United States Department of the Interior

NATIONAL PARK SERVICE
Haleakalā National Park
PO Box 369
Makawao, HI 96768

IN REPLY REFER TO: 5.D. 9/19/2016

Reference: Haleakala National Park Commercial Use Authorization

We are sending you this letter because you either previously held a Commercial Use Authorization for or have expressed interest in providing commercial guided Astronomy and/or Hiking tours at Haleakala National Park. Notice of the availability of the following business opportunity also will be provided via the Internet at http://www.fbo.gov.

Federal laws and regulations prohibit engaging in or soliciting business in areas of the National Park System unless explicitly authorized, through a permit, contract, or other authorization. Commercial Use Authorizations ("CUAs") are one means by which the National Park Service may authorize commercial services. Use of CUAs is strictly limited by law, however, both as to the type of commercial operation that may be authorized and as to the conditions under which the CUA may be granted. The criteria for issuance of CUAs and the limitations on their use has been set by Congress in a law codified at 16 U.S.C. §5966 (recently re-codified as 54 U.S.C. §101925) *available at* http://www.gpo.gov/fdsys/.

The National Park Service is allowed to issue CUAs to an eligible applicant only if specified criteria are met. Among other things, the National Park Service must determine that the commercial service will have minimal impact on resources and values of the unit of the National Park System and are consistent with the purpose for which the unit was established and with all applicable management plans and park policies and regulations. In addition, the National Park Service is required to include terms and conditions in CUAs that address specified statutory criteria, including (for example) the preservation and conservation of park resources and values, protection of visitors, the liability of the United States arising from authorized services, and fees to be paid in connection with the CUA. The National Park Service is prohibited by law from issuing more CUAs than are consistent with the preservation and proper management of park resources and values.

The levels and types of commercial tour services that are appropriate in the non-wilderness areas of Haleakala National Park and that meet the eligibility criteria for authorizations under available legal authorities are identified in the Park's Commercial Services Plan, *available at* www.nps.gov/hale/parkmgmt. Some of the limitations set in that Commercial Services Plan are on hiking and astronomy tours. Both types of tours may be authorized by CUAs but the number of CUAs available for issuance is limited: for hiking tours, the number of CUAs may not exceed 2009 levels and for astronomy tours, the number may not exceed four. Additional conditions on those two types of commercial services also are set in the Commercial Services Plan. The National Park Service is proceeding at this time to open the application process for CUAs for guided Astronomy and Hiking tours.

Consistent with the restrictions set by law on issuance of CUAs, the number of CUAs that will be issued for those two types of commercial services is being limited to four (4) four guided Astronomy tours, and six (6) for guided Hiking tours.

A multi-step process will be used to select the applicants to whom the available CUAs will be issued. If there are more qualified applicants than the number of CUAs available, a competitive process will be followed to evaluate and award the CUAs. In the first step of the selection process, applications will be reviewed for completeness and timely submission. Complete and timely applications will qualify, depending on number, either for issuance of a CUA (if that number is equal to or less than the total number of available CUAs) or further consideration in a second step of the selection process. If a second step is necessary, applications will be evaluated based on the following factors each of which is equally important. Instructions for responding to these factors are described in detail in the application package.

(1) Resource Protection
(2) Visitor Safety
(3) Relevant Experience
(4) Operating Plan

Any CUA issued will be subject to a number of terms and conditions concerning the certification of the guides, operations (including safety), insurance and other liability requirements.

Applications must be made on application forms obtained from the Park. To be considered, applications must be complete, include the application and administration/monitoring fees specified in the application materials, and are received **by the Park no later than Wednesday October 19, 2016.**

Application forms and further CUA information and requirements may be obtained from the park website at www.nps.gov/hale/parkmgmt - click on "Doing Business With The Park" or by contacting: Greg Page Fee & Commercial Services Program Specialist at 808-572-4440, or Haleakala National Park, c/o Commercial Services, PO BOX 369, Makawao, HI 96768.

Sincerely,

Greg Page
Fee & Commercial Services Program Specialist
Haleakalā National Park