# **COMMERCIAL USE AUTHORIZATION APPLICATION**

**Joshua Tree National Park**

74485 National Park Drive

Twentynine Palms, CA 92277

Jeannie Wilson, CUA Coordinator

JOTR\_Special\_Use@nps.gov

## COMMERCIAL USE AUTHORIZATION APPLICATION

NPS FORM 10-550 (EXPIRES 10/31/2023)

Refer to application instructions at the end of this 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.*

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**3.** Applicant’s Legal Business Name:[*Include any additional names (DBA) under which you will operate.]*

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**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.)*

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**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. 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”).

1. 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** |
| --- | --- | --- | --- |
|  |  |  |  |
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|  |  |  |  |

| **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: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

If you selected yes, please contact your servicing ethics office, https://www.doi.gov/ethics/bem.

**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:

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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.

1. **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:

See “Attachment B”

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.

1. Respond “No” or list other parks where you will be providing this service.
2. 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.
3. 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.
4. 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.
5. Check the box that identifies your type of business.
6. 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.
7. 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](http://www.irs.gov/Businesses/Small-Businesses-%26-Self-Employed/How-to-Apply-for-an-EIN). We will use the EIN that you provide as needed to collect debts.
8. 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”.
9. 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.
10. Provide copies of additional documentation as required by “Attachment B”.
11. Indicate if you are employed by the U.S. Department of the Interior (DOI). DOI ethics regulations prohibit employees, their spouses, and minor children from acquiring or retaining permits granted by the DOI in Federal lands subject to certain exceptions. DOI employees must contact their servicing ethics officer if they, their spouse, or minor children wish to apply for a CUA.
12. 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.
13. Include payment of the Application Fee - $465.00 See “Attachment” B.
14. 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
* Attachment C: Fee Schedules and Payment
* Attachment D: Application Checklist and Leader Qualifications and Certification
* Attachment E: The Commercial Use Permittee must comply with the following conditions
* Attachment F: Describe Your Activity Locations
* Attachment G: Requirement of Insurance Policy Certificate
* Attachment H: Monthly Report and Trip Itinerary Notification
* Attachment I: Trip Itinerary & Guide 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. Rates: The holder shall provide commercial services under this authorization to visitors at reasonable rates satisfactory to the area Superintendent.
4. **Operating Conditions:** The holder shall provide the authorized commercial services to visitors under operating conditions satisfactory to the area Superintendent.
5. 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.
6. 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.
7. 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.
8. 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.
9. Transfer: This authorization may not be transferred or assigned without the written consent of the area Superintendent.
10. Termination: This authorization may be terminated upon breach of any of the conditions herein or at the discretion of the area Superintendent.
11. 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.
12. 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.
13. Reporting: The holder is to provide the area Superintendent upon request 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 area Superintendent may request, including but not limited to, visitor use statistics, and resource impact assessments. The holder must submit annually the CUA Annual Report (NPS Form 10-660) and upon request the CUA Monthly Report (NPS Form 10-660A).
14. 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.
15. Minimum Wage:  The holder is required to adhere to Executive Order 13658 – Establishing a Minimum Wage for Contractors, as applicable. The implementing regulations, including the applicable authorization clause, are incorporated by reference into this contract as if fully set forth in this contract and available at <https://federalregister.gov/a/2014-23533>.

**Exemption:**Under Executive Order 13838, Executive Order 13658 shall not apply to contracts or contract-like instruments entered into with the Federal Government in connection with seasonal recreational services or seasonal recreational equipment rental for the general public on Federal lands, but this exemption shall not apply to lodging and food services associated with seasonal recreational services. Seasonal recreational services include river running, hunting, fishing, horseback riding, camping, mountaineering activities, recreational ski services, and youth camps.

1. 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 760-367-5518 or by going to the park CUA webpage at <https://www.nps.gov/jotr/index.htm>
2. 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.
3. 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.

## SPECIAL PARK CONDITIONS

COMMERCIAL USE AUTHORIZATION

The permit is NON-TRANSFERABLE.

