

Special Recreation Permits for Public Lands in Wyoming

Check List for Pre-application Meeting

1) Land Use Conformance:

- a. Does the proposed activity conform to the Land Use Plan?
- b. Is the use appropriate for the site or area?
- c. Would the proposed activity comport with recreation/ opportunity/experience/benefits you are managing for?
- d. Would it alter the managerial, natural or social setting of the ROS class?

2) Determine if an SRP is required. *(for waiver of permit requirements see SRP manual pg 15)*

- a. Commercial
 - i. business or financial gain
 - ii. Vending
 - iii. Participants fees
 - iv. Raise money for organization
 - v. Entry fees, donations or other compensation for activity
- b. Competitive Event
 - i. sanctioned organized or structured
 - ii. participants register, enter or complete application to participate
 - iii. predetermined course or area used
 - iv. two or more contestants compete against each other or competes for record (ex. timed trial)
- c. Organized group
(If activity is appropriate and furthers recreation program goals/objectives and you answer yes to any of the following statements, a permit is likely to be required. If you answer no to any of the following questions you may use a letter of agreement)
 - i. Site is appropriate for group size and activity, but not specifically provided for in plan (NEPA would be required)
 - ii. Monitoring is required beyond a one-time visit,
 - iii. There are health and safety concerns
 - iv. Bonding is desirable to cover reclamation, damage to government property or resources.
 - v. Insurance is desirable
- d. Commercial Film Permits
 - i. An SRP is required for commercial still photography if the recreation activity is being photographed takes place on public land and the product is sold to those participating in the activity. (the location of the recreation activity not the location of the camera is the deciding factor)
 - ii. BLM may include a film permit with an SRP whenever there is commercial photography being produced and the photography takes place at the same time, location and in association with the activity being permitted. A separate

film permit should be obtained if the SRP holder plans to film at a separate time or location than the permitted activity.

- iii. Any photography taken by the permit holder for use in the permittee's own promotional material or to be given as mementos of the trip does not require a film permit.

3) Review application deadlines. The BLM has 180 days to process a Special Recreation Permit, except when the authorized officer approves a shorter time period. The BLM may extend this timeframe when more time is required for public review or consultation.

4) Thoroughly review the Operation Plan with the proponent. Include any supplementation information requests that may be required for evaluation purposes. Examples include the following.

- a. Statements of financial capability
- b. Certificates of safety training
- c. List and condition of equipment or livestock
- d. Detailed site plans
- e. Sample of proposed advertising, brochures, entrance fees, prizes and customer rates
- f. A letter of granting permission to use private lands or other agency lands in conjunction with public lands
- g. Identification of the other required federal, state or local licenses
- h. Documentation of business agreements or contracts, partnerships and articles of incorporation
- i. Demonstrate the ability to obtain insurance or bonding.

5) Review all applicable fees and fee structure.

- a. Commercial and vendor fees
 - i. Minimum annual fee: \$90.00
 - ii. + 3% of gross
 - iii. Allowable deductions
 1. Percentage of public land usage
 - a. Time on/Time off
 - b. Percent public in proposed area (ex. Hunt unit, allotment boundary)
 - c. Time spent at a private lodge is not used for calculating percent public lands. The trip ends each day when the client returns to the headquarters.
 2. Transportation and lodging (not allowed for competitive events)
 - a. To and from local community only (receipts required). The intent is to allow deductions for transportation costs between local community and the client's home.
 - b. Pre and post trip lodging only (receipts required). Costs incurred for lodging on non-public lands during the trip shall not be deducted.

- b. Competitive Use Events
 - i. \$4.00/person/day or 3% of the gross whichever is greater.
 - c. Organized event fees
 - i. \$4.00/person/day + minimum annual fee.
 - d. Exclusive use or assigned site fee is 180.00. This fee may also be applied to vendors.
 - e. Cost recovery is generally associated with new or substantially different activities.
- 6) Explain annual documentation required** (trip logs, receipts etc.) for post-use reports, due dates and any monitoring and evaluations that may occur.
- a. An Annual Post-Use Report will be required by all outfitters holding BLM-Special Recreation Permits.
 - b. An annual evaluation will be required by all outfitters holding BLM-Special Recreation Permits (BLM Manual 8372-1). The evaluation will assess adequacy of use fees, liability insurance policy, performance bonds, operating plans, permit violations, public complaints and other information as appropriate. Four different performance levels are recognized: Superior, Acceptable, Probationary, and Unacceptable.
- 7) Insurance/bonding**
- a. *Low risk:* Generally non-competitive & non-commercial activities such as group camping, group activities, mounted orienteering, backpacking or dog sledding.
\$300,000/occurrence; \$600,000/annual aggregate
 - b. *Moderate Risk:* Whitewater rafting, horse endurance rides, OHV events, mountain bike races, rock climbing.
\$500,000/occurrence; \$1,000,000/annual aggregate
 - c. *High Risk:* Bungee jumping, speed record events, unaided rock climbing, heli-skiing
\$1,000,000/occurrence; \$2,000,000-\$10,000,000/annual aggregate
 - d. Bonding is estimated based on possible reclamation costs.
- 8) Explain all standard regulations and mitigation.** When applicable include examples of additional mitigation standards that may be required latter.

Have a Nice Day!

4/2008

H-2930-1 RECREATION PERMIT ADMINISTRATION (Public)

Appendix B-4

Timeline Flowchart for Processing Permits

The Timeline Bases

Appendix 1 A. –

Preliminary Review: less than 30 days

- Meets minimum time dead line (180 days prior to use date)
- Land Use Plan?
- Recreation Plans and Policies
- Application Content
- Determine need for further review

No further review necessary, then proceed as follows:

- Archaeological Clearance for Cultural Categorical Exclusion
- Prepare a Categorical Exclusion (CX)

or:

Some offices require a brief scoping to ensure there have been no changes in the conditions analyzed by the associated EA.

- Prepare an Administrative Determination (AD)
- Skip to: Request fees and insurance; Issue, etc.

Further Review is necessary =

Initial Scoping: +7 – 30 days

(7 days if CX or AD; 30 days if EA likely)

- Internal scoping
- Determine NEPA documentation needs
13 Critical elements checklist
- Time Line Calendar
Specialists Needed
Cost recovery estimate
- Go/NoGo Decision

EA required; Project Leader: +7 – 10 days

- Team Member Assignments

External Scoping: 45 days

- Mailings
- NEPA document framework draft
- Field inspections with/without specialists
Archæologist, etc.
- Native American Consultation

EA Draft Preparation: +30 days

- Prep Draft for review inserting public comments