



COMMERCIAL USE AUTHORIZATION APPLICATION INSTRUCTIONS

Chattahoochee River National Recreation Area
1978 Island Ford Parkway
Sandy Springs, GA
CUA Coordinator
Phone Number: 678-538-1200



The following explanations correspond directly with the numbered items on the Application Form. Please read this entire document prior to completing the application. Include the nonrefundable application fee when submitting this application.

1. Enter the service you are proposing to provide. These are the services which are currently approved in the park:
2. Respond "No" or list other parks where you will be providing this service.
3. Enter the legal name of your business. If you have a secondary name under which you are doing business (d.b.a.), please enter that name also.
4. Give the name(s) of persons designated as Authorized Agents for your business. This may include the on-site general manager responsible for day to day operations.
5. Provide contact information for both the main season and the off-season. Over the term of your authorization, it may be necessary to contact you to obtain or share information. Your contact information may also be published in the NPS Commercial Services Directory.
6. Check the box that identifies your type of business.
7. If the state in which you operate or the state where your business is domiciled requires a state business license, provide the license number and year of expiration.
8. Provide your Employer Identification Number (EIN). The Debt Collection Improvement Act of 1996 requires us to collect an EIN or Social Security Number (SSN). The NPS will not collect SSNs, only EINs. The EIN is issued by the Internal Revenue Service. You may receive a free EIN at <http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/How-to-Apply-for-an-EIN>. We will use the EIN that you provide as needed to collect debts.
9. Provide proof of General Liability Insurance naming the United States of America, as additional insured in the amounts designated in the application. Provide proof of vehicle/vessel/aircraft liability insurance, if required by law, or if visitors are transported by vehicle/vessel/aircraft within the park, or if vehicle/vessel/aircraft are engaged in providing the service (i.e., hauling horses used in the activity). Insurance companies must be rated at least A- by the most recent edition of A.M. Best's Key Insurance Reports (Property-Casualty edition) or similar insurance rating companies (Moody's, Standard and Poor's, or Fitch). Refer to "Attachment B".
10. Provide a description of and registration number of each vehicle/vessel/aircraft you will utilize during the course of the proposed commercial service.
11. Provide copies of all licenses, vehicle/vessel registration, and certificates of training as required by "Attachment A".
12. NPS Management Policy prohibits employees of the NPS and their spouses and minor children from acquiring or retaining any authorization for conducting commercial services in a park area.
13. If your business or business owners or current employees or proposed employees have been convicted or are currently under charges for violation of State, Federal, or local law or regulation in the last 5 years, please give details (does not include minor traffic tickets).
14. Include payment of the Application/Administrative Fee \$175.00 (see "Attachment C" – Fee Schedule and Payment Information).
15. Please sign and date your application. If the person SIGNING this application is an Authorized Agent for the business, proof of signing authority must accompany this application.

Attachment A: List of Approved Services and Required Documentation

Attachment B: Insurance Requirements

Attachment C: Fee Schedule and Payment

Additional Information: The National Park Service has terms and conditions on all commercial service agreements. The following terms and conditions will apply to all Commercial Use Authorizations. There may be additional terms and conditions based on the services provided. These may include but are not limited to limits on locations, times, group size, and employee licenses and certifications and providing such information to the park superintendent for approval.

CONDITIONS OF THIS AUTHORIZATION

1. **False Information:** The holder is prohibited from knowingly giving false information. To do so will be considered a breach of conditions and be grounds for revocation: [RE: 36 CFR 2.32(a) (3)].
2. **Legal Compliance:** The holder shall exercise this privilege subject to the supervision of the park area Superintendent. The holder shall comply with all applicable laws and regulations of the area and terms and conditions of the authorization. The holder must acquire all permits or licenses of State or local government, as applicable, necessary to provide the services described above, and, must operate in compliance with all applicable Federal, State, and local laws and regulations, including, without limitation, all applicable park area policies, procedures and regulations.
3. **Rates:** The holder shall provide commercial services under this authorization to visitors at reasonable rates and under operating conditions satisfactory to the area Superintendent.
4. **Liabilities and Claims:** This authorization is issued upon the express condition that the United States, its agents and employees shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury, injuries, or death to any person or persons or property of any kind whatsoever, whether to the person or property of the holder, its agents or employees, or third parties, from any cause or causes whatsoever while in or upon said premises or any part thereof during the term of this authorization or occasioned by any occupancy or use of said premises or any activity carried on by the holder in connection herewith, and the holder hereby covenants and agrees to indemnify, defend, save and hold harmless the United States, its agents, and employees from all liabilities, charges, expenses and costs on account of or by reason of any such injuries, deaths, liabilities, claims, suits or losses however occurring or damages growing out of the same.
5. **Insurance:** Holder agrees to carry general liability insurance against claims occasioned by the action or omissions of the holder, its agents and employees in carrying out activities and operations under this authorization. The policy shall name the United States of America as additional insured. Holder agrees to have on file with the park copies of the above insurance with the proper endorsements.
6. **Fees:** Holder shall reimburse the park for all costs incurred by the park as a result of accepting and processing the application and managing and monitoring the authorization activity. Administrative costs for the application process must be paid when the application is submitted. Monitoring fees and any additional costs incurred by the park to support the commercial activity will be paid annually.
7. **Benefit:** No member of, or delegate to, Congress, or Resident Commissioner shall be admitted to any share or part of this authorization or to any benefit that may arise from this authorization. This restriction shall not be construed to extend to this Contract if made with a corporation or company for its general benefit.
8. **Transfer:** This authorization may not be transferred or assigned without the written consent of the park area Superintendent.
9. **Termination:** This authorization may be terminated upon breach of any of the conditions herein or at the discretion of the park area Superintendent.
10. **Preference or Exclusivity:** The holder is not entitled to any preference to renewal of this authorization except to the extent otherwise expressly provided by law. This authorization is not exclusive and is not a concession contract.
11. **Construction:** The holder shall not construct any structures, fixtures or improvements in the park area. The holder shall not engage in any groundbreaking activities without the express, written approval of the park area Superintendent.
12. **Reporting:** The holder is to provide the park area Superintendent upon request (and, in any event, immediately after expiration of this authorization) a statement of its gross receipts from its activities under this authorization and any other specific information related to the holder's operations that the park area superintendent may request, including but not limited to, visitor use statistics, and resource impact assessments.
13. **Accounting:** The holder is to maintain an accounting system under which its accounts can be readily identified within its system of accounts classification. This accounting system must be capable of providing the information required by this authorization. The holder grants the United States of America access to its books and records at any time for the purpose of determining compliance with the terms and conditions of this authorization.
14. **Minimum Wage:** The holder is required to adhere to Executive Order 13658 – Establishing a Minimum Wage for Contractors, as applicable. The implementing regulations, including the applicable authorization clause, are incorporated by reference into this contract as if fully set forth in this contract and available at <https://federalregister.gov/a/2014-23533>.
15. **Visitor Acknowledgment of Risks (VAR):** The holder is not permitted to require clients to sign a waiver of liability statement or form, insurance disclaimer, and/or indemnification agreement waiving the client's right to hold the CUA holder responsible for accidents or injury occurring on NPS property. The holder is permitted to request or require a client to sign a form or statement acknowledging risk and/or indicating that certain prerequisite skills may be needed to participate in the commercial activity. The holder must provide the park with the current copy of all forms and/or statements used for this purpose and obtain written approval

