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# **Prospectus for Campground and Related Granger-Thye Concessions San Bernardino National Forest, Mountaintop and Front Country Ranger Districts**

**U.S. DEPARTMENT OF AGRICULTURE  
Forest Service**



**San Bernardino National Forest    Mountaintop and Front Country Ranger Districts**

**March 2024**

Previous edition obsolete

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## VII. Pertinent Materials (Available Upon Request)

“*National Quality Standards for Recreation Site Management*” (formerly Meaningful Measures)

[PDF example:](#)

[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd510324.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd510324.pdf)

“*Cleaning Recreation Sites*” (USDA-Forest Service)

[PDF:](#) [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5348052.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5348052.pdf)

“*In Depth Design and Maintenance Manual for Vault Toilets*” (USDA-Forest Service)

[PDF:](#) <https://www.fs.usda.gov/t-d/pubs/pdfimage/91231601.pdf>

“*Vault Toilet Pumping Contract Specifications and Guidelines for Preparing Contracts*”

[PDF:](#) <https://www.fs.usda.gov/t-d/pubs/pdfimage/92231308.pdf>

# I. Business Opportunity

## A. Introduction

This prospectus is being issued to solicit applications for a concession campground special use permit. A permit or permits to provide high-quality public service in the operation and maintenance of Government-owned recreation facilities located on the Mountaintop and Front Country Ranger Districts, San Bernardino National Forest, may be issued. The permit or permits will include the following developed sites:

**Table 1. Included Sites**

<b>Ranger District</b>	<b>Site Name</b>	<b>Site Type</b>
Front Country	Applewhite Campground	Campground
Mountaintop	Aspen Glen Picnic	Picnic Site
Mountaintop	Barton Flats Campground	Campground
Mountaintop	Big Pine Equestrian Group Campground	Horse Camp
Mountaintop	Big Pine Flat Campground	Campground
Mountaintop	Bluff Mesa Group Campground	Group Campground
Mountaintop	Boulder Group Campground	Group Campground
Mountaintop	Buttercup Group Campground	Group Campground
Mountaintop	Coon Creek Group Campground	Group Campground
Mountaintop	Council Camp Group Campground	Group Campground
Mountaintop	Crab Flats Campground	Campground
Mountaintop	Deer Campground	Group Campground
Mountaintop	Dogwood Campground	Campground
Mountaintop	Grays Peak Group Campground	Group Campground
Mountaintop	Grays Peak Trailhead	Trailhead
Mountaintop	Greyback Amphitheater	Amphitheater
Mountaintop	Green Spot Equestrian Group Campground	Horse Camp
Mountaintop	Green Valley Campground	Campground
Mountaintop	Grout Bay Picnic	Picnic Site
Mountaintop	Hanna Flats Campground	Campground
Mountaintop	Heart Bar Campground	Campground
Mountaintop	Heart Bar Equestrian Campground	Horse Camp
Mountaintop	Holcomb Valley Campground	Campground
Mountaintop	Ironwood Group Campground	Group Campground
Mountaintop	Jenks Lake Day Use	Day Use Site
Mountaintop	Juniper Springs Group Campground	Group Campground
Mountaintop	Lobo Group Campground	Group Campground
Mountaintop	Meadows Edge Picnic	Picnic Site
Mountaintop	North Shore Campground	Campground
Mountaintop	Oso Group Campground	Group Campground

Ranger District	Site Name	Site Type
Mountaintop	Pine Knot Campground	Campground
Mountaintop	San Gorgonio Campground	Campground
Mountaintop	Serrano Campground	Campground
Mountaintop	Shady Cove Group Campground	Group Campground
Mountaintop	Skyline Group Campground	Group Campground
Mountaintop	South Fork Campground	Campground
Mountaintop	Tanglewood Group Campground	Group Campground
Mountaintop	Tent Peg Group Campground	Group Campground
Mountaintop	Wildhorse Equestrian Campground	Horse Camp

The authorized officer for this business opportunity is the Forest Supervisor for the San Bernardino National Forest.

**Danelle Harrison, Forest Supervisor**  
**San Bernardino National Forest**  
**602 S. Tippecanoe Ave.**  
**San Bernardino, CA 92408**

The current permit for this concession expires on 12/31/2024. Over the past three years, this concession has generated the following gross revenues:

**Table 2. Two Year Average Gross Revenue for Front Country District (Applewhite CG)**

Year	Gross Revenue
2021	Unavailable
2022 (4/1/2022-12/31/2022)	\$27,669.00*
2023 (1/1/2023-9/2/2023)	\$40,223.00*
<b>Two Year Average Gross Revenue</b>	<b>\$33,946</b>

\* The totals only include revenue from reservations on Rec.gov. First-come First-serve revenue is not available.

