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.*

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

**4. Owner and** Authorized Agents:*(Give the name(s) of the owners and name(s) of the persons designated as Authorized Agents for your business. Authorized Agents have the power to sign on your behalf.)*

**5.** Mailing Addresses

 **PRIMARY CONTACT INFORMATION** *(Dates to contact you at this address, if seasonal.      )*

 Address:

 City, State, Zip:

 Email:       Website:

 Day Phone:       Evening Phone:       Fax:

**ALTERNATE CONTACT INFORMATION** *(Dates to contact you at this address, if seasonal.      )*

*If same as “Primary Contact Information, check here [ ]  and go to question 6.*

Address:

City, State, Zip:

Email:

Website:

Day Phone:       Evening Phone:       Fax:

**6.** What is your Business Type? *(Please check one below)*

[ ]  Sole Proprietor

[ ]  Partnership *(Print the names of each partner. If there are more than two partners, please attach a complete list of their names.)*

 Name:

 Name:

[ ]  Limited Liability Company

[ ]  Corporation

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

[ ]  Other

**7.** Business License – State and Number:       Expiration Date:

**8.** Employer Identification Number (EIN)**:**

**9.** Liability Insurance**:**

 Provide proof of liability insurance. 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 [ ]

**If “Yes,” please complete Form SACN550 from Attachment C, or provide a similar document bearing the pertinent information requested on the form.**

**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:

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

 Printed Name Title Date

## 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 each service you are proposing to provide from the following list. List each activity you are proposing to provide. For each activity type, list the put-in and take-out landings you propose using for each activity type. These are the services which are currently approved in the park:
* Guided tours and shuttle, by non-motorized boat for single or multi-day trips
* Guided fishing trips and shuttle, by motorized and non-motorized boat for single day trips
* Guided bear hunting trips, by foot for single day trips
* Guided water-based tours, by motorized boat
* Equipment rental and shuttle of canoes
* Equipment rental and shuttle of kayaks
* Equipment rental and shuttle of stand up paddleboards (SUPs)
* Equipment rental and shuttle of individual-sized inflatable tubes
* Shuttle of passengers, by vehicle only
* Shuttle of private-owned equipment, not including motorized boats
* Water-based performances at Lake Hayward
* Marina slip rentals

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 liability insurance if you own, rent, or lease vehicles/vessels and transport visitors by those means or if those owned, rented, or leased vehicle/vessel are engaged in providing the service (e.g., hauling canoes 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 you will utilize during the course of the proposed commercial service. Information for vehicles/vessels chartered from and operated by another company is not required; see Park Special Conditions.
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. Issue payment of the Application Fee of $165.00 by Pay.gov only. 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

**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 at715-483-2240 or by going to the park CUA webpage at https://www.nps.gov/sacn/getinvolved/dobusinesswithus.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.

**19. Ensuring Adequate COVID-19 Safety Protocols for Federal Contractors:** (a) Definition: As used in this clause - United States or its outlying areas means: (1) The fifty States; (2) The District of Columbia; (3) The commonwealths of Puerto Rico and the Northern Mariana Islands; (4) The territories of American Samoa, Guam, and the United States Virgin Islands; and (5) The minor outlying islands of Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Islands, Navassa Island, Palmyra Atoll, and Wake Atoll. (b) Authority. This clause implements Executive Order 14042, Ensuring Adequate COVID Safety Protocols for Federal Contractors, dated September 9, 2021 (published in the Federal Register on September 14, 2021, 86 FR 50985). (c) Compliance. The commercial use authorization holder shall comply with all guidance, including guidance conveyed through Frequently Asked Questions, as amended during the term of this authorization, contractor or subcontractor workplace locations published by the Safer Federal Workforce Task Force (Task Force Guidance) at https://www.saferfederalworkforce.gov/
contractors/. (d) Subcontracts. The commercial use authorization holder shall include the substance of this clause, including this paragraph (d), in subcontracts at any tier that exceed the simplified acquisition threshold, as defined in Federal Acquisition Regulation 2.101 on the date of subcontract award, and are for services, including construction, performed in whole or in part within the United States or its outlying areas.

