



United States Department of Agriculture

# Prospectus for an Opportunity for Outfitting and Guiding on the Coconino National Forest

U.S. DEPARTMENT OF AGRICULTURE



Forest Service

Coconino National Forest

Flagstaff Ranger District

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# **I. Business Opportunity**

## **Introduction**

The Flagstaff Ranger District, Coconino National Forest has identified a need for outfitting and guiding services within the Mount Elden and Dry Lakes Area (MEDL).

The Forest Service is seeking applications for the use of National Forest System lands by commercial companies that provide public service that are compatible with the multiple use management objectives in the Coconino National Forest Land and Resource Management Plan (Forest Plan) and Recreation Special Uses Management Plan.

This prospectus is being issued to solicit applications for commercial outfitting and guiding services for activities including trail running, mountain biking, hiking, rock climbing, and other activities that align with the Recreation Special Uses Management Plan. Shuttling services will be considered primarily for downhill mountain biking activities, however shuttling services may be considered for other activities.

The authorized officer for this business opportunity is Matt McGrath, District Ranger of the Flagstaff Ranger District.

This prospectus is soliciting use only on National Forest System lands of the Mount Elden and Dry Lakes Area, Flagstaff Ranger District. Use of private or other lands cannot be authorized through this award. If applicants plan to use private or other land as part of their proposed operation, they must submit written permission from those landowners to use or cross non-Forest Service lands with application package.

## **Area Description**

### **Overview of the Flagstaff District**

The Flagstaff Ranger District encompasses nearly 850,000 acres of National Forest lands around the Flagstaff area, from Mormon Lake and Anderson Mesa to north of the San Francisco Peaks.

This rolling highland is a land of ponderosa pine forests and pinyon/juniper woodlands clustered around broad prairies and small lakes. Arizona's largest natural lake, Mormon Lake, is located here. The area is also known for its plentiful wildlife. Large herds of elk roam the forests and edgelands. Bald eagles and ospreys live and hunt around the lakes. Pronghorn antelope graze the prairies.

Principal recreation activities among the lakes and prairies are boating, fishing, camping, hiking, and wildlife watching. The area also boasts some excellent cross-country skiing in good snow years.

### **Mount Elden and Dry Lakes Area**

The area identified in this offering is a 12,991 acre management area within the Flagstaff Ranger District. The main features of this area are Mount Elden and Dry Lakes. The Mount Elden Management Area is immediately north of Flagstaff, south of the Kachina Peaks Wilderness.

Main roads are State Route 180 and State Route 89A north. Forest roads that bound the MEDL area include FR 420 (Schultz Pass Road) and FR 556.

Dominant vegetation on the lower portion is ponderosa pine, with mixed conifer and grassland habitat in higher elevation locations. This vegetation supports deer, elk, and other species typical of these habitats.

It provides a wide variety of motorized and non-motorized recreation experiences that can be easily accessed from city parks and the Flagstaff Urban Trail System. This area receives high day-use recreation, primarily due to the close proximity to Flagstaff.

Forest trails within this area are non-motorized and multiple use. Given the high use, potential for user conflicts are increased. A successful guide will minimize these conflicts.

Applicants are strongly encouraged to visit the Mount Elden and Dry Lakes Area at least once before submitting an application, see Appendix 1, vicinity and area maps.

## Mount Elden and Dry Lakes Area Stipulations

### *Environmental Considerations:*

- There is a proliferation of social trails and soils are coarse here; monsoon erosion and fire events have relocated activities in the past. In addition, this area is an important watershed. Off-trail outfitting and guiding use will not be authorized in this compartment.
- Forest closures for a variety of reasons do occur within the footprint of the MEDL area on a regular basis. Permittees will not be granted access during those closures.
- Due to the proximity to the city of Flagstaff, residents are very sensitive to fire threat. Campfires will not be authorized as part of an outfitter and guide permit in this area.
- On July 21, 2019 the Museum Fire started in this immediate area. The Fire has currently burned 1,961 acres and is fully contained. Some trails are expected to remain closed until at least spring of 2020.
- There is a significant owl presence in the area. Owl breeding season is from March 1 to August 31. There may be limitations on access and use during this time.
- Activities proposed on non-forest service land will not be authorized. If activities cross other land ownership, written permission from that landowner will be required. See Appendix 1, vicinity and area maps.
- Due to high use concentration areas, there is a need for special considerations on parking and sanitation to prevent negative impacts on resources. Carpooling, shuttling or on demand transportation (like taxi service) is required on weekends and holidays.
- Mount Elden Environmental Study Area is located within this compartment; it is recommended that activities and provided services that emphasis conservation education be included in any operating plans.

### *Outfitter and Guide Considerations:*

Use will be authorized with the following stipulations:

- **Hiking/Trail Running:** Maximum group size is 14 clients plus 1 guide(s) per day per trail.

- **Mountain Biking/Shuttling:** Up to fourteen (14) bicycles/people (including guides) per day per trail and no more than seven (7) bicycles/people (including guides) at one time on the trail. No more than two (2) trips per trail per day. (It is understood by the District that some trail segments will be used as access/connectors to primary trail segments. Use of these connector segments may be authorized in excess of two trips/day in order to accommodate the overall goal of two trips/day on primary segments and the completion of “loop” routes.)
- **Rock Climbing and Other Uses:** Group size approved on a case-by-case basis.

Routes already receiving high levels of unguided use may be restricted to a maximum of two trips per day, across all operators. In this situation, use will be allocated as equitably as possible.

Applicants proposing outfitting services (providing rental equipment and transport to/from trailheads) must specify: desired number of service days/trips, drop off/pick up/parking locations, and method of transportation (e.g., vehicle type).

Desire for a permanent or temporary structure(s) must be outlined in each application.

The MEDL planning project may impact allowable uses on existing and potential future trails, see III. Special Considerations below for more details.

## Offering

The objective of this offering is to provide the public with additional opportunities for outfitted and/or guided experiences, which are high-quality, safe, increase knowledge and skills of participants, promote the Leave No Trace land ethic, and meet Forest Service goals of land stewardship and resource protection.

## Needed Services

The original determination of needed outfitter-guide services for the Mt. Elden and Dry Lake Hills area was conducted in the [Recreation Special Use Management Plan-Flagstaff Ranger District, Coconino National Forest](#). This analysis evaluated the effects of commercial and general public recreation use on both social concerns as well as natural resource conditions. The analysis also assessed the value that a commercial service can bring in terms of skills, knowledge, safety, education and meeting the mission of the Forest Service in serving the public. Demand for services by the public was also a determining factor at the time the plan was written.

### A. Activity Types and Available Use

Outfitter-guide use will be allocated in terms of “service days” (Appendix 2 - Definitions). Refer to the three documents below for more specific information on available service days, activities and compartments.

[Recreation Special Use Management Plan-Flagstaff Ranger District, Coconino National Forest](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd579981.pdf),  
([https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd579981.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd579981.pdf))

[Flagstaff Ranger District Outfitter-Guide Needs Assessment](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd579645.pdf)  
([https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd579645.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd579645.pdf))

[Flagstaff Ranger District Visitor Capacity Analysis and Recommendation for Determining Outfitter-Guide Allocation](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd579644.pdf)

([https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd579644.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd579644.pdf))

Applicants should request a realistic number of service days that they expect to use on an annual basis. Service days will be allocated for;

- Trail Running
- Mountain Biking
  - *Shuttle services for downhill mountain biking will be considered under this activity*
- Hiking
- Rock Climbing
- Other activities consistent with the Recreation Special Use Management Plan-Flagstaff Ranger District, Coconino National Forest

### **B. Allocation of Use**

Permits for commercial outfitter-guide services will be competitively awarded in the following manner.

1. Multiple applicants **may** be awarded permits for providing outfitted/guided services on the Flagstaff Ranger District.
2. Each applicant may apply for the maximum available allocation, but applicants are encouraged to apply only for what they would realistically use.
3. Use will be allocated based upon the successful applicants' requests. In the event that all successful applicants request the same amount and/or routes, use will be allocated as equitably as possible.

Use is assigned in "service days" (Appendix 2 – Definitions). Further details regarding the available user days can be found in the [Recreation Special Use Management Plan-Flagstaff Ranger District, Coconino National Forest](#). The Forest Service reserves the right to change the amount of use authorized based on patterns of non-use, unacceptable performance or other extenuating circumstances.

The number of successful applicants will be based upon the overall qualifications of the applicants as ranked according to the evaluation criteria found in **Section V under Evaluation of Applications**.

The Forest Service reserves the right to reject any or all applications. The primary objective is to select an applicant(s) whose application will best serve the public need and safety while minimizing impact to public lands. Allocation of service days will be based upon a mix of services that are identified in the Recreation Special Use Management Plan-Flagstaff Ranger District, Coconino National Forest. Members of Congress and Resident Commissioners are prohibited from holding outfitter-guide permits.

No subleasing of permits or service days will be allowed. Permit holders must possess the necessary equipment and expertise to perform the services authorized and must directly supervise and operate the service. Applications that do not clearly indicate how the authorized use will be provided may not be considered. Once a permit is issued, in accordance with current policy, if

the permit holder is unable or unwilling to provide the permitted services, the authorization may be terminated or revoked.

The Forest Service does not assure, promise, give warranty or otherwise guarantee a profitable operation. As a condition of application, the Forest Service requires that interested individuals conduct their own appraisals of the business opportunity.

Any oral statement by a representative of the USDA Forest Service that modifies the conditions of this prospectus is an expression of opinion only, and confers no special right upon the applicant.

All applicants must be aware that any award of service days does not authorize exclusive use of the National Forest. The general public already uses the area being offered.

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

### **Advertising**

Permit holders must submit brochures or rate cards that display current rates and services offered. Any print, online, or other advertisement must include language that states that the outfitting and guiding services are being offered on the Coconino National Forest and are authorized under a Special Use Permit.

### **Record Keeping**

Permit holders will be required to provide the Forest Service actual annual financial and use records to determine annual fees. All original records of use by date, activity, location (specific trails), fee charged, number and name of clients must be retained and readily available for inspection for five years. For an example please see Appendix 3, Sample Use Report.

### **Non-Discrimination**

Permit holders will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The permit holder and his/her employees shall not discriminate by segregation or otherwise against any person on the basis of race, color or national origin by curtailing or refusing to furnish accommodations. The holder will be required to display signs setting forth this policy of non-discrimination (provided by the Forest Service) at the public entrance to the premises, and at other locations as directed by the Forest Service. The holder will be required to participate in any Title VI reviews with the District and sign a non-discrimination assurance statement prior to operating. Print and online advertisements must identify the holder as an equal opportunity provider.

### **Outfitter and Guide Policy**

The Special Use Permit(s) will be administered in accordance with Forest Service policy (FSH 2709.14 Chapter 50). Permit holders and their employees are expected to understand the terms and conditions under which they operate. An example of a priority use permit can be found in Appendix 8.

## Fees

There is a commercial use fee for any permit authorized. These fees are calculated using the guidelines in Chapter 30, Forest Service Handbook 2709.11. All fees must be paid before the special use permit is valid. These fees are:

- a. A fee for the permit privileges and use of Forest Service lands based on the service days used and/or the amount the outfitter charges for the services provided to the clients. Prior to the season of use, the annual fee expected to be due for the authorization will be estimated by calculating the fee on 3% of the expected adjusted gross revenue. The final fee will be calculated following the operating season. The permittee is required to provide their financial and actual use records within 30 days of the end of the operating season or an established deadline in order that the final fee can be calculated on actual use and revenue.
- b. The minimum fee for outfitting and guiding use is 3% of gross revenue or the annual fee, whichever is greater. Outfitters will be charged the minimum fee, currently \$110, if 3% of gross revenue does not exceed \$110. If 3% of gross revenue exceeds the minimum fee, the outfitter will need to pay that additional amount.

## Performance Evaluations

Permit holders will receive annual performance ratings and periodic site inspections. Permit holders must receive an acceptable rating on evaluations to be in compliance with the permit. Non-compliance with permit requirements may result in suspension, revocation, or termination action; the evaluation system and site inspection form that the Coconino National Forest uses may be found in Appendix 4 and 5.

## III. Special Considerations

### Cost Recovery

Applications submitted in response to this prospectus are subject to Cost Recovery pursuant to 36 CFR 251.58(c)(3)(iii) and will be collected through an application fee. The application fee will cover a portion of Forest Service costs of preparing, issuing, and evaluating the applications. Everyone who submits an application during the solicitation process agrees to participate in a Cost Recovery Agreement. Fees are listed in **Section V Instructions for Submitting Applications** of this document.

Cost recovery may apply to applications awarded additional use or a new permit through the solicitation process. A Cost Recovery Agreement is mandatory for all administrative work that involves 50 or more hours to complete. The cost to process an application includes labor and operating costs and any additional environmental analysis costs or site specific studies associated with their operation that leads to a special use permit. Authorized officers will notify successful applicants of Cost Recovery fees in writing.

### Small Business Development Center Review

All business plans will be independently reviewed by the El Camino College Small Business Development Center (SBDC). Applicants are required to submit **one** additional copy of their



business plan for this evaluation. 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 the business plan, applicants must submit a **cashier's check** in the amount of **\$250** made payable to the **El Camino College Foundation**. Applicants submitting a current year review report by the Forest Service or an SBDC need not enclose payment.

## National Environmental Policy Act

Within the MEDL area, the Forest is currently working through a recreation planning project in order to address concerns of increased use and deteriorating infrastructure. The Mt. Elden / Dry Lake Hills Recreation Planning Project Environmental Analysis has been initiated and is estimated to be finalized in winter 2020 or spring 2021. The proposed action hopes to alleviate high use crowding spots by adding or improving the current infrastructure in the area. Some of those actions include:

- New trail construction (may also include adoption of user-created trails)
- Trail relocation and improvement
- Trailhead improvements
- Special-use trail events
- Mount Elden Environmental Study Area improvements
- Unauthorized trail and road decommissioning
- Hang glider launch site

More details about the project and the entire proposed action can be found [here](https://www.fs.fed.us/sopa/components/reports/sopa-110304-2019-04.html#14) (<https://www.fs.fed.us/sopa/components/reports/sopa-110304-2019-04.html#14>).

Special Use Permits authorized through this prospectus are not contingent on this proposed action and will be issued prior to completion of the MEDL Planning Project.

## IV. Special Use Permit

### Permit Term

Selection of successful applicants is anticipated by early next year. Successful applicants will be issued priority permits for two years. After two consecutive years of successful performance, the permits will be reissued for a term of eight years (for 10 years total). Permits will be eligible for reissuance for subsequent terms as long as the holder maintains acceptable performance.

