



COMMERCIAL USE AUTHORIZATION APPLICATION

Cape Hatteras National Seashore, Fort Raleigh National Historic Site and Wright Brothers National Memorial

1401 National Park Drive
Manteo, NC 27954
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Read all application instructions (at the end of this application) as well as all conditions of the authorization before completing and submitting the application. 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. **Owner and Authorized Agents:** *(Give the name(s) of the owners and name(s) of the persons designated as Authorized Agents for your business. Authorized Agents have the power to sign on your behalf.)*

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

7. Business License – State and Number:

Expiration Date:

8. Employer Identification Number (EIN):

9. Liability Insurance:

Provide proof of liability insurance. We recommend obtaining an Acord form from your insurance provider. 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 or other types of liability insurance; see Park-Specific CUA Insurance Requirements ("Attachment A").

10. Will your business operate vehicles/vessels/aircraft within NPS boundaries?

Yes No

Information for vehicles/vessels/aircraft chartered from and operated by another company is NOT required. If "Yes," please give a description of each vehicle. Use additional paper, if necessary.

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

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

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

11. Additionally Required Documentation:

Parks may require proof of licenses, registrations and certificates, etc. Provide copies of additionally required documentation identified in "Attachment B".

12. DOI Employment:

Are you, your spouse, or minor children employed within the U.S. Department of the Interior?

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

Employee Name: _____ Title: _____

Bureau or Office where employed: _____

If you selected yes, to 12., please contact your servicing ethics office for further guidance prior to submitting this form. A list of servicing ethics offices can be found at, <https://www.doi.gov/ethics>.

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 Fee as outlined in Attachment B.

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.

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.

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.

COMMERCIAL USE AUTHORIZATION APPLICATION INSTRUCTIONS

1. Enter the service you are proposing to provide. These are the services which are currently approved in the park:

CAPE HATTERAS NATIONAL SEASHORE

- Beach Equipment Services
- Beach Fire Services
- Guided Horseback Tours
- Guided Waterfowl Hunting
- Off-Road Vehicle Driving Tours
- Outdoor Fitness Classes
- Road-Based Commercial Tours and Transportation
- Sail Boat Tours
- Watersport Instruction
- Wedding Equipment Services

CAPE HATTERAS NATIONAL SEASHORE AND FORT RALEIGH NHS

- Guided Fishing Services
- Non-Motorized Boat Tours

CAPE HATTERAS NATIONAL SEASHORE AND Wright Brothers NM

- Airplane and Helicopter Transportation

ALL PARKS: Cape Hatteras National Seashore, Fort Raleigh NHS, Wright Brothers NM

- Bicycle and Electric Bikes (EBikes) Services
- Interpretive and Educational Programs
- Photography Instruction
- Photography and Portrait Service
- Towing Service

If the service you are proposing to provide is not a currently approved service listed above, contact the park CUA office at the number above.

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 owners and name(s) of persons designated as Authorized Agents for your business. Authorized Agents have the power to sign on your behalf.
5. Provide contact information for both the main season and the off-season. 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 state, 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 you own, rent, or lease vehicles/vessels/aircraft and transport visitors by those means or if those owned, rented, or leased 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). You may be subject to additional insurance requirements. Refer to "Attachment A".
10. Provide a description of each owned, rented, or leased vehicle/vessel/aircraft you will utilize during the course of the proposed commercial service. Information for vehicles/vessels/aircraft chartered from and operated by another company is not required.
11. Provide copies of additional documentation as required by "Attachment B".
12. Indicate if you, your spouse, or parent (if you are a minor child) is employed by the U.S. Department of the Interior (Department). Departmental ethics regulations at 5 C.F.R. § 3501.103(c) prohibit Department employees, their spouses, and minor children, from acquiring or retaining permits, leases, and other rights in Federal lands granted by the Department. This prohibition includes any commercial use authorization to conduct commercial activities or services on Department property.
13. Provide details 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. Do not include minor traffic tickets.
14. Include payment of the Application Fee - \$250. See "Attachment" B. **Please do not send any money. An electronic bill will be sent after the application has been reviewed and approved.**
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: Insurance Requirements

Attachment B: List of Approved Services, Additionally Required Documentation, and Fee Information

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 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. All vehicles/vessels/aircraft 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.
3. **Employee Conduct:** The holder must ensure that its employees are hospitable and exercise courtesy and consideration in their relations with the public. The holder must establish appropriate screening, hiring, training, safety, employment, termination and other policies and procedures. The holder must review the conduct of any of its employees whose action or activities are considered by the holder or the Director to be inconsistent with the proper administration of the Area and enjoyment and protection

of visitors and must take such actions as are necessary to correct the situation. The holder must maintain, to the greatest extent possible, a drug free work environment.

