

Use Code 141

Prospectus for Campground and Related Granger-Thye Concessions

Inyo National Forest

**U.S. DEPARTMENT OF AGRICULTURE
Forest Service**



Forest Service

Inyo National Forest

February 2023

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“National Quality Standards for Recreation Site Management” (formerly Meaningful Measures)

[PDF example:](#)

https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd510324.pdf

“Cleaning Recreation Sites” (USDA-Forest Service)

[Link:](#) https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5348052.pdf

[PDF:](#) http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5348052.pdf

“In Depth Design and Maintenance Manual for Vault Toilets” (USDA-Forest Service)

[PDF:](#) <https://www.fs.usda.gov/t-d/pubs/pdfimage/91231601.pdf>

I. Business Opportunity

A. Introduction

This prospectus is being issued to solicit applications for a concession campground special use permit. A permit to provide high-quality public service in the operation and maintenance of Government-owned recreation facilities located on the Mono, Mt. Whitney, Mammoth, and White Mountain Ranger Districts, Inyo National Forest, will be issued.

The permit will include the following developed sites:

White Mountain Ranger District

Big Pine Area

Big Pine Creek Campground
Clyde - Glacier Group Campground
Palisade - Glacier Group Campground
Sage Flat Campground
Upper Sage Flat Campground

Bishop Area

Big Trees Campground
Bishop Park Campground
Bishop Park Group Campground
Bitterbrush Campground
Forks Campground
Four Jeffrey Campground
Intake 2 Campground
Intake 2 Walk-in Campground
Mountain Glen Campground
North Lake Campground
Sabrina Campground
Table Mountain Group Campground
Willow Campground

Rock Creek Area

Aspen Group Campground
Big Meadow Campground
East Fork Campground
French Camp Campground
Holiday Campground
Iris Meadow Campground
McGee Creek Campground
Palisade Group Campground
Pine Grove Campground
Rock Creek Lake Campground
Rock Creek Lake Group Campground
Tuff Campground
Upper Pine Grove Campground

Mammoth Ranger District

Mammoth Lakes Area

Coldwater Campground
Convict Lake Campground
Lake George Campground
Lake Mary Campground
New Shady Rest Campground
Old Shady Rest Campground
Pine City Campground
Pine Glen Group Campground
Sherwin Creek Campground
Twin Lakes Campground

Reds Meadow Road Area

Agnew Meadows Campground
Agnew Meadows Group Campground
Agnew Meadows Equestrian Camp
Minaret Falls Campground
Pumice Flat Campground
Pumice Flat Group Campground
Reds Meadow Campground
Upper Soda Springs Campground

Mono Ranger District

June Lake Loop Area

Aerie Crag RV Campground
Gull Lake Campground
June Lake Campground
June Lake Swimming Beach
Oh Ridge Campground
Reversed Creek Campground
Silver Lake Campground

Lee Vining/Mono Lake Area

Aspen Campground
Big Bend Campground
Ellery Lake Campground
Junction Campground
Lower Lee Vining Campground
Moraine Campground
Saddlebag Lake Campground
Sawmill Walk-in Campground
Tioga Lake Campground
Trailhead (Saddlebag Lake) Group Campground

Onion Valley Area

Grays Meadow Campground
Onion Valley Campground

Whitney Portal Area

Lone Pine Campground
Lone Pine Group Campground
Whitney Portal Campground
Whitney Portal Group Campground
Whitney Trailhead Walk-in Campground

Mt. Whitney Ranger District

Horseshoe Meadow Area

Cottonwood Lakes Trailhead Campground
Golden Trout Backpacker Campground
Horseshoe Meadows Equestrian Camp

The authorized officer for this business opportunity is the Forest Supervisor for the Inyo National Forest.

Leslie Yen
Inyo National Forest
351 Pacu Lane Suite 200
Bishop, CA 93514

The current permit for this concession expires on December 31, 2023. Over the past three years, this concession has generated the following gross revenues:

Table 1. Three-Year Average Gross Revenue

| Year | Gross Revenue |
|---|-----------------------|
| 2019 | \$3,602,061.59 |
| 2020 | \$3,295,426.08 |
| 2021 | \$4,239,418.37 |
| Three Year Average Gross Revenue | \$3,712,302.01 |

*Revenues in the table above do not include Aspen, Lower Lee Vining, Moraine, Cottonwood Lakes TH, Golden Trout Backpacker, Horseshoe Meadows Equestrian Camp, and June Lake Swimming Beach.

B. Area Description

Overview of the Inyo National Forest

The Inyo National Forest is in California on the eastern slope of the Sierra Nevada Mountains, stretching 250 miles between Yosemite National Park on the north and Sequoia- Kings Canyon National Park on the south. The primary access to the Inyo National Forest is via the Eastern Sierra Scenic Byway, U.S. Highway 395, which travels north-south between Southern California and the nearest large cities of Reno and Carson City, Nevada. The largest local communities are Bishop and Mammoth Lakes.

National Visitor Use Monitoring Survey results of 2016 indicated the Inyo National Forest receives approximately 2.3 million visits per year and over 4.5 million site visits, making it one of the most visited Forests in the Region. The Inyo National Forest has several icons within its boundaries that attract visitors: Mount Whitney, Ancient Bristlecone Pine Forest, Hot Creek Geologic Site, Devils Postpile National Monument; and Mono Lake National Scenic Area.

Most campgrounds in this prospectus are at an elevation between 7,000 to 10,000 feet, located in forested canyons of predominantly Jeffrey Pine, Lodgepole Pine, and Red Fir. Visitors can expect a sub-alpine climate, and an average of 300 sunny days per year. Temperatures during the summer are relatively mild, averaging from the 60's to the 80's during the day. Nighttime temperatures range from the upper 40's and 50's. In October, temperatures average about 60 degrees with lows at nighttime the 30-to-40-degree range. Frost and snow in the northern areas and higher elevations can occur as early as mid-September while the southern areas at lower elevations can see snow as early as November. The Forest receives its greatest amount of precipitation in the form of snow. High elevation campgrounds open and close based on snow conditions.

The Inyo is truly a recreation Forest offering spectacular scenery, abundant fishing, hiking, biking, horseback riding, OHV, and camping opportunities in summer. For more information, visit the Inyo National [Forests' webpage](#) or take a look at the [Visitor Guide](#).

Mammoth Ranger District

The Mammoth Lakes Ranger District is in the northern half of Inyo National Forest, and is centered around the town of Mammoth Lakes, CA. While known for winter sports, it is also a mecca for mountain biking and fishing enthusiasts when the snow melts. Hiking and equestrian trails go into wilderness areas of the Sierra Nevada. The town of Mammoth Lakes has all the usual amenities associated with a destination resort community: shopping, restaurants, gas stations, lodging, theaters, a library, two community parks, and sporting goods rental shops. In summer, there are numerous art shows, music festivals, and special events. Campgrounds in the Mammoth District include a transient occupancy tax. This is an allowed adjustment to the gross income. Contact Mono and Madera Counties for the current rates.

For more information on this district, visit the [district's webpage](#).

Mono Lake Ranger District

The Mono Lake Ranger District is the northernmost district of Inyo National Forest. The western portion of the district is adjacent to Yosemite National Park and includes one of the most spectacular and accessible areas of the Sierra Nevada. To the east is Mono Lake, and the world's largest stand of majestic Jeffrey Pines. All campground fees in the Mono District include a transient occupancy tax collected by Mono County. This is an allowed adjustment to the gross income, contact Mono County for current rate.

For more information on this district, visit the [districts' webpage](#).

Mt. Whitney Ranger District

The Mt. Whitney Ranger District is the southernmost district in the Inyo National Forest. On its western edge is Mt. Whitney, highest point in the contiguous United States. The district extends from the crest of the Sierra Nevada to the Inyo Mountains. Recreation activities include hiking, fishing, climbing, horse riding, and more.

For more information on this district, visit the [districts' webpage](#).

White Mountain Ranger District

The White Mountain Ranger District extends from the crest of the Sierra Nevada to the White Mountains. There are lakes, ponds, rivers, and creeks for fishing. Roads and trails explore a wide variety of terrain and life zones. Elevations accessible by car range from 3,900 ft in Big Pine to 10,100 ft at the end of Rock Creek Road.

