



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Colorado River Valley Field Office
2300 River Frontage Road
Silt, Colorado 81652
www.co.blm.gov

CATEGORICAL EXCLUSION DOI-BLM-CO-N040-2011-0069-CX

A. Background

BLM Office: Colorado River Valley Field Office

Lease/Serial/Case File No:

Special Recreation Permit #'s CO-078-14-91-05, CO-140-07-02, CO-078-14-93-08, CO-140-08-03, CO-140-10-05

Proposed Action Title/Type: Commercial, Organized Group and Competitive Event Special Recreation Permit (SRP) Renewals

Location of Proposed Action: Bureau of Land Management public lands within the Colorado River Valley Field Office. (See Attachment A.)

Gravity Play Sports	Eco Race (Mountain/road biking, trail running, kayaking)	BLM Road 8282, Bear Creek (Forest Hollow) Trail, Boy Scout Trail, Transfer Trail, bike path towards Grizzly Creek, Colorado River (BLM west of Grizzly Creek and Horseshoe Bend)	September 10, 2011 Day use only.	DOI-BLM-CO-N040-2010-0072-CX (Original approval – no changes except date)
Vail Mountain Bike Camps	Mountain Biking day camps and related operation	East Eagle and Hardscrabble (Boneyard Trail, Ice Rink Trail, 4 th of July Trail)	June 21-23, 2011 and July 12-14, 2011 and 2012-2015 (specific dates will be given later). Day use only.	CO-140-2008-058-CX (Original approval – no changes except dates.)
Mountain Wolf Jeep Adventures	Guided four wheel drive tour operations	Castle Peak Area including the Milk Creek Area	April 2011 – October 31, 2015. Day use	CO-078-97-31 (Original approval –

		(8500), Blue Lake (8510), Poison and Picture Ridge areas (8511, 8512), and Domantle Road (8513).	only.	attaching same stipulations to renewal)
Vail Nature Center/Vail Recreation District	Guided Hikes	Deep Creek Trail (Hiking groups limited to no more than 10 people), Dotsero – Ute Trail, Castle Peak area (Picture Ridge)	April 2011 – September 30, 2011. Day use only.	CO-140-2007-059-CE (Original approval – no changes)
Triple G Outfitters	Guided Horseback Trail Rides and Horse Rental	4 Eagle Ranch – Alkali Creek Area	April 2011 – December 31, 2015. Day use only.	CO-078-99-064-EA and CO-078-99-100-EA (Original approvals for horseback and upland big game)

Description of Proposed Action: The proposed action is to renew the Special Recreation Permits (SRP's) as listed above.

Land Use Plan Conformance: The proposed action is subject to, and has been reviewed for, conformance with this plan (43 CFR 1610.5, BLM 1617.3).

Name of Plan: Record of Decision and Resource Management Plan Glenwood Springs Resource Area

Date Approved: January, 1984; revised in 1988; amended in November 1991 - Oil and Gas Leasing and Development - Final Supplemental Environmental Impact Statement; amended Nov. 1996 - Colorado Standards and Guidelines; amended in August 1997 - Castle Peak Travel Management Plan; amended in March 1999 - Oil and Gas Leasing & Development Final Supplemental Environmental Impact Statement; amended in November 1999 - Red Hill Plan Amendment; and amended in September 2002 – Fire Management Plan for Wildland Fire Management and Prescriptive Vegetation Treatment Guidance.

Decision Number/Page: pages 5, 34

Decision Language: The action is in conformance with "Administrative Actions" of the RMP, which approves the "issuance of permits for ...competitive and commercial recreation activities." The action is also in conformance with the Recreation Resource Management Objective Page 34: "To ensure the continued availability of outdoor recreational opportunities which the public seeks

and which are not readily available from other sources, to reduce the impacts of recreational use on fragile and unique resource values, and to provide for visitor safety.”

B. Compliance with NEPA:

The proposed action qualifies as a categorical exclusion under 516 DM 11, Appendix 4, Number H. Recreation Management.

Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

EXCLUSIONS	YES	NO
1. Have significant impacts on public health or safety.		X
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.		X
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such		X

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>	<u>Area of Responsibility</u>
John Brogan	Archaeologist	Cultural Resources, Native American Religious Concerns
Carla DeYoung	Ecologist	ACEC, Special Status Plants, Vegetation
Tom Fresques	Fisheries Biologist	Aquatic Wildlife, Special Status Aquatic Species
Mike Kinser	Rangeland Management Specialist	Range Management, Riparian Zones
Brian Hopkins	Wildlife Biologist	Terrestrial Wildlife, Special Status Wildlife Species
Monte Senor	Rangeland Management Specialist	Invasive, Non-native Species
Greg Wolfgang	Outdoor Recreation Planner	Visual Resources, Travel
Pauline Adams	Hydrologist	Soils, Water Quality, Air Quality
Kimberly Miller	Outdoor Recreation Planner	Wilderness, Wild and Scenic Rivers, Recreation
Carole Huey	Realty Specialist	Lands and Realty

REMARKS/MITIGATION (the following mitigations will be carried forward within the permit under Special Conditions:

The Special Recreation Permit Terms, Conditions and Stipulations for all Permitted Activities (Attachment B) will apply to the permits. A copy of these terms is signed by the permittee and is in their file. In addition, Gravity Play Sports has signed Additional Standard Stipulations for Competitive and Off-Highway Vehicle Events.

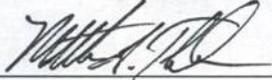
Additional Special Stipulations will apply to the permits. See Attachment C for details.

The Mountain Wolf Jeep Adventures operates guided four wheel drive tour operations in the Castle Peak Addition, an area identified as having wilderness characteristics in the recent Colorado River Valley Field Office inventory. Since the tour operations will stay on existing roads and have historically used these roads before the inventory, these operations have not diminished the wilderness characteristics.

DECISION AND RATIONALE:

I considered this action and determined that it may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

