

SPECIAL USE APPLICATION & TEMPORARY PERMIT FOR OUTFITTING AND GUIDING

Authority: Federal Lands Recreation Enhancement Act, 16 U.S.C. 6802(h)
(Ref.: FSH 2709.11, section 41.53)

<Part I of this form may be used by proponents or applicants to request a temporary use permit for outfitting and guiding. >

PART I – APPLICATION

1. APPLICANT INFORMATION

Applicant Name: Business Name:

Applicant's Complete Address:

Telephone Number: () -

Fax Number: () -

E-mail Address: Website:

As an applicant, are you:

- | | |
|---|--|
| <input type="checkbox"/> Individual | If yes, are you a citizen of the United States? |
| <input type="checkbox"/> Corporation | If yes, provide a copy of your state certificate of good standing. |
| <input checked="" type="checkbox"/> Limited Liability Company | If yes, provide a copy of your state certificate of good standing. |
| <input type="checkbox"/> Partnership or Association | If yes, provide a copy of your partnership or association agreement. |
| <input type="checkbox"/> State Government or Agency | (Includes state universities) |
| <input type="checkbox"/> Local Government or Agency | (Includes high schools) |
| <input type="checkbox"/> Nonprofit | (Please attach a copy of your IRS Form 990) |

Under the Regulatory Flexibility Act, a small entity is a firm that is "independently owned and operated" and "not dominant in its field of operation." The United States Small Business Administration has developed size standards to identify what is considered a small business. Under these standards, a business with annual receipts of less than \$6.5 million constitutes a small business for recreation industries. Additionally, a small organization is any nonprofit enterprise that is independently owned and operated and not dominant in its field. A small government jurisdiction is a government of a city, county, town, township, village, school district, or special district with a population of less than 50,000.

Under these criteria, are you a small entity? Yes

2. DESCRIPTION OF PROPOSED ACTIVITY

Please include:

- The number of service days requested (or quota equivalent).
- The anticipated number of trips and party size.
- Trip Itinerary with:
 - Starting and ending dates of the proposed operations.
 - Location of routes and starting and ending points for the proposed operations (include a map showing these locations).
- Services that will be offered to clients (identify any services that will be provided by a party other than the holder).
- A description of your client base or audience.
- A list of government facilities you propose to use, e.g., a boat launch, parking lot, or trailhead.

- A list of temporary improvements or signs that you propose to use.
- A statement of whether the proposed operations involve motorized equipment.
- A statement of whether the proposed operations involve transportation livestock, and if so, whether grazing is requested.
- A statement of whether an assigned site is requested.
- A description of cleanup and restoration during and after the proposed operations.

3. ADVERTISING. Provide a current brochure and current advertising materials or website address.

4. CLIENT CHARGES. Provide a description of client charges and fees and what they cover.

5. GUIDE IDENTIFICATION

Attach a list of all guides who would be working under the permit.

- Describe your requirements for employment and staff training programs.
- Attach copies of current CPR and First Aid certifications, Wilderness First Responder cards, and other applicable certifications for guides. Please do not send copies of social security cards or passports. Send driver's licenses only if driving is part of the outfitting and guiding service.
- If the state in which your activity would occur requires licensing for outfitters and guides, include a copy of relevant licenses.

6. OPERATING PLAN. Attach an operating plan that addresses client and visitor safety, evacuation and emergency procedures, and resource protection with respect to your proposed operations and location.

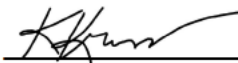
7. LIABILITY INSURANCE. The holder will be required to obtain liability insurance in an amount satisfactory to the authorized officer (see FSM 2713.1). The insurance policy must name the United States as an additional insured. A copy of the certificate of insurance must be provided to the authorized officer prior to issuance of a permit.

8. CLIENT'S ACKNOWLEDGMENT OF RISK FORM. If you plan to use an acknowledgment of risk form, attach a copy.

9. EXPERIENCE. List all permits for outfitting and guiding on National Forest System lands that you have held in the past 3 years. If you received a performance evaluation from the Forest Service, attach a copy. If you are relying on outfitting and guiding experience with other federal or state agencies, list any permits that you have held with those agencies in the past 3 years and provide a copy of any performance evaluations received. List all citations or violations received in association with outfitting and guiding activities.

10. SIGNATURE. I hereby certify that I am of legal age and am authorized to do business in the State or Commonwealth of MT. I have personally examined the information contained in this application and certify that this information is correct to the best of my knowledge. I hereby acknowledge that **this** is an application only, and that the use and occupancy of National Forest System lands is not authorized until a special use permit is signed and issued by an authorized officer.

Printed Name:

Signature: 

Printed Name:

Signature: _____

Date:

Date:

18 U.S.C. § 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. Anyone who knowingly or willfully makes or uses any false statements or representations shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

Addendum to Application for Temporary Outfitter Guide Permit.

Application Section 1 Notes/ Comments:

The application does not allow for editing properly, digitally. I utilized my Adobe subscription to help fill it in. It may look improperly formatted; however, all information should be present.