For more information on this district, visit the [districts' webpage](#).

C. Description of Developed Recreation Sites and Facilities

The description of each developed recreation site included in this prospectus is found in Appendix 20 Description of Developed Recreation Sites and Facilities. Please use descriptions in Appendix 20 together with the maps of developed sites in Appendix 2 and Appendix 3, Inventory of Government-Furnished Property.

D. Government Furnished Property

The Forest Service will provide certain property in conjunction with the concession campground special use permit (see Appendix 3 of the prospectus). Included in this inventory are a description, the quantity, and the estimated replacement cost of the applicable property.

E. Government Furnished Supplies

The Forest Service will not furnish any supplies for day-to-day operation of the concession. Government-furnished supplies will be limited to those necessary for programmatic consistency, including:

- Forms necessary to report use and revenue can be found in the Appendices Section of the prospectus. Specifically, see Appendix 5 Sample Use Report.
- A copy of the Forest Service publications, “Cleaning Recreation Sites,” “In-Depth Design and Maintenance Manual for Vault Toilets,” and “Vault Toilet Pumping Contract Specifications and Guidelines for Preparing Contracts.”
- “Inyo National Forest Visitor Guide,” which the holder may reproduce at its expense.
[PDF: https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd904026.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd904026.pdf)
- Title VI signs.

Publications necessary to maintain programmatic consistency are listed below, along with a URL address where they can be viewed and downloaded.

- [“Cleaning Recreation Sites”](#)
(Found at: https://www.fs.usda.gov/t-d/php/library_card.php?p_num=9523%201206)
- [“In-Depth Design and Maintenance Manual for Vault Toilets”](#)
(Found at: http://www.fs.usda.gov/eng/php/library_card.php?p_num=9123%201601)
- [“Vault Toilet Pumping Contract Specifications and Guidelines for Preparing Contracts”](#)
(Found at: http://www.fs.usda.gov/t-d/php/library_card.php?p_num=9223%201308)

F. Utilities and Waste Management

Certain utilities and infrastructure exist for the developed recreation sites identified in this prospectus. The permit holder will be responsible for securing, managing, and paying for these utilities. Applicants should contact current service providers to obtain estimated costs for the utilities. These utilities are listed below in Table 2.

See *Appendix 22 Water and Sewer System Operation Requirements* for information on the infrastructure of water and wastewater systems within this offering, service providers, operation requirements, and estimated annual costs.

Table 2. Utility Contacts

| Service Item | Contractor | Telephone Number | Estimated Cost per Year |
|--|--|----------------------------------|---|
| Electricity | Edison International dba Southern California Edison (SCE) | (800) 655-4555 (760) 934-6871 | \$8,000/year Rock Creek \$4,000/year Convict \$8,000/year Bishop Creek \$8,000/year June Lake \$5,000/year Mammoth \$1,000/year Lee Vining \$3,000/year Reds Meadow |
| Garbage Collection | <i>Inyo, Madera & Mono Counties, Town of Mammoth exclusive</i> | (760) 934-2201 | Rock Creek and Convict Lake Area \$25,000 |
| | Bishop Waste and Mammoth Disposal-Waste Connections, Inc. P.O. Box 237 Mammoth Lakes, CA 93546 District #4014 | | Bishop and Big Pine Area \$24,000 |
| | <i>Mono & Madera Counties (except Town of Mammoth Lakes)</i> | (775) 233-8708 | Mt. Whitney and Onion Valley Area \$18,000 |
| | D & S Waste Management Hwy 95 A. East #3 Yerington, NV 89447 | | Mammoth Lakes Area \$30,000/year |
| | Inyo County Preferred Septic and Disposal 1280 N Main Bishop, Ca. 93514 | (760) 873-5699 | Reds Meadow Area \$10,000/year |
| | | | June Lake \$20,000/year Lee Vining Canyon \$6,000/year |
| Hazard Trees | Eastern Sierra Tree Service | (760) 934-6142 | |
| | GC Forest Products Mammoth Lakes | (760) 934-7392 | |
| Possessory interest tax Transient Occupancy Tax Rock Creek Area and Convict Lake Campground | Mono County Treasurer & Tax 85 Bryant St, Bridgeport, CA 93517 | (760) 932-5480 | Possessory interest tax 12% TOT rate |

| | | | |
|---|---|---------------------------------|--------------------------------------|
| Possessory interest Tax on Bishop, Big Pine, Whitney Portal, and Onion Valley Areas | Inyo County Assessor P.O. Box J 168 N. Edwards St. Independence, CA 93526 | (760) 878-0302 | Possessory interest tax 12% TOT rate |
| Transient Occupancy Tax (TOT) Reds Meadow Road Area | Madera County Tax Collector 200 W. 4th St. 2 nd Floor Madera, CA 93637 | (559) 675-7713 | 9% TOT rate |
| Transient Occupancy Tax (TOT) June Lake & Lee Vining/Mono Lakes Areas | Mono County Treasurer & Tax 85 Bryant St, Bridgeport, CA 93517 | (760) 932-5480 | 12% TOT rate |
| Transient Occupancy Tax (TOT) Mammoth Lakes Area | Town of Mammoth Lakes Dept of Finance PO Box 1609 Mammoth Lakes, CA 93546 | (760) 965-3667 | 13% TOT rate |
| Telephone | Verizon | (800) 483-5000 Business Service | |
| Toilet Pumping | Preferred Septic (Bishop) | (760) 873-5699 | \$50,000 |
| | Bishop Waste (Bishop) | (760) 872-6561 | |
| | Sierra Septic (Bridgeport) | (760) 932-7747 | |
| | Mammoth Disposal (Mammoth Lakes) | (760) 934-220 I | |
| Water Testing | Mammoth Community Water District | (760) 934-2596 | \$5,000 |
| | Inyo County | (760) 878-0234 | |
| Recycling Service | Sierra Conservation Project P.O. Box 7765 Mammoth Lakes, CA 93546 | (760) 914-0115 | |

II. Forest Service Concession Programs and Policies

Government-owned concessions are authorized by special use permits issued under Section 7 of the Granger-Thye (GT) Act, 16 U.S.C. 580d, and implementing regulations at 36 CFR Part 251, Subpart B.

In addition, there are certain Forest Service programs and policies that apply to campground concession. All applications must be consistent with these requirements.

A. Recreation.gov

The Inyo National Forest participates in Recreation.gov, which provides nationwide, toll-free telephone reservations for single-family or group camping sites, rental cabins, permits, tours, tickets, and other recreational facilities. Visitors pay the camping fee at the time they make a reservation, and no fees are collected at the site (although the permit holder may allow occupancy of any site that is unreserved and charge on site for that use). Recreation.gov is part of the Recreation One-Stop Program, which is managed by the Washington Office Recreation, Heritage, and Volunteer Resources staff. The Forest Service contacts and program managers for Recreation.gov are listed below. Applicants should not contact the Recreation.gov contractor directly.

Table 3. Recreation.gov Contacts

| Name | Location | Contact |
|---------------|--|--|
| Sarah Belcher | Pacific Southwest Region 1330 Bayshore Way Eureka, CA 95501 | Phone: (707) 267-0440 Email: sarah.belcher@usda.gov |
| Susan Valente | Forest Service Contracting Officer's Technical Representative (COTR) PO Box 10 Granby, CO 80446 | Phone: (303) 621-4170 Email: susan.valente@usda.gov |

Recreation.gov is the only authorized reservation system for Forest Service-developed recreation sites, including but not limited to campgrounds, cabins, and group use areas. Applicants may recommend adding sites to or deleting sites from Recreation.gov or changing the number of sites that may be reserved, the minimum number of days per reservation, or the location of sites that may be reserved. The permit holder also may make these recommendations during the term of the permit. The authorized officer will decide whether to accept or reject the recommendations.

Under Recreation.gov, the following guidelines must be followed, unless there are compelling operational reasons:

1. For each developed recreation site included in Recreation.gov, at least 60 percent of the units must be available for reservations. The rest of the units may be occupied on a first-come, first-served basis.

