

**SPECIAL USE PERMIT
RESORT SUPPLEMENT
FOR OUTFITTING AND GUIDING**

<Use this form to supplement a Term Special Use Permit, FS-2700-5 or FS-2700-5c, for outfitting and guiding activities that occur outside the term permit boundary. Generally, authorize priority use for 10 years, unless a project decision has approved use for a term matching the tenure of the term permit or unless the holder is eligible for only a 2-year priority use supplement. Authorize transitional priority use for 1 year. Do not authorize temporary use under this supplement.>

< Delete all instructions prior to printing.>

<Choose one of the following designations. If Transitional Priority Use is selected, it must be identified as the purpose below and selected in clause I.B, Renewal, and clause II.A, Annual Operating Plan.>

Selection item 1: Priority Use Outfitting and Guiding For a Term Matching the Tenure of the Term Permit.



This supplement authorizes priority use outfitting and guiding for [number] __ years.

< Selection item 2: up to 10-year Priority Use Outfitting and Guiding.



This supplement authorizes priority use outfitting and guiding for [number up to 10] __ years.

Selection item 3: 2-year Priority Use Outfitting and Guiding.



This supplement authorizes priority use outfitting and guiding for 2 years.

Selection item 4: Transitional Priority Use Outfitting and Guiding.



This supplement authorizes transitional priority use outfitting and guiding for 1 year.

#HOLDER_NAME# of #HOLDER_ADD_LINE_1#, #HOLDER_ADD_LINE_2#, #HOLDER_ADD_LINE_3#, #HOLDER_CITY#, #HOLDER_STATE# #HOLDER_ZIP# (hereinafter "the holder"), is hereby authorized to use and occupy National Forest System lands, subject to the terms and conditions of permit #AUTH_ID# and this supplement, to provide outfitting and guiding services within the [name of Ranger District] of the [name of] National Forest or National Grassland, described as #TOWNSHIP_SECT_RANGE# #FIRST_DIVISION# #FIRST_DIV_NAME_NUMBER#, #SECOND_DIVISION# #SECOND_DIV_NAME_NUMBER#, #THIRD_DIVISION# #THIRD_DIV_NAME_NUMBER# and as shown on the map of the authorized area, attached as Appendix AA. The above-described area shall be referred to as the "supplement area."

This form is a supplement to [Authorization ID] _____ issued to [Holder name] _____ for the purpose of authorizing the following outfitting and guiding activities:

#PURPOSE#

And assigning use as follows:

<Fill in the appropriate blanks below. To track service days for multiple activities or multiple districts, duplicate the service day line. Remove either the priority or transitional priority use service day line. If use is allocated as a quota rather than as service days, compute the service day equivalent for the quota and enter that number. In addition, describe the quota or delete the quota line. Enter "0" for assigned site or grazing use if not applicable.>

- priority use service days ["or the service day equivalent of a quota"]. for [if appropriate, designate activity or district];
The quota for this use is [Describe the quota. For example, the quota for this use is 3 launches per day, 6 people per boat, for 60 days each year];
- transitional priority use service days for [if appropriate, designate activity or district];
- assigned sites;
- grazing use (in head months (HMs)).

This use will be exercised as described in the ["five-year operating plan" for 10-year priority use supplements or "annual operating plan" for 2-year priority use or transitional priority use supplements].

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

- APPENDIX AA – Map of Authorized Area
- APPENDIX BB – ["Five-year" or "Annual"] Operating Plan, dated [date] and approved annually
- APPENDIX CC – Trip Itinerary
- APPENDIX DD – Actual Use Report Format
- APPENDIX EE – Authorized Officer's Outfitter and Guide Performance Evaluation Criteria
- APPENDIX FF – Other [specify or "NA" if not applicable]

I. GENERAL TERMS OF THE SUPPLEMENT

A. TERM. This supplement shall expire at midnight on [date]. Expiration of this supplement shall not require notice, a decision document, or any environmental analysis or other documentation.

<Select the first clause I.B for holders of an up to 10-year priority use supplement or a supplement with a term that matches the tenure of a term permit. Select the second clause I.B for holders of a 2-year priority use supplement. Select the third clause I.B for holders of a transitional priority use supplement. For permits in Alaska Conservation System Units that are subject to competition, use the renewal clause in FSH 2709.11, chapter 50.

Selection item 1: For holders of an up to 10-year priority use supplement or a supplement with a term that matches the tenure of a term permit.

B. RENEWAL. This supplement may be renewed upon expiration, provided the use is consistent with the applicable land management plan, applicable laws and regulations, and the terms of the permit and supplement and the holder has performed satisfactorily under the permit and supplement, as demonstrated by acceptable annual performance reviews. If the holder wants this supplement to be renewed, the holder must notify the authorized officer in writing at least 6 months before this supplement expires. The decision whether to issue a new supplement to the holder is at the sole discretion of the Forest Service. The authorized officer may prescribe new terms and conditions when a new supplement is issued.