### Insurance

Holders shall have in force liability insurance to 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.

- Split Limit – A 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. Minimum split limit coverage requirements are listed by activity in Table 3.

- **Combined Single Limit** – A 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. Minimum combined single limit coverage requirements are listed by activity in Table 1.
  - The Regional Forester may increase the minimum coverage amounts on the basis of the amount of use, likelihood and severity of injury, protection of forest visitors, potential liability of the United States, and cost of the insurance.
  - The Forest Supervisor may increase the national or regional minimum coverage amounts based on a case-specific risk assessment. The same coverage limit in an insurance policy may apply to both per occurrence and in the aggregate, that is, an insurance policy may apply the same coverage limit per incident and per year, regardless of how many incidents occur. Therefore, it may be appropriate to increase the minimum coverage amounts that apply to claims in the aggregate, especially if a holder has operations in multiple locations on National Forest System lands.
  - Such insurance shall also name the United States as additional insured. The holder shall send an authenticated copy of its insurance policy to the Forest Service immediately upon issuance of the policy. The policy shall also contain a specific provision or rider to the effect that the policy will not be cancelled or its provisions changed or deleted before 30 days written notice to the Authorized Officer, at the appropriate ranger district office by the insurance company.

**Table 1. Minimum insurance requirements by policy type and type of use**

Forest Service Manual Reference	Types of Special Use	Minimum Coverage Amount (In Thousands)	
		Split Limit Policy (property, injury or death of one, injury or death of multiples)	Combined Policy
2721.53	<b>Outfitting and Guiding</b>		
	Aerial Activities – 1 person	25/500/1000	1000
	– 2 or more people	25/500/2000	2000
	Backpacking	25/300/300	300
	Bicycling	25/500/500	500
	Bus, Van, Four-Wheel Drive Tours, ATV	25/500/500	500
	Nature Hikes	25/300/300	300
	Pack and Saddle Stock, Equestrian	25/500/500	500
	Running and Walking Events	25/300/300	300
	Rock Climbing	25/500/500	500

## Licensing

Applications including activities where the State of Arizona requires a license, (or other states where business is registered) need to provide a copy of their valid license before issuance of a permit to operate on National Forest lands. An example of this would be an outfitter license.

## V. Application

### Instructions for Submitting Applications

Applications for a recreation special use permit to provide outfitting and guiding services will be accepted by mailing or delivering **four hard copies** and **one electronic copy** (on a thumb drive) to:

Matt McGrath  
Attn: Kevin Lehto  
Coconino National Forest  
5075 N Hwy 89  
Flagstaff, AZ 86004

Applications will be accepted until close of business, on **December 6<sup>th</sup> 2019**. Material submitted with applications will not be returned unless specifically requested. Applicants should make a copy of their application for their own records.

Incomplete applications could adversely affect your chances for selection and may be excluded from consideration. Applications submitted after December 6<sup>th</sup> will not be considered.

Payment is due upon submission of an application. Payments due for this application must be paid in the form of a bank draft, money order, or cashier's check.

Submit **two** payments, one payment made payable to the **USDA Forest Service**, in the amount of **\$250**. This fee includes the government's cost of preparing, issuing, and evaluating the prospectus (see section IV; Special Conditions). A second payment, **only a cashier's check is accepted**, made payable to the **El Camino College Foundation** in the amount of **\$250**. This fee will be paid for their review of the business plan and financial data. Payments will be credited on the date received by the designated Forest Service collection officer.

### Application Package Requirements

Items listed below describe the required documents for a successful application.

1. A description of your skills and experience for the proposed activity including education, training, qualifications and abilities. Describe knowledge of the area under consideration.
2. A completed outfitter/guide proposed Operating Plan with detailed information for each item, including safety, guide qualification requirements, and emergency precautions and safety procedures. Use the form in the enclosed application package (Appendix 6). This section will detail the type of service you are proposing, the number of Use Days that you are applying for, and the location(s). Applications should include realistic requests for *only* the user days that are *expected to be used*.
3. A completed Special Use Application Form, SF 299. Use the form in the enclosed application package, Appendix 9.
4. Completed Financial Statement form (FS-6500-24), Appendix 10.
5. Initial application fees. Two total payments, see **Instructions for Submitting Applications** above for details.

6. Detailed topographic maps showing travel routes, proposed camp locations, parking areas, access points, and any private (or other lands not under Coconino National Forest authority) needed in the application must be included as part of your operating plan.
7. A completed proposed business plan. Your business plan will be reviewed to assess your ability to have the financial and business capability to successfully operate and manage the proposed services. It is highly recommended applicants use the sample business plan included in Appendix 7. *Financial information is confidential and will not be released without the permission of the applicant.* As part of your business plan, you must provide estimates for numbers of users and expected sales for at least the first three years of operation with an explanation of how you arrived at your projections. Failure to submit a complete business plan (including all required financial data in the correct format) will not allow us to make an equal evaluation among all applications. Applicants can contact their local Small Business Development Center – bizcenter.org for assistance in putting together a business plan.
8. 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 6, Sample Annual Operating Plan, for a list of required and optional services). Discuss any variable pricing or discounts. All proposed fees to be charged to the public also must be included in the business plan as an income item.
9. If the proposed operation includes the use of any land other than the Coconino National Forest, the applicant must submit written permission from the landowner to use these lands as part of their operation. Other lands include other federal, state, county, and/or private lands.
10. A Leave No Trace certificate of training along with a written commitment to obtain a “Leave No Trace Master Educator” certification within two years of any potential permit award. Provide proof of prior training for Forest Service review if applicable.
11. A list of all Special-Use Permits held currently or in the past to conduct commercial operations on National Forest or other public lands. Include dates the permit(s) were held, what operations were authorized, copies of annual evaluations, and address and phone number of the contact person for the authorizing agent. Indicate if any permit held was ever suspended or revoked or if any disciplinary actions were ever taken related to those permits. If so describe the events leading to the discipline including the outcome.
12. Three or more business or personal references complete with email address and phone numbers. Reference checks may be conducted for all applicants, business partners, and key employees.

Application packets and financial information is to be treated as confidential to the extent allowed under the Freedom of Information Act (5 USC 552 and 552a respectively).

To avoid unnecessary expense for the applicant, insurance policies, brochures, etc., should not be obtained until after an award has been made.

Incomplete applications may delay the selection process or may result in removal from evaluation. All applications and supporting documents and photographs become the property of the US Government.

The objective is to select the applicant(s) whose proposed activities best meets the public and agency’s need. The applicant(s) selected will be those best qualified to operate and maintain these

public services based on, but not limited to, the written materials submitted in the application package. The selection may be for less than the number of user days requested.

The El Camino College Small Business Development Center will conduct an independent review of the business plans. The Forest Service panel will use the Development Center's reviews to inform their evaluation.

The selection of the successful applicants is an appealable decision under 36 CFR 214.4(c)(2). An appellant must file a notice of appeal within 45 days of the date on the notice of written decision of selection.

## Evaluation of Applications

This section describes how each application will be reviewed and evaluated by the panel, using the information submitted by the applicant.

### Evaluation Criteria

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

#### **Criteria 1: Experience & Technical Capability of Applicant**

Please describe your skills and experience leading trips for your proposed activity including education, training, qualifications and abilities. Describe knowledge of the area under consideration.

#### **Criteria 2: Operations and Safety Plan**

Provide detailed information for each item, including safety, guide qualification requirements, and emergency precautions and safety procedures (Appendix 6).

#### **Criteria 3 - Services Offered to the Public**

Please provide information regarding the services you will be providing, including all fees proposed for the first three years of operation.

#### **Criteria 4: Business Plan and Financial Capability**

Extent of general and specialized business experience related to this offering. Business plan is clear, concise, and fully addresses operations in the area under consideration. Applicants must complete the attached Financial Statement, Form FS 6500-24, see Appendix 10.

Please add any information to your response that you feel is pertinent to the evaluation criteria including how you aim to reach diverse or under-served populations and how your activities support the local community and local economy. See Appendix 2 for definitions of under-served populations and the local community.

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.

## Evaluation Process

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

The Forest Service may conduct a Financial Ability Determinations (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. Note: It is strongly recommended applicants organize their application package in order of the above-listed evaluation criteria. This will ensure the evaluators will be able to find and rate all of the applicant's information.

The following are the qualitative factors for each criterion:

**Table 2. Evaluation criteria definitions**

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.

## **VI. Post Selection Requirements**

If your application is selected and you are awarded use for this offering, you will then need to obtain an Outfitter and Guide special use permit. An example of a special use permit is included in Appendix 8.

The selected applicant will be responsible for the following:

1. Final Operating Plan – The Plan and accompanying itinerary will become part of the recreation special use permit upon approval by the Authorized Officer.
2. Insurance – The holder will have in force commercial general liability insurance that provides coverage for third-party property damage, personal injury, and death that arises in connection with the authorized use and occupancy. Liability insurance may be either in the split limit or combined single limit format. In addition the insurance must indemnify the United States against any liability for damage to life or property. A ‘certificate of insurance’, must be provided before a special use permit will be issued. Minimum coverages listed by the type of service are found in Table 1.
3. Brochure – Selected applicants must provide a brochure advertising current rates and services offered. An EEO (Equal Employment Opportunity) statement and statement that the outfitting and guiding is occurring on the Coconino National Forest under a special use permit must be included on all advertisements including electronic advertising on the Internet.
4. All State of Arizona certifications, training, and licensing requirements must be met before a permit is issued.
5. Applicable fees are described in Chapter 30, Forest Service Handbook 2709.11. All fees must be paid before the special use permit is valid.
6. Record Keeping – The permittee will be required to provide annual financial and actual use records to determine the final annual fee. All original records of use by date, trip, fee and number and name of persons must be retained and readily available for inspection for the most recent five years (Appendix 3)

### **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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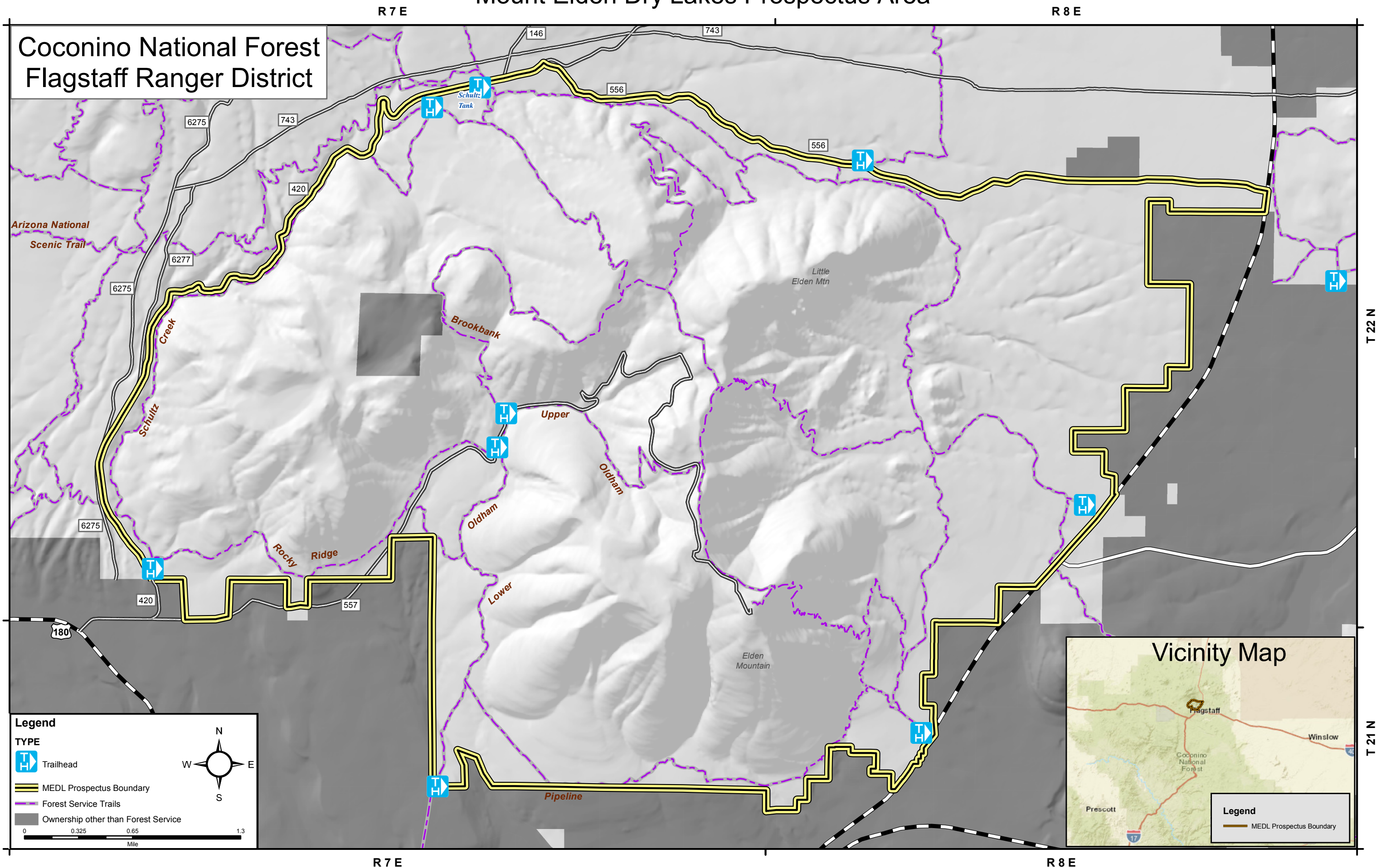
*Prospectus for Outfitting and Guiding Opportunities, Coconino National Forest*

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# Appendix 1 Mount Elden Dry Lakes Prospectus Area

Coconino National Forest  
Flagstaff Ranger District



**Legend**

**TYPE**

- Trailhead
- MEDL Prospectus Boundary
- Forest Service Trails
- Ownership other than Forest Service

0 0.325 0.65 1.3  
Mile

**Vicinity Map**

**Legend**

- MEDL Prospectus Boundary

## Appendix 2 – Forest Service Program Definitions

The following terms and definitions will be helpful in reviewing the information presented in *Prospectus for an Opportunity for Outfitting and Guiding on the Coconino National Forest*.

**Allocation of Use:** - An amount of use allocated to a holder that is measured in service days or quotas and that is enumerated in a programmatic or project decision that is consistent with the applicable land management plan.