Reservation windows vary by type of site and are as follows:

- Individual campsites: from 6 months to 0-4 days prior to arrival date, depending on location.
 - Group use areas: from 12 months to 0- 4 days prior to arrival date, depending on location.
2. When Recreation.gov is utilized, the permit holder is responsible for on-site administration and will be required to:
 - Obtain daily arrival reports (DARs) each morning by establishing at least one central facsimile location, email address, or other means of obtaining and distributing DARs.
 - Develop a system for posting reservations at the sites so other visitors know which units are reserved.
 - Post and hold reserved sites for 24 hours past the posted check-in time.

- Ensure that the party with the reservation is the party using the site.
- Resolve any disputes over the use of reserved sites by drop-in campers.
- Verify that visitors hold a valid federal pass (listed below) before giving the discount on fees for those passes (*see* section II.B). Do not discount fees if a visitor cannot present a valid pass.
 - ◆ Golden Age or Golden Access Passport.
 - ◆ America the Beautiful–The National Parks and Federal Recreational Lands Senior Pass or Access Pass.
 - ◆ Other passes as required by the authorized officer and described in this prospectus, such as local area passes.
- Develop inventory data for sites being added to Recreation.gov, and update data for sites including fees charged the public and temporary site closures. Submit data updates to Recreation.gov at least annually.
- Communicate to Recreation.gov any emergency closures or other relevant operational changes as they occur.
- Approve customer refunds as appropriate and process them through Recreation.gov. Refund policies can be found at [Recreation.gov](https://www.recreation.gov/rules-reservation-policies) (<https://www.recreation.gov/rules-reservation-policies>).

Because reservations can be made up to a year in advance for group sites and up to 6 months in advance for family sites, Recreation.gov is currently accepting reservations for the upcoming operating season. Fees received by Recreation.gov will be held by the Forest Service and distributed following issuance of a special use permit to the successful applicant. In the final year of the permit, fees will be held in the same manner until a new permit is issued. The permit holder will honor reservations made prior to issuance of the permit at the price in effect when the reservations were made. If funds are distributed prematurely for dates outside the permit term, a bill for collection will to be issued to the permit holder.

B. Pass Discounts

The permit holder must provide a 50 percent discount on recreation fees charged under REA at developed recreation sites covered by this prospectus to holders of Golden Age and Golden Access Passports, as well as holders of the Interagency Senior and Access Passes.

Specifically, holders of these passes are entitled to a 50 percent discount on the fee for a single campsite occupied by the pass holders. The pass holders are not entitled to a discount on the fee for a multiple-family campsite, cabin, or group use area or any additional campsites occupied by those accompanying the pass holders. The 50 percent campsite discount does not include utility, water, or any other hookup fees.

Any loss of fee revenue from honoring the passes should be factored into applicants' bids.

The permit holder will not be required to offer discounts on camping to holders of the Annual or Volunteer Pass.

All family campgrounds in this prospectus must honor the 50 percent discount for Golden Age, Golden Access, Interagency Senior, and Interagency Access passes. The following is a list of sites covered by this prospectus where the 50 percent discount for passes **does not apply**:

The campgrounds where the 50 percent discount does NOT apply are:

Agnew Meadows Group
Aspen Group
Bishop Park Group
Clyde – Glacier Group
June Lake Swimming Beach
Lone Pine Group
Palisade – Glacier Group

Palisade Group
Pine Glen Group
Pumice Flat Group
Rock Creek Lake Group
Table Mountain Group
Trailhead (Saddlebag Lake) Group
Whitney Portal Group

Standard Amenity Recreation Fee Sites Under REA [Reserved]. The Forest Service is proposing a revision to FSM 2344.3 to address treatment of standard amenity recreation fee sites in the concession program. The agency reserves the right to amend a special use permit issued under this prospectus to be consistent with any change in that directive.

C. Camp Stamps

Camp stamps must be honored at their face value and submitted to the authorized officer for reimbursement.

D. Site Closure

The Forest Service reserves the right to close all or a portion of any area in this prospectus for repair; construction; hazardous fuels reduction, floods, snow, extreme fire danger, or other natural events; wildlife protection; or risks to public health and safety. The Forest Service shall not be liable to the permit holder for lost revenue, operating costs, or any other losses resulting from these closures. However, for fee calculation purposes, the permit shall be placed in non-use status as provided by FSH 2709.11, section 31.23.

Reds Meadow Road Construction

Reds Meadow Road, which is the sole entry road for sites within the Reds Meadow Road Area, will be undergoing construction to expand the road width. Construction is currently planned to begin in 2023 and continue into 2024, but due to unforeseen circumstances may continue longer. Applicants should anticipate potentially significant impacts to the accessibility of these sites while construction takes place. Noise impacts from night construction work may occur. The holder will need to work with the Mammoth Ranger District to coordinate access when construction occurs. The current Reds Meadow Road construction contract for Summer 2024 has the following maximum allowable road closure:

- June – September: Open 11am-7pm with 30-minute delays. Upper 2.5 miles of the road may be closed for night work 7pm-11am if necessary. Emergency access only during that time.
- After the 3rd Sunday in September: Closed weekdays. Open weekends 9am-7pm

Mammoth Area Hazardous Fuels Reduction

Old and New Shady Rest, Sherwin Creek, and all Reds Meadow area campgrounds may require short-term closure to complete hazardous fuel reduction projects in the immediate area.

Reds Meadow Area Campgrounds Renovation

Reds Meadow, Minaret Falls, Pumice Flat, and Upper Soda Springs campgrounds will be renovated using partnership funding sometime between 2024-2029.

Lower Rock Creek Campground Renovation

Holiday Campground may be renovated using GT offset funds sometime between 2024-2026.

Lower Bishop Creek Campgrounds Renovation

Bitterbrush, Big Trees, and Forks campgrounds will be renovated using hydropower relicensing funds sometime between 2023-2027.

Lower Lee Vining Creek Campgrounds Renovation

Aspen, Moraine, and Lower Lee Vining campgrounds will be renovated using GT offset funds sometime between 2024-2026.

E. Administrative Use

If the Forest Service requires the permit holder to provide a service for the agency, the permit holder will be compensated for that use.

F. Applicable Forest Orders

Forest Orders may be issued to address a variety of management concerns on a particular forest. Sample orders related to the offering are identified in Appendix 4. Additional applicable forest orders may be issued in the future. Appendix 8: FSM2342.1 Exhibit 01, Law Enforcement at Concession Campgrounds clarifies the concessionaire roles and responsibilities of enforcing Forest Service Regulations and Forest Orders.

G. Fee Tickets and Compilation of Use and Revenue Data

The permit holder must provide fee tickets to visitors that include at least the following information:

- The site number and total amount paid.
- The date of issuance and number of days paid for.
- If a pass is used, the pass number.
- The number of people in the group.
- The number of vehicles and their license plate numbers.

The permit holder must provide use and revenue data to the Forest Service (*see* Appendix 5 of the prospectus for a sample use report). Use reports must be completed monthly and at the end of the operating season for each developed recreation site, provided that when the holder performs GT fee offset work in lieu of paying the land use fee in cash, use reports may be submitted quarterly, rather than monthly. At a minimum, monthly and year-end use reports must include:

- The total number of units occupied based on daily counts.
- The total number of people based on daily counts.
- The percentage of occupancy by month.

- Total recreation fee revenue.
- Total fee revenue for other goods and services.
- The total number of Camp Stamps collected.
- The total number of passes used.

In addition, year-end use reports must include:

- Total fee revenue collected under the NRRS.
- Total taxes paid.
- Total gross revenue.
- Total net revenue.

H. Customer Service Comment Cards

The permit holder must identify methods and procedures for collecting and responding to customer's needs and complaints. At each developed recreation site in this offering the method must include how visitors can give feedback on the facilities and services at that site. The traditional customer service mail in card is optional and other methods can be proposed (see Appendix 6 of the prospectus for the traditional customer service card and, Appendix 9, Annual Operating Plan, Section 3 Customer Service).

I. Performance Evaluations

At a minimum, the Forest Service will perform a year-end performance evaluation within four months of the close of the operating season (*see* Appendix 7 of the prospectus). An unsatisfactory rating may be cause for suspension or revocation of the special use permit. Sustained satisfactory performance is required for a permit extension.

