

Superior National Forest Outfitting and Guiding on National Forest Lands

WHAT IS AN OUTFITTER GUIDE PERMIT?

The Superior National Forest is used by hundreds of organized groups each year. These groups provide important public recreation needs on the forest. Many also make money in providing these services. The Outfitter/Guide Permit encourages skilled and experienced individuals, organizations and companies to conduct outfitting and guiding activities in a manner that assures National Forest visitors receive services of high quality. The permit also provides a mechanism for getting a fair value return and to exercise some control over commercial use of the National Forest.

WHO NEEDS AN OUTFITTER/GUIDE PERMIT?

All individual or organizations (including non-profit organizations) conducting outfitting and/or guiding activities on National Forest land or adjacent waters should make an inquiry as to whether or not such activity would be properly classified as “commercial.” This includes anyone assisting others in providing outdoor recreation experiences on the Superior National Forest. Some examples are: Commercial guides, church or youth groups, ski instructors, bus tours, or canoe liveries. If commercial, such activity may only be conducted after applying for and receiving an Outfitter/Guide Permit. If there is no charge, fee, donation or tuition related to the program activity and if the group leader is not paid, an Outfitter/Guide Permit may not be required. A Forest Service representative will make the decision on whether a permit is needed.

HOW MUCH WILL IT COST?

The minimum fee for an Outfitter/Guide permit is currently \$105.00 per year effective 2014. (Fees are subject to change 2017)

WHAT DOES THE PERMIT REQUIRE?

The permit lists the permit holder’s responsibilities and provides conditions and limitations under which the group should operate. An operating plan showing the tentative schedule of trips, numbers of participants, as well as other pertinent information may be required annually.

One of the most important stipulations is the insurance requirement. The permit requires public liability insurance (Combined Single Limit) in the amount of \$1,000,000.00. The insurance policy will contain a clause stating that the policy will not be canceled or deleted before 30 days written notice to the Forest Service. The insurance policy must name the United States as “additional insured.” There is usually an additional premium for this coverage, which the permit holder must pay.

IS USE OF WILDERNESS AUTHORIZED?

The Boundary Waters Canoe Area Wilderness is within the Superior National Forest. An Outfitter/Guide Permit authorizes commercial use in the wilderness; however, there are specific regulations in effect to preserve the wilderness experience including a maximum group size of nine people. Also, a separate BWCAW entry permit for each group is required in addition to the Outfitter/Guide Permit. Because of the restrictions and the high impact of groups on this special area, you may discover that other back country areas which are available on the Superior National Forest are more suitable for your group's program(s).

HOW DO I APPLY?

Applications need to be received no later than January 31 of each year for Summer season permits effective May 1 – September 30, and no later than June 30 for Winter season permits effective October 1 – April 30, to allow sufficient time to process your application. Complete the application and send it to the Ranger District that will receive the majority of your use. If you're unsure of what Districts are involved, send it to the Forest Supervisor's Office, 8901 Grand Avenue Place, Duluth, MN 55808.

HOW IS IT ENFORCED?

A Forest Officer may request to see the group's Outfitter/Guide Identification Card that must be carried by the outfitter/guide whenever the group is on National Forest land. Outfitter/guides that do not comply may be issued a notice of violation.

NEED MORE INFORMATION?

Superior National Forest
8901 Grand Ave. Place
Duluth, MN 55808
218-626-4300

Tofte Ranger District
PO Box 2159
Tofte, MN 55615
218-663-8060

Kawishiwi Ranger District
1393 Highway 169
Ely, MN 55731
218-365-7600

Gunflint Ranger District
2020 W. Highway 61
Grand Marais, MN 55604
218-387-1750

Laurentian Ranger District
318 Forestry Road
Aurora, MN 55705
218-229-8800

LaCroix Ranger District
320 N. Hwy 53
Cook, MN 55723
218-666-0020

DO I NEED A PERMIT?

I am an individual who occasionally takes trips into the Boundary Waters of other parts of the National Forest with other individuals. Because I drive and own canoes and some equipment, the others usually buy the food and bait and give me some gas money. Do I need a permit?

No. You do not even have to apply

I am an individual or a profit making organization and I take individuals or groups of individuals on guided trips into the Superior National Forest, utilizing National Forest lands (campgrounds, portages, trails, etc.) Do I need a permit?

Do you charge them a fee? If not, then no permit is required. If yes – then you need to apply for a permit.

An application must be made so that the Forest Service can make the determination.