**ST CROIX NATIONAL SCENIC RIVERWAY**

**SPECIAL PARK CONDITIONS**

1. **Closures and Public Use Limits:** The St. Croix National Scenic Riverway retains the right to close any landing or associated area during emergencies, floods, rainfall events exceeding two (2) inches in a 24 hour period, or other unforeseen situations. In the event the National Park Service closes a National Park Service-controlled area, the Commercial Use Authorization (CUA) holder (Holder) is not permitted to use the closed portion of the controlled area for any reason. No reimbursement for canceled reservations will be provided to the Holder.
2. **No Right of Renewal:** No right of renewal attaches hereto. Upon expiration of this authorization, the viability of this service inside the park shall be reviewed and the reviewing body shall determine if authorization of this service shall continue under a CUA or whether the Authorization will be canceled. If a determination is made to continue the service under this type of authorization, the Holder may then apply for a new Commercial Use Authorization.
3. **No Privileges:** The Holder shall have none of the rights or privileges of P.L. 105-391 specified for concession contracts. The National Park Service does not grant the Holder a preferential or exclusive right to conduct business in any National Park Service administered areas.
4. **Subject to Change:** All stipulations and conditions herein are subject to change without written notice, and without compensation to the Holder or liability to the United States. There is no appeal process.
5. **Revocation or Suspension:** At the discretion of the Superintendent, the authorization may be canceled or suspended at any time for any length of time without compensation to the Holder or liability to the United States. Any appeal process will be made available to the appropriate party if a CUA is suspended, terminated, etc.
6. **Non-compliance or Non-adherence:** Failure to comply with any of the Special Park Conditions of the Commercial Use Authorization per 54 USC sec 101925 may result in the immediate suspension or termination or non-renewal of the Holders’ application by the Superintendent. There is no appeal process to this determination.
7. **Carrying Commercial Use Authorization at All Times:** Holder shall ensure that each of their employees receives a copy of the authorization and understands the content, conditions, and stipulations. Additionally, Holder ensures the signed Authorization, or at a minimum, the Special Conditions section, will be carried by the Holder and/or their staff at all times when on National Park Service property. The National Park Service retains the right for the CUA Program Manager, Superintendent, law enforcement Park Rangers, and any other person designated by the CUA Program Manager to request an Authorization check at any time on National Park Service property, including during peak use.
8. **Payment Rendered for Services:** Holder and their employees are not permitted to collect any form of payment on National Park Service property for any reason.
9. **Visitor Safety:** Holder and their employees shall brief the participants on safety concerns relevant to each day's activity at the beginning of the trip. Staff shall be well acquainted with park regulations and support compliance with all regulations.
	1. *Visitor Acknowledgment of Risks (VARs)*: The National Park Service will provide a single, standardized Visitor Acknowledgment of Risks (VAR) form as part of the application package and at the time of issuing a CUA to a Holder. VARs—not waivers—will be the only documentation used for communicating risk of any activities involving the rental of non-motorized vessels.
		1. Only the National Park Service-issued VAR can and should be used by the Holder. Waivers cannot be required for signature by Holder’s customers for CUA activity(ies) taking place on NPS property.
		2. In the event it is needed, the Holder must provide any given person’s signed VAR to the CUA Program Manager, National Park Service law enforcement personnel and/or Superintendent within 24 hours.
	2. *Float Plans:* For an individual or group planning to participate in a multi-day (i.e., greater than 12 hour) float on the St Croix or Namekagon Rivers, the Holder must maintain a float plan at the Holder’s office. The float plan must include the following information: 1) name of point-of-contact, 2) phone number for point-of-contract, 3) planned dates of trip, 4) planned put-in and take-out locations, 5) number in party, and 6) number and type of vessels in party. In the event it is needed, the Holder must provide any given group’s float plan to the CUA Program Manager, National Park Service law enforcement personnel and/or Superintendent within 24 hours.
	3. *Accidents*: Permitted party staff must notify the Riverway law enforcement staff immediately following any accident or injury by calling the National Park Service Emergency Dispatch at 1-800-PARK-TIP.
	4. *Reporting Accidents*: Near-misses, accidents and injuries are required to be reported on the Annual Report (Form 10-660). The Annual Report is due each year for the preceding year by mail, or the date of application, whichever occurs first.
	5. *First-Aid Supplies*:First-aid kits shall be carried by all guide(s) on single or multi-day activities. The contents of the first-aid kit should be appropriate to activity level.
	6. *Flotation Devices*:A minimum of one (1) Coast Guard approved Personal Flotation Device (PFD) of the proper size will be made available to each visitor regardless of the type of vessel, except for tubes. Children under 13 are required to wear a properly fitted, serviceable PFD at all times when the vessel is in motion.
	7. *Glass Food or Beverage Containers*:The possession or use of glass food or beverage containers is prohibited in sections of the Riverway. Please refer to the Superintendent’s Compendium for further information at http://www.nps.gov/sacn/parkmgmt/lawsandpolicies.htm.
	8. *Pets*: Pets accompanying CUA staff or their guests in the St. Croix National Scenic Riverway must be physically confined at all times. Failing to crate, cage, restrain on a six-foot long or shorter leash is prohibited while within the boundary of the Riverway. Refer to the Superintendent’s Compendium at <https://www.nps.gov/sacn/learn/management/lawsandpolicies.htm> for more detailed information.
10. **Holder Administrative Requirements:** CUA Holder is required to ensure state and federal laws are adhered to regarding the administrative functions outlined below. Applicable state laws are based upon the legal address of the Holder’s business. As such, Holders are responsible for notifying the CUA Program Manager within 15 calendar days if their business address changes, or the business is sold to another party. Requirements of state park concessioner contracts or similar permits are not managed by the National Park Service.
	1. *Vessel Registration*:
		1. Watercraft must comply with either Minnesota or Wisconsin state registration requirements, whichever is applicable and is based upon the address included in the final CUA issued to the permittee.
			* MN: <https://www.dnr.state.mn.us/licenses/watercraft/index.html>
			* WI: <https://dnr.wisconsin.gov/permits/registrations/boat>
		2. All watercraft registered with their respective state must be listed on Form SACN550, and approved prior to use within the Riverway.
		3. Motorized vessels measuring at least 5 net tons (approximately 25 feet long) and owned wholly by a US citizen are subject to US Coast Guard registration and inspection requirements by the National Vessel Documentation Center at <https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Inspections-Compliance-CG-5PC-/National-Vessel-Documentation-Center/>. The name and hailing port of a recreational vessel must be marked together on some clearly visible exterior part of the hull in English letters and Arabic numerals at least 3 inches tall but not taller than 12 inches. Inspections must be completed and inspection certification displayed per US Coast Guard requirements. The National Park Service will have no role in completing the US Coast Guard certification or inspection process for Holders or CUA applicants.
	2. *Vessel Markings*:
		1. Canoes, kayaks (single and tandem), and drift boats (motorized and non-motorized) will be clearly marked above the waterline with the name of the Holder’s business as it appears on the Authorization. The lettering will be using English letters and Arabic numerals between 3 and 5 inches in height. The letters must be placed either within 4 inches to the left or right of the state boat registration decal, or no more than 12 inches from the bow of the vessel. The lettering must be typed or printed using color-fast inks—handwritten markings are not acceptable. The letters must be in clear contrast to the color of the hull.
		2. Inner tubes and standup paddleboards will be clearly marked on the topside of the vessel with the name of the Holder’s business as it appears on the CUA. The lettering will be using English letters and Arabic numerals between 3 and 5 inches in height—handwritten markings are acceptable but must be drawn using permanent ink. The letters must be in clear contrast to the color of the hull.
	3. *Annual Gross Receipts Report*: Annual reporting of the Holder’s monthly statistics, and gross receipts for business conducted within the park boundaries for the prior authorized year are required by November 15 of the subsequent calendar year, or the date of application, whichever occurs first. Failure to report gross receipts prior to December 31 may result in the non-consideration of an application in the subsequent year.
	4. *Transportation*: CUA Holder’s customers shall park at the Holder’s facilities to receive Holder’s services.
	5. *Shuttle Vehicle Markings*:
		1. CUA applicants must list all vehicles that will be used in shuttling passengers, shuttling equipment, or conducting reviews or supervising their staff on the application (Form SACN550) at the time of application. After the issuance of a CUA, the Holder is required to receive approval in writing from the CUA Program Manager prior to utilize a vehicle not previously listed on the application. The CUA Program Manager will modify the application to list any post-application vehicles added at the request of the Holder. Only vehicles included on Form SACN550 and shown as insured on the Holder’s auto insurance statement can be used on National Park Service property.
		2. All approved vehicles (i.e., listed on Form SACN550) shall comply with all Federal Motor Carrier Safety Administration standards found at <https://www.fmcsa.dot.gov/registration/do-i-need-usdot-number> and <https://www.fmcsa.dot.gov/safety/carrier-safety/motor-carrier-safety-planner>. If the standards do not apply to the vehicle type used by the Holder, then the vehicle shall display the name and phone number of the Holder’s business as it is shown on the CUA in English letters and Arabic numerals at least 3 inches tall, but not taller than 10 inches on both sides of the vehicle. The letters must contrast with the vehicle coloring. The lettering can be printed and applied by decal or vinyl wrap, or any other semi-permanent application—handwritten lettering is not acceptable.
		3. All approved vehicles (i.e., listed on Form SACN550) will be issued a Unique Decal bearing the license plate number to which it is assigned. The Unique Decal will be distributed by the National Park Service each year at the same time a CUA is issued; it will change color each year. The Unique Decal should be displayed in the windshield where it is not obstructing the operator’s view at all times when on National Park Service property. Replacement Unique Decals can be requested by emailing SACN\_CUA@nps.gov.
	6. *Contracted Shuttle Vehicles:* In the event the Holder needs to augment their fleet of shuttle vehicles or replaces their fleet with contracted services, Holders are permitted to do so with written permission by the CUA Program Manager in advance of use of contracted vehicles. The following requirements must be met:
		1. The contractor must comply with all Federal Motor Carrier Safety Administration standards found at <https://www.fmcsa.dot.gov/registration/do-i-need-usdot-number> and [https://www.fmcsa.dot.gov/safety/
		carrier-safety/motor-carrier-safety-planner](https://www.fmcsa.dot.gov/safety/carrier-safety/motor-carrier-safety-planner).
		2. Adhere to all requirements of the Park Special Conditions, including but not limited to bearing a copy of the Holder’s CUA, meeting insurance requirements, displaying the Safety Checklist, and assigned vehicle decal at all time while on National Park Service property.
		3. Post the name of the Holder’s business in the front window or passenger door in letters at least 3 inches tall, but not taller than 5 inches.
	7. *Fishing Guide Requirements:*
		1. Each fishing guide is required to apply for a CUA if they are conducting business for compensation under either a) their own name, or b) are the only fishing guide under a Sole Proprietor, LLC, Corporation, Partnership, etc registered under their own name or EIN. Fishing guide businesses with 2 or more guides can apply for a single CUA using a single business name, but:
			* the name of each fishing guide must be listed on Form 10-550 under Authorized Agents at the time of application;
			* The name of each fishing guide must be shown on the Certificate of General Liability or equivalent for the amount shown in Attachment B; and
			* The “doing business as” (DBA) name shown on the state-issued fishing license must match the name of the business on Form 10-550.

