COMMERCIAL USE AUTHORIZATION

Commercial Use Authorization Information and Instructions

What is a Commercial Use Authorization?

Public Law 105-391, Section 418, which was signed in 1998, provides for the issuance of Commercial Use Authorizations (CUA) to a private person, corporation, or other entity to provide certain commercial services for park area visitors. Commercial activities are generally prohibited in National Parks unless authorized by a CUA or concession contract. Prior to 2006, an Incidental Business Permit was used to authorize the type of activities that are now authorized under a CUA.

What types of activities are authorized in Great Smoky Mountains National Park under a CUA?

- Hiking and backpacking guide services
- Fishing guide services
- Photography guide services and workshops
- Certain commercial wedding activities
- Wedding and Portrait Photography
- Hiker shuttle services
- Guided tours and workshops
- Boat trips and shuttles on Fontana Lake
- Emergency road service and towing

What are the general requirements for the issuance of a CUA?

- The authorization is issued to a qualified person to permit the provision of suitable commercial services to park area visitors. (A qualified person is a person that the superintendent determines has the ability to satisfactorily carry out the terms of the CUA.)
- The superintendent determines that the commercial services: (a) will have minimal impact on the park area's resources and values; (b) are consistent with the purposes for which the park area was established; and, (c) are consistent with all applicable park area management plans, policies, and regulations.
- For in-park services (services originating and terminating within a park area), the annual gross receipts are estimated to be less than $25,000; and the superintendent determines that the terms and conditions of the authorization require the commercial services and related activities to be undertaken in a manner that is consistent to the highest practical degree with the preservation and conservation of the resources of the park area.

For what length of time is a CUA issued?

• Option 1: CUA effective on January 1	CUA term will be for 24 months, ending on December 31 of the following year.
•	
• Option 2: CUA effective on date other than January 1: Long Term	Initial CUA term will be from 13 – 23 months, ending on December 31 of the following year.
• Option 3: CUA effective on date other than January 1: Short Term	Initial CUA term will be from 1- 23 months, ending on the last day of the final month.

What are the fees for a CUA?

Application Fee* *(non-refundable; payable when application is submitted)*

- $200

**Application fee will be waived for current CUA holders with Option 1 or 2 terms when the application is submitted at least 60 days prior to the expiration of the current CUA.*

Cost Recovery Fee *(payable when signed CUA is returned to the Park)*

- $360.00 for CUA with 24 month term
  OR
- $15.00 per month of permit term for CUA issued for less than 24 months *(for example: $240 for CUA term beginning September 1, 2013 and ending December 31, 2014)*

How are fees determined?

The above fees are based on an estimate of the Park's costs per CUA for the management and administration of the CUA program. CUA fees are subject to change in the future if the park's costs for managing and administering this programs change.

Why does the park charge a fee for a CUA?

National Park Service policy requires the Superintendent to charge a reasonable fee for CUA's. The park retains these fees to help pay for the cost of management and administration of the CUA program.

What are the insurance requirements?

- General liability insurance:
  $1,000,000 minimum coverage limits (per occurrence)
- Product liability insurance *(Required if food and beverage service will be provided)*
  $1,000,000 minimum coverage limits (per occurrence)
- Automobile liability insurance *(Required for any vehicles that will be used to transport customers)*
  Minimum coverage limits (combined single limit per accident or bodily injury per accident)
  $300,000 (vehicle capacity 5 passengers or less)
  $500,000 (vehicle capacity 6 to 12 passengers)
  $750,000 (vehicle capacity 13 to 20 passengers)
  $1,500,000 (vehicle capacity 21 to 50 passengers
- Other Insurance
  Other insurance may be required for specialized types of activities and is specified in the CUA conditions.
- "Additionally Insured" requirement
  The U.S. Government (National Park Service, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738, Attention: Commercial Use Authorizations) must be listed as an additional insured.

What are the other CUA requirements?

- The holder must comply with all of the general and specific conditions described in the CUA, a sample of which is included in this application package***. You should familiarize yourself with these conditions before applying for a CUA.***
- The holder must complete and submit a Commercial Use Authorization Annual Survey to the Concessions Management Specialist by March 1 of each year for business you conducted in the Park the preceding year.

