subject those permits to allocation review processes.

Note: If unallocated VUDs are available, the BLM may amend an SRP, at any time, to allocate additional VUDs to a qualified RSP.

When making VUD reassignments, Authorized Officers must verify that the reassignment conforms to approved **land use plans, taking into account resource management objectives**. A temporary reassignment **may exceed a permittee's current allocated use**, but it is **valid only for the duration of the temporary allocation** and **does not permanently change the permittee's assigned allocation**. Authorized officers should document a VUD reassignment using the **[BLM VUD Monitoring Form]** and ensure that the reassignment occurs **within the same calendar year or permit cycle** in which the days were originally allocated. To the maximum extent practicable, reassignments should prioritize uses where existing environmental analysis covers the proposed activity.

Section 6.5 – Temporary Special Recreation Permits for Outfitting, Guiding, and Other Recreation Services

The EXPLORE Act requires the BLM to establish and implement a program to issue temporary SRPs (Category 4, Permit Type 2) for new or additional outfitting, guiding, or other recreation services within a BLM field office or unit. Temporary SRPs are designed to facilitate pilot operations, test market demand, consider new guiding services, seasonal uses, or accommodate emerging recreation opportunities without requiring an immediate long-term authorization.

- **New recreation service:** A recreation use or service not previously authorized under an SRP by the field office or unit (e.g., a new type of guided activity, operating in a new season, or in a location not previously permitted).
- **Additional recreation service:** A substantive expansion of the scope of an existing SRP that is beyond current authorization (e.g., adding new activities, expanding to new use areas, or extending to new times of year), but that are not substantially similar to an existing authorized activity, per the criteria listed in Section 6.1 of this guidance.

The BLM may issue Temporary SRPs for a term not to exceed 2 years. As such, they are not intended to replace long-term permits but to serve as a pathway to evaluate new uses and permits for potential long-term authorization. However, Temporary SRPs do not confer a presumption of long-term authorization, and conversion to a long-term SRP is not guaranteed.

Similar to other BLM authorizations, all Temporary SRPs must conform to applicable land use plans and complies with applicable laws.

Section 6.5.1 – Streamlined Conversion from Temporary Permit to Long-Term SRP

The EXPLORE Act provides the BLM with discretion to convert a Temporary SRP to a long-term SRP if the BLM determines that a permittee has completed 2 years of satisfactory operation under a Temporary SRP. Satisfactory operation requires full performance under the Temporary SRP, as well as full compliance with all the Temporary SRP's terms, stipulations, and monitoring requirements.

The conversion of a Temporary SRP into a long-term SRP constitutes final agency action that must comply with NEPA and other applicable laws. Accordingly, when preparing a NEPA analysis for a Temporary SRP, if applicable, BLM offices should analyze the impacts of the proposed activity for the duration of time that would be covered by a long-term SRP. Doing so will put the BLM in a better position to streamline the conversion by concluding that the conversion is supported by a Determination of NEPA Adequacy.

Section 6.6 – Monitoring and Performance Reviews for Temporary and Long-Term Permits

Monitoring is a core element of permit oversight and is essential to evaluate adherence to permit terms and conditions, track actual use levels against use allocations, identify and mitigate environmental and social impact, and inform permit decisions, such as renewals, amendments, and revocations. With respect to Temporary SRPs, specifically, monitoring helps inform the BLM’s conversion decisions addressed in Section 316 of the EXPLORE Act. Monitoring also directly supports VUD administration, allocation reviews, and reassignment decisions addressed in Sections 313(c) and 318 of the EXPLORE Act.

The EXPLORE Act reaffirms the BLM’s responsibility to monitor **all SRPs**, and explicitly requires the BLM to monitor both Category 4 Recurring Temporary and Long-term Permits at the following intervals:

Permit Type	Minimum Monitoring Frequency
Temporary SRP	At least once per year, or more frequently as needed
Long-Term SRP (up to 10 years)	At least once every 2 years, or more frequently as needed

Important: These are minimum requirements. Field offices must determine the appropriate amount and type of monitoring for all permits issued, considering the nature of the activity or event, its location, the resources involved, potential environmental and social impacts, and the reasons the permit was issued. The level of monitoring should be tailored to ensure effective oversight and resource protection and likely will exceed the minimums in this table.