**Commercial Use:** 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).

**Extenuating Circumstances:** a circumstance that renders conduct less serious and thereby serves to reduce the damages to be awarded or the punishment to be imposed. i.e. Wildfire reduces use of service days, recession reduces recreational tourism and impacts service day use.

**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 holders employees and agents.

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

**Local Community:** The greater Flagstaff Area as defined by a 20 mile radius from the center of Flagstaff and the local businesses encompassed within that area.

**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 holders employees and agents.

**Priority Use:** Authorization of use for up to 10 years, based on the holders past use and performance and applicable programmatic or project decisions to allocate use. Except as provided in 36 CFR Part 251, Subpart E, authorizations providing for priority use are subject to renewal (FSH 2709.11, sec. 41.531).

**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. For a day trip, the number of service days is the same as the total number of clients.

**Trip:** The quota that will be used for outfitting and guiding authorizations.

**Underserved populations:** As defined by the segment of the population that doesn't generally have the financial wherewithal to participate in these activities. Primarily (but not exclusively) the youth in this financial demographic.

**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.

## APPENDIX 3: ESTIMATED USE ANNUAL ITINERARY FOR \_\_\_\_\_(Year)

OUTFITTER \_\_\_\_\_ For the Period Beginning: \_\_\_\_\_ Ending: \_\_\_\_\_

Any use in excess of your approved Annual Itinerary must be submitted for approval prior to use and will be billed according to your permit.

ASSIGNED SITE NAMES 1 \_\_\_\_\_ 2 \_\_\_\_\_ 3 \_\_\_\_\_ 4 \_\_\_\_\_ 5 \_\_\_\_\_ 8 \_\_\_\_\_

TRIP TYPE %/or CAMP LOCATION Include all services provided	PERIOD OF USE From/To *	# OF DAYS	# CLIENTS	TOTAL CLIENT DAYS Col.3 x Col.4	NFS CLIENT DAYS **	REVENUE PER CLIENT	DONATED TRIP Yes or No ***	GROSS REVENUE Col.4 x Col.7	% OF SERVICE DAYS OR HOURS ON NF LAND	# OTHERS/ EMPLOYEES Not in Col.5 calc.	# & TYPE OF STOCK
1.											
2.											
3.											
4.											
5.											
6.											
7.											
8.											
9.											
10.											

See Reverse for Continuation Sheet

For definitions see attached Definition Sheet'

\* Break out different fees paid on the same trip by clients, eg . 10/1 - 10/10 6 clients \$1000.00 each, 10/1 - 10/10 5 clients Q \$500.00 each, 10/1 - 10/10 5 others (no revenue, no service days)

\*\* Complete this column if the # of NFS Client Days are different from the # of Total Client Days.

\*\*\* Donated Trips:

Trip # or Type	Period of Use	Value of Trip	Revenue and/or Value of Goods/Services Received by Outfitter	Donated Amount	Organization Donated To	Purpose (optional)

I am requesting \_\_\_\_\_ priority use service days be approved for non-use.

I certify the information given on this sheet is a complete and accurate summary of my operations:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

OUTFITTER

**District:** Deny or permit additional use (via amendment), if itinerary exceeds permitted use: Permitted Service Days: \_\_\_\_\_ Proposed Service Days: \_\_\_\_\_

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

AGENCY REPRESENTATIVE

1 TRIP TYPE &/or CAMP LOCATION Include all services provided	2 PERIOD OF USE From/To *	3 # OF DAYS	4 # CLIENTS	6 TOTAL CLIENT DAYS Col.3 x Col.4	8 NFS CLIENT DAYS **	7 REVENUE PER CLIENT	8 DONATED TRIP Yes or No ***	9 GROSS REVENUE Col.4 x Col.7	10 % OF SERVICE DAYS OR HOURS ON NF LAND	11 # OTHERS/ EMPLOYEES Not in Col.5 talc.	12 # & TYPE OF STOCK
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											
16											
17											
18											
19											
20											

# APPENDIX 4

## Outfitter Guide Inspection Checklist

O/G: \_\_\_\_\_

Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Safety	Acceptable	Needs Improvement	Unacceptable
1. Vehicle and other equipment in good condition			
2. Safety equipment (seatbelts, helmets, fire extinguisher, communication device, spare tire...)			
3. Capacities and weight limits of vehicles are not exceeded			
4. Safe driving practices			
5. First aid kit			
6. Weather dependent gear			

Permit Compliance	Acceptable	Needs Improvement	Unacceptable
1. Stayed on allowed trails/roads and for appropriate amount of time			
2. Respectful of members of the public			
3. Travel and rest on durable surfaces/designated trails			
4. All guides and vehicles wear nametag/Company logo			
5. Followed all NF regulations			
6. Client to guide ratio is not exceeded			

Interpretation	Acceptable	Needs Improvement	Unacceptable
1. Accurate information			
2. Engaging manner/presentation style			
3. Multi-subject informational discussion			
4. Represented the National Forest			
5. Does not overwhelm clients (physically or informationally)			
6. Responds to clients questions/interests			

Overview	Acceptable	Needs Improvement	Unacceptable
1. Provided a meaningful service			
2. Positive personal demeanor			
3. Actual tour participants seemed to enjoy it			
4. Company cooperates with inspection process			
5. Safety seems to be an overall concern of the guide			
6. Overall permit compliance by guide			

## APPENDIX 5 Standard Performance Evaluation

USDA Forest Service

R10-2700-16 (1/99)

### FLAGSTAFF RANGER DISTRICT OUTFITTER/GUIDE PERFORMANCE EVALUATION

Mid-Season Evaluation – FY2019

Name of Holder: \_\_\_\_\_

District/Monument: \_\_\_\_\_ Type of Operation: \_\_\_\_\_

Circle Appropriate Responses

Guide Name:

Evaluation:

**A** - Acceptable; **UN** - Unacceptable; **NI** - Needs Improvement; **NC** - Not Checked; **NA** - Not Applicable

<b>A. Site:</b>	<b>A</b>	<b>UN</b>	<b>NI</b>	<b>NC</b>	<b>NA</b>
1. All improvements are authorized by permit, location and development as authorized.					
2. Clean up and sanitation in accordance with permit.					

Comments:

•

<b>B. Permit Compliance:</b>	<b>A</b>	<b>UN</b>	<b>NI</b>	<b>NC</b>	<b>NA</b>
1. Compliance with terms of permit and operating plan.					
2. Insurance submitted on time and complete.					
3. Signed permit submitted on time and complete.					
4. Payments received by due date.					
5. Holder submitted/dated/corrected operating plan.					
6. Actual use reports completed and submitted on time.					
7. Compliance with Federal, State, Borough, laws and regulations					
8. Compliance with Title VI, Nondiscrimination					
9. Holders advertising refers to use on National Forest lands					

Comments:

•

<b>C. Public Service:</b>	<b>A</b>	<b>UN</b>	<b>NI</b>	<b>NC</b>	<b>NA</b>
1. Number and qualifications of employees meets permit specifications.					
2. Clients provided with health and safety standards as provided in the approved operating plan/safety plan.					
3. Equipment provided meets health and safety standards as required in the approved operating plan.					
4. Rates, services, and/or accommodations provided as submitted in the approved operating plan					

Comments:

- 

Tally of comments received from clients/Public: \_\_\_\_ Positive comments \_\_\_\_ Negative Comments

Evaluator(s) \_\_\_\_\_ Date \_\_\_\_\_

Prior Performance (if applicable):

Are items from last performance evaluation corrected? Yes \_\_\_\_ No \_\_\_\_ N/A \_\_\_\_

Annual Rating:                      Acceptable                      Probationary                      Unacceptable                      **(circle one)**

The annual rating is subject to appeal under 36 CFR 251 Subpart C. The District Ranger is willing to meet with the holder to discuss any concerns, or issues related to this evaluation. Any appeal and a statement of reasons must be submitted to the District Ranger at 5075 N Hwy 89 Flagstaff, AZ 86004 within 45 days of the date of the annual rating.

District Ranger: \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX 6  
**Company Name**  
**OPERATING PLAN**  
for a Priority Use Outfitter/Guide Permit  
on the Flagstaff Ranger District

---

**1. Official Title of Operation:**

**2. Names of Owner(s) and Manager:**

**3. Mailing Address/Phone/Email Address**

**4. Services Offered:**

**5. Forest Service Contacts:**

Permit Administrator: \_\_\_\_\_  
Recreation Supervisor: \_\_\_\_\_  
District Ranger: \_\_\_\_\_

**6. List of Guides:**

See Attachment A

Each tour must be accompanied by a guide with current First Aid and CPR certifications.

**7. Service Rates**

See Attachment B

**8. Vehicles**

See Attachment C

**9. Safety**

Employees will maintain current First Aid and CPR certifications. Each group/vehicle will be accompanied by a guide with current First Aid and CPR certifications.

A list of guides and their First Aid and CPR certificates will be provided to the permit administrator annually by November. Renewal certificates and any guide changes will be provided to the permit administrator as they occur.

Vehicles are equipped with fire extinguishers and first aid kits. On hiking tours, guides will have a first aid kit with them at all times.

All equipment will be inspected regularly and be kept in safe and good working order.

Any incidents resulting in either personal injury requiring a physician's attention, evacuation from the tour, or property damage over \$100 must be reported within 24 hours to the local Forest Service contact.



Drivers will comply with all speed limits.

Guides and passengers must wear their seat belts at all times.

Guests will be advised of anticipated hazards and asked to wear safe and appropriate footwear and clothing prior to the tour.

## 10. General Provisions

Outfitter/guide operations will comply with the following terms and conditions:

Guests are informed that the tour is being conducted on the Coconino National Forest, under permit by and in partnership with the Forest.

**Only official Forest Service system trails and roads are authorized, travel along social or user created trails and roads is prohibited.**

All vehicles must be clearly marked with the Company name on two sides; magnetic signs are acceptable. "Step On" tours are required to place magnetic signs on the client's vehicles while conducting tours on National Forest lands.

All guides must be readily identifiable in the field with shirts and/or hats bearing the Company name.

All vehicles must fit within the road or trail footprint.

Permitted operations must comply with all other Forest Orders such as fire restrictions, wet weather closures, etc.

Outfitter/Guide operations will support the Forest Service mission by providing accurate information regarding Forest Service management of the area as well as environmental, geological, historical, archaeological, botanical, wildlife, and Native American culture information.

Education and interpretation of the national forest and its ecosystem are encouraged be integrated into the tour, regardless of the authorized activities. The permit holder is responsible for ensuring that all guides are well-trained and informed on interpretive topics as needed.

All activities will practice minimum impact techniques (such as Leave No Trace and Tread Lightly).

Permitted operations will comply with the district's wet-weather road closure policy.

All guides will be courteous and helpful at all times to both their guests and to the public at large.

Vehicles maynot drive off-road. On rare occasions where this was unavoidable, the Forest Service will be contacted within 24 hours and the site restored as directed by the Forest Service.

Transportation efficiency will be practiced to reduce traffic and vehicle impacts. Service will be provided to more people with fewer vehicles when it is appropriate to the area and service provided.

All suspected unauthorized outfitter/guide activities will be promptly reported to the Forest Service.

A copy of the permit and operating plan must be carried while conducting the authorized activities. All guides must be familiar with their contents. Electronic versions in their entirety are accepted on devices like phones and tablets.

## 11. Business Admininstration

Use Reports are due at the end of each operating season.

Submittal in electronic format (Excel) is preferred. Reports may be emailed to your permit administrator at \_\_\_\_\_.

A sample use report format is provided below.

**Use and revenue must be reported in the full, unmodified amount. Any discounts will be applied and calculated by the Forest Service ONLY.** Use fees will be paid on the full retail rate; discounted tours are billed by the Forest Service using the full price. Off-forest discounts will be calculated and applied by the Forest Service as appropriate. Any tours that may have an off-forest discount will be noted in the quarterly use reports. Additional revenues collected from special events and custom tours will also be subject to use fees.

Tour Name	Duration	Date	Time	# of Vehicles	# of Adults	Adult Fee	# of Children	Child Fee	Total Passengers	Gratuity	Group Rate per Person	Total Revenue
ABC	1 – hour	1/5/09	8:00 AM	1	4	\$49.00	2	\$36.75	6	\$10.00		\$279.50
ABC	2 – hours	2/7/09	10:00 AM	5	34	\$59.00		\$44.25	34	\$100.00	\$45.00	\$1,630.00
ABC	3 – hours	3/9/09	12:00 PM	1	3	\$69.00	3	\$51.75	6			\$362.25
JKL	1 – hour	4/11/09	2:00 PM	2	4	\$55.00	4	\$41.25	8			\$385.00
JKL	2 – hours	5/13/09	4:00 PM	1	2	\$65.00		\$48.75	2	\$12.00		\$142.00
JKL	3 – hours	6/15/09	6:00 PM	3	12	\$75.00	6	\$56.25	18		\$60.00	\$1,080.00
<b>Totals</b>				<b>13</b>	<b>59</b>		<b>15</b>		<b>74</b>	<b>\$122.00</b>	<b>\$105.00</b>	<b>\$3,878.75</b>

### Tour Descriptions

ABC 1 hour includes: FR 123  
 ABC 2 hour includes: FR 123, FR 456  
 ABC 3 hour includes: FR 123, FR 456, FR 789  
 JKL 1 hour includes: FR 147, FR 258, FR 369  
 JKL 2 hour includes: FR 741, FR 852, FR 963  
 JKL 3 hour includes: FR 417, FR 528, FR 639

Estimated fees will be paid in advance each year. Estimated Fees will be based on the previous year's gross revenues.

Estimated fees will be paid in advance [online](http://www.fs.fed.us/billpay) at (www.fs.fed.us/billpay) or by mail to: USDA Forest Service; c/o Citibank; P.O. Box 301550; Los Angeles, CA 90030-1550. Fees will not be accepted in person at the local Forest Service office.

Accounts will be reconciled at the end of the permit year, upon receipt of the Final Fee Worksheet. Credits will be applied toward the following year's estimated fees. Additional amounts due will be billed upon reconciliation.

No part of the use authorized by this permit may be assigned or sublet to others without prior written approval by the Forest Service.

All brochures and advertisements will reflect what is authorized by the special use permit and operating plan. All advertisement, including web pages, will contain the statement, "Operates under permit with the Coconino National Forest."

Filming or photography for the permittee's advertising does not require an additional permit. The use of an authorized route, trail, road, or vehicle will count against the daily allocation for that location.

Commercial filming/photography for other purposes requires a permit. The permit may be held by either the Outfitter/Guide or the filming company.