How long does it take to obtain a CUA?

You should anticipate that it will take at least 30 days for issuance of a CUA from the time your application is received by the park since there are several steps involved. The actual time required for issuance is dependant on how promptly you return required items and how carefully you follow instructions. Delays often occur because all the required paperwork is not returned promptly or because there are errors or omissions in items submitted.

How do I obtain a CUA?

Step 1: Applying for the CUA

- □ Review these instructions and the application carefully to make sure you understand the CUA requirements.

Submit the following items to the park:

- □ *Application for Commercial Use Authorization*
- □ *Application Fee Payment (how to pay information in Application Attachment: B)*

Step 2: Return the signed CUA and other required items

Following approval of your application, a CUA will be returned to you for your review and signature.

Return the following items to the Park:

- □ *Commercial Use Authorization*: Pages 1 and 2 of the CUA with your signature on Page 2
- □ *Certificate of Insurance (ACORD certificate)* documenting that the required coverage is in force and listing Great Smoky Mountains National Park as an additional insured.

  The ACORD certificate is a standard form used by the insurance industry. A basic insurance certificate will not be accepted unless it lists the National Park Service as an additional insured as specified in Item 4 under Conditions of the CUA. Simply providing insurance cards or insurance payment information does not meet this contract requirement. Contact your insurance agent if you have questions about the ACORD certificate.
- □ *Business licenses*: Copy of any license or permit required by the city or county where your business is located (or a statement that no business license is required in your location)
- □ *Advertising*: Copies of proposed print or internet advertising for the business activities you will conduct in the Park
- □ *Cost Recovery Fee Payment (how to pay information in Application Attachment: B)*

You are not authorized to begin providing commercial services in the Park until you receive the CUA that has been approved by the Superintendent.

Step 3: Wait for the signed CUA

- □ Pages 1 and 2 of the CUA will be returned to you with the Superintendent's signature on Page 2.
- □ Review the CUA conditions before you begin conducting business in the Park and make sure that any employees are also familiar with the CUA conditions.

All required application and documents should sent to:

Email: GRSM_Concessions@nps.gov
Fax: (865)-436-1204

Mail:

Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN 37738
Attention: Molly Schroer

What are my responsibilities as a CUA holder?

♦ **Carry a copy of the CUA**

You and any employees must carry a copy of Pages 1 and 2 of the CUA at all times when you are conducting business in the Park.

♦ **Comply with the CUA conditions**

Your CUA may be revoked and/or your may become ineligible for issuance of a new CUA if you fail to comply with the CUA conditions.

♦ **Keep good records for the CUA Annual Survey**

□ Review the Commercial Use Authorization Annual Survey that was sent with your CUA and familiarize yourself with the information you will need to submit later.
□ Keep good records during the year to make it easy to complete your survey at the end of the year.

♦ **Submit the CUA Annual Survey**

Submit the Commercial Use Authorization Annual Survey by March 1 of each year for the preceding year. If you fail to return this Survey, you may lose your CUA and/or become ineligible for issuance of a new CUA.

♦ **Submit insurance documents when policies change or renew**

You are responsible for submitting new certificates of insurance whenever policies for the required coverage changes or the policies renew. Although your insurance company should send certificates automatically to the park as an additional insured, you should make sure that new certificates have been mailed to the park.

♦ **Update CUA as needed during CUA term**

Submit a *CUA Update Form* to the Concessions Management Specialist if any of the following change during the term of your CUA:

□ Business name
□ Business or individual name, address, telephone numbers
□ Guide, employee, or associated business information
□ Vehicle information
□ Services to be provided

Who do I contact with questions?

Molly Schroer
Concessions Management Specialist
(865) 436-1209
Molly_Schroer@nps.gov

Does a non-profit organization need to obtain a CUA?

- A **non-profit organization** is not required to obtain a CUA to conduct activities in a park area (even if the activities would otherwise be subject to authorization by a CUA) if the non-profit organization does not derive taxable income from the activities.
- A non-profit organization may be required to obtain a Special Use Permit for these activities.
- If you represent a non-profit organization, submit all of the items listed in Step 2 above, along with a check payable to *National Park Service* for the $50.00 application fee.
- Also submit documentation of your non-profit status, with respect to the activities for which you are applying, with the enclosed Application for Commercial Use Authorization or Special Use Permit.
- If we determine that you are a non-profit organization based on the documentation you submit, we will issue a Special Use Permit rather than a CUA.