Fishing guides who expect to guide under both a business and their own name must be listed as an Authorized Agent on the Holder’s Form 10-550 and CUA, and possess a CUA in their own name.

* + 1. CUA Holders who perform guided fishing trips are required to register and maintain a fishing guide license for the state in which the Holder’s business is registered throughout the duration of the CUA. Any suspension of the guide license will automatically suspend their CUA. A copy of the guide license must be provided to the CUA Program Manager at the time of application. And the guide must carry their guide license with them at all times when on National Park Service Property. Guides whose businesses are not registered in Minnesota or Wisconsin must secure an out-of-state resident’s guide license from either Minnesota or Wisconsin.
			- MN: <https://files.dnr.state.mn.us/education_safety/safety/boatwater/guide-licensing.pdf>
			- WI: <https://dnr.wi.gov/Permits/documents/Guidelicenses.pdf>
		2. CUA Holders and their fishing guides are required to read through the St Croix NSR Angler’s Guide for the year in which they are operating, in addition to knowing the Minnesota and/or Wisconsin state laws regarding fishing. One copy of the Angler’s Guide per customer should be available for CUA Holder’s customers during each guiding trip, and one copy of the fishing regulations for the state in which the customer’s fishing license is registered during reach guiding trip.
			- Anglers Guide: <https://www.nps.gov/sacn/planyourvisit/fishing.htm>
			- MN: <https://www.dnr.state.mn.us/regulations/fishing/index.html>
			- WI: <https://dnr.wisconsin.gov/topic/Fishing/regulations>
		3. CUA Holders or their fishing guides should verify their customers have legal fishing licenses prior to the start of the trip.
	1. *Bear Hunting Guide Requirements:* Holders who perform bear hunting guide services are required to register and maintain a guide license for the state in which the Holder’s business is registered throughout the duration of the CUA permit. Any suspension of the guide license will automatically suspend their CUA. A copy of the guide license must be provided to the CUA Program Manager at the time of application. And the guide must possess their guide license at all times when on National Park Service Property. Guides whose businesses are not registered in Minnesota or Wisconsin must secure an out-of-state resident’s guide license from either Minnesota or Wisconsin.
		+ - MN: <https://files.dnr.state.mn.us/rlp/regulations/hunting/>
			- WI: <https://dnr.wisconsin.gov/topic/hunt/regulations>
1. CUA Holders or their bear hunting guides should verify their customers have legal hunting licenses prior to the start of the trip.
	1. *Anti-discrimination*: As it relates to the use of St. Croix National Scenic Riverway lands, the CUA Holder and its employees shall not discriminate against any person on the basis of race, color, gender or gender identity, national origin, age, or disability or by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally. In addition, as applicable, the Holder and its employees shall comply with the provisions of Title VI of the Civil Rights Act of 1964 as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and the Age Discrimination Act of 1975, as amended.
	2. *Harassment*: The National Park Service is committed to a zero tolerance policy regarding harassment and hostile work environments. This policy extends to its commercial service providers. The National Park Service will not tolerate harassment, in any form, of staff or visitors, nor the creation of hostile work conditions. Violation of this policy may result in suspension or termination of the Authorization.
	3. *Minimum Wage Compliance*: Holder must permit their employees to file a noncompliance statement with the National Park Service or US Department of Labor for an employers’ failure to meet the minimum wage requirements as outlined in Executive Order 13658. Employers should inform their employees to prepare a noncompliance statement and to submit it to the CUA Program Manager, 401 N. Hamilton Street, Saint Croix Falls, WI 54024.
	4. *Aquatic Invasive Species (AIS) Control*: Controlling the human transport of aquatic invasive species (AIS) is critical to protecting the St Croix and Namekagon rivers. CUA Holders will follow all required procedures to prevent the introduction of AIS to park or associated waters, including tributaries.
		1. Holder will ensure all equipment used in providing services under this permit is clean, drained, and dry (or otherwise decontaminated) in accordance with all applicable Minnesota and Wisconsin state laws prior to first launch in either the St Croix or Namekagon rivers, or their tributaries. Equipment includes vessels, trailers, tow vehicles, tools, boating equipment (e.g., anchors and anchor lines), and other items associated with permitted activities under the Commercial Use Authorization.
		2. Holder will review applicable state AIS laws by reviewing the links below, and by way of signing this Commercial Use Authorization, agree to the terms of those AIS laws and their application to use of the St Croix and Namekagon rivers.
			* WI: <https://dnr.wi.gov/topic/Invasives/boat.html>
			* MN: <https://www.dnr.state.mn.us/invasives/laws.html>
2. **Professional Excellence and General Permit Requirements**: CUA Holder is expected to behave in a manner appropriate to represent the United States government and the National Park Service as an authorized commercial vendor. As such, CUA Holder is expected to participate in monitoring activities, but is also afforded certain rights.
	1. *Monitoring*: The Superintendent, CUA Program Manager, CUA Coordinator, and any of the Riverway’s law enforcement officers shall have the right to monitor Holder's activities for compliance with all aspects of this authorization. Monitoring may be announced or unscheduled, but will always be linked to the General Conditions or Park Special Conditions. Feedback on the monitoring event will be distributed to the Holder within 7 calendar days by the CUA Program Manager. Standardized forms will be used by National Park Service staff when assessing CUA activity.
	2. *Management Fees*: Management Fees will be collected from CUA Holders in order to recover costs associated with managing the CUA program. Management Fees will be assessed once per year after the CUA Program Manager receives the CUA Holder’s Annual Report. Management Fees are based upon the reported in-park gross receipts of the CUA Holder’s activity(ies), and should be paid using Pay.gov by February 28 or submission of an Application for the following year, whichever comes first.
	3. *Pre-application Checklist:* Attachment B is intended to serve as a checklist for the documents required to submit a complete application packet toward a CUA—it is a pre-application checklist. Since Application Fees are not refundable, applicants are encouraged to review the entire Form 10-550 as well as make sure all items on Attachment B for the activity they are pursuing before paying the Application Fee on Pay.gov.
