Special Recreation Permits

“How to Obtain a Permit”

Presented by

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More than 3 million acres
Southern Nevada BLM Recreation

Pahrump Field Office – 702,094 acres

Las Vegas Field Office – 2,414,061 acres

Red Rock FO – 195,819 acres
Sloan FO – 48,438 acres
3.1 million acres
15 Wilderness Areas – 231,000 acres
2 National Conservation Areas – 243,000 acres
4 Wilderness Study Areas – 52,000 acres
4 Wild and Scenic Rivers – approx. 28 miles eligible
6 Special Recreation Management Areas – *4 RMZ proposed
23 Areas of Critical Environmental Concern – *46 total proposed

*Proposed in RMP planning

Wilderness
Wilderness Study Areas
Lands with Wilderness Character
Wild and Scenic River
Visual Resources
Travel Management
Developed Recreation Sites and Trails
Dispersed Recreation Sites/Activities
Caves
Volunteers
Special Recreation Permits – Commercial/Organized/Competitive Planning Projects
*Cultural Resources
The National Environmental Policy Act (NEPA) of 1969 was created to ensure federal agencies consider the environmental impacts of their actions and decisions.

Federal agencies are required to systematically assess the environmental impacts of their proposed actions and consider alternative ways of accomplishing their missions, which are less damaging to and protective of the environment.
The Bureau of Land Management (BLM) manages recreation resources and visitor services to offer the greatest benefits possible to individuals and communities and, directs the BLM to better enable communities to achieve their own desired social, economic, and environmental outcomes.


**Commercial permit**

is required when anyone intends to make recreational use of the public lands for business or financial gain. The following conditions are characteristic of a commercial operation:

- When any person, group, or organization makes or attempts to
  
  - make a profit, receive money, amortize equipment, or obtain goods or services, as compensation from participants in recreational activities occurring on public lands.
  
  - Collects a fee or receives other compensation that is not strictly a sharing of, or is in excess of, actual expenses incurred for the purposes of the activity, service or use.
  
  - A duty of care or expectation of safety is owed participants by service providers as a result of compensation.
Commercial entities whether they are getting a profit or not from an event are required to get a permit.

Note: Use by scientific, educational, and therapeutic institutions or non-profit organizations is considered commercial when the previous criteria are met.
Competitive permit is required for an organized, sanctioned, or structured use, event, or activity on public land in which contestants compete and any of the following elements apply:

- Participants register, enter, or complete an application for the event.
- A predetermined course or area is designated.
- One or more individuals contest an established record for speed or endurance.
Organized Group Activity permit

is required for group outdoor recreation activities or events which are neither commercial nor competitive. The requirement for such a permit is determined based on

- planning decisions,
- resource concerns,
- user conflicts,
- public health and safety,
- and/or the need for resource monitoring.
Other SRPs

Vending permits are temporary, short-term, non-exclusive, revocable authorizations to sell goods or services on public lands in conjunction with a recreation activity.

Special Area Use permits may be required for individual (private, non-commercial) recreation use in Special Areas.
Authorities for SRP Issuance

- Part 516, Departmental Manual, Chapter 6, Appendix 5 — Categorical Exclusion Review
- Title 36 CFR, Subpart 71 — Recreation Fees
- Title 43 CFR, Subpart 2932 — Special Recreation Permits for Commercial Use,
- Competitive Events, Organized Groups and Recreation Use in Special Area
- Office of Management and Budget Circular A-25 of 1993 Revised
- Federal Lands Recreation Enhancement Act (FLREA), H.R. 4818, Section 8, (c)

- Local regulation – RMP – RAMP - Land Use Plans
Consequences of Operating without a Permit

Operating without a required SRP or participating in a non-permitted event or activity that requires a SRP is a Federal Class A criminal misdemeanor punishable by a fine of up to $100,000 and 12 months incarceration.
Where to Apply

Red Rock NCA –
1000 Scenic Loop Drive, Las Vegas, NV 89161

Las Vegas Field Office –
4701 N. Torrey Pines, Las Vegas, NV 89130

Pahrump Field Office -
4701 N. Torrey Pines, Las Vegas, NV 89130
SRP Process

The Process
How to Issue a BLM Special Recreation Permit

Preemptory Rejection

Deny Request

BLM Considers proposal
• Plan Conformance
• Need for cost recovery

Applicant submits package

Letter of Agreement (In lieu of SRP for Organized groups only)