J. Accessibility

The Architectural Barriers Act of 1968 (ABA) and Section 504 of the Rehabilitation Act of 1973 require new or altered facilities to be accessible, with few exceptions. In 2004, the Architectural and Transportation Barriers Compliance Board (Access Board) issued revised accessibility guidelines for buildings and facilities subject to the ABA and the Americans with Disabilities Act (ADA). These new guidelines are called the ADA/ABA Accessibility Guidelines. In 2006, the Forest Service issued the Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG). The FSORAG addresses types of recreational facilities, including developed recreation sites that are not covered by ADA/ABA Accessibility Guidelines.

Any Government maintenance, reconditioning, renovation, or improvement (see section III.C) must meet ADA/ABA Accessibility Guidelines, where applicable, as well as the FSORAG.

The FSORAG and the ADA/ABA Accessibility Guidelines are posted on the Forest Service's [website](https://www.fs.usda.gov/recreation/programs/accessibility/) at (<https://www.fs.usda.gov/recreation/programs/accessibility/>). Questions regarding ADA/ABA Accessibility Guidelines may be referred to the [Access Board](http://www.access-board.gov) at www.access-board.gov. Questions regarding the FSORAG may be referred to the accessibility coordinator for the local National Forest.

The permit holder is responsible for ensuring effective communication with visitors with disabilities, including persons with impaired vision or hearing, so that all visitors may obtain information on accessible services, activities, and facilities.

K. Camping Unit Capacity

Number of Vehicles Per Camping Unit

Inyo Forest Order No. 05-04-50-21-14 Occupancy and Use Restrictions, which expires July 3rd, 2023, with intent to renew, limits all family campground sites to a capacity of no more than six persons per site [36 C.F.R 261.58(f)] and no more than two vehicles, except motorcycles or bicycles, per campsite [36 C.F.R 261.58(i)]. See *Appendix 4 Applicable Forest Orders* for complete text of Forest Orders on use and occupancy.

A “vehicle” is defined as any motorized conveyance, including anything that is being towed. For example, a motor home towing a trailer is considered on (1) vehicle. Additional trailers, motorcycles, or ATV’s may be allowed at a site if they are parked completely on the paved surface area of the campsite and do not create a safety hazard or cause resource damage.

The single-family campsite fee established for each campsite unit allows for one vehicle per campsite. For purposes of capacity, two motorcycles are considered one vehicle. For example, a motor home towing a boat trailer is considered one vehicle. A motor home towing a small car is considered two vehicles. When extra vehicles are allowed, an extra fee of up to 50 percent of the camping unit fee may be charged for each extra vehicle.

If camping unit capacity is exceeded (i.e., the extra vehicles causes a safety hazard or resource damage, or if there are more than two vehicles or 6 people), the customer may be required to occupy an additional camping unit or park extra vehicles in an overflow parking area, if available. If motorcycles and ATVs are on a trailer, they do not count as vehicles and must park on the surfaced parking spur where they do not create a safety hazard or cause resource damage.

This campsite capacity determination is subject to final approval of the Forest Service Authorized Officer.

Group Site Capacity

The capacity established for group sites is as follows:

Table 4. Group Site Capacity

| Facility / Site Name | Site # | People (each) | Vehicles (each) |
|--------------------------|--------|---------------|-------------------------------|
| *Agnew Meadow Group | 1 & 2 | 20 | 8 vehicles or 3 RVs |
| *Agnew Meadow Group | 3 & 4 | 10 | 3 vehicles or 1 RV |
| Aspen Group | 1 | 25 | 5 vehicles or 1 RV |
| Bishop Park Group | 1 | 25 | 8 vehicles or 3 RVs |
| Clyde – Glacier Group | 1 | 25 | 8 vehicles or 3 RVs |
| Lone Pine Group | 43 | 15 | 1 vehicle, no RVs (tent only) |
| Palisade – Glacier Group | 1 | 20 | 6 vehicles or 2 RVs |
| Palisade Group | 1 | 30 | 5 vehicles or 1 RV |

| Facility / Site Name | Site # | People (each) | Vehicles (each) |
|----------------------------------|-----------------------|---------------|--------------------------------|
| Pine Glen Group | 7, 8, 9, 11, 14, & 15 | 30 | 8 vehicles or 3 RVs |
| Pine Glen Group | 18 & 20 | 15 | 4 vehicles or 1 RV |
| Pumice Flat Group | 1 | 30 | 8 vehicles or 4 RVs |
| Pumice Flat Group | 2 | 20 | 3 vehicles or 1 RV |
| Pumice Flat Group | 3 | 20 | 4 vehicles or 1 RV |
| Pumice Flat Group | 4 | 50 | 10 vehicles or 5 RVs |
| Rock Creek Lake Group | 1 | 25 | 1 vehicle, no RVs (walk-in) |
| Table Mountain Group | 1 | 25 | 6 vehicles, no RVs (walk-in) |
| Trailhead (Saddlebag Lake) Group | 1 | 25 | 5 vehicles, no RVs (tent only) |
| Whitney Portal Group | 1, 2 & 3 | 15 | 2 vehicles, no RVs (walk-in) |

*Trailers and RVs are not recommended for this group camp as the road is narrow and rough.

Day Use Site Capacity

Table 5. Day Use Capacity

| Facility / Site Name | People | Vehicles |
|--------------------------|--------|-------------|
| June Lake Swimming Beach | 384 | 96 vehicles |

L. Stay Limit

Inyo Forest Order No. 05-04-50-21-14 Occupancy and Use Restrictions, which expires July 3rd, 2023, with intent to renew, camping in a developed campground for a period longer than specific in Exhibit A, in an undeveloped location for a period longer than 14 consecutive days, and anywhere within the Inyo National Forest for more than 28 total days during a calendar year [36 C.F.R. 261.58(a)]. Refer to *Appendix 4 Applicable Forest Orders* for complete text of Forest Orders and stay limits for each campground.

M. Fees Charged to the Public

The permit holder may charge the public fees only to the extent that the Forest Service can charge recreation fees under REA. All recreation fees must be specified per developed recreation site. The holder must honor the proposed pricing through the first full operating season. Thereafter, the holder may propose price adjustments with justification.

Permit holders may not charge for any of the following:

- Solely for parking, undesignated parking, or picnicking along roads or trailside.
- General access, unless specifically authorized by REA.
- Dispersed areas with low or no investment, unless specifically authorized by REA.
- Persons who are driving through, walking through, boating through, horseback riding through, or hiking through NFS lands without using the recreational facilities and services for which a fee is charged.
- Camping at undeveloped sites that do not provide the minimum number of facilities and services prescribed by REA.

- Use of overlooks or scenic pullouts.
- Travel by private, noncommercial vehicle over any national parkway or any road or highway in the Federal-aid System that is commonly used by the public as a means of travel between two places, either or both of which are outside an area in which recreation fees are charged.
- Travel by private, noncommercial vehicle, boat, or aircraft over any road, highway, waterway, or airway to any land in which the person traveling has a property right, if the land is in an area in which recreation fees are charged.
- Any person who has a right of access for hunting or fishing privileges under a specific provision of law or treaty.
- Any person who is engaged in the conduct of official federal, state, tribal, or local government business.
- Special attention or extra services necessary to meet the needs of the disabled.

N. Law Enforcement

Forest Service Manual (FSM) 2342.1, Exhibit 01, addresses the law enforcement authorities and responsibilities of concessionaires, state and local law enforcement agencies, and the Forest Service at concession campgrounds. See Appendix 8 of the prospectus.

O. Other Pertinent Information

Wildlife Mitigation

Campgrounds attract wildlife through the presence of food, trash and other strong odors, such as personal toiletry items, that are typically kept at individual camp sites. In order to prevent wildlife encounter problems, campers must keep these items secured (enclosed) within hard sided vehicles or hard sided camping units when they are not physically present at their campsite and during nighttime sleeping hours. Campground hosts must inform campers of this need and that, for example, trash bags hanging in trees, coolers or grills left out, or combustible odorous trash items left in a fire ring to be burned later will attract wildlife. Campground hosts also need to inform campers that the failure to properly store all such items can and has resulted in the destruction of offending wildlife and is a violation of Forest Order No. 05-04-50-21-14 – Occupancy and Use Restrictions (*Appendix 4*). Permittee must also maintain approved bear aware food storage stickers on bear boxes at each campsite.

