



Commercial Use Authorizations

Thank you for your interest in the Commercial Use Authorization (CUA) program at Cape Hatteras National Seashore, Fort Raleigh National Historic Site, and Wright Brothers National Memorial, collectively known as the Outer Banks Group (Park). CUAs are limited authorizations to provide suitable commercial services for visitors within park boundaries. They are issued by the National Park Service pursuant to authorities contained in Title 36, Code of Federal Regulations, Section 5.3 (39 Stat. 535, 16 USC 3). Commercial business activity is prohibited within the park unless a CUA has been granted by the park area Superintendent (36 C.F.R. Sec. 5.3). CUAs are not concession activities authorized under the National Park Service Concessions Management Improvement Act of 1998 (112 Stat. 3504, 16 USC 5952). This is an important distinction requiring applications to meet certain criteria before an authorization for a visitor service will be granted.

General Criteria

1. Activities authorized must be appropriate to the mission of the park, particularly with regard to resource protection and preservation, and visitor protection and interpretation.
2. Services authorized must originate and terminate outside of the park. All aspects of the business (such as advertising, sale of tickets, exchange of money, etc.) must take place outside the park.
3. The permittee must comply with all applicable regulations of the Department of the Interior, the National Park Service, the park-specific Superintendent's Compendium, and all other federal, state and local laws in the conduct of the permittee's business.
4. **The term of a CUA will not exceed one calendar year and does not include any preferential right of renewal or similar provision for renewal.** All CUAs expire on December 31st of the calendar year they are issued.

Permittees are not allowed to construct any facilities within the park. CUA's are not assignable. Examples of services currently authorized include, but are not limited to, fishing guide services, sound-side kayak/canoe eco-tours, surfing lessons, kiteboarding lessons, windsurfing lessons, and horseback tours. Examples of activities not permitted are jet skiing instruction and rentals, parasailing rides, refreshment and/or beach equipment rental stands or trucks, bait and tackle sales and clothing sales.

A non-refundable application/administration fee of \$200 is charged for each application. This fee will also cover the cost of one (1) Off-Road Vehicle Beach Driving Permit. In some instances a permittee may be required to post a bond or cash deposit to insure any damage to park resources, resulting from the permitted commercial activity, will be repaired. The park will monitor the CUA's impacts to park resources or visitors and may charge the permittee recoverable costs pursuant to 16 U.S.C. 3a, for any impairments to the resource, costs of ongoing monitoring including the cost of staff activities, and other direct personnel, material, vehicular, and supply costs caused by the permittee or the permittee's patrons.

The Superintendent may terminate or modify a CUA at any time he or she deems resources or visitor experiences are being adversely affected by the permittee's activities. This may include, but is not limited to, restricting certain commercial activities to specific park areas and/or times of day.

Insurance Requirements. In all instances the permittee must indemnify the United States of America against loss and must procure general liability insurance with a minimum coverage limit as described in the CUA application per occurrence covering both bodily injury and property damage. Automobile and/or boat liability coverage, if applicable, for commercial transportation, is required for all owned, non-owned, and hired vehicles and/or boats used by the licensee.

If your CUA is approved, you must acquire the liability insurance and file with the park's Concessions Office an insurance certificate (generally, an ACORD) underwritten by a United States company naming *The United States of America, National Park Service, [Cape Hatteras National Seashore, Fort Raleigh National Historic Site, and/or Wright Brothers National Memorial]* as an additional insured.

Provide proof of insurance. The CUA operator must maintain General Liability insurance naming the United States of America, National Park Service as an **additional insured**. Minimum coverage amount is \$500,000 per occurrence. Some activities will require increased coverage, see Park-Specific instructions. Auto Liability insurance is also required at a minimum coverage amounts described below.

Number of Passengers	Minimum per Occurrence Liability Limits
Single Purpose Activities General Liability (includes day and overnight hiking, photography and art classes, bicycling, and group camping.)	\$500,000
Up to 5 passengers	\$300,000
6 to 12 passengers	\$500,000
13 to 20 passengers	\$750,000
Over 21 passengers	\$1,500,000

Each commercial activity will require its own separate application.

To apply for a CUA, please submit:

1. A completed, signed application form, including your written affirmation of your ability to acquire insurance coverage in the minimum limit of liability and, if applicable, automobile and/or boat liability insurance from an accredited insurance agent.
2. A non-refundable check for \$200 made payable to the National Park Service for the application/administration fee.

The application should be mailed to:

National Park Service
 Outer Banks Group
 Attn: Concessions Management Specialist
 1401 National Park Drive
 Manteo, North Carolina 27954

The CUA application process takes up to four weeks, so please plan accordingly. Once the completed application form and \$200 check are received, the park begins its review process, which generally takes two weeks. The park’s Concessions Office will notify the applicant when his or her application is approved or denied. If approved, the applicant must submit an up-to-date insurance certificate, as described above. Approved CUAs are generally mailed within two weeks of receipt of the required insurance certificate(s).

For further information or questions regarding the application or permitting process, please contact the park’s Concessions Office at (252) 473-2111.