4. **Rates:** The holder shall provide commercial services under this authorization to visitors at reasonable rates satisfactory to the area Superintendent.
5. **Operating Conditions:** The holder shall provide the authorized commercial services to visitors under operating conditions satisfactory to the area Superintendent.
6. **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.
7. **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.
8. **CUA Fees:** At a minimum, the 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 authorized 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 or on a more frequent basis as determined by mutual agreement between the Holder and the area Superintendent.
9. **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.
10. **Transfer:** This authorization may not be transferred or assigned without the written consent of the area Superintendent.
11. **Termination:** This authorization may be terminated upon breach of any of the conditions herein or at the discretion of the area Superintendent.
12. **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.
13. **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 area Superintendent.
14. **Reporting:** The holder must submit annually the CUA Annual Report (NPS Form 10-660) by January 31 for the prior CUA season and also must submit upon request the CUA Monthly Report (NPS Form 10-660A). The holder is to provide the area Superintendent upon request any other specific information related to the holder's operations that the area Superintendent may request, including but not limited to, visitor use statistics, and resource impact assessments.
15. **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.
16. **Visitor Acknowledgment of Risks (VAR):** The holder is not permitted to require clients 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 to use the form and/or statement. A sample Acknowledgment of Risk form may be obtained by contacting the CUA office at 252-475-9034 or by going to the park CUA webpage at <https://www.nps.gov/subjects/cua/cua-insurance.htm>

- 18. 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.
- 19. 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.
- 20. Notification of Employee Rights:** The holder must comply with all provisions of Executive Order 13496 of January 30, 2009, (Notification of Employee Rights Under Federal Labor Laws) and its implementing regulations, including the applicable contract clause, codified at 29 CFR part 471, appendix A to subpart A, all of which are incorporated by reference into this authorization as if fully set forth in this authorization.

SPECIAL PARK CONDITIONS
COMMERCIAL USE AUTHORIZATION

The following table provides information on the permitted locations, requirements, and limitations for each of the approved services.

Service	Permitted Locations, Requirements & Limitations
Air Tours and Transportation	<ul style="list-style-type: none"> • Permitted Locations • First Flight Airstrip Wright Brothers NM • Billy Mitchell Airstrip Cape Hatteras National Seashore • Ocracoke Airstrip Cape Hatteras National Seashore • Limitations: • Aircraft operations are prohibited from ½ hour after sunset to ½ hour before sunrise at the Billy Mitchell and Ocracoke • Aircraft maintenance and refueling are prohibited unless in emergency circumstances
Beach Equipment Services CUA will be valid for activities at Cape Hatteras National Seashore	<ul style="list-style-type: none"> • Permitted locations: <ul style="list-style-type: none"> • Seashore beaches that are vehicle-free areas (VFAs) including, but not limited to, beaches on Hatteras Island in front of Buxton (year-round) and the following villages between April 15 and October 14 only: Rodanthe, Waves, Salvo, Avon, Frisco, and Hatteras • Prohibited locations: <ul style="list-style-type: none"> • Lifeguarded areas • Beaches open to off-road vehicle use (ORV ramps and routes) • Sound-side beaches • Limitations: <ul style="list-style-type: none"> • Operating hours: equipment set up must take place no earlier than 8 am and equipment take down must occur by 8 pm in order to support National Park Service wildlife management operations • Tents/Sunshades must be secured using a weighted bucket/bags filled with sand and strapped to the tent frame. Umbrellas may be secured using a single bucket/bag filled with sand and a strap lashed through the ribs of the umbrella.
Beach Fire Services CUA will be valid for activities at Cape Hatteras National Seashore	<ul style="list-style-type: none"> • Permitted locations: <ul style="list-style-type: none"> • Areas where Beach Fires are permitted in accordance with park Beach Fire Regulations and associated Off-Road Vehicle (ORV) regulations: <ul style="list-style-type: none"> • November 16 – April 30: throughout the park unless otherwise restricted • May 1 – November 15: <ul style="list-style-type: none"> • Coquina Beach Parking Lot • Villages of Rodanthe, Waves, Salvo, Avon, Buxton, Frisco, and Hatteras • Ocracoke Day Use Area • If using an ORV, must follow rules and regulations for ORV use within the Seashore • Limitations: Holder and its clients must abide by all stipulations and regulations of the Cape Hatteras National Seashore Beach Fire Permit

