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 [ ]

*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 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 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 Attachment B.

1. **Signature:**

False, fictitious or fraudulent statements of representations made in this application may be grounds for denial or revocation of the Commercial Use Authorization and may be punishable by fine or imprisonment (U.S. Code, Title 18, Section 1001). All information provided will be considered in reviewing this application. Authorized Agents must attach proof of authorization to sign below.

 *By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate.*

Signature Date

 Printed Name Title

## NOTICES

**Privacy Act Statement**

**Authority:** The authority to collect information on the attached form is derived from 16 U.S.C. 5966, Commercial Use Authorizations.

**Purpose:** The purposes of the system are (1) to assist NPS employees in managing the National Park Service Commercial Services program allowing commercial uses within a unit of the National Park System to ensure that business activities are conducted in a manner that complies with Federal laws and regulations; (2) to monitor resources that are or may be affected by the authorized commercial uses within a unit of the National Park System; (3) to track applicants and holders of commercial use authorizations who are planning to conduct or are conducting business within units of the National Park System; and (4) to provide to the public the description and contact information for businesses that provide services in national parks.

**Routine Uses:** In addition to those disclosures generally permitted under 5 U.S.C.552a(b) of the Privacy Act, records or information contained in this system may be disclosed outside the National Park Service as a routine use pursuant to 5 U.S.C. 552a(b)(3) to other Federal, State, territorial, local, tribal, or foreign agencies and other authorized organizations and individuals based on an authorized routine use when the disclosure is compatible with the purpose for which the records were compiled as described under the system of records notice for this system.

**Disclosure:** Providing your information is voluntary, however, failure to provide the requested information may impede the processing of your commercial use authorization application.

**Paperwork Reduction Act Statement**

In accordance with the Paperwork Reduction Act (44 U.S.C. 3501), please note the following. This information collection is authorized by The Concession Management Improvement Act of 1998 (54 USC 101911). Your response is required to obtain or retain a benefit in the form of a Commercial Use Authorization. We will use the information you submit to evaluate your ability to offer the services requested and to notify the public what services you will offer. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget control number. OMB has assigned control number 1024-0268 to this collection.

**Estimated Burden Statement**

We estimate that it will take approximately 2.5 hours to prepare an application, including time to review instructions, gather and maintain data, and complete and review the proposal. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information Collection Officer, National Park Service, 12201 Sunrise Valley Drive, MS-242, Reston, VA 20192. Please do not send your completed form to this address; but rather to the address at the top of the form.

The following explanations correspond directly with the numbered items on the Application Form. Please read this entire document prior to completing the application. Include the nonrefundable application fee when submitting this application.

**COMMERCIAL USE AUTHORIZATION APPLICATION INSTRUCTIONS**

1. Enter the service you are proposing to provide. These are the services which are currently approved in the park:

Climbing Guide Certification Program, Limited Trip Climbing, Guided Hiking on Established Trails, Guided Backpacking, Guided Night Sky Programs, Guided Front Country Camping, Guided Back Country Camping (additional fee applies), Catering and Picnic Services, Photography Workshops, Yoga Workshops, Sound Bath Workshops, Educational Services, Guided Horse Back Tours, Guided Bicycle Tours, Guided Motorcycle Tours, and Guided Jeep Tours.

If the service you are proposing to provide is not a currently approved service listed above, contact the park CUA office at the number above.

