

USDA, Forest Service

FOREST SERVICE USE TYPE 181

SPECIAL-USE APPLICATION & PERMIT FOR RECREATION EVENTS
(Ref.: 36 CFR 251)

DATE RECEIVED	ISSUE DATE	EXPIRATION DATE
10/18/2019	10/22/2019	2/24/2020

Authority: Federal Lands Recreation Enhancement Act, 16 U.S.C. 6802(h)

REG. / FOR. / DIST.	AUTH. ID.	STATE / COUNTY
031201, 031203	TON1196	AZ/Maricopa, Pinal

PART I - APPLICATION

1. APPLICANT INFORMATION:

Name of Group: Greater Phoenix Orienteering Club
Name of Contact: Erik Ringnes
Address: 6262 W. Louise Dr., Glendale, AZ 85310
Phone: 602-421-2362
E-mail Address: ringnes@cox.net

2. DESCRIPTION OF PROPOSED ACTIVITY:

Orienteering events for the 2019-2020 winter season.

3. LOCATION & DESCRIPTION OF NATIONAL FOREST SYSTEM LANDS & FACILITIES APPLICANT WOULD LIKE TO USE:

The horse trailer parking lot before First Water Trailhead, Needle Vista, Bomboy Mine in the Hewitt Station area, Needle Rock Recreation Site.

4. ESTIMATED NUMBER OF PARTICIPANTS & SPECTATORS FOR PROPOSED ACTIVITY:

Participants: 30 Spectators: 5

5. STARTING & ENDING DATE & TIME OF PROPOSED ACTIVITY*:

November 16, 2019	8:00am – 8:00pm	Bomboy Mine
November 17, 2019	8:00am – 8:00pm	Bomboy Mine
December 14, 2019	8:00am – 8:00pm	Needle Rock
December 15, 2019	8:00am – 8:00pm	Needle Rock
February 22, 2020	8:00am – 8:00pm	Needle Vista
February 23, 2020	8:00am – 8:00pm	First Water

*Start and end times are approximate and subject to change from night to day event and vice versa. Permit Holder will notify the Permit Administrator ahead of time of major changes.

6. ESTIMATED REVENUE COLLECTED FOR EVENT:

Amount: \$200 Type of Fees: Event fee plus new memberships

7. NAME OF PERSON(S) WHO WILL SIGN A SPECIAL-USE AUTHORIZATION ON BEHALF OF THE EVENT:

I hereby acknowledge that this is an application only, and that the use and occupancy of National Forest System lands is not authorized until an authorization is signed and issued by an authorized officer.

Printed Name: Erik A. Ringnes Signature: _____ Date: 10/22/2019

Printed Name: _____ Signature: _____ 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 writing shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

PART II - PERMIT

1. Use under this permit shall begin on 11/15/2019 and end on 02/24/2020. The permit shall not be extended.

2. The estimated fee for this use is \$79.82. It shall be paid in advance and is not refundable. Within 30 days of conclusion of the event the holder shall submit final records of gross revenue collected for reconciliation for any additional fees due the United States.

3. **Erik Ringnes of 6262 W LOUISE DR, , GLENDALE, AZ UNITED STATES 85310** (the holder) is hereby authorized to use, subject to the terms of this permit, National Forest System lands as shown in attached Exhibit(s)
A. This authorization covers approximately 17500 acres.

4. The holder is authorized to conduct the following activities and install the following improvements in the permitted area:

Orienteering events (a map and compass sport) hosted by Greater Phoenix Orienteering Club. Participants navigate around the terrain to find control points which are removed after the event(s). 2-6 mile courses.

Event locations and dates as follows:

November 16, 2019	8:00am – 8:00pm	Bomboy Mine
November 17, 2019	8:00am – 8:00pm	Bomboy Mine
December 14, 2019	8:00am – 8:00pm	Needle Rock
December 15, 2019	8:00am – 8:00pm	Needle Rock
February 22, 2020	8:00am – 8:00pm	Needle Vista
February 23, 2020	8:00am – 8:00pm	First Water

Markers are removed immediately after each day-time event. Markers are removed the following morning after evening events. Temporary signs will be placed along Bartlett Dam Road for the duration of the Bartlett Lake course to warn motorists of upcoming pedestrian crossing for an event.