Bicycle and Electric Bikes (EBikes) Service	<ul style="list-style-type: none"> • Permitted locations:
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<p>CUA will be valid for activities at Cape Hatteras National Seashore, Fort Raleigh National Historic Site, and Wright Brothers National Memorial</p>	<ul style="list-style-type: none"> • Park roads and in parking areas that are otherwise open for motor vehicle use by the general public. • Prohibited Locations: <ul style="list-style-type: none"> • Bicycle riding off of park roads and parking areas to include sidewalks and trails. • Limitations: <ul style="list-style-type: none"> • Appropriate safety equipment to include, at minimum, a properly sized helmet. • All bikes must be maintained, inspected, and in good working condition at all times. • Bicycles must exhibit a white light on the front and a red light or reflector on the rear. The CUA holder must inform customers to use the lights during periods of low visibility.
<p>Guided Fishing Services</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore and Fort Raleigh National Historic Site</p>	<ul style="list-style-type: none"> • Permitted locations at Cape Hatteras National Seashore: <ul style="list-style-type: none"> • Any areas open to the public except for lifeguarded areas. • If using an ORV, must follow rules and regulations for ORV use within the Seashore • Permitted locations at Fort Raleigh National Historic Site: <ul style="list-style-type: none"> • Beach area at the end of Pear Pad Road • Beach area near Mann’s Harbor Bridge also known as the Freedman’s Colony area • Note: The National Park Service recommends using the Mann’s Harbor Bridge location, because this location provides a larger area for parking and boat launching than in the Pear Pad Road location • Limitations at Fort Raleigh National Historic Site: <ul style="list-style-type: none"> • Operating hours: between sunrise and sunset only • Parking at Pear Pad Road location – large vehicles and trailers may not park in the parking spaces and must park on the grass outside of the cul-de-sac loop on south / southwest side (the same side of the road as the houses)