Give applicant 2030-1 and requirements

Request more information, cost recovery

Applicant provides

BLM Completes:
• NEPA
• Stipulations
• Insurance
• Bonding
• Monitoring Plan

• SRP Fee

Perform Monitoring
• pre-event
• during event
• post event

Complete Monitoring Report

BLM Issues Permit and Stipulations

Post Use Report

Final billing
Clear bond

Evaluation

Case Closed

New annual authorization for multi-year permits

Corrective Actions

LEGEND

Work flow
As needed
For future actions
Appealable
Applicant / Permittee action
Role of a Permittee

Operating a business and/or providing a service on public land is a serious undertaking.

In addition to items required by the BLM, other certifications, licenses, and education must be in place to conduct business (for example, food handling permits, workers compensation insurance, and business licenses).

As a permittee, you hold a great level of responsibility for your clients as well as for the resources your business relies upon.

Your performance directly affects the safety of the visiting public and the integrity of the natural environment. It is important to remember that being a permitted outfitter is a privilege, not a right.
When to Apply

Permit applications must be submitted a minimum of 180 days in advance of the proposed activity. This enables the BLM to conduct environmental analyses and meet other legal requirements.
To Apply for a Commercial, Competitive or Organized Group Permit

Step 1

• It is highly recommended that you schedule a pre-application consultation with a recreation planner prior to submitting your application.
  
  • Ensures clear communication of permitting requirements and timeframes.
  • A timely planned meeting allows planners to better help you prepare a successful application and make recommendations that could save you time and effort.
To Apply for a Commercial, Competitive or Organized Group Permit

Step 2

- Complete Special Recreation Permit Application – Form 2930-1
  - Complete lines 1-16 and be sure to sign and date the application
Step 3

• A signed operations plan must be submitted for commercial competitive SRPs and may be required for other types of permits.

• Operation plans must contain specific information relevant to the specific application, and implementation becomes a condition of the permit.

• Plans must include detailed information such as:
  – the structure of the event/activity
  – Maps
  – Equipment
  – Resource protection measures
  – Participant/spectator safety
  – Event monitoring personnel
  – Hazard identification and mitigation measures and fire and emergency procedures
  – Parking and staging areas and procedures (Site plan)
  – Sanitation
  – Communications
• Global Position System (GPS) data files (tracks, waypoints, shapefiles, etc.) are required for most event and organized activity permit applications.

  – Please utilize a GPS instrument (such as Garmin, Magellan or Trimble) to accurately collect linear and point data for the proposed event.

  – Once a map has been accepted as complete, no changes will be authorized to the submitted event data unless approved by the BLM representative.

  – Maps must indicate specific areas of concentrated use such as: start/finish areas, camping, parking, lunch stops, check points, watering areas, road crossings and other areas.
Example Map

**DETAILED NOTES:**

**CHUTE PLACEMENT:**
Chute should be placed at the trailhead near the parking lot.

**PARKING INSTRUCTIONS:**
Use this bus parking lot only during business hours.

**TRAFFIC CONCERNS:**
2 Volunteers driving in traffic. After park closes, 1 volunteer must not allow traffic up the scenic loop. Other volunteer must maintain van flow into parking lot.

**VAN/RUNNER FLOW:**

**PORT-A-POTTY PLACEMENT:**
Must be placed in lower parking lot/bus parking only.

**PRIVATE PROPERTY CONCERNS:**

**OTHER DETAIL NOTES:**

**Volunteer Duties**

- **A:** Monitoring exchange chute. Baton exchange must be between double orange tape.
  - Crossing team off teams list. Announcing approaching runners race numbers, when slow manage toilets and change garbage bags.
  - Volunteer announcing over radio approaching runners race number to volunteer A.
  - This volunteer will be stationed further up the road, then layout shows.

- **B:** Directing/Managing traffic. Directing runners to exchange chute.
  - When slow change garbage bags.

