

OUTFITTER/GUIDE OPERATIONS PLAN
LASSEN NATIONAL FOREST

Name: _____ Business Name (DBA): _____

Address: _____ Phone: _____

Type of business (Individual, Partnership, Corporation): _____

Have you ever had an outfitter/guide permit with the U.S.F.S. in the past? _____

If "yes", locations and years: _____

ATTACH THE FOLLOWING ITEMS :

- Map of the area proposed for operation.
- Example of your Acknowledgment of Risk form.
- A current copy of all brochures and rates charged (pricelist). If permit is approved advertising media (brochures, radio, television, etc) will state that the business operates under special use permit by the Lassen National Forest.
- Copy of Liability Insurance (The insurance policy must name the United States Government as an additionally insured "solely as respects liability arising from operations of the named insured") It must also contain a specific provision or rider stating that the policy will not be cancelled or changed without thirty (30) days written notice to the Lassen National Forests Headquarters.
- **Please return application and operating plan to:**

Lassen National Forest
Attn: Nancy Barrera
2550 Riverside Drive
Susanville, CA 96130

I. RESPONSIBILITIES

The holder is fully responsible for execution of this plan. Additionally, the holder is responsible for informal inspections to assure compliance with this plan and the Terms and Conditions of the Special Use Permit, which include the following:

- A.) Annual submittal of Trip Itinerary (Appendix C) one-month prior to operating.
- B.) Annual submittal of Actual Use Report, within **30 days** of the last day of service provided for the year and no later than **December 31** of any calendar year.

Mailed to: U.S.F.S. – Lassen National Forest
ATTN: Nancy Barrera
2550 Riverside Drive
Susanville, CA 96130

The Forest Service permit administrator may perform a monitoring/inspection role as part of the permit administration.

II. DESCRIPTION OF OPERATION

Briefly describe your proposed activity: _____

Attach additional page if needed.

Operating season: _____ to _____

State Guide License (if applicable) : _____ Are you Bonded ? _____

List areas in which you regularly outfit/guide, and for what type of activity : _____

If you have permission to operate on private land within the boundary of the Lassen National Forests, please list names and contact information of land owners :

Percent time on the above private land : _____ U.S.F.S. land _____

III. TRANSPORTATION

Vehicles used for transporting guides and clients will meet all applicable state laws for the current use of said vehicles. All vehicles operators will have the appropriate license endorsements for the type of vehicle they are operating. All vehicle operators will diligently follow basic defensive driving principals. Client safety is paramount on this segment of the trip and will receive the same diligence on-water safety procedures. Vehicles will be professionally maintained and periodically inspected during the season to provide safe transportation for clients.

List vehicles and trailers (include description, license numbers, must have current registration) As part of each trip itinerary verify all planned access routes are shown on the current Motorized Vehicle Use Map (MVM), season of use and what type of vehicles are allowed on each route: _____

List numbers and type of livestock used, including information on how they will be fed and held (if applicable)(Weed free hay required): _____

NOTE: If grazing on National Forest lands, estimate number of Head Month (H/M) of grazing used in the operation. One H/M of grazing equals one horse, mule, etc. grazing on National Forest Land for 30 days or five horses or mules, grazing on NF land for six days.

Do you provide meals, transportation, etc. ? Please describe : _____

What equipment do you provide to clients ? : _____

List any temporary facilities that would be installed on National Forest land : _____

Services proposed (FOR PACKING, BACKPACKING AND MOUNTAINEERING ONLY).

Require leave no trace camping techniques, including that campsites must be are at least 100' from water (springs, creeks, lakes, ponds).

Proposed trips on the Lassen National Forests - Specifically what lands would be used for what activities. Attach extra page if needed.

Date Starting Location Campsite Location Ending
Location

Group Size: Average: _____ Maximum: _____

IV. FEES

The holder will complete the “Actual Use Report” (Appendix E) and send it to the address listed on page 1 of this operating plan. The holder must also maintain accounting records documenting the gross revenue (with adjustments, if any) and number of participants for the operating season. Temporary Use Permits have a flat land use fee based upon the amount of use allocated in service days. Fees for use will be as follows:

Number of Service Days	Flat Fee	Maximum Gross Revenue for each bracket of service days
1 to 50	\$150	\$10,000
51 to 100	\$300	\$20,000
101 to 150	\$450	\$30,000
151 to 200	\$600	\$40,000

Service Day: A day or any part of a day on National Forest System Lands for which an outfitter or guide provides goods or services, including transportation, to a client.