<p>Guided Horseback Tours</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore</p>	<ul style="list-style-type: none">• Permitted locations for activities/services:<ul style="list-style-type: none">• Seashore beaches that are open to public vehicular access as designated off-road vehicle (ORV) ramps and routes – only in areas seaward of the existing dunes• On village beaches from September 16 to May 14• Inside Road connecting Beach Access Ramps 44, 48 and 49.• Along road shoulders or across paved routes where travel is necessary to cross to or from beach access routes.• Only on the following designated public pedestrian beach access routes, also known as vehicle-free areas (VFAs), during the following time periods:<ul style="list-style-type: none">• October – March: Vehicle Free Area Ramp 45 to Ramp 48; Open Ponds Trail from the trailhead at Lighthouse Road in Buxton to the Frisco Woods Trail• Permitted locations for staging (meeting customers and beginning activities):<ul style="list-style-type: none">• Bodie Island: access to ORV Ramp 2 via parking lot at Coquina Beach Day Use Area, use of up to 4 parallel parking spaces in the parallel parking area in the northwest section of the parking lot• Hatteras Island: Ramp 55 parking area - use of up to 4 parallel parking spaces in the parallel parking area in the northwest section of the parking lot; and Ramp 38 – use of up to four parking spaces• Ocracoke Island: as necessary and feasible along Ramp 70 to enable access to ORV route southwest from Ramp 70• Prohibited locations:<ul style="list-style-type: none">• Resource closures• Lifeguarded beaches• Park campgrounds• Picnic areas• Pedestrian shoreline access areas in front of (i.e. seaward of) bird pre-nesting areas.• Established roads and trails, which are not open to motor vehicles• Beach dune areas• Limitations:<ul style="list-style-type: none">• Operating hours: between sunrise and sunset only• Instructor/guide to student client ratio: no more than 7 students/clients to 1 instructor/guide• Maximum group size including instructors/guides: 16• Horse Waste Management:<ul style="list-style-type: none">• At the conclusion of each trip, the Holder must gather all horse manure deposited within the Seashore and must dispose of the manure outside of the Seashore• For CUA Holders staging their horses within the Seashore: the Holder must take steps to remove/disperse any horse urine deposited on parking lots by washing the area with water (fresh or salt water) at the end of each operating day, at minimum. The Holder must use only water to remove the urine – no chemicals or cleaners are permitted.• Prior to the beginning of each season, the CUA Holder is required to submit valid proof of a negative Coggins test for each equine entering the park. The Coggins test must have been performed within the last 12 months. The Coggins test is required in order to protect the park's equine population on Ocracoke Island – the Ocracoke ponies.• If using an ORV, must follow rules and regulations for ORV use within the Seashore
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<p>Guided Waterfowl Hunting</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore</p>	<ul style="list-style-type: none">• Permitted locations:<ul style="list-style-type: none">• Non-hunting activities, including meeting customers and beginning guided hunting activities, are permitted anywhere within Cape Hatteras National Seashore that is open to the public.• Hunting activities are permitted anywhere in Cape Hatteras National Seashore where waterfowl hunting is permitted in accordance with 36 CFR section 7.58• Guides must follow all rules and regulations for water fowl hunting within the Seashore as specified in 36 CFR Section 7.58.• Guides shall have no permanent or seasonal blind rights within the Seashore and no special privileges other than those specified in 36 CFR Section 7.58.• If using an ORV, must follow rules and regulations for ORV use within the Seashore.
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Interpretive and Educational Programs

CUA will be valid for activities at Cape Hatteras National Seashore, Fort Raleigh National Historic Site, and Wright Brothers National Memorial

- Permitted locations at Cape Hatteras National Seashore:
 - Anywhere open to the public with the exception of the following:
 - Lifeguarded areas
 - Bodie Island Light Station area and historic grounds: April – October between 9 am and 5 pm
 - Hatteras Island Light Station area and historic grounds: April – October between 9 am and 5 pm
- Permitted locations at Fort Raleigh National Historic Site and Wright Brothers National Memorial:
 - Anywhere open to the public
- Limitations:
 - Holder may not provide interpretive and educational programs in the same general location or same general time period as similar programs provided by the National Park Service
 - As applicable, the authorization Holder must obtain a fee-free Cape Hatteras National Seashore Beach Fire Permit in order to provide beach/campfires as part of the interpretive and education programs. The Holder and its clients must abide by all stipulations and regulations of the Cape Hatteras National Seashore Beach Fire Permit
 - The authorization Holder must abide by all applicable fishing regulations, which may include requirements to obtain a state of North Carolina fishing license for activities such as seine netting and catch and release ghost crabbing. The authorization Holder is responsible for making its own determinations as to applicability of fishing regulations and obtaining any necessary permits
 - This authorization does not authorize the Holder to take or collect plants, fish, wildlife, rocks, or minerals (soil), as these activities require separate permitting
- Limitations for sea turtle nest demonstrations:
 - Wildlife - sea turtle nest demonstrations may not involve any wildlife
 - Location - demonstration nests must be located within close proximity to one another and the Hatteras Island Ocean Center to facilitate regular monitoring by the authorization Holder; authorization Holder must notify the park contact (listed at the top of this authorization) of the sites selected for nest demonstrations and include GPS coordinates of the sites
 - Removal - the National Park Service reserves the right to remove or request removal of demonstration nests in order to protect park resources. If the National Park Service removes the demonstration nests, the park contact will notify the Holder to arrange transfer of equipment and discuss alternative locations
 - Required signage – the authorization Holder must place signs at demonstration areas clearly identifying that the demonstration nests are for educational purposes and do not contain actual sea turtles or sea turtle eggs; signage must be easily differentiated from National Park Service nest signs, staking, fencing and marking to indicate to clients, NPS staff and the general public that these are not actual sea turtle nests
 - Required messages – authorization Holder must educate clients about endangered species protections, including the following specific messages:
 - Under no circumstance is a nest or turtle to be disturbed, e.g. dug into
 - If you see any turtle activity including tracks, hatchlings or other evidence of turtle nesting, call 252-216-6892 to inform Cape Hatteras National Seashore
 - If using an ORV, must follow rules and regulations for ORV use within the Seashore
 - **CUA holders may not use their personal annual or lifetime passes to admit clients into Wright Brothers National Memorial. Participant's aged 16 and older entering the park must pay applicable entrance fees of \$10 per person. Clients may use their own annual or lifetime passes to cover this entry fee.**