Submit these items to the following address:

Attention: Special Use Permits
Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN 37738

Who do I contact with questions regarding Special Use Permits?

Dana Soehn
Management Assistant
(865)436-1207
Dana_Soehn@nps.gov

OMB Control No: 1024-0268
Exp. Date: 08/31/2016

APPLICATION FORM
COMMERCIAL USE AUTHORIZATION

DEPARTMENT OF THE INTERIOR
National Park Service
Great Smoky Mountains National Park
Attention: Molly Schroer
107 Park Headquarters Rd
Gatlinburg, Tennessee 37738
865-436-1209

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. Please submit your application fee of $200.00 with this application.

Some parks have minimum 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 documentation of first aid training, an emergency response plan, limits to group size, etc.

(1) **Service for which you are applying**
(See list of approved services in the attached instructions)

_____

(2) **Will you be providing this service in more than one park? Yes ___ No ____ If yes, list all.**

_____

(3) **Applicant** **(Legal Business Name and DBA)**

_____

(4) **Authorized Agents** (Owner and any onsite person authorized to manage the operation)

_____

(5) **Mailing Address:**

PRIMARY CONTACT INFO (Dates at this address _____)

Address: _____

City, State, Zip: _____

Email: _____

Website: _____

Day Phone: _____Evening Phone: _____

Fax: _____

ALTERNATE CONTACT INFO (Dates at this address _____)

If same as "Primary Contact Info", check here ☐ and go to number (6).

Address:_____

City, State, Zip: _____

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 _____)

☐ Corporation: (State: _____ Entity Number_____)

☐ Limited Liability Corporation: (State: _____ Entity Number_____)

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

☐ Other (Specify)

(7) **State Business License Number:** _____ Expiration Date: _____

(8) **Employer Identification Number (EIN)** _____

(9) **Insurance and Vehicles**

Provide proof of insurance. The CUA operator must maintain General Liability insurance naming the United States of America, National Park Service as an **additional insured**. Minimum coverage amount is $300,000 per occurrence. Some activities will require increased coverage, see Park-Specific instructions. Auto Liability insurance is also required at a minimum coverage amounts described below.

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

Will your business operate vehicles (car, truck, van, bus, taxicab, boats, 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 licenses to operate them commercially as required by law or regulation.

MAKE OF VEHICLE	MODEL	YEAR	MAX # PASSENGERS	OWN	LEASE

MAKE OF AIRCRAFT	MODEL	TAIL NUMBER	MAX # PASSENGERS	OWN	LEASE

MAKE OF WATERCRAFT	MODEL	LENGTH	MAX # PASSENGERS	OWN	LEASE

(10) **NPS Employment**

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

☐**Yes** ☐ **No** ☐ **If Yes, please complete below:**

Employee: _____

Title_____

Park and Office where employed: _____

(11) **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_____

(12) **FEE:** Please include the Application/Administrative fee as outlined in the Park-Specific instructions.

(13) **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

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 (16 USC 5966). 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 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. 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. You may submit comments on any aspect of this information collection, including the accuracy of the estimated burden hours and suggestions to reduce this burden. Send your comments to: Information Collection Clearance Officer, National Park Service, 1849 C Street NW, Mail Stop 2601, Washington, D.C. 20240.

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 to locations, times, group size, and employee licenses and certifications.

CONDITIONS OF THIS AUTHORIZATION

1. 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. 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. 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. 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.

4. 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 be at least $1,000,000 and naming the United States of America (**National Park Service, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738, Attention: Commercial Use Authorizations**) as additional insured. Holder agrees to have on file with the park copies of the above insurance with the proper endorsements. In addition to general liability insurance, the holder agrees to carry the following liability coverage and provide the park with documentation as specified above:
   (a) Automobile liability to cover all vehicles used to transport customers, in the following amounts, depending on passenger capacity:
      (1) up to 5 passengers: $300,000
      (2) 6 to 12 passengers: $500,000
      (3) 13 to 20 passengers: $750,000
   (b) Product liability in the amount of $1,000,000 if food service is provided for clients
   (c) Watercraft liability in the amounts specified above for automobiles if watercraft will be used

5. Costs 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 onsite 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. This authorization may not be transferred or assigned without the written consent of the park area Superintendent.

