



COMMERCIAL USE AUTHORIZATION APPLICATION



Yellowstone National Park
P.O. Box 168
Yellowstone National Park, Wyoming 82190
Kimberly Flanagan, CUA Coordinator, 307-344-2320
Jim Lewis, CUA Coordinator, 307-344-2280
Email: yell_cua_admins@nps.gov

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 B”).

10. 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

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 A”.

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 or Office where employed: _____

If you selected yes to 12., please contact your servicing ethics office for further guidance prior to submitting this form. A list of servicing ethics offices can be found at, <https://www.doi.gov/ethics>.

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 Attachments A and C.

15. 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. Enter on the application form which of these categories you are applying for. Please note that Activity-Based CUAs and Service-Based CUAs have different fees and CUA requirements as described Attachment A. These are the services which are currently approved in the park:

Activity-Based CUAs:

- Bicycle Tours
- Environmental Education Tours
- Motorized Boating Trips
- Non-Motorized Boating Trips
- Overnight Backcountry Trips
- Painting and Photography Workshops
- Road-Based Transportation (1 – 25 clients)
- Skiing & Snowshoeing Trips
- Stream & Shoreline Fishing
- Wedding and Portrait Photography – Annual

Service-Based CUAs:

- Towing & Automotive Services
- Water Access

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.

2. Respond "No" or list other parks where you will be providing this service.
3. 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.
4. 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.
5. 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.
6. Check the box that identifies your type of business.
7. 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.
8. Provide your Employer Identification Number (EIN). The Debt Collection Improvement Act of 1996 requires us to collect an EIN or Social Security Number (SSN). The NPS will not collect SSNs, only EINs. The EIN is issued by the Internal Revenue Service. You may receive a free EIN at <http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/How-to-Apply-for-an-EIN>. We will use the EIN that you provide as needed to collect debts.
9. 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 B".
10. 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.
11. Provide copies of additional documentation as required by "Attachment A".
12. Indicate if you, your spouse, or parent (if you are a minor child) is employed by the U.S. Department of the Interior (Department). Departmental ethics regulations at 5 C.F.R. § 3501.103(c) prohibit Department employees, their spouses, and minor children, from acquiring or retaining permits, leases, and other rights in Federal lands granted by the Department. This prohibition includes any commercial use authorization to conduct commercial activities or services on Department property.
13. 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.
14. Include payment of the Application Fee -\$300 or \$150 dependent upon CUA category. See "Attachments A and C".

15. 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: List of Approved Services and Required Documentation

Attachment B: Insurance Requirements

Attachment C: Fee Schedule and Payment 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:** For CUAs awarded prior to January 30, 2022, the holder must comply with all provisions of Executive Order 13658 of February 12, 2014, (Establishing a Minimum Wage for Contractors) and its implementing regulations, including the applicable contract clause, codified at 29 C.F.R. part 10, all of which are incorporated by reference into this authorization as if fully set forth in this authorization. For CUAs awarded on or after January 30, 2022, the holder must comply with all provisions of Executive Order 14026 of April 27, 2021, (Increasing the Minimum Wage for Federal Contractors) and its implementing regulations, including the applicable contract clause, codified at 29 C.F.R. part 23, all of which are incorporated by reference into this authorization as if fully set forth in this authorization.
- 16. 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 307-344-2320 or by going to the park CUA webpage at [Commercial Use Authorizations \(CUAs\) - Yellowstone National Park \(U.S. National Park Service\) \(nps.gov\)](https://www.nps.gov/Commercial-Use-Authorizations)
- 17. 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.
- 18. 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.