Do you offer any discounts? (i.e. group rate, returning customers) : _____

Do you give out free trip (donated) or do any trading of services? : _____

Do you rent equipment? Include rental schedule : _____

Final Fee. Thirty days after the close of the operating season, **the permit holder** will complete and submit an Actual Use Report. When received the Actual Use Report will be audited by the Permit Administrator and the final fee will be calculated. This final fee is reconciliation between the minimum advance fee paid and the final amount due. A bill will be issued for the final amount due, if applicable.

V. DEFINITIONS

For the purpose of administering the permit privilege/land use fee, the following terms apply:

1. **Gross Revenue.** The total amount of receipts from the sale of goods or services provided by the holder in connection with the outfitted or guided trip. These receipts include:
 - a) Revenue received by the holder from clients for goods or services provided during the outfitted or guided trip (the client charge per trip multiplied by the total number of clients on each trip);
 - b) Revenue received by the holder or the holder's employees or agents for scheduling or booking the outfitted or guided trip; and
 - c) Revenue from goods or services provided off National Forest System lands, such as lodging and meals, unless specifically excluded.
2. **Revenue Additions.** The marked value of the following items that are added to the gross revenue:
 - a) The value of goods and services that are donated or the value of goods and services that are bartered in exchange for goods and services received that are directly related to the outfitted or guided trip; and
 - b) The value of gratuities, which are goods, services, or privileges that are not available to the general public and that are donated or provided without charge to organizations; individuals; the holder's employees, owners, or officers; or immediate family members of the holder's employees, owners or officers.
3. **Revenue Exclusions.** The following items which are excluded from gross revenue.
 - a) Revenue derived from goods or services sold on private land that are not related to outfitted and guiding operations conducted on National Forest System Lands, such as souvenirs, telephone toll charges and accident insurance sales;
 - b) Amounts paid or payable to a State Government licensing authority or recreation administering agency from sales of hunting or fishing licenses.
 - c) Revenue from the sale of operating equipment, rental equipment, capitalized assets, or other assets used in outfitting and guiding operations. Examples are horses, watercraft and rental skis and boots, which are sold periodically and replaced.
4. **Adjusted Gross Revenue.** Gross revenue and revenue additions less applicable exclusions.

5. **Service Day.** A day or any part of a day on National Forest System Lands for which an outfitter or guide provides goods or services, including transportation, to a client.
6. **Average Adjusted Service Day Client Charge.** The adjusted gross revenue divided by the number of service days actually used.
7. **Duration of the Outfitted/Guided Trip.** For the purpose of determining the on –off forest discount and the pre and post trip transportation and subsistence revenue adjustment, the outfitted trip begins when the client comes under the care and supervision of the outfitter, their employees or agents at the permit holders headquarters or local community and ends when the client is released from such care and custody.
8. **Actual Use Report – Outfitter/Guide Activities.** Within 30 days of the last day of service provided for the year, the holder will submit an Actual Use Report. This report will include dates, number of persons served, and hours or days involved, percent of total trip time on/off National Forest System Lands and waters, and/or spike camps used within a season. Where specific amounts of use are authorized in specific areas, the use report will be segregated by such areas. The report will also indicate the amounts (if any) of transportation livestock grazing use which actually occurred.
9. **Assigned Site.** A site that is designated and authorized for occupancy and use by a holder who is providing a recreation service to the public during the authorized period of occupancy. Examples include, but are not limited to: base and drop camps, picnic sites, loading facilities, boat launches, and helispots.

Permit Holders with Fee Revenues

<u>Less than \$ 100,000.00</u>	<u>\$ 100,000.00 - \$ 500,000.00</u>	<u>Greater than \$ 500,000.00</u>
Federal Income Tax Return	Federal Income Tax Return	Federal Income Tax Return
Reconciliation of reported revenue to Tax Return.	Balance Sheet and Income Statement (1) (2).	Balance Sheet and Income Statement (1) (3).
	Reconciliation of reported revenue to Tax Return and Income Statement.	Reconciliation of reported revenue to Tax Return and Income Statement.

- (1.) Statements can be compiled, reviewed or audited.
- (2.) At a minimum, prepared by independent bookkeeping services.
- (3.) Prepared by licensed accountant in accordance with Generally Accepted Auditing Standards.

