

Kenai Fjords National Park
Commercial Use Authorization Activity-Specific Stipulations
Attachment ____
2015 GUIDED PADDLE SPORTS
(Kayak Touring, Stand Up Paddleboarding)

1. Annual Reports and Documentation

Pre-Season

1. Documentation

The CUA holder will submit the following reports and documentation, in addition to all other documentation/reporting requirements specified by applicable law or policy:

- a) Schedule of trips and proposed rate schedule.
 - Due prior to advertisement, if applicable.
- b) Business brochures and advertising.
 - Due prior to distribution.
- c) Employee roster of staff operating within the park.
 - List of employees, with documentation demonstrating that they meet the same standards and requirements as the CUA holder.
 - "Guide Roster" shall include certifications of individual guides.
 - Due 30 days prior to operations.
 - Updates should be sent in to the KEFJ Chief Ranger's office and Concession's Management specialist in the Alaska Regional Office upon hiring of additional staff.

Before the Trip

1. Equipment

- a) Minimum equipment for each client kayak touring should consist of life jacket, spray skirt, paddle float, bilge pump safety whistle, and clothing appropriate for the weather and water. Minimum equipment for stand up paddleboarding should include life jacket, leash, and clothing appropriate for weather and water. Equipment should conform with USCG and industry acceptable standards and be in good working order.
- b) Minimum emergency equipment to be carried by each guide should be sufficient to initiate evacuation and stabilization.

During The Trip

1. Visitor Safety

The CUA holder will conduct all activities with safety as their highest priority.

2. Leave No Trace (LNT) Requirements and NPS Waste Management Policies

Guides are responsible for ensuring that all members of the trip follow LNT guidelines and adhere to all regulations and policies for waste management and sanitation, backcountry travel, and camping.

3. Sanitation and Human Waste

All solid human waste from participants of activities authorized under this CUA will be managed in accordance with current NPS Regulations found in Title 36 of the Code of Federal Regulations and in Superintendent's Compendium:

- Coastal Public Use cabins and beaches – Restop II, PETT Wag Bags, or similar containers must be used and carried out for disposal in a landfill.
- Tissue paper and sanitary items should be packed out or burned when fire hazard is low.

4. Food storage - designated areas and methods

- a) Definition: A bear resistant container (BRC) means an item constructed to prevent access by a bear. BRC's include—
 - Items approved by the Department of Interior and Agriculture's Interagency Grizzly Bear Committee (Interagency Grizzly Bear Committee <http://www.igbconline.org/html/container.html>);
 - Park provided metal food lockers at some coastal campsites;
 - Any additional items approved in writing by the Superintendent.
- b) Food, food containers, garbage, and harvested fish must be stored in a bear resistant container (BRC) or secured--
 - Within a hard sided building;
 - Within lockable and hard sided section of a vehicle, vessel, or aircraft; or
 - By suspending at least 10 feet above the ground and four feet horizontally from a post, tree trunk, or other object on a wire or branch which will not support a bear's weight.
- c) This regulation does not apply--
 - To food that is being transported, consumed, or prepared for consumption; and
 - To clean dishes and cooking equipment, which are free of food odors.

5. Trash removal

The CUA holder is responsible for removing and properly disposing of all of their trash from the park at the conclusion of each trip. Garbage may not be burned or buried. It must be removed from the park at the end of each trip.

6. Caching

The CUA holder is responsible for complying with all park regulations related to property and wildlife protection. Temporary storage or "caching" of equipment or supplies must be approved in advance and in writing by the Superintendent. This includes leaving food or other materials in a park provided Bear Resistant Container ("bear box") unattended for one or more nights.