	4. *Post-CUA Checklist:* The CUA Program Manager will provide a checklist to the Holder at the time of distributing the CUA. The checklist is intended to guide the Holder through getting ready for NPS standards as the Holder prepares for their own operating season. The checklist will be based upon the General Conditions and Park Special Conditions of the CUA, and will be tailored to either a) guided services or b) equipment rentals/shuttle services.
	5. *Website Use*: The CUA Holder may use promotional materials showing the Riverway or its parts on its website, social media pages, printed advertisements, etc. Yet, some promotional photos or video may require additional permitting. CUA Holders who may want to film or capture photos featuring “talent,” or clearly identifiable, park-specific features (e.g., The Dalles, park signs) on park property for use on websites, social media, etc may require a permit. For information on permits, contact David Balzola, Special Use Permit Coordinator at 715-483-2244.
	6. *Uniforms*: No uniforms mimicking National Park Service uniform—in part or in full—should be used. CUA Holder personnel may be required to wear uniforms to represent the business. Regardless of uniform status, all CUA Holder personnel are required to wear a shirt, a namebar bearing the staff person’s name, pants or shorts, and footwear appropriate to the task at all times when representing the CUA Holder’s business on National Park Service property.
	7. *Advertising*:Commercial aspects, such as advertising (apart from company identification on vehicles), negotiation of compensation, and receipt of money/compensation cannot occur on National Park Service property.
	8. *Engagement with Other CUA Holders*: CUA Holders may encounter other competing businesses or CUA Holders within operation of their own business. In this regard, CUA Holder is expected to maintain professional appearance and appropriate dialogue. Discrepancies are expected to be resolved at the lowest possible level, and without mediation by the National Park Service. Where appropriate, however, the CUA Holders may contact the CUA Program Manager only, and by email for assistance.
	9. *Creating Hazardous Conditions*: No CUA Holder or their staff can create a situation or environment that violates state or federal law, or perpetuates or creates hazardous conditions such as “bridge jumping,” failure to train staff in safety measures, improper loading of canoe trailer, etc. (Aforementioned examples are not all-inclusive.)
	10. *Special Use Permits*: CUA Holders shall be notified by the CUA Program Manager at least 48 hours prior to the commencement of any Special Use Permit event occurring in the areas for which the CUA Holder has a CUA.
3. **Visitor Orientation Information:**
	1. *Resource Preservation Requirements*:A resource preservation message relevant to each activity must be given at the beginning of each trip, posted on the organization’s website within the text describing the activity, or both. Holder shall be familiar with and promote “Leave No Trace” principles to reduce impact on resources.
	2. *Camping Permit*: Specific camping regulations are in effect for the St Croix River between St. Croix Falls, Wisconsin – Taylors Falls, Minnesota, and the Soo Line High Bridge. Visitors who plan to camp overnight in this stretch of river must request and possess a National Park Service annual camping permit at the time of camping. The camping permit is free. Further information is available at <http://www.nps.gov/sacn/planyourvisit/camping-regulations-highway-8-to-soo-line-high-bridge.htm> or by calling 715-483-2274.
	3. *Wildlife*: CUA Holder will abide by basic principles associated with treatment of wildlife, which include but are not limited to:
		1. Respect the space needed by all wildlife species. Use binoculars and view animals from a distance that does not result in avoidance or flight behavior, especially when young animals are present.
		2. Conduct all activities in a manner that prevents any individual animal from becoming habituated. For example, do not feed the wildlife, as this disrupts natural processes the National Park Service is trying to preserve.
		3. Collecting freshwater mussels or mussel shells is prohibited.
4. **National Park Service** **Correspondence and Communication:** Correspondence between National Park Service staff and CUA personnel should remain professional and appropriate to servicing the general public. The window for reporting administrative concerns is Monday through Friday, 9:00 AM to 4:00 PM. Law enforcement and maintenance concerns should be reported as soon as possible. The appropriate method for directing communication from CUA Holder to the National Park Service is articulated below.
	1. *Administrative*: The National Park Service has 2 designated administrative agents for the CUA program in 2021: the overall CUA Program Manager is Sarah Waterworth (715-483-2240, sarah\_waterworth@nps.gov) and the Superintendent is Julie Galonska (715-483-2270, julie\_galonska@nps.gov). All general correspondence (e.g., questions related to the application and reporting process, as well as Commercial General Liabilities certifications) should be routed to the CUA Program.
	2. *Use of the Arrowhead*: Use of the National Park Service Arrowhead or its likeness is not permitted by any CUA holder or their employees in the pursuit of CUA-related operations, including decals on vehicles, images on websites, etc.
	3. *Law Enforcement*: All emergencies or situations needing law enforcement attention should be directed to Dispatch Center at **1-800-PARK-TIP**, and local law enforcement via **911**. The Dispatch Center is the park’s designated dispatching office, and serves several other parks. CUA Holders or their staff should notify the Dispatch Officer of their name, that they are at “[name of landing] at St Croix National Scenic Riverway,” and the nature of the emergency. The nearest working Park Ranger will be dispatched as soon as possible. CUA Holder is not authorized to call personal cell phones or desk phones of any other employee to request emergency support. Calling local law enforcement (e.g., St Croix Falls PD or Hayward PD) is acceptable, but may result in longer response time.
	4. *Maintenance*: Maintenance work requests can be submitted by email to the CUA Program Manager at SACN\_CUA@nps.gov.
	5. *Emergency Communications to CUA Holder*: In situations identified in Section 1 above (“Closures and Public Use Limits”), only the CUA Program Manager listed in 12(a) and Superintendent are authorized to communicate opening and closure information to the CUA Holder. Any other direction from NPS staff, news agency, website, or internal CUA Holder communication is not valid. Violation of emergency closures identified in Section 1 above will be grounds for immediate suspension or cancellation of Authorization.

