

Appendix K – Special Stipulations for Special Recreation Permits

In addition to the conditions and stipulations listed on the Special Recreation Application and Permit form, the Arizona and Phoenix Field Office BLM have established the following additional stipulations designed to protect the lands and resources involved, reduce user conflicts, and/or minimize health and safety hazards. The stipulations will be made part of the permit. Failure to comply with these stipulations may result in the loss of permit privileges.

General Administrative:

1. Estimated fee payments, or the minimum non-refundable annual fee, whichever is applicable, will be submitted in advance to the BLM authorized officer prior to issuance or validation of the permit. Any additional use fees will be due at the end of the six month reporting period in which the fees were accrued. Overpayment of fees will be applied to the following year=s estimated use fees. Use fees for commercial permits are 3% of gross revenue or the minimum annual fee of \$80, whichever is greater.
2. Post-use reports and estimated fee payments for annual and multi-year permits will be submitted to the BLM on a fiscal year semi-annual basis. They are due within 15 days after the six month use period (April 15 and October 15).
3. The permittee is required to contact private landowners and other governmental agencies whose property is affected by the use associated with the permit (this includes the Arizona State Land Department for state trust lands). Evidence that authorization has been obtained must be available to the BLM authorized officer upon request.
4. Any changes to the approved Plan of Operations must first be approved by the BLM authorized officer. This includes the use of subcontractors.
5. The permit does not authorize exclusive use and shall not be construed in any way so as to prevent public use or access on any public lands except as expressly allowed under the permit.
6. The permittee is required to provide the BLM authorized officer with a copy of a valid Certificate of Insurance covering the periods of use. The U.S. Government must be named as a co-insured party on the policy. Minimum general liability limits are: \$300,000 per occurrence and \$500,000 annual aggregate for bodily injury, and \$30,000 property damage per occurrence and \$50,000 annual aggregate, if the policy specifies aggregate limits.
7. It is the responsibility of the permittee to ensure valid insurance coverage, including general public liability, with the limits listed above, is provided for all equipment and services supplied by subcontractors. A copy of the valid insurance coverage must be made available to the BLM authorized officer upon request.

8. A copy of this permit and the stipulations must be carried by guides during all tours conducted on BLM administered lands, and must be made available to any BLM employee or client upon request.
9. Any violation of the permit terms, conditions and stipulations may be subject to penalties prescribed in 43 CFR 8372.0-7, which may include fines up to \$1,000 and/or imprisonment up to 12 months. Additionally, any such violation may result in permit probation, suspension or revocation. Examples which can lead to permit violations include, but are not limited to; delinquent post use reports and/or payments, deviations to operating plan not approved by authorized official, violation of laws and regulations, significant resource damage and public endangerment.
10. All signs on public lands must be authorized by the BLM in writing.
11. The permittee is responsible for ensuring the safety of all clients and support personnel, assuring that all permit actions are in conformance with local, state and federal health and safety standards and providing for appropriate emergency attention.
12. All injuries requiring emergency hospital care will be reported to the BLM authorized officer within two days of the occurrence and a Death and Injury Report submitted to the BLM authorized officer within 10 days of the occurrence.
13. The BLM reserves the right to alter the terms, conditions or stipulations of a permit at any time for reasons such as significant policy, administrative procedure or stipulation change.
14. Annual permits remain valid if the permittee is in good standing by complying with all terms, conditions and stipulations including timely submission of post use reports, and applicable use fee payments. For multi-year permits, an annual review is done at the beginning of each fiscal year (October 1) and permits are validated for the upcoming fiscal year. For a permit to be validated, the permittee must be in good standing by complying with all terms, conditions and stipulations including timely submission of post use reports, and applicable use fee payments. In addition, certificates of insurance shall be current, and operating plans must be reviewed and updated with any changes before a permit will be validated for the upcoming fiscal year.