Application Section 2 Notes / Comments:

- Service Days: This has changed from previous proposal. (Winter and Summer Requests are separated within this document and expected to be considered separately for optimal research allowance)

Winter Request:

- Provided there is allowance for a warming hut in the form of a Yurt or Wall Tent, the potential for 90 user days, guided, could be realized, weather permitting.
- It is expected to be closer to 40 user days, without a warming hut.
- Unguided trips also depend on whether there is a place to warm up or not. It is expected to be approximately 20 without one and 40 with.
- Party size will be generally 6 snowmobiles, including Guide(s).
- Exceptions could be if corporate or training group.
- All guided trips would include either a hot or cold lunch, eaten picnic style, on the trip, generally at the warming hut. Food, if kept on site would be stored in a lock box, but generally would be packed in and packed out by Guides, per trip.
- Route:
 - First route requested: Martin Creek Road to Harvey Creek Road to Paul Mountain: warming tent to be either on Martin Creek Divide off Harvey Creek Road -OR- on Paul Mountain
 - Second use request: Douglas Hill OHV riding area. To gain access to the Kootenai Forest and Koocanusa Reservoir at low pool* (also see special date request for more details) thus allowing snowmobiles, generally unguided, to ride to the area. There would be some planned guided trips from this route, but it would be minimal. Most rentals to this location would be unguided (delivery and pickup)
- Requested Winter Use Dates: December 15, 2019 through April 15, 2020
- Action Rentals is gearing their advertising to the following markets:
 - Family
 - Beginner to Intermediate
 - Touring Groups
 - Educational Groups / Classes

- Special Date Notes: February 1, 2020 – May 25, 2020 :
 - Requesting Guided and Unguided (which includes delivery and pickup) of rental equipment: ATV's and UTV's; during 'low pool'. This time of year is when offroad enthusiasts enjoy recreating on Kocanusa lake bed in the 'sand dunes' below the high water mark.
 - This low pool is not a hard date, but usually begins the second week of February and full pool is usually marked by Memorial Day weekend;
 - Action Rentals is aware of designated areas within the lake bed that are designated as special areas and are not to be driven on. It is planned to educate renters via email prior to rental and on rental date with both photos and maps of those areas within the markers.

- Signage would consist of Mile Markers on stakes, and ribbons for this first winter season, then grow to include directional arrows and educational placards.
- All tent and storage items would be removed by end of April, provided roads are passable by wheeled machinery, sooner if possible.

Application Section 3 Notes / Comments:

- Advertising: Please see Rack Card and Business Card left with staff at meeting

Application Section 4 Notes / Comments:

- Client Charges: Rates range in price per rental length, items requested, and whether guided or unguided rental
 - Minimum Rental Example: (b) (4)

Application Section 5 Notes / Comments:

- All Guides are required to be CPR / First Aid Certified, and have completed an Avalanche Awareness program each year, at minimum. Wilderness First Responder is required for 2-year Guides and above. Certification level determines Guiding level and location. All Guides will perform a rescue training session in both winter and summer seasons with ALERT and at least 1 active responding agency within our service area.
- Guides are encouraged to take Wilderness First Responder and AVI1 courses.
- Lead Guides:
 - (b) (6)
 -
 -
- Tail Guides (Secondary Guides)
 - (b) (6)

- (b) (6)

Application Section 6 Notes / Comments:

- Operating Plan: Please see attached previous proposal

Application Section 7 Notes / Comments:

- Please see attached

Application Section 8 Notes / Comments:

- Please see attached

Application Section 9 Notes / Comments:

- Permitted with DNRC Stillwater State Forest for Watercraft Rentals for 3 years;
Permitted with DNRC Stillwater State Forest for ATV / UTV Rentals Guided and Unguided since June 2019

Summer Use Request: May 15, 2020 – October 15, 2020

Request for riding area is similar to winter request but includes requests for Martin Falls, Sunday Falls, and Dickey Lake for Guided and Unguided ATV and UTV rentals, Guided and Unguided Kayak, Paddleboard, Pontoon boat and Fishing Boat Rentals. (Fishing Boats are actual fishing boats: 12' aluminum and fiberglass boats with oars and electric trolling motors)

Roads requested: Stryker Road, Sunday Rd, Harvey Creek Rd, Martin Creek Road, Advent, Alder and Blessed. I believe the numbers are represented as:

FSR: 315, 3732, 3780, 865, 3736, 3733, 3755,

We wish to be able to offer Guided and Unguided trips to the falls; to Trego Pub; to Dickey Lake, and Jerry's (Meadow Creek Golf Club) in Fortine. These routes will require a combination of Stillwater Forest, Kootenai National Forest and Flathead National Forest approvals. We will reach out to Flathead National Forest in tandem with this application to Kootenai National Forest staff.

It is hoped to be able to create advanced and intermediate riding obstacles within a short distance of some of the current trails to enhance rider enjoyment. We request that you seek out information on the Wild Bill OHV Park within the Flathead National Forest for samples of obstacles but have included some photos within this packet and the Forest Service link below.

With this request we seek consideration of the capture of some of the trails that are already in use in the Kootenai Forest Service lands within the requested zones and cause them to be officially designated as ATV and UTV trails with a width of 68" maximum, for rider / user safety.


Thus far we have received approval from Stillwater Forest for Guided and Unguided rentals to occur on specific trails and roads, including routes to the destinations listed herein, we are currently operating under that permit. It is our hope that by incorporating both National Forest Systems we can begin to offer a broadened adventure while assisting in the management of the current trail systems. In part of

the effort of assisting with management and cleanup Action Rentals has adopted a 4 mile stretch of highway to ensure the area is clear of unsightly and harmful debris and litter on US Highway 93.

We take our stewardship of the land seriously and will be joining other efforts and agencies such as Pack it in / Pack it out and Tread Lightly! to educate our guests and the public on these same principles.

We believe that together, we can help create a responsible and enjoyable user experience.

We look forward to working with you.

Signed:  _____

Printed: Kathaleen M Krass 10/28/19

Owner / Operator

Kokomo Enterprises LLC and Action Rentals

Polaris Adventures Outfitters

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katk@actionrentalsmt.com

<https://www.actionrentalsmt.com>

<https://www.facebook.com/actionrentalsmt>

<https://adventures.polaris.com/our-outfitters/action-rentals/>

Wild Bill OHV: <https://www.fs.usda.gov/recarea/flathead/recreation/recarea/?recid=66946&actid=92>