## 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 $300,000 to $1,000,000 for [passenger vehicles and motorcoach buses in Wisconsin](https://wisconsindot.gov/Pages/dmv/com-drv-vehs/mtr-car-trkr/mc-ins.aspx); and $1,500,000 to $5,000,000 for [passenger vehicles and motorcoach buses in Minnesota](https://www.dot.state.mn.us/cvo/mntruckbook/2020/sect17.pdf). 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 |

**Protection and Indemnity Vessel Insurance** or Marine Insurance may also be required if CUA holders will transport passengers aboard an owned/rented/leased vessel. At the Riverway, vessels can be motorized or non-motorized. Vessels are not limited in length or tonnage, but are limited to two classes of passengers for activity types. A) If the vessel possesses a paddlewheel and will be used to conduct tours, then P&I Vessel Insurance can be used in lieu of Commercial General Liability (CGL), though CGL is more appropriate and an industry norm. The minimum P&I Vessel Insurance/CGL for paddlewheel boat tours is $5,000,000. B) Yet if the vessel will be used for guided fishing trips, then those trips are limited to 4 people, including the guide(s) and/or boat operator(s), and the vessel is therefore unlikely to exceed 25 feet in length. In this case, P&I Vessel Insurance can be used in lieu of Marine Insurance. The minimum P&I Vessel Insurance is $500,000.

**Property Insurance** will be required for CUA holders assigned the use of park property. Yet the minimum Property Insurance for use of any Riverway property is $0, since the National Park Service at St Croix National Scenic Riverway will not assign use of facilities to CUA holders in 2021.