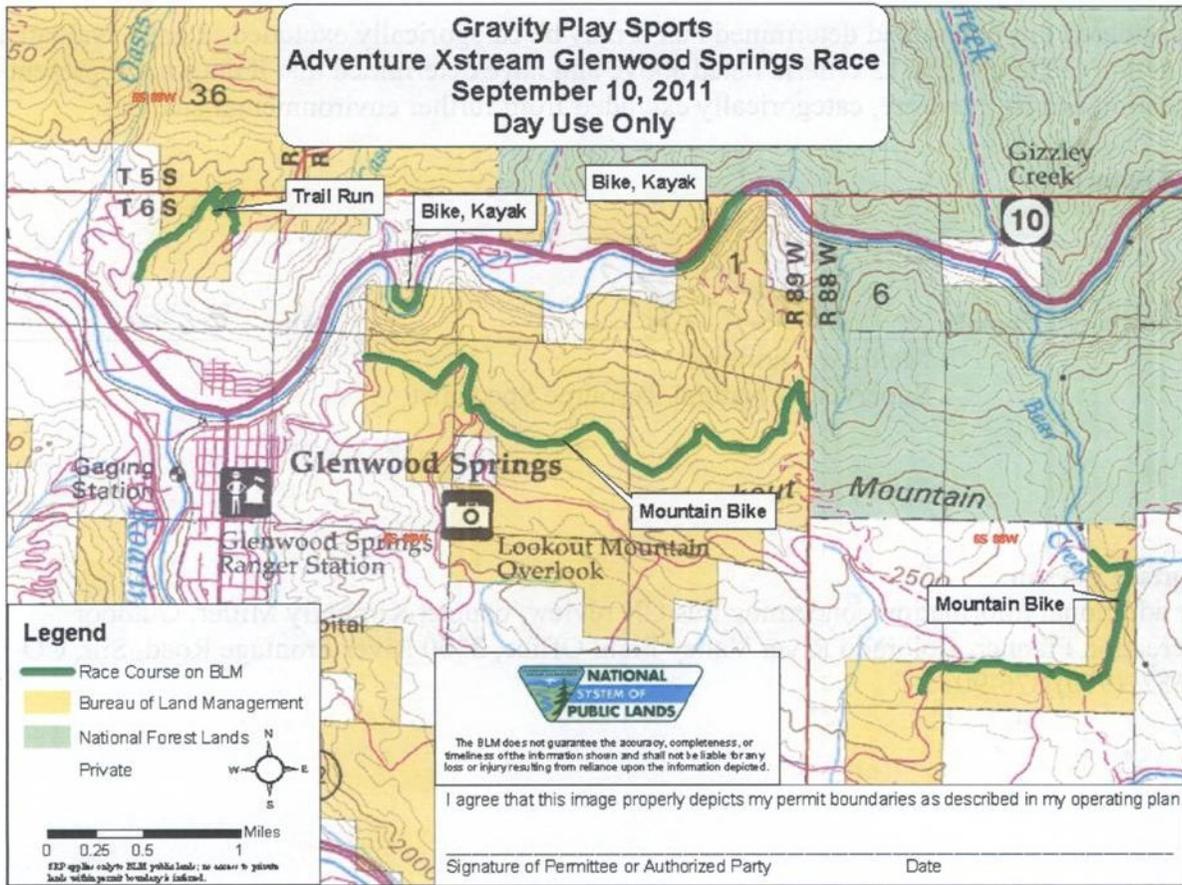
C. Signature

Authorizing Official:  Date: 5-6-11
Matthew Thorburn
Supervisory Natural Resource Specialist

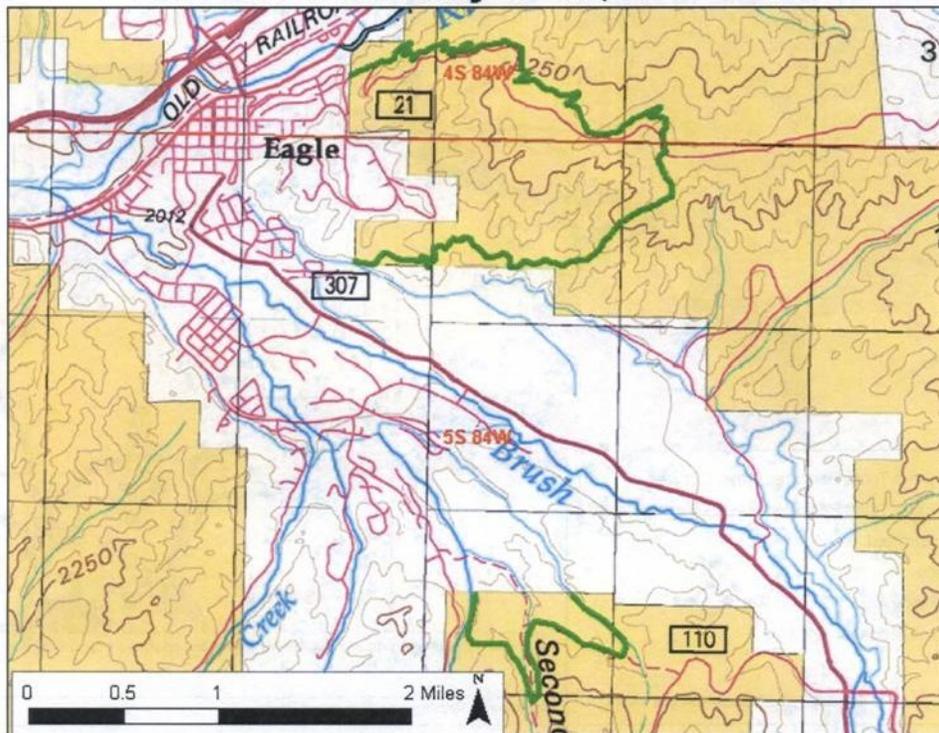
Contact Person

For additional information concerning this CX review, contact Kimberly Miller, Outdoor Recreation Planner, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652, (970) 876-9075.

Attachment A



**Vail Mountain Bike Camps
Moutain Biking Day Camps and related operations
Day Use Only
June 21-23 and July 12-14, 2011 - 2015**



BLM Public Lands
 Permitted Trail on BLM

**NATIONAL
SYSTEM OF
PUBLIC LANDS**

NEP applies only to BLM public lands within the Colorado River Valley Field Office. It does not apply to private lands or other agency lands within permit boundary's interest.

I agree that this image properly depicts my permit boundaries as described in my operating plan.

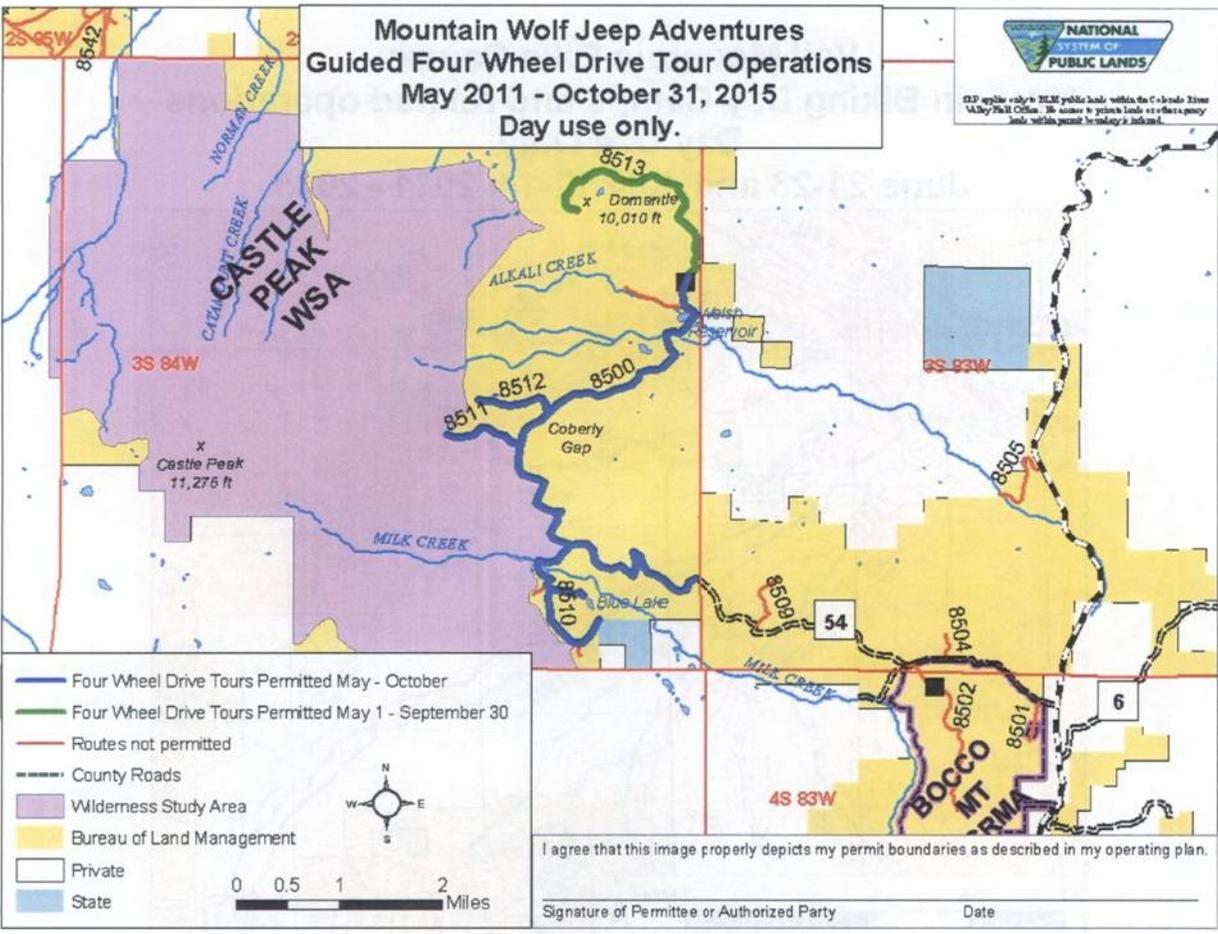
 Signature of Permittee or Authorized Party

