



## PARK SPECIFIC CUA CONDITIONS

These Conditions Apply To All CUAs Issued by Apostle Islands National Lakeshore

- 1. Performance:** The Holder agrees to carry out the services authorized under this CUA in a safe, professional, and courteous manner that causes no damage to the natural/cultural resources or facilities within the boundary of Apostle Islands National Lakeshore.
- 2. Employee Training and Responsibility:** The Holder must ensure that all employees working in the park are informed of the conditions of this CUA and are adequately trained to safely and competently perform the services authorized and comply with the conditions of this CUA. In the event of a violation or infraction, responsibility and liability will generally be placed upon the Holder, including citations, warnings, and fines. However, the National Park Service retains the right to cite, warn, and fine employees associated with a commercial operator.
- 3. First Aid & CPR Requirements:** The Holder and all registered employees are required to possess current Basic First Aid and Cardio Pulmonary Resuscitation (CPR) certification (adult and child) and will carry first aid equipment commensurate with the size of the group. **The American Red Cross and the American Heart Association are the only approved providers for First Aid and CPR training.** The Holder must provide current copies of the Basic First Aid and CPR certifications to the Apostle Islands NL Commercial Services Manager for filing as part of the CUA.
- 3. Behavior and Conduct:** The Holder and all persons employed by the Holder who work within Apostle Islands National Lakeshore are required to exercise professional courtesy in their interactions with clients, visitors, NPS employees, volunteers, and other commercial operators. The Holder will routinely review and promptly correct the conduct of any of its employees whose actions or activities are considered by the NPS to be inconsistent with (1) the safety and enjoyment of visitors and clients; (2) the protection of park resources and/or facilities; and/or (3) the professional reputation of the National Park Service.
- 4. Third Party Aggregators:** A Third Party Aggregator is defined as an online merchant that sells a product or service that they do not own. CUA Holders may not use any Third Party Aggregator website that has not been approved in writing by the Apostle Islands NL Commercial Services Manager. To request permission to use a Third Party Aggregator to sell trips that occur within the park boundary, the Holder must submit a written request to the Apostle Islands NL Commercial Services Manager that includes the Third Party Aggregator website URL and a copy of the Terms of Agreement for use of the Third Party Aggregator service. Please be advised that the evaluation process and final decision may take up to 45 days, so the Holder must plan accordingly.
- 5. Provision of Services:** Only the Holder and their registered employees may provide the services authorized by this CUA. The Holder may not sub-contract or otherwise allow outside entities and/or non-registered employees to provide any services within the park boundary. The Holder may not employ, partner, or contract with any individual who is a revoked CUA Holder.
- 6. Change of Business Status:** As stated in Servicewide Condition #8 -- Transfer: *This authorization may not be transferred or assigned without the written consent of the park area Superintendent.* If the Holder is considering a change in the business name, ownership, or legal structure, the Holder must notify the Apostle Islands NL Commercial Services Manager [Email APIS\_Commercial\_Services@nps.gov] at least 45 days before the intended change is to take effect. Failure to do so will result in immediate suspension of the CUA until the changes are evaluated by the National Park Service.
- 7. Change of Business Contact Information:** Holder must notify the Apostle Islands NL Commercial Services Manager within 10 days of any changes in contact information (mailing address, physical address, website URL, telephone/fax numbers, or email address).