Endangered Species

Inyo National Forest is home to several federally listed fish and wildlife species and designated critical habitats. Species listings vary over time. It is the responsibility of the permit holder to understand and abide by the Endangered Species Act (ESA). For more information visit <https://www.fws.gov/endangered/laws-policies/>.

The permit holder should familiarize themselves with Inyo National Forests' species of conservation concern (SCC). These species are not federally recognized as threatened, endangered, proposed, or candidate species, but have been identified by the Regional Forester as species whose best available scientific information indicate substantial concern about their capability to persist over the long-term in the plan area. History and management of SCC is available online, <https://www.fs.usda.gov/main/inyo/landmanagement/planning>.

The permit holder must coordinate with the Forest's Biologists for signage requirements pertaining to species concerns which are unique to each site. Any observed nesting activities should be reported to the Forests' biologists.

There are multiple species identified as candidates for listing under the Endangered Species Act (ESA) or identified as vulnerable which are within or in close proximity to sites included in this offering. See *Appendix 9 Minimum Content of the Proposed Annual Operating Plan, Section 23* for further information. The permit holder will be required to work with the Forest Service to inform visitors of these species and ensure protection of their habitat.

Archaeological Resources

The permit holder has responsibilities under the National Historic Preservation Act of 1966 (NHPA). Ground disturbing activities have the potential to affect National Register Properties designated or eligible National Register sites which are found in the campgrounds. The permit holder must notify the Forest Service of their intentions and obtain Forest Service approval prior to any ground disturbance. Depending on the actions proposed and the sites involved, the review process can take several months. For such recurring activities as replacing barrier posts, agreements will be determined with the permit holder and will be included in the Annual Operating Plan. The Reds Meadow Bathhouse located in the Reds Meadow Campground is a known potential historic property in this prospectus.

Condition of Trees

The pine stands within the campgrounds are mature to over-mature. During the past few years, the trees have experienced heavy damage from wind, snow, dwarf mistletoe, and sudden limb drop. Big trees that look healthy on the exterior may contain rotten cores and can drop a heavy limb without any warning.

Hazard Tree Removal

The permit holder will have to conduct pre-season inspection of the campgrounds to identify existing and potential hazards, including hazard trees. The permit holder also will be responsible for monitoring and identifying hazard trees during the operating season. After securing written approval from the authorized officer, the permit holder's financial responsibility for removing hazard trees and associated slash will not exceed **1% of the gross revenue generated by the concession the previous year** per year. The annual operating plan will address appropriate disposal of hazard trees and slash.

Butane and Propane Installations

For safety and regulatory reasons, the permit holder is not allowed to install or store bulk butane or propane.

Water Faucet Connections

Faucets will not be connected to RVs, except at Permittee's housing sites. Any hookups made will have a Forest Service approved antisiphon device in place at all times. Public hookups will not be permitted except at designated RV fill up stations.

Environmental Reviews

The National Environmental Policy Act (NEPA) applies to a broad range of actions that may occur in a campground or day use area, including construction activities, facility and road maintenance, ground disturbance and vegetation managed activities. These activities cannot proceed until the Forest Service has completed the required environmental review and approves

the action or activity to take place. The Forest Service will expedite the environmental review process to the best of its ability however cannot be responsible for any loss of revenue due to delays resulting from the environmental review processes required by law.

Consolidated Fee Investment in Campground Renovation

Many Inyo National Forest campgrounds are in need of renovation to improve the visitor experience, accommodate larger vehicles, and prevent resource damage. Forest staff are working with various partners and funding sources to begin comprehensive renovation at several campgrounds such as Reds Meadow, Minaret Falls, Pumice Flat, and Upper Soda Springs. The consolidated fee options are included in this prospectus to expand campground renovations to locations including Lower Lee Vining, Moraine, Aspen, and Holiday.

Sundries & Rentals

The applicant may propose to provide a variety of necessities, convenience items, and/or rental gear at permitted recreation site locations. Sale items may include, but are not limited to, firewood, maps, groceries, or other supplies. Rentals may include canoes, kayaks, bikes, day packs, and other items. Applicant shall describe sales/rental facilities and locations and any goods proposed for sale or rental at Forest Service recreation site locations for approval by inclusion in the annual operating plan. See *Appendix 9 Minimum Content of the Proposed Annual Operating Plan* for more information.

Innovative Fee Collection Methods

The Inyo National Forest is open to providing modern and innovative methods for on-site fee collection. Applicants are welcome to propose any ideas for expanding on-site cashless fee collection using credit cards and other electronic payment types.

III. Special Use Permit

In exercising the rights and privileges granted by the special use permit, the permit holder must comply with all present and future federal laws and regulations and all present and future state, county, and municipal laws, regulations, and other legal requirements that apply to the permit area, to the extent they do not conflict with federal law, regulation, or policy. The Forest Service assumes no responsibility for enforcing laws, regulations, and other legal requirements that fall under the jurisdiction of other governmental entities.

A. Permit Term

The permit term for this offering has two bid options:

- **5 + 5:** Five-year term, with an option to extend the term for up to an additional 5 years at the sole discretion of the authorized officer. The decision to extend the term will depend, in part, on sustained satisfactory performance of the permit holder.
- **10 + 5:** Ten-year term, with an option to extend the term for up to an additional 5 years at the sole discretion of the authorized officer. The decision to extend the term will depend, in part, on sustained satisfactory performance of the permit holder. This bid option requires a consolidated land use fee payment, see section IV.C.5. Fee to Government for more information.

Upon expiration of the permit, continuation of the permitted activity will be at the sole discretion of the authorized officer and will be subject to a competitive offering. A new prospectus will be issued during the final year of the permit term.

If the decision to select a permit holder is appealed, a permit will not be issued until the appeal has been resolved, unless operation is needed during the appeal, in which case a permit with a term of one year or less may be issued.

B. Permit Holder Responsibilities

This section highlights the requirements of the special use permit, which is contained in Appendix 10 of the prospectus. Applicants are responsible for familiarizing themselves with all permit requirements that govern the operation covered by this prospectus.

Responsibility for Day-to-Day Activities

As a general rule, the holder will be required to conduct the day-to-day activities authorized by the permit. Some, but not all, of these activities may be conducted by someone other than the permit holder, but only with the prior written approval of the authorized officer. The permit holder will continue to be responsible for compliance with all the terms of the permit.

Permit Holder-Furnished Supplies and Equipment

The permit holder will be required to provide all vehicles, equipment, and supplies necessary to operate the authorized developed recreation sites in accordance with the special use permit.

Holder-Furnished Vehicles

The permit holder may not use all-terrain vehicles, motorcycles, or motorbicycles in the campgrounds. The holder may propose use of golf carts or other similar vehicles to facilitate daily maintenance of the facilities. If authorized, carts must stay on designated roads or trails while driving between sites or loops.

Holder Maintenance, Reconditioning, or Renovation (MRR)

Maintenance, reconditioning, and renovation are defined in the permit (FS-2700-4h, clause IV.E.1(a), (c)). Holder MRR is defined as maintenance, reconditioning, or renovation that neither materially adds to the value of the property nor appreciably prolongs its life. The work serves only to keep the facility in an ordinary, efficient operating condition. From an accounting or tax perspective, it is work that may be expensed, but not capitalized. In fulfilling these responsibilities, the holder must obtain any licenses and certified inspections required by regulatory agencies and follow state and local laws, regulations, and ordinances and industry standards or codes applicable to the permitted operation (FS-2700-4h, clause IV.E.1(d)). The permit holder, at its expense, will be required to perform holder MRR under a holder MRR plan (FS-2700-4h, clause II.D). The holder MRR plan will describe required holder MRR and its frequency. The holder MRR plan will become part of the permit holder's annual operating plan.

C. Granger-Thye Fee Offset Agreement

The federal government owns all the improvements at the developed recreation sites covered by this prospectus. Under Section 7 of the Granger-Thye (GT) Act and the terms of the permit, the permit fee may be offset in whole or in part by the value of Government maintenance, reconditioning, renovation, and improvement (MRRI) performed at the permit holder's expense. Government MRRI is defined as maintenance, reconditioning, renovation, or improvement that arrests deterioration, improves and upgrades facilities, and appreciably prolongs the life of the

property. Government maintenance, reconditioning, renovation or improvement, whether performed by the holder or the Forest Service, shall be performed at the sole discretion of the authorized officer. See Appendix 4 of the prospectus and FS-2700-4h, clause IV.E.

