

2012 CONDITIONS OF THIS AUTHORIZATION

1. **False Information** - The holder is prohibited from knowingly giving false information. To do so will be considered a breach conditions and be grounds for revocation: [RE: 36 CFR 2.32 (a)(3)]. _____
2. **Oversight** - The holder shall exercise this privilege subject to the supervision of the 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. The commercial services described above are to be provided to park area visitors at reasonable rates and under operating conditions satisfactory to the park area superintendent. _____
3. **Hold Harmless Clause** - 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 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 uses 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. _____
4. **Insurance Clause** - 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 minimum policy shall be in the amount of \$1 million per occurrence / \$2 million aggregate and underwritten by a United States company naming the National Park Service (Chattahoochee River National Recreation Area, 1978 Island Ford Parkway, Atlanta, Georgia 30350) as additional insured and the NPS shall be identified as a certificate holder.** Holder agrees to have on file with the park copies of the above insurance with the proper endorsements. _____
5. **Costs** - Cost incurred by the park as a result of accepting and processing the application and managing and monitoring the authorization activity will be reimbursed by the holder. Administrative costs and estimated costs for activities on site must be paid when the authorization is approved. If any additional costs are incurred by the park, the holder will be billed at the conclusion of the authorization. _____
6. **Benefit** - Neither Members of, nor Delegates to Congress, or Resident Commissioners shall be admitted to any share or part of this authorization or derive, either directly or indirectly, any pecuniary benefit to arise therefrom: Provided, however, that nothing herein contained shall be construed to extend to any incorporated company, if the authorization be for the benefit of such corporation. _____
7. **Assignment** - This authorization may not be transferred or assigned without written consent of the park Superintendent. _____
8. **Revocation** - This authorization may be terminated upon breach of any of the conditions herein at the discretion of the park area Superintendent. _____
9. **Renewal** - 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. _____
10. **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

superintendent. _____

11. Reports - The holder is to provide the park area superintendent upon request (and, in any event, immediately after expiration of their 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 assessment.

12. Accounting - The holder is to maintain an accounting system under which it accounts 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 and the General Accounting Office access to its books and records at any time for the purpose of determining compliance with the terms and conditions of this authorization. _____

SPECIFIC PARK CONDITIONS CHATTAHOOCHEE RIVER NATIONAL RECREATION AREA

Commercial Service Authorization

13. Commercial Aspects -

- The holder may utilize temporary shade type structures to the same degree the general public may use these devices. When used, these temporary structures may not be left unattended or overnight.
- The holder may provide merchandise, but all sales and advertising of any merchandise must be conducted on private lands.
- 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 NRA.
 - **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

14. Holder - The holder shall maintain a copy of this authorization with attachments at the designated areas and in all business vehicles. The holder shall ensure that all employees are informed of the conditions of this authorization make it available for inspection upon request. _____

15. 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. _____

16. 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.

1 st Offense	2 nd Offense	3 rd Offense	4 rd + Offense
Written Warning	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. _____

- 17. 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.

Application Fee	Administrative Fee	Management Fee	Unguided Rental Management Fee
\$ 150.00	\$ 350.00	\$ 620.00	\$1.00 per Rental Customer

The Unguided Rental Management Fee is paid by those holders who rent equipment without guides or provide unguided 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 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. _____

- 18. 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. _____
- 19. Entrance Fee** - The holder is responsible for informing all customers that a \$3.00 per vehicle per day or \$25.00 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. _____
- 20. 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. _____
- 21. Meeting** - The holder shall attend periodic meeting(s) scheduled by the Commercial Use Authorization Coordinator. The holder will be notified of the meeting date(s) by email and/or telephone. _____
- 22. 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. A copy of the training will be provided for use by the holder to train employees. Materials provided shall not be posted on the internet or otherwise distributed to the public. The holder will be notified of the training date(s) by email and/or telephone. _____

- 23. 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 equipment without guides or provide unguided trips to customers and pay the unguided rental 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 Unguided Rental 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 www.nps.gov/chat/planyourvisit/permits.htm to record these figures. Only activities occurring within the 48-mile corridor of the Chattahoochee River NRA should be recorded. _____

24. **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. _____

Park Use and Conduct

25. **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. _____

26. **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 Placed in Proper Receptacle
- Park is Closed at Dark (30 Minutes After Sunset)
- Restroom Locations
- Glass Containers are Prohibited on the River

For River Users:

- River Take Out Locations
- Expected Time of Float
- PFDs Encouraged to be Worn at ALL Times and Must be Worn 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. The checklist must be provided for review by the park. _____

27. 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)
- 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. 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. _____