**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** |
|  Guided tours and programming, by non-motorized boat for single or multi-day trips  | 1. Commercial General Liability (CGL) as outlined in Attachment A must be on-file with the park. Minimum coverage amount for this activity is $500,000.
2. Commercial Auto Liability insurance as outlined in Attachment A must be on-file with the park. Liability Limits for intrastate and interstate passenger transport will be based upon the landings or land tracts listed in question 1 of the application.
3. Canoes, kayaks (single and tandem) will be clearly marked above the waterline with the name of the CUA holder’s business as it appears on the application. The lettering will be using Arabic letters between 3 and 5 inches in height. The letters must be placed either within 4 inches to the left or right of the state boat registration decal, or no more than 12 inches from the bow of the vessel. The lettering must be typed or printed using color-fast inks, and in clear contrast to the color of the hull.
4. Proof of vessel registration must be made at time of application. Applicants can list the make, model, quantity, length, and state-issued registration number (if applicable) of each vessel in question 10, or provide on business letterhead. If vessel registration is required by the state, then a registration number for the vessel(s) must be provided at time of application.
5. At least 1 adult PFD must be serviceable and ready for use per each vessel listed on the application at the time of submitting the application. Children-sized PFDs should be available at the time of rental and properly fitted to individuals 13-years-old and younger. All adults will be offered a PFD by the time they are transported to the Riverway, and left with the customer at time of drop-off.
6. Submission of an application and Application Fee will indicate to the National Park Service that the CUA holder agrees to use only the NPS provided Visitor Acknowledgement of Risk (VAR) form when renting equipment to members of the public; AND the CUA holder is not permitted to require a waiver or indemnification clause when renting equipment for use on Riverway property.
 | **APPLIES TO ALL ACTIVITY TYPES (EXCEPT SPECIAL USE PERMITS) ON ALL FOLLOWING PAGES** $165 Application Fee Paid at the time of applicationUsing Pay.gov onlyValid for 1 calendar year or December 31, whichever comes firstManagement Fee Varies in amount:$100 for in-park gross receipts at or below $25,000 in year3% of in-park gross receipts between $25,001 and $250,000 per year4% of in-park gross receipts between $250,001 and $500,000 per year5% of in-park gross receipts at or above $500,001 per yearPaid by February 28 or the following year’s application submission, whichever comes firstUsing Pay.gov onlyGuarantees no rights of issuance of CUA permit for following year |
| Guided fishing trips and shuttle, by motorized and non-motorized boat for single day trips | 1. Commercial General Liability (CGL), P & I Vessel Insurance or Marine Insurance as outlined in Attachment A must be on-file with the park. Minimum coverage amount for this activity is $500,000.
2. Commercial Auto Liability insurance as outlined in Attachment A must be on-file with the park. Liability Limits for intrastate and interstate passenger transport will be based upon the landings or land tracts listed in question 1 of the application.
3. A photocopy of the guide license issued by the states of Minnesota or Wisconsin must be submitted with the application for each guide listed in question 4. The state of issuance will be determined by business address shown in question 5.
4. Each guide/authorized agent listed in question 4 must also be listed as an additionally insured party on the CGL, P&I or Marine Insurance certificate(s) at the time of application.
5. Individuals who expect to guide under both a business entity and their own name must ensure the business owner for a group of fishing guides applies for a permit with their name; AND applies on their own behalf. An individual working for themselves and another business must possess two permits before they begin guided fishing activities at the Riverway, which includes.
6. Proof of vessel registration must be made at time of application. Applicants can list the make, model, quantity, length, and state-issued registration number (if applicable) of each vessel in question 10, or provide on business letterhead. If vessel registration is required by the state, then a registration number for the vessel(s) must be provided at time of application.
7. Vessels used for guided fishing activities will be clearly marked above the waterline with the name of the CUA holder’s business as it appears on the application. The lettering will be using English letters between 3 and 5 inches in height. The letters must be placed either within 4 inches to the left or right of the state boat registration decal, or no more than 12 inches from the bow of the vessel. The lettering must be typed or printed using color-fast inks, and in clear contrast to the color of the hull.
8. At least 1 adult PFD must be serviceable and ready for use per each vessel listed on the application at the time of submitting the application. Children-sized PFDs should be available at the time of rental and properly fitted to individuals 13-years-old and younger. All adults will be offered a PFD by the time they are transported to the Riverway, and made available to customers for the duration of the activity.
9. Submission of an application and Application Fee will indicate to the National Park Service that the CUA holder agrees to confirm legal fishing licenses have been issued to customers prior to beginning their float (Park Special Conditions 9.g.iv; AND each guide has read through and will provide a copy of the Riverway’s “Angler’s Guide” per Park Special Conditions 9.g.iii.
10. Submission of an application and Application Fee will indicate to the National Park Service that the CUA holder agrees to use only the NPS provided Visitor Acknowledgement of Risk (VAR) form when renting equipment to members of the public; AND the CUA holder is not permitted to require a waiver or indemnification clause when renting equipment for use on Riverway property.
 |
| Guided bear hunting trips, by foot for single day trips | 1. Commercial General Liability (CGL) as outlined in Attachment A must be on-file with the park. Minimum coverage amount for this activity is $500,000.
2. A photocopy of the guide license issued by the states of Minnesota or Wisconsin must be submitted with the application. The state of issuance will be determined by the land tracts shown in question 1.
 |
| Guided water-based tours, by motorized boat | 1. Application question 1 must state each approved commercial activity AND list each landings or land tracts that will be used. Do not list a range of landings or land tracts.
2. Motorized vessels measuring at least 5 net tons (approximately 25 feet long) and owned wholly by a US citizen are subject to US Coast Guard registration and inspection requirements by the National Vessel Documentation Center at <https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Prevention-Policy-CG-5P/Inspections-Compliance-CG-5PC-/National-Vessel-Documentation-Center/>, and a photocopy of the USCG inspection should be attached to the application.
