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Prospectus for Campground and  
Related Granger-Thye Concessions

Tally Lake Ranger District  
Flathead National Forest

U.S. DEPARTMENT OF AGRICULTURE  
Forest Service



June 2012

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## **I. Business Opportunity**

### **A. Introduction**

This Prospectus is being issued to solicit applications for a concession special use permit. A permit to provide high-quality public service in the operation and maintenance of Government-owned recreation facilities located on the Tally Lake Ranger District, Flathead National Forest will be issued.

A permit will be issued with a term for five (5) years, with an option to extend the term for up to an additional five (5) years to be awarded at the discretion of the Forest Service, non-competitively upon satisfactory completion of the original permit. At the end of the ten (10) year period, the permit will automatically terminate and a new permit will be issued through a competitive process.

The Forest decided to offer two different prospectus packages, the first being a three district prospectus that includes 14 recreation sites, the second offers one campground, Tally Lake. Having the ability to offer two separate packages will provide an opportunity for more competitive interests on different scales, and the potential for better public service.

### **Show-Me Trip**

Applicants are encouraged to research all aspects of this business opportunity and participate in the show-me trips. Important considerations should be given to: travel patterns and distances; visitation numbers; occupancies of sites; revenue; management of high elevation facilities; length of season; operations costs such as trash service, vault pumping, facility maintenance, and meeting State and Federal water quality standards; condition of vegetation/trees, and ancillary income opportunities. Providing quality customer service and generating revenue are critical parts of this opportunity.

**A show-me trip will be scheduled for the week of July 16<sup>th</sup>-20<sup>th</sup>, 2012.** Details and an itinerary will be posted on the Flathead National Forest internet web site at <http://www.fs.usda.gov/flathead> on or before the week of June 6, 2012. This field trip will be an overview of the area and types of facilities included in this package, but every site in the Prospectus may not be visited. Applicants are encouraged to visit the area on their own, and complete other research the applicant feels necessary to submit a successful proposal. All facilities may not be open during the show-me trip.

**Table 1 - The permit will include the following developed sites:**

<b>Site Name &amp; Type</b>	<b>Fee</b>	<b># of sites</b>	<b>Revenue 3-Year Average</b>	<b>Season Length</b>	<b>Number of Reserveable Sites</b>
Tally Lake Campground	\$15.00	40 sites	\$58,654	5/15-10/30	60% of total sites and group site #39
Tally Lake Day Use	\$4.00		Combined with Campground	5/15-10/30	
Tally Lake Pavilion	\$25.00 per day/night \$15.00 per camp unit \$4.00 per vehicle day use	Will accommodate 100 people, 50 vehicles	Combined with Campground	5/15-10/30	1 Open Air Pavilion



The current concession permit expires on December 31, 2012. Over the past three years, this permit has generated the following gross revenues:

<u>Year</u>	<u>Gross Revenue</u>
2009	\$ 62,750
2010	\$ 58,596
2011	\$ 55,515

The figure above lists the site that was permitted under the previous permit authority or managed by the Forest Service. For listing of the Tally Lake Campground gross revenue and averages refer to Appendix 24 of this Prospectus.

The Authorized Officer and selecting official for this business opportunity will be the Flathead Forest Supervisor's Office. The address for the Authorized Officer is:

**Chip Weber**  
**Forest Supervisor**  
**Flathead National Forest**  
**650 Wolfpack Way**  
**Kalispell, MT 59901**

**Applications packages must be received by close of business (4:30pm MST) on October 1, 2012. Proposal packages must display a completed Bid Prospectus Notice on the outside of the sealed envelope.**

Five (5) copies of the application package shall be submitted. The Business Plan shall be a separate document(s).

Any and all applicants have the opportunity to apply, except for members of congress, resident commissioners and current USDA Forest Service employees.

## **B. Area Description**

### **Flathead National Forest**

#### **Market Area**

The Flathead National Forest attracts many of its visitors from the surrounding states of Idaho, North Dakota, Minnesota, and Washington; however, it is a destination for Canadian, other US states, and international tourists as well. A few major highways access the Flathead National Forest including US Highway 2 and 93 and Montana highways 40, 35, 83, and 206.

#### **Activities**

Popular Flathead National Forest activities include camping, hiking, sightseeing, mountain biking, four-wheel touring, horseback riding, scenic driving, fishing, and hunting. Good trout fishing is found in the area lakes and many of the streams. Winter sports such as snowmobiling, cross country skiing, downhill skiing, and snow-shoeing, are all popular. The Flathead National Forest is located adjacent to Glacier National Park, Flathead Lake, the Kootenai National Forest, the Lewis and Clark National

Forest, the Blackfeet Indian Reservation, the National Bison Range, the Flathead Indian Reservation, and the Lolo National Forest.

### **Visitation**

The Flathead National Forest receives use both as a tourist destination and as a stopover for those traveling to Glacier National Park and other destinations (such as Yellowstone and Grand Teton National Parks). The traditional tourist season spans from Memorial Day weekend to Labor Day weekend. Within that time, the heaviest use tends to occur during July and August, which coincides with several local celebrations (such as the Flathead Music Festival, Huckleberry Days, Heritage Days, Blackfeet Native American Days, and the Northwest Montana Fair).

### **Climate**

The summertime climate for all areas listed in this Prospectus is generally mild with daily average temperatures ranging from highs of 65-80 degrees F., to lows of 30-60 degrees F. Summer days can be clear and sunny; however, early season can be rainy and overcast. Although it is not a routine occurrence, snow is possible in late May and early June in any of the sites listed. In general, winter snows have melted from all sites by late April or mid-May.

### **Topography**

The topography of the Flathead National Forest is best described as mountainous, with elevations varying from about 3,000 feet in the valleys to approximately 10,000 feet at the highest point.

### **Flora and Fauna**

The predominant vegetation is larch, Douglas fir, and lodgepole pine forests, with some inclusions of aspen, birch, Engelmann spruce, and subalpine fir. The Flathead National Forest is home to a variety of wildlife, including: whitetail deer, mule deer, elk, black bear, grizzly bear, wolf, beaver, badger, skunk, river otter, and numerous small mammal and bird species.

### **Roads and Facilities**

All of the facilities listed are accessible via paved or graveled roads. Road conditions will vary from year to year depending on the Flathead National Forest's road maintenance budget. Most of the facilities in this offering are more rustic than private sector campgrounds in the area.

Facility improvements include, but are not limited to, the individual camp or picnic unit including a table, fire ring, level surfaces, tent pads, restroom buildings, other buildings, water systems, wells, parking barriers, parking spurs, parking lots, roads, drainage structures such as culverts, bridges, sidewalks, signs, fences, gates, and bulletin boards. Unless identified on the ground by a fence, signs, or other definitive boundary markers, or on a detailed map included in the Operating Plan, the developed site boundary is defined as 200 feet from any building corner, interior road, parking spur, table, fire ring, etc.

### **Tally Lake Ranger District**

The Tally Lake Ranger District on the Flathead National Forest provides over 230,000 acres of recreational opportunities. Located west of Kalispell and northwest of Whitefish, it is an easy drive to the forest off of Highway 2 or Highway 93. Tally Lake is the largest campground on the District; other campgrounds include Upper Stillwater Lake, Ashley Lake and Sylvia Lake. All offer good chances for wildlife viewing. Whitefish Mountain Resort operates on the district and has over 3,000 acres of skiable terrain and offers summer activities such as hiking The Danny On Trail, mountain biking, zip

lines and alpine slides. Round Meadow Trails provides over 12 miles of groomed Nordic trails for wintertime activities and mountain bike and horse riding in the summer. The district has one historic rental cabin, The Star Meadow Guard Station, perfect for family camping on the forest but with paved road access and electricity only 27 miles from Whitefish. Ashley Lake provides three campgrounds on the crystal blue mountain lake easily accessible from Highway 2 West. The Tally Lake Ranger District has other unique areas such as the 20 mile long #800 Trail, Miller Creek Demonstration Forest, and LeBeau Research Natural Area.

### **Tally Lake**

The Flathead valley contains numerous bodies of water that attract a variety of tourists and recreationists. Tally Lake is the second deepest lake in Montana and is entirely surrounded by National Forest lands. Tally Lake has 1,211-acres and is located 25 miles northwest of the city of Kalispell with an elevation of 3,398 feet. The Tally Lake Day Use Area provides a boat launching ramp and dock, a swimming beach with a changing room, picnic tables and fire rings, and interpretative signs and an observation scope. The lake provides a variety of recreational experiences including power boating, water skiing, fishing, and camping.

### **National Visitor Use Monitoring**

The National Visitor Use Monitoring Program (NVUM) includes visitor use surveys completed on a 5 year cycle. The program provides information about recreation visitors to national forest system managed lands at the national, regional and forest levels. User surveys were conducted in 2001, 2005, and 2010 on the Flathead National Forest measuring trends in user satisfaction and use levels. NVUM surveys will be conducted on the Flathead again in 2015.

**Table 2 - Total Estimated Visits to the Flathead National Forest by Type**

Visit Type	Calendar Year 2000	FY 2005 10/2004-9/2005	FY 2010 10/2006-9/2010
Site Visits	1,600,000	1,124,000	1,093,000
National Forest Visits	1,400,000	948,100	1,078,000
Wilderness	22,000	13,000	20,000

*Revised results National Visitor Use Monitoring Program data FY 2010*

Variations in NVUM figures can be partially explained by the NVUM process changing between FY2000, FY2005, and FY2010. The changes between 2005 and 2010 had to do with how managers estimated use levels for development of the survey calendar and there were a few new sites added to the survey; however, overall the process was similar to previous surveys. Even through the Flathead National Forest has had three rounds of survey data, the NVUM numbers cannot be used to display a trend until there have been at least four rounds of surveys completed. NVUM is the best information available and does display the trend within the 5 year cycle. In reviewing the information from the monitoring survey, the data gives a forest wide picture and does not reflect each individual ranger districts patterns of use.

In the 2010 NVUM survey, the average Flathead National Forest Visitors were 31 percent female and 68 percent male; 98 percent were white and 1.8 percent were American Indian/Alaska Native; 19 percent were under the age of 16, 14 percent were 20-29 years old, 14 percent were 30-39 years old, 19 percent were 40-49 years old, 17 percent were 50-59 year olds, 12 percent were 60-69 year olds, and 2 percent were 70 years and over; the most common zip code was from Kalispell, followed by Whitefish

and then Columbia Falls; the average distance traveled to the Forest, 46 percent traveled 0-15 miles, 19 percent traveled 25-50 miles, and 13 percent traveled over 500 miles; the more popular recreation activity that people chose to participate in included viewing natural features 42 percent, viewing wildlife 36 percent, relaxing 34 percent, walking/hiking 34 percent, alpine skiing 30 percent, driving for pleasure 20 percent and hunting 18 percent. Other recreation activities varied from picnicking with 7 percent to OHV use with 2 percent. (Note: participants could choose more than one activity).

The NVUM data continues to show a drop in Flathead Forest visitors and recreation site visits over all, however, the alpine skiing visitation during a seven year average, continue to increase on the Flathead National Forest. Wilderness visitors also increased from 2005 to 2010. Flathead County's population has grown during the past 15 years; recently, with the down turn in the economy that growth has diminished slightly. Recreation use in 2010, in nearby Glacier National Park had some of the highest use levels on record; high use levels at Glacier NP typically mean higher visitor use on the Flathead National Forest.

### **C. Description of Developed Recreation Site and Facilities**

All facilities at Tally Lake Campground being offered in this Prospectus have been maintained by a concessionaire or the Forest Service since 1989 and are in good condition. After awarding the permit the Forest Service will meet with the selected permit holder and agree on the current condition of each facility.

The holder will be responsible for maintaining all permitted facilities to their existing or better condition. If conditions are improved or upgraded, the holder will be responsible for maintaining the facilities in their upgraded condition.