7. Group Size and Trip Quantity

- c) All backcountry trips are limited to a maximum group size of 14 people, including guides and assistants.
- d) Commercial groups larger than 14 should arrange to split up and arrange drop-offs and pick-ups by air or water taxi in such a manner as to prevent more than 14 people on any one beach or other discrete location at one time, except in exigent circumstances or at the following locations:
 - Main kayak drop off beach, Northwestern Fjord
 - Beach adjacent to the Holgate Public Use Cabin
 - Any other location approved by the Superintendent in advance and in writing
- e) If more than 14 people are dropped together by air or water taxi, they must make all reasonable efforts to immediately separate into two or more groups smaller than 14 people each and must set up camp at a minimum of 500 feet from each other.
- f) If more than 14 people are picked up together by air or water taxi, they must make all reasonable efforts to minimize the time that combined groups are together at the pickup location, while still allowing adequate time to meet transportation provider schedule, break down equipment, etc.
- g) Trips shall be limited to two per activity, day, and location, for each CUA holder.

8. Client-to-Guide Ratios

- a) Client-to-guide ratios will be appropriate for the nature of the trip and based on the trip objectives. Client-to-guide ratios will not exceed six clients to one guide. Additional guides are permitted provided the total group size does not exceed 14 people.

9. Nightly Stay limits in heavily used areas and camp site etiquette

- a) In Aialik Bay, Harris Bay, and Northwestern Lagoon, commercial groups may not spend more than two nights at any one location in order to protect opportunities for other groups to use the campsites and food lockers. This requirement does not apply if weather and sea conditions make travel dangerous or in the event of exigent circumstances (e.g., illness of trip member or damage to camping or kayak equipment which makes travel unsafe).
- b) Clients, CUA holders, guides, and other employees may not return to the same location unless they have vacated the site and all supplies and equipment have been removed from the campsite / food locker for at least 24 hours.

- c) Overnight stays at the Pederson Lagoon Easement site and all other coastal easements are limited to one night only, pursuant to the easement site regulations. Easements are marked by signs and are found on commonly used Trails Illustrated maps of the park. Further location information available upon request.
- d) All equipment and supplies, including but not limited to tents, tarps, tools, fuel, food, kayaks, rafts, canoes, and garbage must be removed from each campsite upon departure. Departure will be defined as leaving the site with the intent of not occupying the site overnight within the next 24 hours.
- e) Any site used for commercial activity must be returned to its natural state after use. Alteration involving the movement of rocks, driftwood, or other natural objects to create objects, including but not limited to tables, chairs, benches, shelters, fire rings, caches or tent frames, must be returned to its previous condition prior to departure.
- f) Campfires along the coast shall be built in the intertidal zone whenever possible. Fire rings of stones or other materials must be dismantled before leaving the site. Ashes must be dispersed, preferably in the ocean. Any burnt food or garbage must be packed out of the park as garbage. A fire pan is strongly encouraged to facilitate this process.

10. Public Use Cabins

- a) Neither CUA holder, nor their employees, shall rent or reserve a Public Use Cabin for commercial purposes. CUA holders and/or employees shall not act as agents or representatives for clients renting or reserving Public Use Cabins.
- b) Commercial groups shall not utilize Public Use Cabins, porches, decks or associated toilets, unless a member of the group has rented the cabin and has a valid Special Use Permit for the same. No individual or group shall camp within 500 feet of a Public Use Cabin.

11. Access on Inholdings

CUA holders are responsible for knowing the location of private holdings, native corporation lands, and public use easements along the coast of the park, and abiding by all applicable laws relating to same. In particular, guides should note that the Port Graham Corporation requires a use permit for entry upon their lands for any period of time and any purpose. Use of that land without permit constitutes trespass.

12. Cultural and Archeological Resource Protection

- a) Groups shall not enter any adit or other mine opening on coastal mining claims either active or inactive.
- b) Archeological and historic resources are protected by federal law. In the event that the CUA holder, their employees, or their clients encounter materials thought to be associated with a cultural site, the site location shall be recorded and the park Cultural Resource Manager, 907-422-0541, or Chief of Resources 907-422-0546, shall be notified.

13. Bear/Human Interaction

Any encounters with bears, including but not limited to situations where human food was obtained and / or bear spray or firearms were used, must be reported to a park employee as soon as practical. If an employee cannot be contacted in the field, the incident must be reported to park headquarters in Seward immediately when the group leaves the field. This report may be made in person, by phone, fax, or email.