## 12. Fire Prevention & Smoking

No campfires or smoking outside of enclosed vehicles are authorized under this permit at any time.

All tour participants will be informed of safe practices and measures regarding use of fire.

HOLDER:	<b>U.S. DEPARTMENT OF AGRICULTURE</b> Forest Service
By: _____	By: _____ Matt McGrath, Flagstaff District Ranger
Date: _____	Date: _____

### Attachment A

Guide Name	First Aid Expiration	CPR Expiration
Smokey Bear	02/2020	02/2020

### Attachment B

Trip Name	Price First two	Price Add'l
3-hour hiking tour	\$240-300	\$70-90
4-hour hiking tour	\$320-400	\$100-120
6-hour hiking tour	\$430-540	\$140-180
8-hour hiking tour	\$580-720	\$190-240

### Attachment C

Vehicle Description (make/model)	Color; 2 door/4door/SUV	License Plate
2014 Toyota FJ Cruiser	Quicksand (light beige) /SUV	Xvy-897 (Arizona)

# Appendix 7

## Business Plan Sample

### For Outfitting and Guiding

**A Proposal in Response to the Outfitting and Guiding Prospectus for:**

on the \_\_\_\_\_ National Forest

Name of Company: \_\_\_\_\_

Address: \_\_\_\_\_

Company contact: \_\_\_\_\_

Phone: \_\_\_\_\_

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## Part 1: The Business

### 1. Purpose and Goals:

- A. What is your purpose in pursuing this business?
- B. Define your business goals for the next year and what you foresee five years from now:

### 2. Description of the Business:

This section should describe the nature and purpose of the company, background on your industry, and what opportunities you see for your services.

- A. Brief description of the business:
- B. Briefly describe your knowledge of this industry:
- C. List the products and services you will provide:

### 3. Legal Structure:

There are several ways in which your business can be legally organized.

- A. How your company is legally organized? (Check appropriate box).
  - Sole Proprietorship
  - General Partnership
  - Corporation "C" Corp or "S" Corp Limited Partnership
  - Limited Liability Company (LLC)
  - Other
- B. Why is this legal organization most appropriate for your business?
- C. Does your operation require a state registration number? YES. NO.

(If “Yes”, include a copy of the registration in the Supporting Documents.)

Include any appropriate information, including shareholder or partnership agreements, in the Supporting Documents, and complete the following list of owners:

**Table 1. List of owners**

Name	Address	Social Security Number (SSN)	Percent Ownership

## 4. Location of Your Business:

Describe the planned geographical location of the business and discuss the advantages and disadvantages of the site location in terms of wage rates, labor availability, closeness to customers or suppliers, access to transportation, state and local taxes, laws, and utilities.

Describe your approach to overcoming any problems associated with the location.

- A. Planned geographical location:
- B. Discuss advantages or disadvantages of the site location:
- C. Describe your approach to overcoming any problems:

## 5. Market and Customers:

The purpose of this section is to present sufficient facts to convince the evaluation team that your service has a substantial market and can achieve success in the face of competition. Discuss who the customers are for your service. Where are the major purchasers for the service?

- A. Describe your anticipated target market (e.g., age, income, hobbies, regional, national, international):
- B. Describe the size of the current total market and potential annual growth:
- C. Discuss your advertising campaign in terms of how, when, and where you will advertise, and estimated annual cost:

## 6. Competitive Analysis:

Make a realistic assessment of the strengths and weaknesses of your competitors. Compare the competing services on the basis of image, location, price, advertising, and other pertinent features. Discuss your key competitors and explain why you think that you can capture a share of their business. Discuss what makes you think it will be easy or difficult to compete with them.

- A. Identify your key competitors:
- B. Discuss their strengths and weaknesses.
- C. Compare your product or service on key areas. For each area of comparison rank yourself and your selected competitors on a scale of 1 (high) to 5 (low). Remember: no ties.

**Table 2. Competitive Analysis**

Area of Comparison	You	Competitor A	Competitor B	Competitor C	Competitor D
Image					
Location					
Price					
Advertising					
Service					
Uniqueness					
Other					

D. Why do you think you can compete with your competitors and capture a share of the market?

## 7. Management:

The evaluation team is looking for a committed management team with the proper balance of technical, managerial, and business skills and experience which supports your proposal. Be sure to include complete resumes for each key management member in the Supporting Documents section.

(Use additional pages and attach as necessary)

- A. List owners and key management personnel and their primary duties. If any key individuals will not be onboard at the start of the venture, indicate when they will join the staff.
- B. Discuss any experience when the above people have worked together that indicates how their skills complement each other and result in an effective management team.
- C. List the advisors and consultants that you have selected for your venture. Capable, reputable, and well-known supporting organizations can not only provide significant direct and professional assistance, but also can add to the credibility of your venture.

Accountant \_\_\_\_\_

Attorney \_\_\_\_\_

Banker \_\_\_\_\_

Insurance Broker \_\_\_\_\_

Advertising \_\_\_\_\_

Others \_\_\_\_\_

## 8. Personnel:

Explain how you plan to recruit, develop, and maintain your workers. List the number of employees you will have, as well as their job titles and required skills. (Use additional pages as necessary)

- A. Identify essential employees, their job titles, and required skills:
- B. Identify the source and your plan to recruit essential employees:
- C. Discuss any training or retraining that you plan for your employees. Also, discuss any necessary first-aid certification or recertification, etc.:

# Part II: Financial Data

## 1. Capital-Equipment List:

Capital equipment is defined as assets which have useful lives of more than one year. Examples include machines, equipment, vehicles, livestock, tack, gear, and computers. Describe the equipment, the quantity, whether the equipment is new or used (N/U), the expected useful life, and the cost. This includes equipment purchased from existing businesses.



**Table 3. Capital Equipment List**

Equipment	Quantity	New/Used	Life	Cost
<b>Total Cost of Capital Equipment</b>				<b>\$0.00</b>

## 2. Start-Up Expenses:

Start-up expenses are the various costs it takes to open your doors for business:

**Table 4. Start-Up Expenses**

Item	Cost
Total cost of capital equipment	
Beginning inventory of operating supplies	
Legal fees	
Accounting fees	
Other professional fees	
Licenses and permits	
Remodeling and repair work	
Deposits (public utilities, etc.)	
Advertising	
Insurance	
Bonds	
Advance permit fees	
Other expenses:	
<b>Total Start-Up Expenses</b>	<b>\$</b>

## 3. Sources and Uses of Financing:

A. Sources of Financing:

**Table 5. Sources of Financing**

Item	Cost
Investment of cash by owners	
Investment of cash by shareholders	
Investment of non-cash assets by owners	
Investment of non-cash assets by shareholders	
Bank loans to business: short term (one year or less)	
Bank loans to business: long term (more than one year)	
Bank loans secured by personal assets	
Small Business Administration loans	
Other sources of financing (specify)	
<b>Total Sources of Financing</b>	<b>\$</b>

B. Uses of Financing

**Table 6. Uses of Financing**

Item	Cost
Buildings	
Equipment	
Initial inventory	
Working capital to pay operation expenses	
Noncash assets contributed by owners (use same amount as in Sources, above)	
Other assets (specify)	
<b>Total Uses of Financing</b>	<b>\$</b>

C. Monthly Cash Flow Projection:

The cash flow projection is the most important financial planning tool available to you. The cash flow projection attempts to budget the cash needs of a business and shows how cash will flow in and out of the business over a stated period of time. A cash flow deals only with actual cash transactions. Depreciation, a noncash expense, does not appear on a cash flow. Loan repayments (including interest), on the other hand, do, since they represent a cash disbursement.

**NOTE: The Cash Flow Projection chart on the following page is required to be completed and submitted in the existing format.**

**Table 7. Cash Flow Projection (or Cash Flow Budget) by Month: Year One**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
1		Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Total
2	Cash Receipts													
3	Sales Receivables													
4	Wholesale													
5	Retail													
6	Other Services													
7	Total Cash Receipts													
8	Cash Disbursements													
9	Cost of Goods													
10	Variable Labor													
11	Advertising													
12	Insurance													
13	Legal and Accounting													
14	Delivery Expenses													
15	Fixed Cash Disbursements*													
16	Mortgages (Rent)													
17	Term Loan													
18	Line of Credit													
19	Other													
20	Total Cash Disbursements													
21														
22	Net Cash Flow													
23														
24	Cumulative Cash Flow													
25														
26	*Fixed Cash Disbursements													

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
27	Utilities													
28	Salaries													
29	Payroll Taxes and Benefits													
30	Office Supplies													
31	Maintenance and cleaning													
32	Licenses													
33	Boxes, Paper, etc.													
34	Telephone													
35	Miscellaneous													
36	Total FCD/Year													
37	FCD/Month													
38														
39	Cash on Hand													
40	Opening Balance													
41	+ Cash Receipts													
42	-Cash Disbursements													
43	Total = New Balance													

## D. Start-Up Balance Sheet:

Balance sheets are designed to show how the assets, liabilities, and net worth of a company are distributed at a given point in time.

**NOTE:** The following Start-up Balance Sheet is required to be completed and submitted in the existing format.

Table 8. Start-Up Balance Sheet

Item	Cost
<b>Assets:</b>	
Current Assets	\$
Fixed Assets	\$
Less Accumulated Depreciation	\$
Net Fixed Assets	\$
Other Assets	\$
Total Assets	\$
<i>Footnotes:</i>	
<b>Liabilities:</b>	
Current Liabilities	\$
Long-Term Liabilities	\$
Total Liabilities	\$
Net Worth or Owner's Equity (Total assets minus total Liabilities)	\$
Total Liabilities and Net Worth	
<i>Footnotes:</i>	

## E. Start-Up Income Statement Projection:

Income Statements (also called Profit and Loss Statements) complement balance sheets. The income statement provides a moving picture of the company during a particular period of time. For most businesses (and for most bankers), income projections covering one to three years are more than adequate.

If you are in a start-up situation, look for financial-statement information and income ratios for businesses similar to yours. The Robert Morris Associates Annual Statement Studies and trade association publications are two possible sources.

**NOTE:** The following Income Projection Statement is required to be completed and submitted in the existing format.

**Table 9. Income Projection by Month: Year One**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
		Oct.	Nov.	Dec.	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Total
1														
2														
3	Sales													
4	Wholesale													
5	Retail													
6	Total Sales													
7														
8	Cost of Material													
9	Variable Labor													
10	Cost of Goods Sold													
11														
12	Gross Margin													
13														
14	Operating Expenses													
15	Utilities													
16	Salaries													
17	Payroll Taxes and Benefits													
18	Advertising													
19	Office Supplies													
20	Insurance													
21	Maintenance and Cleaning													
22	Legal and Accounting													
23	Delivery Expenses													
24	Licenses													
25	Boxes, Paper, etc.													
26	Telephone													
27	Depreciation													

	A	B	C	D	E	F	G	H	I	J	K	L	M	N
28	Miscellaneous													
29	Rent													
30	Total Operating Expenses:													
31														
32	Other Expenses													
33	Interest (Mortgage)													
34	Interest (Term Loan)													
35	Interest (Line of Credit)													
36	Total Other Expenses:													
37	Total Expenses:													
38														
39	Net Profit (Loss) Pre-Tax													

## Part III: Historical Financial Reports for Existing Business

1. Each applicant is required to submit all four items listed below.
  1. Balance sheet (past three years)
  2. Income statement (past three years)
  3. Tax returns (past three years)
  4. Current credit report from major credit bureau

## Part IV: Supporting Documents

1. Each applicant is required to submit all five items listed below.
  1. Personal resumes of business owners, officers, and partners
  2. Personal financial statements of business owners, officers, and partners
  3. Bank or investor letters of intent to finance project
  4. Copies of business leases pertinent to this business
  5. Copies of all pertinent existing permits or licenses applicable to this business (Submit only the face pages of all current concession permits)

## Part V: Appendices

### Legal Organization:

The more popular legal organizations and their reasons are outlined below

#### 1. Sole Proprietorship

A sole proprietorship is a business owned by one person. This form of business is regulated by the state only in that some states requires you to register your trade name to do business as a sole proprietor. You do not have to register with the state if you are operating your business under your own full legal name. (Note: You must be licensed where required, and pay all appropriate taxes.)

#### Advantages:

- Simple to start.
- Easy to dissolve.
- Owner makes all management decisions.
- Pay only personal income tax; business entity not taxed separately.

#### Disadvantages:



- Unlimited liability (owner legally liable for all debts, claims and judgments). Difficulty in raising additional funds.
- No one to share the management burden.
- Impermanence (company cant be sold or passed on; however, you may sell or pass on assets of the company).

## **2. General Partnership:**

A partnership is an association of two or more persons to carry on as co-owners of a business for profit. Some states require that you register your name if it is a trade name (not your full legal name). You must file state and Federal ``information returns, but business income and losses flow through to the partners personal taxes. The business pays no separate income taxes. Partners may share the profits of the business (and the losses) on an equal basis, or may pro rate the proceeds as set forth in a Partnership Agreement. Whichever way you determine to share in the business, you need to have a written Partnership Agreement outlining the ownership, responsibilities, and eventualities of dissolution or liquidation for the business.

### **Advantages:**

- Simple to start.
- Fairly easy to dissolve.
- Additional sources of capital from partners. Broader management base.
- More opportunity for each partner to specialize. Tax advantages: no separate income tax.
- Limited outside regulation, compared to a corporation.

### **Disadvantages:**

- Unlimited financial liability for all general partners (some partners personal debts can even be charged to the business).
- Difficulty in raising outside capital. Divided authority.
- Continuity problems (business dies when any partner leaves or dies, unless succession has previously been spelled out in a Partnership Agreement. Partnership terminates in the event of a personal bankruptcy on the part of any partner).
- Difficult to find suitable (compatible) partners.
- One partner may be responsible for the actions of another partner, regardless of whether that partner had prior approval.

## **3. Corporation:**

There are two types of corporations generally recognized today: a regular "C corporation, organized under the laws of the state in which you do business; and an "S Corporation, so designated by the IRS and not necessarily recognized by your state.

A corporation is a business entity separate and distinct from its owner(s) or shareholder(s). You must file incorporation papers with the state of your choice. The corporation must file annual reports with the Secretary of State, and may have to file separate quarterly income tax returns. The corporation exists forever, can be bought and sold, and is regulated by the state.

