



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

El Centro Field Office
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2930(P)
(CA-670.41)

September 1, 2004

Dear Imperial Sand Dune Vendors:

With the 2004-2005 visitor use season approaching, it will soon be time to obtain vendor permits. Vendor Permits are a type of Special Recreation Permit (SRP). While the Field Manager has the discretion to approve, disapprove, or modify a permit, those that follow the procedures below are normally approved. The Special Recreation Permits (SRPs) will be issued for the 2005 Season (October 1, 2004 through May 31, 2005) but they will only be valid for the days paid in advance (Vendor Days). The fees have not changed from last season. There have been several minor changes from last year. The following changes are in effect for the season and are not dependent upon the approval of the proposed Imperial Sand Dunes Recreation Area Management Plan.

1. The term "Roving" will be used to identify vendor operations that are moving and are not stationary (e.g., ice cream trucks). The term "mobile" has been dropped to avoid potential confusion with the definitions used in the State of California's Codes.
2. All applicants must submit a Tax Identification Number or Social Security Number on the Vendor Supplemental Information Form.
3. The Supplemental Information and Update Request Form has been revised and divided into two separate forms. Both the Vendor Supplemental Information Form and the Vendor Update/Change Form need to be completed and submitted with the Special Recreation Application and Permit Form.
4. The Seller Permit Number from the California Board of Equalization must be entered on the Vendor Supplemental Information Form. The El Centro Field Office no longer requires copies of Sellers Permit to be submitted with the application.
5. The Vendor Supplemental Information Form contains a signature line for you affirming that you have read and agreed to the stipulations, terms, conditions, rules, regulations, and supplemental rules that are included in Appendix A. This agreement previously had been included at the end of Vendor Stipulations (Appendix A). With this change, applicants do not need to return Appendix A with the application.
6. In general, the stipulations are the same as last year. But they have been organized into common groups. Some "stipulations" were actually regulations or supplemental rules and have been paraphrased in plain English for your information in Appendix A. Several long established general terms that apply to SRPs have been added to the "General" grouping for your information. Administrative requirements (e.g., submitting a complete application, paying the fees due, BLM's receipt of all applications, supporting documents, & Vendor Update/Change Form 14 days in advance) have been deleted from the stipulations section. Failure to comply with the administrative requirements will result in the application being returned and delayed or the update not being approved.
7. By the end of the September, the Vendor Information Package (including forms), should be available at the El Centro Field Office's website <http://www.ca.blm.gov/elcentro/>

8. The Imperial County Environmental Health Services will resume requiring vendors preparing and/or selling food and other consumable goods to have a valid Food Permit.

The Record of Decision for the Imperial Sand Dunes Recreation Management Plan has not been signed and therefore **is not in effect** at this time. When the Record of Decision for the plan is signed, additional changes may be adopted and may become effective immediately even though it would be part way through the October 1, 2004-May 31, 2005 season. What, if any, changes will be adopted in the Record of Decision are unknown at this time. Any changes would only be for the Imperial Sand Dunes Recreation Area and would not apply to other parts of the El Centro Field Office. For your information, possible vendor related changes in the Proposed Imperial Sand Dunes Recreation Area Management Plan were:

1. Vending at Glamis Flats, Buttercup, and Dune Buggy Flats will be limited to weekends running from noon Thursday to noon Monday. Exceptions for holidays (including Halloween and Easter) are noted in the Fee Schedule section below.
2. Vending during week days (Monday, Tuesday, and Wednesday) would be restricted to the Gecko Road Vendor Pad sites.

Key procedures including some changes from the previous years are listed below. Please read each item carefully as described below and all the stipulation on the enclosed Vending Permit Special Stipulations (09/01/2004). You are responsible to know the stipulations that will apply for the October 1, 2004-May 31, 2005 season.

1. *Reservations for the Gecko Road Vendor Pad will be accepted beginning on September 10, 2004 and must be accompanied with a completed application, payment, list of dates to vend, Vendor Supplemental Information Form, Vendor Update/Change Form (specifying the location and dates requested), a detailed list of items to be sold, and photocopies of appropriate Imperial County permits. All applications received by mail or in person on September 22, 2004 will be considered as being received at the same time. A lottery will be used on September 23, 2004 to select the order of application preference. The first selected applicant will choose the site and dates for vending on the pad. The second selected applicant will choose from the remaining sites and dates. This process will continue until all sites and dates for the Gecko Road Vendor Pad are filled or there are no more applicants. After the lottery, any remaining sites and/or dates will be assigned on a first come first serve basis in minimal blocks of 30 days.*

NOTE: *If there are four or less applicants and the El Centro Field Office receives by September 22, 2004 from each applicant, a written statement agreeing as to which Gecko Road Vendor Pad site they will occupy, a lottery will not be held.*

2. *Vending permits on the Gecko Road Vendor Pad are issued for commercial services open for business a minimum of 30 consecutive days. Assigned site fees apply only to the Gecko Road Vendor Pad sites. Vendor permits will not be issued for parking, storing equipment, storing vehicles or sub-leasing. Vendor permits are considered a commercial use (43 CFR 2932.5), which states (in part) that commercial use is a recreational use of public lands for business or financial gain.*
3. *The Vendor Supplementary Information Form must include the Taxpayer Identification/Social Security Number, the California Board of Equalization Sellers Permit number, and a dated signature agreeing to comply with the stipulations, regulations and rules listed in Appendix A.*
4. *The Vendor Update/Change Form must identify the dates, location(s), type of operation (whether it is stationary (fixed in place while vending) or roving (always moving). The completed form must be submitted with the original application and for later changes (e.g., dates, locations, items being sold).*