8. This authorization may be terminated upon breach of any of the conditions herein or at the discretion of the park area Superintendent.

9. 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. 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.

11. 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.

12. 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 and the Government Accountability Office access to its books and records at any time for the purpose of determining compliance with the terms and conditions of this authorization.

13. Executive Order 13658- Establishing a Minimum Wage for Contractors, and its implementing regulations, including the applicable contract clause, are incorporated by reference into this contract as if fully set forth in this contract. The applicable contract clause is available at https://federalregister.gov/a/2014-23533.

APPENDIX
SPECIAL PARK CONDITIONS
COMMERCIAL USE AUTHORIZATION

1. Certain conditions contained herein are intended to assure that the activities authorized by the National Park Service are conducted with reasonable quality assurance. However, no judgment is made of the quality of the service by the National Park Service and none should be implied in

advertising or other statements made to the public by the holder.

2. Copies of any written complaints regarding activities conducted under the authority of this Permit must be provided to the Park within a reasonable period of time after receipt by the holder. Likewise, the Park will provide copies of any written complaints received by it to the holder.

3. The holder will provide a list of guides and shuttle operators to the Superintendent. The use of guides or shuttle operators who have been convicted of violations of any state or federal natural resource laws or regulations is prohibited.

4. It is assumed that prudent business management will assure that guides are reasonably proficient in their field as demonstrated by past experience and/or training. The holder is encouraged to use the American Red Cross Standard First Aid Certificate (or equivalent) as a prerequisite qualification for guides. Though the Park requires no specific qualifications, it reserves the right to prohibit the use of specific guides within the Park should it document a lack of proficiency or misconduct by that guide. The Park will discuss perceived deficiencies with the holder and allow time for the correction of those deficiencies before barring any specific guide.

5. The holder will assure that persons within the Park in connection with this Permit are in compliance with applicable Park rules and regulations, e.g. in possession of a valid camping permit or fishing license. Any violation of applicable Park rules and regulations by any client under circumstances which are under the reasonable control of the holder will be grounds for revocation of the Permit.

6. Nothing in this Permit exempts the holder from any Park regulations or other applicable laws or regulations. The holder is reminded that all natural features within the Park are protected.

7. Overnight backpacking trips are limited to a maximum of eight (8) persons per party, regardless of the campsite/s used. CUA holders will make reservations in the name of the CUA holder's organization (or CUA holders's name, if no organization is listed on the CUA) and provide the reservation office with the last four digits of the CUA number when requesting a reservation.

8. Guides leading trips in connection with this permit must be familiar with and practice Leave No Trace outdoor skills and ethics to help protect the park's wilderness character. The holder is required to provide clients with a brief orientation to Leave No Trace principles as a part of each guided trip.

9. SPECIAL CONDITIONS FOR OVERNIGHT USE OF APPALACHIAN TRAIL SHELTERS BY CUA HOLDERS:
    a. These special conditions are intended to assure a reasonable opportunity for non-commercial use of Appalachian Trail shelters while accommodating some commercial use.
    b. Only one commercial group will be allowed per shelter on any given night.
    c. Reservations may be made no more than 25 days in advance of the start of the trip.
    d. Reservations will not be made for commercial groups during the months of March, April, and May or for October weekends.

10. SPECIAL CONDITIONS FOR OVERNIGHT USE OF TRAIL SHELTERS <u>NOT</u> ON THE APPALACHIAN TRAIL BY CUA HOLDERS:
    a. These special conditions are intended to assure a reasonable opportunity for non-commercial use of trail shelters while accommodating some commercial use.
    b. Only one commercial group will be allowed per shelter on any given night.
    c. Reservations may be made no more than 25 days in advance of the start of the trip.
    d. Reservations will not be made for commercial groups for October weekends.