1. The Authorization is only issued to the permittee named is Section 2 Authorization Holder Information. The permit is only for the company and its employees/guides and cannot be transferred to another contractor and/or subcontractor. A finding of allowing contractors/subcontractors use of this authorization will result in a citation for failing to comply with the conditions of this permit. The contractor and/or subcontractor can be citied for providing a commercial service without authorization (36 CFR 5.3) and may result in losing this CUA or RSU for non-compliance condition #8 to the permittee named in Section 2 Authorization Holder Information. Each of the contractors and/or subcontractors must have their own CUA Permit.
2. This Permit covers published routes/areas/locations only.
3. Bolting is prohibited in anchor-free zones.
4. Climbing within 50 feet of any rock art is prohibited.
5. **Certificate Requirement -**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.
6. **Permittee shall provide training completion certificate appropriate for terrains to be guided or classes offered.** The permittee shall guarantee the competency of group leaders/guides to meet the minimum qualifications. **Permittee Initial: [ ]**
7. Permittee shall provide training completion certificates for instructors providing climbing guide services and climbing instructor training courses. Certifications must be accredited by arecognized accrediting organization, or by a certifying organization that adheres to industry recognized standards, such as AMGA, PCIA, PCGI. **Permittee Initial: [ ]**
8. **Permittee shall comply with the limit operation guideline in the specific areas** during weekends, holidays, and holiday weeks when there are 6 and more people in a group for climbing at:
	* 1. Quail Springs Picnic Area (Trashcan Rock)
		2. Feudal Wall (Indian Cove)
		3. Short Wall (Indian Cove)
		4. Pixie Rock (Indian Cove)
9. **Climbing Users Restrictions -** The Superintendent reserves the right to delay or cancel any trip, limit the operation of the permittee in a specific area or during a specific time period, close any camping area, trail, road, or climbing routes in the interest of preventing adverse environmental or sociological impact to the park resources, or visitor safety, to facilitate research projects, or respond to any unforeseen circumstances. If at all possible the permittee will be notified in advance of these actions. A group of 5 people or less can use any of the rock formations or areas.
10. **Activity Locations -** under the National Environmental Policy Act (NEPA) requirements, applicant shall provide specific information on the application pertaining to activity locations that will be used by your institute. Operating outside of permitted locations will be evaluated by the park NEPA Team for potential natural or cultural resource impact. We will need you provide following information on your application: a list of detailed activities for each designated location (Ex What, Where, How?); number of people in each of the areas; estimated number of people you plan to the locations during the next 12 months:
* Campgrounds
* Backcountry camping areas
* Climbing areas
* Hiking areas
* Cache areas
1. **Caching Guidelines** - Caching in Joshua Tree National Park is discouraged whenever an alternative is available. Leaving property unattended for longer than 24 hours is prohibited by Code of Federal Regulations 36, Part 2. Caches can be vandalized and damaged by the environment and can be a visual impact to visitors. Caches can detract from the scenery, attract wildlife and create a nuisance to other park visitors. Special Park Uses Authorization Holders operating in the backcountry who wish to leave caches such as extra water, food, fuel and certain types of equipment necessary for the trip will do so at their own risk and must be authorized by their permit. Whenever possible, caches should be in parked vehicles at backcountry boards or delivered person to person at a predetermined location. When caches must be deposited in the backcountry, all permittees must utilize the following guidelines:
* The application for the Commercial Uses Authorization (CUA) must specify the need for caching and the locations where caching will be requested.
* Caching permitted by the CUA must be secured so as not to be visible by other visitors to the park.
* Water containers must be without leaks. Leaking water containers can entice bees as well as other wildlife to the site.
* No caching should be done in any way in which any wildlife, burrows, dens, nests, plants, archaeology or historical features would be disturbed.
* No digging, moving of resources, piling of rocks or other artificial manipulations of resources is allowed for covering or hiding the cache.
* Caching will not be allowed near any water source, historical, cultural or archaeological site, nature trail, picnic grounds or any place where the public or wildlife is likely to gather.
* Caching if necessary and approved by the permit may be done in areas such as sandy washes out of view of other visitors, rock outcrops where there are no designated trails or climbing routes established; or by cache vehicles making drop-offs to a member of the permittee’s group.
* Caches may not be left in the field for more than 24 hours without prior authorization and must be clearly labeled including company name, date/time placed, and date/time of intended pickup. Labels must be adequately secured to the cache.
* Food must be placed in odor-proof and animal-proof containers.
* “Property determined to be left unattended in excess of a 24 hour period of time without being designated by permit may be impounded by the superintendent.” 36 CFR 2.22 Impounded properties may result in revocation of permit.

\*\* Supply cache sites should not be visible to the general public. They should be well marked with the date and the permittee’s name. All supply caches should be retrieved within seven days of use.