All Government MRRI shall be enumerated in an annual GT fee offset agreement signed by the holder and the Forest Service in advance of the operating season (see Appendix 11 of the prospectus and FS-2700-4h, Appendix B). Alternatively, a multi-year fee GT fee offset agreement can be prepared for consolidated fee payments. A list of sample Government MRRI projects is included in Appendix 12 of the prospectus.

Either the holder or the Forest Service may perform GT fee offset work. This determination will be made annually. When the holder performs GT fee offset work, if it includes construction that costs more than \$2,000, it is subject to the Davis-Bacon Act and the fee offset agreement must contain Davis-Bacon Act wage provisions. Additionally, indirect costs may be offset provided the holder submits either a currently approved indirect cost rate or accounting procedures and supporting documentation to determine an indirect cost rate (see Appendix 13 of the prospectus).

The holder's claims for GT fee offset must be documented using the FS-2700-4h, Appendix G, Granger-Thye Fee Offset Certification Form (see Appendix 14 of the prospectus). This form requires the holder to itemize allowable costs incurred for an approved GT fee offset project and to certify the accuracy and completeness of claims.

When the Forest Service performs GT fee offset work, the holder will deposit fee payments into a CWFS account. The Forest Service will perform GT fee offset work under a collection agreement and offset those costs against the permit holder's annual permit fee (see FS-2700-4h, clause IV.E.3, and Appendix 15 of the prospectus). The Forest Service's indirect costs may be offset at the agency's approved rate. The Forest Service and the holder will agree on the work to be performed in advance of each operating season.

D. Insurance

Liability Insurance

The successful applicant must have liability insurance covering losses associated with the use and occupancy authorized by the permit arising from personal injury or death and third-party property damage in the minimum amount of \$500,000 for injury or death to one person per occurrence; \$1,000,000 for injury or death to more than one person per occurrence; and \$50,000 for third-party property damage per occurrence, or in the minimum amount of **\$1,000,000** as a combined single limit per occurrence. Insurance policies must name the United States as an additional insured (see Appendix 10 of the prospectus and FS-2400-4h, clause III.I).

Property Insurance

Property insurance will be required for facilities identified in Appendix 24 in the amount of **\$1,572,822.15** for **functional replacement** of the insured property.

E. Bonding

The permit holder will provide a performance bond in the amount of (*to be determined when and if necessary*). The bond may take the form of corporate surety, Treasury bills, notes or other negotiable securities, cash deposits, irrevocable letters of credit, assignment of savings accounts, or assignment of certificates of deposit. The authorized officer may reevaluate the need for or the amount of the bond after the first operating season.

IV. Application

A. Instructions for Submitting Applications

Applicants must submit a written application for all developed recreation sites offered in this prospectus.

Applicants are strongly encouraged to visit the sites at least once before submitting an application (see Appendices 1 and 2, vicinity and area maps and maps of developed recreation sites).

The information in this prospectus is from generally reliable sources, but no warranty is made as to its accuracy. Each applicant is expected to make an independent assessment of the business opportunity offered in this prospectus.

All applications must be submitted to:

Table 6. Application Submittals

| Contact | Addressee | Title | Attention | Address |
|---------|------------|-------------------|--------------|--|
| Forest | Lesley Yen | Forest Supervisor | Adam Barnett | 351 Pacu Lane Suite 200 Bishop, CA 93514 |

Applications must be received by close of business (4:30 p.m.) on Monday, May 22, 2023

Applicants must submit **one (1) hard copy and one (1) electronic copy** of their application package, supporting documents, and business plan to the Forest contact listed above.

The Forest Service asks interested parties to provide a complete application package. Applications must be submitted by mail. **The electronic copy must be provided on a flash drive.** The electronic copy must be in a Microsoft Office program or PDF file that allows for copying and pasting of text and is organized by each evaluation criteria listed in section D below. Each folder should contain the corresponding information and supporting documents pertinent to that evaluation criterion.

Any page with proprietary or confidential information must be noted with a disclaimer, however applicants should be aware that proposals are broadly subject to public disclosure pursuant to the Freedom of Information Act (5 USC § 552).

Unless requested in writing to return proposals, all unsuccessful applicants' proposals and supporting documents (including the flash drive) will be destroyed after the appropriate appeal period. The selected applicant's package will become part of the special use permit.

Please ensure that all requested information is submitted. Missing or incomplete information will result in a lower rating for the corresponding evaluation criteria.

Applications must be signed. The person signing for an entity must have authority to sign for that entity. Applicants must include their address, telephone number, facsimile number, and email address.

Corporations also must include:

- Evidence of incorporation and good standing.
- If reasonably obtainable, the name and address of each shareholder owning 3 percent or more of the corporation's shares and the number and percentage of any class of voting shares that each shareholder is authorized to vote.
- The name and address of each affiliate of the corporation.
- If an affiliate is controlled by the corporation, the number of shares and the percentage of any class of voting stock of the affiliate owned, directly or indirectly, by the corporation.
- If an affiliate controls the corporation, the number of shares and the percentage of any class of voting stock of the corporation owned, directly or indirectly, by the affiliate.

Partnerships, limited liability companies (LLCs), associations, or other unincorporated entities must submit a certified copy of the partnership agreement or other documentation establishing the entity or a certificate of good standing under the laws of the state where the entity is located.

Applicants should contact **Adam Barnett** at **(760) 873-2461** or **adam.barnett@usda.gov** regarding any questions related to this prospectus. The deadline to submit questions regarding the Prospectus is **Monday, April 17th, 2023**.

B. General Terms, Qualifications, and Reservations

All applicants have an equal opportunity to apply. Except for members of Congress, Resident Commissioners, and current Forest Service employees, any individual or entity may apply.

The Forest Service does not guarantee a profitable operation. Rather, applicants are responsible for reviewing the prospectus and making their own determination concerning business viability.

The Forest Service will select the application that offers the best value to the Government. The Forest Service reserves the right to select the successful applicant based on a trade-off between the fee to the Government and technical merit.

The Forest Service is not obligated to accept the application with the highest return to the Government.

The Forest Service reserves the right to select the successful applicant based solely on the initial application, without oral or written discussions.

The Forest Service reserves the right to reject any or all applications and to rescind the prospectus at any time before a special use permit is issued.

Any oral statement made by a representative of the Forest Service shall not modify the requirements of this prospectus. If it is determined that an error or omission has been made or additional information is required, a written amendment will be sent to each person or entity receiving a copy of this prospectus.

If there is a conflict between the terms of the prospectus and the special use permit, the terms of the permit will control.

The Forest Service is proposing a revision to FSM 2344.3 to address how passes and passports are honored in the concession program. The agency reserves the right to amend the special use permit consistent with any change to that directive. In addition, the Forest Service reserves the

right to amend the special use permit, to make it consistent with applicable laws and regulations, including REA; other Forest Service directives; or other management decisions.

The information contained in applications will be kept confidential to the extent permitted under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a).

C. Application Package Requirements

Applications must be in writing and must include or address the following:

- A proposed annual operating plan (including required and optional services).
- A business plan, business experience, and Small Business Development Center (SBDC) review fee of \$350 made payable to El Camino College SBDC, if applicable (see section IV.C.2).
- Financial resources.
- Proposed fees charged to the public.
- Proposed fee to the government.
- Initial processing fee of \$1,800 made payable to the USDA Forest Service.
- Past Performance (Evaluations, past permit list, violation or non-compliance explanations, and references)

1. Proposed Annual Operating Plan (Including Required and Optional Services)

Applicants must submit a proposed annual operating plan that addresses all required and optional services. Applicants must utilize the Minimum Content of the Proposed Annual Operating Plan (see Appendix 9 of the prospectus) to organize their response to this section. The successful applicant's proposed operating plan will be attached to and become a part of the special use permit.

Applicants must specify whether another party will assist with any of the operational aspects of the concession, and if so, must include the other party's name, address, telephone number, email address, and relevant experience.

Below are highlights of what needs to be addressed in the proposed annual operating plan. For more detail, see the Minimum Content of the Proposed Annual Operating Plan in Appendix 9 of the prospectus.