**Table 3. Three Year Average Gross Revenue for Mountaintop District Sites**

Year	Gross Revenue
2021	\$2,687,997.54
2022	\$2,804,991.62
2023	\$2,691,784.46
<b>Three Year Average Gross Revenue</b>	<b>\$2,728,257.87</b>

## B. Area Description

### Overview of the San Bernardino National Forest

From the arid deserts to the tallest alpine mountains in Southern California, the San Bernardino National Forest is recognized as a top destination for people escaping the urban grind for a peaceful retreat in nature. With hundreds

of miles of nationally recognized hiking trails, seven designated Wildernesses, 42 campgrounds, four winter recreation resorts, seven wild and scenic rivers, the two tallest mountains in Southern California, and one of the best destinations for off-highway vehicle riding, there is more than a lifetime of activities to do on the San Bernardino National Forest. Additionally, the 110-mile Rim of the World Scenic Byway traverses the rim of the San Bernardino Mountains from Cajon Pass to San Gorgonio Pass. The Rim of the World Scenic Byway travels through some of the most naturally beautiful areas in Southern California. Spectacular vistas and panoramas exist everywhere along the route. This Byway encompasses portions of California Highways 138, 18, and 38.

The San Bernardino National Forest contains a wide range of ecosystems, from mixed conifer forests and oak woodlands, to, pinyon juniper stands, chaparral and semi-desert areas, which are home to a variety of plant and wildlife species. There are 71 threatened or endangered wildlife species on the forest. The local mountains provide habitat for bald eagles, peregrine falcons, bighorn sheep and many endangered plants (there are more than 85 species of sensitive plants).

The San Bernardino National Forest encompasses an area of 676,666 acres of habitat ranging in elevation from 440 feet above sea level in Palm Springs to 11,499 feet atop Mt. San Gorgonio, the highest point within the forest. Most of the forest is composed of steep, rugged transverse mountains containing watersheds which supply several reservoirs. The major mountain ranges within the forest are the San Gabriel, San Bernardino, San Jacinto and Santa Rosa.

The climate varies from the high elevation cool summers and snowy winters to the hot dry summers in the high and low deserts of southern California. The coastal facing ridges are often tempered by fog and marine air masses resulting in very moderate, year-round temperatures. The vast land area, and the elevational and climatic factors, play a major role in the diversity of habitat types found on the San Bernardino.

### **Front Country Ranger District**

The Front Country Ranger District offers a popular year-round stream gathering place for urban families. Steep, chaparral-covered hillsides with perennial and intermittent streams and fragmented riparian vegetation, coastal sage scrub, scattered groves of large sugar pine and big cone Douglas-fir provide important wildlife habitat.

Lytle Creek lies at the eastern-most extension of the San Gabriel Mountains. The area is highly dissected by deep canyons, steep slopes, cliffs, and narrow ridges. The North, Middle, and South Forks of Lytle Creek are the dominant physical features, which has been a popular recreation destination for many generations of local residents from the cities of San Bernardino, Rialto, Fontana, and Colton.

Elevations range from 2,000 feet along the Interstate-15 corridor to 9,000 feet. Cucamonga Peak, the Cucamonga Wilderness, the Sheep Mountain Wilderness and Mt. San Antonio typify the rugged, mountainous country west of the I-15 transportation corridor. The climate of the area ranges from Mediterranean to mountain, from temperate to hot, with cooler temperatures at the higher elevations. Precipitation ranges from seven inches at lower elevation to 40 inches, with snow in the winter on the taller peaks.

### **Mountaintop Ranger District**

The Mountaintop Ranger District of the San Bernardino National Forest is located in southern California, adjacent to large urban areas and is home to the Big Bear Discovery Center. The area offers many recreation opportunities including hiking, biking, off-road use, fishing, camping, horseback riding and winter sports. The Pacific Crest Trail (PCT) runs through the district. The mountain ranges rise steeply on the costal side facing the greater Los Angeles Basin. The desert is to the north and east and the urban areas and Pacific Ocean are to the west. The communities of Lake Arrowhead, Big Bear and Idyllwild are within the area. All sites are easily accessible by

vehicle and are located in mixed conifer and oak forest elevations ranging from 5,300 feet to 8,100 feet. Most forest visitors come from Southern California.

The higher elevations of the district enjoy a four-season climate with average precipitation of 30 inches. Winter snow, which can be heavy, occurs above 5,000 feet. Afternoon thundershowers are common in the summer. Seasonal temperatures range from the mid- 30s to low 80s F with lower temperatures in winter at the higher elevations. Humidity is relatively low year-round. Winter snows vary, arriving as early as mid-November and usually persisting through March and possibly into April.