by the park. A sample Acknowledgment of Risk form may be obtained by contacting the CUA office at 678-538-1200 or by going to the park CUA webpage at <https://www.nps.gov/chat/getinvolved/dobusinesswithus.htm>

- 16. Intellectual Property of the National Park Service:** Except with the written authorization of the Director of the National Park Service, the Holder shall not assert any legal claim that the Holder or any related entity holds a trademark, tradename, servicemark or other ownership interest in the words "National Park Service", the initials "NPS", or official name of any unit or part thereof, including but not limited to any facility, logo, distinctive natural, archaeological, cultural, or historic site, within the National Park System, or any colorable likeness thereof, or the likeness of a National Park Service official uniform, badge, logo, or insignia.
- 17. Nondiscrimination:** The holder must comply with Applicable Laws relating to nondiscrimination in providing visitor services to the public and with all equal employment opportunity provisions of Title VII of the Civil Rights Act, as amended.

IMPORTANT: Before completing this application, please refer to the Application Instructions to verify that the service you are proposing is an approved commercial service. If the service you wish to provide is **not** listed on the table of approved commercial visitor services, contact us at the number above.



COMMERCIAL USE AUTHORIZATION APPLICATION

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Some parks have additional requirements for businesses that offer services to visitors relating to the safety and welfare of the visitors and protection of the resources. These requirements may include applicable operating licenses, certificates showing proof of training, operating plans, emergency response plans, group size limitations, etc.

1. **Service for which you are applying:** *[attach diagram, attach additional pages, if necessary, include locations within the park, frequency, estimated number of participants (per trip and annually), number of vehicles, support equipment (trailers, generators, etc.)]*
2. **Will you be providing this service in more than one park?** Yes ☐ No ☐ *If "Yes", list all parks and services provided.*
3. **Applicant's Legal Business Name:** *[Include any additional names (DBA) under which you will operate.]*
4. **Authorized Agents:** *(Name and title of owner, and any onsite person authorized to manage the operation or service.)*

5. Mailing Addresses

PRIMARY CONTACT INFORMATION *(Dates to contact you at this address, if seasonal.)*

Address:

City, State, Zip:

Email:

Website:

Day Phone:

Evening Phone:

Fax:

ALTERNATE CONTACT INFORMATION *(Dates to contact you at this address, if seasonal.)*

If same as "Primary Contact Information, check here ☐ and go to question 6.

Address:

City, State, Zip:

Email:

Website:

Day Phone:

Evening Phone:

Fax:

6. What is your Business Type? *(Please check one below)*

☐ Sole Proprietor

☐ Partnership *(Print the names of each partner. If there are more than two partners, please attach a complete list of their names.)*

Name:

Name:

☐ Limited Liability Company: (State: Entity Number:)

☐ Corporation: (State: Entity Number:)

☐ Non-Profit *(Please attach a copy of your IRS Ruling or Determination Letter)*

7. State Business License Number:

Expiration Date:

8. Employer Identification Number (EIN):

9. Liability and Vehicle Insurance:

Provide proof of insurance. The CUA operator must maintain General Liability insurance naming the United States of America as additional insured. Minimum coverage amount is \$500,000 per occurrence. Some activities will require increased coverage; see Park-Specific CUA Insurance Requirements ("Attachment B"). Auto Liability insurance is required, if applicable, in the minimum coverage amounts described below.