1. Respond “No” or list other parks where you will be providing this service.
2. Enter the legal name of your business. If you have a secondary name under which you are doing business (d.b.a.), please enter that name also.
3. Give the name(s) of owners and name(s) of persons designated as Authorized Agents for your business. Authorized Agents have the power to sign on your behalf.
4. Provide contact information for both the main season and the off-season. Your contact information may also be published in the NPS Commercial Services Directory.
5. Check the box that identifies your type of business.
6. If the state in which you operate or the state where your business is domiciled requires a state business license, provide the state, license number and year of expiration.
7. Provide your Employer Identification Number (EIN). The Debt Collection Improvement Act of 1996 requires us to collect an EIN or Social Security Number (SSN). The NPS will not collect SSNs, only EINs. The EIN is issued by the Internal Revenue Service. You may receive a free EIN at [http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/How-to-Apply-for-an-EIN](http://www.irs.gov/Businesses/Small-Businesses-%26-Self-Employed/How-to-Apply-for-an-EIN). We will use the EIN that you provide as needed to collect debts.
8. Provide proof of General Liability Insurance naming the United States of America, as additional insured in the amounts designated in the application. Provide proof of vehicle/vessel/aircraft liability insurance if you own, rent, or lease vehicles/vessels/aircraft and transport visitors by those means or if those owned, rented, or leased vehicle/vessel/aircraft are engaged in providing the service (i.e., hauling horses used in the activity). Insurance companies must be rated at least A- by the most recent edition of A.M. Best’s Key Insurance Reports (Property-Casualty edition) or similar insurance rating companies (Moody’s, Standard and Poor’s, or Fitch). You may be subject to additional insurance requirements. Refer to “Attachment A”.
9. Provide a description of each owned, rented, or leased vehicle/vessel/aircraft you will utilize during the course of the proposed commercial service. Information for vehicles/vessels/aircraft chartered from and operated by another company is not required.
10. Provide copies of additional documentation as required by “Attachment B”.
11. Indicate if you, 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.
12. Provide details if your business or business owners or current employees or proposed employees have been convicted or are currently under charges for violation of State, Federal, or local law or regulation in the last 5 years. Do not include minor traffic tickets.
13. Include payment of the Application Fee - $ 465.00. See “Attachment ” B.
14. Please sign and date your application. If the person SIGNING this application is an Authorized Agent for the business, proof of signing authority must accompany this application.

Attachment A: Insurance Requirements

Attachment B: List of Approved Services, Additionally Required Documentation, and Fee Information

**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 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 760-367-5518 or by going to the park CUA webpage at [Permits & Reservations - Joshua Tree National Park (U.S. National Park Service) (nps.gov)](https://www.nps.gov/jotr/planyourvisit/permitsandreservations.htm)
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.
19. **Notification of Employee Rights:** The holder must comply with all provisions of Executive Order 13496 of January 30, 2009, (Notification of Employee Rights Under Federal Labor Laws) and its implementing regulations, including the applicable contract clause, codified at 29 CFR part 471, appendix A to subpart A, all of which are incorporated by reference into this authorization as if fully set forth in this authorization.

## SPECIAL PARK CONDITIONS

COMMERCIAL USE AUTHORIZATION

20. This permit and guide cards are NON-TRANSFERABLE. Sharing permits between companies is not permitted.

21. The Authorization is only issued to the permittee named is Section 2 Authorization Holder Information. The permit is only for the company and its employees and cannot be transferred to another contractor and/or subcontractor. Allowing contractors/subcontractors use of this authorization will result in a citation/suspension/or termination for failing to comply with the conditions of this permit. The contractor and/or subcontractor can be citied for providing a commercial service without authorization (36 CFR 5.3) and may result in losing the CUA for non-compliance condition #9 to the permittee named in Section 2 Authorization Holder Information. Each contractor and/or subcontractors must have their own CUA Permit.

22. All guides operating in the park are required to have the park issued guide card on their person. The card must be visible at all times. Damaged or lost cards are required to be replaced at the cost of $10.00 per card. You will need to contact the Special Park Uses Coordinator at jotr\_special\_use@nps.gov to set up an appointment to obtain guide cards. Guide Cards are only issued in person Monday – Fridays except on Federal Holidays when the office is closed. Failure to have the guide card and permit on person while guiding may result in a citation.

23. The Holder is responsible for submitting an Annual Use Report (Form 10-660) to the Park Special Use Office no later than the 5th of January as a condition of their permit renewal requirement. Please send this form to jotr\_special\_use@nps.gov

24. The Holder is responsible for submitting their Annual Gross Receipts payment no later than the 15th of January as a condition of their permit renewal requirement. Pay.gov receipts must be submitted to jotr\_special\_use@nps.gov no later than 15th of January or your current CUA will be revoked.