1. All tools, vehicles, and equipment must be clean and free if invasive and exotic weeds.
2. Holding a special event without a separate special park use permit is not authorized. The event must be located within the approved location from the Special Park Uses Office.
3. **Riding in Backcountry and Wilderness Area**- Comply with “Seven Principles”: (1) Plan ahead and prepare, (2) Travel and camp on durable surfaces, (3) Dispose of waste properly, (4) Leave what you find, (5) Minimize campfire impacts, (6) Respect wildlife, (7) Be considerate of other visitors.
4. **Backcountry and Wilderness Area** – NO motorized vehicles may be operated in wilderness. NO motorized or mechanical equipment may be operated in the wilderness. Vehicles will only use existing roads or previously disturbed areas outside of wilderness. Permittee shall not in any way damage vegetation or wildlife. Parking along the roadway may only occur on previously disturbed sites/shoulders and not block or imped any traffic safely driving by.
5. **Desert Tortoise** - When the desert tortoise is active above ground, all participants must exercise the utmost in care to prevent injury or death to tortoises. A threatened species, this reptile is susceptible to crushing by automobile and foot traffic. Juvenile tortoises are particularly vulnerable; that are soft shelled, slow moving, and difficult to see because of their small size and drab coloring. Tortoises are particularly active in the early mornings, evenings, and during the day when temperatures are mild (mid 70’s – 80’s). They are frequently seen on or near paved road areas. All participants must be informed of and comply with these conditions. The desert tortoise is protected by law. It is illegal to disturb a tortoise or its habitat in any way. This includes touching, handling, moving, or possessing a tortoise.
6. The holder shall not engage in disturbing or moving of rocks, fallen trees, picking flowers, handling, feeding, or disturbing wildlife. Grabbing, collecting, and removing such resources while conducting tours in the park violates park resources management policy and will result in fines, citations, and removal of this permit.
7. Collecting plants, animals, mineral specimens, or artifacts within the park is prohibited.
8. NO digging into the ground with hands or tools is authorized. This will result in a citations and/or removal of this permit.
9. Collecting, digging, or defacing of historic or prehistoric artifacts is prohibited. The holder shall not engage in disturbing or moving of rocks, or fallen trees, picking flowers, handling, feeding, or disturbing of wildlife.
10. **Feed/Weeds Control** – It is required that you use pellet feed while in the park. We recommended that stock animals be fed pellet feed for several days prior to your arrival. This will greatly assist in preventing the spread of exotic grasses in the park’s ecosystem. You must provide your own water, as there is not any available at Ryan Campground. Manure must be removed prior to your departure from trailheads and campgrounds.
11. NO firewood collecting. All campfires must be pre-existing fire ring or self-contained unit with a metal bottom or fire pan. No evidence of a campfire should remain unattended. There may be a period when the NPS imposes additional fire restrictions.
12. **Leave No Trace** – Leave No Trace principles shall be taught and practiced at all times under this permit.
13. **Medical Situations** – Every visit to the National Park there must be at least one guide or group leader must have a current First Aid and CPR Training Completion Certificate. FOR EMERGENCIES call the park’s 24-hour emergency dispatch at (909) 383-5651 or use the Direct-to-EMS phone located at Hidden Valley Campground, Indian Cove Ranger Station, or call 911. Any accident occurring under Holder’s operations requiring medical attention must be reported within 24 hours to the Ranger Activities Office at (760) 367-5547. A copy of the certificates should be submitted to the Office of the Special Park Use Coordinator and on file.
14. **Audio Effect/Level** – Permittee will comply with all noises regulations. The 36 Code of Federal Regulations (26 CFR) 2.12 (a)(1) prohibits the playing of audio devices in a manner that exceeds a noise level of 60 decibels at 50 feet. No amplified music or public address systems are allowed.
15. **Notices and Advertising** – The display, sale of dissemination of printed material, electronic media, artifacts, merchandise of any other item is strictly prohibited (Re: 36 CFR 2.52 & 5.1)
16. **Banners and Posters** – The permittee and participants will not attach, erect, place, hang, anchor, or display any banner, streamer, posters, or any other object on park resources.
17. **Food Services** – Holder will comply with applicable public health, sanitation standard, and codes. Clean up shall be done after stop for breaks and meal service. Food service with catering must comply with and meet US Food and Health inspections standards for adequate sanitation requirement. Catering companies are required to obtain a Special Use Permit for delivery of food in Joshua Tree National Park.
18. **Consuming Alcoholic Beverages** – The Holders must understand that consuming alcoholic beverages or controlled substances will be prohibited while conducting operations and/or guiding services in park.
19. **Vehicle Idling** – If commercial vehicles are used to transport clients in and out of the park, those vehicles must unload passengers using a safe area and exit the park until time for loading all passengers again. Idling of vehicles engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park; therefore, engines must be shut down when not underway. Parking in park boundaries is allowed only in appropriate designated parking areas.
20. Any harassment and/or threats to any National Park Service Employee by the Holder or Holder’s Guides will result in the suspension and/or revocation of this permit.
21. **Adhere of Public Traffic Law**: Permittee will ensure his/her and all guides to adhere with all applicable law, vehicle code, and regulations. Failure to do so will lead to revocation of this permit.
22. The Holder is to provide the park Superintendent with a list of authorized guides who will be covered under this permit.
23. At least one support staff must possess current First Aid/CPR certificates or equivalent certificates in each trip. A copy of the certificate should be submitted to the Office of Special Park Uses.
24. **Violation of Permit Conditions** – Violation of any park regulation or the terms of this authorization will result in the suspension of privileges granted by the authorization.
25. **Front-Country Camping** - Group campsites are available at Sheep Pass, Indian Cove and Cottonwood with no more than 3 sites for each permittee holder per trip.  **Group site reservations** can be made through Recreation.gov or at

(1-877-444-6777) up to six months in advance from the 5th day of each month. Permit Holders should camp at group campsites whenever sites are available. Sites reserved must be physically occupied for overnight staying. If you have reserved sites and unable to come, you need to release all sites reserved at the earliest time for cancel your reservation. Resale or auction of advance reservation is prohibited.