28. Visitor Services - The holder may not block visitor access to the river, trails, roads or any other public use area. Equipment may not be stockpiled or left unattended by the holder while in the park. Holders who rent equipment without guides or provide unguided trips to customers may not park, load, or unload vehicles and trailers while on any boat ramps. Areas consisting of approximately 20 by 50 feet will be designated at appropriate sites for use by holders who rent equipment without guides or provide unguided trips to customers and must keep all tables, canopies, and unloaded equipment within these areas. Customer shuttles shall load and discharge passengers at designated shuttle locations only. _____

29. 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. _____

30. Signs - A single sign with the holder's logo and business name no larger than 2 by 8 feet may be displayed at appropriate sites designated for use by holders who rent equipment without guides or provide unguided trips to customers. No other signs or placards shall be permitted in the park. _____

31. Recycling, Refuse and Cleaning - The holder shall make 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 100 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. 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. _____

32. Food and Beverages - The holder may provide food and non-alcoholic beverages, 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. _____

33. **Property** - All property and equipment associated with this authorization shall be removed from the park upon completion of the visit. This includes removal of property from the river and park between sunset and sunrise. _____
34. **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.
 - Employees first name identified on the front of the shirt.
 - 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. _____
35. **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. _____
36. **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. _____
37. **Competition** - The holder may not engage in any activity that actively targets and prevents other Commercial Use Authorization operators from conducting day-to-day business. _____
38. **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. _____
39. **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. _____
40. **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. _____
41. **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. _____

Safety

42. **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 provided to the park.
- 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 equipment without guides or provide unguided trips 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 must be provided for review by the park. _____

43. Water Resistant Containers - Holders who rent equipment without guides or provide unguided trips to customers shall make 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 Communication Center
 - Contact Information for the Dam Release Schedules
 - Map of the Area Showing Launch Ramp Locations and Roadway Bridge Crossings
- _____

44. Minimum Age and Adult to Child Ratio - Holders who rent equipment without guides or provide unguided trips to customers 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.
- _____

45. 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 10 years of age must wear a USCG approved PFD while onboard any moving vessel.
- Others 10 years of age and older below Georgia Highway 20 must, at a minimum, have an appropriate 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 year. _____

- 46. Weather Restrictions** - Customers shall not be launched or taken on to the water if there is severe weather or thunderstorm(s) in the vicinity, 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. _____
- 47. 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 guides and instructors operating in the park under the Commercial Use Authorization (CUA) must have as a minimum a current certification in Standard First Aid and Adult/Child CPR. _____
- 48. Incident Reports** - The holder shall report any incidents that occur immediately to the park Communications Center at (770) 952-0370. This shall include any medical, rescue, fire, law enforcement or property damage incidents associated with visiting the park. _____

Equipment and Transportation

- 49. Transportation** - All holders transporting passengers must comply with Georgia Public Service Commission rules concerning intrastate travel found at website www.psc.state.ga.us/transportation/transportation.asp. Drivers of vehicles designed to transport 16 or more persons including the driver must possess a Commercial Drivers License. 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. _____
- 50. 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 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 or combination.
 - Pedal Boats: Must be constructed of aluminum, ABS, fiberglass or combination.
 - Rowing Shells: Must be constructed of wood, aluminum, ABS, fiberglass, carbon fiber 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, or urethane coated fabrics and have a minimum of 2 chambered compartments.
 - Tube Waders: Must be constructed of heavy-duty rubber, PVC, or urethane coated fabrics and have a minimum of 2 chambered compartments, or a life jacket must be worn if the tube has a single compartment.
 - Jon Boats/similar types: Must be constructed of steel, wood, aluminum, ABS, fiberglass, carbon fiber or combination. They must be registered with the State of Georgia if using any type of motor and the engine must be less than 10 hp. One 5 lb. ABC fire extinguisher and a waterproof First Aid kit must be available on board. Correct Coast Guard approved lighting is required for use after dusk or before dawn when allowed by authorization.
 - Pontoon Boats: Must be constructed of wood, aluminum, ABS, fiberglass, carbon fiber or combination. They must be registered with the State of Georgia. 1-10 lb. fire extinguisher type ABC, 1-5 lb. ABC fire extinguisher, and a waterproof First Aid kit must be available on board.
 - Paddleboards: Must be constructed of wood, aluminum, ABS, fiberglass, carbon fiber or combination.
 - 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. _____

Guide and Instruction Services

51. Instruction Services - All instructors operating under the authorization must be approved by the park with their name listed below. Subjects instructors are authorized to teach are indicated next to their name. The holder is authorized to utilize the following instructors under this permit. _____

- 1) None
- 2)
- 3)
- 4)
- 5)

52. Guide Services - All guides operating under the authorization, including those interpreting the natural or cultural features of the park, must be approved by the park with their name listed below. The holder is authorized to utilize the following guides under this permit. _____

- 1) None
- 2)
- 3)
- 4)
- 5)

Holder: _____

Signature

Date