COMMERCIAL GENERAL LIABILITY INSURANCE

Single Purpose Activities (includes day and overnight hiking, photography and art classes, bicycling, and group camping)	\$500,000
Commercial Vehicle Insurance – Passenger Transport (bodily injury and property damage)	Minimum per Occurrence Liability Limits*
Up to 6 passengers	\$1,000,000
7 – 15 passengers	\$1,500,000
16 – 25 passengers	\$3,000,000
26+ passengers	\$5,000,000

* Indicated minimum per occurrence liability limit or minimum State liability requirement (for intrastate operations only).

10. Will your business operate vehicles (car, truck, van, bus, taxicab, vessel, aircraft, etc.) within NPS boundaries?

Yes ☐ No ☐

If "Yes," please give a description of each vehicle. Use additional paper, if necessary. All vehicles are required to be registered and the operators are required to have the proper licenses to operate them commercially, as required by law or regulation.

Make/Model of Vehicle	License Number	Year	Max # Passenger Capacity	Own/Rent

Make of Aircraft	Tail Number	Max # Passenger Capacity	Own/Rent

Make/Model of Vessel	Registration Number or USCG Documentation	Length	Max # Passenger Capacity	Own/Rent

11. Employee Licenses and Certifications:

Parks typically require proof of applicable licenses, registrations and certificates of training, such as; valid driver's or pilot's license, fishing license, vessel registration, dive certification, CPR certification, or others. Provide copies of licenses and certifications required by "Attachment A".

12. NPS Employment:

Are you, your spouse, or minor children employed within the National Park Service?

Yes ☐ No ☐ If "Yes", please provide information below:

Employee Name: Title:

Park and Office Where Employed:

13. Violations: To your knowledge, have you, your company, or any current or proposed employees been convicted or fined for violations of State, Federal, or local law within the last 5 years? Are you, your company, or any current or proposed employees now under investigation for any violations of State, Federal, or local law or regulation? See instructions.

Yes ☐ No ☐ *If "Yes", please provide the following information. Attach additional pages, if necessary.*

Date of violation or incident under investigation:

Name of business or person(s) charged:

Please identify the law or regulation violated or under investigation:

Please identify the State, municipality, or Federal agency that initiated the charges:

Additional Detail (optional):

(Results) Action Taken by Court:

14. Fee: Please include the Application/Administrative Fee as outlined in Attachment C.

15. Signature:

False, fictitious or fraudulent statements of representations made in this application may be grounds for denial or revocation of the Commercial Use Authorization and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All information provided will be considered in reviewing this application. Authorized Agents must attach proof of authorization to sign below.

By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate to the best of my knowledge.

Signature

Date

Printed Name

Title

NOTICES

Privacy Act Statement

Authority: The authority to collect information on the attached form is derived from 16 U.S.C. 5966, Commercial Use Authorizations.

Purpose: The purposes of the system are (1) to assist NPS employees in managing the National Park Service Commercial Services program allowing commercial uses within a unit of the National Park System to ensure that business activities are conducted in a manner that complies with Federal laws and regulations; (2) to monitor resources that are or may be affected by the authorized commercial uses within a unit of the National Park System; (3) to track applicants and holders of commercial use authorizations who are planning to conduct or are conducting business within units of the National Park System; and (4) to provide to the public the description and contact information for businesses that provide services in national parks.

Routine Uses: In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, records or information contained in this system may be disclosed outside the National Park Service as a routine use pursuant to 5 U.S.C. 552a(b)(3) to other Federal, State, territorial, local, tribal, or foreign agencies and other authorized organizations and individuals based on an authorized routine use when the disclosure is compatible with the purpose for which the records were compiled as described under the system of records notice for this system.

Disclosure: Providing your information is voluntary, however, failure to provide the requested information may impede the processing of your commercial use authorization application.

Paperwork Reduction Act Statement

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501), please note the following. This information collection is authorized by The Concession Management Improvement Act of 1998 (54 USC 101911). Your response is required to obtain or retain a benefit in the form of a Commercial Use Authorization. We will use the information you submit to evaluate your ability to offer the services requested and to notify the public what services you will offer. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget control number. OMB has assigned control number 1024-0268 to this collection.

Estimated Burden Statement

We estimate that it will take approximately 2.5 hours to prepare an application, including time to review instructions, gather and maintain data, and complete and review the proposal. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information Collection Officer, National Park Service, 12201 Sunrise Valley Drive, MS-242, Reston, VA 20192. Please do not send your completed form to this address; but rather to the address at the top of the form.

SPECIAL PARK CONDITIONS COMMERCIAL USE AUTHORIZATION

Commercial Service Authorization

1. **Commercial Aspects** - The holder may not distribute any advertisements in the park. Advertisements distributed on private lands, including Internet web pages, may not state or imply endorsement by the National Park Service or Chattahoochee River National Recreation Area.
- **Over \$25,000 Revenue**
 - The commercial aspects of the services, except for the service itself, must originate and terminate outside of the park, including marketing, advertising, use of temporary or permanent structures, the negotiation of compensation with the customer or the solicitation or receipt of money or other compensation.
 - Holders may not engage in any monetary exchange on park land, including electronic credit/debit card or cash transactions.
 - **Under \$25,000 Revenue**
 - The commercial aspects of the services may originate and terminate in the park, including use of temporary structures, the negotiation of compensation with the customer or the solicitation or receipt of money or other compensation. _____

Administration

2. **Holder** - The holder shall maintain a copy of this authorization with attachments at the business location and in all business vehicles. The holder shall ensure that all employees are informed of the conditions of this authorization and make it available for inspection upon request. _____
3. **Damages** - The holder shall pay the United States for any damage resulting from this use which would not reasonably be inherent in the use which the holder is authorized to make of the land, water and facilities described in this authorization. _____
4. **Suspension/Revocation** - This authorization is subject to suspension, revocation, and/or non-reissuance for violation(s) of any terms and conditions of the permit and/or violation of any Federal or state law by the holder or the holder's employees. A permit violation that significantly risks the safety and well-being of customers, visitors, park employees, or holder employees may lead to a suspension or revocation. All penalties are based on each permit authorization period.