5. The holder shall conduct the authorized activities according to the attached approved plans and specifications, Exhibit(s) B. The holder shall not install any improvements not specifically identified and approved above or in exhibits.

6. No soil, trees, or other vegetation may be destroyed or removed from National Forest System lands without specific prior written permission from the authorized officer.

7. The holder shall comply with all federal, state, county, and municipal laws, ordinances, and regulations, which are applicable to the area or operations covered by this permit.

8. The holder shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer. The holder shall fully repair and bear the expense for all damages, other than ordinary wear and tear, to National Forest System lands, roads and trails caused by the holder's activities.
9. The holder has the responsibility of inspecting the use area and adjoining areas for dangerous trees, hanging limbs, and other evidence of hazardous conditions, which would pose a risk of injury to individuals. After securing permission from the authorized officer, the holder shall remove such hazards.
10. The holder shall be liable for any damage suffered by the United States resulting from or related to use of this permit, including damages to National Forest resources and costs of fire suppression.
11. The holder shall hold harmless the United States from any liability from damage to life or property arising from the holder's occupancy or use of National Forest System lands under this permit.
12. The holder agrees to permit the free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the authorization or with the reasonable exercise and enjoyment by the holder of the privileges thereof.
13. This permit is subject to all valid existing rights and claims outstanding in third parties.
14. This permit may be revoked or suspended upon breach of any of the conditions herein or at the discretion of the authorized officer. Upon expiration or revocation of this authorization, the holder shall immediately remove all improvements except those owned by the United States, and shall restore the site within 1 day, unless otherwise agreed upon in writing. If the holder fails to remove the improvements, they shall become property of the United States, but that will not relieve the holder of liability for the cost of their removal and restoration of the site.
15. This permit is a license for the use of federally owned land. It does not grant any interest in real property. This permit is not transferable. Upon approval of the authorized officer, the holder may enter into agreements with third parties to exercise the rights and privileges granted by this authorization.
16. The holder is required to comply with standards for adequacy and type of services set out in the attached operating plan.
17. Gambling or gambling machines or devices will not be permitted on National Forest System lands regardless of whether or not they are lawful under State law or county ordinances.
18. The holder, in advertisements, signs, brochures, letterheads, and like materials, as well as orally, shall not misrepresent in any way, either the accommodations provided, the status of the authorization, or the area covered by it or the vicinity. The fact that the permitted area is located on the National Forest shall be made readily apparent in all formats of the holder's brochures and advertising regarding the use and management of the area and authorized facilities.
19. 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 the fee or fee calculation financial statement specified in this authorization becomes due. The rate of interest assessed shall be the higher of the rate of the current value of funds to the U.S. Treasury (i.e., Treasury tax and loan account rate), as prescribed and published by the Secretary of the Treasury in the Federal Register and the

Treasury Fiscal Requirements Manual Bulletins annually or quarterly or at the Prompt Payment Act rate. Interest on the principal shall accrue from the date the fee or fee calculation financial statement is due.

In the event the account becomes delinquent, administrative costs to cover processing and handling of the delinquency will be assessed.

A penalty of 6 percent per annum shall be assessed on the total amount delinquent in excess of 90 days and shall accrue from the same date on which interest charges begin to accrue.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non-workday, the charges shall not apply until the close of business on the next workday.

Disputed fees are due and payable by the due date. No appeal of fees will be considered by the Forest Service without full payment of the disputed amount. Adjustments, if necessary, will be made in accordance with settlement terms or the appeal decision.

If the fees become delinquent, the Forest Service will:

Liquidate any security or collateral provided by the authorization.

If no security or collateral is provided, the authorization will terminate and the holder will be responsible for delinquent fees as well as any other costs of restoring the site to its original condition including hazardous waste cleanup.

Upon termination or revocation of the authorization, delinquent fees and other charges associated with the authorization will be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. Delinquencies may be subject to any or all of the following conditions:

Administrative offset of payments due the holder from the Forest Service.

Delinquencies in excess of 60 days shall be referred to United States Department of Treasury for appropriate collection action as provided by 31 U.S.C. 3711 (g), (1).

The Secretary of the Treasury may offset an amount due the debtor for any delinquency as provided by 31 U.S.C. 3720, et seq.)