**Inventory Item** | **Quantity** | **Inventory Item** | **Quantity**
---|---|---|---
Portable Toilets | 8 | Shirts | 12
Additional Cones | 4 | Volunteering Shirts | 10
Garbage Bags | 3 | Water (bottles) | 10
Exchange Bin | 5 | Volunteer Goodies | 10
Radio: Small (exchange bins) | 2 |

**Revision Dates:** 6/3/2019
**Exchange Open:** 3:45 PM
**Exchange Close:** 1:00 AM
To Apply for a Commercial, Competitive or Organized Group Permit

- The issuance of an SRP is a discretionary action. **If the district cannot fulfill, or complete, all the necessary steps of a use authorization, then no SRP shall be issued.**

- A complete application (including all supporting documentation) must be received by the BLM at least **180 days** prior to the proposed event or activity date.

- Applications that do not meet these guidelines will be denied and sent back to the applicant.

  - A complete application contains:
    - A complete Special Recreation Permit – Form 2930-1
    - A map for course/route and staging and/or camping areas
    - An operating/business plan and other documentation the BLM requests.
    - $105.00 Annual permit fee.
If/When Your permit is Approved

**Step 1.** Submit a valid insurance policy identifying the United States Government as additionally insured (see example).

**Step 2.** Submit current copies of necessary first aid/CPR certification for all guides accompanying guests on public lands.

**Step 3.** Submit participant/customer cost sheet – that displays what customers are charged to participate.

*Note:* The Authorized Officer may also require that you submit additional information to supplement the above.
Once your activity is completed:

**Step 1.** Submit a post use report to the permit administrator (see example completed post use report).

**Step 2.** You will be billed for the amount of use calculated from your post use report.
All permittees are required to obtain an insurance policy for their permitted operations with the minimum liability amounts shown below. The policy must list the United States Government as additionally insured (not co-insured), state the limits of liability, and specify that the insurer will give the additionally insured as well as the certificate holder 30 days written notice before cancellation of the policy.

### Liability Insurance Minimum Requirements by Level of Risk

<table>
<thead>
<tr>
<th>SRP Event or Activity</th>
<th>Per Occurrence</th>
<th>Per Annual Aggregate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Low</strong> Risk: general non-competitive and non-commercial activities such as group camping, group activities, mounted orienteering, backpacking, or dog trials.</td>
<td>$300,000</td>
<td>$600,000</td>
</tr>
<tr>
<td><strong>Moderate</strong> Risk: whitewater boating, horse endurance rides, OHV events, mountain bike races, rock climbing (with ropes), ultra-light outings, rodeos</td>
<td>$500,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td><strong>High</strong> Risk: bungee jumping, speed record events, unaided rock climbing</td>
<td>$1,000,000</td>
<td>$2,000,000 - $10,000,000</td>
</tr>
</tbody>
</table>
• Minimum permitted use fee for all uses is $105.00. If your permit is rejected or denied the $105.00 will be refunded. This fee increases usually every 3 years.

• Commercial event/activity and vending use fees are $105.00 minimum annually, or 3% of gross receipts, whichever is greater.
  – Gross receipts are defined as the total amount of money or the value of other considerations (donations) from conducting a permitted activity, including, but not limited to: entrance fees; gate fees; revenue from sale of images or broadcast rights; donation of cash, goods, or commercial services; on site sales of food, fuel, clothing, novelties or photographs conducted under the permit, etc.

• Competitive recreation use fees are: $5.00 per participant per day, or 3% percent of gross receipts, or $105.00 minimum, whichever is greater.

• Fee discounts may apply if a substantial portion of the activity occurs off public land.
• **Cost Recovery**
  – If more than 50 hours of staff time is required for processing and administering the permit (including the monitoring of), cost recovery of direct expenses related to the permit will be charged.

  • Estimated cost recovery charge is paid by applicant in advance of permit processing.
  • Direct expenses may include the cost of the environmental analysis, consultation with other agencies, conducting public meetings, event monitoring, law enforcement, and permit compliance and use reports.

• **Bonding**
  – The BLM may require the posting of a bond to defray the costs of anticipated rehabilitation or repair of resource or government facility damaged, if such damage is expected to be caused by the permittee’s actions. BLM will return the bond when applicants have complied with all permit stipulations.