### "C" Corporation Advantages:

- Limited liability (as long as you act like a corporation which means having a separate checking account and phone number, paying interest on any borrowed money, keeping up a corporate record book, filing annual reports, meeting with your Board of Directors at least annually, etc.).
- Easier to bring in additional capital. Ownership is transferable.
- Company has continuous, perpetual existence.
- Possible tax advantages (seek adequate advice from a tax professional).
- Gives you more sense of permanence, thus more ``weight, in the business world.

### "C" Corporation Disadvantages:

- More expensive to organize. Highly regulated.
- Extensive record-keeping requirements.
- Double taxation (corporation pays its own income taxes; if you pay yourself a salary or a dividend, you also pay personal income taxes).
- Shareholders/Board of Directors may counter your management decisions.

### "S" Corporation Advantages

- Filing a Subchapter Selection with the Internal Revenue Service allows you to be taxed on your corporate profits through your personal tax return.
- You still maintain the limited liability of a corporation.
- If you have additional personal income against which to deduct company losses, or if your personal tax rate is lower than the corporate tax rate, this form may be advantageous for you. Again, please seek professional tax advice to make this determination.

### "S" Corporation Disadvantages

- There are some restrictions on "S" corporations, mainly in how you can sell your shares. You can have a maximum of 35 shareholders, all of whom must be U.S. citizens, and be individuals (not corporations).
- You must request permission from the IRS to be an "S" corporation, and generally, must maintain the calendar year as your fiscal year.

## 4. Limited Partnership

In a Limited Partnership, there are two kinds of partners: general partners, who carry full liability; and limited partners, who carry limited liability. Limited partners must make known, through filing with the Secretary of state that they indeed are limited partners, and they may not participate in the day-to-day management of the business. Again, as in the "S Corporation, profits from Limited Partnerships are taxed through each partners personal tax return. Limited partnerships are popular in industries where a great deal of ``up-front money is needed for projects that are expected to produce a high return, such as in real estate, energy, movie production, and sports teams.

## **5. Limited Liability Company (LLC)**

While wearing the corporate form, essentially, an "LLC" is similar to a Limited Partnership, except the general partner also carries limited liability. Profits are taxed through individual owners personal tax returns. The advantage of this form over an "S Corporation is that other corporations may be owners, and the "LLC" may also hold 100% ownership in subsidiary companies.

Be aware that LLC is a relatively new business form. Legal precedents have not been set to outline clearly all the legal and tax ramifications of this form of organization. If interested in becoming an "LLC" you are strongly urged to seek competent, professional legal and tax advice.

## APPENDIX 8: SAMPLE PERMIT

Use Code: 153  
Authorization ID:  
Contact Name:  
Expiration Date:

FS-2700-4i (VER 03/17)  
OMB No. 0596-0082

### U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE

#### SPECIAL USE PERMIT FOR OUTFITTING AND GUIDING Authority: Federal Lands Recreation Enhancement Act, 16 U.S.C. 6802(h) (Ref. FSH 2709.11, section 41.53)

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This permit authorizes priority use outfitting and guiding for 2 years. **THE PERMIT HOLDER**, (hereinafter "the holder"), is hereby authorized to use and occupy National Forest System lands, subject to the terms and conditions of this permit, to provide outfitting and guiding services within the Flagstaff Ranger District of the COCONINO NATIONAL FOREST, described as \_\_\_\_\_ and as shown on the map of the authorized area, attached as Appendix A. The above-described area shall be referred to as the "permit area."

The purpose of this permit is to authorize the following outfitting and guiding activities:

#### **PERMITTED ACTIVITY LISTED HERE**

and assign use as follows:

### priority use service days for guided (activities).

0 assigned sites

0 grazing use (in head months (HMs))

This use will be exercised as described in the five-year or annual operating plan.

The following appendices are attached to and made a part of this permit:

APPENDIX A - Map of Authorized Area

APPENDIX B - Five-year or annual Operating Plan, dated \_\_\_\_\_ and approved annually

APPENDIX C - Trip Itinerary

APPENDIX D - Estimated Fee Determination Sheet, approved annually

APPENDIX E - Actual Use Report Format

APPENDIX F - Authorized Officer's Outfitter and Guide Performance Evaluation Criteria

APPENDIX G - Other

### **I. GENERAL TERMS**

**A. AUTHORITY.** This permit is issued pursuant to Federal Lands Recreation Enhancement Act, 16 U.S.C. 6802(h), and 36 CFR Part 251, Subpart B, as amended, and is subject to their provisions.

**B. AUTHORIZED OFFICER.** The authorized officer is the Forest Supervisor or a subordinate officer with delegated authority.

**C. TERM.** This permit shall expire at midnight on \_\_\_\_\_. Expiration of this permit shall not require notice, a decision document, or any environmental analysis or other documentation.

**D. CONTINUATION OF USE AND OCCUPANCY.** This permit is not renewable. Upon expiration, this permit may be extended for up to 8 years if the priority use authorized by this permit is consistent with applicable law and the applicable land management plan and if the holder's performance is satisfactory.

**E. AMENDMENT.** This permit may be amended in whole or in part by the Forest Service when, at the discretion of the authorized officer, such action is deemed necessary or desirable to incorporate new terms that may be required by law, regulation, directive, the applicable forest land and resource management plan, or projects and activities implementing a land management plan pursuant to 36 CFR 218.

**F. COMPLIANCE WITH LAWS, REGULATIONS, AND OTHER LEGAL REQUIREMENTS.** In exercising the rights and privileges granted by this permit, the holder shall 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.

**G. NON-EXCLUSIVE USE.** The use and occupancy authorized by this permit are not exclusive. The Forest Service reserves the right of access to the permit area, including a continuing right of physical entry to the permit area for inspection, monitoring, or any other purpose consistent with any right or obligation of the United States under any law or regulation. The Forest Service reserves the right to allow others to use the permit area in any way that is not inconsistent with the holder's rights and privileges under this permit, after consultation with all parties involved. Except for any restrictions that the holder and the authorized officer agree are necessary to protect the installation and operation of authorized temporary improvements, the lands and waters covered by this permit shall remain open to the public for all lawful purposes.

## **H. CHANGE IN CONTROL**

1. Notification. The holder shall notify the authorized officer when a change in control of the business entity that holds this permit is planned.

(a) In the case of a corporation, control is an interest, beneficial or otherwise, of sufficient outstanding voting securities or capital of the business so as to permit the exercise of managerial authority over the actions and operations of the corporation or election of a majority of the board of directors of the corporation.

(b) In the case of a partnership, limited partnership, joint venture, or individual entrepreneurship, control is a beneficial ownership of or interest in the entity or its capital so as to permit the exercise of managerial authority over the actions and operations of the entity.

(c) In other circumstances, control is any arrangement under which a third party has the ability to

exercise management authority over the actions or operations of the business.

2. Termination. This permit is not transferable. Any change in control of the business entity as defined in clause I.H.1 shall cause this permit to terminate upon issuance of a new permit to another party for the use and occupancy authorized by this permit. The party who acquires control of the business entity must submit an application for a permit for the type of use and occupancy authorized by this permit. Issuance of a new permit to the party acquiring control shall be at the sole discretion of the authorized officer. The authorized officer shall determine that the applicant meets requirements under federal regulations.

**I. LIMITATIONS.** Nothing in this permit gives or implies permission to build or maintain any structure or facility or to conduct any activity, unless specifically provided for in this permit. Any use not specifically identified in this permit must be proposed in accordance with 36 CFR 251.54. Approval of such a proposal through issuance of a new permit or permit amendment is at the sole discretion of the authorized officer.

## **II. OPERATIONS**

**A. ANNUAL OPERATING PLAN.** The annual operating plan, which shall be attached to this permit as Appendix B, shall be submitted by the holder and approved by the authorized officer before the holder conducts any services authorized by this permit. The holder shall prepare an annual operating plan by date before start of operating season, in consultation with the authorized officer. At a minimum, the annual operating plan shall include (1) the season of use for authorized outfitting and guiding activities, including the start and stop date of operations; (2) limitations on use established by the Forest Service (including fire restrictions); (3) the fee calculation option to be used and a completed Estimated Fee Determination Sheet (appendix D); and (4) any of the following that are applicable: (a) a process for submitting trip itineraries (appendix C); (b) guidelines and limits for incidental grazing; (c) location and layout of assigned sites to be used for base, spike, and drop camps or other purposes; and (d) authorized temporary improvements on National Forest System lands, including a schedule for their construction and removal ; (e) identity and schedule for any inspections that the holder is required to conduct at the holder's expense.

**B. ITINERARY.** The holder shall submit an itinerary for each type of trip.

**C. PERFORMANCE REVIEW AND EVALUATION.** The holder's compliance with the terms and conditions of this permit and the five-year or annual operating plan is subject to annual performance review and evaluation by the authorized officer. The holder's performance will be documented using the Outfitter and Guide Performance Evaluation Criteria, Appendix F.

**D. TEMPORARY IMPROVEMENTS.** No permanent improvements may be constructed under this permit. Temporary improvements with negligible value, such as hitching posts, corrals, tent frames, and shelters, may be approved by the authorized officer in the five-year or annual operating plan. Plans and revisions to plans for design, development, and layout of temporary improvements must have prior written approval from the authorized officer.

**E. PROHIBITION ON ASSIGNMENT OF USE.** The holder may not assign all or part of the authorized use to others.

**F. PERFORMANCE OF SUPPORT SERVICES.** As a general rule, the holder shall conduct the day-to-day activities authorized by this permit. Activities that support the use authorized by this

permit, such as food or shuttle services, may be conducted by a party other than the holder, but only with prior written approval from the authorized officer. The holder shall continue to be responsible for compliance with all the terms of this permit.

**G. MAINTENANCE.** The holder shall maintain authorized temporary improvements and the permit area to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer and consistent with other provisions of this authorization. The holder shall comply with inspection requirements deemed appropriate by the authorized officer.

**H. SIGNS.** Signs posted on National Forest System lands must have prior written approval of the authorized officer.

## **I. NONDISCRIMINATION**

1. The holder and its employees shall not discriminate against any person on the basis of race, color, sex (in educational activities), national origin, age, or disability or by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally. In addition, the holder and its employees shall comply with the provisions of Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments Act of 1972, as amended, and the Age Discrimination Act of 1975, as amended.

2. The holder shall include and require compliance with the above nondiscrimination provisions in any third-party agreement made with respect to the operations authorized under this permit.

3. The Forest Service shall furnish signs setting forth this policy of nondiscrimination. These signs shall be conspicuously displayed at the public entrance to the premises and at other exterior or interior locations, as directed by the Forest Service.

4. The Forest Service shall have the right to enforce the foregoing nondiscrimination provisions by suit for specific performance or by any other available remedy under the laws of the United States or the State in which the violation occurs.

**J. EQUAL ACCESS TO FEDERAL PROGRAMS.** In addition to the above nondiscrimination policy, the holder agrees to ensure that its programs and activities are open to the general public on an equal basis and without regard to any non-merit factor.

**K. SANITATION.** The operation and maintenance of all sanitation and food service systems and facilities shall comply with applicable standards set by state and local health departments.

**L. REFUSE DISPOSAL.** The holder shall comply with all applicable federal, state, and local requirements related to disposal of any refuse resulting from the use and occupancy authorized by this permit.

**M. REMOVAL AND PLANTING OF VEGETATION.** This permit does not authorize the cutting of timber or other vegetation. Trees or shrubbery may be removed or destroyed only after the authorized officer has approved and marked what may be removed or destroyed. Timber cut or destroyed shall be paid for at current stumpage rates for similar timber in the PIKE-SAN ISABEL NATIONAL FOREST. The Forest Service reserves the right to dispose of the merchantable timber to those other than the holder at no stumpage cost to the holder. Unmerchantable material shall be disposed of as directed by the authorized officer. Planting of trees, shrubs, and other plants in the

permit area must have prior written approval from the authorized officer.

**N. FAILURE TO EXERCISE AUTHORIZED PRIVILEGES.** During the 5th year of operation and upon termination, the authorized officer shall review actual use and adjust the allocation of use to match the highest amount of actual use in 1 calendar year during the first 5 years of operation, plus 25 percent of that amount for holders with up to 1,000 service days or the equivalent in quotas or 15 percent of that amount for holders with more than 1,000 service days or the equivalent in quotas, provided that:

1. The combination of the highest amount of actual use in 1 calendar year and the additional 25 or 15 percent of use not exceed the amount of use allocated when the permit was issued; and
2. To ensure that 5 years of use are available for review as a basis for making the allocation adjustment, the authorized officer may adjust the review period to include a previous or an additional year of use based on a finding that extraordinary circumstances prevented a season of operation.

**O. RESTRICTION OF MOTOR VEHICLE USE.** Motor vehicle use shall be consistent with designations made under 36 CFR Part 212, Subpart B, unless specifically provided otherwise in the operating plan. Over-snow vehicle use shall be consistent with designations made under 36 CFR Part 212, Subpart C, unless specifically provided otherwise in the operating plan.

**P. ADVERTISING.** The holder shall not misrepresent in any way, either orally, in its circulars, brochures, advertising, and other materials, or on its website, signs, or letterheads, any aspect of the use authorized by this permit, including services provided by the holder, the status of this permit, or the area it covers. All of the holder's circulars, brochures, and advertising and its website regarding use of the permit area shall state that the permit area is located in the COCONINO NATIONAL FOREST.

**Q. NOXIOUS WEED/EXOTIC PLANT PREVENTION AND CONTROL.** The holder shall be responsible for the prevention and control of noxious weeds and/or exotic plants arising from the authorized use. For purposes of this clause, noxious weeds and exotic plants include those species recognized as such by the USDA Forest Service and State of \_\_\_\_\_. The holder shall follow prevention and control measures required by the USDA Forest Service and State of \_\_\_\_\_. When determined to be necessary by the authorized officer, the holder shall develop a plan for noxious weed and exotic plant prevention and control. These plans must have prior written approval from the authorized officer and, upon approval, shall be attached to this permit as an appendix.

### **III. RIGHTS AND LIABILITIES**

**A. LEGAL EFFECT OF THE PERMIT.** This permit, which is revocable and terminable, is not a contract or a lease, but rather a federal license. The benefits and requirements conferred by this authorization are reviewable solely under the procedures set forth in 36 CFR Part 214, and 5 U.S.C. 704. This permit does not constitute a contract for purposes of the Contract Disputes Act, 41 U.S.C. 601. The permit is not real property, does not convey any interest in real property, and may not be used as collateral for a loan.

**B. VALID EXISTING RIGHTS.** This permit is subject to all valid existing rights. Valid existing rights include those derived under mining and mineral leasing laws of the United States. The United States is not liable to the holder for the exercise of any such right.