20. For the purpose of administering this permit (including ascertaining that fees paid were correct and evaluating the propriety of the fee base), the holder agrees to make all of the accounting books and supporting records to the business activities, as well as those of sublees operating within the authority of this authorization, available for analysis by qualified representatives of the Forest Service or other Federal agencies authorized to review the Forest Service activities. Review of accounting books and supporting records shall be made at dates convenient to the holder and reviewers. Financial information so obtained shall be treated as confidential as provided in regulations issued by the Secretary of Agriculture. The holder shall retain the above records and keep them available for review for 5 years after the end of the year involved, unless disposition is otherwise approved by the authorized officer in writing.

21. Appeal of any provisions of this authorization or any requirements thereof shall be subject to the appeal regulations at 36 CFR Part 214, or revisions thereto.

22. This permit is accepted subject to the conditions set forth herein, including any conditions in any exhibits attached to and made part of this authorization.

23. The above clauses shall control if they conflict with additional clauses or provisions.

24. Cultural Resources Protection (D001RO). The holder, contractor, or lessee shall be responsible for the protection from damage of all identified cultural resources within the area which may be affected by their actions. In addition, the holder, contractor, or lessee shall be liable for all damage or injury to the identified cultural resources caused by their actions. The holder, contractor, or lessee shall immediately notify the agency Project Administrator if any damage occurs to any cultural resource and immediately halt work in the area in which damage has occurred until approval to proceed has been granted by the Project Administrator after consultation with the Forest Archeologist. All provisions of the Region 3 Cultural Resources Damage Assessment Handbook are incorporated by reference herein.

25. Native American Grave Protection and Repatriation Act (X003RO). Pursuant to the Native American Grave Protection and Repatriation Act (NAGPRA) 25 USC 3002(d); 43 CFR Part 10.4, if any human remains, funerary objects, sacred objects, or objects of cultural patrimony are discovered during the course of ground disturbing activity, the holder will immediately cease activity in the area of the discovery and will make a reasonable effort to protect the remains and objects. The holder will provide immediate telephone notification of the discovery to the Forest Service, and will follow up with written confirmation to the authorized officer. The holder will not resume the activity that resulted in the discovery until the authorized officer gives written approval. Approval to resume the activity, if otherwise lawful, will be given thirty (30) days after certification by the authorized officer of the holder's written confirmation of the discovery, or at any time that a written binding agreement is executed between the Forest Service and the affiliated tribes adopting a recovery plan for the remains and objects.

26. Nondiscrimination (B-1).

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 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.

27. Equal Access to Federal Programs (B-2).

In addition to the above nondiscrimination policy, the holder agrees to insure that its programs and activities are open to the general public on an equal basis and without regard to any non-merit factor.

28. Insurance, Commercial General Liability (B-10).

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. The holder shall give 30 days prior written notice to the Authorized Officer of cancellation of the insurance policy by the holder or any modification to the insurance policy by the holder. Additionally, the holder shall immediately notify the Authorized Officer of cancellation of the policy by the insurance company. 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 the Mesa Ranger District Office at 5140 E. Ingram St. Mesa, AZ 85205. Minimum amounts of coverage and other insurance requirements may be reviewed and revised annually at the sole discretion of the Authorized Officer.

1. The holder shall have in force liability insurance covering losses, including those arising from strict liability, associated with the use or occupancy authorized by this permit arising from personal injury or death and third-party property damage in the minimum amount of \$300,000.00 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 or 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 storage and use of normal maintenance supplies in nominal amounts generally would not trigger financial assurance requirements.

29. Use by Other Groups (X-16).

This authorization is issued with the understanding that the holder will make the camp and facilities available for use by other groups and organizations to the extent possible to obtain the greatest total use during the year: Provided, that the use by other groups does not conflict with the scheduled use by the holder. The holder will furnish the Authorized Officer annually on or before October 1, a schedule of use, organizations using, and planned number of users.

30. Regulating Services and Rates (X-22).

The Forest Service shall have the authority to check and regulate the adequacy and type of services provided the public and to require that such services conform to satisfactory standards. The holder may be required to furnish a schedule of prices for sales and services permitted by the authorization. Such prices and services may be regulated by the Forest Service: Provided, that the holder shall not be required to charge prices lower than those charged by comparable or competing enterprises.

31. Gambling (X-24).

Gambling or gambling machines or devices will not be permitted on National Forest System lands regardless of whether or not they are lawful under State law or county ordinances.

