



Guided Montreal Canoe Tours – Specific CUA Conditions

These specific CUA Conditions apply solely to guided tours conducted via a Montreal Canoe measuring no less than 34 feet in length. The Holder and their employees registered under this Commercial Use Authorization (CUA) will exercise this privilege subject to all the following conditions.

1. **Definition of Services Authorized Under This CUA:** Guided Montreal Canoe Tours consist of guiding clients to destinations within the boundaries of the national lakeshore in a Montreal Canoe on the waters of Lake Superior. The CUA holder, or registered employee(s) will maintain a required continuous presence at all times with the clients as specified below.
 - a. The Holder or registered employee(s) will maintain the required continuous presence with the clients for the entire duration of the scheduled trip. If clients self-transport, the Holder or registered employee(s) will maintain the required continuous presence from the moment of first contact within the lakeshore until the clients complete their trip.
 - b. Guiding day use or overnight tours on water for clients to destinations within the national lakeshore, by means of a seaworthy, non-motorized Montreal Canoe of sufficient size to adequately and safely move the client on water while carrying the required safety equipment and activity-associated gear and supplies.
2. **Employee and Passenger Safety:** All commercial operators are responsible for the safety of their employees and customers while recreating in Apostle Islands National Lakeshore. Launching of any small craft from the beaches at Little Sand Bay or Meyers Beach is prohibited while those areas are under a small craft advisory or gale warning as forecast by the National Weather Service: <http://marine.weather.gov>. A Small Craft Advisory is issued by the National Weather Service when sustained winds or frequent gusts are between 22 and 33 knots (25 and 38 mph) inclusive, and/or waves are greater than 4 feet. A Gale Warning is issued when sustained surface winds, or frequent gusts, in the range of 34 knots (39 mph) to 47 knots (54 mph) inclusive, are predicted or occurring.

It is the responsibility of the CUA permit holder to be aware of small craft advisories at both Little Sand Bay and Meyers Beach and to not launch trips from those locations while small craft advisories are in effect. It is the responsibility of the CUA holder to recognize that emergency assistance from the NPS may be delayed or not possible during small craft advisories and gale warnings for all locations within the park. CUA holders are responsible for always ensuring the safety of their clients. CUA permits may be suspended or revoked for operators choosing to operate in unsafe conditions.

3. Each tour group size is limited to 16 individuals (including guides) per canoe with a maximum of two canoes per trip. There will be at least one guide for every seven clients. Under special circumstances (such as a class trip), Holder may request written permission from the Commercial Services Manager to increase group size but these instances should be infrequent. Special conditions may apply.
4. In-park Montreal Canoe launching is permitted only at Little Sand Bay. Whenever a park ranger is present and visible at the launch area, the lead guide must check in with the park ranger before proceeding to the beach and provide requested trip information to the park ranger.
5. The permit holder must ensure that all clients on Guided Montreal Canoe Tours are able to understand basic instructions and can sit upright in a Montreal Canoe.
6. **Authorized Hours of Operation:** The Holder and their employees registered under this CUA will not provide any guided Montreal Canoe Tours between sunset and sunrise and will ensure that all guides and clients will be

physically off the waters of Lake Superior by sunset. EXCEPTION: From June 15 through Labor Day, each CUA Holder may conduct guided sunset Montreal Canoe tours from Meyers Beach under the following conditions:

- a. Holder checks the marine forecast and determines that paddling conditions are suitable for a sunset tour.
 - b. Holder notifies the Commercial Services Manager (via email to APIS_Commercial_Services@nps.gov) of their intent to conduct a sunset tour at least 6 hours in advance of the trip and provides names of guides, number of clients, and an 'after hours' emergency contact telephone number for the CUA Holder.
 - c. Tour group size is limited to 14 clients and 2 guides per canoe. Two guides are required for every tour, regardless of the number of clients. An additional guide may be added if Holder determines it is appropriate due to client experience level or ability.
 - d. Each Montreal Canoe is equipped with a solid white light that can be turned on/off if needed.
 - e. In addition to all regularly required safety equipment, each guide is equipped with a sound-emitting device and a high quality, waterproof headlamp.
 - f. All guides and visitors/clients must be physically off the waters of Lake Superior within 30 minutes after official sunset.
7. **Website:** Holder must maintain a functioning website with information about their guided Montreal Canoe tour services. The website must include rates for tours offered, the legal business name as shown on the CUA, a valid physical address for the business, and a working telephone number and email address.
8. **Trip Confirmations:** Any trip confirmations that are electronically transmitted to the client must include the legal business name as shown on the CUA, and a working telephone number and email address.
9. **Day Use Group Size Limitations:** The Holder and their employees and clients are authorized for day use activities with group size up to 28 total people (16 per canoe) at one time.
10. **Required Equipment:**
- a. Each Montreal Canoe in the Holder's party shall be equipped with the following:
 - i. Canoe paddles
 - ii. Adequate waterproof bags
 - iii. Bilge pump or bailing device
 - b. All guides and clients are required to wear a properly fitted U.S. Coast Guard (USCG) approved PFD at all times during on-water activities of a Guided Montreal Canoe Tour.
 - c. Each traveling group shall have one marine radio, a cell phone, a group first aid kit, one safety throw rope, a flare (illuminated or projectile), and one spare paddle for every Montreal Canoe in the group.
 - d. Wet suits are required (to be on hand) for all overnight trips and required to be worn any time the combined air and water temperatures equal less than 120 degrees Fahrenheit.
11. **Canoe Guide Certifications:** When submitting the Employee-Guide List [Attachment E-3], Holder must identify guides as one of the two classifications listed below. Criteria for each classification is detailed in Attachment E-3.
- a. **Assistant Guide:** Must be at least 18 years old and have current First Aid and CPR training. The Assistant Guide must have experience in the outdoors and solid canoeing skills. Assistant Guides possess an intermediate level of knowledge of the natural history of the area and paddling experience on Lake Superior or comparable body of water. They must have prior experience leading groups of various ages and abilities and prior teaching experience. The Assistant Guide must have considerable personal and professional outdoor experience, demonstrated experience with risk management, group management, and complicated decision making. The Assistant Guide must be accompanied by a Lead Guide/Instructor; they cannot lead trips by themselves.
 - b. **Lead Guide:** Must be at least 18 years old and have current Wilderness First Aid and CPR certifications. The Lead Guide must have at least one year's demonstrated experience in the following: leading Montreal Canoe tours on Lake Superior, extensive paddling, physical skill teaching, demonstrated decision making, risk management, outdoor group management and leadership experience.