25. The Holder is responsible for submitting the Monthly Use Report (Form 10-660A) to the Park Special Use Office no later than the 5th day of each month as a condition of their permit renewal requirement. Please send this form to jotr\_special\_use@nps.gov

26. The Holder must acquire all permits or licenses of States 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, applicable park area policies, procedures and regulations. The commercial services described above are to be provided to park area visitors at reasonable rates and under operating conditions satisfactory to the park area Superintendent.

27. Leave No Trace – Leave No Trace principles shall be taught and practiced at all times under this permit. All guides are required to have a current Leave No Trace Certification on file in the permit office.

28. Medical Situations– Every visit to the National Park there must be at least one guide or group leader with a current First Aid and CPR Training Completion Certificate. FOR EMERGENCIES call the park’s 24-hour emergency dispatch at (909) 383-5651 or use the Direct-to-EMS phone located at Hidden Valley Campground, or call 911. Any accident occurring under Holder’s operations requiring medical attention must be reported within 24 hours to the Special Park Uses Office at (760) 367-5518. A copy of the certificates should be submitted to the Office of the Special Park Use Coordinator and on file.

29. Any harassment and/or threats to any National Park Service Employee by the Holder or Holder’s Guides will result in the suspension and/or termination of this permit.

30. Adhere of Public Traffic Law: Permittee will ensure his/her/they/them guides to adhere with all applicable law, vehicle code, and regulations. Failure to do so will lead to termination of this permit.

31. The Holder is to provide the park Superintendent with a list of authorized guides who will be covered under this permit.

32. All staff must possess current First Aid/CPR certificates or equivalent certificates in each trip. A copy of the certificate should be submitted to the Office of Special Park Uses.

33. Rock Climbing-

-This Permit covers published routes/areas/locations only.

-Installing, Removing, or Replacing anchors requires a Special Use Permit and is not covered under a CUA permit.

-Climbing within 50 feet of any rock art is prohibited.

34. Certificate Requirement **-**The holder must acquire all permits or licenses of State or local government, as applicable, necessary to provide the services described above, and must operate in compliance with all applicable Federal, State, and local laws and regulations, including, without limitation, all applicable park area policies, procedures and regulations. The commercial services described above are to be provided to park area visitors at reasonable rates and under operating conditions satisfactory to the park area superintendent.

35. Permittee shall provide training completion certificate appropriate for terrains to be guided or classes offered. The permittee shall guarantee the competency of group leaders/guides to meet the minimum qualifications. Permittee Initial: [ ]

Permittee shall provide training completion certificates for instructors providing climbing guide services and climbing instructor training courses. Certifications must be accredited by a recognized accrediting organization, or by a certifying organization that adheres to industry recognized standards, such as AMGA, PCIA, PCGI. Permittee Initial: [ ]

36. Permittee shall comply with the limit operation guideline in the specific areasduring weekends, holidays, and holiday weeks when there are 5 and more people in a group for climbing at:

 (a) Quail Springs Picnic Area (Trashcan Rock) (b) Feudal Wall (Indian Cove)

 (c) Short Wall (Indian Cove) (d) Pixie Rock (Indian Cove)

37. Climbing Users Restrictions **-** The Superintendent reserves the right to delay or cancel any trip, limit the operation of the permittee in a specific area or during a specific time period, close any camping area, trail, road, or climbing routes in the interest of preventing adverse environmental or sociological impact to the park resources, or visitor safety, to facilitate research projects, or respond to any unforeseen circumstances. If at all possible the permittee will be notified in advance of these actions. A group of 5 people or less can use any of the rock formations or areas.