32. Advertising (X-30).

The holder, in advertisements, signs, circulars, brochures, letterheads, and like materials, as well as orally, shall not misrepresent in any way, either the accommodations provided, the status of the authorization, or the area covered by it or the vicinity. The fact that the permitted area is located on the National Forest shall be made readily apparent in all of the holder's brochures and print advertising regarding use and management of the area and authorized facilities.

I have read and understand the terms and conditions and agree to abide by them.

U.S. DEPARTMENT OF AGRICULTURE
Forest Service

Authorization is granted:

By: _____

By: _____
NEIL BOSWORTH, Forest Supervisor

Holder Name: Erik A. Ringnes

Date: _____

Title: Board Member GPHXO

Date: 10/22/2019

HOLDER MUST HAVE THIS PERMIT (OR A LEGIBLE COPY) IN POSSESSION DURING THE AUTHORIZED ACTIVITY

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.

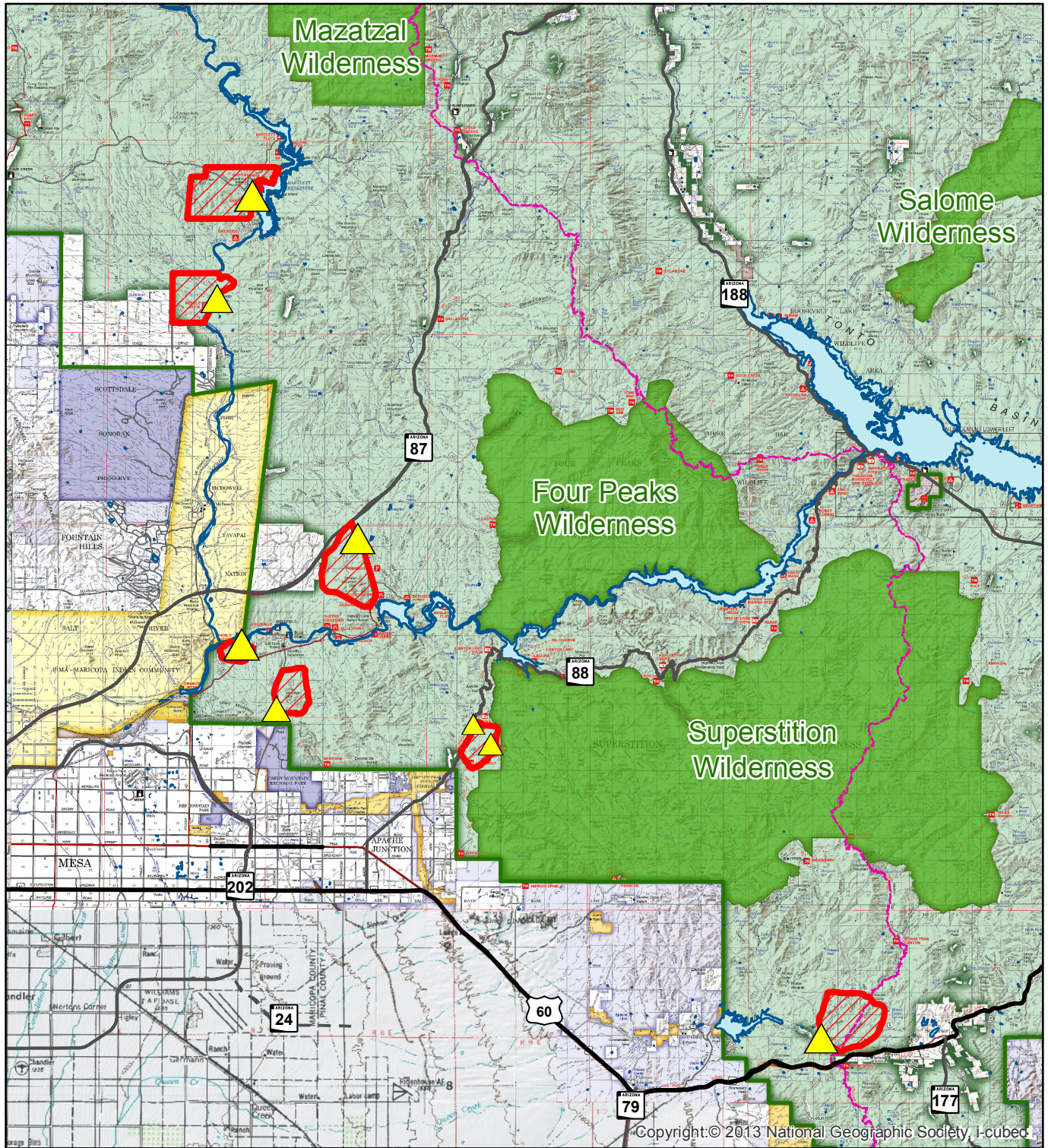
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The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