For general information on the San Bernardino National Forest and the sites included in the prospectus, refer to the forest [webpage](#).

## C. Description of Developed Recreation Sites and Facilities

The description of each developed recreation site included in this prospectus is found in Appendix 20, Description of Developed Recreation Sites and Facilities. Please use descriptions in Appendix 20 together with the maps of developed sites in Appendix 2 and Appendix 3, Inventory of Government-Furnished Property.

## D. Government Furnished Property

The Forest Service will provide certain property in conjunction with the concession campground special use permit (see Appendix 3 of the prospectus). Included in this inventory are a description, the quantity, and the estimated replacement cost of the 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.” *See links in Table of Contents.*
- If available, a copy of “Recreation Opportunity Guides,” which the holder may reproduce at its expense.
- Title VI signs.

## 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 current service providers to obtain estimated costs for the utilities. These utilities are listed below in Table 3.

**Table 4. Utilities**

Service	Contact
Electrical	Southern California Edison, <a href="https://www.sce.com">https://www.sce.com</a> , 909-890-9516
Telephone	Frontier Communications, <a href="http://www.frontier.com">www.frontier.com</a> , 909-245-2675
Propane	Amerigas, <a href="http://www.amerigas.com">www.amerigas.com</a> , 909-877-2642

Water	Crestline - Lake Arrowhead Water Agency, <a href="https://www.clawa.org/">https://www.clawa.org/</a> (909) 338-1779 Barton Flats Camp Association, <a href="https://www.bfcacamps.org/">https://www.bfcacamps.org/</a> , Lee Fulmer, Water Operator
Garbage	Burrtec Waste, <a href="https://www.burrtec.com">https://www.burrtec.com</a> , 909-429-4200
Liquid & Solid Waste Disposal	Big Bear Disposal, <a href="https://bigbeardisposal.com">https://bigbeardisposal.com</a> , 909-866-3942

## II. Forest Service Concession Programs 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 Part 251, Subpart B.

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

### A. Recreation.gov

The San Bernardino National Forest participates in Recreation.gov, which provides nationwide, toll-free telephone reservations for single-family or group camping sites, rental cabins, permits, tours, tickets, 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 that is unreserved and charge on site for that use). Recreation.gov is part of the Recreation One-Stop Program, which is managed by the Washington Office Recreation, Heritage, and Volunteer Resources staff. The Forest Service contacts and program managers for Recreation.gov are listed below. Applicants should not contact the Recreation.gov contractor directly.

**Table 5. Rec.gov contacts**

Name	Location	Contact
Sarah Belcher	Pacific Southwest Region 1330 Bayshore Way Eureka, CA 95501	Phone: (707) 267-0440 Email: sarah.belcher@usda.gov
Susan Valente	Forest Service Contracting Officer's Technical Representative (COTR) PO Box 10 Granby, CO 80446	Phone: (303) 621-4170 Email: susan.valente@usda.gov

Recreation.gov is the only authorized reservation system for Forest Service-developed recreation sites, including but not limited to campgrounds, cabins, and group use areas. Applicants may recommend adding sites to or deleting sites from Recreation.gov 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 Recreation.gov, the following guidelines must be followed, unless there are compelling operational reasons:

1. For each developed recreation site included in Recreation.gov, 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 6 months to 0-4 days prior to arrival date, depending on location.
  - Group use areas: from 12 months to 0- 4 days prior to arrival date, depending on location.
2. When Recreation.gov is utilized, the permit holder is responsible for on-site administration and will be required to:
- Obtain daily arrival reports (DARs) 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 26 hours past the posted check-in time.
  - 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 valid federal pass (listed below) before giving the discount on fees for those passes (*see* section II.B). Do not discount fees if a visitor cannot present a valid pass.
    - ◆ Golden Age or Golden Access Passport.
    - ◆ America the Beautiful–The National Parks and Federal Recreational Lands Senior Pass or Access Pass.
    - ◆ Other passes as required by the authorized officer and described in this prospectus, such as local area passes.
  - Develop inventory data for sites being added to Recreation.gov, and update data for sites including fees charged the public and temporary site closures. Submit data updates to Recreation.gov at least annually.
  - Communicate to Recreation.gov any emergency closures or other relevant operational changes as they occur.
  - Approve customer refunds as appropriate and process them through Recreation.gov. Refund policies can be found at [Recreation.gov](https://www.recreation.gov/rules-reservation-policies) (<https://www.recreation.gov/rules-reservation-policies>).