The following is a description of the developed recreation site included in this Prospectus:

#### **Tally Lake Campground**

The Tally Lake Campground is located on the north shore of Tally Lake 17 miles northwest of Whitefish, Montana. The complex consists of the campground with 40 sites, a beach area, boat launch, fishing and boating dock, accessible sites, vault toilets, water hydrants, and an open air pavilion with grills and tables, for a total camping capacity of 260 PAOT (people at one time).

The water system consists of a well, holding tank with automatic shut-off valve, and water lines to two of the three camp loops. Campers in sites 34-39 must haul their water from the main campground. The RV dump is connected to two 1,125-gallon septic tanks with a discharging drain field. A host site has a hook-up for septic and water and a wooden storage shed. No electricity is available and cell phone boosters or radios are needed for reliable communication.

There are 10 vault toilets, all of which are accessible.

The open-air pavilion with a capacity of 100 PAOT has accessible tables, 2 group fire rings, barbecue grill, sand volleyball court, horseshoe pit, and open grassy area for games and activities. The pavilion is rented almost every weekend throughout the summer for weddings, family reunions, employee picnics, and other gatherings.

The beach and picnic area are large open grassy areas with picnic tables, fire rings, horseshoe pits, a changing area, and wildlife interpretive signs with a large spotting scope. Swim buoys are put out each year to define the swim area with safety signs to keep boaters separated from swimmers.

There is a hiking trail located on the road to the north shore sites that offers a 1 mile hike (2 miles round trip), to a scenic vista of the lake and surrounding mountains. Mountain biking is a popular activity along with bird and wildlife viewing. Fishing opportunities exist along Logan Creek and in Tally Lake. Many families bring their boats and spend the day on the water during their camping trip at Tally Lake.

Bear resistant refuse containers are installed throughout the site. Concessionaire is responsible for disposal of garbage from bear resistant receptacles at this facility.

**Table 3 - Facilities, Capacity, and Utilities**

Recreation Complex Sites	No. of Camp Sites	Capacity (PAOT)	Picnic Sites	Host Site	Boat Ramp	Toilets Vaults	Swim Spot No Life Guard	RV Dump Station	Utilities	Trash*
Tally Lake	39 sites 1 group 1 pavilion	260	Grass area	Yes	Yes	10	Yes	Yes	No	Yes

\* Tally Lake campground and day use areas where cans are available, concessionaire provides trash pickup.

\* Toilet Vault capacity averages 1000 gallons per riser.

## **D. Government-Furnished Property**

The Forest Service will provide certain property in conjunction with the concession campground special use permit (See *Appendix 3* of this Prospectus). Included in this inventory are a description, the quantity, and the estimated replacement costs of applicable property.

## **E. Government-Furnished Supplies**

The Forest Service will not furnish any supplies for day-to-day operation of the concession. Government-furnished supplies will be limited to those necessary for programmatic consistency, including:

- Forms to report use and revenue.
- A copy of the Forest Service publications, *Cleaning Recreation Sites, In-Depth Design and Maintenance Manual for Vault Toilets*, and *Vault Toilet Pumping Contract Specifications and Guidelines for Preparing Contracts*.
- A copy of *Recreation Opportunity Guides*, which the holder may reproduce at its own expense.
- Hazard Tree Identification information
- Title VI signs.
- Various educational or informational handouts such as camping ethics/regulations, interpretive information, safety, specific wildlife information, aquatic and vegetation nuisance species information, etc.

## **F. Utilities and Waste Management**

Certain utilities and infrastructure exist for the developed recreation sites identified in this Prospectus. The permit holder will be responsible for securing, managing, and paying for these utilities. Applicants should contact the current service providers to obtain estimated costs and account requirements for the utilities.

The installation and use of solar powered systems may be proposed at sites included in this offering. All associated installation, operational, and maintenance costs will be the responsibility of the permit holder. Satisfactory operations and maintenance of such systems will be the sole responsibility of the permit holder.

### **Communications Telephone and Cellular Telephone**



Communications can be challenging at this site. Satellite phone technology, smart phones or cellular signal booster equipment may be helpful in meeting communications standard requirements. The holder must have at least one (1) FAX machine available to receive National Recreation Reservation System (NRRS) information, or have e-mail, and/or computer access available in the campground.

The permit holder is responsible for procuring and paying for cell phone service for the host site. Coverage should be thoroughly examined to ensure there is service that is reliable in the campground.



### **Propane and Butane**

Propane and butane is available in the Flathead area. Area contacts for this service would be Amerigas, CHS, City Service Valcon, 1<sup>st</sup> Propane Flathead, and Northern Energy. For safety and regulatory reasons, the permit holder is not allowed to install or store propane or butane beyond quantities for personal use by campground hosts. This is defined at 49CFR171.8 (10/1/2003) as greater than 119 gallons or 450 liters. Propane may not be stored for resale.

*Amerigas*  
*(406) 257-4345*  
*Kalispell, MT.*

*City Service Valcon*  
*(406) 752-2100*  
*Kalispell, MT.*

*Northern Energy*  
*(406) 257-3406*  
*Kalispell, MT.*

*CHS*  
*(406) 755-7400*  
*Kalispell, MT.*

*1<sup>st</sup> Propane*  
*(406) 756-7678*  
*Kalispell, MT.*



## Water

Operation of the water system is the responsibility of the permit holder. This includes start-up, normal operations and systems shut-down in the fall. Damage to the water systems due to negligence on the part of the operator will be the permit holders' responsibility.

The permit holder is required to operate and maintain all water systems in compliance with current applicable Federal, State, and local laws and regulations for the operation and maintenance of a public drinking water system. Water systems that the State of Montana may classify as Non-public water systems shall be operated as if they were public systems and comply with all public system regulations with the exception of the requirement for reporting to the state. It is very important that applicants exercise due diligence in exploring potential expenses for water system operations, testing and maintenance. Costs to meet the standards for compliance with these requirements can be significant.

The permit holder will be responsible for all current and future water testing required for active water systems to be in compliance with all up-to-date Federal and State water quality testing standards. (See *Appendix 20(a)* in this Prospectus).

The permit holder is required to get prior approval from the Forest Service Authorized Officer before adding any new water system, or making changes to the status of any existing water systems.

The permit holder shall provide to the Forest Service all current information about the system operator, including copies of licensing. If operator duties are provided by contracted services, the permit holder shall provide copies of the agreements or contracts to the Forest Service. A direct line of communication is required between the Forest Service and the operator for each water system. The Forest Service remains the primary point of contact with the State as the owner of the system. Any direct communication between the operator and the State must include copies to the Forest Service.

Hosts are allowed to connect hoses only at the sites that have the appropriate faucet and back flow preventers. The public is not permitted to connect hoses to any water hydrant.

All required water tests must be completed prior to opening of the water system. In the past years it has been necessary for the permit holder to snowshoe into some campgrounds to meet water system testing requirements prior to opening to the public.



## Trash

The permit holder is responsible for trash removal at this site, and all associated costs. Removal of trash shall be scheduled to ensure that capacity levels of trash containers are not exceeded. Bear/animal resistant receptacles/dumpsters are required at all sites where trash service is provided. Most of the bear/animal resistant dumpsters have been provided by the Forest Service. All trash

receptacles shall be maintained in good working condition, and any mechanical devices used to prevent wildlife problems shall be maintained in working order.



### **Recycling**

Recycling is considered an optional service due to potential challenges of recycling in remote locations and potential conflicts with animals and insects. However, certain recycling programs in the area have been successful in the past and the Forest Service supports recycling programs. Applicants are encouraged to consider and submit a proposal for a recycling program that includes purchase of post-consumer recycled materials. Conflicts between recycling and wildlife shall be considered when developing or managing a recycling program. Recycling operations will be considered during the proposal evaluation process.



### **Liquid and Solid Waste Disposal**

The permit holder is responsible for all costs associated with pumping all vault toilet vaults, and holding tanks at all offered sites. Pumping of all systems will be in accordance with the annual operating plan, and shall be pumped to remove all liquids, solids, and accumulated trash upon becoming  $\frac{3}{4}$  full. It is the permit holders responsibility to monitor the storage level and volume to schedule pumping. In rare cases, snow melt and runoff may flood into a vault. In these situations it is the permit holders' responsibility for the scheduling and costs for pumping these vaults before placing the toilet into service. Toilet vaults may be used by the public during the off season. The concessionaire is responsible for pumping if needed in the spring.

Gray water or black water hoses from host site, or public sites into toilet vaults are not allowed.



### **Day Use Areas**

Day use fees are charged and collected at the Tally Lake Campground. The day use fee is charged for each vehicle and is valid for that day, or for the length of time the guest is paying to camp in the campground

Proposals in this offering should fully describe fee collection process, staffing, hours, and customer service at the entrance stations. Proposals should also include detailed information for any proposed improvements.

## **G. Emergency Services**

Dial **9-1-1** for immediate response from fire, police or medical personnel

Flathead County Sheriff's Department  
Business Calls – (406) 758-5585  
Dispatch – (406) 758-5610

Montana Highway Patrol  
Dispatch – 1-800- 525-5555

## **II. Forest Service Concession Program and Policies**

Government-owned concessions are authorized by special use permits issued under Section 7 of the Granger-Thye (GT) Act, 16 U.S.C. 580d, and implementing regulations at 36 CFR 251, Subpart B.

In addition, there are certain Forest Service programs and policies that apply to campground concessions. All applications must be consistent with these requirements.

### **A. National Recreation Reservation Service (NRRS)**

The Flathead National Forest participates in the National Recreation Reservation System, (NRRS) which provides nationwide, toll-free telephone reservations for single-family or group camping sites, rental cabins, and other recreational facilities. Visitors pay the camping fee at the time they make a reservation, and no fees are collected at the site (although the permit holder may allow occupancy of any site in the NRRS that is unreserved and charge on site for that use). Contact information for the NRRS follows.

#### **The current NRRS contractor is:**

Active Network  
San Diego Corporate Office  
10182 Telesis  
San Diego, CA 92121

Inventory Help Desk: (877) 345-6777  
Customer Service: (888) 448-1474  
Email: [nrrshelp@reserveamerica.com](mailto:nrrshelp@reserveamerica.com)  
Facsimile: (888)742-5520

#### **The Forest Service NRRS contacts are as follows:**

John Cameron  
Forest Service Contractor Officer's Technical Representative  
Telephone: (850)523-8589  
Email: [jcameron@fs.fed.us](mailto:jcameron@fs.fed.us)

Margaret Gorski  
Northern Region NRRS Coordinator  
Telephone: (406) 329-3587  
Email: [mgorski@fs.fed.us](mailto:mgorski@fs.fed.us)

The NRRS is the only authorized reservation system for Forest Service developed recreation sites, including campground, cabins, and group use areas. The Forest Service contract with the NRRS prohibits campground concession permit holders from using any other reservation system, establishing their own reservation system, or reserving campsites other than through the NRRS. Applicants may recommend adding sites to or deleting sites from the NRRS or changing the number of sites that may be reserved, the minimum number of days per reservation, or the location of sites that may be reserved. The permit holder also may make these recommendations during the term of the permit. The authorized officer will decide whether to accept or reject the recommendations.

Under the NRRS, the following guidelines must be followed, unless there are compelling operational reasons:

1. For each developed recreation site included in the NRRS, at least 60 percent of the units must be available for reservations. The rest of the units may be occupied on a first-come, first-served basis.
  - Reservation windows vary by type of site and are as follows: Individual campsites: from 180 to 4 days prior to arrival date.
2. When the NRRS is utilized, the permit holder is responsible for on-site administration and will be required to:
  - Obtain daily arrival reports (DARs) from the NRRS contractor each morning by establishing at least one central facsimile location, email address, or other means of obtaining and distributing DARs.
  - Develop a system for posting reservations at the sites so other visitors know which units are reserved.
  - Post and hold reserved sites for 24-hours.
  - Ensure that the party with the reservation is the party using the site.
  - Resolve any disputes over the use of reserved sites by drop-in campers.
  - Verify that visitors hold a Senior Pass or Access Pass or the America the Beautiful-National Parks and Federal Recreational Lands Pass (*ATB Pass*) authorized under the Federal Lands Recreation Enhancement Act (REA), 16 U.S.C. 6801-6814, before giving the discount on fees for those passes (*see* section II.B).
  - Develop inventory data for sites being added to the NRRS and update data for sites currently in the NRRS (including fees charged the public and temporary site closures). Submit data to the NRRS at least annually for data updates.
  - Communicate to the NRRS any emergency closures or other relevant operational changes as they occur.

