

Stipulations for Off Highway Vehicle Events

In addition to items (a), (b), (c), and (d) and the 16 Terms and Conditions on the back of the permit form (2930-1), the following special stipulations are included as part of this special recreation permit (SRP).

Course: The course will follow a definite, plainly marked route as shown on the authorized use area map and flagged (as necessary) prior to the event by the permittee. Courses shall consist of designated open roads, and trails that have been authorized by the Bureau of Land Management (BLM) prior to the event. Transportation used while flagging shall be conducted using methods consistent with the 2008 Challis Travel Management Plan. For example, a designated ATV trail may be traveled upon by vehicles less than or equal to 50" wide.

Avoidance Areas: Courses are to be routed away from riparian areas, spring sites, known prehistoric, and historic sites, areas of known special status plants and animals, and other wildlife (and wild horse) habitats of concern, to the extent practicable. Rally participants will not drive or park on, linger in, or utilize for any reason, meadows and wetlands (i.e. Mahogany Creek meadow in the Upper Pahsimeroi River watershed) on BLM lands. Legally open roads and/or trails that ford streams bearing Threatened and Endangered (T&E) fish will not be utilized unless written authorization is first granted by the Authorized Officer. Routes that cross streams will only utilize existing developed crossings (ie. no fording of a stream is acceptable when a bridge or culvert crossing is present).

Protect Resources: The permittee, or any participant(s) in the event, will not allow the willful destruction, damage, or relocation of natural features, plants, or animals. Painting of rocks and establishment of other permanent markers and improvements is not authorized. The permittee will not disturb archeological sites, either historic or prehistoric. Any collection of artifacts from federal land is a violation of law subject to fine and/or imprisonment. The permittee will also report any cultural discoveries to BLM.

All cross-country travel by motor vehicles associated with the event is prohibited, except in the case of emergencies. Current Leave No Trace practices will be followed. Cutting or removing standing trees or shrubs, whether alive or dead, is prohibited. The permittee cannot, erect, construct, or place any building, structure, or other fixture on public lands, except at locations specifically authorized by the BLM.

To avoid the spread of invasive species onto or throughout Public lands, all equipment or Off Highway Vehicles (OHVS) will be clean and free of weeds or other biological or organic materials.

Non-Federal Lands: The permittee will obtain permission (prior to the event) to use any non-federal lands where an appropriate public easement does not exist. A Special Recreation Permit issued by the BLM does not authorize use on any lands other than those managed by the BLM.

Notification of Other Authorities: The permittee must contact and receive concurrence from all state, county, and local governments (including the Custer County Sheriff and State Land Department) having jurisdiction, prior to the scheduled event. The permittee will comply with all applicable federal, state and county laws and regulations in the conduct of a race event.

Check Points: To ensure resource protection, check points must be stationed only at authorized locations. Rally participants will not congregate in meadows, wetlands, or other sensitive areas for any reason.

Communication Plan: Permittee will plan for communication (radio or telephone) among course marshals, officials, and emergency medical/rescue services.

Other Public Uses: The permittee shall not interfere with other valid uses of the public lands within the permit area.

Conduct and Manners: The permittee will leave gates as found. Fences will not be cut. Livestock and wildlife will not be harassed.

Sanitation: To assure health and safety on public lands, the permittee will:

- a) Dispose of all garbage, trash and human waste in accordance with state and county laws, rules and regulations. Provide at least one portable chemical toilet and 5 trash receptacles for each 150 people (spectators and participants).
- b) Provide litter and sanitation facility cleanup after the event. Portable toilets and litter receptacles must be removed within 2 days after the event.

Post Event Clean-up: All course markers (signs, flagging, fencing, and similar race materials) and temporary facilities will be removed from the course route, County roads, staging areas, water haul sites, and check points within 14 days after the event.

Indemnification: The permittee shall indemnify, defend, and hold harmless the United States and/or its agencies and representatives from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the authorized use and occupancy of the lands authorized for use under this permit.

Insurance: Coverage shall be obtained for the permitted operations in the minimum liability coverage amounts of:

- (1) \$ 300,000 for persons, bodily injury or death for any one occurrence;
- (2) \$600,000 annual aggregate and;
- (3) \$ 30,000 property damage for any one occurrence.

An insurance policy shall be submitted, stating the limits of coverage, identifying the United States Government as additional insured, and that the insurer will give BLM thirty (30) days' notice prior to cancellation or modification of such insurance.