**YELLOWSTONE NATIONAL PARK
SPECIAL PARK CONDITIONS
COMMERCIAL USE AUTHORIZATIONS**

In addition to the conditions mentioned above, the following conditions apply to all CUAs in Yellowstone National Park:

1. Damages - The holder will leave the area(s) authorized for use under this permit in substantially the same condition as it was prior to the activities authorized herein and shall pay the United States for any damage resulting from this use which would not reasonably be inherent in the authorized use.
2. The holder will not advertise, solicit business, collect any fees, or sell any goods or services on lands owned and controlled by the United States Government. All advertisements, including brochures, rack cards, and websites must include a statement that the holder is an authorized permittee of the National Park Service. **CUA holders are not allowed to use the NPS arrowhead or Authorized Concessioner Mark.**
3. For advertising purposes, the permit holder or guides listed on the CUA permit may use incidental photos and video of authorized activities and scenery in areas where they are permitted to operate. Footage may be shot with a small handheld video camera, cell phone, DSLR, or Go Pro. If the CUA designates a staff member or hires a professional or separate business to film or photograph for advertisement purposes, a Commercial Film Permit may be required. For Commercial Film Permit inquiries, please contact the Film Office at (307) 344-2722 or (307) 344-2115.
4. Activity-based CUAs are issued for a maximum of one year, expiring on December 31st of the operating year regardless of date the CUA was issued. Service-based CUAs are issued for a maximum of two years, expiring on December 31st of the second operating year regardless of the date the CUA was issued.
5. **The CUA holder must ensure that all clients and guides maintain a distance of at least 100 yards from bears, wolves, and cougars. A minimum distance of 25 yards is required from bison, elk, and other animals. Regardless of any distance, if any wild animal changes its behavior due to your group's presence, you are too close. To minimize habituated behavior, commercial operators are prohibited from knowingly approaching bears, wolves, and cougars, despite being in a legally positioned motor vehicle.**

To protect park wildlife, the following are prohibited:

- a. **Knowingly approaching, remaining, viewing, or engaging in any activity within 25 yards of any wildlife, except bears, wolves and cougars, or when completely inside a legally positioned motor vehicle.**
 - b. **Within 100 yards of bears, wolves and cougars, except when completely inside a legally positioned motor vehicle.**
 - c. **Within any distance that displaces or interferes with the free unimpeded movement of any wildlife.**
 - d. **Within any distance that creates or contributes to a potentially hazardous condition or situation.**
 - e. **Failing to remove oneself to prescribed distances during inadvertent, accidental or surprise encounters with wildlife.**
6. The holder is not permitted to require clients to 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 associated with an activity 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. A sample Acknowledgement of Risk form may be obtained by contacting a CUA coordinator at: yell_cua_admins@nps.gov or by visiting the Yellowstone CUA website at: <https://www.nps.gov/yell/getinvolved/cuas.htm>.
 7. CUA holders are responsible for ensuring that all vehicles used by employees within the park to conduct business under this CUA are **insured under the business name listed on the CUA** and have the correct amount of insurance coverage required by the NPS. CUA holders must submit current automobile insurance certificate forms to the Yellowstone Concessions Office at yell_cua_admins@nps.gov as changes are made or policies renewed. Please see Attachment B – *CUA Insurance Requirements* for additional information and requirements.
 8. All incidents involving vehicle property damage or personal injury must be reported to park's Communication Dispatch by calling (307-344-2640) or a park ranger as soon as possible or within 24 hours. CUA holders must also report any incidents involving vehicle property damage, personal injury, violations, or convictions to the Yellowstone Concessions Management Office within 24 hours at: yell_cua_admins@nps.gov.
 9. CUA holders and employees are prohibited from possessing firearms while on duty within the park. CUA holders are responsible for determining whether state or local laws allow the possession of firearms by their clients.

