



Rio Grande National Forest

FAQ for TEMPORARY OUTFITTER/GUIDE Permits on National Forest System Lands

The Federal Lands Recreation Enhancement Act (16 U.S.C. 6802(h)) authorizes the Forest Service to issue special recreation permits. Individuals or entities conducting outfitting or guiding activities on National Forest System lands must be authorized under a special use authorization. The Rio Grande National Forest (RGNF) will continue the program of issuing Temporary Outfitting and Guiding Special Use Permits on a limited basis in the coming year.

Issuance of a temporary use permit does not commit the Forest Service to authorize outfitting and guiding use in the future. Temporary use permits are not subject to renewal.

Definitions:

Commercial Use or Activity. Any use or activity on National Forest System lands: (a) where an entry or participation fee is charged or (b) where the primary purpose is the sale of a good or service and, in either case, regardless of whether the use or activity is intended to produce a profit (36 CFR 251.51).

Guiding. Providing services or assistance (such as supervision, protection, education, training, packing, touring, subsistence, transporting people, or interpretation) for pecuniary remuneration or other gain to individuals or groups on National Forest System lands. The term "guide" includes the holder's employees and agents.

Holder. An individual or entity that holds a special use permit authorizing outfitting or guiding activities on National Forest System lands.

Insurance - Combined Single Limit. A liability insurance policy in the combined single limit format lists a single coverage limit for third-party property damage, personal injury or death to one person, and personal injury or death to more than one person.

Insurance - Split Limit. A liability insurance policy in the split limit format lists separate coverage limits for third-party property damage, personal injury or death to one person and personal injury or death to more than one person.

Outfitting. Renting on or delivering to National Forest System lands for pecuniary remuneration or other gain any saddle or pack animal, vehicle, boat, camping gear, or similar supplies or equipment. The term "outfitter" includes the holder's employees and agents.

Quota. An allocation of use that is measured as the number of stock per trip, people at one time, trips per hour or per day, the number of launches per day, or other unit of measure other than a service day; that is consistent with applicable land management plan guidance, and that is established in a programmatic or project decision

Service Day. An allocation of use constituting a day or any part of a day on National Forest System lands for which an outfitter or guide provides services to a client. The total number of service days is calculated by multiplying each service day by the number of clients on the trip.

Temporary Use. Short-term, non-renewable outfitting and guiding use that is authorized in increments of 50 service days, up to a maximum of 200 service days in a 180-day period.

Use Area. Any geographical configuration, such as a Ranger District, wilderness area, Wild and Scenic River, or National Forest, that allows for efficient management of temporary and priority use pools.

How do I apply?

Initially, in addition to reading this document, you should read the documents titled, Rio Grande National Forest Special Uses Proposal, Application & Authorizations Process & Temporary Outfitter and Guiding Permit Program which can be found on the **Event/Commercial Permits** page of our website at <http://www.fs.usda.gov/riogrande> Once you have read through and understand these documents and you believe you may qualify for a permit you may complete the application form FS 2700-3f and appropriate attachments (also available on our website).

Items 1 through 10 on pages 1 & 2 of form FS 2700-3f must be filled out completely. Applicants should also read and be familiar with the terms of the permit (pages 3 – 13 of FS-2700-3f). In order to receive consideration, completed applications should be submitted by the established deadline dates to the District office where you wish to receive a permit.

Applications that are submitted without complete information will likely be denied, especially if gathering any necessary additional information takes longer than the established deadline date. **It is highly recommended to submit your application well in advance of the established deadline dates in order to be assured full consideration for a permit.**

Applicants must identify the services to be performed, proposed number of people, modes of transportation to be used, proposed dates of use and itinerary, use areas, routes (trails or roads), and other matters relating to the request in sufficient detail for the authorized officer to make a decision on the request in accordance with regulatory requirements. Proponents must describe their technical and financial qualifications to provide the proposed services.

Proponents must submit an operating plan that addresses public health and safety, emergency procedures, and resource protection.

If you have questions you may contact the Forest Service office in the area where you wish to hold your activity prior to completing the application form. Through this initial contact you will learn whether your activity meets the required pre-application screening requirements found in the Code of Federal Regulations 36 CFR 251.54 and applicable to all special uses. See the document Rio Grande National Forest Special Uses Proposal, Application & Authorizations Process for a list of these criteria.

Is Insurance Required?

To protect the public and the United States from injury, loss, or damages for which a permit holder may be liable, all holders must carry liability insurance. The liability insurance must provide coverage for third-party property damage, personal injury, and death that arise in connection with the authorized use and occupancy. Liability insurance may be either in the split limit or combined single limit format. Any insurance policy covering use and occupancy of National Forest System lands must include an endorsement that names the United States as an additional insured and provide for thirty (30) days written notification of cancellation.

Documentation, such as an endorsement on the policy or declarations page, must be submitted by the holder prior to permit issuance to verify that this requirement has been met. A Certificate of Insurance may be acceptable, but the policy must have been reviewed, assigned a number and placed **on the FS Master Insurance List**. Currently, FS staff must check the Master List so if you're not sure, submit a copy of the policy in order to expedite permit processing.

The minimum coverage requirements are \$25,000, \$100,000, and \$300,000 for a split limit insurance policy and \$300,000 for a combined single limit policy; however, many activities require a higher coverage limit, some up to \$2,000,000.

Where can I look for further information regarding Temporary Outfitter/Guide or other special use permits on National Forests?

For related authorities, policies, responsibilities, and definitions, see Code of Federal Regulations at 36 CFR 251.50; FSM 2320, 2340, and 2701 through 2705; and FSH 2709.11.

You may obtain copies of the Code of Federal Regulations from your local Forest Service office, law library, or by visiting the National Archives & Records Administration's Code of Federal Regulations home page at <https://www.govinfo.gov/app/collection/cfr>.

The Forest Service Manual (FSM) and Forest Service Handbook (FSH) may be viewed at <https://www.fs.usda.gov/im/directives/>.

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