- Approve customer refunds as appropriate and process them through the NRRS. NRRS refund policies can be found at:

<http://www.reserveusa.com/jsp/homepage.jsp?goto=/home/policies.html>

Because reservations can now be made up to a year in advance for group sites and up to 180 days in advance for family sites, the NRRS is currently accepting reservations for the 2012-2013 operating season. Fees received by the NRRS for reservations after December 31, 2012, will be held by the Forest Service and distributed following the issuance of a special use permit to the successful applicant. In the final year of the permit, fees will be held in the same manner until a new permit is issued. The permit holder will honor reservations made prior to issuance of the permit at the price in effect when the reservations were made.

## **B. Pass Discounts**

The permit holder must provide a 50 percent discount on recreation fees charged under Recreation Enhancement Act (REA) at developed recreation sites covered by this Prospectus to holders of Golden Age and Golden Access, as well as holders of the Interagency Senior and Access Passes.

Specifically, holders of these passes are entitled to a 50 percent discount on the fee for a single campsite occupied by the pass holders. The pass holders are not entitled to a discount on the fee for a multiple-family campsite, cabin, or group use area or any additional campsites occupied by those accompanying the pass holders. The 50 percent campsite discount does not include utility, water, or any other hookup fees.

Any loss of fee revenue from honoring the passes should be factored into applicant's bid.

The permit holder will not be required to offer discounts on camping to holders of the Annual or Volunteer Pass.

Tally Lake Campground honors the 50 percent discount passes.

### **Free Camping Days**

Free or discounted camping days may be offered at the discretion of the Permit holder; they will not be required by the Forest Service. Any proposals for free camping days or other discount programs will be considered if included in the applicant's proposal. These programs must be established as part of the normal operations approved in the Annual Operating Plan. They cannot be discriminatory, and cannot be offered on a case-by-case basis at the discretion of the Permit holder.

### **C. Safety and Responsibilities Includes Site Closures**

The Forest Service reserves the right to close all or a portion of any area in this Prospectus for repair; construction; floods; snow; extreme fire danger; or other natural events; wildlife protection; or risks to public health and safety. The Forest Service shall not be liable to the permit holder for lost revenue, operating costs, or any other losses resulting from these closures. However, for fee calculation purposes, the permit shall be placed in non-use status as provided by FSH 2709.11, section 31.23.

Fire restrictions may also be imposed by the Forest Service, as well as local county law enforcement departments (See *Appendix 4* for the definition of “fire restrictions”).

### **D. Administrative Use**

If the Forest Service requires the successful applicant to provide a service for the agency, such as camping or pavilion use, the successful applicant will be compensated for that use. There will be no charge for access for management activities or inspections by the Forest Service.

### **E. Applicable Forest Orders**

Forest Orders may be issued to address a variety of management concerns on a particular Forest and/or Ranger District. Copies of the applicable orders for the Flathead National Forest sites are identified in *Appendix 4*. Additional applicable Forest Orders may be issued in the future.

Fire restrictions, as described in *Appendix 4*, may also be imposed based on weather and fire conditions.

### **F. Fee Tickets and Compilation of Use and Revenue Data**

The permit holder must provide fee tickets to visitors for both overnight and day use camping that include at least the following information:

- The site number and total amount paid. (overnight only)
- The date of issuance and number of days paid for.
- If a pass is used, the pass number.
- The number of people in the group.
- The number of vehicles and their license plate numbers.

The permit holder must provide use and revenue data to the Forest Service (See *Appendix 5* for a sample use report). Use reports shall be completed monthly and at the end of the operating season for each developed recreation site, provided that when the holder performs GT fee offset work in lieu of paying the land use fee in cash, use reports may be submitted quarterly, rather than monthly. At a minimum, monthly and year-end use reports must include:

- The total number of units occupied based on daily counts.
- The total number of people based on daily counts.
- The percentage of occupancy by month.
- Total recreation fee revenue.

- Total fee revenue for other goods and services.
- The total number and type of passes used.

In addition, year-end use reports must include:

- Total fee revenue collected under the NRRS.
- Total taxes paid.
- Total gross revenue.
- Total net revenue.

## **G. Customer Service Comment Cards**

The permit holder must provide customer service comment cards to visitors at each developed recreation site (See *Appendix 6* of the Prospectus). All comments cards will be available to the Forest Service for review upon request.

## **H. Performance Evaluations**

At a minimum, the Forest Service will perform a year-end performance evaluation within four months of the close of the operating season (See *Appendix 7* of the Prospectus). An unsatisfactory rating may be cause for suspension or revocation of the special use permit. Sustained satisfactory performance is required for a permit extension. A midyear review may also be performed at the Forest Service discretion.

## **I. Accessibility**

The Architectural Barriers Act of 1968 (ABA) and Section 504 of the Rehabilitation Act of 1973 require new or altered facilities to be accessible, with few exceptions. In 2004, the Architectural and Transportation Barriers Compliance Board (Access Board) issued revised accessibility guidelines for buildings and facilities subject to the ABA and the Americans with Disabilities Act (ADA). These new guidelines are called the "ADA/ABA Accessibility Guidelines." In 2006, the Forest Service issued the *Forest Service Outdoor Recreation Accessibility Guidelines* (FSORAG). The FSORAG addresses types of recreational facilities, including developed recreation sites that are not covered by ADA/ABA Accessibility Guidelines.

Any Government maintenance, reconditioning, renovation, or improvement (see section III.C) must meet ADA/ABA Accessibility Guidelines, where applicable, as well as the FSORAG.

The FSORAG and the ADA/ABA Accessibility Guidelines are posted on the Forest Service's website at: <http://www.fs.fed.us/recreation/programs/accessibility>. Questions regarding ADA/ABA Accessibility Guidelines may be referred to the Access Board at [www.access-board.gov](http://www.access-board.gov). Questions regarding the FSORAG may be referred to the Accessibility Coordinator, Neal Weierbach, at the Supervisor's Office of the PSICC.

The permit holder is responsible for ensuring effective communication with visitors with disabilities, including persons with impaired vision or hearing, so that all visitors may obtain information on accessible services, activities, and facilities.

## **J. Camping Unit Capacity**

### **Number of Vehicles per Camping Unit**

A single-family camping unit may accommodate two passenger vehicles. A “vehicle” is defined as any motorized conveyance, except that for purposes of vehicular capacity, two (2) motorcycles are considered one (1) vehicle. Two driven vehicles are allowed per site with the basic camping fees, if they fit on the designated spur. Only one self-contained recreational vehicle will be allowed per site. Additional vehicles may be allowed at a camping unit, if the camping unit can safely accommodate them. When extra vehicles are allowed, an extra fee of up to 50 percent of the camping unit fee may be charged for each extra vehicle. Extra vehicles include: passenger cars or light trucks, not used for sleeping, ATV trailers or boat trailers. If an extra vehicle exceeds the camping unit capacity (i.e., the extra vehicle causes a safety hazard or resource damage), the customer may be required to pay for an additional camping unit or park in an overflow parking area, if available. One (1) towed vehicle per single camping unit will be allowed for no extra charge if it can be parked completely on the surfaced area and does not create a safety hazard. Examples of towed vehicles include a boat trailer or a car towed by a motor home.

### **Group Site Capacity**

The Tally Lake Campground has two group sites in this offering. One is a group site for five camp vehicles and the other is an open air pavilion that allows overnight camping and day use that can serve approximately 100 people at one time.

### **Day Use Site Capacity**

Tally Lake Campground has a beach area, boat launch and picnic area open for day use.

## **K. Stay Limit**

Campers at overnight sites will be limited to a fourteen (14) day stay limit during any consecutive 30-day period within 5 air miles of the previous campsite; and camping for more than 30 accumulated days on the same district within the same calendar year. (Forest Supervisors Order F10-043-102)(See *Appendix 4* of the Prospectus).

## **L. Fees Charged to the Public**

The permit holder may charge the public fees only to the extent that the Forest Service can charge recreation fees under the Recreation Enhancement Act (REA). All recreation fees must be specified per developed recreation site. The holder must honor the proposed pricing through the first full operating season. Thereafter, the holder may propose price adjustments with justification. The Forest Service retains the right to approve and dis-approve price adjustments.

Proposals for differential pricing for camping sites will be allowed for consideration and approval by the Forest Service authorized officer. An example of this would be to propose higher camping fees for those sites that are located along the shoreline or adjacent to popular attraction.

No price increases will be approved mid-season. If a service or an amenity such as water service is discontinued or disrupted at any site, fees may not exceed 50% of normal or another source of potable water must be provided.

Permit holder may not charge for any of the following:

- Solely for parking, undesignated parking, or picnicking along roads or trail sides outside the developed site.
- General access, unless specifically authorized by REA.
- Dispersed areas with low or no investment, unless specifically authorized by REA.
- Persons who are driving through, walking through, boating through, horseback riding through, or hiking through NFS lands without using the recreational facilities and services for which a fee is charged.
- Camping at undeveloped sites that do not provide the minimum number of facilities and services prescribed by REA.
- Use of overlooks or scenic pullouts.
- Travel by private, noncommercial vehicle over any national parkway or any road or highway in the Federal-aid System that is commonly used by the public as a means of travel between two places, either or both of which are outside an area in which recreation fees are charged.
- Travel by private, noncommercial vehicle, boat, or aircraft over any road, highway, waterway, or airway to any land in which the person traveling has a property right, if the land is in an area in which recreation fees are charged.
- Any person who has a right of access for hunting or fishing privileges under a specific provision of law or treaty.
- Any person who is engaged in the conduct of official federal, state, tribal or local government business.
- Special attention or extra services necessary to meet the needs of the disabled.

## **M. Law Enforcement**

Forest Service Manual (FSM) 2342.1, Exhibit 01, addresses the law enforcement authorities and responsibilities of concessionaires, state and local law enforcement agencies, and the Forest Service at concession campgrounds (See *Appendix 8* of the Prospectus).

The permit holder has the responsibility of informing visitors about the applicable rules and regulations. Generally crimes involving persons or their property are the responsibility of the County Sheriff. Forest Service personnel are responsible for crimes involving federal property or resources.

There is a cooperative law enforcement agreement in place with Flathead Country Sheriff's Department. This agreement cover patrols at the Tally Lake Campground.

Incidents involving altercations with visitors, injuries to visitors and employees, or other minor infractions will be reported to the Forest Service Permit Administrator in writing within seven (7) days of the incident. Any fatalities will be reported to the Forest Service as soon as possible, followed by a written report within 24 hours.

Any acts of vandalism or graffiti will be reported to the Forest Service Permit Administrator within 72 hours of discovery. Graffiti shall be removed or repaired within 24 hours of discovery. Vandalism, such as broken signs or windows, will be repaired as soon as practical. All costs and repairs for these items are the responsibility of the permit holder.

## **N. Additional Revenue Opportunities**

Other revenue opportunities include but are not limited to: bicycle rentals, boat rentals, fishing equipment rentals, camping trailer rentals, mobile self-contained cabin rentals, some limited sales, and Forest map sales may be considered. The Forest Service will consider proposals for other sale items and revenue producing services. The Annual Operating plan should include information on all approved revenue opportunities. Revenue from these items will be included in the permit holder's gross revenue when determining the GT- Fee offset rate.