The results of the BLM’s SRP monitoring should be documented in writing and retained in the permit file. The results must be used in conjunction with provided VUD tools and workflows.

Section 6.7 – Use-of-Allocation Reviews and Adjustments

To promote consistent national administration of allocated VUDs, the BLM will conduct Use-of-Allocation Reviews for Category 4 Recurring Long-Term Permits (Type 8) SRPs on a 5-year review cycle.

Use-of-allocation Reviews are an internal administrative practice used by the BLM to evaluate whether allocated VUDs are being used efficiently and in a manner consistent with resource protection and recreation management objectives. These reviews support the BLM's ability to:

- Protect public resources by ensuring use remains within sustainable limits; and
- Maximize recreation access by identifying unused capacity that may be made available when appropriate.

This 5-year review cycle reflects the BLM's national policy for administering Category 4 Recurring long-term allocated-use permits and is intended to align internal program operations across field offices.

Permit Administrators must complete the following steps when performing a use-of-allocation review of a long-term (Permit Category 4 Permit Type 8) SRP that allocates VUDs to an outfitter, guide, or other RSP. These steps are memorialized in the **5-Year Use-of-Allocation Review Worksheet**.

1. **Compile verified use data** for each year in the review period, including any days surrendered or temporarily reallocated.
2. **Document unused VUDs** and assess whether the lack of use was caused by circumstances beyond the control of the RSP (e.g., weather closures, agency management actions, market disruptions).
3. **Identify the year** during the 5-year review period in which the RSP used the most VUDs, as well as the number of VUDs used by the RSP in that year.
4. **Assess RSP's performance** using evaluations, monitoring reports, resource condition assessments, when applicable, and any other relevant information:
 - **Satisfactory performance** requires the RSP to have complied with permit terms and conditions, operated within allocated VUDs, satisfied its reporting obligations in a timely and accurate manner, and have no unresolved major violations. Minor administrative issues that have been resolved do not prevent the finding of satisfactory performance.
 - **Unsatisfactory performance** refers to significant or repeated instances of noncompliance with permit terms and conditions and reporting requirements, including the payment of fees, unresolved monitoring concerns, or substantial negative impacts to resources/visitor experience.
5. **Apply the statutory allocation adjustment formula:**
 - If the RSP's performance has been satisfactory, its future VUD allocation for each remaining year of the SRP must be set to the lesser of (1) **125%**

of the number of VUDs used in the highest-use year of the review period or (2) the maximum VUD allocation originally authorized.

- If the RSP's performance has been unsatisfactory, its future VUD allocation for each remaining year of the SRP must be reduced to **100% or less** of the number of VUDs used in the highest-use year of the review period.

The Authorized Officer must memorialize the result of the use-of-allocation review in a decision and communicate it to the permittee in writing. Note that additional NEPA should not be necessary to support any VUD readjustment because in no situation should there be a use-of-allocation review resulting in more VUDs being allocated than were allocated in the original permit.

Allocation changes made pursuant to use-of-allocation reviews generally remain in effect for the remainder of the permit term. However, Authorized Officers may further adjust allocations during the permit term if necessary to protect public health, public safety, or the environment. All adjustments must be documented in RAPTOR and the official permit file.

If a use-of-allocation review results in a reduction in the number of allocated VUDs for the remainder of a permit, the Field Office should consider temporarily reassigning the unallocated VUDs to other existing or potential permittees. Unallocated VUDs should be temporarily reassigned through open competition or other lawful means consistent with demand and resource capacity.

If a use-of-allocation review coincides with a permit renewal or reissuance, the allocation decision should be incorporated into the new authorization.