1st Offense	2nd Offense	3rd Offense	4rd + Offense
Written Warning or Courtesy Notice	1-day Suspension	3-day Suspension	Up to 30-day Suspension or Permit Revocation

This authorization may be suspended or terminated when the Homeland Security National Terrorism Advisory System issues an elevated or imminent threat alert. _____

5. **Reimbursement** - The holder will reimburse the National Park Service for any costs associated with the issuance and continued management of this authorization. Non-refundable fees payable in the form of a credit card or check to the **National Park Service** based on each permit authorization period.

The River Management Fee is paid by those holders who rent river equipment and/or provide river trips to customers. This fee is due on the 15th day of the month along with the Monthly Visitor/Client Report. Failure to pay the fee by the 15th of each month or submit the Monthly Visitor/Client Report will result in the automatic suspension of the holder's permit. The holder is required to reimburse the United States at \$50.00 per hour, per ranger for extra costs associated with monitoring the holder while operating on park lands and waters. _____

6. **Donations** - Donations collected on behalf of the park, on parkland and water, or outside of the park when the stated purpose is to support the park, must be provided to the National Park Service. _____
7. **Entrance Fee** - The holder is responsible for informing all customers that a \$3.00 per vehicle per day or \$35.00 per vehicle per year parking charge is required when parking a vehicle in the park and that a park pass must be displayed on each vehicle. This authorization DOES NOT EXEMPT the participants from paying the required charge. The holder will receive an adequate number of park passes for use on business vehicles at no charge. _____
8. **Schedule of Activities** - The holder shall forward a copy of all schedules, newsletters and similar materials of the organization to the park Commercial Use Authorization Coordinator throughout the terms of this authorization. _____
9. **Training** - The holder shall attend annual Chattahoochee River NRA training scheduled by the Commercial Use Authorization Coordinator. Training shall consist of:
- Park History, Significance and Purpose
 - Safety
 - Park Regulations

The holder will be responsible for training and certifying all employees of the subjects covered during the training prior to their beginning employment. The holder will be notified of the training date(s) by email and/or telephone. _____

10. Operating Reports - The holder must provide the park Commercial Use Authorization Coordinator with:

1. Gross Revenue Report - The gross revenue derived from activities provided during the calendar year, broken down by month and activity type. Due each calendar year by January 30th and within 30-days of the end of the authorization.
2. Visitor/Client Report - The total number of customers served during the calendar year, broken down by month and activity type. Due each calendar year by January 30th and within 30-days of the end of the authorization.
3. Monthly Visitor/Client Report - This report is required by those holders who rent river equipment and/or provide river trips to customers and therefore pay the river management fee. The total number of customers served during each month listed by day and access location. Due on the 15th day of the month along with the River Management Fee. Failure to submit the report by the 15th of each month will result in the automatic suspension of the holder's permit.

Forms are available at our website <http://www.nps.gov/chat/getinvolved/dobusinesswithus.htm> to record these figures. Only activities occurring within the 48-mile corridor of the Chattahoochee River NRA should be recorded. _____

11. Other Authorization Requirements - This authorization does not become effective until all other necessary authorizations and authorizations have been secured. The holder's signature below certifies that that all Federal, state, county and local government requirements have been met and required authorizations or licenses have been obtained as regards to conducting this commercial activity. _____

12. Audits - The National Park Service will conduct scheduled and random audits to ensure compliance. _____

Park Use and Conduct

13. Park Resources - The holder shall ensure that park natural and cultural resources are not harmed or disturbed in any way as a result of their activities during the course of this authorization. The park's resources include:

- Chattahoochee River, its bed, and the riverbank.
- Natural river corridor and adjacent park lands.
- Cultural, historical, and archeological resources.
- Appropriate treatment of park resources includes:
- Prohibit entering or climbing on cultural ruins.
- Guided hikes are limited to authorized public trails only.
- The holder will not reveal the location of protected species nor archaeological resources during trips.
- Commercial activity, including rental and equipment usage, must not deteriorate water quality, the riverbed and bank, and park land.
- Holder will not allow customers to disturb or remove any natural and/or cultural items from the park, including rocks, flowers, and plants. _____

14. Notifications - The holder shall notify each customer of the following park regulations and conditions:

For All Users:

- Entrance Fees Must be Paid
- Pets Must be Kept on a Six Foot Leash at all Times
- Pet Waste Must be Collected & Properly Disposed
- Trash and Recycling Must be Packed Out
- Park is Closed at Dark (30 Minutes After Sunset)
- Restroom Locations
- Glass Containers are Prohibited on the River
- Voluntary Exclusion of Polystyrene Foam Products such as Styrofoam

For River Users:

- River Take Out Locations
- Expected Time of Float
- PFDs Encouraged to be Worn at ALL Times and Must be worn by all when on the River Between:
 - Buford Dam and Georgia Highway 20
 - Morgan Falls Dam and Morgan Falls Boat Ramp
- Safety Message on Water Safety - Including what to do if capsized, use of floatation, use of PFDs, dam release schedules, water temperature, hypothermia, and emergency contact information
- Daily Dam Release Schedules for Buford Dam and/or Morgan Falls Dam Appropriate for the Section of River Floated A checklist will be used by the holder to document all trips and information provided. When requested, the checklist must be provided to the park. _____