Selection item 2: For holders of a 2-year priority use supplement.

B. RENEWAL. This supplement is not renewable. Upon expiration, the supplement may be extended for up to 8 years if the priority use authorized by the supplement is consistent with applicable law and the applicable land management plan and if the holder's performance is satisfactory.

Selection item 3: For holders of a transitional priority use supplement.

B. RENEWAL. This supplement is not renewable. Upon expiration, the supplement may be extended for 1 year if the transitional priority use authorized by the supplement is consistent with applicable law and the applicable land management plan and if the holder's performance is satisfactory. Additionally, the supplement may be extended each year thereafter up to a total of 5 years or until the holder's application for conversion to priority use is granted or denied. If the application for conversion to priority use is granted, this supplement shall terminate and a priority use supplement shall be issued. If the application for conversion to priority use is denied, this supplement shall terminate and the use shall not be reauthorized.

II. OPERATIONS

<Select the appropriate clause II.A. For up to 10-year priority use or a supplement with a term that matches the tenure of a term permit, select the 5-year operating plan. For 2-year priority use or transitional priority use, select the annual operating plan.>

Selection item 1: For up to 10-year priority use supplement or a supplement with a term that matches the tenure of a term permit.

A. FIVE-YEAR OPERATING PLAN. The 5-year operating plan, which shall be attached to this supplement as Appendix BB, shall be submitted by the holder and approved by the authorized officer before the holder conducts any services authorized by this supplement. The holder shall prepare, annually review, and revise as needed the 5-year operating plan by [date before start of operating season], in consultation with the authorized officer.

At a minimum, the 5-year 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) any of the following that are applicable: (a) a process for submitting trip itineraries (appendix CC); (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.

Selection item 2: For 2-year priority use or transitional priority use supplements.

A. ANNUAL OPERATING PLAN. The annual operating plan, which shall be attached to this supplement as Appendix BB, shall be submitted by the holder and approved by the authorized officer before the holder conducts any services authorized by this supplement. 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) any of the following that are applicable: (a) a process for submitting trip itineraries (appendix CC); (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.

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 the permit and supplement and the 5-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 EE.

D. TEMPORARY IMPROVEMENTS. No permanent improvements may be constructed under this supplement. Temporary improvements with negligible value, such as hitching posts, corrals, tent frames, and shelters, may be approved by the authorized officer in the 5-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 supplement. Activities that support the use authorized by this supplement, 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 the permit and this supplement.
- G. 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 DD.
- H. 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 more than 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 supplement 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 of extraordinary circumstances that prevented a season of operation.

<Clauses II.I and II.J are optional and may be deleted.>

- I. 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 [name of federal, state, or local authority] . The holder shall follow prevention and control measures required by [name of federal, state, or local authority]. 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 supplement as an appendix.

<Include the following clause in supplements involving livestock.>

- J. WEED-FREE HAY.** The holder shall use only hay, grain, straw, pelletized feed, or mulch certified as noxious weed-free or noxious weed seed-free by a State Department of Agriculture or other authorized county official. The holder shall provide documentation of that certification to the authorized officer.

III. RIGHTS AND LIABILITIES

**<Include the following clause in supplements involving contracts for ancillary services.
Delete it for all other permits.>**

Selection item 1: Use in supplements involving contracts for ancillary services as defined in FSH 2709.11, section 41.53d.



- A. CONTRACTED SERVICES.** The holder shall have in force an endorsement covering contracted services and equipment or, alternatively, the holder or the holder's contractor shall procure a separate insurance policy that covers these services.

Selection item 2: Select to remove item 1 and have nothing appear.

IV. REVOCATION, SUSPENSION, AND TERMINATION

- A. REVOCATION AND SUSPENSION.** The authorized officer may revoke or suspend this supplement in whole or in part:
1. For noncompliance with federal, state, or local laws and regulations;
 2. For noncompliance with the terms of this supplement;
 3. For failure of the holder to exercise the privileges granted by this supplement;
 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 the additional use authorized under this supplement 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 IV.A or IV.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 IV.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 supplement. Prior to revocation or suspension under clause IV.A.1, 2, or 3 or revocation under clause IV.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 IV.B.

V. MISCELLANEOUS PROVISIONS

- A. SERVICES NOT PROVIDED.** This supplement 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.

<Add clauses as needed to address site-specific conditions.>

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. Response to this collection of information is mandatory. The authority to collect the information is the Organic Administration Act, 16 U.S.C. 551. 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.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to

USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

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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.