**C. ABSENCE OF THIRD-PARTY BENEFICIARY RIGHTS.** The parties to this permit do not intend to confer any rights on any third party as a beneficiary under this permit.

**D. WATER RIGHTS.** This permit does not confer any water rights on the holder. Water rights are not required by state law and may not be acquired to exercise the minor water uses authorized by this permit.

**E. SERVICES NOT PROVIDED.** This permit does not provide for the furnishing of road or trail maintenance, water, fire protection, search and rescue, or any other service by a government agency, utility, association, or individual.

**F. RISK OF LOSS.** The holder assumes all risk of loss associated with use and occupancy of the permit area, including but not limited to theft, vandalism, fire and any fire-fighting activities (including prescribed burns), avalanches, rising waters, winds, falling limbs or trees, and other forces of nature. If authorized temporary improvements in the permit area are destroyed or substantially damaged, the authorized officer shall conduct an analysis to determine whether the improvements can be safely occupied in the future and whether rebuilding should be allowed.

**G. DAMAGE TO UNITED STATES PROPERTY.** The holder has an affirmative duty to protect from damage the land, property, and other interests of the United States that are associated with the use and occupancy authorized by this permit. Damage includes but is not limited to destruction of or damage to National Forest lands covered by this permit, fire suppression costs, and destruction of or damage to government-owned improvements covered by this permit.

1. The holder shall be liable for all injury, loss, or damage, including fire suppression, or other costs resulting from rehabilitation or restoration of natural resources associated with the use and occupancy authorized by this permit. Compensation shall include but not be limited to the value of resources damaged or destroyed, the costs of restoration, cleanup, or other mitigation, fire suppression or other types of abatement costs, and all administrative, legal (including attorney's fees), and other costs in connection therewith.

2. The holder shall be liable for damage to all roads and trails of the United States open to public use caused by use of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees to the same extent as provided under clause III.F.1, except that liability shall not include reasonable and ordinary wear and tear.

**H. HEALTH AND SAFETY.** The holder shall address the health and safety of its employees, agents, and clients by having trained and qualified staff, utilizing properly maintained equipment, and providing supervision appropriate for the level of risk associated with the authorized activity. The holder shall avoid situations or conditions that cause or threaten to cause a hazard to public health or the safety of the holder's employees, agents, or clients. The holder shall as soon as practicable notify the authorized officer of all serious accidents that occur in connection with such activities. The Forest Service has no duty under the terms of this permit to inspect the permit area or operations and activities of the holder for hazardous conditions or compliance with health and safety standards.

## **I. ENVIRONMENTAL PROTECTION**

1. For purposes of clauses III.I and V, "hazardous material" shall mean (a) any hazardous substance

under section 101(14) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601(14); (b) any pollutant or contaminant under section 101(33) of CERCLA, 42 U.S.C. 9601(33); (c) any petroleum product or its derivative, including fuel oil, and waste oils; and (d) any hazardous substance, extremely hazardous substance, toxic substance, hazardous waste, ignitable, reactive or corrosive materials, pollutant, contaminant, element, compound, mixture, solution or substance that may pose a present or potential hazard to human health or the environment under any applicable environmental laws.

2. The holder shall avoid damaging or contaminating the environment, including but not limited to the soil, vegetation (such as trees, shrubs, and grass), surface water, and groundwater, during the holder's use and occupancy of the permit area. Environmental damage includes but is not limited to all costs and damages associated with or resulting from the release or threatened release of a hazardous material occurring during or as a result of activities of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees on, or related to, the lands, property, and other interests covered by this permit. If the environment or any government property covered by this permit becomes damaged in connection with the holder's use and occupancy, the holder shall as soon as practicable repair the damage or replace the damaged items to the satisfaction of the authorized officer and at no expense to the United States.

3. The holder shall as soon as practicable, as completely as possible, and in compliance with all applicable laws and regulations abate any activity or condition arising out of or relating to the authorized use and occupancy that causes or threatens to cause harm to the environment, including areas of vegetation or timber, fish or other wildlife populations, their habitats, or any other natural resources.

**J. INDEMNIFICATION OF THE UNITED STATES.** The holder shall indemnify, defend, and hold harmless the United States for any costs, damages, claims, liabilities, and judgments arising from past, present, and future acts or omissions of the holder in connection with the use and occupancy authorized by this permit. This indemnification and hold harmless provision includes but is not limited to acts and omissions of the holder or the holder's heirs, assigns, agents, employees, contractors, or lessees in connection with the use and occupancy authorized by this permit which result in (1) violations of any laws and regulations which are now or which may in the future become applicable; (2) judgments, claims, demands, penalties, or fees assessed against the United States; (3) costs, expenses, and damages incurred by the United States; or (4) the release or threatened release of any solid waste, hazardous waste, hazardous substance, pollutant, contaminant, oil in any form, or petroleum product into the environment. The authorized officer may prescribe terms that allow the holder to replace, repair, restore, or otherwise undertake necessary curative actions to mitigate damages in addition to or as an alternative to monetary indemnification.

**K. INSURANCE.** The holder shall furnish proof of insurance, such as a certificate of insurance, to the authorized officer prior to issuance of this permit and each year thereafter that this permit is in effect. The Forest Service reserves the right to review the insurance policy and require any changes needed to ensure adequate coverage of the United States in connection with the authorized use and occupancy. The holder shall send an authenticated copy of any insurance policy obtained pursuant to this clause to the authorized officer immediately upon issuance of the policy. Any insurance policies obtained by the holder pursuant to this clause shall name the United States as an additional insured, and the additional insured provision shall provide for insurance coverage for the United States as required under this clause and to the extent of the full limits of insurance available to the holder. The holder shall give 30 days prior written notice to the authorized officer of cancellation of or any modification to the insurance policy. The certificate of insurance, the authenticated copy of the

insurance policy, and written notice of cancellation or modification of insurance policies should be sent to mailing address of administering office. Minimum amounts of coverage and other insurance requirements are subject to change at the sole discretion of the authorized officer on the anniversary date of this permit.

1. Liability. The holder shall have in force liability insurance covering losses associated with the use and occupancy authorized by this permit arising from personal injury or death and third-party property damage in the minimum amount of **\$ 1,000,000** as a combined single limit per occurrence.

2. Depending on the holder's operations, the Forest Service may require the holder to demonstrate the availability of funds to address any release or threatened release of hazardous materials that may occur in connection with the holder's use and occupancy. Any requirements imposed would be established on a case-by-case basis by the authorized officer based on the degree of environmental risk from the holder's operations. The use and storage of normal maintenance supplies in nominal amounts generally would not trigger financial assurance requirements.

#### **IV. RESOURCE PROTECTION**

**A. COMPLIANCE WITH ENVIRONMENTAL LAWS.** The holder shall in connection with the use and occupancy authorized by this permit comply with all applicable federal, state, and local environmental laws and regulations, including but not limited to those established pursuant to the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901 *et seq.*, the Federal Water Pollution Control Act, as amended, 33 U.S.C. 1251 *et seq.*, the Oil Pollution Act, as amended, 33 U.S.C. 2701 *et seq.*, the Clean Air Act, as amended, 42 U.S.C. 7401 *et seq.*, CERCLA, as amended, 42 U.S.C. 9601 *et seq.*, the Toxic Substances Control Act, as amended, 15 U.S.C. 2601 *et seq.*, the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 *et seq.*, and the Safe Drinking Water Act, as amended, 42 U.S.C. 300f *et seq.*

**B. VANDALISM.** The holder shall take reasonable measures to prevent and discourage vandalism and disorderly conduct and when necessary shall contact the appropriate law enforcement officer.

#### **C. PESTICIDE USE**

1. Authorized Officer Concurrence. Pesticides may not be used outside of buildings in the permit area to control pests, including undesirable woody and herbaceous vegetation (including aquatic plants), insects, birds, rodents, or fish without prior written concurrence of the authorized officer. Only those products registered or otherwise authorized by the U.S. Environmental Protection Agency and appropriate State authority for the specific purpose planned shall be authorized for use within areas on National Forest System lands.

2. Pesticide-Use Proposal. Requests for concurrence of any planned uses of pesticides shall be provided in advance using the Pesticide-Use Proposal (form FS-2100-2). Annually the holder shall, on the due date established by the authorized officer, submit requests for any new, or continued, pesticide usage. The Pesticide-Use Proposal shall cover a 12-month period of planned use. The Pesticide-Use Proposal shall be submitted at least 60 days in advance of pesticide application. Information essential for review shall be provided in the form specified. Exceptions to this schedule may be allowed, subject to emergency request and approval, only when unexpected outbreaks of pests require control measures which were not anticipated at the time a Pesticide-Use Proposal was submitted.

3. Labeling, Laws, and Regulations. Label instructions and all applicable laws and regulations shall be strictly followed in the application of pesticides and disposal of excess materials and containers. No pesticide waste, excess materials, or containers shall be disposed of in any area administered by the Forest Service.

**D. ARCHAEOLOGICAL AND PALEONTOLOGICAL DISCOVERIES.** The holder shall immediately notify the authorized officer of any antiquities or other objects of historic or scientific interest, including but not limited to historic or prehistoric ruins, fossils, or artifacts discovered as the result of operations under this permit. The holder shall follow the applicable inadvertent discovery protocols for the undertaking provided in an agreement executed pursuant to section 106 of the National Historic Preservation Act, 54 U.S.C. 306108; if there are no such agreed-upon protocols, the holder shall leave such discoveries intact until consultation has occurred, as informed, if applicable, by any programmatic agreement with tribes. Protective and mitigation measures developed under this clause shall be the responsibility of the holder. However, the holder shall give the authorized officer written notice before implementing these measures and shall coordinate with the authorized officer for proximate and contextual discoveries extending beyond the permit area.

**E. NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (NAGPRA).** In accordance with 25 U.S.C. 3002(d) and 43 CFR 10.4, if the holder inadvertently discovers human remains, funerary objects, sacred objects, or objects of cultural patrimony on National Forest System lands, the holder shall immediately cease work in the area of the discovery and shall make a reasonable effort to protect and secure the items. The holder shall follow the applicable NAGPRA protocols for the undertaking provided in the NAGPRA plan of action or the NAGPRA comprehensive agreement; if there are no such agreed-upon protocols, the holder shall as soon as practicable notify the authorized officer of the discovery and shall follow up with written confirmation of the discovery. The activity that resulted in the inadvertent discovery may not resume until 30 days after the forest archaeologist certifies receipt of the written confirmation, if resumption of the activity is otherwise lawful, or at any time if a binding written agreement has been executed between the Forest Service and the affiliated Indian tribes that adopts a recovery plan for the human remains and objects.

**F. PROTECTION OF THREATENED AND ENDANGERED, SENSITIVE SPECIES, AND SPECIES OF CONSERVATION CONCERN AND THEIR HABITAT**

1. Threatened and Endangered Species and Their Habitat. The location of sites within the permit area needing special measures for protection of plants or animals listed as threatened or endangered under the Endangered Species Act (ESA), 16 U.S.C. 531 *et seq.*, as amended, or within designated critical habitat shall be shown on a map included in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary and appropriate to avoid or reduce effects on listed species or designated critical habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within the permit area containing threatened or endangered species or designated critical habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

2. Sensitive Species and Species of Conservation Concern and Their Habitat. The location of sites within the permit area needing special measures for protection of plants or animals designated by the Regional Forester as sensitive species or as species of conservation concern pursuant to FSM 2670 shall be shown on a map in an appendix to this permit and may be shown on the ground. The holder shall take any protective and mitigation measures specified by the authorized officer as necessary

and appropriate to avoid or reduce effects on sensitive species or species of conservation concern or their habitat affected by the authorized use and occupancy. Discovery by the holder or the Forest Service of other sites within the permit area containing sensitive species or species of conservation concern or their habitat not shown on the map in the appendix shall be promptly reported to the other party and shall be added to the map.

**H. CONSENT TO STORE HAZARDOUS MATERIALS.** The holder shall not store any hazardous materials at the site without prior written approval from the authorized officer. This approval shall not be unreasonably withheld. If the authorized officer provides approval, this permit shall include, or in the case of approval provided after this permit is issued, shall be amended to include specific terms addressing the storage of hazardous materials, including the specific type of materials to be stored, the volume, the type of storage, and a spill plan. Such terms shall be proposed by the holder and are subject to approval by the authorized officer.

## **I. CLEANUP AND REMEDIATION**

1. The holder shall immediately notify all appropriate response authorities, including the National Response Center and the authorized officer, of any oil discharge or of the release of a hazardous substance at the site in an amount greater than or equal to its reportable quantity, in accordance with 33 CFR Part 153, Subpart B, and 40 CFR Part 302. For the purposes of this requirement, "oil" is as defined by section 311(a)(1) of the Clean Water Act, 33 U.S.C. 1321(a)(1). The holder shall immediately notify the authorized officer upon knowledge of any release or threatened release of any hazardous material at or in the vicinity of the permit area which may be harmful to public health or welfare or which may adversely affect natural resources under the management of the United States..

2. Except with respect to any federally permitted release as that term is defined under Section 101(10) of CERCLA, 42 U.S.C. 9601(10), the holder shall clean up or otherwise remediate any release, threat of release, or discharge of hazardous materials that occurs either on site or in connection with the holder's activities, whether or not those activities are authorized under this permit. The holder shall perform cleanup or remediation immediately upon discovery of the release, threat of release, or discharge of hazardous materials. The holder shall perform the cleanup or remediation to the satisfaction of the authorized officer and at no expense to the United States. Upon revocation or termination of this permit, the holder shall deliver the site to the Forest Service free and clear of contamination.

## **V. LAND USE FEE AND DEBT COLLECTION**

**A. LAND USE FEE.** The holder shall pay to the USDA, Forest Service, an annual land use fee for the term of this permit based on the fair market value of the use and occupancy authorized by this permit. The annual land use fee shall include a commercial use fee and, if applicable, an assigned site fee and grazing fee, as enumerated in clauses V.B, V.C, and V.D. The minimum annual land use fee for the authorized use and occupancy shall be \$ 110.00. Estimates of service days, the number of assigned sites, and grazing use shall be determined from the five-year or annual operating plan. Estimated land use fees shall be calculated on an Estimated Fee Determination Sheet. The holder shall pay the annual land use fee in advance of the authorized use and occupancy, as provided in clause V.B. Payments due before commercial operations commence are not refundable. The Forest Service shall adjust and calculate land use fees authorized by this permit to comply with any new land use fee system based on market value that may be adopted by statute, regulation or directive issued by the Chief after issuance of this permit.