Firewood sales are encouraged and where offered should be offered on a daily basis. The permit holder may subcontract this service to a third party. Firewood sales shall also include information on fire safety, and fire awareness as it pertains to fire restrictions.

## **O. Interpretive & Conservation Education Services**

Although interpretive services are not required, the permit holder may provide interpretive and/or conservation education services to enhance visitor enjoyment of the Forest. Services such as campfire programs, guided walks/hikes, childrens activities, brochures and displays maybe proposed. This service may be contracted to a third party, but must be presented in a manner that is consistent with and supportive of the Forest Service mission. The permit holder may also enter into a collection agreement for the Forest Service to provide these services.

If interpretive and/or conservation education services are to be provided, the Forest Service encourages the development of a means to educate visitors about the programs or initiatives to be presented. The permit holder must submit the proposed content of any interpretive/educational programs, exhibits, displays or materials, regardless of media format (i.e., printed, electronic, or broadcast media), to the Forest Service Permit Administrator for review and approval prior to offering such programs, exhibits, displays or materials to Forest visitors.

Interpretive and conservation education services will be defined and approved in the Annual Operating Plan.

## **P. Annual Passes**

The permit holder may offer a Company *Annual Pass* available on a calendar year basis. Currently the cost of the pass is Thirty dollars (\$30.00), and it will be limited to this price for the 2013 season. Future fee increases would need to be submitted six months in advance for review and possible approval by the Forest Service authorized officer.

## **Q. Host Requirements**

Hosts or other employees of the permit holder will be required to abide by the same rules and regulations as forest visitors. As an example, campsites shall be clean and free of animal attractants, such as food or hummingbird feeders, and pets will be leashed. Campground hosts will abide with quiet hours, parking limits and occupancy limits for guest, as well. Host sites will be neat and orderly with only a minimum of supplies or tools stored on-site.

Applicants shall propose host site locations as part of their application. The location and number of host sites will be approved by the permit Administrator.

The only rules and regulations to be enforced will be those that are agreed to by the Forest Service. There will be no additional rules enforced by individual campground hosts.

## **R. Resource Concerns**

### **Wildlife**

Some of the campgrounds and day-use facilities will have trash collection service. Regardless of the contracted service, all sites will be maintained to minimize wildlife habituation. Frequent patrolling by the permit holder may be necessary to enforce rules and to take action to remove litter and refuse from the site to eliminate perpetuation of wildlife conflicts. The Flathead National Forest has two food storage orders that are in Appendix 4. Adherence to the LC-10-D1-01 Food Storage Special Order and F10-076-L-11 Food/Wildlife Attractant Storage Special Order are required.

### **Condition of Trees/Stand Health**

The Tally Lake District is primarily a mix of Lodgepole Pine, Ponderosa Pine, Douglas fir, Engelmann Spruce forests with pockets of cottonwoods stands. The forest vegetation is in good health. However, there are a variety of insects and disease affecting trees and causing tree mortality in Montana. During the past few years at some sites, the Forest Service has completed timber sale activities and tree removal projects in and around the campgrounds in efforts to reduce the spread of the beetle. It is anticipated that additional efforts in and around the recreation sites will be made. At this time it is unknown where, when, or exactly what projects will be implemented to address the issue. It is possible that projects may impact select sites and could have short term effects on revenue. It is important the applicant be aware of the extent of the Mountain Pine Beetle (MPB) epidemic that has occurred in the western states.

### **Hazard Tree Removal**

The permit holder will conduct pre-season inspections of the campgrounds and day-use areas to identify existing and potential hazards, including hazard trees. The permit holder will also be responsible for monitoring and identifying hazard trees during the operating season. After securing written approval from the authorized officer, the permit holder's financial responsibility for removing hazard trees and associated slash will not exceed 1% of the current year adjusted gross revenue. The concessionaire should have as part of the GT Fee-Off-Set plan, a tree hazard removal component to address situations when the percentage of hazard trees removal is over 1%. The annual operating plan will address appropriate disposal of hazard trees and slash, and end of year reporting on hazard tree removal. The *Northern Region Vegetation Management Handbook* is available upon request and included in this Prospectus is the Tally Lake Vegetation Management Plan (See *Appendix 22* in the Prospectus).

Verification and adequate accounting of actual expenses may be required if the holder claims the annual limit of financial responsibility has been reached.

Standard – Any dead standing tree within 200 feet of the outermost constructed feature around the perimeter of the campground or day use area site is non-negotiable as a hazard tree and must be removed by the permit holder as soon as practicable and the hazard must be otherwise mitigated through closure of the individual sites or surrounding area where there is a target potential until the tree is removed.

Standard – All hazard/safety inspections shall be documented in the logbook and numbers, specific locations (e.g. site #, 30ft behind toilet#3, etc.), species, diameter at breast height, tree condition and method of disposal of all hazard trees removed will be recorded. Inspection and mitigation documentation shall be submitted to the permit administrator prior to opening.

### **Noxious Weeds**

The holder is responsible for control of invasive weed infestations within their permitted boundaries. The holder must actively prevent any new and treat existing infestations. The Forest Service will provide the holder with a list of weed species of concern. Herbicides and pesticides may not be used to control undesirable vegetation, aquatic plants, insects, rodents, trash fish, and other pests and weeds, without prior written approval from the Forest Service. The Holder shall submit a request for approval of planned uses of pesticides annually established by the Authorized Officer. Any request for use shall cover a 12-month period of planned use, beginning 3 months after the reporting date. Only materials registered by the U.S. Environmental Protection Agency for the specific purpose planned shall be considered for use on National Forest System lands. Any treatment needs to be approved by the Forest Service.

### **Grass or Vegetation Mowing**

The permit holder is responsible for trimming grass and other ground vegetation on a regular basis to expose parking barriers, maintain a comfortable and inviting setting, and to reduce the potential for wildfire. Ground vegetation can grow within site spurs, walking paths, hand pump well drainage areas, or in road prisms. The holder is responsible for treatment on this type of vegetation in an acceptable manner in order to prevent it from encroaching upon, obstructing a site, or impeding the

function of the improvement. "Off the shelf" herbicides may be used to treat this vegetation in accordance with manufacturer instructions.

Standard – Any use of chemical treatments shall be done in accordance with manufacturer instructions.

## **S. Employee Housing**

There is no housing provided by the Forest Service. The permit holder and employees will be responsible for providing all necessary housing and associated costs.

Use of any camping sites, other than designated host site(s), for holder employees as housing sites, must be approved in writing by the Forest Service authorized officer in the annual operating plan. Use of such sites are not guaranteed and applicants should not hinge the success of their operation upon whether or not they will be permitted to use sites that are not designated as host sites for housing employees.

## **T. Emergency and Communication Plans**

The permit holder should be prepared to respond to any emergency that may occur in or around any of the permitted facilities included in this Prospectus. Emergencies include, but are not limited to: floods, wildfires, medical, law enforcement, hazardous spills, etc. The permit holder is required to develop an Emergency Response Plan (or plans) that address emergency response, evacuation procedures, notifications, communications, documentation of the event and response. This plan or plans will become part of the Annual Operating Plan to be reviewed and updated annually with the Forest Service permit administrator. The permit holder is encouraged to work with the Forest Service permit administrator to develop a comprehensive plan to address emergency situations that may occur or could affect sites in and around the permitted sites.

In the event of a fatality, whether an employee of the permit holder or a visitor, the Forest Service Permit Administrator at the Flathead National Forest will be notified as soon as possible, followed by a written report within 24 hours.

The permit holder will be required to provide and specify a means of communication between all employees, the Forest Service and other emergency personnel. The use of Forest Service equipment or frequencies will not be permitted. Verifying cell phone coverage is the responsibility of the permit holder. It may be necessary to include satellite phone to accomplish the necessary communications. Applicants are encouraged to research communications options and any associated cost to accomplish the necessary communications.

A non-emergency communication plan shall be developed and included in the annual operating plan. At a minimum this plan will include: a process for receiving daily arrival reports and timely dissemination of this information to employees and/or campground hosts, daily communications with all employees for information and updates sharing, availability for daily communications between permit holder's representative and the Forest Service permit administrator.

## **U. Advertising**

The Permit Holder shall accurately represent the accommodations and services within the permit area provided to the public in all advertisements, signs, brochures, and any other materials. The fact that the permit area is located on the Flathead National Forest shall be made readily apparent in all advertising and signing. All materials must include the statement that the permittee "is an equal opportunity provider."

## **V. Utilities**

The permit holder for this Prospectus offering will be responsible for ensuring that all current utility accounts are transferred and be responsible for any cost associated with the transfers.

## **W. Roads and Access**

The Flathead National Forest receives varying amounts of snow each year. Heavy snowfall occasionally results in snow drifts blocking access to the recreation sites. In these instances, the Forest Service is not responsible for plowing these roads and it is the permit holder responsibility for snow removal as necessary to assure sites are open by the approved opening dates. The permit holder is also responsible for all cost incurred from this snow removal.

The permit holder is responsible for minor repairs to internal campground and picnic area roads and parking spurs. Minor repairs include: filling of pot-holes and eroded damage, cleaning of culverts to allow water to flow free through pipes; trimming of vegetation branches that are encroaching into the road prism.

## **X. Other Pertinent Information**

### **1. Definition of Open Season**

At a minimum, sites will be open on Memorial Day weekend, and may close after Labor Day. All sites will be open and operational 7 days per week, including holidays, between these dates. Applicants need to state the period of time in which they will plan to operate the sites listed in this Prospectus, if different than those described above. The season of operation will be subject to final approval by the Forest Service.

The Forest Service will be responsible for the campgrounds during the off-season.

### **2. Pre-Season Operations**

Before opening a site for the season, the Permit Holder will be responsible for the following pre-season inspections and maintenance:

#### **Safety and Hazard Tree Inspections**

A safety inspection, to include hazard trees, will be performed on each developed site prior to the site being opened to the public. Each inspection will be documented in writing, on a form

acceptable to the Forest Service. The Permit Holder will be responsible for correcting any safety deficiencies, including dropping and removing hazardous trees, prior to opening the site to the public. Actions proposed to correct deficiencies must be approved by the Forest Service. In the event that a site is open year-round, a safety inspection will be performed once the site is free of snow. (For more information see page 24, Hazard Tree Removal).

### **Water Systems**

The developed site included in this offering has a potable-water system. It is the responsibility of the Permit Holder to ensure that the water system is properly shut down during the winter season and then turned back on before opening the site. The Permit Holder is required to become familiar with the water system so he/she can be prepared to service and maintain them. The Forest Service will provide assistance during the initial year, to help the Permit Holder become familiar with the water system.

Before water from a seasonal system is served to any employee or the public, the following steps will be performed on the system:

- Thoroughly flush the entire system to remove any foreign matter.
- Satisfactory "safe" bacteriological test results must be obtained through the appropriate State-certified testing laboratory.
- If unsatisfactory test results occur, notification of the appropriate District Ranger is required within 24 hours.

Tests cannot be taken until 72 hours after flushing the chlorine solution from the system. Further information about the potable-water systems and State testing requirements may be obtained from the Forest Service and the appropriate State department of health. (See clause V.B.2 and Appendix 20(a), referred to as Exhibit F of sample Special Use Permit.)

**Table 4 - Water System Maintenance**

<b>Recreation Site</b>	<b>Type of Water System</b>	<b>Maintenance</b>
Tally Lake Campground Loop A, Loop B, Pavilion	Water System with faucets; holding tank with generator.	Normal Maintenance

### **General Maintenance**

Before the developed sites are opened, a thorough maintenance inspection and cleaning of each site will be completed and documented. All maintenance needs will be accomplished at this time and/or documented for future attention. Cleanup requirements include the following:

#### Toilets

Sanitation services to pump toilets and holding tanks will be the responsibility of the Permit Holder for the term of the permit. A sewage vault is considered to need pumping when it reaches the 3/4-full level, or when necessary to control odor. The following steps will be performed on vault toilets:

- Remove/pump all solids and liquids from the toilet vault.
- Remove all trash and debris in conjunction with the pumping.
- Flushing vault walls and risers as needed.
- Add 10 inches of clean water in vault after pumping.
- Clean trap door and interior of toilet of any spilled septic fluid.