Documentation and Tracking

All permit administration files must include:

- A completed **VUD Surrender and Reassignment Checklist**;
- Any **determination letters** provided to the RSP;
- A **VUD Monitoring Form** for each year with surrendered or reassigned days;
- Supporting documentation such as maps, correspondence, or closure orders;
- Notes in RMIS, RAPTOR, or an approved tracking system reflecting the disposition of VUDs.

Section 7. – Liability

Section 319 of the EXPLORE Act modernizes liability-related requirements for SRPs by establishing a framework that balances visitor and resource protection with a reduced burden on low-risk providers and governmental entities.

Section 7.1 – General Liability Insurance

The BLM may generally require holders of SRPs to obtain and maintain general liability insurance that:

- Contains policy limits commensurate with the level of risk associated with the permitted activity; and
- Names the United States of America as an additional insured on the policy through an endorsement.

However, consistent with Section 319(a)(2) of the EXPLORE Act (16 U.S.C. 8548), the BLM **may not require the holder of an SRP to obtain and maintain liability insurance** naming the United States of America as an additional insured for authorized **low-risk activities**. The EXPLORE Act expressly identifies commemorative ceremonies and recreation in a special area pursuant to an ISRP as low-risk activities that do not require the permit holder to obtain and maintain liability insurance naming the United States of America as an additional insured. Commemorative ceremonies include official observances or events marking a historical date, honoring individuals or groups, or celebrating significant community, cultural, or environmental milestones. Such events typically involve passive or ceremonial participation (e.g., speeches, wreath-laying, flag-raising, moment-of-silence observances) and minimal physical risk to participants.

Other permitted activities may also qualify as low-risk activities that do not require the permittee to obtain and maintain liability insurance naming the United States of America as an additional insured. BLM field staff should use the following Low-Risk Classification Criteria to assess whether an event or activity may be considered low risk:

- **Small Group Size:** Generally, fewer than 75 participants, with minimal potential to burden public facilities or materially conflict with other users.
- **Short Duration:** The activity typically lasts a few hours or up to 1 day, with limited recurring or cumulative impacts.
- **Location in Low-Risk Setting:** Conducted in developed or established recreation area with minimal exposure to hazardous terrain, sensitive resources, or remote settings.

- **Minimal Infrastructure Needs:** Does not require construction, site modification, heavy equipment, or use of facilities beyond their normal intended capacity.
- **Minimal Resource Impact Potential:** The activity does not significantly disturb land, water, wildlife, or vegetation and does not take place in sensitive or protected areas with low risk of disturbing land, wildlife, and cultural resources.
- **Low Health or Safety Risk:** The activity avoids hazardous elements, avoids high speed, high altitude, and mechanized equipment and does not involve inherently risky conditions.
- **Limited User Conflict Potential:** The event is unlikely to interfere with other authorized uses or exceed the social carrying capacity of the site.
- **Proven Event History (if applicable):** Events with a track record of being well-managed and incident-free may be more readily classified as low-risk.
- **Minimal Logistical Complexity:** Planning and execution of the activity can be completed without substantial agency oversight.

The determination that an activity is low risk results in a permittee not needing to obtain and maintain liability insurance naming the United States of America as an additional insured. However, a low-risk determination does not waive the permittee's need to comply with any other permit terms, conditions, or legal obligations.

Low-Risk Evaluation Process and Documentation

To ensure consistent decision-making:

1. Use of Low-Risk Activity/Event Worksheet

To ensure consistent determinations about which authorized activities qualify as low-risk, field staff must assess each activity or event using the Low-Risk Activity/Event Determination Worksheet. The total score must fall between 9-17 to qualify as low risk.

2. Documentation

- The completed worksheet must be included in the permit file.
- Explicitly state in a letter to the Recreation Service Provider that while the holder is not required to obtain and maintain liability insurance naming the United States of America as an additional insured, the permittee remains liable for any damage, injuries, or incidents that occur as a result of the authorized event or activity.

3. Supervisor's Approval and Signature

A second-level review by an AO is required to approve the low-risk determination. This ensures consistent application of risk assessment.