15. Launch Ramps - All watercraft and other material shall only be hauled and launched using designated paths and launch ramps to prevent river and stream bank disturbance at:

- Settles Bridge (NPS)
- Chattahoochee Pointe (Forsyth)
- McGinnis Ferry (Forsyth)
- Rogers Bridge Park (Duluth)
- Abbotts Bridge (NPS)
- Medlock Bridge (NPS)

- Jones Bridge (NPS)
- Garrard Landing (Roswell)
- Island Ford (NPS)
- Don White Park (Roswell)
- Riverside Park (Roswell)
- Chattahoochee River Park (Roswell)
- Chattahoochee Nature Center (Roswell)
- Morgan Falls Overlook Park (Sandy Springs)
- Morgan Falls Park (GADNR)
- Johnson Ferry (NPS)
- Powers Island (NPS)
- Paces Mill (NPS)

The use of city and Chattahoochee Nature Center launch ramps requires their permission. Bowmans Island Buford Dam (USACE) is closed to all commercial use. Settles Bridge and McGinnis Ferry are closed to all commercial tubing. The holder shall only use the designated path between the launch ramp and parking lot to travel, haul watercraft and other materials. The holder shall advise customers to also use the designated path. No private paths or launch ramps may be used. _____

- 16. Visitor Services** - The holder may not block visitor access to the river, trails, roads or any other public use area. Holders who rent equipment may not park, load, or unload vehicles and trailers while on any boat ramps. Customer shuttles shall load and discharge passengers and equipment at designated shuttle locations only. _____
- 17. Noise Levels** - The holder shall not exceed the noise level limits established in Audio disturbances which states: Operating motorized equipment or machinery in a manner: (i) That exceeds a noise level of sixty decibels measured on the A-weighted scale at fifty feet; or, if below that level, nevertheless; (ii) makes noise which is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, purpose for which the area was established, impact on park users, and other factors that would govern the conduct of a reasonably prudent person under the circumstances is prohibited. Amplified sound from a bullhorn generally exceeds the noise level limits and is not allowed. _____
- 18. Signs** - No signs or placards shall be permitted in the park except those attached to vehicles and trailers. _____
- 19. Recycling, Refuse and Cleaning** - The holder shall have available an adequate number of recycling and refuse containers at no cost to each customer. Recycling and refuse containers shall either be reusable or made of a minimum of 75 percent recycled material. Every effort must be made to collect all recyclable materials including cans, bottles, plastic, paper, cooking oil, etc. and deposit them at the local recycling center. The holders shall not use and discourage customers use of items made with polystyrene foam, such as Styrofoam. Failure to leave the area clean and properly dispose of accumulated recycling and refuse will result in an additional management charge that will be billed to the holder. _____
- 20. Food and Beverages** - The holder may provide food and non-alcoholic beverages if specifically authorized on the cover page of the permit, but all sales and advertising of any food and beverages must be conducted on private lands. The ServSafe program of the National Restaurant Association Educational Foundation (www.nraef.org) available online at www.servsafe.com will be utilized for any food and beverage service provided in the park. The on-site caterer's manager shall hold a ServSafe Food Protection Manager Certification and food service employees shall hold a ServSafe Starters Employees Certification. When specifically allowed, the holder may provide alcoholic beverages with the customer showing proof of legal age each time served. The on-site alcoholic beverage servers shall hold a ServSafe Alcohol Certification. Alcoholic beverages may not be left unattended by the holder. _____
- 21. Property** - All property and equipment associated with this authorization shall be removed from the park upon the completion of each visit. Equipment may not be stockpiled or left unattended by the holder while in the park. Only equipment in use by customers may remain in the park upon departure. _____
- 22. Uniforms** - All holder's employees will wear a neat and clean uniform at all times while working in public view consisting of:
- Waist length short sleeved tee-shirt with a round neck line that is labeled front and back with the holder's company name and provides a clear indication that the individual wearing the shirt is an employee.
 - Employee's first name identified on the front of the shirt and visible at all times.
 - Shorts or pants, no bikinis.
 - Proper footwear, no sandals without ankle straps.
- These are minimum uniform standards that may be further restricted by the holder but may not be relaxed. _____
- 23. Tobacco Use** - The holder and their employees may not use any form of tobacco when operating under the terms of this permit anytime when on parklands and when off parklands in public view. _____
- 24. Professionalism** - The holder is responsible for engaging in a standard level of professionalism on park land. Professional practices include requiring all employees wear a uniform and to treat park visitors, customers, other commercial service employees, and park employees in a respectful manner. Language and demeanor shall be proper at all times. _____
- 25. Competition** - The holder may not engage in any activity that actively targets and prevents other commercial operators from conducting day-to-day business. _____
- 26. Research** - No research, collection or use of park natural and cultural resources is permitted by this authorization. A separate Research and Collection Permit is needed to conduct research or to collect park resources. _____