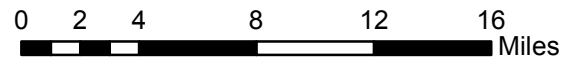
Exhibit A

Greater Phoenix Orienteering Club
Events 2019-2020 Season



Legend

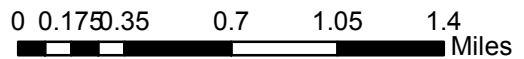
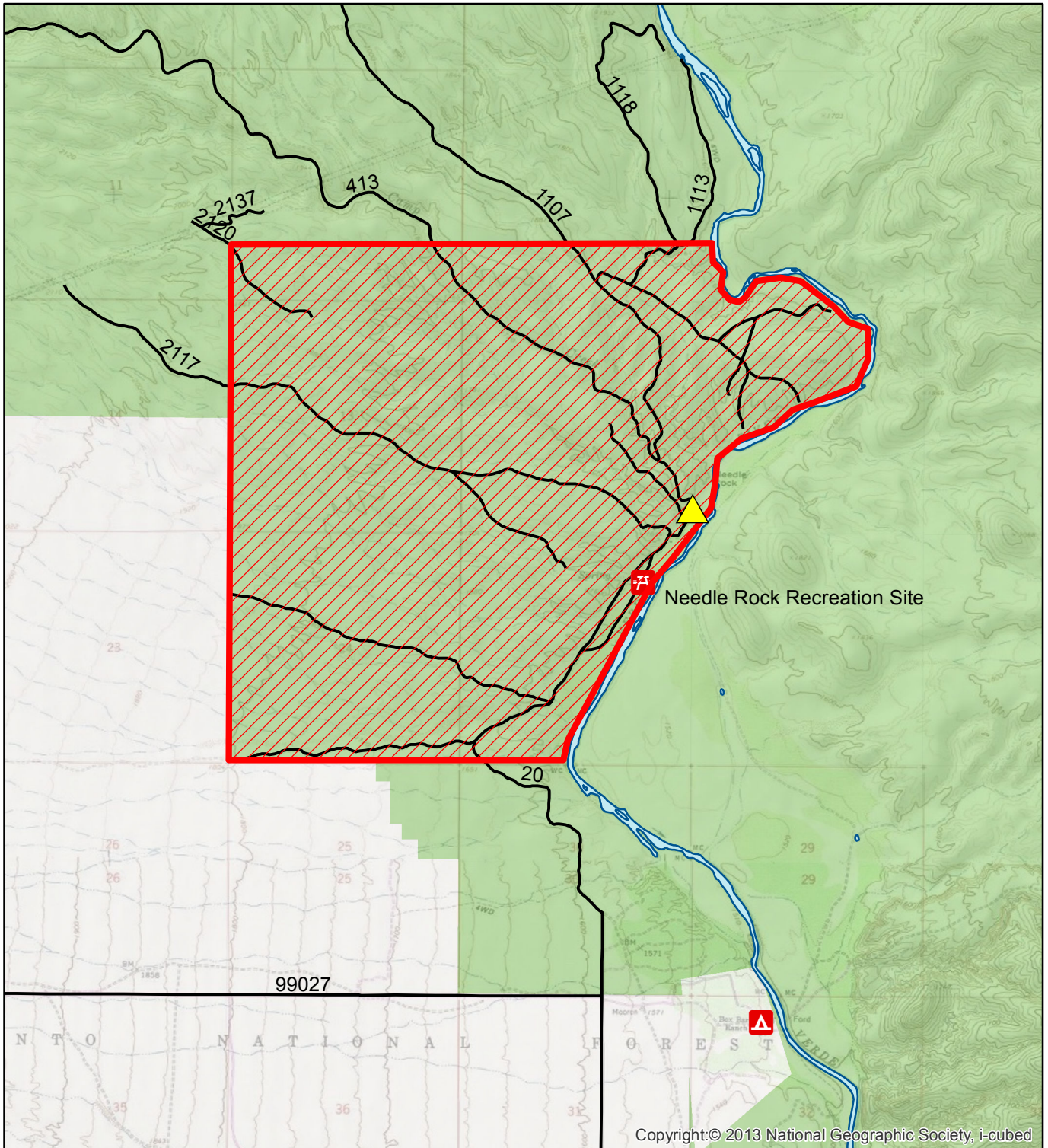
- | | | | |
|---|---------------|---|-------------------------------------|
|  | Lake/River |  | Forest System Lands, non-Wilderness |
|  | Arizona Trail |  | Authorized Course Area |
|  | Wilderness |  | Staging Area |