11. The use of any bicycles or stock (e.g. horses or llamas) is prohibited.

12. Motorized boats used in connection with this permit on Fontana Lake shall be used for the transportation of passengers and equipment from point to point only and not for the purpose of providing a thrill ride. Fast turns, spins, or similar maneuvers that the Park judges to be unnecessary for the safe transportation of passengers and equipment may result in revocation of this permit. Boats must be operated at less than 5 mph or at no wake speed within 100 feet of backcountry campsites located near the north shore of Fontana Lake. The holder must comply with applicable U.S. Coast Guard, State of North Carolina, and Tennessee Valley Authority regulations pertaining to the use and operation of watercraft on Fontana Lake.

13. The holder agrees to provide clients with National Park Service information, prior to the start of any trip in the Park. The information will include park rules and regulations, basic safety rules, safe behavior in bear country, and minimum impact camping and wilderness use guidelines. The holder is encouraged to incorporate other educational programming related to Park resources and values into the holder's activities and services. The holder is responsible for verifying the accuracy of any information provided to clients and assuring that the holder's employees are qualified to conduct educational activities. Information provided to clients by the holder may be submitted to the Park for a courtesy review for accuracy and appropriateness.

14. The Holder will provide the Park with a copy of any existing company brochure, internet advertising, or other promotional material in which reference is made to the National Park Service or Great Smoky Mountains National Park, or the services provided therein. The Holder will, at the request of the Park, make corrections to any promotional material that makes inaccurate or misleading statements regarding the services provided under the terms of this Authorization.

15. The holder will provide the Park with a schedule of programs or services that are offered on a regular or recurring basis. This schedule should include, at a minimum, the following information: **date, time, meeting location, activity location**. A draft schedule should be provided for Park review prior to publishing this schedule and prior to making changes in the schedule. The holder may be required to adjust their activity schedule at the request of the Park if activities appear likely to conflict with scheduled programs offered by the Park or interfere with other visitor activities.

16. The holder will provide the Park with a list of fees charged for services provided either wholly or partly in the Park. This list is for information purposes only and not for Park review or approval of fees charged.

17. Proof of permit approval must be carried with the holder and their employees when operating in the Park. A copy of the cover page and signature page is acceptable and must be presented to any Park employee on demand.

18. The Holder will complete a *Commercial Use Authorization Annual Survey* form for each year or portion of a year for which the Holder is issued a CUA and submit the completed form to the Concessions Management Specialist no later than March 1 of the following year.

19. The Holder will submit a new Certificate of Insurance for required insurance coverages whenever a policy changes or renews.

20. The Holder will submit a new Business Information Form whenever changes occur to the information included in this form.

21. POSSESSION OF FIREARMS
    a. The Holder and any other individuals who are providing services under the terms of this

Authorization are prohibited from possessing firearms within the park.

b. The Holder will have a written policy regarding the possession of firearms by employees and other individuals providing services under the terms of this Authorization in accordance with A. above. New employees and other individuals operating under this Authorization will be provided with a copy of this policy. The Holder will provide the park with a copy of this policy upon request.

c. The Holder will be familiar with federal and state laws regarding the possession of firearms and will inform customers of any provisions of these laws that are applicable to the services the Holder provides under this Authorization. Customers who do not comply with these federal and state laws may be denied service by the Holder.

OMB Control No. 1024-0268
Exp. Date: 08/31/2016

APPLICATION INSTRUCTIONS
COMMERCIAL USE AUTHORIZATION

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.

2. Enter the service you are proposing to provide. These are the services which are currently approved in the park:
   - Hiking Guide Service
   - Backpacking Guide Service
   - Hiker or Fisherman Shuttle Service
   - Fishing Guide Service
   - Photography Guide Service/Workshop
   - Guided Tours
   - Emergency Road Service and Towing
   - Commercial Wedding Services
   - Commercial Photography
   - Other (specify in application)
3. Respond "No" or list other parks where you will be providing this service.
4. 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.
5. 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.
6. 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.
7. Check the box that identifies your type of business.
8. 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.
9. 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.
10. Provide proof of General Liability Insurance naming the United States of America, National Park Service, as additionally insured in the amounts designated in the application.
11. 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.
12. 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).
13. Include payment of the Application/Administrative Fee (see Attachment B).
14. Please sign and date your application. If the person SIGNING this application is not an Authorized Agent for the business, proof of signing authority must accompany this application.