Because reservations can be made up to a year in advance for group sites and up to 6 months in advance for family sites, Recreation.gov is currently accepting reservations for the upcoming operating season. Fees received by Recreation.gov will be held by the Forest Service and distributed following 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. If funds are distributed prematurely for dates outside the permit term, a bill for collection will be issued to the permit holder.

## **B. Pass Discounts**

The permit holder must provide a 50 percent discount on recreation fees charged under REA at developed recreation sites covered by this prospectus to holders of Golden Age and Golden Access Passports, 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 applicants' bids.**

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

The following is a list of sites covered by this prospectus where the 50 percent discount for passes applies:

**All single sites at campgrounds, excluding group campgrounds, listed in Table 1.**

Standard Amenity Recreation Fee Sites Under REA [Reserved]. The Forest Service is proposing a revision to FSM 2344.3 to address treatment of standard amenity recreation fee sites in the concession program. The agency reserves the right to amend a special use permit issued under this prospectus to be consistent with any change in that directive.

**All day use sites listed in Table 1, including picnic sites and trail heads.**

## C. Camp Stamps

Camp stamps must be honored at their face value and submitted to the authorized officer for reimbursement.

## D. Site Closure

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.

- Grays Peak Trailhead and Grout Bay Picnic Site are within eagle habitat and closed December 1<sup>st</sup>-March 31<sup>st</sup>, for nesting season. Occasionally this may begin sooner or extend into the summer.
- Grout Bay Picnic Site and Gray's Peak Day Use sites are scheduled to temporarily close in 2026 for a Great American Outdoors Act (GAOA) rehabilitation project.
- The Upper Loop of South Fork Campground was heavily damaged in Hurricane Hilary in 2023 and repairs are needed before opening, with some sites likely to be decommissioned. Roads to Heart Bar Campground need repair which should be completed in 2024.

## E. Administrative Use

If the Forest Service requires the permit holder to provide a service for the agency, the permit holder will be compensated for that use.

## F. Applicable Forest Orders

Forest Orders may be issued to address a variety of management concerns on a particular forest. Sample orders related to the offering are identified in Appendix 4. Additional applicable forest orders may be issued in the future.

## G. Fee Tickets and Compilation of Use and Revenue Data

The permit holder must provide fee tickets to visitors that include at least the following information:

- The site number and total amount paid.
- 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 of the prospectus for a sample use report). Use reports must 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 of Camp Stamps collected.
- The total number 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.

## **H. Customer Service Comment Cards**

The permit holder must provide a customer service comment card to visitors at each developed recreation site (*see* Appendix 6 of the prospectus).

## **I. 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.

## **J. 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](https://www.fs.usda.gov/recreation/programs/accessibility/) at (<https://www.fs.usda.gov/recreation/programs/accessibility/>). Questions regarding ADA/ABA Accessibility Guidelines may be referred to the [Access Board](http://www.access-board.gov) at [www.access-board.gov](http://www.access-board.gov). Questions regarding the FSORAG may be referred to the accessibility coordinator for the local National Forest.

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.

## K. Camping Unit Capacity

### Number of Vehicles Per Camping Unit

A single-family camping unit may accommodate one vehicle. A “vehicle” is defined as any motorized conveyance, except that for purposes of vehicular capacity, two motorcycles are considered one vehicle. 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. 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 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 capacity established for group sites is as follows:

**Table 6. Group Site Capacity**

Facility / Site Name	People	Vehicles
Big Pine Equestrian	25	5
Bluff Mesa Group	40	8
Boulder Group	40	8
Buttercup Group	40	8
Coon Creek Group	40	10
Council Group	50	10
Deer Group	40	8
Heart Bar Equestrian	65	21
Grays Peak Group	40	8
Green Spot Equestrian	25	8
Ironwood Group	25	6
Juniper Springs Group	40	8
Lobo Group	75	19
Oso Group	100	25
Shady Cove Group	90	24
Skyline Group	25	9

Tanglewood Group	40	8
Tent Peg Group	40	8

Campers at overnight sites will be limited to a 14-day stay limit during any consecutive 30-day period.

## M. 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 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.

Permit holders may not charge for any of the following:

- Solely for parking, undesignated parking, or picnicking along roads or trail sides.
- 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.

## N. 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.

## O. Other Pertinent Information

### Wildlife Mitigation

Bear proof dumpsters/trash cans are recommended for sites located on the Mountaintop Ranger District.

## **Endangered Species**

Proposed new management activities received in response to this prospectus will undergo environmental analysis in accordance with the National Environmental Policy Act (NEPA). Evaluation of the project area will pay particular attention to designated critical habitat, habitat suitability and/or occurrence of Federal Threatened and Endangered species, and to prevent new listing of Federal Candidate species, Federal Proposed species, and Forest Service Sensitive species.