1. Permittees may also camp at Black Rock Canyon, Indian Cove family campsites, and Ryan Campground by reservationwith groups not to exceed 12 people. **Camping at Jumbo Rock, Hidden Valley, Belle and White Tank Campgrounds is limited to Sunday through Thursday nights. This excludes holidays and holiday weeks such as Easter break.**
2. Permittees under the CUA or RSU program will need to provide the assigned permit number when making reservations with Recreation.gov. Reserved campsites must physically occupy for overnight staying. A copy of your permit should always be with each group leader while working in the Park.

Permit Holders are encouraged to use these group camps if you have more than 12 people in each of the group sites. Under 12 people, you may camp in two family sites.

**PERMITTEE CAMPING GUIDELINES**:

1. Indian Cove Group Sites: May occupy no more than 3 sites per holder
2. Indian Cove Family Sites: May occupy no more than 25 individual sites
3. Sheep Pass Group Sites: May occupy no more than 3 sites per holder
4. Cottonwood Group Sites: May occupy no more than 2 sites per holder
5. Blackrock Campground: May occupy no more than 25 individual sites
6. **Back-Country Camping** - The field staff of the licensee is responsible for knowing all the backcountry regulations and the backcountry zones according to the Backcountry/Wilderness Management Plan (BWMP), adopted by the Superintendent’s Compendium of May 27, 2004. This also includes but is not limited to the day use boundaries, closed areas, fire regulations and the camping rules and regulations of the park.
7. **Benefit** – Neither Members of, nor Delegates to Congress, or Residents Commissioners shall be admitted to any share or part of this authorization or derive, either directly or indirectly. Any pecuniary benefit to arise there from; 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.
8. During the performance of this permit, the Permittee agrees that it will not discriminate against any person because of race, color, religion, sex, or national origin. The Permittee will take affirmative action to ensure that applicants are employed without regard to their race, color, religion, sex, or national origin.
9. **All permittees utilizing the park grounds must provide the park with a post use itinerary no later than 7 days after arrival date. This should include where the group went, what were the program activities, camp sites used, cache sites (if applicable), total number of participants, duration in park, and group leader names. The itinerary may be emailed to the Office of Special Park Uses at: jotr\_special\_use@nps.gov**
10. **All guides operating in the park are required to have the park issued guide card on their person. The cost of each card is $10.00. The card must always be visible. Damaged or lost cards are required to be replaced at the cost of $10.00 per card. You will need to email a photo in the style of a passport photo with your application. Walk in appointment are not available currently due to Covid-19. Failure to have the guide card on person while guiding may result in a citation up to $500.00.**
11. The Holder is responsible for submitting a Monthly Use Report (Form 10-660A) to the Park Special Use Office as condition of permit renewal requirement.
12. The Holder is responsible for submitting an Annual Use Report (Form 10-660) to the Park Special Use Office as condition of permit renewal requirement.

## 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 $500,000. 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.

### 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 *intrastate* passenger transport is see below. 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\*** |
| --- | --- |
| Up to 6 passengers | $1,000,000 |
| 7 – 15 passengers | $1,500,000 |
| 16 – 25 passengers | $3,000,000 |
| 26+ passengers | $5,000,000 |

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 N/A.

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 N/A.

CUA holders assigned the use of park property must secure **Property Insurance**. The minimum Property Insurance for use of N/A is N/A.