3. Proof of vessel registration must be made at time of application. Applicants can list the make, model, quantity, length, and state-issued registration number (if applicable) of each vessel in question 10, or provide on business letterhead. If vessel registration is required by the state, then a registration number for the vessel(s) must be provided at time of application.
4. The name and hailing port of a recreational vessel must be marked together on some clearly visible exterior part of the hull in English letters and numerals at least 3 inches tall but not taller than 12 inches.
5. Commercial General Liability (CGL) as outlined in Attachment A must be on-file with the park. Minimum coverage amount for this activity is $5,000,000.
 |
| Equipment rental and shuttle of canoes | 1. Commercial General Liability (CGL) as outlined in Attachment A must be on-file with the park. Minimum coverage amount for this activity is $500,000.
2. Commercial Auto Liability insurance as outlined in Attachment A must be on-file with the park. Liability Limits for intrastate and interstate passenger transport will be based upon the landings or land tracts listed in question 1 of the application.
3. Canoes, kayaks (single and tandem) will be clearly marked above the waterline with the name of the CUA holder’s business as it appears on the application. The lettering will be using English letters between 3 and 5 inches in height. The letters must be placed either within 4 inches to the left or right of the state boat registration decal, or no more than 12 inches from the bow of the vessel. The lettering must be typed or printed using color-fast inks, and in clear contrast to the color of the hull.
4. Proof of vessel registration must be made at time of application. Applicants can list the make, model, quantity, length, and state-issued registration number (if applicable) of each vessel in question 10, or provide on business letterhead. If vessel registration is required by the state, then a registration number for the vessel(s) must be provided at time of application.
5. At least 1 adult PFD must be serviceable and ready for use per each vessel listed on the application at the time of submitting the application. Children-sized PFDs should be available at the time of rental and properly fitted to individuals 13-years-old and younger. All adults will be offered a PFD by the time they are transported to the Riverway, and left with the customer at time of drop-off.
6. Submission of an application and Application Fee will indicate to the National Park Service that the CUA holder agrees to use only the NPS provided Visitor Acknowledgement of Risk (VAR) form when renting equipment to members of the public; AND the CUA holder is not permitted to require a waiver or indemnification clause when renting equipment for use on Riverway property.
 |
| Equipment rental and shuttle of kayaks |
| Equipment rental and shuttle of stand up paddleboards (SUPs) | 1. Commercial General Liability (CGL) as outlined in Attachment A must be on-file with the park. Minimum coverage amount for this activity is $500,000.
2. Commercial Auto Liability insurance as outlined in Attachment A must be on-file with the park. Liability Limits for intrastate and interstate passenger transport will be based upon the landings or land tracts listed in question 1 of the application.
3. Inner tubes and standup paddleboards will be clearly marked on the topside of the vessel with the name of the CUA holder’s business as it appears on the application. The lettering will be using English letters between 3 and 5 inches in height—handwritten markings are acceptable but must be drawn using permanent ink. The letters must be in clear contrast to the color of the hull.
4. At least 1 adult PFD must be serviceable and ready for use per each vessel listed on the application at the time of submitting the application, including inner tubes. Children-sized PFDs should be available at the time of rental and properly fitted to individuals 13-years-old and younger. All adults will be offered a PFD by the time they are transported to the Riverway, and left with the customer at time of drop-off.
5. Submission of an application and Application Fee will indicate to the National Park Service that the CUA holder agrees to use only the NPS provided Visitor Acknowledgement of Risk (VAR) form when renting equipment to members of the public; AND the CUA holder is not permitted to require a waiver or indemnification clause when renting equipment for use on Riverway property.
 |
| Equipment rental and shuttle of individual-sized inflatable tubes |
| Shuttle of passengers, by vehicle only | 1. Commercial Auto Liability insurance as outlined in Attachment A must be on-file with the park. Liability Limits for intrastate and interstate passenger transport will be based upon the landings or land tracts listed in question 1 of the application.
2. Only vehicles listed in the application will be permitted to be used on Riverway property. Applicants should list all vehicles in question 10, and if more space is needed, then provide on business letterhead. License plates of each vehicle must be listed next to the make/model under question 10 (write in the margin), or on a business letterhead. See Park Special Conditions 10.e.i.
3. Vehicle listed on the application shall display the name and phone number of the CUA holder’s business as it is shown on the application in English letters at least 3 inches tall, but not taller than 10 inches on both sides of the vehicle. The letters must contrast the vehicle coloring. The lettering can be printed and applied by decal or vinyl wrap, or any other semi-permanent application.
4. Photocopies or drivers licenses are not required. Please do not send to the CUA Coordinator.
 |
| Shuttle of private-owned equipment, not including motorized boats |
| Water-based performances at Lake Hayward | 1. Commercial General Liability (CGL) as outlined in Attachment A must be on-file with the park. Minimum coverage amount for this activity is $500,000.
2. Activities are limited to surface water only.
3. Access to surface water must be given to the general public through private property owned or leased by the CUA holder.
 |
| Marina slip rentals | 1. Commercial General Liability (CGL) as outlined in Attachment A must be on-file with the park. Minimum coverage amount for this activity is $500,000.
2. Activities are limited to surface water only.
3. Access to surface water must be given to the general public through private property owned or leased by the CUA holder.
 |
| Special events | Special Use Permit. Call David Balzola, Administrative Assistant, 715-483-2244. | Varies, but application fee is typically $50 per event. Cost Recovery fees and/or Location fees may be applicable.  |
| Commercial still or film activities  | Special Use Permit. Call David Balzola, Administrative Assistant, 715-483-2244. | Varies, but application fee is typically $50 per event. Cost Recovery fees and/or Location fees may be applicable.  |