Because a few locations receive significant use outside of the normal camping season, it is possible they may need pumping prior to opening - this would be the Permit Holder's responsibility. All vault toilets will be maintained per direction found in the Forest Service booklet *Cleaning Recreation Sites* (available upon request).

All disposal sites must meet Forest Service, State, county, and local regulations.

Toilet bowls, risers, seats, and seat corners will be clean and free of deposits on the surface. Building interiors will be free of dirt, graffiti, dead insects, and spider webs. Floors will be free of dirt and standing water. Toilet paper will be stocked to last until the next cleaning.

Vault additives and/or deodorants will be Forest Service-approved, and will be installed before odors become offensive. The outside step and exterior of the building will be swept clean of dirt and webs. Walkways and trails will be cleared of obstructions. Overhanging or encroaching vegetation will be trimmed from the paths. Check to ensure that all necessary signs are in place and in good condition (e.g., "No Trash in Toilets Please"). Vent stacks should be inspected to ensure that proper airflow occurs.

#### Tables

Tops and benches will be washed and cleaned free of dirt and grease. The underside of tables will be swept clean of spider webs. All carvings and graffiti will be sanded out, and the tables repainted (sanding and painting may be documented for later completion, if approved by the Forest Service). Repainting may also be necessary due to weathering.

Concrete table legs should be checked for damage and replaced, or recorded for replacement, as needed. All nuts, bolts, and hardware shall be inspected and tightened or replaced, as needed. Record the need for any replacement gravel around tables. Record the need to re-level any tables.

#### Fire Rings and Grates

All ashes, charcoal, unburned wood, grease, food residue, trash and other attractants shall be removed. Inspect the ring for excess rust or bent/broken grills. Repair or record as needed. Fire rings may be reset, if needed. Clear all combustible materials and vegetation away from fire rings to a minimum of 3 feet. Eliminate any rock fire rings or modifications that were not installed or approved by the Forest Service.

### Grounds

The area should be thoroughly cleaned in the spring, before vegetation comes up. All litter will be removed. Any nails, ropes, game poles, etc. will be removed from trees and other structures such as the pavilion. Make note of any erosion problems or other items that will need to be repaired during the season.

### Barriers

Concrete barriers and timbers will be inspected for damage and/or instability. Clean dirt from around wood timbers that are close to the ground. This will help to prevent rot and keep ants or other insects from nesting. Replace rotten or broken items, as needed with approved materials only.

### Water Hydrants

Clean and weed the area around the hydrant. As soon as the water system is turned on, test the faucets for problems. Be sure the drains are working properly. Replace the gravel sump if needed (when sour smelling or filled with dirt).

### Bear Resistant Refuse Containers

Place dumpsters and/or trash cans at designated locations. Trash receptacles should be repaired and painted as necessary. Line trash cans with plastic garbage bags. Inspect support posts for each receptacle, and ensure that safety chains work properly.

### Signs, Posters, and Bulletin Boards

Inspect all bulletin boards. Remove any old, worn-out signs, staples, and nails, and maintain bulletin boards in an orderly arrangement. Record any repairs needed. Install Forest Service-approved signs. Fill fee envelope dispenser boxes.

### Site Markers

Inspect and replace all individual site markers as needed. Replace with the same materials, unless otherwise specified by the Forest Service.

### Fee Notification

If visitors are present in the campground on the day before fees go into effect, they will be notified, either in person or by leaving a conspicuous note, that a fee will be required the following day.

## **3. Operating Season**

### **Water Systems**

The Permit Holder is responsible for compliance with all applicable Federal, State, and local drinking-water laws and regulations for the operation and maintenance of a public water system. This includes the testing and maintenance of all potable-water systems in accordance with Forest Service and State of Montana regulations. If current regulations change and it becomes necessary to perform more or different tests, the Permit Holder will be responsible for compliance.

Forest Service regulations for the Operation of Federally-Owned Drinking Water Systems are found in Appendix 20(a) of this Prospectus (FS-2700-4h, - Special Use Permit, referred to as Exhibit F).

Currently, water-testing requirements call for bacteriological water samples to be taken at least monthly. One bacteriological sample must also be taken prior to opening to the public. A Nitrate/Nitrite test for each potable water system is also required once per year. In the event of an "Unsafe" sample, the Permit Holder is required to complete all required notifications and retesting. (See FS-2700-4h – Special Use Permit clause V.B, in Appendix 20(a) of this Prospectus for more information on notification-and-reporting requirements.)

When a campground or other facility that typically has potable water source does not have potable water available due to system failure or "Unsafe" water samples, fees may not exceed 50 percent of normal or another source of potable water must be provided.

Spring boxes, infiltration galleries, pump houses, distribution systems, and hand wells should be maintained as needed. Any rodent access holes should be sealed. All leaking faucets and water line breaks must be repaired in a timely manner.

Hydrants and drains should be inspected and cleaned regularly. Overhanging brush and ground vegetation should be removed from access paths.

### **General Maintenance**

General maintenance will be performed at all fee campgrounds according to the schedule described in the Holder Maintenance and Reconditioning Plan (*Appendix 12*). Light maintenance needs will be documented and may be initiated without Forest Service approval. Major maintenance or improvement projects may be applicable to Granger-Thye (GT) Fee Offset provisions; however, they *must* be submitted to the Forest Service for written approval prior to implementing and documented in a GT Fee-Off-Set agreement.

The following procedures will be followed at both fee and non-fee areas during normally scheduled rounds:

#### Toilets

Toilets in fee campgrounds and day use areas shall be inspected and cleaned daily, or more frequently during heavy-use periods. Forest Service-approved vault additives and/or deodorants will be installed before odors become offensive.

Toilet bowls, risers, seats, and seat corners will be kept clean and free of deposits. Building interiors will be kept free of dirt, graffiti, spider webs, nests, and dead insects. Floors will be swept free of dirt, trash, and standing water. Dry mop or squeegee the floor to leave it as dry as

possible. Toilet paper will be well stocked, with enough to last until the next scheduled cleaning.

The outside step and exterior of buildings will be kept free of dirt and debris. Walkways and trails shall be inspected and kept free of obstructions or excess vegetation.

Waste levels in vaults will be monitored periodically, and pumping completed as needed (a  $\frac{3}{4}$  full vault should be scheduled for pumping). Specific guidelines have been established to insure sub-contractors maintain a sanitary and responsible operation. Fly strips, deodorants (Chempace Fresh Air Wall Blocks and Vault Deodorizer or approved equivalents), disinfectants, and signs will be supplied by the Permit Holder and approved by the Forest Service.

### Tables

Tabletops and seats will be swept clean of dirt, food particles, and grease each time the site is occupied. Wash the table once a week or whenever necessary. Inspect the tops, seats, and bases for graffiti or other damage that may need attention. Record completed or necessary maintenance. Trim excessive grass or vegetation from around the table area. Inspect and tighten loose bolts.

### Fire Rings and Grills

Ashes, charcoal, unburned wood, shall be removed from fire rings and grills when they are more than 4 inches full (minimum of once a week or as necessary). Trash shall be removed daily. Remove ashes from unauthorized fire rings and pits. Scatter the rocks and spread soil over these areas to make them less conspicuous. All ashes must be disposed of off National Forest System lands and in accordance with State and local laws and regulations. Ashes shall not be placed in dumpsters or trashcans while hot.

Clean grill surfaces of grease and food particles. Stack any leftover firewood beside the facility, or remove it from the site. All combustible materials and vegetation must be cleared away from fire rings and grills to a minimum distance of 3 feet. Inspect the equipment for any damage, and repair or replace as necessary.

### Grounds

Grounds shall be patrolled and kept free of trash. Nails, ropes, wire, etc. will be removed from trees whenever found. Sometimes raking an area is necessary to pick up small pieces of litter. Vegetation will be kept clear around tables, bulletin boards, water hydrants, barriers, signs, road edges, play areas, and buildings. Parking areas, paths, living spaces, and tent sites must be kept clear. Grass and other ground vegetation shall be maintained to a maximum height of 4 inches and a minimum distance of 36 inches away from the items listed.

### Barriers

Barriers will be straightened, painted or stained, and/or replaced as needed with materials approved by the Forest Service. Cut excess vegetation around barriers to keep them visible.

### Bear Resistant Refuse Containers

Trash receptacles shall be emptied regularly, before they overflow. All trash shall be removed from National Forest System lands and disposed of in accordance with all State and local laws and regulations.

Look for evidence of animals or insects getting into trash receptacles. (It may become necessary to close campgrounds with animal problems temporarily.) Any trash scattered by animals, people, or the weather shall be picked up immediately by the Permit Holder.

If cans or dumpsters become heavily soiled or foul smelling, rinse them with soapy water or replace. Trash receptacles shall be repainted as needed.

### Food Storage and Bear Attractants on the Forest

The Flathead National Forest has two Food Storage Special Orders (#LC-00-18) and (#F10-076-L-11) that dictates how attractants such as food, garbage, and beverages have to be stored and disposed of while in grizzly bear country. (See *Appendix 4* of the Prospectus.)

Bear attractants are considered food (anything humans or pets eat), beverages (canned or bottled), food scraps, dirty dishes, coolers with food or beverages, pet food, and all garbage. These attractants must be stored in a way so bears cannot get to them.

The Permit Holder is responsible for enforcing the Food Storage Order with their patrons. And the Permit Holder, via their hosts, must set the example at the Host Site.

The Permit Holder shall not store coolers or garbage outside a hard-sided vehicle or building or an approved bear resistant refuse container; shall not place bird feeders of any kind at the site; and shall not leave attractants unattended.

Garbage collection at the sites, along with the host's refuse, must be disposed of either in an approved bear resistant container, stored in a hard-sided vehicle or building, or hauled to town and deposited in an approved receptacle.

### Signs, Posters, and Bulletin Boards

Keep signboards and posters current and neat, and remove all old nails or staples. Cut vegetation from around and in front of all signs and fee tubes. Check for damage to bulletin boards and wooden signs. Repair and/or repaint as necessary.

### **Interference with Normal Use of Recreation Sites**

The Permit Holder shall make every reasonable and prudent effort to avoid interfering with the normal use and occupancy of recreation areas while engaged in the performance of permit responsibilities.

If a facility is being used at the time the Permit Holder has scheduled site cleaning, the Permit Holder will be expected to request permission to clean the facility at that time, or ask when it will

be convenient to do so. Permit Holder and his/her employees will project a "Good Host" image, especially when inconveniencing the customer.

#### **4. Post-Season Operations**

As services are reduced or campgrounds closed, visitors shall be contacted a day or two prior to the change in service level, to let them know about the expected changes. Entrance stations shall also have signs posted indicating the change in services. In addition, the following steps shall be taken at all sites:

##### **Water Systems**

Shut down water systems prior to freezing temperatures, according to the procedures required for each individual system. These procedures include:

- Draining all pumps, holding tanks, water lines, hydrants, faucets, etc. It is sometimes necessary to drain lines by pressurizing them with an air compressor or generator.
- Securing hand pumps so that water is not available to the public during the time that it is not being tested. Permit Holder will notify the Forest Service of the location of these parts.

##### **Month-End Reports**

Turn in month-end reports required by the Forest Service.

##### **Year-End Reports and Inspections**

Turn in year-end reports required by the Forest Service. Complete a final inspection of the campground with the Forest Service, and document all future maintenance needs.

#### **5. Signs and Posters**

Signs or other advertising posted on National Forest System lands must be approved by the Authorized Officer as to location, design, size, color, and content. All signs must be maintained in good condition (neat, clean, not faded or torn). Homemade signs or posters are not allowed.