1. Commercial Use Fee. The annual land use fee shall be determined in accordance with option B (3% of gross revenue) .

(a) Definitions

(1) Adjusted Gross Revenue. Gross revenue and revenue additions less applicable exclusions.

(2) Gross Revenue. The total amount of receipts from the sale of goods or services provided by the holder or third party under the permit.

(3) Revenue Additions. The market value of the following items, which are added to 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.

(4) Revenue Exclusions. The following are excluded from gross revenue:

(a) Revenue derived from goods or services sold on private land that are not related to outfitting 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 and recreation fee tickets.

(c) Revenue from the sale of operating equipment, rental equipment, capitalized assets, or other assets used in outfitting and guiding operations, such as horses, tack, watercraft, and rental skis and boots, which are sold periodically and replaced.

2. Assigned Site Fee. A fee shall be charged for the occupancy of National Forest System sites assigned to the holder. Assigned site fees shall not be prorated; the holder shall pay the full annual fee for each assigned site. No refunds or credits will be given for authorized but unused assigned sites.

3. Grazing Fee. A fee shall be charged for grazing livestock used in conjunction with the use and occupancy authorized by this permit. No refunds or credits will be given for authorized but unexercised grazing use.

**B. PAYMENT SCHEDULE.** The holder shall pay the annual estimated land use fee, including the fee for commercial use, assigned site fee, and grazing fee, in advance of the authorized use, as follows:

1. Single Payment. The holder shall pay the total annual estimated fee in advance when it is less than \$500.

2. Two Payments. The holder shall pay half the total annual estimated fee in advance and the remainder by mid-season when the total is equal to or greater than \$500, but less than \$2,500.
3. Three Payments. The holder shall pay one-third of the total annual estimated fee in advance and the remainder in two equal payments by mid-season when the total is \$2,500 or more.
4. Final Payment. The Forest Service shall reconcile annually the actual land use fee against land use fee payments made. The holder shall pay any additional fees owed for the past year's operation within 30 days of billing.

**C. DOCUMENTATION OF REVENUE.** The holder shall provide documentation of use and revenue for purposes of land use fee verification.

1. Actual Use Report. Within 30 days of completion of the holder's approved operating season, the holder shall submit to the authorized officer an actual use report in accordance with the format in Appendix E.
2. Income Statements. No later than 90 days after the close of the holder's fiscal year, the holder shall submit to the authorized officer a statement of income reporting the results of the holder's annual operations. The statement shall include gross revenue, the value of donated goods and services, the value of gratuities, the value and description of items excluded from gross revenue, and all adjustments, such as taxes deducted, and shall be broken down by permitted activities.

#### **D. FEE PAYMENT ISSUES**

1. Crediting of Payments. Payments shall be credited on the date received by the deposit facility, except that if a payment is received on a non-workday, the payment shall not be credited until the next workday.
2. Disputed Fees. Fees are due and payable by the due date. Disputed fees must be paid in full. Adjustments will be made if dictated by settlement terms or an appeal decision.
3. Late Payments
  - (a) Interest. Pursuant to 31 U.S.C. 3717 *et seq.*, interest shall be charged on any fee amount not paid within 30 days from the date it became due. The rate of interest assessed shall be the higher of the Prompt Payment Act rate or the rate of the current value of funds to the Treasury (i.e., the Treasury tax and loan account rate), as prescribed and published annually or quarterly by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins. Interest on the principal shall accrue from the date the fee amount is due.
  - (b) Administrative Costs. If the account becomes delinquent, administrative costs to cover processing and handling the delinquency shall be assessed.
  - (c) Penalties. A penalty of 6% per annum shall be assessed on the total amount that is more than 90 days delinquent and shall accrue from the same date on which interest charges begin to accrue.
  - (d) Termination for Nonpayment. This permit shall terminate without the necessity of prior notice and opportunity to comply when any permit fee payment is 90 calendar days from the due date in arrears. The holder shall be responsible for the delinquent fees, as well as any other costs of restoring

the site to its original condition, including hazardous waste cleanup.

4. Administrative Offset and Credit Reporting. Delinquent fees and other charges associated with the permit shall be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 *et seq.* and common law. Delinquencies are subject to any or all of the following:

(a) Administrative offset of payments due the holder from the Forest Service.

(b) If in excess of 60 days, referral to the United States Department of the Treasury for appropriate collection action as provided by 31 U.S.C. 3711(g)(1).

(c) Offset by the Secretary of the Treasury of any amount due the holder, as provided by 31 U.S.C. 3720 *et seq.*

(d) Disclosure to consumer or commercial credit reporting agencies.

**E. ACCOUNTING RECORDS.** The holder shall follow generally accepted accounting principles or another comprehensive basis of accounting, such as the cash, modified cash, or income tax basis of accounting, in recording financial transactions. The minimum acceptable accounting system shall include:

1. Systematic internal controls and separate recording of gross receipts from each type of business conducted under this permit, separate from any other commercial or personal activity. Receipts shall be recorded daily without reduction and, if possible, deposited into a bank account. Receipt entries shall be supported by documentation such as cash register tapes, sales invoices, reservation records, and cash accounts from other sources.

2. For permits with land use fees greater than \$10,000, when requested by the Forest Service, the holder at its own expense shall have its annual accounting records audited by an independent public accountant acceptable to the Forest Service.

**F. ACCESS TO ACCOUNTING RECORDS.** The holder shall make all of the accounting books and supporting records for the business activities authorized by this permit available for audit by the Forest Service or other federal agencies authorized to review Forest Service activities. The holder shall retain these records and make them available for review for five years after the end of the year they were generated, unless disposition is otherwise authorized by the Forest Service in writing.

## **VI. REVOCATION, SUSPENSION, AND TERMINATION**

**A. REVOCATION AND SUSPENSION.** The authorized officer may revoke or suspend this permit in whole or in part:

1. For noncompliance with federal, state, or local laws and regulations;
2. For noncompliance with the terms of this permit;
3. For failure of the holder to exercise the privileges granted by this permit;
4. With the consent of the holder; or



5. At the discretion of the authorized officer, for specific and compelling reasons in the public interest.

**B. REVOCATION BASED ON PERFORMANCE RATING.** If the holder receives an annual rating of unacceptable based on deficiencies identified but uncorrected in a mid-season review and evaluation, the Forest Service shall revoke this permit or, if it is about to expire, shall allow it to terminate.

**C. NOTICE AND OPPORTUNITY TO TAKE CORRECTIVE ACTION.** Prior to revocation or suspension under clause VI.A or VI.B, the authorized officer shall give the holder written notice of the grounds for the action to be taken. For purposes of revocation under clause VI.B, written notice must be given to the holder after the mid-season review and evaluation that if the identified deficiencies are not corrected, they will result in an annual rating of unacceptable, which in turn will result in revocation of the permit. Prior to revocation or suspension under clause VI.A.1, VI.A.2, or VI.A.3 or revocation under clause VI.B, the authorized officer also shall give the holder a reasonable period, not to exceed 30 days, to complete corrective action prescribed by the authorized officer. The period between the mid-season review and evaluation and the annual rating shall constitute adequate opportunity to take corrective action for purposes of revocation under clause VI.B.

**D. IMMEDIATE SUSPENSION.** The authorized officer may immediately suspend this permit in whole or in part when necessary to protect public health or safety or the environment. The suspension decision shall be in writing. The holder may request an on-site review with the authorized officer's supervisor of the adverse conditions prompting the suspension. The authorized officer's supervisor shall grant this request within 48 hours. Following the onsite review, the authorized officer's supervisor shall promptly affirm, modify, or cancel the suspension.

**E. APPEALS AND REMEDIES.** Written decisions by the authorized officer relating to administration of this permit, including annual ratings of probationary and unacceptable and revocation or suspension decisions, are subject to administrative appeal pursuant to 36 CFR Part 214, as amended. Revocation or suspension of this permit shall not give rise to any claim for damages by the holder against the Forest Service.

**F. TERMINATION.** This permit shall terminate when by its terms a fixed or agreed upon condition, event, or time occurs without any action by the authorized officer. Examples include but are not limited to expiration of the permit by its terms on a specified date and termination upon change of control of the business entity. Termination of this permit is not subject to administrative appeal and shall not give rise to any claim for damages by the holder against the Forest Service.

**G. REMOVAL OF TEMPORARY IMPROVEMENTS.** Upon revocation or termination of this permit, the holder shall remove within a reasonable time prescribed by the authorized officer all temporary improvements, except those owned by the United States, and shall restore the site. If the holder fails to remove all temporary improvements within the prescribed period, they shall become the property of the United States and may be sold, destroyed, or otherwise disposed of without any liability to the United States. However, the holder shall remain liable for all costs associated with their removal, including costs of sale and impoundment, cleanup, and restoration of the site.

## **VII. MISCELLANEOUS PROVISIONS**

**A. MEMBERS OF CONGRESS.** No member of or delegate to Congress or resident commissioner shall benefit from this permit either directly or indirectly, except to the extent the authorized use

provides a general benefit to a corporation.

**B. CURRENT ADDRESSES.** The holder and the Forest Service shall keep each other informed of current mailing addresses, including those necessary for payment of fees.

**C. SUPERIOR CLAUSES.** In the event of any conflict between any of the preceding printed clauses and any subsequent clauses or any provisions in the appendices attached to this permit, the preceding printed clauses shall control.

**THIS PERMIT IS ACCEPTED SUBJECT TO ALL ITS TERMS AND CONDITIONS.**

**BEFORE ANY PERMIT IS ISSUED TO AN ENTITY, DOCUMENTATION MUST BE PROVIDED TO THE AUTHORIZED OFFICER OF THE AUTHORITY OF THE SIGNATORY FOR THE ENTITY TO BIND IT TO THE TERMS AND CONDITIONS OF THE PERMIT.**

ACCEPTED:

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HOLDER NAME, PRECEDED BY NAME AND TITLE OF PERSON SIGNING ON BEHALF OF HOLDER, IF HOLDER IS AN ENTITY	SIGNATURE	DATE
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APPROVED:

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NAME AND TITLE OF AUTHORIZED OFFICER	SIGNATURE	DATE
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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 1 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.

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

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, or call toll free 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.

# Appendix 9 – Standard Form 299

STANDARD FORM 299 (1/2006)  
 Prescribed by DOI/USDA/DOT  
 P.L. 96-487 and Federal  
 Register Notice 5-22-95

## APPLICATION FOR TRANSPORTATION AND UTILITY SYSTEMS AND FACILITIES ON FEDERAL LANDS

FORM APPROVED  
 OMB NO. 0596-0082

**FOR AGENCY USE ONLY**

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a preapplication meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the preapplication meeting.

1. Name and address of applicant ( <i>include zip code</i> )	Name, title, and address of authorized agent if different from item 1 ( <i>include zip code</i> )	3. Telephone (area code)
		Application Number
		Date Filed
		Applicant
		Authorized Agent

4. As applicant are you? ( <i>check one</i> ) a. <input type="checkbox"/> Individual b. <input type="checkbox"/> Corporation* c. <input type="checkbox"/> Partnership/Association* d. <input type="checkbox"/> State Government/State Agency e. <input type="checkbox"/> Local Government f. <input type="checkbox"/> Federal Agency  * If checked, complete supplemental page	5. Specify what application is for: ( <i>check one</i> ) a. <input type="checkbox"/> New authorization b. <input type="checkbox"/> Renewing existing authorization No. c. <input type="checkbox"/> Amend existing authorization No. d. <input type="checkbox"/> Assign existing authorization No. e. <input type="checkbox"/> Existing use for which no authorization has been received * f. <input type="checkbox"/> Other*  * If checked, provide details under item 7
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6. If an individual, or partnership are you a citizen(s) of the United States?  Yes  No

7. Project description (describe in detail): (a) Type of system or facility, (*e.g., canal, pipeline, road*); (b) related structures and facilities; (c) physical specifications (*Length, width, grading, etc.*); (d) term of years needed; (e) time of year of use or operation; (f) Volume or amount of product to be transported; (g) duration and timing of construction; and (h) temporary work areas needed for construction (*Attach additional sheets, if additional space is needed.*)

8. Attach a map covering area and show location of project proposal

9. State or Local government approval:  Attached  Applied for  Not Required

10. Nonreturnable application fee:  Attached  Not required

11. Does project cross international boundary or affect international waterways?  Yes  No (*if "yes," indicate on map*)

12. Give statement of your technical and financial capability to construct, operate, maintain, and terminate system for which authorization is being requested.

13a. Describe other reasonable alternative routes and modes considered.

b. Why were these alternatives not selected?

## Appendix 9 – Standard Form 299

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c. Give explanation as to why it is necessary to cross Federal Lands.

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14. List authorizations and pending applications filed for similar projects which may provide information to the authorizing agency. *(Specify number, date, code, or name)*

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15. Provide statement of need for project, including the economic feasibility and items such as: (a) cost of proposal (construction, operation, and maintenance); (b) estimated cost of next best alternative; and (c) expected public benefits.

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16. Describe probable effects on the population in the area, including the social and economic aspects, and the rural lifestyles.

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17. Describe likely environmental effects that the proposed project will have on: (a) air quality; (b) visual impact; (c) surface and ground water quality and quantity; (d) the control or structural change on any stream or other body of water; (e) existing noise levels; and (f) the surface of the land, including vegetation, permafrost, soil, and soil stability.

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18. Describe the probable effects that the proposed project will have on (a) populations of fish, plantlife, wildlife, and marine life, including threatened and endangered species; and (b) marine mammals, including hunting, capturing, collecting, or killing these animals.

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19. State whether any hazardous material, as defined in this paragraph, will be used, produced, transported or stored on or within the right-of-way or any of the right-of-way facilities, or used in the construction, operation, maintenance or termination of the right-of-way or any of its facilities. "Hazardous material" means any substance, pollutant or contaminant that is listed as hazardous under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. 9601 et seq., and its regulations. The definition of hazardous substances under CERCLA includes any "hazardous waste" as defined in the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. 6901 et seq., and its regulations. The term hazardous materials also includes any nuclear or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 et seq. The term does not include petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a hazardous substance under CERCLA Section 101(14), 42 U.S.C. 9601(14), nor does the term include natural gas.

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20. Name all the Department(s)/Agency(ies) where this application is being filed.

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I HEREBY CERTIFY, That I am of legal age and authorized to do business in the State and that I have personally examined the information contained in the application and believe that the information submitted is correct to the best of my knowledge.