10. The CUA holder may use legally obtained plant, animal, geological and cultural specimens for guest educational purposes only. Clients must be advised that possessing, destroying, removing or disturbing specimens in a National Park is strictly prohibited. To comply with park policy, all such specimens or parts thereof must remain inside the vehicle while operating in Yellowstone National Park. All wildlife parts such as antlers, pelts or feathers, must remain out of sight of all other (non-client) visitors while within park boundaries. **While in the park, holders of a CUA must have documentation or knowledge of the legal means by which all specimens in possession were obtained.**
11. Guides must be at least 18 years of age and trained in basic safety, resource protection, Leave No Trace principles, park rules and regulations, and the requirements of the CUA terms, special park conditions, and operating plans.
12. At a minimum, guides must be currently certified in standard first aid and CPR and carry a first aid kit. Wilderness First Aid or Wilderness First Responder certification is recommended and may be required for certain activities. Required guide certifications for specific activities can be found on *Attachment A – Authorized Services, Required Documentation, and Training*.
13. While in Yellowstone, the CUA holder or guide is responsible for their clients for the guided portion of the trip.
14. The CUA holder will ensure that clients and guides are properly clothed and equipped for the authorized activity.
15. The CUA holder or guide shall provide all clients with an orientation prior to the trip which emphasizes safe practices in bear habitat, Leave No Trace ethics, park rules and regulations, and specific nature, demands, and dangers of the particular trip. The Superintendent's Compendium regarding park regulations can be found at: <https://www.nps.gov/yell/learn/management/compendium.htm>.
16. This authorization does not confer exclusive use of any area in the park. All groups must honor the rights of others and conduct themselves in an orderly manner at all times.
17. "Foot travel in all thermal areas and within the Yellowstone Canyon between the Upper Falls and Inspiration Point must be confined to boardwalks or trails that are maintained for such travel and are marked by official signs." 36 CFR, Ch1, se. 7.13(i) **No off-trail travel is allowed; stay on designated boardwalks and trails.**
18. Guides may not meet clients at NPS Visitor Centers or on park concessioner's land assignments without permission from the concessioner.
19. The CUA holder will not conduct any form of guided activity that conflicts with National Park Service ranger-led interpretive programs or conducted activities.
20. The CUA holder must provide all visitor services in a manner that is consistent with and supportive of the interpretive goals and objectives of the park. CUA holders and guides can access interpretive information about Yellowstone at: <https://www.nps.gov/yell/getinvolved/resources-for-commercial-guides.htm>.
21. CUA holders will contact their state's Department of Transportation to determine if a DOT number is required. If a DOT number is required, it must be displayed on the vehicle.
22. All guides providing tours under the CUA categories listed below will be required to display the name of the CUA holder's company on their person while providing tours/guide services within the park. Guides can meet this requirement by wearing, at a minimum, one of the following: nametag, shirt, or hat.
 - Environmental Education Tours
 - Painting and Photography Workshops
 - Non-Motorized Boating
 - Skiing/Snowshoeing
 - Bicycle Tours
 - Motorized Boating
 - Overnight Backcountry Trips
 - Stream and Shoreline Fishing
23. **Guides and/or group leaders for activity-based CUAs must have in their possession a NPS provided guide card and a copy of their current CUA.** Guides are not permitted to operate in the park without a guide card or special written approval. To request guide cards, complete a Guide Card Request Form and submit it to yell_cua_admins@nps.gov 15 days prior to your first trip in the park. CUA holders do not need to provide copies of a guide's driver's licenses or CPR/first aid certification cards when submitting a guide card request. Service-based CUA holders are not issued guide cards but will carry a copy of their CUA while operating in the park.
24. Entrance Fees:
 - **Guides leading trips and employees of commercial operators conducting business inside the park must**

identify themselves at entrance stations by showing their guide card and a government-issued ID card, with the exception of Towing and Automotive Services CUA holders.

- **Employees of Towing and Automotive Services CUA holders are not required to carry a guide card, but must show a copy of their CUA at the entrance station.**
- Regulations prohibit guides from using their personal annual or lifetime passes to admit clients. Participants aged 16 and older must pay applicable entrance fees of \$20 per person. Clients may use their personal annual or lifetime passes to cover this entry fee. Guides and employees of commercial operators entering the park to recreate personally must pay appropriate entrance fees.