 Date

**Mountain Wolf Jeep Adventures
Guided Four Wheel Drive Tour Operations
May 2011 - October 31, 2015
Day use only.**



USF applies only to BLM public lands within the Colorado State Wildlife Action Plan. It does not apply to private lands or other agency lands, within permit boundaries indicated.



— Four Wheel Drive Tours Permitted May - October
— Four Wheel Drive Tours Permitted May 1 - September 30
— Routes not permitted
 County Roads
 Wilderness Study Area
 Bureau of Land Management
 Private
 State

0 0.5 1 2 Miles

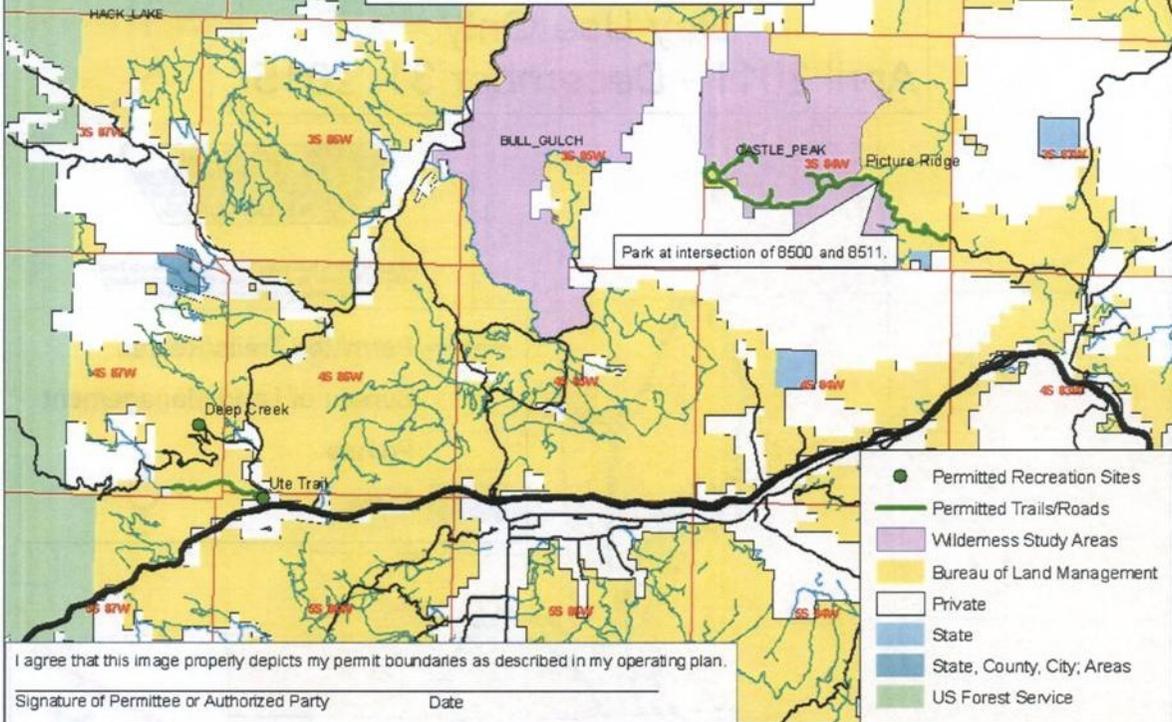
I agree that this image properly depicts my permit boundaries as described in my operating plan.

Signature of Permittee or Authorized Party _____ Date _____

Vail Nature Center
 Guided Hikes
 Day Use Only
 April 2011 - September 30, 2011



NEP applies only to BLM public lands within the Colorado State Valley Park Office. No access to private lands or other agency lands within permit boundaries indicated.



I agree that this image properly depicts my permit boundaries as described in my operating plan.

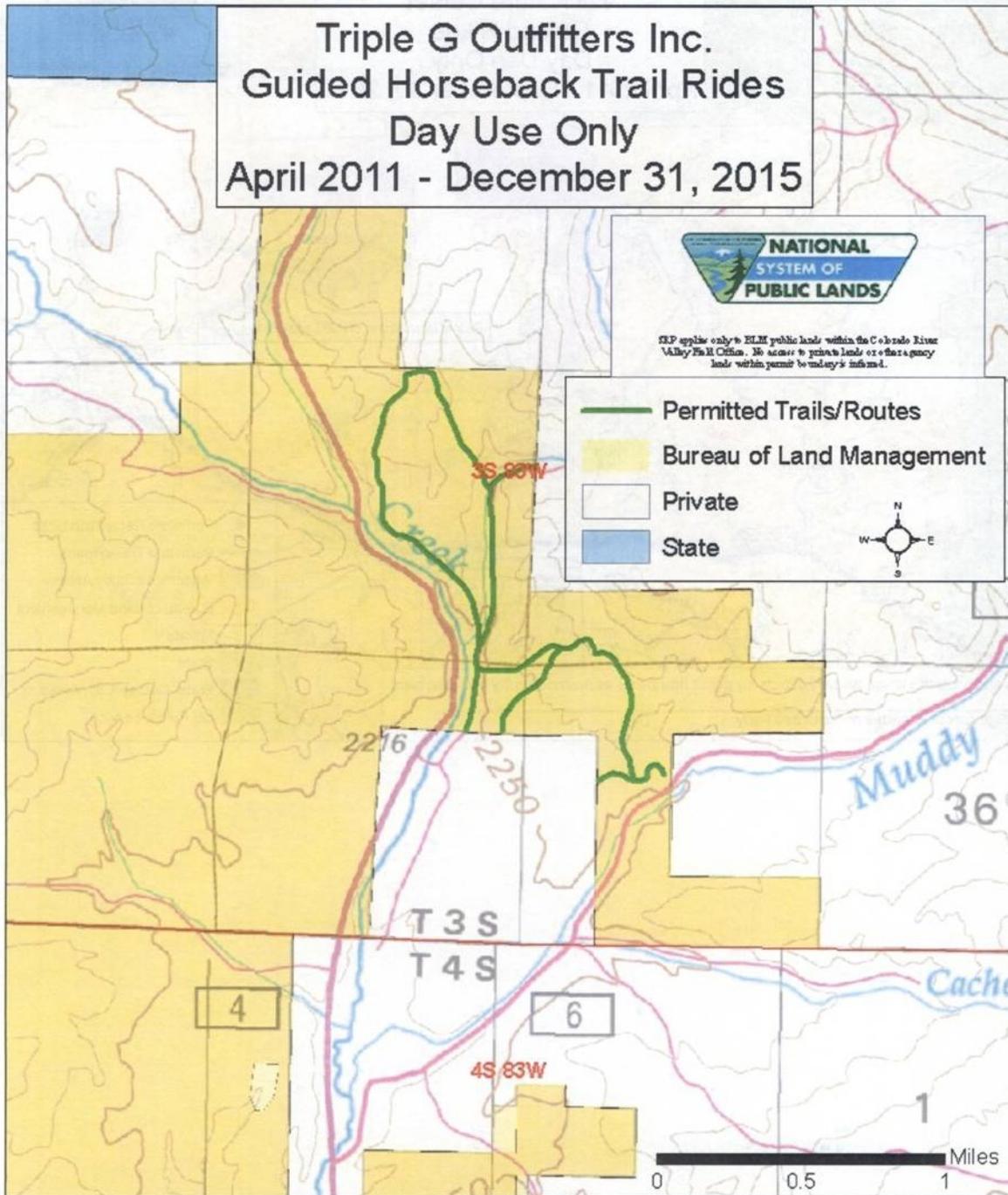
Signature of Permittee or Authorized Party _____ Date _____