Attachment A: List of Approved Services
Attachment B: Fee Schedule and Payment

Great Smoky Mountains National Park

ATTACHMENT A: LIST OF APPROVED SERVICES

Commercial Use Authorization

The following activities are authorized in Great Smoky Mountains National Park:

- Hiking and backpacking guide services
- Fishing guide services
- Photography guide services and workshops
- Certain commercial wedding activities
- Wedding and Portrait Photography
- Hiker shuttle services
- Guided tours and workshops
- Boat trips and shuttles on Fontana Lake
- Emergency road service and towing

General Requirements of CUAs

Commercial Use Authorizations (CUA) are issued to a qualified person to permit the provision of suitable commercial services to park area visitors. (A qualified person is a person that the superintendent determines has the ability to satisfactorily carry out the terms of the CUA.)

The superintendent determines that the commercial services: (a) will have minimal impact on the park area's resources and values; (b) are consistent with the purposes for which the park area was established; and, (c) are consistent with all applicable park area management plans, policies, and regulations.

For in-park services (services originating and terminating within a park area), the annual gross receipts are estimated to be less than $25,000; and the superintendent determines that the terms and conditions of the authorization require the commercial services and related activities to be undertaken in a manner that is consistent to the highest practical degree with the preservation and conservation of the resources of the park area.

Great Smoky Mountains National Park

ATTACHMENT B: FEE SCHEDULE

Commercial Use Authorization

Commercial Use Authorization (CUA) fees are based on an estimate of the Park's costs per CUA for the management and administration of the CUA program. CUA fees are subject to change in the future if the park's costs for managing and administering this programs change.

National Park Service policy requires the Superintendent to charge a reasonable fee for CUA's. The park retains these fees to help pay for the cost of management and administration of the CUA program.

1. **Application Fee** non-refundable; payable when application is submitted

$200.00

Application fee will be waived for current CUA holders with Option 1 or 2 terms when the application is submitted at least 60 days prior to the expiration of the current CUA.

2. **Cost Recovery Fee** (payable when signed CUA is returned to the Park)

(a) $360.00 for CUA with 24 month term, OR
(b) $15.00 per month of permit term for CUA issued for less than 24 months (example: $240 for CUA term beginning September 1, 2014 and ending December 31, 2015)

CUA Term Options

Option 1—CUA effective on January 1
CUA term will be for 24 months, ending on December 31 of the following year.

Option 2—CUA effective on date other than January 1
Initial CUA term will be from 13 – 23 months, ending on December 31 of the following year.

Option 3 (shorter term option)—CUA effective on date other than January 1
Initial CUA term will be from 1- 23 months, ending on the last day of the final month.

Application and Cost Revovery Fee Payment Options

Payment via Debit, Credit Card, Paypal, or Direct Deposit:

Visit **www.pay.gov**, search for "Great Smoky Mountains NP Commercial Use Authorization Fees"

Complete the applicable form with current company information as well as specific park CUA information:

- The Permit Number is "CUA-GRSM-5500-0000" (The exact number will be assigned at a later date.)
- "Application Fee" is standard $200
- "Cost Recovery Fee" is figured at $15 per month and must run for consecutive months. The expiration date must not extend beyond December 31, 2017. If you are unsure of the required amount, please leave this payment blank and you will be instructed on an amount to pay later.

Submit confirmation of payment with the CUA Application to **GRSM_Concessions@nps.gov** or by regular mail.

Payment via Check or Money Order:

Make checks payable to "National Park Service" and mail along with a completed CUA Application and Payment Voucher Form to:

Great Smoky Mountains National Park
CUA Program
107 Park Headquarters Rd
Gatlinburg, TN 37738

Great Smoky Mountains National Park
PAYMENT VOUCHER
Commercial Use Authorization

CUA Applicant					
Company Name					
Street Address/P.O. Box					
City		State		Zip Code	

Applicant: Complete this section and enclose with your check payable to **National Park Service**

Type of Payment *(Check One):*

☐ **Application Fee** Amount Enclosed: _____

☐ **Cost Recovery Fee** Date of Payment: _____

Mail Room: *Please complete this section and forward form to the Concessions Management Specialist. Deposit to Account Number PPSEGRSMS0:PRO1ESUC1.330000.*

Date Received		
Amount Received		
Received by		
Signature		