Section 7.2 – Government Entities and Indemnification

Per Section 319(b) of the EXPLORE Act, the BLM must not require a **State, State agency, State institution, or political subdivision of a State** to indemnify the United States of America for tort liability as a condition of permit issuance when indemnification is not authorized by State law and the State, State agency, State institution, or political subdivision of the State maintains the minimum amount of liability insurance coverage required by the BLM for the activities conducted under SRP in the form of:

1. **A General Liability Insurance**, naming the United States of America as an additional insured in an endorsement to the policy, if allowed under State law;
2. **Self-insurance**, naming the United States of America as an additional insured, if allowed under State law; or
3. A **combination** of general liability insurance and self-insurance.

If the above criteria are not met, the BLM may require a State, State agency, State institution, or political subdivision of a State to indemnify the United States of America as a condition for tort liability as a condition of permit issuance. Documentation confirming the legal limitations on indemnification and evidence of adequate coverage must be included in the permit file.

Section 7.3 – Use of Exculpatory Agreements

The BLM may not prohibit the use of exculpatory agreements between permittees and their customers, provided the agreement:

- **Shields the United States of America from liability**, where allowable under Federal law; and
- **Does not waive the liability of the permittee** for gross negligence, recklessness, or willful misconduct, or waive rights in conflict with applicable State law.

Field staff may not reject permit applications solely based on the use of exculpatory agreements unless the agreement conflicts with these provisions.

Note: Field staff are **not** responsible for reviewing or approving exculpatory agreements to confirm compliance with State Law requirements; it is the permittee's responsibility to ensure their agreements comply with applicable Federal and State laws.

Exculpatory agreements **cannot be used in lieu of insurance** to satisfy SRP requirements. However, when an RSP uses an exculpatory agreement, waiver, or hold harmless form with their clients or customers—regardless of whether insurance is required, the following language **must** be included:

“I acknowledge and assume all risks associated with [activity], and I release the United States of America, its agencies, officers, and employees from any liability for injuries, damages, or losses incurred while participating in this activity.”

Field Office Requirements:

- Whenever an RSP uses an exculpatory agreement, the **RSP must provide a copy** to the BLM.
- Field staff **must retain a copy of the exculpatory agreement in the official permit file** for documentation and audit purposes.
- The agreement must not conflict with Federal indemnity limitations or the terms and conditions of the permit.
- If there is uncertainty about the legality or sufficiency of the exculpatory language, staff should consult the Office of the Solicitor.

Section 8 – Transition and Implementation

Section 8.1 – RAPTOR Legacy Permits, and February 2nd Transition

RAPTOR Use and Transition to Title III-Aligned Permits:

Effective **February 2, 2026**, RAPTOR is the BLM’s primary system for issuing Title III-aligned SRPs.

Permits issued through RAPTOR following February 2 will be fully aligned with the EXPLORE Act, as RAPTOR is the system that applies standardized permit types, fee calculations, cost recovery thresholds, liability determinations, and reporting requirements consistent with the EXPLORE Act.

Consistent with Section 312(d) of the EXPLORE Act, SRP applications must remain available for completion and submission by mail, email, or in person. However, **BLM offices should strongly encourage applicants to submit applications through RAPTOR whenever practicable**. All BLM Permit Administrators will utilize the Recreation Application and Permit Tracking Online Reporting (RAPTOR) system as the primary system of record for processing and issuing all Title III-aligned SRPs and documenting permit administration actions. RAPTOR provides the most efficient and consistent method for processing permits in alignment with Title III requirements.

At this time, **applications submitted outside of RAPTOR cannot be entered into RAPTOR without requiring applicant resubmission through the system**. As a result:

- Field offices may continue to receive applications by mail, email, or in person, consistent with statute;
- **Permits issued outside RAPTOR should be treated as transitional and should be limited to circumstances where the applicant refuses to use RAPTOR**; and
- Field offices should clearly communicate to applicants that submission through RAPTOR is the preferred pathway may significantly streamline coordination, processing, and implementation of Title III requirements.