- 27. Park Hours** - The Park is open between the hours of ½ hours before sunrise to ½ hours after sunset. A copy of the sunrise and sunset table for Atlanta, Georgia is posted on park bulletin boards. Areas of the park with automatic entrance gates may open later and close earlier for vehicle access than the hours listed above. _____
- 28. Trail Use** - Park trails are open during daylight hours only and are designed for a wide variety of recreational uses. Bikers, runners, joggers, walkers, pets on leash, and strollers all may use trails, which require rules of courtesy for all to recreate without conflict. Users of the trails shall walk/jog/run at no more than two abreast. Users may run in groups of no more than six in a group and groups shall be spaced out by two minute leads. Sprints are limited to clear straight a-ways. Runners/joggers and groups shall always yield to other park users. _____
- 29. Helium-Filled Balloons** - No helium-filled balloons may be released into the atmosphere within the park. Balloons pose a danger to the health and safety of wildlife and create a litter problem. _____
- 30. Unmanned Aircraft** - No unmanned aircraft and aerial systems may be used within the park. Current FAA regulations do not allow the use of UAS, more commonly called drones, in private commercial activities. _____

Safety

- 31. Safety** - The holder shall have a commitment to safety not only for its customers, but also for all visitors and employees of Chattahoochee River NRA.
- The holder is responsible for complying with all Federal, State, and local safety regulations including U.S. Coast Guard (USCG), U.S. Food and Drug Administration (FDA), National Fire Protection Association (NFPA), and Occupational Safety and Health Administration (OSHA) standards.
 - The holder shall have a safety policy to ensure the safety of its customers, its employees, park visitors and park employees. This policy will be provided for review by the park.
 - The holder is responsible for attending annual safety trainings sponsored by the park and for providing annual safety trainings to its employees. Information about employee trainings, including date and time of occurrence, agenda, and attendee list, shall be kept on record for NPS review.
 - The holder is responsible for providing customers with relevant guidelines, rules, and practices that will mitigate and manage safety risks. These include personal flotation device policies, dam release schedules, water temperature, and emergency contact information.
 - Holders who rent river equipment to customers are responsible for:
 - Having procedures in place to assist customers with safety issues or emergencies.
 - Communicating safety and emergency procedures to all customers prior to the start of their activity.
 - These procedures shall be kept on record for NPS review.
 - The holder is responsible for insuring that at least one staff member be present at river's edge fifteen (15) minutes prior to the expected arrival time of each customer at the pre-determined takeout point. The staff member shall be easily identified by approaching customers and in possession of a throw bag in order to assist in retrieving passing customers if needed.
- _____
- 32. Water Resistant Containers** - Holders who rent river equipment shall have available a water resistant container large enough to hold a cellular phone at no cost to each customer. The container shall be made in such a way as to be easily attached to or retained by the customer during use in the park and contain at a minimum:
- Contact Information for the Holder
 - Emergency Contact Information for the Chattahoochee River NRA (Fulton Dispatch Center – 404-730-7911)
 - Contact Information for the Dam Release Schedules
 - Map of the Area Showing Launch Ramp Locations and Roadway Bridge Crossings _____
- 33. Minimum Age and Adult to Child Ratio** - Holders who rent river equipment shall limit rentals to watercraft customers of:
- A minimum participant age of 5 years of age.
 - An Adult to Child Ratio of no less than one adult, 18 years of age or older, for every four children under the age of 13. _____
- 34. Personal Flotation Device (PFD) and Vessel Operation** - The holder is responsible for providing each watercraft rental participant appropriate PFDs and other safety equipment. The holder is responsible for providing the following information of relevant state PFD policies to customers and ensuring their adherence:
- Appropriate PFDs for watercraft rental customers include a Type II, Type III, or Type V. When using a Type V PFD, it must be worn at all times. The holder must properly fit each customer with a PFD based on size/weight.
 - A properly sized and wearable USCG approved personal flotation device must be worn at all times by all persons when in the river between (i) Buford Dam and Georgia Highway 20 and (ii) Morgan Falls Dam and Morgan Falls Boat Ramp.
 - All children under 13 years of age must wear a properly sized USCG approved PFD while onboard any moving vessel.
 - Others 13 years of age and older below Georgia Highway 20 must, at a minimum, have a properly sized PFD readily available.
 - Each vessel 16 feet or more in length, except for canoes and kayaks, shall also have a minimum of one USCG approved type IV throwable PFD.
 - All vessels shall adhere to USCG navigation rules of the road and the no wake zone on Bull Sluice Lake.
 - All mechanically propelled vessels shall have a minimum of one USCG approved type B-I fire extinguisher and one waterproof first aid kit.
 - The holder is responsible for proper PFD care and inspection and ensuring that all PFDs are properly maintained and in good serviceable condition. It is recommended that PFDs be inspected by the holder at least twice a season. _____

35. Weather Restrictions & River Water Levels - Customers shall not be launched or taken on to the water if there is severe weather or thunderstorm(s) within five miles of the launch site, the river is exceeding its banks or in flood stage as reported by the U.S. Geological Survey (USGS) River Gages, and/or prior to one hour of severe weather forecasted by the National Weather Service covering the river. Holders renting tubes may not launch customers upstream of the Rogers Bridge boat ramp at any time. Holders are expected to use due caution erring of the side of safety whenever river flows seem unusually swift or muddy. Holders who rent river equipment to customers, instruct watercraft classes, or guided float trips may launch customers when the USGS River Gage specified for the launching boat ramp is at or below the following cubic feet per second (CFS) flow levels: _____