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Signature of Applicant

Date

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Title 18, U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

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# Appendix 9 – Standard Form 299

## GENERAL INFORMATION ALASKA NATIONAL INTEREST LANDS

This application will be used when applying for a right-of-way, permit, license, lease, or certificate for the use of Federal lands which lie within conservation system units and National Recreation or Conservation Areas as defined in the Alaska National Interest Lands Conservation Act. Conservation system units include the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, and National Forest Monuments.

Transportation and utility systems and facility uses for which the application may be used are:

1. Canals, ditches, flumes, laterals, pipes, pipelines, tunnels, and other systems for the transportation of water.
2. Pipelines and other systems for the transportation of liquids other than water, including oil, natural gas, synthetic liquid and gaseous fuels, and any refined product produced therefrom.
3. Pipelines, slurry and emulsion systems, and conveyor belts for transportation of solid materials.
4. Systems for the transmission and distribution of electric energy.
5. Systems for transmission or reception of radio, television, telephone, telegraph, and other electronic signals, and other means of communications.
6. Improved right-of-way for snow machines, air cushion vehicles, and all-terrain vehicles.
7. Roads, highways, railroads, tunnels, tramways, airports, landing strips, docks, and other systems of general transportation.

This application must be filed simultaneously with each Federal department or agency requiring authorization to establish and operate your proposal.

In Alaska, the following agencies will help the applicant file an application and identify the other agencies the applicant should contact and possibly file with:

Department of Agriculture  
Regional Forester, Forest Service (USFS)  
Federal Office Building,  
P.O. Box 21628  
Juneau, Alaska 99802-1628  
Telephone: (907) 586-7847 (or a local Forest Service Office)

Department of the Interior  
Bureau of Indian Affairs (BIA)  
Juneau Area Office  
Federal Building Annex  
9109 Mendenhall Mall Road, Suite 5  
Juneau, Alaska 99802  
Telephone: (907) 586-7177

Department of the Interior  
Bureau of Land Management  
222 West 7th Avenue  
P.O. Box 13  
Anchorage, Alaska 99513-7599  
Telephone: (907) 271-5477 (or a local BLM Office)

U.S. Fish & Wildlife Service (FWS) Office of the Regional Director 1011 East Tudor Road Anchorage, Alaska 99503 Telephone: (907) 786-3440	National Park Service (NPA) Alaska Regional Office, 2225 Gambell St., Rm. 107 Anchorage, Alaska 99502-2892 Telephone: (907) 786-3440
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Note - Filings with any Interior agency may be filed with any office noted above or with the Office of the Secretary of the Interior, Regional Environmental Office, P.O. Box 120, 1675 C Street, Anchorage, Alaska 9513.

Department of Transportation  
Federal Aviation Administration  
Alaska Region AAL-4, 222 West 7th Ave., Box 14  
Anchorage, Alaska 99513-7587  
Telephone: (907) 271-5285

NOTE - The Department of Transportation has established the above central filing point for agencies within that Department. Affected agencies are: Federal Aviation Administration (FAA), Coast Guard (USCG), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA).

## OTHER THAN ALASKA NATIONAL INTEREST LANDS

Use of this form is not limited to National Interest Conservation Lands of Alaska.

Individual department/agencies may authorize the use of this form by applicants for transportation and utility systems and facilities on other Federal lands outside those areas described above.

For proposals located outside of Alaska, applications will be filed at the local agency office or at a location specified by the responsible Federal agency.

### SPECIFIC INSTRUCTIONS

*(Items not listed are self-explanatory)*

- 7 Attach preliminary site and facility construction plans. The responsible agency will provide instructions whenever specific plans are required.
- 8 Generally, the map must show the section(s), township(s), and range(s) within which the project is to be located. Show the proposed location of the project on the map as accurately as possible. Some agencies require detailed survey maps. The responsible agency will provide additional instructions.
- 9, 10, and 12 The responsible agency will provide additional instructions.
- 13 Providing information on alternate routes and modes in as much detail as possible, discussing why certain routes or modes were rejected and why it is necessary to cross Federal lands will assist the agency(ies) in processing your application and reaching a final decision. Include only reasonable alternate routes and modes as related to current technology and economics.
- 14 The responsible agency will provide instructions.
- 15 Generally, a simple statement of the purpose of the proposal will be sufficient. However, major proposals located in critical or sensitive areas may require a full analysis with additional specific information. The responsible agency will provide additional instructions.
- 16 through 19 Providing this information in as much detail as possible will assist the Federal agency(ies) in processing the application and reaching a decision. When completing these items, you should use a sound judgment in furnishing relevant information. For example, if the project is not near a stream or other body of water, do not address this subject. The responsible agency will provide additional instructions.

Application must be signed by the applicant or applicant's authorized representative.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of the information is voluntary. If all the information is not provided, the application may be rejected.

### DATA COLLECTION STATEMENT

The Federal agencies collect this information from applicants requesting right-of-way, permit, license, lease, or certification for the use of Federal lands. The Federal agencies use this information to evaluate the applicant's proposal. The public is obligated to submit this form if they wish to obtain permission to use Federal lands.

# Appendix 9 – Standard Form 299

## SUPPLEMENTAL

NOTE: The responsible agency(ies) will provide instructions

### CHECK APPROPRIATE BLOCK

I - PRIVATE CORPORATIONS	ATTACHED	FILED*
a. Articles of Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Corporation Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
c. A certification from the State showing the corporation is in good standing and is entitled to operate within the State	<input type="checkbox"/>	<input type="checkbox"/>
c. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. The name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote and the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.	<input type="checkbox"/>	<input type="checkbox"/>
f. If application is for an oil or gas pipeline, describe any related right-of-way or temporary use permit applications, and identify previous applications.	<input type="checkbox"/>	<input type="checkbox"/>
g. If application is for an oil and gas pipeline, identify all Federal lands by agency impacted by proposal.	<input type="checkbox"/>	<input type="checkbox"/>
II - PUBLIC CORPORATIONS		
a. Copy of law forming corporation	<input type="checkbox"/>	<input type="checkbox"/>
b. Proof of organization	<input type="checkbox"/>	<input type="checkbox"/>
c. Copy of Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
d. Copy of resolution authorizing filing	<input type="checkbox"/>	<input type="checkbox"/>
e. If application is for an oil or gas pipeline, provide information required by item "I-f" and "I-g" above.	<input type="checkbox"/>	<input type="checkbox"/>
III - PARTNERSHIP OR OTHER UNINCORPORATED ENTITY		
a. Articles of association, if any	<input type="checkbox"/>	<input type="checkbox"/>
b. If one partner is authorized to sign, resolution authorizing action is	<input type="checkbox"/>	<input type="checkbox"/>
c. Name and address of each participant, partner, association, or other	<input type="checkbox"/>	<input type="checkbox"/>
d. If application is for an oil or gas pipeline, provide information required by item "I-f" and "I-g" above.	<input type="checkbox"/>	<input type="checkbox"/>

\* If the required information is already filed with the agency processing this application and is current, check block entitled "Filed." Provide the file identification information (e.g., number, date, code, name). If not on file or current, attach the requested information.

### NOTICE

Under the Paperwork Reduction Act of 1995, no persons are 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.

This information is needed by the Forest Service to evaluate the requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 16, 1973, Archeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations or the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

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.

Public reporting burden for this collection of information is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

**FINANCIAL STATEMENT**

(Ref. 36 CFR 223.7(e), 36 CFR 251.54(e)(2), Federal Acquisition Regulation 48 CFR 9.104-1.)

INSTRUCTIONS: Forest Service (FS) requires the respondent to provide the most recent fiscal year financial statement. FS may also request the respondent to provide two additional years of financial data, on a case by case basis. If more space is needed to fully answer any item below, attach additional sheets. False or fraudulent financial reporting on this form is subject to a fine or imprisonment under 18 U.S.C. 1001(a).

1. NAME OF CORPORATION, LIMITED LIABILITY COMPANY (LLC.), PARTNERSHIP, OR PROPRIETORSHIP (include any names the organization/firm operated under during past three years and specify the year operated for each name):

2. STATE  
INCORPORATED

3. DATE INCORPORATED

4. ADDRESS OF PRINCIPAL PLACE OF BUSINESS (*with ZIP CODE*)

5. IF PARTNERSHIP, NAMES OR PARTNERS, AND THEIR PARTNERSHIP INTERESTS

6. NAMES, TITLES, AND ADDRESSES OF CORPORATE OFFICERS AND DIRECTORS, WITH NUMBER OF SHARES OF STOCK OWNED BY EACH

FULL NAME	TITLE	ADDRESS (Number, Street, City, State, and ZIP CODE)	SHARES OWNED

7. REFERENCES (At least three should be given, preferable banks):

Full Name	ADDRESS (Number, Street, City, State, and ZIP CODE)




**NOTE: Respondents may submit certified financial statements in lieu of answering PARTS A through C on the next pages. However, respondents must complete either certification statement PART D (1) or PART D (2) at the bottom of the last page.**

<b>PART A. BALANCE SHEET</b>	<b>CURRENT YEAR (MO/DA/YR)</b>	<b>PAST YEAR (MO/DA/YR)</b>	<b>THIRD YEAR (MO/DA/YR)</b>
<b>YEAR ENDED</b>			
<b>ASSETS</b>			
CURRENT ASSETS:			
CASH			
RECEIVABLES-TRADE			
LESS ALLOWANCES FOR DOUBTFUL ACCOUNTS	<            >	<            >	<            >
INVENTORIES (LIST MAJOR CATEGORIES):			
SUPPLIES AND MISCELLANEOUS			
MARKETABLE SECURITIES			
PREPAID EXPENSES			
SUPPLIES INVENTORY			
OTHER CURRENT ASSETS:			
TOTAL CURRENT ASSETS			
FIXED ASSETS:			
LAND			
BUILDINGS			
MACHINERY AND EQUIPMENT			
PLANT			
LEASEHOLD IMPROVEMENTS			
OTHER			
LESS ALLOWANCE FOR DEPRECIATION	<            >	<            >	<            >
BOOK VALUE-FIXED ASSETS			

OTHER ASSETS:			
DEPOSITS-CASH			
DEPOSITS-SECURITIES			
TOTAL-OTHER ASSETS			
<b>TOTAL ASSETS</b>			
<b>LIABILITIES AND OWNER EQUITY</b>	<b>CURRENT YEAR</b>	<b>PAST YEAR</b>	<b>THIRD YEAR</b>
<b>CURRENT LIABILITIES:</b>			
ACCOUNTS PAYABLE-TRADE			
ACCRUED PAYROLL			
ACCRUED PAYROLL TAXES AND INSURANCE			
NOTES PAYABLE			
INCOME TAXES-CURRENT			
OTHER TAXES			
CURRENT PORTION OF LONG-TERM DEBT			
OTHER CURRENT LIABILITIES (SPECIFY):			
TOTAL CURRENT LIABILITIES			
<b>OTHER LIABILITIES:</b>			
DEFERRED INCOME TAXES			
LOANS FROM OFFICERS/PARTNERS			
LONG-TERM OBLIGATIONS-LESS CURRENT AMOUNT			
TOTAL OTHER LIABILITIES			
<b>TOTAL LIABILITIES</b>			
<b>OWNER EQUITY:</b>			
CAPITAL STOCK OUTSTANDING			
RETAINED EARNINGS (DEFICIT)			
PARTNERS' INVESTMENT (DEFICIT)			

TOTAL OWNER EQUITY			
<b>TOTAL LIABILITIES AND OWNER EQUITY</b>			
<b>PART B. SUPPLEMENTAL DATA</b>			
THIS STATEMENT IS ON THE-CASH BASIS _____ ACCRUAL BASIS _____			
INVENTORIES ARE-LIFO ____ FIFO ____ COST OR MARKET WHICHEVER IS LOWER _____			
NAMES OF CONTRACTORS OR SUB-CONTRACTORS USED (IF ANY):			
<b>PART C. INCOME STATEMENT</b>			
	<b>CURRENT YEAR</b>	<b>PAST YEAR</b>	<b>THIRD YEAR</b>
GROSS SALES			
LESS-RETURNS AND ALLOWANCES	< >	< >	< >
NET SALES			
LESS-COST OF GOODS SOLD	< >	< >	< >
GROSS PROFIT ON SALES			
LESS-SELLING EXPENSE	< >	< >	< >
NET PROFIT (LOSS) ON SALES			
GENERAL EXPENSE:			
OFFICERS SALERIES			
LEGAL AND OTHER PROFESSIONAL EXPENSE			
OFFICE EXPENSE			
TOTAL GENERAL EXPENSE			
NET OPERATING PROFIT (LOSS)			
ADD-OTHER INCOME			
LESS-INTEREST EXPENSE			
INCOME TAXES	< >	< >	< >
OTHER EXPENSE	< >	< >	< >
NET AMOUNT OF OTHER INCOME AND EXPENSE	< >	< >	< >
NET PROFIT (LOSS) FOR YEAR			
NOTE: Offers must set forth full, accurate, and complete information as required in this Financial Statement (including any attachments). The penalty for making false statements in this Financial Statement is prescribed in 18 U.S.C. 1001.			
<b>PART D (1). CERTIFICATION FOR CORPORATIONS, LIMITED LIABILITY COMPANIES OR PARTNERSHIPS</b>			
We, the undersigned, general officers (or members) of _____ (Name of corporation, LLC. or partnership) being severally sworn, each declares that the above or attached financial statements are true and correct, and that it covers all of the financial affairs of said company (or) firm up to and including the date of ____ 2 ____.			
CERTIFYING OFFICIAL'S NAME AND TITLE	SIGNATURE (Sign in ink)		DATE
CERTIFYING OFFICIAL'S NAME AND TITLE	SIGNATURE (Sign in ink)		DATE

SWORN TO AND SUBSCRIBED before me this ____ day of ____ (Month/Year).		(Affix Notary Seal)
SIGNATURE	TITLE	
<b>PART D (2). CERTIFICATION FOR INDIVIDUALS</b>		
<b>I swear (or affirm) that the above or attached financial statements are true and correct to the best of my knowledge.</b>		
INDIVIDUAL'S NAME AND TITLE	SIGNATURE (Sign in ink)	DATE
SWORN TO AND SUBSCRIBED before me this ____ day of ____ (Month/Year)		(Affix Notary Seal)
SIGNATURE	TITLE	
<p style="text-align: center;"><b>Burden Statement</b></p> <p>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 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.</p> <p>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).</p> <p>To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or at (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.</p> <p>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.</p>		
□ U.S. GPO: 1996-720-508		