



## United States Department of the Interior

National Park Service  
Chattahoochee River  
National Recreation Area  
1978 Island Ford Parkway  
Sandy Springs, GA 30350



IN REPLY REFER TO:

### COMMERCIAL USE AUTHORIZATION INSTRUCTIONS

Enclosed is your application for a Commercial Use Authorization (CUA).

36 CFR § 5.3 Business Operations states:

*"Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited."*

The Superintendent of Chattahoochee River NRA establishes the following guidelines as they relate to business operations within the park.

CUAs are limited authorizations to provide specific commercial visitor services within the boundaries of the park. Permittees are not concessioners authorized under the Concessions Management Improvement Act of 1998. This is an important distinction in that CUAs must meet criteria before an authorization of their visitor services will be granted.

A written Application for a CUA will be accepted no later than ten (10) business days prior to the desired use. The general criteria are:

1. Applicants wishing to rent river equipment from a specific park area shall apply by March 1<sup>st</sup> of each year in order for assignments to be determined. Should more applications be received by March 1<sup>st</sup> for a particular area than may be accommodated, an additional questionnaire will be required to allow the NPS to determine assignments. Applications received after March 1<sup>st</sup> for a specific park area will be considered based on availability of space.
2. The authorized activity and service provided must be necessary and appropriate and be consistent with the purpose



for which the park area was established.

3. The CUA must not be used to circumvent the planning process of the park or to authorize activities that would impair park resources.
4. The National Environmental Policy Act (NEPA) requires that all Federal activities undergo an environmental review prior to the activity taking place. A CUA is considered a Federal activity and thus must comply with NEPA. Through the NEPA process the park determines if any adverse environmental effects might be caused by the proposed CUA. If the determination is "No Potential Adverse Effects", a Categorical Exclusion is made. The paperwork for a Categorical Exclusion takes approximately two to three (2 to 3) weeks to complete. If, however, the determination is "Potential Adverse Effects" may occur, an Environmental Assessment (EA) is required. An EA takes between six (6) months and two (2) years depending upon how long it takes the permittee to work through the process and complete the EA.
5. The term for CUAs may not exceed twelve (12) months by calendar year. The NPS authority to grant CUAs is temporary and may be rescinded at any time. New commercial use regulations are currently being developed at the NPS Washington Office.
6. A sample set of conditions of a CUA are available for review in a separate file that should be evaluated prior to application.
7. The Application Cost starts with the inquire request to use park resources and ends with the initial review and discussion of the application form. It includes all NPS costs for time spent in receiving and analyzing the request, a prorated cost of composing the application form and associated material, and those amounts associated with collecting the fees for the application. The non-refundable application fee is established at \$150.00 and shall be submitted with an application. This fee will be evaluated annually and adjusted if necessary.
8. The Administrative Cost starts when the completed application form is accepted and analyzed by the NPS and ends with the final approval of the permit. 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. The non-refundable administrative fee is established at \$350.00 and shall be submitted when the permit is issued. This fee will be evaluated annually and adjusted if necessary.

9. The Management Cost starts with the permit issuance to perform the permitted use and ends when the permit expires. This includes all NPS costs for personnel and materials, as well as all follow-up needed in returning the area to its original condition. This cost could be much higher if the park is presented with a more complex request involving activities that would incur greater possible impacts on park resources. The minimum non-refundable management fee is established at \$620.00 and the minimum fee shall be submitted when the permit is issued. Any additional costs of administration and management of the permit will be prorated and billed to the permittee. This fee will be evaluated annually and adjusted if necessary.
10. The River Management Cost starts with the permit issuance to perform the permitted use and ends when the permit expires. This includes all NPS costs for personnel oversight and supervision, transportation, materials, as well as all follow-up needed in returning the area to its original condition. The fee is paid by those holders who rent river equipment and/or provide river trips to customers. The non-refundable river management fee is established at \$1.00 per person with the fee submitted monthly by the 15<sup>th</sup> of the subsequent month. This fee will be evaluated annually and adjusted if necessary.
11. The permittee shall provide a current Certificate of Insurance for the activities authorized. The amount of insurance shall be in an amount commensurate with the degree of risk and the scope and size of such activities authorized herein, but in any event the minimum coverage shall be not less than \$1 million per occurrence / \$2 million aggregate for all operators. In addition, automobile liability, watercraft coverage (less than 26 feet covered under comprehensive general liability), worker's compensation coverage and/or other insurance coverage are needed based on proposed permit activities or services. **All liability policies are to name 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.**

12. The completed CUA Application should be mailed or delivered to:

CUA Coordinator  
Chattahoochee River National Recreation Area  
1978 Island Ford Parkway  
Sandy Springs, Georgia 30350

Further information may be obtained by contacting the park at (678) 538-1200.