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Exhibit A

Greater Phoenix Orienteering Club
Needle Rock



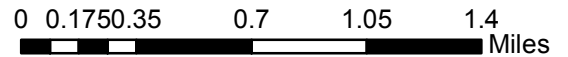
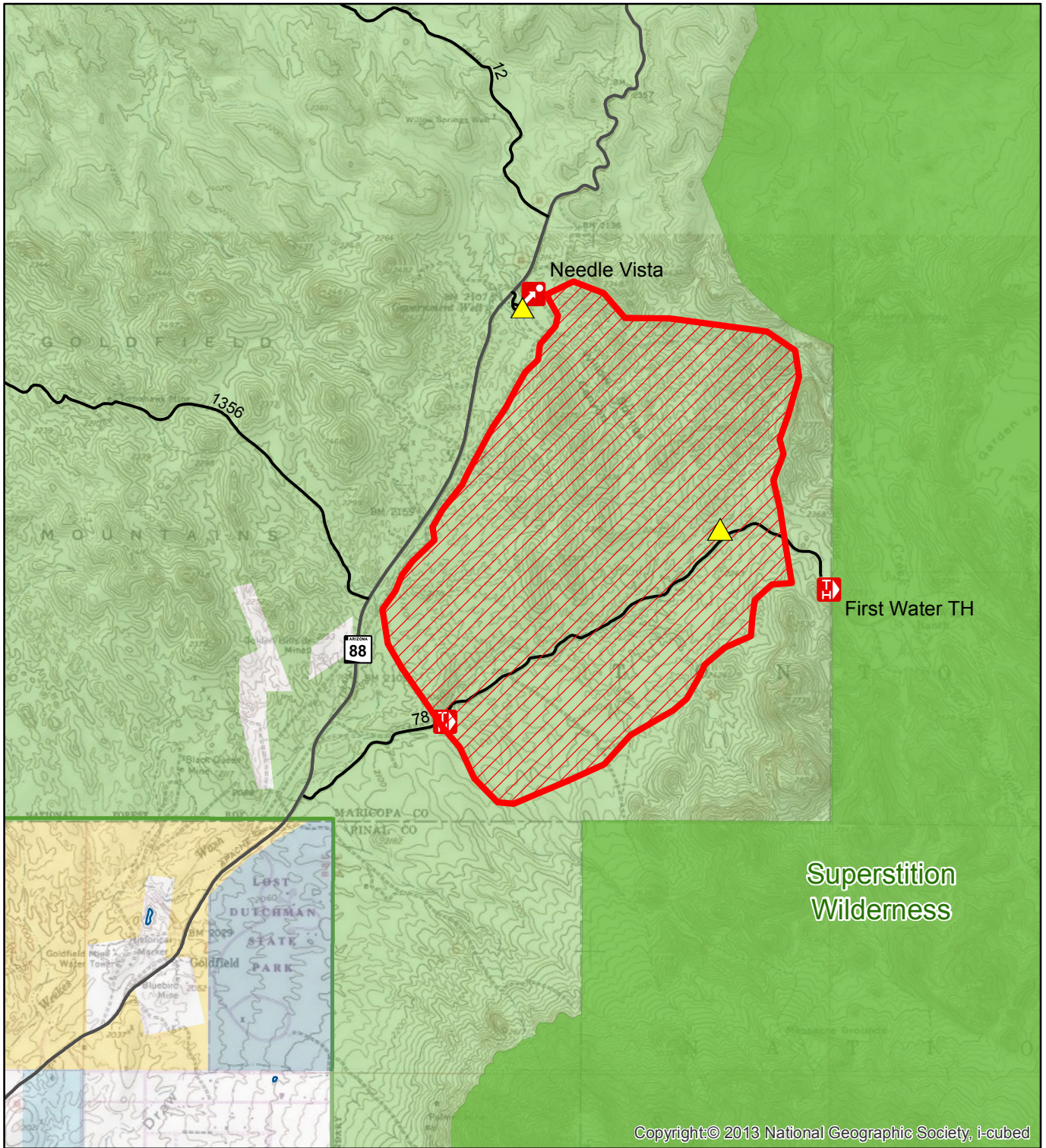
Legend