5. *Vendors having more than one unit conducting business on a given day must obtain a Special Recreation Permit for each unit.*
6. *License numbers for vehicles and trailers for each unit must be provided on the Vehicle License Number Sheet. Also identify which, if any, will be used to prepare or store food.*
7. *A copy of applicant's Drivers License must be provided at the time the application is submitted.*
8. *The sale or display of alcohol, tobacco, fireworks, lewd or pornographic material, drugs or drug paraphernalia will not be allowed.*
9. *Vendors arriving earlier than their paid vending dates must have in their possession the Weekly Recreation Use Pass (must be valid for the dates of use) or the Season Recreation Use Pass (Oct. 1st - Sept. 30th) for each primary vehicle. **NOTE:** That all vending equipment and facilities must be removed from public lands when the Recreation Use Pass is being used.*
10. *A detailed list of inventory items and services must be provided with the original SRP Application Package. The inventory list must describe all items in detail and novelty items must be listed individually. Copies of stencil designs (e.g., for t-shirts and hats) need to be included.*
11. *The stipulations have been amended to allow stationary and non-roving permits to sell commercially packaged and sealed containers of fuel for camping equipment such as stoves and lanterns. The sale of fuel for motor vehicles is still prohibited.*

Enclosed is an SRP application, Appendix A "Special Stipulations", the Vendor Supplemental Information Form and the Vendor Update/Change Form, the Vehicle License Number Sheet, and the El Centro Field Office Goals for the vending program. If you should decide to apply for a permit, return the completed application (with the original signature) as well as the signed Special Stipulations, the Vendor Supplemental Information Form, and Vendor Update/Change Form, the Vehicle License Number Sheet, a Certificate of Insurance with the Bureau of Land Management listed as additionally insured, and photocopies of appropriate Imperial County permits and other required information. Please state the location(s) and vending dates and include the advanced payment. The selected dates do not have to be consecutive except for at the Gecko Road Vendor Pad sites.

Commercial Use Fee Schedule (October 1, 2003-May 31, 2004):

Non-Holiday Weekends (Thursday to Sunday)	\$30/day
Non-Holiday Week Days (Monday to Wednesday)	\$25/day
Holiday, Halloween, & Easter Weekends	\$60/day

The commercial use fees apply to any day or part of a day that commercial activity (e.g., setup, tear down, selling, providing services, advertising) occurs. A minimum \$80.00 commercial use fee will be charged for each vendor permit (Special Recreation Permit) and be applied towards the total of daily commercial use fees. An additional \$160.00 Assigned Site Fee applies to Gecko Road Vendor Pad sites (\$160.00 + commercial use fees).

Non-Holiday Weekends start on Thursday and end on Sunday.
 Holiday, Halloween, and Easter Weekends:

Halloween: Thursday, 10/28/04 to Sunday, 10/31/04

Thanksgiving:	Thursday, 11/18/04 to Sunday 11/28/04
Christmas/New Year:	Thursday, 12/23/04 to Sunday, 01/02/05
Martin Luther King, Jr.:	Thursday, 01/13/05 to Monday, 01/17/05
Presidents Day:	Thursday, 02/17/05 to Monday, 02/21/05
Easter:	Thursday, 03/24/05 to Sunday, 03/27/05

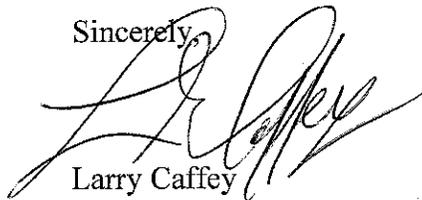
A Certificate of Insurance for comprehensive public liability insurance, commonly called business insurance, with the Bureau of Land Management listed, as "additional insured" must be provided with the Special Recreation Permit Application package. As a minimum the insurance needs to be in the amount of **\$300,000** per occurrence, **\$600,000** annual aggregate for bodily injury and **\$30,000** property damage per occurrence with **\$55,000** aggregate. If deemed necessary by the authorized officer, additional coverage may be required. Itemized amounts must be shown on the certificate of insurance. Vehicle insurance normally will not satisfy this requirement.

If the application includes any of the dates between October 1, 2004 and October 10, 2004, applications must be received 7 days before the start of the application. The normal 14 day advance receipt requirement is being waived because of the delay in providing this information package, applications and supplemental forms. For applications and amendments beginning during the rest of the season (10/11/04-05/31/05), your Special Recreation Permit Application package and any amendments need to be received 14 calendar days before the permit or the amendment would start. The time is needed for processing and to respond by general mail. Approved permits will not be sent by overnight mail.

Any changes or amendments made to the approved Special Recreation Permit must be made on the enclosed Vendor Update/Change Form. Forms from previous years will not be accepted and will delay processing of your request.

We appreciate your cooperation and look forward to working with you in the 2004-2005 visitor use season. If you have any questions or concerns, please contact Arnold Schoeck, Lead Outdoor Recreation Planner at 760/337-4441 or e-mail at Arnold_Schoeck@ca.blm.gov.

Sincerely,



Larry Caffey
Acting Field Manager

Enclosures