Flow Rate	Authorized
2,000 cfs & Under	<ul style="list-style-type: none"> Tubes (At Morgan Falls (Dam) Park Boat Ramp), Plus All Listed Below.
3,000 cfs & Under	<ul style="list-style-type: none"> Tubes (Other Than Morgan Falls (Dam) Park Boat Ramp), Plus All Listed Below,
4,000 cfs & Under	<ul style="list-style-type: none"> Canoes, Kayaks, Stand Up Paddleboards, Plus All Listed Below,
5,000 cfs & Under	<ul style="list-style-type: none"> Rafts, Guided Canoe/Kayak/Stand Up Paddleboard Trips with a Maximum of 5 Watercraft per Trained Instructor/Guide, Plus All Listed Below,
8,000 cfs & Under	<ul style="list-style-type: none"> Guided Raft Trips with a Minimum of 1 Trained Instructor/Guide per Raft, Guided Fishing Trips in Drift Boats/Jet Boats/Rafts with a Minimum of 1Trained Instructor/Guide per Watercraft.
Over 8,000 cfs	<ul style="list-style-type: none"> None

Launching Boat Ramp	Check USGS River Gage
<ul style="list-style-type: none"> Settles Bridge (No Tubes) McGinnis Ferry (No Tubes) 	02334430 CHATTAHOOCHEE RIVER AT BUFORD DAM
<ul style="list-style-type: none"> Rogers Bridge Park Abbotts Bridge Medlock Bridge Jones Bridge Garrard Landing 	02335000 CHATTAHOOCHEE RIVER NEAR NORCROSS
<ul style="list-style-type: none"> Island Ford Don White Park Riverside Park Chattahoochee River Park Chattahoochee Nature Center Morgan Falls Overlook Park 	02335450 CHATTAHOOCHEE RIVER ABOVE ROSWELL
<ul style="list-style-type: none"> Morgan Falls (Dam) Park Johnson Ferry Powers Island 	02335815 CHATTAHOOCHEE RIVER BELOW MORGAN FALLS DAM

49. Emergency Medical Services - The holder is required to provide wireless communication devices to employees working in the park that enable them to contact emergency medical services for reporting any injuries or illnesses. All employees operating in the park under the Commercial Use Authorization (CUA) must have as a minimum a current certification in First Aid and Adult/Child CPR. _____

50. Incident Reports - The holder shall report any incidents that occur immediately to the park Concession Management Specialist at 678-538-1210. This shall include any medical, rescue, fire, law enforcement or property damage incidents associated with visiting the park. _____

Equipment and Transportation

51. Transportation - All holders transporting passengers must comply with Georgia Department of Public Safety rules concerning Passenger Carriers found at website www.gamccd.net/LPCMain.aspx. Drivers of vehicles designed to transport 16 or more persons including the driver must possess a Commercial Driver's License with a passenger endorsement. _____

52. Business Vehicles - All business vehicles must be identified with the business name and phone number on both sides and the rear of each vehicle and box trailer in a manner that is legible by pedestrians and other drivers. Advertising on vehicles must be

tastefully done and not offensive to a reasonable person. Equipment and/or customers may only be transported in properly marked business vehicles associated with the holder. Only properly marked vehicles associated with the holder may park within CUA areas. _____

53. Rental Equipment Standards - The following minimum rental equipment standards are established. The National Park Service may inspect equipment at any time. All watercraft must be of a commercial use standard or equivalent.

- Canoes: Must be constructed of wood, aluminum, ABS, fiberglass, carbon fiber, heavy-duty rubber/PVC/urethane coated fabrics having a minimum of 3 chambered compartments or combination. They must be registered with State of Georgia if using any type of motor and the engine must be less than 10 hp.
- Kayaks: Must be constructed of aluminum, ABS, fiberglass, carbon fiber, heavy-duty rubber/PVC/urethane coated fabrics having a minimum of 3 chambered compartments or combination.
- Rafts: Must be constructed of heavy-duty denier PVC/ urethane coated fabrics or similar material and have a minimum of 4 chambered compartments.
- Tubes: Must be constructed of heavy-duty rubber/PVC/urethane coated fabrics and have a minimum of 2 chambered compartments.
- Stand up Paddleboards must be constructed of wood, fiberglass, carbon fiber, heavy-duty rubber/PVC/urethane coated fabrics or similar material. Board leashes with quick release straps must be provided with each rental
- Helmets: Whitewater helmets must be made available for all kayakers and paddleboarders and renters should be advised to wear them while on the water.
- Paddles: Wood, Aluminum, ABS, fiberglass or carbon fiber in good condition and appropriate for the activity of use.
- Life Jacket/ Personal Floatation Devices (PFDs): All lifejackets must be Coast Guard approved class II, III or V. Canoe, kayak, pedal boat, rowing shell, raft, tube, tube wader, john boat, pontoon boat and any other floatable device on the water requires the occupants to have a life jacket of the correct size ready to throw or wear.
- Other equipment as requested and approved in writing for use.
- All equipment shall be clearly branded with a minimum of the holders' business name.
- Any equipment that damages the Chattahoochee River, the riverbed, the riverbank, and park land is prohibited.

Equipment used under this authorization is subject to a safety check at any time and may not be used if deemed to be in an unsafe condition. _____

54. Instruction Services – All instructors must be certified by an appropriate certifying agency to instruct participants in relevant subjects and/or activities. Certifications shall be kept on record for NPS review. _____

ATTACHMENT A

Authorized Services & Required Licenses, Registrations and Training Certificates

AUTHORIZED COMMERCIAL SERVICE	REQUIRED DOCUMENTATION
Boat Rental (non-motor) or instruction Canoe Kayak Tours Paddleboard Rental or instruction	See Special Park Conditions above
Fishing	See Special Park Conditions above
Outdoor Skills	See Special Park Conditions above
Food and Beverage	See Special Park Conditions above
Outdoor Fitness	See Special Park Conditions above

ATTACHMENT B CUA INSURANCE REQUIREMENTS

Commercial General Liability (CGL) Insurance

Liability insurance is required for all CUA holders under the terms of the authorization. Such insurance should be of sufficient scope to cover all potential risks and in an amount to cover claims that can reasonably be expected in the event of serious injury or death. The minimum liability insurance is \$1 million per occurrence / \$2 million aggregate. Liability insurance policies must name the United States of America as additional insured. The business or person that is providing the service must be the named insured (policy holder).