If the holder fails to report all revenue in the period they were made and the Forest Service determines that additional fees are owed, the holder shall pay the additional fee plus interest. Such interest shall be assessed at the rate specified in Clause IV.D.3.(a) of the permit and shall accrue from the date revenue should have been reported and fee paid until the date of actual payment of the underpaid fee.

- D. **Accounting Records.** The holder shall follow generally accepted accounting principles in recording financial transactions and in reporting results to the Forest Service. When

requested by the Forest Service, the holder at own expense, will have the annual accounting reports audited by a public accountant acceptable to the Forest Service. The minimum acceptable accounting system will include:

- (1.) Systematic internal controls and recording by kind of business the gross receipts derived from all sources of business conducted under this permit. Receipts should be recorded daily and, if possible, deposited into a bank account without reduction by disbursements.

Receipt entries should be supported by such source documents as equipment rental records, cash register tapes, trip invoices, and cash accounts from other sources.

- (2.) Bank accounts will be maintained separately for the businesses conducted under this permit and not co-mingled with those for other businesses of the holder.
- (3.) Preparation and maintenance of such special records and accounts as may be specified by the authorized forest officer.

VI. FINANCIAL STATEMENTS

Financial Statements. The holders accounting and other records supporting permit fee computations and use quantities will be maintained according to its fiscal year, which is established as the consecutive 12 months ending each December 31st. Subsequent changes to this fiscal year must be approved by the authorized officer.

VII. SAFETY

Personnel names, certifications & qualifications :

Name	First Aid	CPR	Years Experience / Other

****First Aid Kits/Rescue Gear** – Each trip will carry at least one first aid kit and rescue gear sufficient to meet the demands of emergencies normally expected during your approved outfitting and guiding activities. First aid kits will be required at all overnight camping locations.

Emergency equipment, including first aid supplies that would be carried on the trip and means of communication in case of emergency : _____

Procedure in case of an accident/emergency procedures for care and evacuation of lost or injured persons and for contacting authorities to request assistance

What safety equipment do you provide? : _____

What are clients required to wear? : _____

What special precautions will be taken when coming in contact with other activities i.e. suction dredges, snowmobiles, speed boats, campers/hikers: _____

VIII. ACCIDENT INVESTIGATION:

If an accident should occur, the Forest Service will be notified immediately. Contact Susanville Interagency Fire Center. If the accident involves a possible tort or death, the Forest Service is obligated to conduct an investigation of the incident, following Forest Service protocol. The permit holder will share all information and trip records. Any press releases will be coordinated with the Eagle Lake District Ranger.

NOTE : ANY ACCIDENT THAT DOES OR COULD RESULT IN A DAMAGE CLAIM MUST BE REPORTED TO THE FOREST SERVICE WITHIN 24 HOURS.

Emergency notification numbers:

Susanville Interagency Fire Center (530) 257-5575, ask for a Forest Service Dispatcher. They will make the appropriate notifications.

ACCIDENT REPORTING. The permit holder must notify the District Ranger, in writing or by telephone, of any accidents or incidents which might result in a future claim being brought against the holder and/or the United States Government. Such notification should be made on the first working day following the incident or as soon as practical. This may include but is not necessarily limited to actual injuries which occur during the permitted activity and or serious incidents which could result in presently unrecognized illness or injury.

IX. SANITATION:

Leave no trace techniques will be emphasized to clients. When necessary toilets will be utilized, if toilets are not available, human waste must be buried not less than 6-inches deep and 100-feet from any water source. All refuse will be hauled off site and disposed of.

Dispose of human waste at least 200 feet from any lake, stream, spring, campsite or trail.
CFR 261.11(b). Dig a shallow hole, 6 to 8 inches, and cover waste with soil and replace sod.

What procedures are followed for disposal of human waste products and refuse generated during the trip? _____

X. TITLE VI REQUIREMENTS:

Federal regulation require that each commercial enterprise conducting business on National Forest land have provisions for services for persons with disabilities. Statements such as "we operate on a non-discriminatory basis" or "because of the physical and mental demands placed on customers we cannot provide services to those with the following disabilities:" will satisfy this requirement. These provisions should also be included in your advertising brochure.