**Triple G Outfitters Inc.
 Guided Horseback Trail Rides
 Day Use Only
 April 2011 - December 31, 2015**



TRP applies only to BLM public lands within the Colorado River Valley/Fish Creek. No access to private lands or other agency lands within permit boundary is intended.

- Permitted Trails/Routes
- Bureau of Land Management
- Private
- State



I agree that this image properly depicts my permit boundaries as described in my operating plan.

 Signature of Permittee or Authorized Party

 Date

Attachment B

SPECIAL RECREATION PERMIT TERMS, CONDITIONS AND STIPULATIONS FOR ALL PERMITTED ACTIVITIES

Stipulations: The following standard stipulations are automatically included and apply to all permits (some additional stipulations are specific to only certain activities). Failure to comply with these stipulations may result in remedial actions listed below under Performance Evaluation, Section XVIII. B. Per 2932.40, violations of permit terms or stipulations may be subject to fines and imprisonment, in addition to administrative penalties.

I. RISKS, HAZARDS AND SAFETY

- A. Hazards related to climate, topography and terrain, waters, vegetation and wildlife, and man-made features are found on public lands and present risks which the permittee assumes. The permittee shall be responsible for inspecting sites, trails, roads, rivers and other authorized use areas for dangers and hazardous conditions, ensuring awareness by employees and clients of such risks and hazards, and promoting safe practices at all times.
- B. Adequate first aid and safety equipment shall be provided while performing the permitted activities.
- C. All guides and employees responsible for clients in the field shall be trained in First Aid and hold a valid certification of training from the American Red Cross or its equivalent.
- D. In case of human death, or wildfire, involving the permitted operation, the County Sheriff shall be notified immediately, and the BLM shall be notified immediately after the Sheriff is notified.
- E. The permittee shall notify the BLM of any accidents involving the permitted operation which result in loss of consciousness, injury disabling individuals in excess of 24 hours, requiring medical treatment or search and rescue, and/or property damage, and shall submit a detailed written report to the BLM within 10 days from the date of the accident. Other accidents shall be reported in the Post Use Report.

II. INDEMNIFICATION

- A. The permittee shall indemnify, defend, and hold harmless the United States and/or its agencies and representatives from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the authorized use and occupancy of the lands authorized for use under this permit.
- B. Insurance: Coverage shall be obtained for the permitted operations in the minimum liability coverage amounts of:

GENERAL GUIDELINES FOR MINIMUM INSURANCE REQUIREMENTS		
SRP Event or Activity	Per Occurrence	Per Annual Aggregate
Low Risk: general non-competitive and non-commercial activities such as group camping, group activities,	\$300,000	\$600,000

mounted orienteering, backpacking, or dog trials.		
Moderate Risk: whitewater boating, horse endurance rides, OHV events, mountain bike races, rock climbing (with ropes), ultra-light outings, rodeos	\$500,000	\$1,000,000
High Risk: bungee jumping, speed record events, unaided rock climbing, heli-skiing, or aviation assisted activities	\$1,000,000	\$2,000,000 - \$10,000,000

- C. An insurance certificate shall be submitted, stating the limits of coverage, identifying the "Department of the Interior, Bureau of Land Management" as additional insured, that includes the minimum shown above, expiration date, that the insurer will give BLM thirty (30) days notice prior to cancellation, or modification of such insurance, and a list of the activities that are permitted and insured.

III. APPLICABLE LAWS AND REGULATIONS

- A. This Permit is subject to all applicable provisions of the regulations (43 CFR Group 2930 and 8300) which are made a part hereof.
- B. The permittee shall observe all applicable Federal, State, and local laws and regulations while performing any authorized activity, including but not limited to: (1) operation, use and registration of motor vehicles, OHVs, aircraft, and boats; (2) hunting and fishing; (3) use of firearms; (4) injury to persons or destruction of property; (5) noise, air and water pollution; (6) littering; (7) drinking water and sanitation; (8) food service; (9) use of fire; and (10) business practices.
- C. Permits involving the taking or attempt of taking game, including fish, shall be valid only when accompanied by a valid State Outfitters Registration. Permits involving river floating or guiding shall be valid only when accompanied by a valid State River Outfitters License.
- D. All hunters shall comply with the Colorado Division of Wildlife hunter safety requirements.
- E. Permittee shall comply with restrictions while operating in a Wilderness or Wilderness Study Area (WSA) as prescribed in 43 CFR 8500. Maps and information on the Wilderness or WSA boundaries and restrictions are available at the Field Office.
- F. Permittee shall comply with Off-Highway Vehicle (OHV) designations and restrictions in the area of operation as identified in the Resource Management Plan and prescribed in 43 CFR 8340.
- G. Permittee shall obtain a Colorado State Child Care License if required by state law.

IV. LIMITATIONS

- A. This permit authorizes only temporary use in connection with the operations, during the period(s) and in the area(s) identified in the permit and authorized by an Annual Operating Authorization.

- B. If an existing commercial permittee wishes to sell or otherwise terminate his or her business and desires that permit privileges be transferred to a new owner, the permittee must notify the authorized officer in advance, in writing, and receive advance written approval for the permit transfer from the authorized officer.
- C. Use of Non-Public lands: This permit does not authorize use of non-BLM land (i.e. private, city, county, state, or other federal land).
- D. The applicant shall provide upon request the name(s) and address(s) of private landowners whose property is used in connection with the permitted operations, and evidence of permission to use such land.
- E. Access to Public Lands: The BLM does not guarantee legal access to public lands unless legal access for the general public is available. Where legal public access is not available, the permittee is responsible for obtaining permission from the landowner(s) to travel through or use private lands.
- F. Multi-Year Permits: A multi-year permit is not valid unless accompanied by a current Annual Operating Authorization.
- G. Joint Permit Requirement: This permit authorizes use of public lands in this Field Office; use of public lands in other Field Offices or National Forest lands must be approved under a separate or joint permit. Code of Federal Regulation citations for both the BLM and Forest Service are valid and will be enforced for joint permits on associated public lands.
- H. If a lion outfitter does not own their own dogs, they must furnish copies of all lease or rental arrangements for the dogs and/or dog handler(s) that they plan on using. Dog handlers must be listed as guides.

V. ASSIGNMENT AND SUBLETTING OF PERMIT PRIVILEGES

The permittee may not assign permit privileges to a third party, including booking agents. The permittee or permittee's representative may not assign, contract, or sublease any portion of the permit authorization or interest therein, directly or indirectly, voluntarily or involuntarily. However, contracting of equipment or services may be approved by the authorized officer in advance, if necessary to supplement a permittee's operations. Such contracting should not constitute more than half the required equipment or services for any one trip or activity and the permittee must retain operational control of the permitted activity. If equipment or services are contracted, the permittee shall continue to be responsible for compliance with all stipulations and conditions of the permit.