### 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** |
| * Climbing Guide Certification Program
* Limited Trip Climbing
 | Rock Climbing CertificationsCurrent First Aid/CPR CertificationLeave No Trace CertificationOperation PlanSafety PlanPrinted Advertising MaterialAcknowledgment of Risk form (if applicable)Copy of Commercial General Liability Insurance  | Application Fee $120.00* Administrative Fee $195.00
* Monitoring Fee $150.00
* Guide Card Fee $10.00 per card
 |
| * Guided Hiking on Established Trails
* Guided Backpacking
* Guides Front or Back Country Camping
* Off Trail Travel
 | Current First Aid/CPR CertificationLeave No Trace CertificationOperation PlanSafety PlanPrinted Advertising MaterialAcknowledgment of Risk form (if applicable)Copy of Commercial General Liability Insurance  | Application Fee $120.00* Administrative Fee $195.00
* Monitoring Fee $150.00
* Guide Card Fee $10.00 per card
 |
| * Yoga Workshops
* Photography Workshops
 | Current First Aid/CPR CertificationLeave No Trace CertificationOperation PlanSafety PlanPrinted Advertising MaterialAcknowledgment of Risk form (if applicable)Copy of Commercial General Liability Insurance  | Application Fee $120.00* Administrative Fee $195.00
* Monitoring Fee $150.00
* Guide Card Fee $10.00 per card
 |
| * Guided Horseback Riding
 | Current First Aid/CPR CertificationLeave No Trace CertificationOperation PlanSafety PlanPrinted Advertising MaterialAcknowledgment of Risk form (if applicable)Copy of Commercial General Liability Insurance  | Application Fee $120.00* Administrative Fee $195.00
* Monitoring Fee $150.00
* Guide Card Fee $10.00 per card
 |
| * Guided Jeep Tours
* Guided Motorcycle Tours
* Guided Bicycle Tours
 | Current First Aid/CPR CertificationLeave No Trace CertificationOperation PlanSafety PlanPrinted Advertising MaterialAcknowledgment of Risk form (if applicable)Copy of Commercial General Liability Insurance * Copy of Commercial Auto Liability Insurance
 | Application Fee $120.00* Administrative Fee $195.00
* Monitoring Fee $150.00
* Guide Card Fee $10.00 per card
 |
| * Trailer Rental Delivery
 | Current First Aid/CPR CertificationLeave No Trace CertificationOperation PlanSafety PlanPrinted Advertising MaterialAcknowledgment of Risk form (if applicable)Copy of Commercial General Liability Insurance * Copy of Commercial Auto Liability Insurance
 | Application Fee $120.00* Administrative Fee $195.00
* Monitoring Fee $150.00
* Guide Card Fee $10.00 per card
 |

## ATTACHMENT C

### Fee Schedules and Payment

| **Fee Type** | **Due Date** | **Amount** |
| --- | --- | --- |
| Application Fee | With application (non-refundable) | $120.00 |
| Administrative Cost  | With application (non-refundable)  | $195.00 |
| Monitoring Fee: | With application | $150.00  |
| Guide Card Fee | * Required for all guides working in the park
* If a guide works for more than one company, they will need to obtain a guide card for each company
* Replacement cards will cost an additional $10.00 per card
 | $10.00 per card |
| Late Fee | Required for applications received between 02/01/2021 and 2/28/2021. No applications will be processed after 2/28/2021.  | $100.00 |

### Payment Information:

Fees can be paid online through pay.gov or by check, payable to Joshua Tree National Park. Applicants will be provided a permit number once their application is reviewed to make their payment online.

## ATTACHMENT D

### Application Checklist and Leader Qualifications and Certification

*Please include all items with your application. Please do not send incomplete applications*

* \_\_\_\_ Complete Application and Checklist (this form)
* \_\_\_\_ Operating Plan
* \_\_\_\_ Promotional Literature/trip itinerary/fee rates (website link will be accepted to meet this requirement)
* \_\_\_\_ Instructor Certifications
* \_\_\_\_ Rock Climbing: Accreditation or Certification (for rock climbing tours/classes)
* \_\_\_\_ Current First Aid/CPR Certification
* \_\_\_\_ Emergency Plan
* \_\_\_\_ Leave No Trace Certification

### Leader Qualifications and Certification:

The permittee shall guarantee the competency of the leaders of their trips, both as to ability and knowledge in the activity they are permitted to conduct. Minimum qualifications for backpacking, hiking, scrambling and rock climbing must include:

* 1. Current Standard First Aid or equivalent
	2. Current Standard CPR
	3. American Mountain Guides Association Accreditation (AMGA), Professional Climbing Instructor Association (PCIA), Professional Climbing Guides Institute (PCGI) or Association for Experiential Education (AEE) Accreditation or Certification (Rock Climbing only)

(See Special Stipulations for Commercial Rock climbing)

* 1. Knowledge of the use of minimum impact practices pertaining to desert ecosystems
	2. Knowledge of all applicable National Park Service rules and regulations.

Copies of the First Aid and CPR cards for the leaders and the AMGA, PCIA, PCGI or AEE Accreditation or Certification must be sent to the Park prior to your planned trips. These cards must be in the possession of the leaders when they are conducting a trip in the park.

### Special Stipulations for Commercial Rock Climbing:

Commercial users permitted to conduct rock climbing must be accredited by one of the Park’s recognized accrediting organizations, or the leader of the trip must be certified by the AMGA, PCIA, PCGI or AEE. This is required as of January 1, 1995. Permittees who do not have accreditation or certification can apply for these credentials through Park recognized organizations or hire certified guides on an “as needed” basis. A certified guide can be located by contacting one of the following JTNP recognized accrediting or certifying organizations:

AMGA – American Mountain Guides Association

 P.O. Box 1739, 1209 Pearl Street, Suite 14

 Boulder, CO 80302

 http://www.amga.com

PCIA - Professional Climbing Instructor Association

 P.O. Box 784

 Bishop, CA 93515

 310-455-1830

 <http://www.pcia.us>

PCGI - Professional Climbing Guides Association

 P.O. Box 62

 Bishop, CA 93514

 760-937-3506

 <http://www.climbingguidesinstitute.org/site/>

AEE - Association for Experiential Education

 3775 Iris Avenue, Suite # 4

 Boulder, CO 80301-2043

 303-440-8844

 <http://www.aee.org>

These commercial users are authorized to conduct activities in climbing areas, which are in accordance with the Backcountry/Wilderness Management Plan (January 14, 2001). This includes group restrictions and commercial user restrictions in certain backcountry zones and frontcountry areas. All climbing regulations must be followed according to the Climbing Management Plan.