<p>Non-Motorized Boat Tours</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore and Fort Raleigh National Historic Site</p>	<ul style="list-style-type: none"> • Permitted locations at Cape Hatteras National Seashore: <ul style="list-style-type: none"> • Anywhere open to the public with the exception of: <ul style="list-style-type: none"> • Portions of Salvo Beach Access Area. The Holder may only park, stage, and launch watercraft in areas south of the public restrooms. • Haulover Beach Access Area (also known as Canadian Hole) • Lifeguarded beaches • If using an ORV, must follow rules and regulations for ORV use within the Seashore. • Permitted locations at Fort Raleigh National Historic Site: <ul style="list-style-type: none"> • Beach area at the end of Pear Pad Road • Beach area near Mann’s Harbor Bridge also known as the Freedman’s Colony area • Note: the National Park Service recommends using the Mann’s Harbor Bridge location, because this location provides a larger area for parking and boat launching than in the Pear Pad Road location • Limitations at Fort Raleigh National Historic Site: <ul style="list-style-type: none"> • Operating hours: between sunrise and sunset only • Parking at Pear Pad Road location – large vehicles and trailers may not park in the parking spaces and must park on the grass outside of the cul-de-sac loop on south / southwest side (the same side of the road as the houses)
<p>Off-Road Vehicle Driving Tours</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore</p>	<ul style="list-style-type: none"> • Permitted locations: <ul style="list-style-type: none"> • Anywhere open to the public where ORV use is allowed. Must follow rules and regulations for ORV use within the Seashore. Information on access to ORV areas can be found at the Beach Access Page
<p>Outdoor Fitness Classes</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore</p>	<ul style="list-style-type: none"> • Permitted locations: <ul style="list-style-type: none"> • Any areas open to the public except for lifeguarded areas.
<p>Photography Instruction</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore, Fort Raleigh National Historic Site, and Wright Brothers National Memorial</p>	<ul style="list-style-type: none"> • Permitted locations: <ul style="list-style-type: none"> • Any areas open to the public. • If using an ORV, must follow rules and regulations for ORV use within the Seashore • Limitations: <ul style="list-style-type: none"> • Does not include commercial photography with use of props or models • Access within dunes only along established trails • Drone use is prohibited • If entering Wright Brothers National Memorial everyone must pay the entrance fee to include the CUA holder.