The following is required:

- A. A third party advertisement used to book a trip must clearly indicate that the trip will be operated by the company holding the permit;
- B. Guides and employees must fall under federal and state employment regulations and be listed in the operating plan prior to each operating season. (ie. IRS Form-1099, independent contractor form).
- C. If you are proposing to employ guides or employees who are licensed and/or permitted outfitters elsewhere that must be disclosed at the time you submit their name and information on your guide list.
- D. Written notice must be given to the BLM to use equipment with outfitter markings (company names, logos, etc.) other than those of the permit holder prior to the time of use (hunt, launch, tour, etc.).

VI. NON-EXCLUSIVE USE

- A. The permittee, employees and clients shall not interfere with other valid uses of public land, including but not limited to grazing, mining, and other recreational uses by the general public or other permitted commercial operations.
- B. Roads, trails and trailheads, or campsites commonly in public use shall not be blocked or enclosed by the permittee.
- C. This SRP does not guarantee the permittee's sole use of public land areas, nor does it grant the exclusive use of any area.
- D. Public lands will generally remain available on a first-come, first served basis to other commercial and private recreational users. Nothing herein implies that the first permittee in any area has been granted exclusive use, or priority use.

VII. CONDUCT AND MANNERS

- A. The permittee is at all times responsible for the actions of himself, his employees, clients and guests in connection with the authorized operations, and shall not cause a public disturbance or engage in activities which create a hazard or nuisance.
- B. The permittee should practice the TREAD LIGHTLY and LEAVE NO TRACE land ethics and inform their clients about these practices and ensure that they follow them.

VIII. MODIFICATION OR AMENDMENT

- A. The BLM reserves the right to alter the terms, conditions, and stipulations of this permit at any time upon notice for reasons such as changes in law, policy or administrative procedure, to prevent use conflicts, to protect public safety, or to prevent resource damage.
- B. The permittee shall request amendment or modification of the permit to provide for changes prior to issuance of annual operating authorization in: use areas or sites, season of use, services provided, fee structure, or any other changes in operations.
- C. The BLM may restrict use or close sites or areas on public land, or require relocation of use sites or areas to prevent use conflicts, protect public safety, or prevent resource damage.

IX. PAYMENTS

- A. Use Fee Payments: Permit fees are due and payable in advance based on estimated use gross receipts. Payments shall be sent to the Field Office by check, money order or cashier's check, made payable to the "Bureau of Land Management".
- B. Basis for Fee: The annual permit fee shall be three percent (3 %) of total client charges or \$100.00 annual minimum for commercial permits, or \$5.00 per person per day for events whichever is greater. Gross receipts shall be the sum of all payments made by clients for services rendered in connection with the permitted operations, before disbursement to private landowner for use of private land, payment to employees, and any other disbursement.
- C. Periodic Payments: At the Field Manager's discretion, when the estimated use fee is greater than one thousand dollars (\$1,000), a schedule for periodic payments may be arranged.
- D. End of Season Payment: The actual use fee shall be determined from the use reports. Payment should accompany the post-use reports and trip logs due 30 days after the last day of use or as specified on SRP.

- E. Refunds:
1. No refunds of less than ten dollars (\$10.00) will be made.
 2. Unless requested in writing all overpayments will be credited for use for the following operating season.
- F. Late Payments
Late payment of fees may result in additional fee penalties, permit probation, suspension, and/or revocation, and interest and administrative handling charges.
- G. Deductions: Allowable deductions in permit fees shall be agreed upon in advance, and may include costs related to the permitted operations incurred by the permittee for long distance off-site transportation, and off-site lodging, per Handbook H-2930-1.
- H. Discounts for Non-Public Lands use (For Upland Use Only) must be requested and approved prior to use. No discounts are allowed for river related permits.

X. USE REPORTS

- A. Trip Logs: Trip Logs shall be submitted within 30 days of the authorized use season or as specified on the permit, on a form provided by the BLM, or an approved equivalent. Trip logs shall indicate accurately the dates of use, location, type of use, number of clients, number of staff, vehicles and livestock used, total receipts, and any deductions claimed. Penalty fees may be charged for late reports.
- B. Post Use Report: A Post Use Report shall be submitted as specified or within 30 days of the last day of use authorized or as specified on permit, on a form provided by the BLM, or an approved equivalent. The post use report shall indicate accurately the total number of clients served during the term of the permit, total staff and total use, total receipts and total deductions claimed, discounts for time off public lands, and describe any accidents or injuries occurred, and management problems or concerns. Penalty fees will be charged for late reports.
- C. Late Use Reports: Late submission of use reports may be cause for action against the permittee, including late fees, probation, suspension, and/or revocation, and criminal penalties.
- D. Non-Use: Zero use must be requested in writing prior to the issuance of Annual Operating Authorization. Minimum payments still apply. The authorized officer may cancel a permit after two consecutive seasons of non-use. In certain areas covered by Special Recreation Management Plans, travel management plans, or other site-specific plans, special provisions regarding non-use of permits may apply.

XI. INSPECTION OF RECORDS AND PREMISES

- A. The BLM, or duly authorized representative, may examine upon request any of the records, including but not limited to bookings, client registers, financial records, leases or contractual agreements, licenses, or other documents related to the permitted operations, as outlined in 43 CFR 2932.55.
- B. The BLM and its cooperators, including the Colorado Division of Wildlife, USDA Forest Service, and the Colorado Division of Parks and Outdoor Recreation, shall at all times have the right to enter the premises located on public land on official business. The permittee shall allow reasonable access to private lands owned or utilized in the permitted operation for purposes related to administration of the permit.

- C. The permittee and all employees shall post a copy of the Permit, Annual Operating Authorization in plain view at the base of operations and camps, where clients, BLM and Division of Wildlife officers have the opportunity to read it. All guides and employees must carry a copy of the Permit and Annual Operating Authorization while conducting operations on public lands, and they must be familiar with the Permit terms, conditions and stipulations that pertain to this permit.

XII. SIGNING AND ADVERTISING

- A. Signs or advertising devices on public land require advance approval on the location, design, size, shape or color, and message.
- B. All advertising shall be accurate and not misrepresent in any way the services or accommodations provided, or the area authorized for use. Brochures and other advertising materials shall include the following disclosure: "All or part of this operation is conducted on Public Lands under special permit from the U.S. Bureau of Land Management".
- C. Official BLM agency symbols may not be used in advertising.

XIII. CAMPSITES

- A. Camps may be set up for no longer than necessary, and no earlier than 5 days prior to the first day of use authorized and must be removed within five days after the authorized use period. No year-round, permanent camps may be established on BLM lands; only temporary facilities are permitted.
- B. Camps shall be located to avoid conflict with public road and trail traffic, and stream or lake access, and to the extent possible shall be located out of sight of major trails.
- C. All campsites and temporary improvements shall be as described in the approved operating plan.
- D. All campsite facilities including but not limited to tents, latrines, livestock control facilities, shall be located at least 200 feet from the nearest spring, stream, lake, pond or reservoir unless specifically authorized otherwise.
- E. All campsites must be approved prior to use. Clearances may be required, such as inventories for cultural resources and/or for threatened or endangered species.

XIV. CAMPFIRES

- A. Unless permanent fire rings are designated, open campfires shall be built only in areas free of hazardous fuels. Fire rings or pits shall be set on bare mineral soil. After use, fire rings or pits shall be obliterated and the site rehabilitated. Open fires may be prohibited during periods of extremely high fire hazard by order of the BLM, the applicable county or the State of Colorado.
- B. Campfires shall be completely extinguished when left unattended. The permittee is responsible for all fires started by him/her self, employees, or clients, and may be held responsible for fire suppression costs resulting from wildfire caused by his/her operations.
- C. An axe, shovel, water bucket or extinguisher for fire control shall be available at each campfire.