## **Archaeological Resources**

The concessionaire has responsibilities under the National Historic Preservation Act of 1966 (NHPA). Prior to any activity with the potential for ground disturbing activities, the permit holder must submit a proposal to the Forest Service and obtain Forest Service approval. Depending on the actions proposed and the sites involved, the review process can take several months. Routine activities such as replacing barrier or signposts must be addressed through an Annual Operating Plan or other written approval.

## **Condition of Trees**

All campgrounds and concessionaire managed facilities are identified as “high value” forested sites and they will be surveyed as required, by FS personnel or trained concessionaire personnel for insects and diseases. Oak trees in high value sites will be tagged and monitored to measure for invasive pest presence by FS personnel for Gold Spotted Oak Borer (GSOB). The facility or portions of a given facility may be closed during times when pesticide applications are required to preserve high value trees and to minimize pathogens.

When GSOB or other forest pathogens are observed the material will need to be disposed in accordance with the requirements in the GSOB directions or as directed by a forest health professional. Such directions may include but, are not limited to pesticide application, covering infected material with plastic, and burning or chipping material in place at the site.

To prevent forest pest (GSOB) translocation and spread, firewood from the campground and areas immediately adjacent is the only material allowed to be provided for campfires by the concessionaire or the concessionaire’s contractor.

When evidence of GSOB is observed in oak species at managed facilities the concessionaire will notify FS Forest Health personnel as soon as possible.

## **Hazard Tree Removal**

The permit holder will have to conduct pre-season inspection of the campgrounds to identify existing and potential hazards, including hazard trees. The permit holder also will 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%** per year. The annual operating plan will address appropriate disposal of hazard trees and slash.

## **Botany and Restoration Ecology**

For recreation site damage, if any non-local base material is brought in such as fill or gravel, it shall be from a weed free source and approved by the district botany staff.

No plant material or mulch shall be brought in without resource staff approval.

## **Butane and Propane Installations**

For safety and regulatory reasons, the permit holder is not allowed to install or store bulk butane or propane. The annual operating plan and special use permit will describe how small amounts (for facilities and individual host use) of these materials must be stored including but not limited to the volume, type of storage, and spill containment plan (Reference Appendix 10: Form FS27004h, Sample Special Use Permit Clauses IV. G. Consent to Store Hazardous Materials).

## **Special Recreation Passes**

The San Bernardino National Forest, as well as the other Southern California National Forests, utilize a special recreation pass, called the Adventure Pass, for day use sites that provide a defined number of additional amenities for the public to enhance their enjoyment of public lands. Because of the unique nature of this concessionaire permit and its Granger-Thye fee offset agreement, the permit holder will not be required to honor the Adventure Pass and may choose to charge visitors of concessionaire-operated sites a similar fee for day use activities.

## **Optional Services and Programs**

Interpretive programming has been an important part of the camping experience on the San Bernardino National Forest. The Forest would strongly encourage the continuation of this tradition and invites applicants to propose an interpretative plan.

Other services including Wi-Fi and recycling are also desirable, especially in high-use areas that are more easily accessible.

# **III. Special Use Permit**

In exercising the rights and privileges granted by the special use permit, the permit holder 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 for this offering has three bid options;

- **Offering 1: Front Country Ranger District, Applewhite Campground Only. 5 + 5;** five-year term, with an option to extend the term for up to an additional 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.
- **Offering 2: Mountaintop Ranger District, all listed campgrounds within the Mountaintop Ranger District Only. 10 + 5;** ten-year term, with an option to extend the term for up to an additional 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. This bid option requires a consolidated land use fee payment, see section IV.C.5.
- **Offering 3: Front Country & Mountaintop Ranger Districts Combined, all listed campgrounds. 10 + 5;** ten-year term, with an option to extend the term for up to an additional 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. This bid option requires a consolidated land use fee payment, see section IV.C.5.

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 year or less may be issued.

## **B. Permit Holder Responsibilities**

This section highlights the requirements of the special use permit, which is contained in Appendix 10 of the 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.

### **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.

### **Holder-Furnished Vehicles**

The permit holder may not use all-terrain vehicles, motorcycles, or motor-bicycles in the campgrounds. The holder may propose use of golf carts or other similar vehicles to facilitate daily maintenance of the facilities. If authorized, carts must stay on designated roads or trails while driving between sites or loops.

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

Maintenance, reconditioning, and renovation are defined in the permit (FS-2700-4h, clause V.D.1(d)). 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.H.1). The permit holder, at its expense, will be required to perform holder MRR under a holder MRR plan (FS-2700-4h, clause II.D and V.F). 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.

## **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 14 of the prospectus and FS-2700-4h, clause V.D.1(e).

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 the prospectus and FS-2700-4h, Appendix B). 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 the 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 the prospectus).