## ATTACHMENT C (Form SACN550)

**Vehicle and Vessel Registration Information**

# **Instructions**

1. Print the company name, and mailing address. Read and sign the Affidavit below.
2. Complete all fields within the vehicle and vessel boxes.
3. Register only one vehicle or one vessel in each entry.
4. All vehicles and vessels used to provide services under a Commercial Use Authorization is required. Only vehicles and vessels legally registered or leased to the Holder can be listed.
5. All vehicles and vessels must have valid and current insurance. Submit copies of Auto Insurance certificates showing the “US Government” as an Additionally Insured party for each vehicle or vessel listed below with this application, and provide updated copies as they occur during the term of the CUA.
6. **Registering Additional Vehicles and/or Vessels** (after original submission): Submit this form following the instructions above. Allow a minimum of 5 business days for processing after receipt of this application by the NPS.

**Affidavit**

|  |  |  |
| --- | --- | --- |
| **Company Name:** |       |  |

**Mailing Address:**

**Affidavit:** I CERTIFY that I am an agent for the business indicated above. I am authorized to register the vehicles and/or vessels listed in this application. I understand and will comply with the following: (a) Vehicles/vessels not registered and commercially permitted with the NPS are not authorized to provide services under this Authorization anywhere within the Riverway; (b) Signage on all commercial vehicles/vessels will comply with Section 10 of the Park Special Conditions; and (c) Commercially permitted vehicles will not carry visitors for hire into and/or within the Riverway unless proof of Commercial Automobile Liability insurance for passenger transport is on record with the NPS.

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| Signature | Title | Date |

# **Registered Vehicles**

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| --- | --- | --- |
| Vehicle License No.:      | State Registered:      | Registration Expiration      |
| Vehicle Make:      | Vehicle Model:      | Vehicle Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |
|  |
| Vehicle License No.:      | State Registered:      | Registration Expiration      |
| Vehicle Make:      | Vehicle Model:      | Vehicle Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vehicle License No.:      | State Registered:      | Registration Expiration      |
| Vehicle Make:      | Vehicle Model:      | Vehicle Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vehicle License No.:      | State Registered:      | Registration Expiration      |
| Vehicle Make:      | Vehicle Model:      | Vehicle Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |
|  |
| Vehicle License No.:      | State Registered:      | Registration Expiration      |
| Vehicle Make:      | Vehicle Model:      | Vehicle Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vehicle License No.:      | State Registered:      | Registration Expiration      |
| Vehicle Make:      | Vehicle Model:      | Vehicle Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vehicle License No.:      | State Registered:      | Registration Expiration      |
| Vehicle Make:      | Vehicle Model:      | Vehicle Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

# **Registered Vessels**

|  |  |  |
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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |

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| Vessel Registration No.:      | State Registered:      | Registration Expiration      |
| Vessel Make and Model:      | Vessel Type:      | Vessel Year:      |
| Insurance Provider:      | Insurance Expiration Date:      |