If I need a permit as a result of the answer to Number 2 above, then what will the fee be?

The minimum special use fee, (currently \$105.00 effective January 1, 2014, fees are subject to change 2017) would be required in advance against a total of 3% of the gross revenue from charges to clients for guiding. Trip leaders or counselors are considered guides. (The total fee will be 3% of the gross revenue from guiding. If it is more than the current minimum fee for special uses, a bill for the balance will be sent at the end of the season. If it is less, the minimum will apply, and no refund will be provided, nor will credit be given for the following year.)

I am an individual or a profit making organization and I rent equipment and sell supplies to clients and then deliver them to National Forest landings, or landings under National Forest administrative jurisdiction. Do I need a permit?

Yes, an Outfitting and Guiding permit covers this activity that is classed as a “livery” operation. A flat fee equal to the minimum fee for special uses, (currently \$105.00 effective January 1, 2014, fees are subject to change 2017) will be assessed for this type of activity, with no refunds or credits for non-use. Note: If you also offer guiding services separate from the livery operation, an additional fee for the guiding services will be charged in accordance with Number 3 above.

We are a non-profit organization that sponsors guided trips in the Boundary Waters or on other National Forest land. Do we need a permit?

Generally, two questions must be answered in the affirmative to trigger the requirement for a permit in this case. Is anyone getting paid to lead or guide the trip? (If the leader is on salary from the organization applying but the trip is absolutely voluntary for the leader, then they are not getting paid.) If they are getting paid, then the next question is: Are the clients being charged more than that necessary to cover the cost of the wear and tear of equipment provided by the organization and the cost of food and transportation.

If yes, then a permit is required.

If no, then no permit is required. A permit waiver may be granted, and the organization must carry the waiver card with them on all trips.

An exception to the above will be made when the organization in question exists primarily to promote outdoor activities or advertises the trips outside of its organization. In those cases, a permit will be required regardless of payments to leaders or charges for the trip.

An application must be made so that the Forest Service can make the determination.

If a permit is required as a result of the answer to Number 5 above, then what is the fee structure?

The fee would be the minimum special use fee (currently \$105.00 effective January 1, 2014, fees are subject to change 2017) in advance of 3% of the payment made to the guide/leader for the trip, or that portion of the client charge attributable to the guiding service (the charges for leading/guiding.)

INSURANCE REQUIREMENT

INSURANCE: The holder shall have in force public liability insurance covering a combined single limit in the amount of \$1,000,000.00. The minimum amount and terms are subject to change at the sole discretion of the authorized officer. The coverage shall extend to property damage, bodily injury, or death rising out of the holder's activities under the authorization including, but not limited to, occupancy or use of the land and the construction, maintenance, and operation of the structures, facilities, or equipment permitted by this authorization.

Such insurance shall name the "United States" as additionally insured.

The policy shall also contain a specific provision or rider pertaining to cancellation. The statement must read as follows: "Should any of the above described policies be cancelled before the expiration thereof, the issuing insurer will mail 30 days written notice to the certificate holder."

PLEASE NOTE! If the holder's insurance company uses a standard insurance form, such as ACORD, the cancellation statement may include the phrases, *...the issuing insurer will endeavor to mail...* and *...but failure to do so shall impose no obligation or liability of any kind upon the insurer, its agents or representatives.* These phrases conflict with USDA, Forest Service Special Use Outfitter Guide Permit authorization and **ARE NOT ACCEPTABLE**. The holder should contact the insurance agent to have the cancellation statement amended.

The certificate holder for the Kawishiwi, LaCroix & Laurentian Ranger Districts will be:

United States
c/o US Forest Service, Kawishiwi Ranger District
Attn: Realty Specialist
1393 Highway 169
Ely, MN 55731.

The certificate holder for the Tofte & Gunflint Districts will be:

United States
c/o US Forest Service, Tofte Ranger District
Attn: Realty Specialist
P.O. Box 2159
Tofte, MN 55615

United States
c/o US Forest Service, Gunflint Ranger District
Attn: Realty Specialist
2020 W. Highway 61
Grand Marais, MN 55604

A COMPLETE COPY OF THE ENTIRE INSURANCE POLICY IS REQUIRED WITH EACH APPLIACTION SHOWING ENDORSEMENTS FOR ALL ACTIVITIES PROPOSED AND MUST PROVIDE THE FOREST SERVICE WITH A CURRENT CERTIFICATE OF INSURANCE AT THE TIME OF EACH RENEWAL.