## ATTACHMENT E:

**CLIMBING**

The Commercial Use Permittee must comply within the following conditions:

### User Days:

**User day information will be collected through the Itinerary and Monthly Use Reports and maintained in a database for future reference and may be used to identify management strategies in areas of high demand for commercial use.**

**Under the conditions of the CUA permit, the permittee is required to submit an itinerary before each trip that clearly reports the rock formation and climbs (if known) that they plan on using during that trip. The itinerary information will be used for permit checks and enforcement. The permittee is also required to submit an Actual Use Monthly Report at the end of each month that clearly reports what actual use occurred and where. A copy of the monthly Actual Use Monthly Report will be forwarded to the Science and Stewardship Division for data collection and monitoring for impacts. (See attached)**

### Climbing Sites:

**The park has identified rock formations that have been reviewed for resource and visitor impacts and are available for commercial use permit holders. The company will provide a list of the rock formations that they plan on using during the application process. If the rock formations are within the pre-approved list, the permit will be approved without further review. If a rock formation that has not been pre-approved is requested, then the application must be reviewed by the park staff for impacts to resources. This may lengthen the approval process. Under the conditions of the permit, the permittee will be required to only operate on the rock formations identified in the permit and only on “published routes” on those rock formations. “Published routes” are defined as those routes that have been cited in a publicly published climbing guidebook. Refer to the following list for all rock formations that have been reviewed and approved for CUA permits**

### Restrictions:

**CUA climbing permittees are prohibited from using the following rock formations on weekends, holidays and holiday weeks. These rock formations are available at other times.**

1. **Quail Springs Picnic Area (Trashcan Rock)**
2. **Feudal Wall (Indian Cove)**
3. **Short Wall (Indian Cove)**
4. **Pixie Rock (Indian Cove)**

### Rock Formations Available for CUA Permittees:

#### Indian Cove area:

* + Jaime's Rock
	+ Hodgepodge Rock
	+ Africa Face
	+ Morbid Mound
	+ Pixie rock
	+ Campfire Crags
	+ Circle Crag
	+ Clump Canyon - Southwest Face (aka Spider Wall)
	+ Palmreader Wall
	+ Dos Equis Wall
	+ Apparition Rock
	+ Moosedog Tower
	+ King Otto's Castle
	+ Condor Rock
	+ Wonder Bluffs
	+ Varnished Wall
	+ Billboard Buttress
	+ Bilbo Buttress
	+ Willit Pillar
	+ Indian Palisades Corridor
	+ The Feudal Wall
	+ Short Wall
	+ Corral Wall
	+ Ponderosa Wall

#### Quail Springs area:

* + Pet Cemetery
	+ Negropolis
	+ Intimidator Rocks
	+ Vagmarken Buttresses
	+ Trashcan Rock
	+ Baskerville Rock
	+ Hound Rock
	+ White Cliffs of Dover
	+ AFPA Rock

#### Hidden Valley and Real Hidden Valley area:

* + Gateway Rock
	+ Tumbling Rainbow Formation
	+ The Sentinel
	+ The Thin Wall
	+ The Brown Wall
	+ Upper Cow Rock
	+ Lower Cow Rock
	+ Worthwhile Pile
	+ The Great Burrito
	+ Snake Dome
	+ Hidden Tower
	+ The Wailing Wall
	+ Sports Challenge Rock
	+ Sunset Rock
	+ Locomotion Rock
	+ Turtle Rock
	+ Houser Buttress
	+ Intersection Rock
	+ The Old Woman
	+ The Blob
	+ Outhouse Rock
	+ Hobbit Roof Formation (The Blob)
	+ The Wall
	+ Chimney Rock
	+ Cyclops Rock
	+ Pewee Rock
	+ Steve Canyon (Watanobe Wall, The Orc Wall, Super Roof Wall, Sidewinder Rock,
		- * Slippery Face, Grain Surgery)
	+ The Hot Tub
	+ Cereal Rock
	+ Hit Man Rock
	+ Labor Dome
	+ Patagonia Pile
	+ Rollerball Formation
	+ Dutzi Rock
	+ Rock Hudson
	+ The Peyote Cracks

#### Echo Rock area:

* + Rusty Wall
	+ Aussie Snack Foods Wall
	+ Echo Cove
	+ Echo Rock
	+ Little Hunk
	+ Snickers
	+ Little Rock Candy Mountain
	+ Herman Rocks
	+ The Mary Worth Buttress
	+ The Comic Strip
	+ Alice in Wonderland Area
	+ Watergate Rock