- D. Wildfire caused by the permitted operation shall be reported immediately to the nearest BLM office. The permittee is responsible for informing employees, clients, and participants of the current fire danger and required restrictions or precautions that may be in effect.

XV. LIVESTOCK USE

- A. Authorized pasture use of livestock is temporary and limited to transportation purposes, and will not establish a priority for future use of the range. Rangeland grazing may be restricted and feed may be required to be packed, all feed supplied as part of permitted operations must be certified weed free. The permittee shall prevent localized over grazing and damage to vegetation by permitted livestock.
- B. Construction of permanent fences or corrals is not permitted. Temporary livestock control structures may be erected with advanced approval, including corrals and hitching racks, provided they are dismantled after the use season.
- C. The permittee may be required to pay additional fees for forage consumed by livestock during the permitted operations. This fee will be at the current rate for grazing use.
- D. Livestock shall not be tied to trees for other than short term, temporary stops. Hobbles, pickets, high lines or corrals shall be used to control livestock.
- E. Livestock control structures (corrals, hitching racks, pickets, high lines) must be at least 200 feet from springs, streams, lakes, reservoirs or other water sources. Whatever method of livestock control is used, it will not result in removal or death of the under story vegetation.
- F. Pack stock may be grazed if permitted by the SRP. If electric fences are used, they will be moved every 3 days to a new area. If picket ropes are used, they will be moved every other day to a new area. If high lines are used, their location must be approved in advance.

XVI. EQUIPMENT CACHES

Food and/or equipment caches require advance authorization. When authorized, caches shall be neatly stored out of sight of roads and trails. Food caches must be "wildlife proof."

XVII. RESOURCE PROTECTION

- A. Aesthetics: Permittee shall protect the scenic and aesthetic values of the public lands used in the operations, and maintain premises on permitted areas to acceptable standards of repair, orderliness, and cleanliness.
- B. Rehabilitation: After camps and other temporary facilities are dismantled, insofar as practical, the area shall be left in a natural state. Reseeding with BLM approved seed mix may be required of any areas disturbed by campsites.
- C. Sanitation: Self contained or pit type toilets/privies, with or without tent coverings, shall be used at all campsites on public land. The permittee will be responsible for establishing a latrine for all permitted camps and for final rehab when the camp is removed. Waste from self contained toilets must be disposed of at a State approved sewage disposal facility. When abandoned, toilet pits shall be covered with a minimum of 12 inches of topsoil and back filled to pre-existing grade. While in use, human waste in pits shall be covered with a layer of topsoil or lime after each individual use.
- D. Trash Disposal: Camps and other permitted areas shall be regularly cleaned and no trash or litter shall be allowed to accumulate. Combustible trash may be burned when campfires are authorized. All non-combustible trash, including but not limited to tin cans, spent brass, glass bottles, foil, and wire shall be packed out. Trash shall not be buried on public land.

- E. Dead animals and their remains shall be disposed of at least 200 feet away from springs, streams, lakes, ponds, campsites, roads/trails.
- F. Waste or by-products of any kind shall not be discharged into any stream, reservoir, lake or pond.
- G. Soils: Permittee shall conduct the permitted operations in a manner which prevents rutting, or soil erosion.
- H. Vegetation Damage/Removal: All operations shall be conducted in a manner which prevents damage to or loss of vegetation cover. Poles may be cut for temporary facilities if these are authorized by permit on public land. Cutting, clearing or defacing of standing trees, alive or dead, or clearing and cutting of shrub/groundcover for any other reason shall require specific advance authorization. When tree cutting is authorized, stumps shall be left no higher than 6 inches above ground level and slash shall be lopped and scattered. A separate permit is required for removal and transportation of woodland/tree products from public land.
- I. Firewood Cutting: Firewood may be cut on public land only for campsite use while on public land, and may not be transported off the public lands without a separate firewood cutting permit. Only dead and down trees shall be cut for firewood, with stumps left no higher than 6 inches above ground level, and the slash shall be lopped and scattered.
- J. Protection of Public Property: Signs, equipment, markers, fences, livestock watering facilities or any other property found on public land shall not be damaged, destroyed, defaced, removed, or disturbed.
- K. Cultural Resources: All persons associated with operations under this permit must be informed that any objects or sites of cultural, paleontological, and scientific interest, such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts shall not be damaged, destroyed, removed or disturbed. If in connection with operations under this permit any of the above resources are discovered, the permittee shall immediately stop operations in the immediate area of the discovery, protect such resources, and notify the BLM authorized officer of the discovery. The immediate area of the discovery must be protected until the operator is notified in writing to proceed by the authorized officer.
- L. Wilderness and Wilderness Study Areas (WSA): Use of electric generators, all motorized and mechanized equipment including chainsaws and vehicles is prohibited within a Wilderness and most WSAs. Check with your local office to see if there are exceptions. If supplemental livestock feed is used, cubed, pelletized, or processed feed or certified weed free hay shall be used.
- M. Permittee is responsible for knowing where Public Land, Wilderness, and WSA boundaries are and the restrictions that may apply to an area of operation within these boundaries. Maps and information concerning restrictions are available at the local Field Office.
- N. Facility Construction: Construction of permanent facilities or improvements of any kind, including but not limited to roads, trails or structures, is not approved by this permit and shall require separate written authorization.

XVIII. PERFORMANCE EVALUATION

- A. The BLM shall conduct periodic inspections and performance evaluations of the permittee's operations and compliance with the terms, conditions and stipulations of the Permit.

Evaluation Ratings are as follows:

Acceptable means that the permittee has generally operated in accordance with the terms and conditions established for the permit

Probationary means that the permittee has not operated in full accordance with the terms and conditions of the permit. Corrective action by the holder is mandatory and continued operation at this level of performance is unacceptable. If this performance level is received 2 years in a row, the authorized officer may suspend or terminate the permit and/or deny future permit applications.

Unacceptable means that the permittee has not operated in accordance with the terms and conditions of the permit and cannot be allowed to continue. This performance level will result in suspension or termination of permit privileges as appropriate to the circumstances.

- B. **Violations and Penalties:** Any violation of the permit terms, conditions and stipulations may be subject to penalties prescribed in 43 CFR 2932.40, which may include fines up to \$1,000 and/or imprisonment up to 12 months. Additionally, any such violation may result in permit termination, suspension, or probation. Violations may also be cause for the BLM to deny approval of a Special Recreation Permit or Operating Authorization for subsequent years. If a permit is terminated, permit applications will not be approved for any person connected to or affiliated with the operation under a terminated or suspended permit.

XVIII. CERTIFICATION

I have read these terms, conditions and stipulations and understand that I must abide by them while performing activities in connection with the permitted operations.

Date _____ Signature _____

Print Name _____

Company Name _____

ADDITIONAL STANDARD STIPULATIONS FOR
COMPETITIVE AND OFF-HIGHWAY VEHICLE EVENTS
FOR ALL PERMITS

Staffing Requirements:

1. Race promoter is in charge of maintaining control of the race course at all times. Race promoter will have adequate staff to ensure that all rules are followed. During the event, permittee will provide on-the-ground staff monitoring to ensure that use occurring is confined to areas actually authorized by permit.

2. Permittee is responsible for crowd control, ensuring that the event is orderly, does not endanger bystanders or participants, and is conducted in a peaceable manner to enhance recreation satisfaction and promote the public well being. Road crossings will be identified on the map and flag workers will be used where appropriate.