Operating Season

Applicants need to propose the period in which they will operate the sites listed in the prospectus. All sites must be open and operational seven days per week during the minimum operating season, unless a Forest Service closure order is in effect. The minimum operating season for each site is identified in Appendix 20, Description of Developed Recreation Sites and Facilities.

Staffing

Applicants must address appropriate staffing to meet customer service and cleanliness standards. The holder will be responsible for furnishing all personnel for the developed recreation sites and for adequately training and supervising their activities under the terms of the permit. The holder

must meet requirements of federal and state laws governing employment, wages, and worker safety. Based on past experience, recommended staffing is outlined in Appendix 9 of the prospectus. Applicants should address worker hours and schedules. Applicants also should address staff training for effective customer service, conflict resolution, area-specific emergency procedures, and dissemination of recreation and tourism information.

Supervision and Management

Applicants must designate an individual to serve as the agent of the holder for purposes of administration of the permit by the Forest Service. The designated agent must periodically review attendant performance on site and must be available to resolve repair needs within 24 hours of discovery or notification. The holder will be responsible for the conduct of its employees, including preventing conduct prohibited by 36 CFR part 261, Subpart A, and ensuring that employees are not under the influence of intoxicating beverages or narcotic drugs while on duty or representing the holder. Applicants also must include a policy for removing employees who engage in inappropriate conduct.

Uniforms and Vehicle Identification

Applicants should describe employee uniforms, insignia, name tags, and the applicants' policy for ensuring a clean, professional appearance by staff while on duty. The holder's employees may not wear any component of the Forest Service uniform. Additionally, applicants should address their policy for vehicle maintenance and appearance; types of vehicles to be used for operations (vehicles may not be driven off designated roads or trails); and signage to identify the concessionaire to the public.

2. Business Plan and Business Experience

Applicants must submit a business plan utilizing the format in Appendix 16 of the prospectus. This part of the application package must be a separate document. The business plan provides a thorough analysis of an applicant's vision of the proposed business. A good business plan is essential for running a successful business, maintaining and improving the business, and raising needed capital.

Applicants must furnish a detailed description of their experience relating to operating and maintaining developed recreation sites (e.g., campgrounds, beaches, and marinas). The description must include experience in private business, public service, or any nonprofit or other related enterprises. Applicants are encouraged to contact their local SBDC if they need assistance in completing their business plans. Alternatively, applicants who have already received a review of their business plan from an SBDC or the Forest Service for the current fiscal year may submit a copy of the review report.

SBDC Review

All business plans will be independently reviewed by an SBDC. If an applicant's current fiscal year business plan has already been reviewed by an SBDC, the applicant may submit a copy of the review report.

Along with a business plan, applicants also must submit a cashier's check (no other payment type accepted) in the amount of **\$350.00**, non-refundable, made payable to **El Camino College SBDC**. Applicants submitting a current fiscal year review report by the Forest Service or an SBDC need not enclose payment.

Performance Evaluations

Applicants who have experience in managing Forest Service or other Government concessions must provide copies of the most recent annual written performance evaluations for each Forest Service or other concession the applicants have operated or are operating. See *Section IV.C6 Past Performance* for additional information.

References

Applicants also must furnish three business references with names, addresses, telephone numbers, and email addresses in support of relevant business experience. These references will be contacted for information regarding applicants' past performance. In addition, the Forest Service may consider past performance information from other sources. See *Section IV.C6 Past Performance* for additional information.

3. Financial Resources

Applicants must submit a complete set of all financial statements for the last three fiscal years that have been audited, reviewed, or compiled by a certified public accountant (CPA). For any financial statements that were only compiled by a CPA, applicants must complete FS-6500-24, Financial Statement (see Appendix 17 of the prospectus) for certification of the accuracy of the financial statements.

Applicants must complete FS-6500-24 for any of the last three fiscal years they were in business for which a financial statement was not audited, reviewed, or compiled by a CPA. An applicant who has had a financial ability determination (FAD) conducted within the past year should include a statement to that effect along with the forest name, contact name and telephone number. Additionally, applicants must identify any pending applications or new permits obtained from the Forest Service since the FAD was completed.

In completing FS-6500-24, LLCs must list the name of the company in block 1, the names and interests of the principals in block 5, and their members should be listed in block 6. In addition, LLCs must complete the certification in Part (D)(1) of FS-6500-24.

An applicant who has not been in business for the last three fiscal years, and therefore cannot submit audited, reviewed, or compiled financial statements or an FS-6500-24, must submit three fiscal years of projected financial statements compiled by a CPA using the forecast method.

Any financial information submitted by applicants must conform to generally accepted accounting principles (GAAP) or other comprehensive bases of accounting. Any previously prepared financial documents that are submitted must be unredacted and in their original form, including footnotes.

Applicants must show at least 25 percent of the first year's operating costs in liquid assets. Liquid assets are assets that are readily converted into cash.

Applicants also must complete blocks 1 through 5 of form FS-6500-25, Request for Verification (see Appendix 18 of the prospectus) and submit the signed and dated form with the application. The Forest Service will forward the FS-6500-25 for the most qualified applicant to the Albuquerque Service Center for processing. The auditor assigned to conduct the FAD will send a copy to each financial institution with which the applicant does business. The financial institutions must complete blocks 6 through 15 of the form and mail the completed form to **USDA Forest Service, Albuquerque Service Center**, Attention: Auditor, ASC-B&F, 101 B Sun Ave NE, Albuquerque, NM 87109.

4. Fees Charged to the Public

Applicants must provide a list of all fees they propose to charge to the public for the **first three years of operation, including fees for required and optional services** (see Appendix 9, Minimum Content of the Proposed Annual Operating Plan for a list of required and optional services). Discuss any variable pricing, discounts, and passes. All proposed fees to be charged to the public also must be included in the business plan as an income item.

Multiple counties in this offering have a Transient Occupant Tax (TOT) on all campground that operate within the respective counties. Applicants are requested to include a fee option that includes the TOT for these campgrounds. See Section I, F. Table 2 Utility Contacts for a list of applicable TOT rates.

The Forest Service reserves the right to regulate the rates charged to the public.

5. Fee to the Government

The Government is obligated to obtain fair market value for the use of its land and improvements. The minimum fee is **\$134,385.33** per year. The minimum fee is the concession's average gross revenue for the past three years multiplied by the current 30-year Treasury bond rate. The minimum fee will be adjusted at the end of the first five years of the permit term if the permit is extended for five years.

Minimum Fee Calculation

Table 7. Minimum Fee Calculation

| Year | Gross Revenue |
|---|---|
| 2019 | \$3,602,061.59 |
| 2020 | \$3,295,426.08 |
| 2021 | \$4,239,418.37 |
| Grand Total | \$11,136,906.04 |
| Average = Grand Total ÷ 3 | \$11,136,906.04 ÷ 3 = \$3,712,302.01 |
| Three Year Average Gross Revenue | \$3,712,302.01 |

*Revenues in the table above do not include Lower Lee Vining, Moraine, Cottonwood Lakes TH, Golden Trout Backpacker and Horseshoe Meadows Equestrian Camp, Aspen.

Total gross revenue ÷ 3 = average gross revenue

Average gross revenue multiplied by the current 30-year Treasury bond rate = the minimum annual fee. In the following example, the 30-year Treasury bond rate is 3.62 percent.

$$\text{\$3,712,302.01} \times 0.0362 = \text{\$134,385.33 minimum annual fee}$$

Applicants may propose a fee below the minimum, provided they can document why this amount represents fair market value. However, the Forest Service may reject the proposed fee if the agency determines that it does not reflect fair market value.

Applicants must propose the fee to the Government as a percentage of the concession's adjusted gross revenue. One percentage may be proposed for the entire permit term, or the percentage

may vary each year. **However, if a consolidated fee payment will be proposed, one percentage rate must be proposed for the entire period of consolidated payments.**

Optional Consolidated Land Use Fee Payment. If the applicant chooses to bid on the 5-year permit term, this section applies. Applicants may propose a consolidated fee payment for **3 years** during the initial permit term or extension of the term to finance a GT fee offset project. The consolidated land use fee payment will be determined by multiplying the average annual gross revenue of the offering for the past 3 years (adjusted, if applicable, based on expansion or contraction of the concession) by the number of years the land use fee payments will be consolidated, and multiplying the product by the percentage of gross revenue proposed by the applicant. If the Forest Service will perform the GT fee offset work using a collection agreement, the entire consolidated land use fee payment must be made when the first land use fee payment otherwise would have been due. If the holder will perform the GT fee offset work, the holder must commence that work within the first 6 months of the consolidated fee period and must complete the work within 18 months of the beginning of the consolidated fee period. The consolidated land use fee payment will not be reconciled based on actual gross revenues.