Resource Protection:

1. All activities are to remain on the approved roads, trails, washes and/or staging areas. No deviation to these routes is permitted without prior approval from the BLM authorized officer. Motorized vehicles are not permitted in riparian areas or in running washes except at road crossings.
2. Employees and clients will be instructed that it is unlawful to disturb, deface, excavate or remove any archaeological or paleontological objects or structures. Simply, look but don=t touch! Rock art may be photographed but not touched. Collection of prehistoric or historic artifacts is not allowed. Any prehistoric or historic cultural site or human remains discovered by the permittee, employees or clients will be left undisturbed and reported as soon as possible to the BLM authorized officer.
3. Permittee must notify the BLM authorized officer of any specific archaeological sites proposed for inclusion on tours. Tours to sites are subject to BLM approval and protective stipulations.
4. Historical mine sites should not be disturbed. Collecting artifacts from these sites is strictly prohibited.

5. All persons operating under this SRP, including subcontractors, are prohibited from entering abandoned mines.
6. Proposed activities will be conducted in a manner that will not interfere with mining or exploration operations. No minerals are to be collected from areas encumbered by active mining claims unless authorized by the claimant(s).
7. Harassment of livestock, wildlife, wild horses or burros, or destruction of private and public improvements such as fences and gates is prohibited. All gates and fences shall be left as found. The taking of any threatened or endangered plant or animal is prohibited.
8. Collection, harassment and disturbance of desert tortoises and Gila monsters is prohibited by Arizona State Law. If encountered on roads or trails they should be avoided. If a desert tortoise is encountered and cannot be avoided, it should be carefully moved to safety by carrying it horizontal to the ground, not tilted, and placed in the shade the minimum distance needed to remove it from harm's way. Gila monsters should be avoided and not handled. They are venomous and can inflict a serious and painful bite.
9. Vegetation clearing, trimming or removal is not permitted without prior approval from the BLM authorized official.
10. If the volume of use is determined to be adversely impacting soils or riparian condition through erosion, bank alteration or other means, the BLM may restrict use of affected areas or routes to allow restoration and recovery of degraded areas. During wet periods, certain road and trail segments may be closed to all traffic. The BLM will consider the applicant=s needs when designing and implementing restrictions or watershed restoration efforts that could influence the operation.
11. In order to minimize the importation or spread of noxious weeds, before entering public land, all vehicles are to be washed thoroughly (including the undercarriage and engine compartment) to remove all soil and vegetation debris (including seeds and seed heads) acquired from previous use. This washing should occur at the home base of operations of the permittee before traveling to public lands. All vehicles used for activities approved by this permit are subject to inspection by the BLM.
12. The permittee will be committed to preserving and protecting the public lands by learning, practicing and promoting the *Leave No Trace* principles listed below:
 - < Plan ahead and prepare.
 - < Travel and camp on durable surfaces.
 - < Dispose of waste properly.
 - < Leave what you find.
 - < Minimize campfire impacts.
 - < Respect wildlife.
 - < Be considerate of other visitors.

Motorized Vehicle Use:

1. No motorized vehicles are permitted in riparian areas or in running washes except at road crossings. Substantiated reports of unauthorized use in these areas will result in immediate probation and possible suspension or revocation of permit privileges.

2. All motor vehicle use will comply with existing BLM and state motorized vehicle laws and regulations on public lands relating to use, standards, registration, operation and inspection. These regulations include, but are not limited to, the following:
 - No person shall operate an off-road vehicle on public lands:
 - In a reckless, careless or negligent manner;
 - In excess of established speed limits;
 - While under the influence of alcohol, narcotics or drugs;
 - In a manner causing, or likely to cause, significant undue damage to or disturbance of the soil, wildlife, wildlife habitat, improvements, cultural, or vegetative resources.
 - Drivers shall yield the right-of-way to pedestrians, saddle horses, pack trains, and animal drawn vehicles.
 - Drivers are prohibited from operating a motor vehicle, unless the driver and each front seat passenger are restrained by a properly fastened safety belt.

Permittee will be committed to preserving and protecting the public lands by learning, practicing and promoting the *Tread Lightly!* principles listed below.

- < Travel and recreate with minimal impact,
- < Respect the environment and the rights of others,
- < Educate yourself, plan and prepare before you go,
- < Allow for future use of the outdoors, leave it *better* than you found it, and
- < Discover the rewards of responsible recreation.