The BLM is actively working to address system limitations that restrict intake of non-RAPTOR applications. Additional guidance will be issued as RAPTOR development advances to support broader application intake functionality.

Legacy Permits⁷

- SRPs that were **fully issued prior to February 2, 2026**, whether issued in RAPTOR or on paper, may remain in effect under their existing terms and conditions

⁷ A legacy permit is an SRP that was fully issued prior to the Title III implementation date (February 2, 2026) and therefore does not need to be immediately reissued or reprocessed solely to achieve Title III alignment.

- as **legacy permits** until they are converted to Title III–aligned permits.
- Field offices must continue to administer these permits consistent with their current terms and conditions.
 - Field offices are expected to develop and maintain a **prioritization plan** to convert legacy permits to Title III–aligned permits over time, including at permit reissuance, when an amendment requires reissuance of the permit, or according to a broader office-level conversion schedule. Routine or administrative amendments that do not require reissuance of the permit do not, by themselves, require a conversion to a Title III-aligned permit.
 - The BLM should endeavor to convert to Title III-aligned permits by **September 30, 2029**.

Important exception:

If a permit holder submits a **formal request** to have an existing permit aligned with Title III prior to its planned conversion point, the field office **must incorporate that request into its prioritization schedule** and commit to convert the permit as soon as reasonably possible, consistent with workload capacity.

Permits in Process Around February 2, 2026

- The February 2, 2026, implementation date applies to **permits that have not yet been issued**.
- Any SRP application, whether in RAPTOR or otherwise, that has **not reached the processing stage of signed permit by the applicant**, by February 2, must be processed and issued under the **Title III framework in RAPTOR**.
- Annual validation or payment actions for **already issued legacy permits** are not affected by this date and may continue under existing terms and conditions until the permit is converted.

Paper-Issued Permits

Active SRPs that were issued on paper and not yet migrated into RAPTOR may continue to be administered under existing authority in the near term. However:

- Any **new or reissued** permits on or after February 2 must be established in RAPTOR and aligned with Title III; **and**
- Offices must plan to migrate remaining paper permits into RAPTOR and convert them to Title III–aligned permits on a prioritized basis, consistent with the conversion deadline in this guidance.

The exception for permittee-requested Title III conversion applies equally to paper-issued permits.

Supporting Reference Tables

The following reference tables are provided to help applicants, Recreation Service Providers, and the public understand the Bureau of Land Management's Special Recreation Permit framework under the EXPLORE Act – Title III.

These tables summarize permit categories, permit types, activity descriptions, and applicable fee calculation methods, and provide a general comparison between legacy permit types and the EXPLORE Act permit framework.

These reference tables are provided for informational purposes only and are intended to help applicants understand how recreational activities may align with permit categories and types. Final permit determinations are made by the Authorized Officer based on the specific details of each proposal, applicable law, land use plans, and resource considerations.

Additional internal procedures, evaluation criteria, and administrative processes are contained in the BLM's internal implementation guidance.

Table 1. Special Recreation Permit Categories, Permit Types, Activity Descriptions, and Fee Calculation Methods

This table provides an overview of Special Recreation Permit categories and types established under the EXPLORE Act – Title III, including general activity descriptions and applicable fee calculation methods. This table is intended to help applicants understand the permit framework and does not replace permit-specific determinations made by the BLM.