The granting of a permit in no way accepts or implies liability by the Bureau of Land Management for loss of private property or for any injury to persons. The permittee assumes all risks for any and all injury, loss, or damages on lands involved, or costs incurred from the suppression of fire resulting from carelessness of the permittee, his agent, or program participant. The permittee must have the required minimum insurance coverage under which the "United States Government/Bureau of Land Management" is named as additional insured on the insurance policy. **Proof of insurance is required 14 days before race date.**

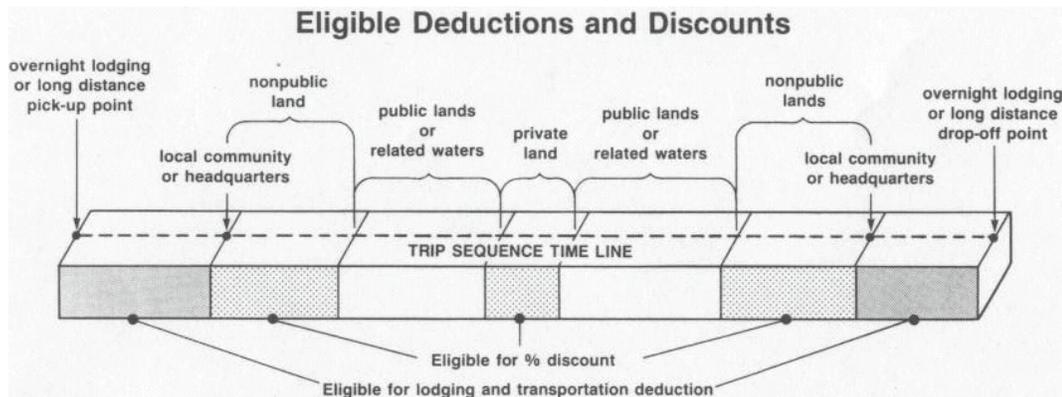
Post-Use Report: A post-use report must be completed by the permittee and given to BLM within 30 days after the race date. Numbers of participants, spectators, and officials/volunteers will be included in this report. Penalty fees will be charged for late reports. The authorized officer, or duly authorized representative of the BLM, may examine any of the records or other documents related to the permit, the permittee or permittee's operator, employee, or agent for up to 3 years after expiration of the permit.

Recreation User Fees: The race sponsor is to pay recreation user fees in the amount of \$5.00 per event participant and 3% of gross receipts from vendor sales that take place on Public Lands. A reduction of the fee(s) may be applied to account for the percentage of time/activity that takes place off BLM managed lands (see

Table 1 – Discount for Non-Public Land Use). Fees will be equal to, or greater than, the current minimum use fee (\$105 as of March 1, 2014, to be reassessed March 1, 2017). Final payments are due within 30 days of the date of BLM’s final billing.

Table 1 – DISCOUNT FOR NON-PUBLIC LAND USE

| Percent of Total Time on Public Lands or Related Waters | Fee Reduction | Multiplication Factor |
|---|---------------|-----------------------|
| Less than 6% | 80% | .20 |
| 6 - 60% | 40% | .60 |
| 61 – 100% | None | None |



Race course rehabilitation guidelines: Upon leaving, the lands, roads, trails, and routes must be restored as nearly as possible to pre-existing conditions. The permittee and BLM will inspect the course within thirty days following the event to determine additional rehabilitation needs. The permittee may be required to rake or seed areas (utilizing a BLM approved seed mix) or conduct appropriate route reconstruction / rehabilitation (in consultation with the BLM) within the course that may have been significantly changed or impacted as a result of the event.

Performance Evaluation: Non-compliance with any above permit stipulations will be grounds for revocation of current permit(s), denial of future permit(s), and/or race cancellation.

Performance will be based upon:

- (A) Stipulation and operating plan compliance;
- (B) Protection of resources; and
- (C) Quality and safety of services provided to the public.

Performance levels are:

(A) Acceptable: Permittee is in compliance with permit stipulations; has taken prompt steps to rectify any performance issues and complaints. BLM response: Issues may be discussed over the phone or in writing.

(P) Probationary: There have been violations of permit stipulations. BLM response: A Notice of Noncompliance (Notice) will be issued specifying in what respects the permittee has failed to comply, the terms of the probationary status, and the consequences of further noncompliance.

(U) Unacceptable: Permittee willfully and/or repeatedly violated permit conditions, unacceptable resource damage with no mitigation, or provided substandard service to the public. Conduct is lacking in reasonableness or responsibility to the point that it becomes reckless or negligent. BLM response: Grounds for denying future permit applications. The permittee would be allowed the opportunity to appeal the decision under Title 43 CFR, Part 4.

Signature of Permittee:

I have read these terms, conditions and stipulations and understand that I must abide by them while performing activities in connection with the permitted operations.

Signature: _____ **Date:** _____

Print Name: _____

Company Name: _____