XI. PERMIT ADMINISTRATION AND PERFORMANCE EVALUATION

- A) Outfitting and guiding activities will be administered on the ground by Forest Service personnel from the Ranger District (s) on which the activity occurs. This operations plan and any resulting permit is an authorization for ONLY those locations listed on the face of this permit.
- B) The performance of the outfitter/guide will be evaluated on an annual basis. Levels of satisfactory, probationary or unacceptable will be determined based on: the degree of compliance with conditions of the permit and operations plan; customer satisfaction; and care and protection of the resources. A performance level of probationary means that you are put on notice that an element(s) within the performance evaluation was in noncompliance with the terms and conditions of the special use permit and/or operating plan and may result in future permit restrictions. A performance level of unacceptable means that an element within the previous performance evaluation was not corrected or improved by the next evaluation period and shall result in immediate permit suspension or revocation as appropriate to the circumstances.

XII. ADDITIONAL RULES AND REGULATIONS.

In addition to the terms and conditions of the permit, the Permit Holder and their assistants shall abide by the following rules and regulations. A copy of these rules and regulations will be in their possession and they will advise their clients of them.

A. Rules and regulations which apply to all Lassen National Forests Lands:

1. Respect the solitude and privacy of others. It is prohibited to cause public inconvenience, annoyance, or alarm by making unreasonably loud noise. 36 CFR 261.4(d) and 261.10(h)
2. Remove all garbage, trash and food from the use site or area and deposit it at places provided for such purposes. Burnable trash may be burned if it can be completely consumed. Do not bury it. 36 CFR 261.11(d).
3. No developed site can be used in conjunction with the permit without prior approval of the authorized Forest Officer. This includes developed campgrounds, improved trail heads and public corrals.
4. No outfitter/guide operations are authorized in Lassen National Forest wilderness areas.
5. Do not discharge any firearm or weapon within 150 yards of a campsite or developed recreation site if there is the slightest chance of endangering human life, property or livestock. 36 CFR 261.10(d)
6. Do not smoke while travelling. Stop and smoke in a safe area. Make sure the match and ashes are cold before moving on. 36 CFR 261.52(d)
7. Campfire Permits must be acquired annually. Build campfires in safe locations where all burnable material has been cleared and they will not spread. 36 CFR 261.5(f).
8. Do not short-cut sections of trail. Stay on established pathways.
9. Hold pack and saddle stock no closer than 200 feet of any lake, stream, spring, campsite, or trail where the terrain permits, except for loading or unloading.
10. No trail, wood fence, electric fence, structure or other improvement may be constructed or maintained by the permit holder without prior approval from the authorized Forest Officer. 36 CFR 261.10(a)
11. Do not pollute the water of lakes, streams or springs with soap, fish or animal parts, food scraps, or other pollutants. 36 CFR 261.11(c).
12. Do not cut or damage any tree or vegetation. 36 CFR 261.6(a)
13. Do not leave a fire unattended for any length of time without completely extinguishing it. 36 CFR 261.5(d)

14. Campfires are not permitted outside of developed recreation areas without a valid California Campfire Permit.
15. It is the permittee's responsibility to contact the Eagle Lake Ranger District Office to find out if any fire restrictions are currently in effect at (530) 257-4188.
16. Do not smoke while traveling. Stop and smoke in a safe area. Make sure the match and ashes are cold before moving on. 36 CFR 261.5(a)
17. Build campfires in safe locations where all burnable material has been cleared and they will not spread. 36 CFR 261.5(f)
18. Grazing of livestock must be approved by the authorized Forest Officer. 36 CFR 261.7(a).
19. Tying pack and saddle stock so as to cause injury or damage to any tree, vegetation or soil is prohibited. 36 CFR 261.58 (a)
20. Permit holder shall have a first aid kit available at campsites and on all trips.
21. All gates encountered along roads and trails will be closed unless otherwise posted.
22. Violation(s) of California State game laws while operating under this permit shall be cause for permit termination.
23. Livestock used in the operation will be sound and sage for use by clients. Clients shall be given general instructions on handling livestock.
24. Following use, campsites will be restored to as natural a condition as possible. Vegetative litter shall be spread over bare areas around tent sites, hitch rails, toilet pits, etc. Manure piles shall be scattered.
25. The use of any trailhead or destination site on the Lassen National Forest must be approved by the authorized Forest Officer in advance.
26. Copies of the approved Special Use Permit will be in the possession of the Permit Holder and their representative(s).

XIII. RESPONSIBLE OFFICIALS

_____ is designated as the holder's on-site representative.

_____ is designated as the Special Use Permit
Administrator and _____ is designated as the Authorized Officer.

Submitted by:

_____	_____	_____
Name	Title	Business name