The holder’s claims for GT fee offset must be documented using the FS-2700-4h, Appendix H, Granger-Thye Fee Offset Claim Form (see Appendix 14 of the 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 a CWFS 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 V.D.2, and Appendix 15 of the 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.

## 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 **\$1,000,000** 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 USDA Forest Service as an additional insured (see Appendix 10 of the prospectus and FS-2700-4h, clause III.K).

### Property Insurance

Property insurance will be required for Option 2 and 3 in the amount of **\$2,530,533** for **replacement in kind** of the insured property (see Appendix 3, Inventory of Government-Furnished Property).

**Table 7. Facilities Requiring Property Insurance**

District	Site	Feature ID	Feature	Replacement Cost
Mountaintop	Barton Flats CG	2194	Restroom #1	\$610,922
Mountaintop	Barton Flats CG	2195	Restroom #2	\$83,308

Mountaintop	Barton Flats CG	5991	Restroom #3	\$407,142
Mountaintop	Coon Creek Group	2105	Toilet	\$74,026
Mountaintop	Hanna Flats CG	2159	Restroom East	\$124,961
Mountaintop	Heart Bar Equestrian	5914	Restroom/Shower	\$184,665
Mountaintop	San Gorgonio CG	5919	Restroom #1	\$610,922
Mountaintop	San Gorgonio CG	5920	Restroom #2	\$124,961
Mountaintop	San Gorgonio CG	5921	Restroom #3	\$124,961
Mountaintop	Wildhorse Equestrian	5925	Restroom/Shower	\$184,665
			<b>Total</b>	<b>\$2,530,533</b>

## E. Bonding

### Applies to offering 2 and 3: Mountaintop Ranger District Only and Mountaintop and Front Country Ranger Districts Combined

The permit holder will provide a performance bond in the amount of **\$400,000**. The bond may take the form of corporate surety, Treasury bills, notes or other negotiable securities, cash deposits, irrevocable letters of credit, assignment of savings accounts, or assignment of certificates of deposit. The authorized officer may reevaluate the need for or the amount of the bond after the first operating season.

## IV. Application

### A. Instructions for Submitting Applications

Applicants may submit an application for all or some of the developed recreation sites offered in this prospectus. **IMPORTANT: Applicant must specify which offerings they are applying for and if they are willing to accept an award less than their original proposal.**

Applicants are strongly encouraged to visit the sites at least once before submitting an application (see Appendices 1 and 2, vicinity and area maps and maps of developed recreation sites).

#### Forest Led Facility Tour

A facility tour led by the Forest is scheduled for May 15, 2024. Interested parties must RSVP to Joseph Martin at [Joseph.Martin@usda.gov](mailto:Joseph.Martin@usda.gov) by May 1, 2024. 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;**

**Table 8. Application submittals**

<b>Addressee</b>	<b>Title</b>	<b>Attention</b>	<b>Address</b>
Danelle Harrison	Forest Supervisor	Joseph Martin	602 S. Tippecanoe Ave. San Bernardino, CA 92408

Applications must be received by close of business (4:30 p.m.) on **June 17, 2024**.

Applicants must submit one hard copy and one electronic copy of their application to the Forest Service contact listed above. The electronic copy must be provided on a flash drive. The electronic copy must be prepared in a Microsoft Office program or PDF that allows for copying and pasting of text and must separately address each evaluation criterion listed in the prospectus.

Applications will not be returned to applicants.

**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 also must include:

- Evidence of incorporation and good standing.
- If reasonably obtainable, the name and address of each shareholder owning 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 **Joseph Martin** at **[Joseph.Martin@usda.gov](mailto:Joseph.Martin@usda.gov)** or **(619) 787-0295** regarding any questions related to this prospectus. **The deadline to submit questions regarding the prospectus is June 3, 2024.**

## **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 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 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.
- Proposed Fees charged to the public.
- Proposed Fee to the government.
- Fees
  - Initial processing fee of **\$1300** (Option 2 or 3 only) made payable to the USDA Forest Service (see section IV.C.7).
  - SBDC business plan review fee of **\$350** made payable to El Camino Community College SBDC
- Community Engagement Plan

## **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 must utilize the sample annual operating plan (see Appendix 9, Minimum Content of the Proposed Annual Operating Plan) 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 Minimum Content of the Proposed 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 the prospectus. All sites must be open and operational seven days per week during the minimum operating season, unless a Forest Service closure order is in effect.

### **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 of the prospectus. Applicants should address worker hours and schedules. Applicants also should address staff training for effective customer service, conflict resolution, area-specific emergency procedures, and dissemination of recreation and tourism information.