#### Sheep Pass climbing area: (includes Ryan Mountain Area and Hall of Horrors)

* + Planet X Boulders
	+ Beaver Boulder
	+ Cap Rock
	+ John Yablonski Rock
	+ The Rabbit Warren
	+ The Manure Pile
	+ Headstone Rock
	+ Target Rock
	+ Split Personality Rock
	+ Agent Orange Rock
	+ The Oyster Bar
	+ Theoretical Boulder
	+ Saddle Rocks
	+ Cowboy Crags
	+ South Horror Rock
	+ North Horror Rock
	+ Den of Doom
	+ Hall of Horrors- East Wall (West Face)
	+ Hall of Horrors- West Wall (East Face and West Face)
	+ King Dome
	+ Cave Corridor- North Formation, South Formation
	+ Junk Clump
	+ Cavern Rock
	+ Wailing Sax Wall
	+ Television Wall
	+ Hob Nob Rock
	+ Small World Cliff

#### Belle Campground area:

* + Castle Rock
	+ Short Cake rocks (Rock 1, 2, and 3)
	+ Half Rock
	+ Becky's Buttress

#### Queen Mountain area:

* + Cirque of the Climbable
	+ Upper Walt's Rocks
	+ Lower Walt's Rock

#### Lost Horse area:

* + Keys Crag
	+ Voice's Crag
	+ Micro Crag
	+ Mini Crag
	+ Teeny Weeny Crag
	+ Pet Rock
	+ Jellystone
	+ Brian's Crag
	+ Roadside Rock
	+ Lizard's Hangout
	+ Mel's Diner
	+ Bush Dome
	+ Left Hand of Darkness
	+ Ken Black Memorial Dome
	+ Mindless Mound
	+ Beaver Dam Formation
	+ Filipino Wall
	+ The Freeway Wall
	+ Tiny Tots Rock
	+ Copenhagen Wall
	+ IRS Wall
	+ Rock Garden Valley: Upper End, Middle Section (aka Shorter Wall), Swiss Cheese Wall, and Lower Section
	+ Lost Horse Wall
	+ Super Heroes Wall
	+ Kaleidoscope Cliff
	+ Atlantis Wall Left
	+ Minotaur wall
	+ Atlantis Wall, Right
	+ Tire Tread Wall
	+ Lloyd's Rock
	+ Classic Corner Wall
	+ Cockroach Crag
	+ Jimmy Cliff
	+ Ranger station Rock
	+ S Cracks Formation
	+ Hill Street Blues

#### Hemingway area:

* + Banana Cracks
	+ Hemingway Buttress
	+ Dairy Queen Wall
	+ Playhouse Rock
	+ The Cathouse
	+ Poon Tang Rock
	+ Pep Boys Crag
	+ Dihedral Rock
	+ Glory Dome
	+ X-Factor Dome
	+ Lost in the Shuffle Crag
	+ Found in the Duffle Crag
	+ Jam or Slam Rock
	+ The Red Burrito
	+ Wall Street
	+ Slump Rock

#### Wonderland of Rocks South area:

* + Dissolution Rock
	+ Keystone Block
	+ Sergeant Rock
	+ Bankrupt Wall
	+ The Cuddlebone dome
	+ Nomad Dome
	+ South Astro Dome
	+ North Astro Dome
	+ Perry Masonary
	+ Lenticular Dome
	+ Freak Brothers Domes
	+ Surprise Rock
	+ Fat Freddie's Cat
	+ Pea Brain
	+ The Red Obelisk
	+ Disneyland Dome
	+ Trifling Rock
	+ Laugh Rock

#### Wonderland of Rocks North area:

* + Bubba Rock
	+ Garage Rock
	+ Reggie Dome
	+ B52 Rock
	+ New Jersey Dome
	+ The Deli
	+ Brownie Girl Dome
	+ Bobcat Rock
	+ The Seitch
	+ Mustang Ranch
	+ Bear Island
	+ Outward Bound Slab
	+ The Financial Wall
	+ Peril Rock
	+ Cool Dome
	+ Hidden Dome
	+ Boomtown
	+ Baby Roof Rock
	+ Baby Face Slab
	+ Math Rock
	+ Napoleon Block
	+ Antiwar Block
	+ Gilligan's Face
	+ Mary Ann's Face
	+ Gilligan's island Crag
	+ Easy Buttress
	+ El Dorado
	+ Pernicious Dome
	+ The Skin Graft
	+ The Techulator
	+ Mistaken Rock
	+ East Siberia, Buttress 1,2, 3, and 4.
	+ Atom Smashers Boulders

#### Barker Dam area:

* + Hunk Rock
	+ Wave Boulder Rock
	+ Rockworks Rock
	+ Lakeside Rock
	+ Rat Rock
	+ Room To Shroom Rock