<p>Photography and Portrait Service</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore, Fort Raleigh National Historic Site, and Wright Brothers National Memorial</p>	<ul style="list-style-type: none"> • Permitted locations: <ul style="list-style-type: none"> • Any areas open to the public. • If using an ORV, must follow rules and regulations for ORV use within the Seashore • Drone use is prohibited • If entering Wright Brothers National Memorial everyone must pay the entrance fee to include the CUA holder.
<p>Road-Based Commercial Tours and Transportation</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore</p>	<ul style="list-style-type: none"> • Permitted locations: <ul style="list-style-type: none"> • Only public roads (not Off-Road Vehicle ramps and routes) with the exception of the following areas in Cape Hatteras National Seashore: <ul style="list-style-type: none"> • South Beach Road “old Ramp 45” • Devils Shoal Road • The authorization Holder and its agents (i.e. tour bus drivers) must park, load and unload passengers in designated bus parking and loading/unloading zones, where available, in order to safely manage traffic and pedestrian flow and limit impacts to other visitors • Wright Brothers National Memorial entrance fee will be followed using the Commercial Tours Entrance Fee Schedule.
<p>Sail Boat Tours</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore</p>	<ul style="list-style-type: none"> • Permitted locations: <ul style="list-style-type: none"> • Bodie Island: All ocean and sound side areas and Oregon Inlet Boat Ramp. • Hatteras Island: All sound side access areas and the Cable Crossing. All ocean side areas are open to boat launching and recovery. • Ocracoke Island: Marina boat ramps and all ocean and sound side areas. • Prohibited locations: <ul style="list-style-type: none"> • Resource closures and designated swim beaches • Hatteras Island: 0.5 miles either side of Cape Point <ul style="list-style-type: none"> • Portions of Salvo Beach Access Area. The Holder may only park, stage, and launch watercraft or equipment in areas south of the public restrooms. • Haulover Beach Access Area (also known as Canadian Hole) • Lifeguarded beaches
<p>Towing Services</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore, Fort Raleigh National Historic Site, and Wright Brothers National Memorial</p>	<ul style="list-style-type: none"> • Permitted Locations <ul style="list-style-type: none"> • Any areas open to the public • Limitations: <ul style="list-style-type: none"> • Operators must have spill kits and mitigate any spilled hazardous fuels.

<p>Watersport Instruction</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore</p>	<ul style="list-style-type: none">• Permitted locations:<ul style="list-style-type: none">• Anywhere open to the public with the exception of:<ul style="list-style-type: none">• Portions of Salvo Beach Access Area. The Holder may only park, stage, and launch watercraft or equipment in areas south of the public restrooms.• Haulover Beach Access Area (also known as Canadian Hole)• Lifeguarded beaches
<p>Wedding Equipment Services</p> <p>CUA will be valid for activities at Cape Hatteras National Seashore</p>	<ul style="list-style-type: none">• Permitted locations:<ul style="list-style-type: none">• Ocean beaches that are open to the public• Prohibited locations:<ul style="list-style-type: none">• Lifeguarded areas• Beaches open to off-road vehicle use (ORV ramps and routes)• Non-beach areas, (Lighthouses, Wright Brothers National Memorial, and Fort Raleigh.)• Sound-side beaches• Resource Protection Areas (RPA's)• Limitations:<ul style="list-style-type: none">• Must provide a reasonably sized path (at least 12 feet wide) between the equipment and the ocean, and between the equipment and the dune line in order to provide for visitor access to the area, as well as access for emergency vehicles and National Park Service operations.• Equipment must be set up and taken down within a two-hour period.• CUA Holders' clients must obtain a special event wedding permit from Cape Hatteras National Seashore. The wedding permittee (CUA client) and the CUA Holder must abide by all wedding permit conditions

**ATTACHMENT A
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 commercial general liability insurance is described below. 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). Companies that provide transportation only are not required to have Commercial General Liability as long as the passengers do not disembark.

Type of Activity	Insurance Type	Minimum Coverage
Air Tours and Transportation	\$150,000 per passenger seat	TBD
Beach Equipment Services	Comprehensive General Liability	\$500,000 per occurrence
Beach Fire Services	Comprehensive General Liability	\$500,000 per occurrence
Bicycle and Electric Bike Services	Comprehensive General Liability	\$500,000 per occurrence
Guided Fishing Services	1) Comprehensive General Liability 2) Protection & Indemnity Vessel Insurance (if transporting passengers)	1) \$500,000 per occurrence 2) \$500,000 per occurrence
Guided Horseback Tours	Comprehensive General Liability	\$1 M per occurrence / \$2M general aggregate
Guided Waterfowl Hunting	1) Comprehensive General Liability 2) Protection & Indemnity Vessel Insurance (if transporting passengers)	1) \$500,000 per occurrence / \$1M aggregate 2) \$500,000 per occurrence
Interpretive and Educational Programs	Comprehensive General Liability	\$500,000 per occurrence
Non-Motorized Boat Tours	Comprehensive General Liability	\$500,000 per occurrence
Off-Road Vehicle Driving Tours	Comprehensive General Liability	\$500,000 per occurrence
Outdoor Fitness Classes	Comprehensive General Liability	\$500,000 per occurrence
Photography Instruction	Comprehensive General Liability	\$500,000 per occurrence
Photography and Portrait Service	Comprehensive General Liability	\$500,000 per occurrence
Road-Based Commercial Tours and Transportation	Comprehensive General Liability	\$500,000 per occurrence
Sail Boat Tours	Comprehensive General Liability	\$500,000 per occurrence