8. **Use of Area:** The Holder will not use or be assigned any facilities or portions thereof, located within the national lakeshore, except as allowed to the general public. For example, a picnic table in a day use area that is intended for recreational use by visitors may not be converted to use as office space for the CUA Holder. This CUA does not authorize priority use of park areas. The holder is prohibited from blocking access or impeding the flow of traffic along any roads, trails, walkways, greenways, parking lots, stairwell access, beaches, and/or waterways of any NPS facilities.
9. **Backcountry Camping:** The Holder and/or employees registered under this CUA will not camp overnight within the boundaries of the national lakeshore while engaged in commercial activities unless the Holder is specifically authorized to conduct guided backcountry camping and in possession of a valid backcountry camping permit. Holder and registered employees must comply with all camping rules as provided with the camping permit.
10. **Waste:** The Holder is responsible for the removal of all waste and trash associated with the commercial activity and is prohibited from depositing commercial waste into the park trash containers.
11. **Human Waste Management:** The Holder will manage solid (fecal) human waste to assure proper disposal at lakeshore provided toilet facilities or will provide its own portable toilets. In areas without toilets, solid (fecal) human waste will be buried at least 6 inches below ground, no less than 200 feet from any water source. Toilet paper must be packed out of the lakeshore. All bathing and washing will be done with biodegradable soaps no less than 200 feet from any water source to prevent wash water from being introduced into the water source.
12. **Employment of Minors:** Holders with employees under the age of 18 are required to administer the employment of minor age children in accordance with federal and/or State of Wisconsin Child Labor Laws. The following apply concerning minor age employees registered under this CUA while working within the national lakeshore:
  - a. All minor age employees will be at all times under constant, close supervision of a responsible adult employee registered under this CUA.
  - b. Minor age employees will not operate any motorized vessels, heavy machinery, or heavy equipment.
  - c. Minor age employees will not engage in any marine salvage activity or underwater operation.
13. **Vehicle/Vessel Signage:** Vehicles and vessels used to provide services in the national lakeshore are required to be easily identifiable by signage. Signage may not state, imply, or refer to pricing, services, and/or products provided. Signage will comply with the established guidelines listed below:
  - a. Vessels and Vehicles must be marked with company logo or lettering for identification purposes.
    - (1) Logo or lettering must be readily identifiable to the naked eye at a distance of 50 feet.
    - (2) Minimum size of lettering: 2½ inch.
    - (3) Signage must be visible, clear, legible and of contrasting color.
    - (4) Logos must be of a unique design and a minimum size of 5 inches by 5 inches.
    - (5) Identification is limited to company/organization name, logo, and telephone number and/or as required by state and/or federal motor carrier regulations.
    - (6) Signage should be centered on the front door or side window of the vehicle and located in a non-obstructed location on the sides (hull, cabin, or roof) of the vessel.
    - (7) Signage should be limited to two signs, one per side, tastefully and professionally appropriate to the size and type of vehicle/vessel.
    - (8) Large (generally considered over 3 tons Gross Vehicle Weight) panel-type trucks may also have signage located centered on the side-panels, one per panel.
14. **Emergency Procedures:** The Holder and their employees under this CUA will immediately report **life-threatening incidents**, fires, search and rescue event, **all accidents** and spills caused or observed, to USCG Dispatch on Marine Band Channel 16, or by calling 9-1-1. Dispatch will contact the proper response entities.
15. **Reporting Accidents/Injuries:** The Holder is required to report in writing all non-emergency incidents involving an accident, collision, fire, injury, or other casualty to the Superintendent within 24 hours, **regardless of the extent of**

**damages.** Filing this report to the Superintendent does not satisfy applicable United States Coast Guard, State, and County accident reporting requirements.

16. **Aquatic Invasive Species Prevention:** The Holder and their employees will comply with the State of Wisconsin Department of Natural Resources laws and policies to prevent the introduction, transfer, or spread of aquatic invasive species in Lake Superior. Educational information, laws and policies, and best practices can be found on the DNR website: <https://dnr.wi.gov/topic/Invasives/>. Holders are encouraged to use the DNR website as an employee training resource.
17. **Supplies/Materials/Storage:** The Holder shall not stockpile or store any supplies/materials/equipment in the park.
18. **Compliance Inspection:** Commercial operations are subject to compliance inspections at any time by the National Park Service while operating inside park boundaries.
19. **Food Service:** (NPS-83 Public Health Guidelines) Food service provided shall be in accordance with current U.S. Public Health Service Food Code. Food service is subject to inspection by the NPS Public Health and Safety Officer.
  - a. Any food items provided by the Holder to the clients will only originate from an approved source (i.e., supermarket, grocery store, etc.).
  - b. The Holder is required to obtain a Food Handlers certification for preparing, handling and/or providing to the clients food items. The only exception is for individual pre-packaged food, like a granola bar, that the clients open and consume without any other person handling it. The Holder must ensure that current copies of the Food Handler's Certificate(s) are always on file with the Apostle Islands NL Commercial Services Manager.
20. **Other Prohibited Activity:** The Holder and their employees registered under this CUA are specifically prohibited from the following activities:
  - a. Providing service or support to any commercial film or photography or research entity, without first ensuring the entity or agency possesses a valid permit issued by the Apostle Islands NL Commercial Services Manager.
  - b. Traversing by vehicle anywhere other than on designated roads.
  - c. Causing any damage and/or harm to any natural, cultural and/or historic resource or facility.
  - d. Disturbing or collecting any artifacts by any means and/or any methods.
  - e. Cutting or creating new trails; marking trails or locations by any means including flagging, rock cairns, vegetation, dead wood, chalking.
  - f. Harassing, capturing, collecting, chasing and/or killing any wildlife.
  - g. Feeding wildlife.
  - h. Entering by vehicle, canoe/kayak/boat/vessel or on foot, any closed areas.
  - i. Providing alcohol products of any kind to any visitor/client.
  - j. Climbing on, diving from, or jumping from sea caves or cliffs.
  - k. Smoking cigarettes, pipes, or e-cigarettes while providing commercial services in the park boundary.
  - l. Using or being under the influence of any alcohol or drugs while providing commercial services in the park boundary.
21. **Annual Report:** On or before December 15, every CUA Holder shall submit an annual report that includes visitor use data and gross receipts for the previous operating season. The Apostle Islands NL Commercial Services Manager will send a reporting form to each CUA Holder at least 30 days prior to the reporting deadline.