The Permit Holder will be required to have a sign posted on the entrance board of all sites stating that the site is under permit from the U.S. Forest Service and also include the name of the concessionaire.

At a minimum, entrance station posters for campgrounds are found in the Forest Service Sign Regulation Book. The numbers listed below are actual sign numbers not page numbers. Required signs are marked with a star (\*).

- \*P23-5, *Self-Service Pay Station* (depending on type of fee collection)
- P23-14a, *Camp Host-Unit*
- \*P23-30, *Pets on Leash*
- \*P23-39, *Quiet Hours...*

- P23-40, *Camp Must Be Occupied 1st Night*
- \*P23-43, *Welcome to NF...* (Rules & Regulations)
- \*P23-54, *Camping Limit \_\_ Days*
- P23-56, *Vehicles on Roads and Spurs Only*
- \*P17-8, *Special Use Permit sign*
- And Justice for All poster*
- Federal Outdoor Recreation Facility sign*
- \**Aquatic Invasive Species sign (posted at boat launches)*
- \**Bear Food Storage*

All signs and posters must be supplied by the Permit Holder. Forest Service will furnish information on companies where these signs may be purchased, as needed, or the Forest Service may enter into a collection agreement with Permit Holder to order these signs. The Aquatic Invasive species sign will be furnished by the Forest through the Montana Fish Wildlife and Parks, Department.

## **6. Record Keeping**

The Flathead National Forest considers quality record keeping as a critical means by which the holder's performance and adherence to all applicable standards can be monitored. A written record of inspections, operations and maintenance procedures is required. All records shall be available for review upon request of the permit administrator or a designated Forest Service representative. Records should include: time, date, location, what was done, by whom, why, quantities and any other information appropriate to the task. This may be in the form of hand written log books for each site, computer based records or a combination of multiple formats or record keeping.

Applications should include detailed information regarding how the applicant intends to keep records and in what format(s) the records will be maintained. Minimum standards for the types of required records may be found throughout this document.

Records required to meet standards include, but are not limited to: maintenance and operations of water systems, toilet facilities, hazard tree mitigation work, health and safety inspections performed and any resulting mitigations performed, regular tenant maintenance that has been performed – specifically intervals of cyclic and one-time inspections, repair or replacement of components or facilities that are either tenant or landlord responsibility; etc. Examples would also include: the date, time and who of inspecting/cleaning a water system grease trap; records of when/where/what and model#, color, etc. of any individual site feature or campground feature that is repaired or replaced; when signs are painted and refurbished; when, by whom, what chemical was used to treat undesirable vegetation in site spurs; etc.

## **7. Fire Prevention**

The applicant must include a fire prevention plan in their application that addresses, at a minimum:

- How the applicant will prevent wildfires and structural fires
- Reporting procedures and emergency response, should a fire occur

- Training and experience of employees, relative to fire
- Prevention/suppression
- Fire prevention/suppression tools and equipment that will be on-site

## **8. Road and Trail Maintenance**

At a minimum, the Permit Holder is responsible for maintaining vehicular and pedestrian access in a safe and passable condition and to Forest Service standards. This responsibility includes, but is not limited to, mowing road shoulders and around parking barriers for visibility; filling chuck holes with gravel materials or asphalt on paved surfaces; grading and/or controlling dust on unpaved surfaces; and erosion control through grading, ditching, or use of check dams, regardless of where needed. Grading of gravel-surfaced roads is typically required once per year. Culverts should be cleaned at the beginning of each season and following large storm events. Applicants should propose a road maintenance schedule to accomplish these needs.

The Permit Holder may desire to enter into a collection agreement with the Forest Service to have the minor interior road grading done in conjunction with other Forest Service road maintenance activities. As an alternative, the Permit Holder may arrange with another local road maintenance agency to do the required work.

## **9. Vandalism**

The Permit Holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct. When necessary, he/she should contact the appropriate law enforcement office. The Permit Holder is responsible for repairing all vandalism that occurs during the operating season during the permit tenure.

## **10. Other Required Services**

The Permit Holder will be responsible for installing swim beach buoys at Tally Lake at the beginning of the season, maintaining the buoys during the season, and for removing the buoys at the end of the season. The Holder will be responsible for the periodic adjustment of the buoys, fishing pier/accessible boat dock located as needed due to changing water level.

## **11. Other Optional Services**

If the selected bid application includes any other services that they would propose to enhance public service, they will be included as required services in the Annual Operating Plan.

## **12. New Fees/Services**

Any additional services, new Standard Amenity Fees, or changes to existing fees or services proposed by the Permit Holder must be consistent with provisions of the Federal Land and Recreation Enhancement Act (FLREA), and must be approved in advance by the Forest Service.

Permit Holder may be given the option to manage any new fee sites approved by the Flathead National Forest.

### **III. Special Use Permit**

In exercising the rights and privileges granted by the special use permit, the applicant must comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

#### **A. Permit Term**

The permit term will be for up to five (5) years, with an option to extend the term for up to an additional five (5) years at the sole discretion of the Authorized Officer. The decision to extend the term will depend, in part, on sustained satisfactory performance of the permit holder. Upon expiration of the permit, continuation of the permitted activity will be at the sole discretion of the Authorized Officer and will be subject to a competitive offering. A new prospectus will be issued during the final year of the permit term.

If the decision to select a permit holder is appealed, a permit will not be issued until the appeal has been resolved, unless operation is needed during the appeal, in which case a permit with a term of one (1) year or less may be issued.

#### **Renewal**

The Special Use Permit is not renewable beyond its expiration date. Once the permit expires, continuation of the permitted activity is at the sole discretion of the Authorized Officer, and must be subject to a competitive offering.

#### **B. Permit Holder Responsibilities**

This section highlights the requirements of the special use permit, which is contained in *Appendix 10* of this Prospectus. Applicants are responsible for familiarizing themselves with all permit requirements that govern the operation covered by this prospectus.

## **Responsibility for Day-to-Day Activities**

As a general rule, the holder will be required to conduct the day-to-day activities authorized by the permit. Some, but not all, of these activities may be conducted by someone other than the permit holder, but only with the prior written approval of the Authorized Officer. The permit holder will continue to be responsible for compliance with all the terms of the permit. This may include activities such as firewood sales, trash service, dump-station or vault pumping.

The holder is responsible to ensure that staff includes personnel who have adequate interpersonal skills, customer service skills, managerial skills, operational skills and maintenance skills such as basic carpentry and plumbing skills sufficient to successfully operate and maintain all components of the facilities. Staff must include some personnel who are sufficiently physically fit to perform arduous labor tasks and heavy lifting that are sometimes necessary to operate and maintain campground facilities.

## **Permit Holder-Furnished Supplies and Equipment**

The permit holder will be required to provide all vehicles, equipment, and supplies necessary to operate the authorized developed recreation sites in accordance with the special use permit. Equipment and supplies would include but are not limited to: trailers; hand tools; weed eaters; chainsaws; basic hand operated power tools; tow chains or winches; shovels, axes, brooms, rakes, toilet paper, and cleaning equipment. All supplies and equipment will be available at the beginning of each season.

- The site manager's trailer or motor home, which must fit in the available space; present a neat, clean, and professional image; and be approved by the Forest Service prior to occupancy.
- Toilet paper, cleaning powder, toilet chemicals, disinfecting/deodorizing solution, shovels, brooms, mops, rakes, toilet brushes, paint brushes, paint, chain saws, brush cutters, drills, generators, carts, and any other tools and supplies necessary to accomplish operation and maintenance of the recreation sites listed in this Prospectus. Paint and stain used by the Permit Holder must conform to Forest Service standards for type and color. (Refer to *Forest Service Sign Handbook*, EM-7100-15, for additional information and Forest Service color specifications.)
- Telephones, cellular phones or two-way radios, fax machines, reservation cards, fee envelopes, and other office equipment necessary to maintain the reservations, fee collection duties, and record-keeping responsibilities as described in this Prospectus. The Permit Holder will be responsible for all utility fees associated with such equipment.
- All vehicles necessary to perform the work described in this Prospectus.
- All storage buildings or containers, employee housing, or other facilities proposed by the Permit Holder must be neat, clean, and well maintained.

- Combination, keyed, or deadbolt locks may be required for operation and maintenance of the recreation sites. The Permit Holder will furnish the Forest Service with combinations or keys to locks on all Government-owned facilities.
- Required signs, parking, informational posters, signs, etc. The aquatic invasive species sign will be furnished by the Forest. (For more information see Signs and Posters on page 33).

### **Holder-Furnished Vehicles**

Use of any vehicle other than a full size car or truck in campground requires prior authorization from the Forest Service. Typically, a battery operated vehicle such as a golf cart will be authorized. The permit holder may propose use of golf carts or other similar vehicles to facilitate daily maintenance of the facilities. Motorized vehicles such as ATVs and motorcycles will be considered on a case-by-case basis, but their use is discouraged due to prohibitions against their use in developed recreation sites by the general public. If authorized, carts or any other motorized or mechanized vehicle must stay on designated road or trail while driving between sites, loops, or constructed features. The use of holder-furnished vehicles will be limited to work related activities.

All vehicles, boats, or trailers must be maintained in good operating condition and be properly licensed or registered according to the State or County regulations. Any vehicle or trailer used for hauling loads or towing may only be used for loads that do not exceed the designed capacity of such vehicle. Vehicles will meet all current Federal and State regulations for registration, license, and insurance.

### **Holder Maintenance, Reconditioning, or Renovation (MRR)**

Maintenance, reconditioning, and renovation are defined in the permit (FS-2700-4h, clause IV.E.1 (a), and (c)). Holder MRR is defined as maintenance, reconditioning, or renovation that neither materially adds to the value of the property nor appreciably prolongs its life. The work serves only to keep the facility in an ordinary, efficient operating condition. From an accounting or tax perspective, it is work that may be expensed, but not capitalized. In fulfilling these responsibilities, the holder must obtain any licenses and certified inspections required by regulatory agencies and follow state and local laws, regulations, and ordinances and industry standards or codes applicable to the permitted operation (FS-2700-4h, clause IV.E.1 (d)). The permit holder, at its expense, will be required to perform holder MRR under a holder MRR plan (FS-2700-4h, clause II.D). The holder MRR plan will describe required holder MRR and its frequency. The holder MRR plan will become part of the permit holder's annual operating plan.

Examples which would be in the MRR include, but are not limited to, interior decorating, interior painting, exterior painting of picnic tables, vault toilets, and wooden parking barriers, repair of broken windows, light bulb replacement, cleaning, unplugging drains, drive belt replacement, preventive maintenance, lubrication of motors, greasing, servicing, inspecting, oiling, adjusting, tightening, aligning, watering, weeding, sweeping, waxing, refinishing picnic tables, routine housekeeping, minor water system repairs, minor interior road grading and ditch/culvert cleaning, and general snow removal.

## **C. Granger-Thye Fee Offset Agreement**

The federal government owns all the improvements at the developed recreation sites covered by this prospectus. Under Section 7 of the Granger-Thye (GT) Act and the terms of the permit, the permit fee may be offset in whole or in part by the value of Government maintenance, reconditioning, renovation, and improvement (MRRI) performed at the permit holder's expense. Government MRRI is defined as maintenance, reconditioning, renovation, or improvement that arrests deterioration, improves and upgrades facilities, and appreciably prolongs the life of the property. Government maintenance, reconditioning, renovation or improvement, whether performed by the holder or the Forest Service, shall be performed at the sole discretion of the Authorized Officer. See *Appendix 11* of this Prospectus and FS-2700-4h, clause IV.E *Appendix 10*.

All Government MRRI shall be enumerated in an annual GT fee offset agreement signed by the holder and the Forest Service in advance of the operating season (See *Appendix 11* of this Prospectus and FS-2700-4h). Alternatively, a multi-year fee GT fee offset agreement can be prepared for consolidated fee payments. A list of sample Government MRRI projects is included in *Appendix 12* of this Prospectus.