25. If handling, transporting, and/or preparing food for clients that fall into levels 2 – 6 of the table below, then guides preparing and handling food must be a certified food handler.

Activity	Examples	Food Handler Certification Requirement
Level 1		
Handling ready-to-eat, pre-packaged, food with no time and/or temperature control (TTC) requirements	Individually packaged trail mix, nuts, chips, nutrition bars, candy bars etc.	Not required
Level 2		
Opening and handling exposed non-TCC pre-packaged, ready-to-eat food.	Bulk packages of trail mix, nuts, chips, candy, pastries, etc.	Required
Level 3		
Handling and/or transporting commercially prepared, ready-to-eat, and pre-packaged food with TTC requirements.	Packaged/wrapped sandwiches and salads	Required
Level 4		
Handling and/or transporting commercially prepared, pre-packaged, ready-to-eat TTC food for the purpose of portioning or assembly prior to serving customers.	Deli meat, sliced cheese, prepared salads (e.g. tuna salad, potato salad, coleslaw etc.), hummus, cut fruit etc.	Required
Level 5		
Handling and/or transporting ready-to-eat TTC and non-TTC food to slice, chop, grate, mix, stir, or perform other preparation prior to serving customers.	Cutting/chopping produce or fruit, slicing cheese or meats, slicing tomatoes etc.	Required
Level 6		
Handling and/or transporting and cooking TTC foods for immediate service.	Meat, poultry, fish, hot dogs, sausage, cooked produce or fruit etc.	Required

26. Activity Operating Plan - The holder will abide by the applicable activity-specific operating plan.

27. Failure on the part of the permittee (CUA holder, authorized agents, and employees) to abide by the provisions of the permit (CUA) is citable under 36 CFR Section 1.6 (g) and Section 5.3. and may result in revocation or denial. Yellowstone National Park’s Commercial Use Authorization Application Denial and CUA Revocation Standard Operating Procedures can be found at <https://www.nps.gov/yell/getinvolved/application-process-and-required-documents.htm>.

ATTACHMENT A
List of Approved Services, Additionally Required Documentation, and Training Certifications

AUTHORIZED COMMERCIAL SERVICE	REQUIRED CERTIFICATIONS AND DOCUMENTATION
<p>Environmental Education Tours <i>Activity-Based CUA issued up to 1 year</i> \$300 Application Fee</p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Leave No Trace Certification (Recommended) • Wilderness First Aid or Wilderness First Responder Certification (Recommended) • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee– Due January 31st following the operating year
<p>Overnight Backcountry Trips <i>Activity-Based CUA issued up to 1 year</i> \$300 Application Fee</p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Leave No Trace Certification (Recommended) • Wilderness First Aid or Wilderness First Responder Certification (Required for at least 1 guide on each trip) • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year
<p>Painting & Photography Workshops <i>Activity-Based CUA issued up to 1 year</i> \$300 Application Fee</p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year
<p>Motorized Boating <i>Activity-Based CUA issued up to 1 year</i> \$300 Application Fee</p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year
<p>Non-motorized Boating <i>Activity-Based CUA issued up to 1 year</i> \$300 Application Fee</p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Wilderness First Aid or Wilderness First Responder Certification (Required for at least 1 guide on each trip) • ACA Level II Instructors Certification (Recommended for at least 1 guide on each trip) • Training program that provides training in deep water kayak rescues (Required for all guides) • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year
<p>Stream & Shoreline Fishing <i>Activity-Based CUA issued up to 1 year</i> \$300 Application Fee</p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Leave No Trace Certification (Recommended) • Wilderness First Aid or Wilderness First Responder Certification (Recommended) • Yellowstone National Park Fishing Permit • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year