Operating Plans:

3. Permittee will be responsible for implementing the approved operating plan.

4. Permittee agrees to reroute and/or relocate use areas to avoid sensitive areas identified by BLM before or during the event.

5. Permittee will mark sensitive areas identified by BLM, routes, staging areas, and parking with non-defacing markers and appropriate signs and will ensure that all such materials are immediately removed upon completion of the event.

6. All range fence gates opened for the race will be monitored during the race to prevent passage by livestock and closed immediately at the end of the race.

7. Permittee is responsible for ensuring the safety of all spectator, entrant, concessionaire, and/or support personnel, ensuring that all permit actions are in conformance with local, state, and federal health and safety standards.

8. Permittee is responsible for furnishing self-contained chemical sanitation facilities and trash receptacles at locations as necessary, to keep these serviced neat and clean during the event, and to provide for off-site disposal of all refuse and human waste generated from the event, in accordance with all applicable local, state, and federal ordinances, laws, and regulations.

9. Operation and maintenance of all sanitation, food service, and water supplies, systems, and facilities by the permittee or his/her concessionaires shall comply with the standards of the local department of health and the United States Public Health Service and have the necessary permits to operate on Public Land.

10. Permittee will provide first-aid/EMT services adequate to meet emergency needs arising from the event, including CPR and medi-vac transportation for hospital care.

11. At the conclusion of the event, the area will be inspected and all trash or debris resulting from the event will be removed by the permittee to BLM's satisfaction.

12. Pit areas will be open to authorized event participants and pit crews only. Permittee will provide a list of authorized personnel and participants who are permitted within each pit area. Storage areas for pit supplies will be identified on the map.

13. Spectator locations: Distances from track. These areas will be identified by (the use of snow fence or ropes, road delineators, setbacks and personnel to monitor said areas). Spectator viewing areas will be identified on attached map. The Event Operation Plan shall clearly identify in detail how spectator's safety will be provided for and what control measures will be utilized. Permittee must establish a safe distance for spectators and set speed limits in pits and other sensitive areas.

14. The permittee shall be responsible for clean-up and remediation in the event of an accident or mechanical failure resulting in the spillage of fuels, lubricants, coolants, hydraulic fluids, or other petroleum-based or synthetic organic compounds. Tarps are required under vehicles in the pit area to aid cleanup in the event of a spill.

15. All pits must have the equivalent of a UL approved two (2) 10-lb. ABC fire extinguisher at all times; the extinguisher(s) must be manned during all pit stops. This capability may be accomplished using fire extinguishers of any combination (minimum 5-lb. extinguisher that equals 20 lbs. (i.e. two 10 lb., four 5 lb.)). If 5 LB extinguishers are to be utilized, then the pit crew must man two fire extinguishers and be at the ready. All pit fire extinguishers must have current (less than one year old) seal in place, and be fully charged.

16. The promoter will provide the BLM with a medical plan to address response to and transportation of any injured participants or spectators. This plan will include number of emergency response staff, level of training of staff, type of medical equipment on site (ambulance/air ambulance).

17. Welding and use of open flames will be monitored and confined to open areas to prevent the ignition of the vegetation in the surrounding areas.

Communication:

18. Permittee will conduct a mandatory participant meeting where all participants will sign in. If a participant is not signed in, they will not participate in the event. This meeting will be documented. Key personnel and procedures will be identified such as medical, safety and incident command individuals. One person will be identified as " Incident Command" or the key contact for Law Enforcement, Sheriff, BLM and event organizers. This contact will have the authority to stop the race if necessary and will be in radio or phone contact with event organizers.

19. Permittee is responsible for ensuring that participants do not drive off designated use areas and/or course routes; participant and spectator use will be restricted from sensitive areas.

20. Permittee will take all reasonable measures to inform other recreationists in the area of the event and associated temporary road restrictions, including publication of notices to this effect in the local news media.

21. Permittee will take all reasonable measures to ensure that entrants, spectators and casual users attracted by the event will not harass wildlife or livestock in the vicinity, including publication of notices discouraging such use in the local news media.

22. State and local law enforcement will always be advised of upcoming events. Permittees are required to submit communication and safety plans that include advising the local sheriff, fire, and emergency medical service of the event.

23. All spectators will be advised of current conditions, fire restrictions and regulations in effect. Special emphasis should be placed on any prohibition of smoking and campfires using solid fuels (wood, charcoal, etc).

Notifications:

24. Permittee is responsible for ensuring that all authorized motorized use conforms to the Conditions of Use set forth in 43 CFR Subpart 8341.1, regulations governing use.

25. Nothing in this permit will be construed as a license for the permittee, employees, or clients to use areas of the public lands which are otherwise restricted or closed (e.g., restricted or closed off-highway vehicle designation areas).

26. State and local laws and ordinances apply to all BLM-administered public land. This includes, but is not limited to, laws and ordinances governing (a) operation and use of motor vehicles, aircraft, and boats; (b) hunting and fishing; (c) use of firearms; (d) injury to persons or destruction of property; (e) air and water pollution; (f) littering; (g) sanitation; and (h) use of fire.

27. The Field Manager reserves the right to postpone or cancel the event if environmental conditions develop in which the event would subject the land to substantial resource damage or the public to unacceptable risk—factors such as heavy rains, flooding, early thawing, etc.

28. Permittee shall protect the scenic and aesthetic values of the area under permit and the adjacent lands, insofar as practical, while exercising privileges granted during setup, operation, and maintenance of the permitted operation. When facilities for the event are dismantled, the area should be left in a natural state. 29. Permittee will restore any resource damage from the event as specified by the Field Manager.

30. Permittee assumes responsibility for coordinating the event with all adjacent landowners and securing access needed across privately owned lands, ensuring that trespass does not occur.

31. Proof of insurance shall be provided at least one week prior to the event. Insurance shall be consistent with requirements stated in the Colorado BLM Special Recreation Permit information booklet or as amended by the Field Manager.

32. All officials will receive a copy of applicable stipulations prior to competitive event(s). Permittee will ensure that the "Additional Standard Stipulations for Competitive and Off-Highway Vehicle Events" are posted on the event promoter's website and provided in participant material.

33. Permittee, entrants, and/or spectators will not interfere with other valid uses occurring on the public land such as grazing, mining, and other recreational uses.

34. BLM reserves the right to revoke a permit for reasons such as, but not limited to, noncompliance with stipulations (before and/or during the event), failure to provide services specified in the operating plan, or untimely permit reporting.

35. Permittee agrees to make all relevant books, documents, papers, and records of his/her operation available to BLM upon request (as outlined in 43 CFR Subpart 2932.55) for analysis by qualified representatives of BLM and other agencies authorized to review BLM's permitting activities.

36. Permittee shall post a copy of the authorizing permit in plain view where all clients and BLM, DPOR, and DOW employees have the opportunity to read it.

37. Permittee will notify BLM immediately of any accident resulting in loss of life.

Certification: I have read these terms, conditions and stipulations and understand that I must abide by them while performing activities in connection with the permitted operations.

Signature

Print Name

Date

Attachment C

SPECIAL RECREATION PERMIT

CO-140-10-05

GRAVITY PLAY SPORTS

ADDITIONAL SPECIAL STIPULATIONS

Use authorized under this permit will be subject to standard SRP terms, conditions and stipulations and the special stipulations described below:

1. If resource or trail damage is observed by the BLM directly after the event, Gravity Play Sports, (working with other organizations as needed), will perform and fund the necessary rehabilitation work as specified by the BLM.
2. At the conclusion of the event, all signs and flagging resulting from the event will be removed by the permittee.