Either the holder or the Forest Service may perform GT fee offset work. This determination will be made annually. When the holder performs GT fee offset work, if it includes construction that costs more than \$2,000, it is subject to the Davis-Bacon Act and the fee offset agreement must contain Davis-Bacon Act wage provisions. Additionally, indirect costs may be offset provided the holder submits either a currently approved indirect cost rate or accounting procedures and supporting documentation to determine an indirect cost rate (See *Appendix 13* of this Prospectus).

The holder's claims for GT fee offset must be documented using the FS-2700-4h, Appendix G, and Granger-Thye Fee Offset Certification Form (See *Appendix 14* of this Prospectus). This form requires the holder to itemize allowable costs incurred for an approved GT fee offset project and to certify the accuracy and completeness of claims.

When the Forest Service performs GT fee offset work, the holder will deposit fee payments into an account. The Forest Service will perform GT fee offset work under a collection agreement and offset those costs against the permit holder's annual permit fee (see FS-2700-4h, clause IV.E.3, and *Appendix 15* of this Prospectus). The Forest Service's indirect costs may be offset at the agency's approved rate. The Forest Service and the holder will agree on the work to be performed in advance of each operating season.

### **Fee Offset Project List Examples**

- Removal of existing toilet buildings and replacement with accessible SST toilets.
- Retrofitting toilets for accessibility.
- Re-constructing accessible paths within recreation sites.
- Upgrading (lengthening, leveling, widening, and gravelling), of campground spurs and interior roads.
- Providing amenities to host sites (electricity, sewage, and phone).
- Re-constructing accessible camping and picnicking sites.
- Relocation or addition of camping and picnicking sites.
- Installing barrier rocks and replacing barrier logs with rocks.

- Stabilizing stream banks within recreation sites.
- Planting trees and shrubs.
- Upgrading or replacing interior and exterior signs.
- Replacement of fire rings and grills.
- Provide interpretive signs.
- Re-construct tent pads.
- Provide and place beach sand.
- Upgrade water systems (replacement of wells, holding tanks, and lines; treatment of system equipment for iron; etc.).
- Repair building roofs (primarily toilets).
- Repair and upgrade electrical service.

### Specification or Requirements of Projects

Provisions of the Granger-Thye Fee Offset Agreement will include:

- Standards for project completion.
- Project costs, which include wages, vehicles and other equipment, materials, supplies, subcontracts, and overhead directly associated with the Granger-Thye Fee Offset project.
- A statement indicating that, upon confirmation by the Forest Service that a project has been satisfactorily completed, the Holder must submit documentation of its actual costs to the Forest Service, and must certify that the representations in the document are accurate and complete.
- A statement indicating the submitted document certifying the costs will be signed and dated, including a statement that failure to sign this document will result in not accepting the fee offset claim.
- The Forest Service must verify and approve requests before any fee offset credit is given.
- The Forest Service reserves the right not to grant any fee offset agreements if any of the representations in the certified documentation are inaccurate or incomplete.

## **D. Insurance**

### **Liability Insurance**

The successful applicant must have liability insurance covering losses associated with the use and occupancy authorized by the permit arising from personal injury or death and third-party property damage in the minimum amount of **\$500,000** for injury or death to one person per occurrence; **\$1,000,000** for injury or death to more than one person per occurrence; and **\$25,000** for third-party property damage per occurrence, or in the minimum amount of **\$1,000,000** as a combined single limit per occurrence. Insurance policies must name the United States as an additional insured (See *Appendix 10* of this Prospectus and FS-2400-4h, clause III.I).

## **Property Insurance**

Property insurance will be required for toilets, water systems, wells, and hand pumps in the amount of \$35,000 for replacement in kind or functional replacement of the insured property (See *Appendix 3, Inventory of Government-Furnished Property*).

## **E. Bonding**

Applicants are required to provide a performance bond in the amount of **\$25,000**. Bonds may take the form of corporate surety, US Treasury bills, notes, bonds or other negotiable securities, cash deposits, irrevocable letters of credit, assignment of savings accounts, or assignment of certificates of deposit. Bonds are used to cover the requirements specified in clause III.J. of FS-2700-4h – Special Use Permit. The Authorized Officer may reevaluate the need for the bond requirements after one operating season. Upon the completion of that review, the Authorized Officer may reduce the amount of the bond or eliminate the need for the bond.

Applicants should estimate the cost of securing the required bonding and specify in this section.

## **IV. Application**

### **A. Instructions for Submitting Applications**

Applicants must submit a written application for all developed recreation sites offered in this Prospectus.

Applicants are strongly encouraged to attend the show me trips offered by the Forest during the week of July 16<sup>th</sup> through the 20<sup>th</sup>, 2012 and visit the sites at least once before submitting an application (See *Appendices 1 and 2*, for maps and site plans of developed recreation sites).

The information in this Prospectus is from generally reliable sources, but no warranty is made as to its accuracy. Each applicant is expected to make an independent assessment of the business opportunity offered in this Prospectus.

All applications must be submitted to:

**Chip Weber  
Forest Supervisor  
Flathead National Forest  
650 Wolfpack Way  
Kalispell, MT 59901**

**Applications packages must be received by close of business (4:30pm MST) on October 1, 2012. Proposal packages must display a completed Bid Prospectus Notice on the outside of the sealed envelope.**

Applicants must submit five (5) copies of their application package and supporting documents.

Please ensure that all requested information is submitted. Missing or incomplete information will result in a lower rating for the corresponding evaluation criteria.

Applications must be signed. The person signing for an entity must have authority to sign for that entity. Applicants must include their address, telephone number, facsimile number, and email address.

Corporations must also include:

- Evidence of incorporation and good standing.
- If reasonably obtainable, the name and address of each shareholder owning three (3) percent or more of the corporation's shares and the number and percentage of any class of voting shares that each shareholder is authorized to vote.
- The name and address of each affiliate of the corporation.
- If an affiliate is controlled by the corporation, the number of shares and the percentage of any class of voting stock of the affiliate owned, directly or indirectly, by the corporation.
- If an affiliate controls the corporation, the number of shares and the percentage of any class of voting stock of the corporation owned, directly or indirectly, by the affiliate.

Partnerships, limited liability companies (LLCs), associations, or other unincorporated entities must submit a certified copy of the partnership agreement or other documentation establishing the entity or a certificate of good standing under the laws of the state where the entity is located.

Applicants should contact Becky Smith-Powell at 406 758-3538 or [brsmith@fs.fed.us](mailto:brsmith@fs.fed.us) regarding any questions related to this Prospectus.

Application packages of unsuccessful applicants will be returned to the applicant after the appeal process is complete.

## **B. General Terms, Qualifications, and Reservations**

All applicants have an equal opportunity to apply. Except for members of Congress, Resident Commissioners, and current Forest Service employees, any individual or entity may apply.

The Forest Service does not guarantee a profitable operation. Rather, applicants are responsible for reviewing the Prospectus and making their own determination concerning business viability.

The Forest Service will select the application that offers the best service to the public and value to the Government. The Forest Service reserves the right to select the successful applicant based on a trade-off between the fee to the Government and technical merit.

The Forest Service is not obligated to accept the application with the highest return to the Government.

The Forest Service reserves the right to select the successful applicant based solely on the initial application, without oral or written discussions.

The Forest Service reserves the right to reject any or all applications and to rescind the Prospectus at any time before a special use permit is issued.

Any oral statement made by a representative of the Forest Service shall not modify the requirements of this Prospectus. If it is determined that an error or omission has been made or additional information is required, a written amendment will be sent to each person or entity receiving a copy of this Prospectus.

If there is a conflict between the terms of the Prospectus and the special use permit, the terms of the permit will control.

The Forest Service is proposing a revision to FSM 2344.3 to address how passes and passports are honored in the concession program. The agency reserves the right to amend the special use permit consistent with any change to that directive. In addition, the Forest Service reserves the right to amend the special use permit, to make it consistent with the applicable laws and regulations, including REA; other Forest Service directives; or other management decisions.

The information contained in applications will be kept confidential to the extent permitted under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a).

### **C. Application Package Requirements**

Applications must be in writing and must include or address the following:

- A proposed annual operating plan (including required and optional services)
- A business plan, business experience, references, and Small Business Development Center (SBDC) review fee, if applicable (See section IV.C.2).
- Financial resources
- Fees charged to the public
- Fee to the government
- Initial processing fee
- Demonstration of campground concession experience
- Letter(s) of recommendation
- Listing of previous permits and similar operation experience

#### **1. Proposed Annual Operating Plan (Including Required and Optional Services)**

Applicants must submit a proposed annual operating plan that addresses all required and optional services. Applicants encouraged to use the Sample Annual Operating Plan (See *Appendix 9 Sample Operating Plan* of the Prospectus) to organize their response to this section. The successful applicant's proposed operating plan will be attached to and become a part of the special use permit.

Applicants must specify whether another party will assist with any of the operational aspects of the concession, and if so, must include the other party's name, address, telephone number, email address, and relevant experience.

Below are highlights of what needs to be addressed in the proposed annual operating plan. For more detail, see the sample annual operating plan in *Appendix 9* of the Prospectus.

## **Operating Season**

Applicants need to propose the period in which they will operate the sites listed in this prospectus offering. The minimum operating seasons is will be Memorial Day weekend, and may close after Labor Day. All sites must be open and operational seven day per week during the minimum operating season, unless a Forest Service closure order is in effect or the site is closed for safety or construction reasons. The season of operation will be subject to final approval by the Forest Service. The Forest Service will be responsible for the campgrounds during the off-season.

Applicants proposing to operate beyond the minimum season would be expected to receive a higher rating during the application evaluation.

An extended season is encouraged to attract early season use and accommodate late season or hunting season use. The extended or "shoulder seasons" may be at a reduced rate. This reduced rate and reduction of services will be defined in the in the Annual Operating Plan.

## **Staffing**

Applicants must address appropriate staffing to meet customer service and cleanliness standards. The holder will be responsible for furnishing all personnel for the developed recreation sites and for adequately training and supervising their activities under the terms of the permit. The holder must meet requirements of federal and state laws governing employment, wages, and worker safety. Based on past experience, recommended staffing is outlined in *Appendix 9 and Appendix 21* of this Prospectus. Applications should address worker hours and schedules. Applications also should address staff training for effective customer service, conflict resolution, area-specific emergency procedures, and dissemination of recreation and tourism information.

All staff shall have current first aid and CPR training, attend invasive aquatic species training, understand all Forest Orders, and attend living with wildlife session. The aquatic species and living with wildlife training can be arranged through the permit administrator. The Annual Operating Plan should address locations of and use of emergency equipment such as first-aid kits and fire extinguishers by hosts and other staff.

The application shall also include a description of the staffing level if it will change throughout the year. Locations of hosts, managers and maintenance staff shall also be described. The Forest Service will be provided with the names and contact information for all staff associated with the permit.

## **Supervision and Management**

Applicants must designate an individual to serve as the agent of the holder for purposes of administration of the permit by the Forest Service. The designated agent must periodically review attendant performance on site and must be available to resolve repair needs within 24-hours of discovery or notification.

The holder will be responsible for the conduct of its employees, including preventing conduct prohibited by 36 CFR, part 261, Subpart A, and ensuring that employees are not under the

influence of intoxicating beverages or narcotic drugs while on duty or representing the holder. Applicants also must include a policy for removing employees who engage in inappropriate conduct.

A designated agent of the holder will be available seven days per week during the operating season. A designated agent will be accessible to the Forest Service by telephone, cellular telephone (or satellite if necessary) during this time period.

### **Uniforms and Vehicle Identification**

Applicants should describe employee uniforms, insignia, name tags, and the applicants' policy for ensuring a clean, professional appearance by staff while on duty. The holder's employees may not wear any component of the Forest Service uniform. Additionally, applicants should address their policy for vehicle maintenance and appearance; types of vehicles to be used for operations (vehicles may not be driven off designated roads or trails); and signage to identify the concessionaire to the public. All-terrain vehicles and motorcycles may not be used at concession sites without prior written approval from the Forest Service.