<p>Guided Bicycle Tours <i>Activity-Based CUA issued up to 1 year</i> <i>\$300 Application Fee</i></p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year
<p>Guided Skiing & Snowshoeing <i>Activity-Based CUA issued up to 1 year</i> <i>\$300 Application Fee</i></p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Avalanche Awareness Course (Required for low angle ski trips) • Professional Level 1 Avalanche Course or equivalent (Required for moderate angle ski trips) • Wilderness First Aid or Wilderness First Responder Certification (Required for at least 1 guide on each moderate angle ski trip) • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year
<p>Road-based Tours (1 – 25 Clients) <i>Activity-Based CUA issued up to 1 year</i> <i>\$300 Application Fee</i></p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year
<p>Wedding and Portrait Photography - Annual CUA <i>Activity-Based CUA issued up to 1 year</i> <i>\$300 Application Fee</i></p>	<ul style="list-style-type: none"> • CPR and First Aid Certification • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report and Management Fee – Due January 31st following the operating year
<p>Towing & Automotive Services <i>Service-Based CUA issued up to 2 years</i> <i>\$150 Application Fee</i></p>	<ul style="list-style-type: none"> • Commercial General Liability Insurance Certificate • Automobile Liability Insurance • Annual Report – Due January 31st following the operating year
<p>Water Access <i>Service-Based CUA issued up to 2 years</i> <i>\$150 Application Fee</i></p>	<ul style="list-style-type: none"> • Commercial General Liability Insurance Certificate • Automobile Liability Insurance Certificate • Annual Report – Due January 31st following the operating year

**ATTACHMENT B
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.

CUA holders authorized to transport passengers aboard or operate an owned/rented/leased vessel in the park are required to have P&I Vessel Insurance. The minimum P&I Vessel Insurance is \$1,000,000. If General Liability policy additionally covers a P&I vessel policy, ensure submitted Certificate(s) of Insurance states this clearly.

Commercial Auto Liability Insurance is required if a CUA holder/guide transports clients or uses a owned/leased/rented vehicle in the performance of the service in the park. 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 *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

The commercial automobile liability insurance requirements for operation of autos used in performance of the service in the park, but not to transport passengers are listed below. Please note CUA holders are responsible for understanding and ensuring adequate coverage is obtained to meet State-specific requirements.

Commercial vehicle Insurance – No Passenger Transport (Requirement for vehicles operating within the park, but not transporting clients)	
Commercial Vehicle Insurance – Interstate Operations	Minimum per Occurrence Liability Limits
Small Fleet Vehicles under 10,001 pounds	\$300,000
Fleet Vehicles 10,001 pounds or more	\$750,000

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 C **Fee Schedule and Payment Information**

Application Fee: **Activity-Based CUAs** - A mandatory non-refundable fee of \$300 for each service category must be submitted with the complete application packet for a CUA. The CUA will be issued for a maximum of one operating year, expiring on December 31st of the operating year regardless of the date the CUA was issued. The CUA holder should deduct the application fee from the percentage of gross receipts (or market price fee) before remitting at the end of the season.

Service-Based CUAs – A mandatory non-refundable fee of \$150 for each service category must be submitted with the complete application packet for a CUA. The CUA will be issued for a maximum of two years, expiring on December 31st of the second operating year regardless of the date the CUA was issued.

Management Fee: For activity-based CUAs, a year-end annual report and management fee (% of gross receipts) will be due by January 31st following the operating year. The NPS will provide a calculation tool to determine the percentages of gross receipts. For service-based CUAs, a year-end annual report will be due by January 31st following the operating year. Management fees are not required for service-based CUAs.

The percentage of gross receipts for activity-based CUAs will be calculated by:

- Businesses with gross annual receipts of \$250,000 or less will pay 3% of their gross receipts.
- Businesses will pay 4% of gross receipts for amounts between \$250,001 to \$500,000, this is in addition to the 3% for gross receipts under \$250,000 listed above.
- Businesses will pay 5% of gross receipts for the amount of gross receipts over \$500,000.01, this is in addition to the amounts listed above.

“Gross receipts” means the total amount of all revenues received from services CUA holder is permitted to offer within Yellowstone National Park. Services conducted outside Yellowstone National Park should not be included when calculating gross receipts