38.Activity Locations **-** under the National Environmental Policy Act (NEPA) requirements, applicant shall provide specific information on the application pertaining to activity locations that will be used by your institute. Operating outside of permitted locations will be evaluated by the park NEPA Team for potential natural or cultural resource impact. We will need you provide following information on your application: a list of detailed activities for each designated location (Ex What, Where, How?); number of people in each of the areas; estimated number of people you plan to the locations during the next 12 months:

Campgrounds

Backcountry camping areas

Climbing areas

Hiking areas

Cache areas

39. Front-Country Camping - Group campsites are available at Sheep Pass, Indian Cove and Cottonwood with no more than 3 sites for each permittee holder per trip.  **Group site reservations** can be made through Recreation.gov or at (1-877-444-6777) up to six months in advance. Permit Holders should camp at group campsites whenever sites are available. Sites reserved must be physically occupied for overnight staying. If you have reserved sites and are unable to make your trip, you need to release all sites reserved by canceling your reservation. Resale or auction of advance reservation is prohibited.

40. Permittees may also camp at Black Rock Campground and Indian Cove family campsites by reservationwith groups not to exceed 12 people. **Camping at Jumbo Rock, Hidden Valley, Ryan, Belle and White Tank Campgrounds is limited to Sunday through Thursday nights. This excludes holidays and all holiday weeks.**

41. Permittees under the CUA program will need to provide the assigned permit number when making reservations with Recreation.gov. Reserved campsites must be physically occupied for overnight staying. A copy of your permit must be with each guide at all times while working in the Park.

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

**PERMITTEE CAMPING GUIDELINES**:

1. Indian Cove Group Sites: May occupy no more than 7 sites Sunday-Thursday
2. Indian Cove Group Sites: May occupy no more than 3 sites Friday and Saturday
3. Indian Cove Family Sites: May occupy no more than 25 individual sites
4. Sheep Pass Group Sites: May occupy no more than 6 sites Sunday-Thursday
5. Sheep Pass Group Sites: May occupy no more than 3 sites Friday-Saturday
6. Cottonwood Group Sites: May occupy no more than 2 sites per holder
7. Blackrock Campground: May occupy no more than 25 individual sites

42. Back-Country Camping – Back- Country Camping requires an additional permit through Recreation.gov or at (1-877-444-6777). The cost of the permit is $6.00. You must camp in the zone you apply for. The field staff of the licensee is responsible for knowing all the backcountry regulations and the backcountry zones according to the Backcountry/Wilderness Management Plan (BWMP), adopted by the Superintendent’s Compendium of May 27, 2004. This also includes but is not limited to the day use boundaries, closed areas, fire regulations and the camping rules and regulations of the park.

43. Riding in Backcountry and Wilderness Area- Comply with “Seven Principles”: (1) Plan ahead and prepare, (2) Travel and camp on durable surfaces, (3) Dispose of waste properly, (4) Leave what you find, (5) Minimize campfire impacts, (6) Respect wildlife, (7) Be considerate of other visitors.

44. Backcountry and Wilderness Area – NO motorized vehicles may be operated in wilderness. NO motorized or mechanical equipment may be operated in the wilderness. Vehicles will only use existing roads or previously disturbed areas outside of wilderness. Permittee shall not in any way damage vegetation or wildlife. Parking along the roadway may only occur on previously disturbed sites/shoulders and not block or imped any traffic safely driving by.

45. Backcountry and Wilderness Area – Campfires are not allowed. Propane stoves are permitted.

46. Caching Guidelines - Caching in Joshua Tree National Park is discouraged whenever an alternative is available. Leaving property unattended for longer than 24 hours is prohibited by Code of Federal Regulations 36, Part 2. Caches can be vandalized and damaged by the environment and can be a visual impact to visitors. Caches can detract from the scenery, attract wildlife, and create a nuisance to other park visitors. Special Park Uses Authorization Holders operating in the backcountry who wish to leave caches such as extra water, food, fuel, and certain types of equipment necessary for the trip will do so at their own risk and must be authorized by their permit. Whenever possible, caches should be in parked vehicles at backcountry boards or delivered person to person at a predetermined location. When caches must be deposited in the backcountry, all permittees must utilize the following guidelines:

- The application for the Commercial Uses Authorization (CUA) must specify the need for caching and the locations where caching will be requested.

- Caching permitted by the CUA must be secured so as not to be visible by other visitors to the park.

- Water containers must be without leaks. Leaking water containers can entice bees as well as other wildlife to the site.

- No caching should be done in any way in which any wildlife, burrows, dens, nests, plants, archaeology or historical features would be disturbed.