Required Consolidated Land Use Fee Payment. If the applicant chooses to bid on the 10-year term, the following section applies. A consolidated land use fee payment of **\$250,000** or greater is required for this offering. The consolidated land use fee payment will cover the land use fee for **6 years**. The consolidated land use fee payment will be determined by multiplying the average annual gross revenue of the offering for the past 3 years (adjusted, if applicable, based on expansion or contraction of the concession) by the number of years the land use fee payments will be consolidated, and multiplying the product by the percentage of gross revenue proposed by the applicant. If the Forest Service will perform the GT offset work using a collection agreement, the entire consolidated land use fee payment must be made when the first land use fee payment otherwise would have been due. If the holder will perform the GT fee offset work, the holder must commence that work within the first 6 months of the consolidated fee period and must complete the work within 18 months of the beginning of the consolidated fee period. At the midpoint of the consolidated fee period, the consolidated land use fee will be compared to actual gross revenues and adjusted as necessary for the remainder of the consolidated fee period.

Consolidated Fee Example

Three-year average gross revenue = \$3,712,302.01 x 6 years = **\$22,273,812.10**

Consolidated fee = \$22,273,812.10 x (percent proposed by applicant)

The proposed fee to the Government also **must be included in the business plan as an expense item in the cash flow projections.**

The fee to the Government may be offset in whole or in part by the value of Government MRRI, performed at the permit holder's expense in accordance with a GT fee offset agreement (see section III of the prospectus).

6. Past Performance

Applicants who have experience in managing Forest Service or other Government concessions must provide copies of the 2021 & 2022 annual written performance evaluations for each Forest Service or other concession the applicants have operated or are operating. Applicants who have managed Forest Service concessions must provide a comprehensive list of current and past Forest

Service permits held, including the location and duration of each permit. As stated in *Appendix 16 Sample Business Plan, Part IV.1*, applicants are required to submit, "Copies of all pertinent existing permits or licenses applicable to this business (submit only the face pages of all current concession permits)".

Please provide information related to non-compliance issues or citations you have received pertaining to permitted or unpermitted activities on any Federal lands (USFS, NPS, BLM, etc.). Please provide information on any state violations you have received in connection with a licensed activity. Please clarify any non-compliance or citations you or your employees have received from the Forest Service or other agencies, emphasizing the most recent.

Applicants must furnish three business references with names, addresses, telephone numbers, and email addresses in support of relevant business experience. If the applicant has managed Forest Service concessions, their references must include Forest Service personnel who can be contacted regarding the applicant's concessionaire operations. Any non-Forest Service references provided must be able to provide insight on the applicants' performance in concession programs or similar operations. These references will be contacted for information regarding applicants' past performance. In addition, the Forest Service may consider past performance information from other sources.

Please ensure that all requested information is submitted. Missing or incomplete information will result in a lower rating for the corresponding evaluation criteria.

7. Application Fee

Cost Recovery

Applications submitted in response to this prospectus are subject to cost recovery pursuant to 36 CFR 251.58(c)(1)(ii) and (c)(3)(iii). Applicants must submit a processing fee of **\$1,800** to cover the cost of the prospectus and review of the application. Payments due the United States for this application must be paid in the form of a bank draft, money order, or cashier's check payable to the USDA-Forest Service. Payments will be credited on the date received by the designated Forest Service collection officer or deposit location. Additionally, the selected applicant will be responsible for the costs of preparing and issuing the permit and conducting a FAD, unless the Forest Service has conducted a FAD for the applicant within the past year. If a FAD has been completed for the applicant within the last 12 months, the applicant will be responsible for the cost of adjusting it to reflect any change this selection will have on the applicant's financial ability.

D. Evaluation of Applications

A Forest Service evaluation panel will evaluate each application utilizing the **non-fixed weight** method.

The following evaluation criteria are listed in descending order of importance:

- **Proposed annual operating plan (including required and optional services).** It is important for applicants to clearly and fully address each section and use the format in Appendix 9 of the prospectus. Please be sure to include how the items will be accomplished.
- **Business plan, business experience, and references.** The business plan should clearly and fully address each section utilizing the format in Appendix 16 of the prospectus.

- **Fee to the Government.** See section IV, C. 5, Fee to Government, for the minimum fee calculation as well as the optional and required consolidated land use fee payment. If the proposal is for the 10 + 5 permit term, the required consolidated fee payment is also required.
- **Fees charged to the public.** Fees should be shown for each site, and for the **three-year projection**, preferably in a chart or spreadsheet. Include discounts, additional fees, and annual pass information. Include Transient Occupancy Tax (TOT) amounts.
- **Financial resources.** See section IV, C. 3. Financial Resources for more information
- **Past Performance.** See section IV, C. 6. Past Performance for more information.

The following are the qualitative factors for each criterion:

Table 8. Qualitative evaluation criterion definitions

| Color | Definition |
|--------|---|
| Blue | Exceeds – The application exceeds all minimum requirements. The application is very comprehensive, in-depth, clear, and uniformly outstanding in quality. The application demonstrates an exceptional understanding of goals and objectives of the prospectus. One or more major strengths exist. No major weaknesses exist. Consistently high-quality performance can be expected. |
| Green | Acceptable - The application easily meets all minimum requirements. The application generally is of high quality and demonstrates a strong understanding of the goals and objectives of the prospectus. Strengths significantly outweigh weaknesses. Weaknesses are minor and easily addressed. Satisfactory performance can be expected. |
| Yellow | Marginal - The application barely meets all minimum requirements. The application is of fair quality and demonstrates a fair understanding of the goals and objectives of the prospectus. Strengths marginally outweigh or are marginally outweighed by weaknesses. Weaknesses may be major and may be difficult to address. Marginal performance can be expected if weaknesses are not addressed. |
| Red | Unacceptable - The application fails to meet most or all minimum requirements. The application is of poor quality and fails to demonstrate an understanding of the goals and objectives of the prospectus. Weaknesses significantly outweigh strengths. Weaknesses are major and difficult to address. Consistently unsatisfactory performance can be expected. |

The Forest Service will consider only the applicant's written application package and any past performance information obtained by the Forest Service. During the evaluation process, the evaluation panel may contact any references, including all federal, state, and local entities that have had a business relationship with the applicant. The evaluation panel also may consider past performance information from other sources.

The evaluation panel will make a recommendation to the authorized officer as to which applicant offers the best value to the Government. The authorized officer will make the selection decision. All applicants will be notified of the successful applicant via certified mail.

The Forest Service will conduct a FAD on the selected applicant as a prerequisite to issuing a special use permit, unless the agency has a current fiscal year FAD conducted by the Albuquerque Service Center or SBDC for another Forest Service unit.

The Forest Service reserves the right to reject any and all applications.

The Forest Service reserves the right to rescind the prospectus at any time before a special use permit is issued. If the Forest Service rescinds the prospectus, application fees will be returned.

V. Post-Selection Requirements

Once an applicant has been selected, the following information must be submitted and approved by the Forest Service prior to issuance of a special use permit:

- A final annual operating plan containing all the items included in the annual operating plan submitted in response to the prospectus.
- An annual GT fee offset agreement.
- Documentation of required liability insurance and, if applicable, property insurance.
- Documentation of bonding, if applicable.
- Required deposits and advance payments (see Appendix 10 of the prospectus and FS-2700-4h, clause IV.C.1).
- Documentation that utility services have been obtained in the name of the selected applicant.
- A state business license and any other required federal, state, or local certifications or licenses.

The successful applicant will be required to submit all these items within 30 days of the date of the selection letter. If these requirements are not met within the 30-day period, a special use permit will not be issued. The applicant who receives the next-highest rating may then be selected for the special use permit, subject to the same requirements.

Burden and Non-Discrimination Statement

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 10 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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410, or call toll free at (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

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.