



IN REPLY REFER TO:

United States Department of the Interior National Park Service

Virgin Islands National Park
Virgin Islands Coral Reef National Monument
1300 Cruz Bay Creek
St. John, Virgin Islands 00830



EXHIBIT A KAYAKING AND PADDLE BOARDING OUTFITTER GUIDE OPERATING CONDITIONS Commercial Use Authorization 2016

The Virgin Islands National Park (VINP) was established to protect and preserve the scenic and natural environment and cultural heritage for future generations to enjoy. We are all privileged to live and work in this beautiful environment. Our livelihood depends on keeping these islands and surrounding waters naturally healthy and beautiful for generations to come. Given this charge, we thank you for complying with the following operating conditions. Please share applicable regulations with your guests.

1. **Compliance:** Permittee, employees, and visitors must comply with regulations for the protection and management of the natural, historic and physical resources of the Virgin Islands National Park as contained in the Title 36 of the Code of Federal Regulations, the Superintendent's Compendium, and U.S. Virgin Islands Territorial regulations, and all applicable U.S. Coast Guard regulations. These documents are available at the Superintendent's office or at the park's website at: www.nps.gov/viis.
2. **Insurance:** The permittee must carry insurance against public liability, employee liability, and other hazards. Minimum amounts of coverage will be established in accordance the NPS-48, Concessions Guidelines, and may vary depending upon capacity of vessel and type of activities occurring within the Park.
3. **Reporting Incidents:** All incidents such as collision, accident, fire, or other casualty that result in damage to natural resources, property or personal injury or death of any person must be reported to the Chief Ranger (340-776-6201 ext. 254) or Law Enforcement Rangers (1-866-995-8467) immediately. Filing this report does not satisfy applicable Territorial or Coast Guard accident reporting requirements
4. **Specific Conditions:**
 - a. Permittee will not exceed a maximum of 8 kayaks per guided excursion.
 - b. Tours must end prior to 5:00 p.m. during winter months and 6:00 p.m. during summer months
 - c. Permittee shall ensure that at least one staff member on every outing is certified in both CPR and lifesaving skills and techniques. This individual(s) must be capable of and available to perform first aid procedures aboard vessels, on the beach and in the water. Certified staff shall be available to monitor passengers at all times when on the beach or in the water.
 - d. All advertising materials relative to the Park will be submitted to the Park's Concessions Office for review and approval prior to use or publication.
 - e. All routes and deviations to existing routes must be approved by the Park prior to implementation.
 - f. The permittee's equipment shall be in serviceable condition, routinely inspected and well maintained at all times. All kayaks will be provided with paddles and USCG approved flotation devices for each passenger. Signal and lighting devices must be functional and available for emergency purposes.
 - g. Vessels may not be secured in any way to any natural features, including rocks and vegetation.



- h. Vessel passengers and crew will comply with Virgin Islands anti-nudity laws.
- i. Visitors should not be allowed to snorkel or swim after consuming alcoholic beverages and should be warned of the danger associated with this behavior.
- j. Authorized persons may at any time stop or board a vessel to examine documents, licenses or permits relating to operation of the vessel, and to inspect such vessel to determine compliance with regulations pertaining to safety equipment and operation.

For CUA's that are specifically authorized to operate in Virgin Islands Coral Reef National Monument, the following applies:

- 1) Princess Bay should be the primary launch site.
- 2) Permittee will be required to put-in or take out one kayak/board at a time, ensuring that the on both the put-in and take-out, the first boat in or out has to be one of permittee's guides.
- 3) On put-in of kayak/boards, the first person should push away from the opening and get off shore 10+ yards before the next customer boards their kayak/boards and paddles out to meet them. On take-out it should occur in the opposite order.
- 4) The Park will only allow a maximum of two vehicles to Park at the approved put-in location.
- 5) For permits that combine kayaking and snorkeling, snorkeling will be conducted from a mooring ball.

5. Prohibited Activities: (See Title 36, Code of Federal Regulations for additional regulations):

- a. Commercial advertising within park boundaries, including banner advertising on vessels.
- b. Commercial group use of Francis Bay beach.
- c. Spear fishing or possession of a spear gun.
- d. Sale or use of balloons.
- e. Camping other than in designated sites at Cinnamon Bay Campground.
- f. Glass bottles or containers or pets on Park beaches.
- g. Dumping trash, garbage, refuse and the discharge of sewage of any kind.
- h. Loud recorded or live music as described in 36 CFR 2.12.
- i. Disturbing or removing historic structures or their contents.
- j. Disturbing or removing shipwrecks or parts thereof or their contents.
- k. Feeding, touching, teasing, frightening, chasing or intentionally disturbing wildlife, including fish and sea turtles.
- l. Damaging, breaking, or taking of any marine or terrestrial, flora or fauna except for allowable fruits and berries.
- m. Waterskiing, towing boogie-boards, parasailing and use of personal watercraft (jet-skis, wave runners, etc.).
- n. No tying to any buoys except mooring buoys.
- o. Smoking on Park beaches or within 50 feet of pavilions, picnic tables or restrooms.

5. Monthly Reporting: Permittee will provide a monthly report indicating the date, number of passengers carried, and the bays visited, for the preceding month of operation. Reports must be received no later than the 15th day of the following month. Send reports to Concessions Office, Virgin Islands National Park, 1300 Cruz Bay Creek, St. John, VI 00830 or e-mail to paul_p_jones@nps.gov or fax to 340-714-0545.

These Operating Conditions are hereby attached to and made a part of the Commercial Use Authorization for commercial activities in the Virgin Islands National Park. The Superintendent may amend these conditions during the operating year. Failure to comply with National Park Service regulations, policies, and conditions of this permit shall constitute cause for a warning, immediate suspension and/or revocation of the commercial use authorization.

I have read, understand and intend to comply with these conditions for operation of my commercial vessel activity in the Virgin Islands National Park.

Signature of Permittee

Date