

COMMERCIAL USE AUTHORIZATION FOR
GUIDED NON-MOTORIZED BOATS - DORIES, KAYAKS & CANOES
OPERATING PLAN – ATTACHMENT B

General Provision

- 1) The CUA for Non-Motorized Boats allows the CUA holder to conduct guided touring using dories, kayaks, canoes and other small non-motorized vessels in Yellowstone, Lewis and Shoshone Lakes.
- 2) Overnight backcountry use is not an authorized use unless the CUA holder has a CUA for Overnight Backpacking Trips.
- 3) Incidental fishing by clients is permitted provided clients have a Yellowstone National Park fishing permit and obey park fishing regulations. Fishing permits are required for anyone 16 years and older.
- 4) There is a maximum limit of 10 boats per group, and are limited to three groups per day. Groups on overnight trips (with the proper CUA) must remain within the party size limits at designated campsites, but are allowed up to 12 boats if the campsite allows.
- 5) The CUA holder shall be liable for damage to any property of the United States resulting from the use authorized hereunder.
- 6) Violation of any park regulation or terms of this permit may result in issuance of a violation notice, suspension of privileges granted by this permit, or revocation of this permit.

Administrative Requirements

- 7) Section 512 of the Credit Card Accountability Responsibility and Disclosure Act of 2009, P.L. 111-24, 123 Stat. 1764-65, allows persons to possess firearms while in units of the National Park and National Wildlife Refuge Systems if they are possessed in compliance with applicable federal and state law.

The following are specific requirements for operating in Yellowstone National Park:

- Concessioner employees may not possess firearms while on duty. The superintendent, in his or her sole discretion, may grant exceptions to this prohibition upon consideration of a written request from the Concessioner's general manager with a thorough explanation of the basis of the request.
- Concessioners are responsible for determining how they will interpret and implement State firearm possession laws in regard to their clients. The Concessioner and/or its legal counsel should consult the applicable state attorney general's office for access to relevant state firearms laws.
- The Concessioner must provide the Service its written policy that articulates how it will implement this law in regards to its operation. The policy should address the two issue points: 1. confirmation that on-duty employees will be prohibited from firearm possession; 2. a plan for management of public firearm possession in regards to concession activities.

Staffing and Employment

- 8) While on Yellowstone Lake, Lewis Lake, or Shoshone Lake, the CUA holder or guide shall remain with their clients for the duration of the trip.

- 9) Every vessel must have a current Yellowstone National Park boat permit and a map of Yellowstone and/or Shoshone Lakes when operating there. Operators are required to be familiar with and follow the rules and regulations found in the “Yellowstone National Park Boating Regulations” publication.
- 10) To prevent Aquatic Invasive Species (AIS), the CUA holder must ensure gear, tackle, clothing, equipment (especially wading boots) and float tubes are cleaned and dried before entering or changing Yellowstone waters.
- 11) All watercraft, trailers, towing vehicles and water recreational gear (including any inflatable or float tube and associated water recreational articles) must undergo an Aquatic Invasive Species (AIS) inspection prior to entering any water within Yellowstone National Park. AIS inspections must be done at the same time a boat permit is issued and conducted only by authorized NPS AIS staff.
- 12) Any watercraft, trailer, tow vehicle, or other article immersed in park waters known to contain Aquatic Invasive Species, shall be thoroughly inspected and cleaned prior to entering any other waters within the park.

Waters contaminated by Aquatic Invasive Species include: Yellowstone Lake, Yellowstone river (Yellowstone Lake to the park north boundary), Pelican Creek, Gardiner River (Mammoth Hot Springs to the park north boundary), Lewis River (south of Lewis Falls), Madison River, Gibbon River (Madison to Norris), Firehole River (Madison to Old Faithful), and Nez Perce Creek.

- 13) Boats are limited to drift within 10 meters (30 feet) of shoreline thermal features, and are not allowed to land within 10 meters of thermal features.
- 14) Foot travel in all thermal areas 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.
- 15) The CUA holder must ensure that all clients and guides stay at least 100 yards from bears and wolves. A 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.
- 16) The CUA holder or guide must provide all clients with orientation prior to the trip which emphasizes safety, bear habitat, Leave No Trace principles, park rules and regulations and the nature and demands of the trip.
- 17) All clients must wear Type III personal flotation devices (PFDs) that are properly sized, in serviceable condition, and Coast Guard approved.
- 18) The CUA holder is responsible for ensuring that all clients are safely equipped and properly clothed prior to the trip. This includes but is not limited to the following:
 - a bailing device is required for each boat (a bilge pump for each kayak)
 - throwable rescue device required in guide boat ("throw-bag" recommended, not Type IV PFD)
 - spare paddle with for each vessel (required)
 - whistle for guide use during emergency
 - USCG approved visual distress signal for guide use during emergency

- marine band radio* or cellular phone** is recommended
- at least one woolen blanket or sleeping bag sealed in a watertight container
- a working flashlight
 - Guides intending to operate a marine band radio must apply for and have available a marine band radio FCC license. Call (800) 418-3676 for forms or (202) 418-0220 for assistance. Currently, National Park Service does not monitor marine band 24 hours a day - during the summer marine band is monitored during the day.

** Cellular phone coverage does not cover all locations on the lakes.

- 19) All FCC licensing requirements need to be followed.
- 20) CUA holders must abide by the Food Storage and Food Sanitation Guidelines found in Appendix A.
- 21) For further backcountry guidelines and regulations, please refer to the information provided in "Beyond Road's End" available in any Backcountry Office.
- 22) 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,
- 23) The CUA holder is responsible for ensuring that all clients are safely equipped and properly clothed prior to the trip.
- 24) At a minimum, one guide on each trip 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. A written list of guides and dates of standard first-aid certification must be provided to the Concessions Management Office prior to the beginning of the operational season. Copies of first-aid cards need not be submitted.

Reporting Requirements

- 25) All accidents must be reported to a ranger as soon as possible.
- 25) The CUA holder will provide to the Concessions Management Office a monthly report indicating the date, number of visitors guided, and locations visited for the preceding month of operation. Reports must be received no later than the end of the following month. When fishing, the report includes, the body of water, time spent fishing, types of fish caught, and number of fish kept.

I have read and agree to the Non-Motorized Boating conditions. I hereby confirm that the above conditions will be reiterated to all guides associated with this business.

CUA Holder's Signature

Date

Title

Company Name

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