- c. **Lead Guide/Instructor:** Holder must identify at least one person as Lead Guide/Instructor. Each Lead Guide/Instructor meets all Lead Guide requirements with an additional two years (a total of three or more years) experience guiding Montreal Canoe Tours on Lake Superior. The Lead Guide/Instructor will be responsible for assessing and verifying the skills of Assistant and Lead Guides.

12. **Safety Briefing:** Prior to each tour, the guide will provide a safety briefing for clients. At a minimum, the safety briefing must include:

- a. Basic paddling instruction
- b. How to exit the vessel in event of capsizing
- c. Group paddling parameters
- d. Emergency procedures
- e. Use of equipment to include wearing the PFD
- f. Basic understanding of Montreal Canoe stability and how to maximize it.
- g. Expected paddling conditions, weather briefing, and approximate route and time frame for the tour.

13. **Motorized Support Vessels:**

- a. Motorized support vessels are authorized and, for safety reasons, can be used to transport visitors/clients.
- b. Vessels used to provide or support this service will be inspected, equipped, and licensed in accordance with U.S. Coast Guard requirements, applicable federal and state laws and regulations. Vessels will display current state registration or possess a U.S. Coast Guard Declaration.
- c. The use of motorized vessels will be conducted in accordance with applicable U.S. Coast Guard (USCG) requirements including, but not limited to, operation, vessel capacity, safety equipment, and rules of the road. A minimum of a captain's (six pack) license is required in order to transport clients/visitors.
- d. Motorized vessels will adhere to Uninspected Charter Regulations (Six Packs) for vessels less than 100 gross tons as issued by U.S. Coast Guard. The vessel is subject to boarding and inspection at any time within the lakeshore.

14. **Vehicles/Trailers:**

- a. When towing Montreal Canoe trailers and/or the support vessel, the motorized tow vehicle will be mechanically sound, of sufficient size, horsepower, and brake horsepower, commensurate to the size of the trailer with boat/vessels being towed (or as required by state law) to adequately and safely complete the tow from its place of storage outside the national lakeshore, to designated public launch ramps and return.
- b. Motor vehicles used to provide this service will be street legal and have current insurance, registration, license, inspection, equipment, and will be properly permitted in accordance with state law. The license will be properly affixed and displayed as required by state law. All motor vehicles used to transport Montreal Canoes and/or clients in the park must be registered and insured in the name of the CUA Holder/business entity to whom this CUA is issued.
- c. Trailers used to transport Montreal Canoes and the support vessel will be in sound mechanical condition, appropriately sized, and configured for the type of vessel being towed, with all lights and equipment in good working order. The trailer will be properly connected to the tow vehicle at all times.

15. **Permits and/or Licenses:** Holder is required to possess the following:

- a. For operators of motorized support vessels, the Holder must provide current copies of the U.S. Coast Guard License(s) to the Apostle Islands Commercial Services manager for filing as part of the CUA application.
- b. When providing vehicle transportation for visitors/clients within the boundaries of the lakeshore, the Holder will ensure all employees under this CUA performing services as drivers are currently qualified to perform the service, possess a valid driver's license, and that a copy of the valid driver's license is on file with the Apostle Islands NL Commercial Services office. A Commercial Driver's License (CDL) is required for operation of motor vehicles that have the capacity to carry 16 or more passengers including the driver.

16. **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. Once safety briefing is complete and the tour is underway, any surplus equipment/supplies (wet suits, PFDs, etc.) must be properly stored in/on the Holder's vehicle or trailer or transported out of the park. It is acceptable for Montreal Canoes to be staged on the beach at Little Sand Bay, but they must be removed from the park at the end of each day.

17. **Congestion:** CUA Holders are expected to work cooperatively and professionally to (1) stagger launch times to avoid congestion in the parking lots and (2) stage Montreal Canoes on beach to minimize any negative impacts to beachgoers.
18. **Overnight Stay (Camping):** The Holder and their employees registered under this CUA will not stay overnight within the boundaries of the national lakeshore while engaged in the commercial activities unless the Holder is specifically authorized (by a CUA) to conduct guided backcountry camping and is in possession of a valid backcountry camping permit. The Holder, registered employees, and their clients must comply with all camping rules as provided with the camping permit. The Lead Guide for any overnight trip must possess valid Wilderness First Aid certification. Permanent or seasonal base camps are not authorized.
19. **Reporting Requirements:** In addition to the annual CUA report that is required of all CUA Holders, the Guided Montreal Canoe Tours CUA has additional reporting requirements. If the CUA Holder guides ten (10) or fewer trips per season, they must file a Trip Itinerary at least 24 hours in advance of each trip launch. If the CUA Holder guides more than ten (10) trips per season, they are NOT required to file a Trip Itinerary but must submit a monthly visitor use report that includes number of trips, number of clients, launch point, and number of day trips vs. overnight trips. The report for each month of operation will be due on the 15th day of the following month. The Commercial Services Manager will provide a form for this reporting.