Activity/Permit Type	Description	Group Limit	Duration	Fee Options/Calculation Method
Category 1 – Specialized Recreational Use Permits	Permits may be required for:			
Permit Type 1 – Organizational Camps.	Permits for camp-like activities/events that do not have as its primary purpose raising revenue through commercial activities.	>75	Low impact, low scale	\$130 minimum annual fee or \$7 per person/per day, whichever is greater.
Permit Type 2a – Single Events (without an entry/participation fee, unless for sharing expenses for the purposes of the event).	Includes single events where no entry/participation fee is charged or only cost-sharing applies.	>75	Single event, low scale	
Permit Type 2b – Recurring Events (without an entry/participation fee, unless for sharing expenses for the purposes of the event).	Includes recurring events where no entry/participation fee is charged or only cost-sharing applies.	>75	Recurring event, low scale up to 10 year(s)	
Permit Type 3 – Participation by the public in a recreation activity which use is allocated.	Participation by the public in a recreation activity in which use by the public is allocated.	No specific limit, based on the terms of the permit	Based on permit terms	Fee determined through business planning process and by meeting the requirements to obtain an Individual Special Recreation Permit.
Category 2 – Nonrecurring Large-Group Activities or Events (75 or more participants).	A permit is required for:			
Permit Type 4 – Large Group, Nonrecurring Activity Events with 75 or more participants.	Any large event involving 75 or more participants.	75 or more participants	Based on permit terms	\$130 minimum annual fee or \$7 per person/per day, or 3% of adjusted gross receipts, whichever is greater.
Category 3 – Single or Recurring Organized Group and Single Competitive Activity or Events Permits.	A permit may be required for:			
Permit Type 5 – Single Organized Group Recreation Activity or Event (including an activity or event in which motorized recreational vehicles are used or in which outfitting and guiding services are used) that -	is structured or scheduled activity or event; is not competitive; and may charge an entry or participation fee.	Fewer than 75 participants	involves fewer than 200 visitor-use days; is undertaken or provided by the recreation service provider at the same site not more frequently than 3 times per year	The RSP must elect either: (1) \$130 minimum annual fee, or \$7 per person/per day, whichever is greater; or (2) 3% of adjusted gross receipts.
Permit Type 6 – Single Competitive Events	One-time competitive events that may involve large groups but are structured and scheduled.	No specific limit, based on the terms of the permit	>75 participants	
Permit Type 7 – Recurring Organized Group Activities (including outfitting and guiding).	Is structured, or scheduled activities; is not competitive activities that may charge a participation fee.	Fewer than 7 participants	Involves fewer than 40 visitor-use days; and if undertaken or provided by the recreation service provider for a term of not more than 180 days.	
Category 4 – Recurring Outfitting, Guiding, and Other Recreation Services	A permit may be required for:			
Permit Type 8 – Recurring Outfitting, Guiding, or Other Recreation Services for a term of not more than 10 years.	Long-term services and activities provided by a recreation service provider may be authorized for up to 10 years.	No specific limit	For a term of not more than 10 years;	The RSP must elect either: (1) \$130 minimum annual fee, or \$7 per person/per day, whichever is greater; or (2) 3% of adjusted gross receipts.
Permit Type 9 – Recurring Outfitting, Guiding, or Other Recreation Services, that occur under a temporary special recreation permit.	The Secretary shall establish a program within 180 days of enactment to issue Temporary Special Recreation Permits for new or additional recreational uses on public lands. These permits will have a maximum term of 2 years.	No specific limit	For a period of not more than 2 years.	Regardless of the method selected, the \$130 minimum annual fee applies. If both elected calculations exceed the \$130 minimum, the BLM will collect the amount chosen by the RSP.

Table 2. Comparison of Legacy Permit Types and EXPLORE Act Permit Types

This table provides a general comparison between BLM *Legacy Special Recreation Permit* types and the EXPLORE Act permit framework. It is intended to help existing and prospective permit holders understand how recreation activities may align with the updated permit structure.

This table is provided for general reference only. Final permit category and type determinations are made by the Authorized officer based on the specific activity, location, and applicable management considerations.