Automobile Liability Insurance

If a CUA holder transports passengers or uses a vehicle in the performance of the service in the park, they are required to have Automobile Liability insurance. The auto liability insurance must include coverage of "owned, leased, rented or hired" vehicles if the CUA holder rents or leases vehicles. The minimum commercial auto liability insurance for passenger transport is reflected in the following table:

Commercial Vehicle Insurance – Passenger Transport (bodily injury and property damage)	Minimum per Occurrence Liability Limits*
Up to 6 passengers	\$1,000,000
7 – 15 passengers	\$1,500,000
16 – 25 passengers	\$3,000,000
26+ passengers	\$5,000,000

** Indicated minimum per occurrence liability limit or minimum State liability requirement (for intrastate operations only).*

Commercial auto insurance provides:

1. Liability insurance, which includes coverage for bodily injury, property damage, uninsured motorists, and underinsured motorists;
2. Physical damage insurance, which includes collision insurance; and;
3. Other coverage, which includes medical payments, towing and labor, rental reimbursement, and auto loan coverage.

Taxis that do not provide tour services are only required to have Auto Liability insurance. The Commercial General Liability covers out of vehicle activities and taxis do not provide out of vehicle activities.

Insurance Company Minimum Standards

The NPS has established the following minimum insurance **company** requirements. All insurance companies must meet the following minimum standards. These standards apply to foreign insurance companies as well as domestic companies.

1. All insurers for all coverages must be rated no lower than A- by the most recent edition of Best's Key Rating Guide (Property-Casualty edition), or similar insurance rating companies (Moody's, Standard and Poor's, or Fitch), unless otherwise authorized by the Service.
2. All insurers for all coverages must have Best's Financial Size Category of at least VII according to the most recent edition of Best's Key Rating Guide (Property-Casualty edition), or similar insurance rating companies (Moody's, Standard and Poor's, or Fitch), unless otherwise authorized by the Service.
3. The insurance ratings must be submitted with the CUA Application. The rating companies do not issue certificates. We require the insurance broker to note this rating in the Certificate. If the rating does not appear on the certificate, the insurance broker must provide it in another document.

Proof of Insurance Submission

Applicants must submit proof of insurance with the CUA Application. The proof of insurance must:

- ☐ Be written in English with monetary amounts reflected in USD
- ☐ Reflect that insurance coverage is effective at time of CUA Application submission
- ☐ Name as insured the business or person that is providing the service
- ☐ Name the United States as additional insured
- ☐ Reflect a General Commercial Liability Policy with the minimum coverage amount required in the CUA Application
- ☐ Reflect required additional insurances (commercial vehicle, vessel, aircraft, etc.) with the minimum coverage amount required in the CUA Application
- ☐ Include insurance provider rating or provide in separate document

ATTACHMENT C
Fee Schedule and Payment Information

The authority for the NPS to recover associated management and administrative costs of a CUA is found in PL 105-18 and 31 U.S.C.9701 and 16 U.S.C. 3a. The Director must charge a reasonable fee for the issuance of a commercial use authorization in order to recover associated management and administrative costs. The authority to charge Recreational Use Fees is found in P.L. 105-18 and the authority to charge CUA fees is found in P.L. 105-391.

Permit Application Fee of \$225.00 is based on costs associated with processing the application (i.e. mailing, distribution and initial review to ensure that the information supplied is sufficient to form a decision). **This fee must accompany the application and is non-refundable and non-returnable.**

Administrative Fee of \$420.00 is based on costs for the administrative process, including the determination and the approval of the authorization. It includes all NPS costs for personnel, training, and material utilized for that specific activity, as well as any costs required for investigations and approvals, meetings, and travel. **This fee shall be submitted when the permit is issued.**

Monitoring Fee of \$675.00 based on 8 hours of monitoring throughout the year and the fixed costs of monitoring. This includes all NPS costs for personnel and materials. This cost can range higher depending on the complexity of the request to provide commercial services. Should issuance of this permit require substantial more monitoring; the Holder will be billed accordingly. **This fee shall be submitted when the permit is issued.**

River Management Fee of \$1.00 per person based on monthly visitation of holders who rent river equipment and/or provide river trips to customers. It includes all NPS costs for personnel oversight and supervision, transportation, material, and returning the area to its original condition. **This fee shall be submitted monthly by the 15th of the subsequent month along with the monthly report form.**

Fees may change per year, based upon the actual the actual costs incurred. This fee will be billed to the CUA holder.

The following fees are in effect at Chattahoochee River National Recreation Area through **December 31, 2018.**

Commercial Use Authorization Fee Schedule

Permit Application Fee	\$225.00
Administrative Fee	\$420.00
Monitoring Fee	\$675.00
Total Base Fee for 2018	\$1320.00
Additional Fees	
River Management Fee	\$1.00 per person served

Please Note:

Each year a Cost Recovery Analysis Report will be calculated to determine possible price increase.

Fees can be paid by check, credit card, money order, or online at <https://pay.gov/public/form/start/76863869>