- Road
- Lake/River
- Forest System Lands, non-Wilderness
- Authorized Course Area
- Staging Area



Exhibit A

Greater Phoenix Orienteering Club
First Water TH / Needle Vista Areas



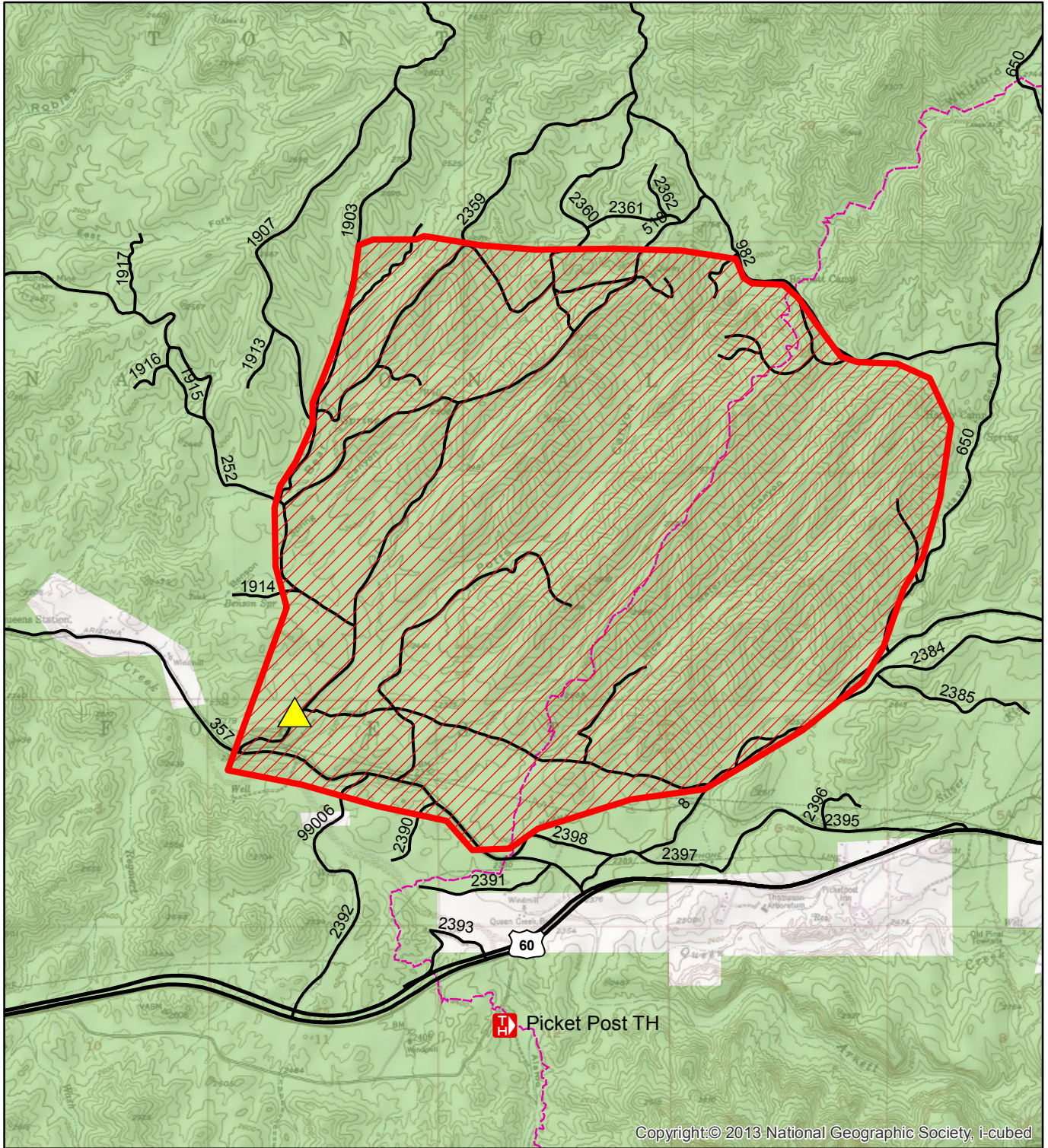
Legend

- Road
- Wilderness
- Lake/River
- Forest System Lands, non-Wilderness
- Authorized Course Area
- Staging Area



Exhibit A

Greater Phoenix Orienteering Club
Bomboy Mine Area - Hewitt Station



0 0.175 0.35 0.7 1.05 1.4 Miles

Legend

- Road
- Arizona Trail
- Forest System Lands, non-Wilderness
- Authorized Course Area
- Staging Area



EXHIBIT B OPERATING PLAN FOR RECREATION EVENTS

IT IS HEREBY AGREED that certain actions are necessary to have a safe and successful outing with minimum impact to the environment:

1. Glass containers will not be used within the Lower Salt River, Lower Verde River, Saguaro Lake, or Bartlett Lake Recreation Areas.
2. There are certain natural phenomena that could be encountered that present risks which the participants assume. All participants will be advised of conditions, which might be encountered.
3. If there is any question concerning regulations on National Forest System Lands, the local Forest Service Office or Permit Administrator will be contacted immediately. Group security will be obtained if necessary from an outside agency or company. The local Sheriff's Deputy may be notified of the details of this activity.
4. A.T.V.'s, A.T.C.'s, trail bikes, etc. will not be used within any developed recreation site or on designated hiking trails.
5. Any animals brought will be kept under control and leashed at all times.
6. Forest Service wilderness areas will not be used. If there are questions regarding the designated wilderness boundary line(s), the local Forest Service Office will be contacted.
7. Participants, spectators, and staff will be managed to prevent disorderly or otherwise objectionable conduct.
8. Temporary structures will not be built. Sun-shade shelters will be restricted to 10x10 feet and will have minimum advertising unless specifically approved by the Forest Service Officer.
9. All trash will be picked up during the event as well as when the event has completed. If provided, trash will be placed in Forest Service dumpsters unless specifically requested by the Forest Service Officer to haul trash off-forest. The entire area will be thoroughly "policed-up" by assigned individual(s) at the conclusion of the activity.