Comparison of the BLM's Permitting Framework

Legacy BLM Permit Types	EXPLORE Act Permit Types	
<p>Commercial – 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 are present:</p> <p>(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.</p> <p>(2) Anyone collects a fee or receives other compensation that is not strictly a sharing of actual expenses, or exceeds actual expenses, incurred for the purposes of the activity, service, or use.</p> <p>(3) There is paid, public advertising to seek participants.</p> <p>(4) Participants pay for a duty of care, i.e., an expectation of safety.</p>	<p>Type ii: Large Group Activities or Events</p>	<p>75+ participants + participants require a permit.</p>
	<p>Type iii(I): Single Organized Group Activity or Event</p>	<p>- <75 participants. - <200 visitor-use days. - Occurs at same site ≤3 times per year.</p>
	<p>Type iii(III): Recurring Organized Group Activity</p>	<p>- <7 participants. - <40 visitor-use days. - ≤180 days. - Non-competitive.</p>
	<p>Type iv(I): Recurring Outfitting, Guiding, & Recreation Services</p>	<p>- Up to 10-year permit for recreation services.</p>
	<p>Type iv(II): Temporary Special Recreation Permit</p>	<p>- Short-term (≤2 years) permits for new or additional use.</p>
<p>Competitive – means any organized, sanctioned, or structured use, event, or activity on public lands and related waters in which two or more contestants compete and either or both of the following elements apply:</p> <p>(1) Participants register, enter, or complete an application for the event.</p> <p>(2) A predetermined course or area is designated.</p>	<p>Type iii(II): Single Competitive Event</p>	<p>- One-time event that is competitive in nature.</p>
	<p>Type iv(I): Recurring Outfitting, Guiding, & Recreation Services</p>	<p>- If recurring, must be authorized under a long-term permit.</p>
	<p>Type iv(II): Temporary Special Recreation Permit</p>	<p>- Short-term (≤2 years) permits for new or additional use.</p>
<p>Organized Group – means group or event permits that are intended for group outdoor recreation activities or events that are neither commercial nor competitive. The AO determines when a permit is required based on planning decisions, resource concerns, potential user conflicts, or public health and safety issues. A group is defined as more than one person participating in a recreation activity or event.</p>	<p>Type i(I): Specialized Recreation Use – Organizational Camps</p>	
	<p>Type i(II): Specialized Recreation Use – Events Without Entry/Participation Fees</p>	<p>- 75+ participants.</p>
	<p>Type ii: Large-Group Activities or Events</p>	<p>- 75+ participants.</p>
	<p>Type iii(I): Single Organized Group Activity or Event</p>	<p>- <75 participants. - <200 visitor-use days. - Occurs at same site ≤3 times per year.</p>
	<p>Type iii(III): Recurring Organized Group Activity</p>	<p>- <7 participants. - <40 visitor-use days. - ≤180 days. - Non-competitive.</p>
	<p>Type IV(I): Recurring Outfitting, Guiding, & Recreation Services</p>	<p>- Up to 10-year permit for recreation services.</p>
	<p>Type IV(II): Temporary Special Recreation Permit</p>	<p>- Short-term (≤2 years) permits for new or additional use.</p>
<p>Vending – is a type of commercial use defined as a temporary, short-term, nonexclusive, revocable authorization to sell goods or services on public lands and related waters in conjunction with a recreation activity or at a recreation site. Vending permits are nonexclusive in that the permittee has no expectation of exclusive use; the Bureau of Land Management (BLM), nevertheless, retains the ability to limit the number of vendors.</p>	<p>Type IV (I) or (II): Incidental Sales (Temporary or Long-Term)</p>	<p>- Permit issued includes an authorization for sales that are incidental in nature to the permitted use of the public lands and waters, except where prohibited by law.</p>
<p>Individual Special Recreation Permits – may be required for individual (i.e., private, noncommercial) recreation use in Special Areas. Special Areas are defined as areas officially designated; an area covered by joint agreement between the BLM and a state government, as provided for in Title II of the Sikes Act (16 U.S.C. 670a et seq.); or any area where the AO determines that resources need to be protected by special management and control measures and that a permit system for individual use would achieve management objectives.</p>	<p>Type i(II) Single events (without an entry/participation fee, unless for sharing expenses).</p>	<p>Participation by the public in a recreation activity or recreation use of a specific area of public lands and waters in which use by the public is allocated.</p>