Towing Services	Comprehensive General Liability	\$500,000 per occurrence
Watersport Instruction	Comprehensive General Liability	\$500,000 per occurrence
Wedding Equipment Services	Comprehensive General Liability	\$500,000 per occurrence

Other Required Insurance

Commercial Auto Liability Insurance is required if a CUA holder transports passengers or uses in the performance of the service in the park owned/leased/rented vehicles. If a CUA holder charters the vehicle and those chartered vehicles are owned and operated by another company, the CUA holder is not required to have Commercial Automobile Liability insurance. The minimum Commercial Auto Liability Insurance for *interstate* passenger transport is:

Commercial Vehicle Insurance – Passenger Transport (bodily injury and property damage)	Minimum per Occurrence Liability Limits*
15 or fewer passengers	\$1,500,000
16 or more passengers	\$5,000,000

The NPS has not established standard commercial automobile liability minimums for intrastate auto use by CUA holders because each state has unique rules and regulations. Intrastate CUA holders must meet individual state requirements for Commercial Automobile Liability Insurance or the interstate requirements above, whichever are greatest.

If the CUA applicant or holder will use rented or leased vehicles in performance of the authorized service, the applicant or holder must secure appropriate insurance for that rented or leased vehicle in the amount required by the CUA application. Proof of insurance secured directly from the rental or lease company may not be available upon application submission, but applicants are required to provide proof of insurance coverage after application submission upon NPS request.

CUA holders authorized to transport passengers aboard or use in the park an owned/rented/leased vessel are required to have **P&I Vessel Insurance**. The minimum P&I Vessel Insurance is \$500,000 per occurrence..

CUA holders authorized to transport passengers or use in the park an owned/rented/leased aircraft are required to obtain **Aircraft Liability Insurance**. The minimum Aircraft Liability Insurance is \$150,000 per passenger seat.

CUA holders assigned the use of park property must secure **Property Insurance**. The minimum Property Insurance for use of NPSN/A (not applicable) because no CUA services approved at Cape Hatteras National Seashore, Fort Raleigh National Historic Site or Wright Brothers National Memorial include park property assignments.

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 B
List of Approved Service, Additionally Required Documentation, and Fee Information

AUTHORIZED COMMERCIAL SERVICE	REQUIRED DOCUMENTATION	REQUIRED CUA FEES
Air Tours and Transportation	<ul style="list-style-type: none"> • Proof of required insurance coverage • Aircraft Registration Numbers • Title 14 Part 135 – FAA Operating Certificate 	\$250
Beach Equipment Services	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Beach Fire Services	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Bicycle and Electric Bikes Services	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Guided Fishing Services	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Guided Horseback Tours	<ul style="list-style-type: none"> • Proof of required insurance coverage • Valid proof of negative Coggins certificate for each equine entering the park with the Coggins test conducted within the last 12 months 	\$250
Guided Waterfowl Hunting	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Interpretive and Educational Programs	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Non-Motorized Boat Tours	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Off-Road Vehicle Driving Tours	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Outdoor Fitness Classes	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Photography Instruction	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Photography and Portrait Service	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Road-Based Commercial Tours and Transportation	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Sail Boat Tours	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Towing Services	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Watersport Instruction	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250
Wedding Equipment Services	<ul style="list-style-type: none"> • Proof of required insurance coverage 	\$250

Liability insurance policies must name the United States of America as an additional insured and include the following name and address in the certificate holder block of the Certificate of Insurance form:

**United States of America
Cape Hatteras National Seashore
1401 National Park Dr.
Manteo, NC 27954**