10. If any directional signs or markers are used, they will be removed immediately after the activity concludes. For evening events, markers will be removed by 10:00am the next day. Markers will be used in such a way as to not damage Forest Service property, vegetation, or other natural features.
11. Advertisement or promotional signage will not be used on the National Forest without expressed written consent within the special use authorization. The Permit Holder will provide temporary signs to be in place both east and west bound on Bartlett Dam Road for the duration of the Bartlett Lake event to warn motorists of an upcoming event and/or pedestrian crossing.
12. If this activity is conducted in a fee area, all vehicles including the participants,' spectators,' and staffs' will be required to display a valid recreation pass. Recreation Pass Fees ARE NOT waived by fees paid for this Special Use Permit.

13. This agreement does not cover all situations, which may be encountered. Good judgment and safety will be used as a basis for action in all situations.
14. All other state, federal, and local laws pertaining to the permitted area will be followed. Additional permits or clearances required by other agencies or organizations involved with this activity or location will be obtained and attached to this permit.
15. All support vehicles will remain on existing roads and park in designated areas. Support vehicles will park in designated parking spots in an organized fashion as not to restrict normal traffic flow within the site.
16. Use of the permitted areas by the general public will not be restricted by this use. This permit will not cause exclusive use of the recreation area or the forest resources at any time.
17. Concession stands will not be used on the Tonto National Forest before, during, or after this event. Food stuffs, alcohol, or other types of merchandise will not be sold. If commercial filming or photography is involved with this event, a separate special use permit will be obtained.
18. Any changes needed in this permit will receive prior authorization from the Authorized Officer or Permit Administrator, Kelly Finley at 480-610-3334 or kellyfinley@fs.fed.us.

Holder

NEIL BOSWORTH
Forest Supervisor

10/22/2019
Date

Date