### **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.

### **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.

## **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 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**

All business plans will be independently reviewed by an SBDC. If an applicant's current fiscal year business plan has already been reviewed by an SBDC, the applicant may submit a copy of the review report.

Along with a business plan, applicants also must submit a cashier's check in the amount of **\$350.00 made payable to El Camino Community College SBDC**. Applicants submitting a current fiscal year review report by the Forest Service or an SBDC need not enclose payment.

### **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 the 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 fiscal years, and therefore cannot submit audited, reviewed, or compiled financial statements or an FS-6500-24, must submit three 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 be unredacted 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 of the prospectus) 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**, Attention: Auditor, ASC-B&F, 101 B Sun Ave NE, Albuquerque, NM 87109.

#### 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, Minimum Content of the Proposed 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 also must be included in the business plan as an income item.

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 [see below] 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 years of the permit term if the permit is extended for five years.

##### Minimum Fee Calculation

**Table 9. Minimum Fee Calculation (Option 1 – Front Country Ranger District Only)**

Year	Gross Revenue
2021	Not Available
2022*	\$27,669.00*
2023*	\$40,223.00*
<b>Grand Total</b>	\$67,892.00
<b>Average = Grand Total ÷ 2</b>	\$67,892.00 ÷ 2 = \$33,946.00
<b>Two Year Average Gross Revenue</b>	<b>\$33,946.00</b>

\* Only includes revenue from Rec.gov, does not include revenue amounts from first-come first-serve envelope collection.

**Table 10. Minimum Fee Calculation (Option 2 – Mountaintop Ranger District Only)**

Year	Gross Revenue
2021	\$2,687,997.54
2022	\$2,804,991.62

Year	Gross Revenue
2023	\$2,691,784.46
<b>Grand Total</b>	<b>\$8,184,773.62</b>
<b>Average = Grand Total ÷ 3</b>	$\$8,184,773.62 \div 3 = \$2,728,257.87$
<b>Three Year Average Gross Revenue</b>	<b>\$2,728,257.87</b>

**Table 11. Minimum Fee Calculation (Option 3 – Full Offering, Both Districts)**

Year	Gross Revenue
2021*	\$2,687,997.54
2022	\$2,832,660.62
2023	\$2,732,007.46
<b>Grand Total</b>	<b>\$8,252,665.62</b>
<b>Average = Grand Total ÷ 3</b>	$\$8,252,665.62 \div 3 = \$2,750,888.54$
<b>Three Year Average Gross Revenue</b>	<b>\$2,750,888.54</b>

\* Does not include Applewhite Campground gross revenue.

Total gross revenue ÷ 3 = average gross revenue

Average gross revenue multiplied by the current 30-year Treasury bond rate = the minimum annual fee. In the following example, the 30-year Treasury bond rate is 4.35 percent.

**Option 1:  $\$33,946.00 \times 0.0435 = \$1,476.65$  minimum annual fee**

**Option 2:  $\$2,728,257.87 \times 0.0435 = \$118,679.22$  minimum annual fee**

**Option 3:  $\$2,750,888.54 \times 0.0435 = \$119,663.65$  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 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.

**For Offerings 2 and 3: Mountaintop Ranger District Only and Mountaintop & Front Country Ranger Districts Combined**

**Required Consolidated Land Use Fee Payment.** A consolidated land use fee payment of **\$250,000 or greater** is required for this offering. The consolidated land use fee payment will cover the land use fee for 6 years. The consolidated land use fee payment will be determined by multiplying the average annual gross revenue of the offering for the past 3 years (adjusted, if applicable, based on expansion or contraction of the concession) by the number of years the land use fee payments will be consolidated, and multiplying the product by the percentage of gross revenue proposed by the applicant. If the Forest Service will perform the GT offset work using a collection agreement, the entire consolidated land use fee payment must be made when the first land use fee payment otherwise would have been due. If the holder will perform the GT fee offset work, the holder must commence that work within the first 6 months of the consolidated fee period and must complete the work within 18 months of the



beginning of the consolidated fee period. At the midpoint of the consolidated fee period, the consolidated land use fee will be compared to actual gross revenues and adjusted as necessary for the remainder of the consolidated fee period.

### **Consolidated Fee Example**

Three-year average gross revenue = \$1,000,000 x 6 years = **\$6,000,000**

**Consolidated fee = \$6,000,000 x (percent proposed by applicant)**

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 MRRI, performed at the permit holder's expense in accordance with a GT fee offset agreement (see section III of the prospectus).

## **6. Community Engagement Plan**

A community engagement plan is a strategic plan that outlines a set of specific outreach and public participation strategies with assigned roles and a timeline for new or reoccurring projects. The plan should address how the applicant will engage with the developed recreation users, partners, businesses, and communities in and around the permit area.