3. Education/Discovery/NAGPRA Stipulation

The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

Any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361). Non-compliance could result in fines up to \$500,000 and imprisonment of up to six years or both.

Date

Permittee

SPECIAL RECREATION PERMIT
CO-140-08-03
VAIL MOUNTAIN BIKE CAMPS
ADDITIONAL SPECIAL STIPULATIONS

Use authorized under this permit will be subject to standard SRP terms, conditions and stipulations and the special stipulations described below:

1. Vail Mountain Bike Camps will notify the BLM – Colorado River Valley Field Office immediately in writing if your insurance is cancelled for any reason. If possible, the Vail Mountain Bike Camps will endeavor to mail 30 days written notice to the BLM – Colorado River Valley Field Office before cancellation occurs.

2. Education/Discovery/NAGPRA Stipulation

The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

Any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361). Non-compliance could result in fines up to \$500,000 and imprisonment of up to six years or both.

Date

Permittee

SPECIAL RECREATION PERMIT
CO-078-14-93-08
MOUNTAIN WOLF JEEP ADVENTURES

SPECIAL STIPULATIONS

Use authorized under this permit will be subject to standard SRP terms, conditions and stipulations and the special stipulations described below:

1. Limits on the acceptable amount of annual use as follows:
 - a. Mountain Wolf Jeep Adventures: 1867 VDs total; 1095 VDs in the Milk Creek-Domantle area.
2. Group Size: This limitation is to help maintain a relatively low visitor density at one time, and keep groups relatively small.
 - a. The average trip group size will be limited to one vehicle and the maximum group to no more than 3 vehicles at one time. Trip times will be coordinated among the operators to avoid processions or caravans of different groups or trips as much as possible.
 - b. Large group trips requiring over 3 vehicles will be limited to no more than five (5) percent of the total number of trips per season.
 - c. Large group trips will be limited to 5 vehicles maximum if at all possible.
3. Average Seasonal Daily Tours: This limitation is to help maintain group encounters at relatively infrequent levels.
 - a. The average daily number of tours will be one trip or less into a given use area by each company. The maximum number of trips taken into a given use area by each company is two trips per day, provided the seasonal average number of trips per day is no more than one.
4. Hunting Season: This limitation is to prevent possible conflicts with hunting activities along the route corridors during this time of day.
 - a. During all the regular deer and elk hunting seasons, beginning with archery season (usually starting the last weekend of August through the second week of November), early dawn hour trips will not be allowed.
5. Rifle Hunting Season: This limitation is to help prevent possible conflicts with hunting use during the heaviest public use period of the year.
 - a. During the regular rifle hunting season (usually from the second weekend in October through mid-November), the tours in the Milk Creek-Domantle area will be limited to the main access road to the Picture Ridge overlook. Use of other roads (Blue Lakes, Poison

Trail, and Domantle Peak) will be suspended. The areas along these routes are popular hunter camping areas.

b. Weekend tours will be avoided, and limited to small groups as much as possible. Large groups will not be allowed on the weekends.

6. Grazing Season: This limitation is to help prevent potential problems with unwanted movement of livestock if gates are left open.

a. During the grazing season, gates encountered along the tour routes will be closed after passing through them regardless of whether they are found open or closed.

b. The Bureau will work with the operators to identify gate problems and improvements needed to ensure gates are easy to operate, including possible replacement of gates with cattle guards, and replacing wire gates with hinged steel frame gates.

7. Road Protection: This limitation is to help reduce road damage and erosion, and identify maintenance needs.

a. Tours will be avoided on dirt surfaced roads when severe muddy road conditions are present, the road bed soil is saturated to a two inch depth, and/or traffic would cause ruts over 2 inches deep.

b. The operators will work with the BLM to identify hazardous road conditions, severe road damage and/or road maintenance needs.

8. Wildlife Protection: This limitation is to minimize stress on elk calves when they are very young.

a. Tours will avoid stopping and approaching elk calves which may be encountered along the route, and will maintain a safe distance at all times to prevent unnecessary harassment when viewing the animals.

9. Dusk to Dawn Rule: This limitation is to mitigate safety concerns and to reduce intrusions and impacts to wildlife.

a. Operating hours for tours on BLM lands and administered roads (above Milk Creek cattle guard) will be limited in their hours of operation. Sunset trips must be heading off public lands at ½ hour after sunset. Sunrise trips must not be on public lands prior to ½ hour before sunrise.

10. Vail Mountain Bike Camps will notify the BLM – Colorado River Valley Field Office immediately in writing if your insurance is cancelled for any reason. If possible, the Vail Mountain Bike Camps will endeavor to mail 30 days written notice to the BLM – Colorado River Valley Field Office before cancellation occurs.

11. Education/Discovery/NAGPRA Stipulation

The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

Any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361). Non-compliance could result in fines up to \$500,000 and imprisonment of up to six years or both.

Date

Permittee

SPECIAL RECREATION PERMIT

CO-140-07-02

VAIL NATURE CENTER

ADDITIONAL SPECIAL STIPULATIONS

Use authorized under this permit will be subject to standard SRP terms, conditions and stipulations and the special stipulations described below:

1. Hiking groups at Deep Creek limited to no more than 10 people.
2. Vail Mountain Bike Camps will notify the BLM – Colorado River Valley Field Office immediately in writing if your insurance is cancelled for any reason. If possible, the Vail Mountain Bike Camps will endeavor to mail 30 days written notice to the BLM – Colorado River Valley Field Office before cancellation occurs.
3. Education/Discovery/NAGPRA Stipulation
The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

Any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361). Non-compliance could result in fines up to \$500,000 and imprisonment of up to six years or both.

Date

Permittee

SPECIAL RECREATION PERMIT
CO-078-14-91-05
TRIPLE G OUTFITTERS INC.

ADDITIONAL SPECIAL STIPULATIONS

Use authorized under this permit will be subject to standard SRP terms, conditions and stipulations and the special stipulations described below:

1. No new trail construction or relocation is authorized by this permit.
2. Permittee is responsible for the control of listed noxious weeds occurring along the permitted trails and lunch spots. Before weed spraying, a pesticide weed proposal must be completed by a certified herbicide applicator and then approved by the BLM.
3. Triple G Outfitters Inc. will notify the BLM – Colorado River Valley Field Office immediately in writing if insurance is cancelled for any reason. If possible, Triple G Outfitters Inc. will endeavor to mail 30 days written notice to the BLM – Colorado River Valley Field Office before cancellation occurs.
4. A fee discount of 40% will be applied to reported trips on BLM land. This is because the permittee reports that only about 25-40 percent of the ride takes place on BLM land.
5. Education/Discovery/NAGPRA Stipulation
The National Historic Preservation Act (NHPA) requires that if newly discovered cultural resources are identified during project implementation, work in that area must stop and the agency Authorized Officer notified immediately (36 CFR 800.13). The Native American Graves Protection and Repatriation Act (NAGPRA), requires that if inadvertent discovery of Native American Remains or Objects occurs, activity must cease in the area of discovery, a reasonable effort made to protect the item(s) discovered, and immediate notice made to the BLM Authorized Officer, as well as the appropriate Native American group(s) (IV.C.2). Notice may be followed by a 30-day delay (NAGPRA Section 3(d)). Further actions also require compliance under the provisions of NHPA and the Archaeological Resource Protection Act.

Any person who, without a permit, injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18 USC 641, 18 USC 1170, and 18 USC 1361). Non-compliance could result in fines up to \$500,000 and imprisonment of up to six years or both.

Date

Permittee