14. Communication

- a) Groups traveling in the coastal backcountry must carry at least one VHF radio capable of sending and receiving on Marine channel 16.
- b) FRS or GMARS radios are recommended to maintain communication between CUA holders.
- c) Satellite phones are also highly recommended.

15. Search and Rescue Guidelines

- a) In certain instances, guides and team members may become involved with search and rescue operations involving other teams and/or the NPS. Before engaging in search and rescue events that do not directly involve their team, guides must ensure the safety and well-being of their clients.
- b) Guides will not be paid for search and rescue operations initiated by themselves or others; they may only be compensated when work is performed at the direct request of the NPS and carried out under NPS direction in NPS

jurisdiction. The NPS will make an acknowledgement that the guide will be compensated at the time of a request for assistance. Guides will be paid on the same scale used for emergency firefighters, otherwise known as the AD scale. All the paperwork required for payment will be completed in a timely fashion or payment will be considered to be surrendered.

16. Emergency Response and Rescue Skills

All guides shall have training in self-rescue and evacuation skills. Guides shall be able to coordinate self and client rescues.

- a) Annual submission of an Emergency Action Plan is required. This plan should identify contingency resources.

17. Other activities

Engaging in a commercial activity other than that specifically permitted for is prohibited.

18. Marine Mammal Protection

Commercial groups in motorized or non-motorized vessels inside the boundaries of Kenai Fjords National Park are required to adhere to Marine Mammal Viewing Guidelines, published by the National Marine Fisheries Service, as a condition of this permit. The current guidelines are summarized as follows:

- Remain at least 100 yards (length of a football field) from whales, dolphins, porpoises, and from seals and sea lions that are on land, rock, or ice.
- Use extra caution when viewing seals and sea lions that are on land, 100 yards may not be sufficient distance to prevent harassment.
- If a whale approaches within 100 yards of your vessel, put your engine in neutral and allow the whale to pass.
- Offering food, discarding fish, fish waste, or any other food item to a marine mammal is prohibited.
- Handling pups, touching, or swimming with the animals is prohibited.
- If you need to move around a whale, do it from behind the whale.
- Vessels that wish to position themselves to allow whales to pass the vessel should do so in a manner that stays fully clear of the whale's path. Whales may surface in unpredictable locations.
- Breaching and flipper slapping whales may endanger people and/or vessels. Feeding humpback whales often emit sub-surface bubbles before rising to feed at the surface. Stay clear of these light green bubble patches.
- Emitting periodic noise may help whales know your location and avoid whale and boat collisions. For example, if your engine is not running, occasionally tap the side of the boat with a hard object.
- Whales, dolphins, and porpoises are more likely to be disturbed when more than one boat is near them. Avoid approaching the animals when another vessel is near. Do not encircle the animals or trap them between the shore or another boat and your boat.
- Always leave whales, dolphins, and porpoises an "escape route."
- When several vessels are in an area, communication between vessel operators will ensure that you do not cause disturbance.
- Limit your time with any individual or group of marine mammals to less than one half hour.
- Your vessel may not be the only vessel in the day that approaches the same animal(s), please be aware that cumulative impact may also occur.
- Vessels traveling in a predictable manner appear to be less disturbing to animals. The departure from a viewing area has as much potential to disturb animals as the approach.
- Pursuit of marine mammals is prohibited by law.
- Never attempt to herd, chase, or separate groups of marine mammals or females from their young.
- Avoid excessive speed or sudden changes in speed or direction in the vicinity of whales.
- Assume that your action is a disturbance and cautiously leave the vicinity if you observe any of the following behaviors:
 - Aggressive behavior by many animals towards the disturbance; or movement by many away from the disturbance.
 - Herd movement towards the water
 - Hurried entry into the water by many animals
 - Increased interactions with other animals
 - Increased vocalizations
 - Several individuals raising their heads simultaneously

Failure to comply with the requirements outlined above may result in the revocation of the CUA and may impact the opportunity to operate commercially in Alaska units of the NPS in the future.

Application Check List

Checklist – Kenai Fjords NP Guided Kayak Touring/Stand Up Paddleboarding

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