## **2. Business Plan, Business Experience, and References**

Applicants must submit a business plan utilizing the format in *Appendix 16* of the Prospectus. This part of the application package must be a separate document. The business plan provides a thorough analysis of an applicant's vision of the proposed business. A good business plan is essential for running a successful business, maintaining and improving the business, and raising needed capital.

Applicants must furnish a detailed description of their experience relating to operating and maintaining developed recreation sites (e.g., campgrounds, beaches, and marinas). The description must include experience in private business, public service, or any nonprofit or other related enterprises. Applicants are encouraged to contact their local Small Business Development Center (SBDC) if they need assistance in completing their business plans. Alternatively, applicants who have already received a review of their business plan from an SBDC or the Forest Service for the current fiscal year may submit a copy of the review report.

### **SBDC Review**

Business plans that are submitted in response to a prospectus may be independently reviewed by a SBDC. SBDC representatives do not review any business plans that they helped the applicant develop. Other local SBDCs will be enlisted for the review of those submitted business plans.

### **Performance Evaluations**

Applicants who have experience in managing Forest Service or other Government concessions must provide copies of the most recent annual written performance evaluations for each Forest Service or other concession the applicants have operated or are operating.

### **References**

Applicants also must furnish three business references with names, addresses, telephone numbers, and email addresses in support of relevant business experience. These references will be contacted for information regarding applicants' past performance. In addition, the Forest Service may consider past performance information from other sources.

### **3. Financial Resources**

Applicants must submit a complete set of all financial statements for the last three fiscal years that have been audited, reviewed, or compiled by a certified public accountant (CPA). For any financial statements that were only compiled by a CPA, applicants must complete FS-6500-24, Financial Statement (See *Appendix 17* of this Prospectus) for certification of the accuracy of the financial statements.

Applicants must complete FS-6500-24 for any of the last three fiscal years they were in business for which a financial statement was not audited, reviewed, or compiled by a CPA. An applicant who has had a financial ability determination (FAD) conducted within the past year should include a statement to that effect along with the forest name, contact name and telephone number. Additionally, applicants must identify any pending applications or new permits obtained from the Forest Service since the FAD was completed.

In completing FS-6500-24, LLCs must list the name of the company in block 1, the names and interests of the principals in block 5, and their members should be listed in block 6. In addition, LLCs must complete the certification in Part (D)(1) of FS-6500-24.

An applicant who has not been in business for the last three (3) fiscal years, and therefore cannot submit audited, reviewed, or compiled financial statements or an FS-6500-24, must submit three (3) fiscal years of projected financial statements compiled by a CPA using the forecast method.

Any financial information submitted by applicants must conform to generally accepted accounting principles (GAAP) or other comprehensive bases of accounting. Any previously prepared financial documents that are submitted must not be redacted and in their original form, including footnotes.

Applicants must show at least 25 percent of the first year's operating costs in liquid assets. Liquid assets are assets that are readily converted into cash.

Applicants also must complete blocks 1 through 5 of form FS-6500-25, Request for Verification (See *Appendix 18*) and submit the signed and dated form with the application. The Forest Service will forward the FS-6500-25 for the most qualified applicant to the Albuquerque Service Center for processing. The auditor assigned to conduct the FAD will send a copy to each financial institution with which the applicant does business. The financial institutions must complete blocks 6 through 15 of the form and mail the completed form to:

USDA Forest Service  
Albuquerque Service Center B&F  
ATTN: Auditor (RAB)  
101B Sun Avenue, NE  
Albuquerque, NM 87109  
Phone # 866-436-5939  
Email: [rab@fs.fed.us](mailto:rab@fs.fed.us)

#### 4. Fees Charged to the Public

Applicants must provide a list of all fees they propose to charge to the public for the first three years of operation; including fees for required and optional services (See *Appendix 9, Sample Annual Operating Plan*, for a list of required and optional services). Discuss any variable pricing, discounts, and passes. All proposed fees to be charged to the public must be included in the business plan as an income item.

This Prospectus offering will consider proposals that include variable fee rates commensurate to the desirability of the different sites, weekday vs. weekend, peak vs. shoulder seasons, premium vs. less desirable sites, etc. Applicants should include all fee types and fee rates proposed.

Those sundry items being proposed for consideration should be identified in this section. Items inappropriate to the National Forest will not be allowed.

The Forest Service reserves the right to regulate the rates charged to the public.

#### 5. Fee to the Government

The Government is obligated to obtain fair market value for the use of its land and improvements. The **minimum fee is \$7,958 per year**. The minimum fee is the concession's average gross revenue for the past three years multiplied by the current 30-year Treasury bond rate. The minimum fee will be adjusted at the end of the first five (5) years of the permit term if the permit is extended for five (5) years.

##### Minimum Fee Calculation

<u>Year</u>	<u>Gross Revenue</u>
2009.....	\$ 62,750
2010.....	\$ 58,596
2011.....	\$ 55,515
Total.....	\$176,862

(Total gross revenue ÷ 3 = average gross revenue)

$$\$176,862 \div 3 = \$58,954$$

Average gross revenue

x Current 30-year Treasury bond rate (4.5% for 3/2012)  
= the minimum annual fee.

$$\$176,862 \times 0.045 = \mathbf{\$7,958 \text{ Minimum Annual Fee}}$$

Applicants may propose a fee below the minimum, provided they can document why this amount represents fair market value. However, the Forest Service may reject the proposed fee if the agency determines that it does not reflect fair market value.

Applicants must propose the fee to the Government as a percentage of the concession's adjusted gross revenue. One (1) percentage may be proposed for the entire permit term, or the percentage

may vary each year. However, if a consolidated fee payment will be proposed, one percentage rate must be proposed for the entire period of consolidated payments.

The proposed fee to the Government also must be included in the business plan as an expense item in the cash flow projections.

The fee to the Government may be offset in whole or in part by the value of Government MRR, performed at the permit holder's expense in accordance with a GT fee offset agreement (See *Section III* of the Prospectus).

## **6. Recycling and Sustainable Operations**

Federal regulations require the Forest Service to conserve energy and use sustainable practices. Permit holders are also required to comply with these regulations. For this criterion, factors that incorporate Federal goals will be considered. Recycling of all materials is encouraged in all sites where possible, but must occur in a manner that meets the Flathead's Food Storage Special Orders (#LC-10-D1-01) and (#F10-076-L-11). Permit Holder-supplied recycling receptacles will be subject to approval by the Forest Service. The Permit Holder will be responsible for emptying recycled materials from the receptacles and removing them from the campground to an approved recycling facility. Any proceeds from the sale of recycled materials may be retained by the Permit Holder and will not be included in gross revenues.

Executive Order #13423 outlines goals for Federal Agencies in strengthening federal environmental, energy and transportation management (See *Appendix 23* for E.O. 13423).

Applicants are encouraged to provide a plan for a recycling program that takes advantage of recycling opportunities, and the use of post consumer products in the management of the permit operation.

## **D. Evaluation of Applications**

A Forest Service evaluation panel will evaluate each application utilizing the non-fixed weight method. The critical elements that the panel will use to evaluate each application address the following points.

- Proposed Annual Operating Plan & Customer Service
- Business Plan, Past Performance, Experience and References
- Financial Resources
- Fees to the Government
- Fees Charged to the Public
- Recycling, Interpretive Programs and Sustainable Operations

<b>RATING</b>	<b>CRITERIA</b>
<p><b>Very Important</b> (equal importance to Item B)</p>	<p><b>A. Proposed Annual Operating Plan &amp; Customer Service:</b> The operating plan will be evaluated on two major areas: <b>customer service</b> and <b>operating procedures</b>. Through the plan, the potential permit holder should demonstrate how they will best serve the public with quality hosting, facility operation and maintenance, and how customer service success is measured and addressed. Adequacy and appropriateness of labor, logistical support, and quality control should be addressed including a proposed organizational workforce plan, employee qualifications and training procedures. The Plan is realistic in potential to meet required standards. New or additional services that improve the quality of recreation experience will be valued. Special considerations described in detail and meet or exceed required standards.</p> <p>Remarks:</p>
<p><b>Very Important</b></p>	<p><b>B. Business Plan, Past Performance, Experience and References:</b> Business Plan is clear, concise, and addresses operations in applicable recreation areas. The business plan represents the applicant's vision and strategy for managing the proposed business. Past performance (including performance evaluations from other FS units and other sources) and references enables the team to evaluate past performance and responsiveness of the applicant. Display the extent of general business experience and specifically extent of experience in work similar to recreation site management as required by the prospectus. Provide qualifications of individuals described as supervisory, maintenance, and operations personnel. A complete reference section with contact information is required.</p> <p>Remarks:</p>
<p><b>Important</b></p>	<p><b>C. Financial Resources:</b> Financial resources are sufficient and appropriate and can be verified. This information should include financial statements, available resources, other obligations and pending permits.</p> <p>Remarks:</p>
<p><b>Important</b></p>	<p><b>D. Fees to the Government:</b> Proposed return to the government for off-set maintenance.</p> <p>Remarks::</p>
<p><b>Important</b></p>	<p><b>E. Fees Charged to the Public:</b> Fees and services proposed are reasonable and appropriate. Proposal offers a range of opportunities with regard to fees for various services.</p> <p>Remarks::</p>
<p><b>Not as Important</b></p>	<p><b>F. Recycling, Interpretive Programs and Sustainable Operations:</b> Proposal includes strategy for use of sustainable practices and conserving energy. Provide a variety of interpretive programs using the campground as the classroom or other quality optional services. Provide opportunities for recycling where appropriate and looks for opportunities for using post- consumer products where appropriate.</p> <p>Remarks:</p>
<p><b>Total Rating</b></p>	

The following evaluation criteria are listed in approximate descending order of importance:

- Proposed Annual Operating Plan & Customer Service
- Business Plan, Past Performance, Experience, & References
- Financial Resources
- Fees to the Government
- Fees Charged to the Public
- Recycling, Interpretive Programs and Sustainable Operations

The Forest Service will consider only the applicant's written application package and any past performance information obtained by the Forest Service. During the evaluation process, the evaluation panel may contact any references, including all federal, state, and local entities that have had a business relationship with the applicant. The evaluation panel also may consider past performance information from other sources.

The evaluation panel will make a recommendation to the Authorized Officer as to which applicant offers the best value to the Government. The Authorized Officer will make the selection decision. All applicants will be notified of the successful applicant via certified mail.

The Forest Service will conduct a FAD on the selected applicant as a prerequisite to issuing a special use permit, unless the agency has a current fiscal year FAD conducted by the Albuquerque Service Center or SBDC for another Forest Service unit.

The Forest Service reserves the right to reject any and all applications.

The Forest Service reserves the right to rescind the prospectus at any time before a special use permit is issued.

## **V. Post-Selection Requirements**

Once an applicant has been selected, the following information must be submitted and approved by the District Ranger prior to issuance of a special use permit:

- A final annual operating plan containing all the items included in the annual operating plan submitted in response to the prospectus.
- An annual GT fee offset agreement.
- Documentation of required liability insurance and, if applicable, property insurance.
- Documentation of bonding, if applicable.
- Required deposits and advance payments (See *Appendix 10* of the Prospectus and FS-2700-4h, clause IV.C.1).
- Documentation that utility services have been obtained in the name of the selected applicant.
- A state business license and any other required federal, state, or local certifications or licenses.

The successful applicant will be required to submit all these items within 30 days of the date of the selection letter. If these requirements are not met within the 30-day period, a special use permit will not be issued. The applicant who receives the next-highest rating may then be selected for the special use permit, subject to the same requirements.

## **The selected applicant will begin work on or about January 2, 2013.**

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average 10 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

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