The community engagement plan should address the following items.

### **Customer Service & Communication**

- How will the public communicate with your company (i.e., public facing website, public phone number, email contact information)?
  - What information will be displayed on your company's public facing website?
- How will your company collaborate, consult, and communicate with local communities and developed recreation users?
  - How will emergencies and important updates be communicated to the public, partners, and Forest Service? (e.g. closures, disruptions to services, etc.)
- How will your company be available and respond when problems occur or complaints are received?
  - How will you demonstrate to the public, communities, and partners that you have addressed problems that have been identified?
- How would you measure success regarding community engagement? Explain how you will know if you are successfully reaching the community or if you need to do more outreach.
- Describe what you believe are the communities' and recreation user's needs and expectations for Forest Service developed recreation sites and how you will monitor if those needs and expectations are being met?
- How will your company establish and build relationships with county government, local businesses, and the public?

## Forest Service Equity Action Plan

The [Forest Service Equity Action Plan](https://www.usda.gov/sites/default/files/documents/fs-equity-action-plan.pdf) (https://www.usda.gov/sites/default/files/documents/fs-equity-action-plan.pdf) represents a broad set of high-leverage actions with potential for creating high impact and enduring systemic change that benefit employees, Tribes, partners, and the public. Delivering the Forest Service's mission in a purposefully equitable manner requires changing traditional perspectives, processes, actions, and performance measures to ensure the full suite of benefits, outcomes, and opportunities to participate are made available to all, especially in rural and urban places that have been marginalized or overlooked.

- Describe actions your company has taken, and actions your company will take if selected, to implement the USFS Equity Action Plan.
  - How will your company positively engage underserved communities?

## 7. Application Fee

### Cost Recovery

Applications submitted in response to this prospectus are subject to cost recovery pursuant to 36 CFR 251.58(c)(1)(ii) and (c)(3)(iii). Applicants must submit a processing fee to cover the cost of the prospectus and review of the application. Payments due the United States for this application must be paid in the form of a bank draft, money order, or cashier's check payable to the USDA-Forest Service. Payments will be credited on the date received by the designated Forest Service collection officer or deposit location. Additionally, the selected applicant will be responsible for the costs of preparing and issuing the permit and conducting a FAD, unless the Forest Service has conducted a FAD for the applicant within the past year. If a FAD has been completed for the applicant within the last 12 months, the applicant will be responsible for the cost of adjusting it to reflect any change this selection will have on the applicant's financial ability.

**Option 1 Application Fee: None**

**Option 2 or 3 Application Fee: \$1300.00**

## D. Evaluation of Applications

A Forest Service evaluation panel will evaluate each application utilizing the **non-fixed weight** method.

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

1. Proposed annual operating plan (including required and optional services).
2. Fees charged to the public.
3. Fee to the Government.
4. Business plan, business experience, and references.
5. Financial resources.
6. Community Engagement Plan

The following are the qualitative factors for each criterion.

**Table 10. Qualitative factors for each criterion.**

Color	Definition
Blue	<b>Exceeds</b> – The application exceeds all minimum requirements. The application is very comprehensive, in-depth, clear, and uniformly outstanding in quality. The application demonstrates an exceptional understanding of goals and objectives of the prospectus. One or more major strengths exist. No major weaknesses exist. Consistently high-quality performance can be expected.
Green	<b>Acceptable</b> - The application easily meets all minimum requirements. The application generally is of high quality and demonstrates a strong understanding of the goals and objectives of the prospectus. Strengths significantly outweigh weaknesses. Weaknesses are minor and easily addressed. Satisfactory performance can be expected.
Yellow	<b>Marginal</b> - The application barely meets all minimum requirements. The application is of fair quality and demonstrates a fair understanding of the goals and objectives of the prospectus. Strengths marginally outweigh or are marginally outweighed by weaknesses. Weaknesses may be major and may be difficult to address. Marginal performance can be expected if weaknesses are not addressed.
Red	<b>Unacceptable</b> - The application fails to meet most or all minimum requirements. The application is of poor quality and fails to demonstrate an understanding of the goals and objectives of the prospectus. Weaknesses significantly outweigh strengths. Weaknesses are major and difficult to address. Consistently unsatisfactory performance can be expected.

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 provide a summary of applicants to the authorized officer. 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. If the Forest Service rescinds the prospectus, application fees will be returned.

## V. Post-Selection Requirements

Once an applicant has been selected, the following information must be submitted and approved by the Forest Service 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 V.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.

### **Burden and Non-Discrimination Statement**

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 hour 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.

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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 at (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.