#### Jumbo Rocks area:

* + Zebra Cliffs
	+ The Hen House
	+ Corridor Face
	+ False Moosedog Tower

#### Stirrup Tank area:

* + Star Trek Tower
	+ Frolic Tower
	+ Pyramid Tower
	+ Hershey Kiss
	+ The Graystone
	+ Zippy Rock
	+ Stirrup Rock- North face

#### Geology Tour Road area:

* + Crow's Nest
	+ Reef Rock
	+ Demon Dome
	+ Lava Dome
	+ Cave Rock- West Face
	+ Volcano Boulder
	+ Road Kill Rock
	+ Perpetual Motion Rock

#### Oz area:

* + Dorothy’s Crag
	+ Toto Boulder
	+ Kansas Cliffs
	+ Patina Rock
	+ The Hawk Hatchery
	+ Lions & Tigers & Bears (Emasculation Rock)
	+ Realm of the Flying Monkeys (Emasculation Rock)
	+ Emasculation Rock
	+ Scarecrow Rock
	+ Munchkinland Crag
	+ Wizard Rock
	+ Witch Rock
	+ VooDoo Dome
	+ Oz Rock
	+ No Place Like Dome

#### Live Oak area:

* + Pope's Hat
	+ Pope's cape
	+ The Whispering Wall

#### Loveland:

* + Bond Boulders

## ATTACHMENT F:

### Describe Your Activity Locations

Due to requirements under the National Environmental Policy Act (NEPA) we need information pertaining to the specific locations that will be used by your company under a Commercial Use Authorization. Each location in which commercial activities are expected to operate will be evaluated by the park NEPA Team for potential resource impact. This evaluation is required to better manage the preservation of park resources. The locations you list as important to your operation will determine the specific areas of operation for your permit. The following items of information are needed in order to complete your application:

1. Locations of operations according to the following categories:
	* 1. Campgrounds,
		2. Backcountry camping areas,
		3. Climbing areas,
		4. Hiking areas
		5. Cache areas
2. List in detail the activities for each designated location. (Ex What, Where, How?)
3. The number of people being guided or instructed in the above-mentioned areas. (Please note if this number constitutes only one group of people or if they are being divided into smaller groups.)
4. The estimated number of people you plan to bring to the above locations during the next 12
	1. months

Please complete the requested information above with additional sheets of paper if needed and enclose with the application/worksheet.

If additional information is needed, you may call at: (760) 367-5518.

Supply cache sites should not be visible to the general public. They should be well marked with the date and the permittee’s name. All supply caches should be retrieved within seven days of use.

**Note: All the above are essential elements for processing a Commercial Use Authorization. The Rock-Climbing requirement (f) is only applicable for groups doing technical rock climbing.**

## ATTACHMENT G:

### Requirement of Insurance Policy Certificate:

Applicants obtaining an CUA will be responsible for knowing and abiding by those items listed in the Policy for Commercial Use Authorization Holders, the General Guidelines (5.2 Special Park Use Guideline of July 15, 2004), and the Reservation policy for CUA/RSU campground use.

Requirement of Certificates must specify that the insurance company shall have no right of subrogation against the United States of America. The additional named insured endorsement (RCL-99-13). On the face of the insurance policy, it shall be read as the following:

**United States of America**

**Joshua Tree National Park**

**74485 National Park Drive**

**Twentynine Palms, CA 92277-3597**

## ATTACHMENT H:

### Monthly Report and Trip Itinerary Notification

The Joshua Tree National Park Monthly Use Report will be required of all Permit holders by the seventh day of the month following activity in the park email. Please download the current monthly report form from the parks webpage at <https://www.nps.gov/jotr/index.htm>

Please email the report to jotr\_special\_use@nps.gov

### Trip Itinerary & Guide Information (page 1)

Dates of the Tour: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Arrival at Joshua Tree National Park: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Details and Description of Park Portion of the Tour: (Please include lodging locations, dates, and when you will be visiting specific parts of the park. Use an additional page if necessary.)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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## ATTACHMENT I:

### Trip Itinerary & Guide Information

|  |  |  |
| --- | --- | --- |
| **Name of Tour Leader/Guides** | **Expiration Date of CPR Certification\*** | **Expiration Date of First Aid Certification\*** |
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\*Tour leaders/guides shall possess current American Red Cross Standard First Aid and CPR certification, or an equivalent or higher level of certification. In order to be considered “equivalent” the course must include classroom/hands-on instruction and must be accredited.

Application packages must be sent to the following address:

 Joshua Tree National Park

 Attn. Special Use Permit

 74485 National Park Drive

 Twentynine Palms, CA 92277

 Or email: jotr\_special\_use@nps.gov

**Note: Itineraries and Monthly Use Reports can be accepted via email** **jotr\_special\_use@nps.gov** **Questions pertaining to the CUA permitting process may be directed to the Special Park Use Office at (760) 367-5518.**