- No digging, moving of resources, piling of rocks or other artificial manipulations of resources is allowed for covering or hiding the cache.

- Caching will not be allowed near any water source, historical, cultural or archaeological site, nature trail, picnic grounds or any place where the public or wildlife is likely to gather.

- Caching if necessary and approved by the permit may be done in areas such as sandy washes out of view of other visitors, rock outcrops where there are no designated trails or climbing routes established; or by cache vehicles making drop-offs to a member of the permittee’s group.

- Caches may not be left in the field for more than 24 hours without prior authorization and must be clearly labeled including company name, date/time placed, and date/time of intended pickup. Labels must be adequately secured to the cache.

- Food must be placed in odor-proof and animal-proof containers.

- “Property determined to be left unattended in excess of a 24-hour period of time without being designated by permit may be impounded by the superintendent.” 36 CFR 2.22 Impounded properties may result in revocation of permit.

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

47. All tools, vehicles, and equipment must be clean and free of invasive and exotic weeds.

48. Desert Tortoise- When the desert tortoise is active above ground, all participants must exercise the utmost in care to prevent injury or death to tortoises. A threatened species, this reptile is susceptible to crushing by automobile and foot traffic. Juvenile tortoises are particularly vulnerable; that are soft shelled, slow moving, and difficult to see because of their small size and drab coloring. Tortoises are particularly active in the early mornings, evenings, and during the day when temperatures are mild (mid 70’s – 80’s). They are frequently seen on or near paved road areas. All participants must be informed of and comply with these conditions. The desert tortoise is protected by law. It is illegal to disturb a tortoise or its habitat in any way. This includes touching, handling, moving, or possessing a tortoise.

49. The holder shall not engage in disturbing or moving of rocks, fallen trees, picking flowers, handling, feeding, or disturbing wildlife. Grabbing, collecting, and removing such resources while conducting tours in the park violates park resources management policy and will result in fines, citations, and termination of this permit.

50. Collecting plants, animals, mineral specimens, or artifacts within the park is prohibited.

51. Collecting, digging, or defacing of historic or prehistoric artifacts is prohibited. The holder shall not engage in disturbing or moving of rocks, or fallen trees, picking flowers, handling, feeding, or disturbing of wildlife.

52. Feed/Weeds Control – It is required that you use pellet feed while in the park. We recommended that stock animals be fed pellet feed for several days prior to your arrival. This will greatly assist in preventing the spread of exotic grasses in the park’s ecosystem. You must provide your own water, as there is not any available at Ryan Campground. Manure must be removed prior to your departure from trailheads and campgrounds.

53. NO firewood collecting. All campfires must be pre-existing fire ring or self-contained unit with a metal bottom or fire pan. No evidence of a campfire should remain unattended. There may be a period of time when the NPS imposes additional fire restrictions.

54. Audio Effect/Level– Permittee will comply with all noise regulations. The 36 Code of Federal Regulations (26 CFR) 2.12 (a)(1) prohibits the playing of audio devices in a manner that exceeds a noise level of 60 decibels at a distance of 50 feet. No amplified music or public address systems are allowed.

55. Notices and Advertising – The display, sale of dissemination of printed material, electronic media, artifacts, merchandise of any other item is strictly prohibited (Re: 36 CFR 2.52 & 5.1)

56. Banners and Posters – The permittee and participants will not attach, erect, place, hang, anchor, or display any banner, streamer, posters, or any other object on park resources.

57. Food Services – Holder will comply with applicable public health, sanitation standard, and codes. A current food handlers certification is required. Clean up shall be done after stop for breaks and meal service. Food service with catering must comply with and meet US Food and Health inspections standards for adequate sanitation requirement.

58. Consuming Alcoholic Beverages – The Holders must understand that consuming alcoholic beverages or controlled substances will be prohibited while conducting operations and/or guiding services in park.

59. Vehicle Idling– If commercial vehicles are used to transport clients in and out of the park, those vehicles must unload passengers using a safe area and exit the park until time for loading all passengers again. Idling of vehicles engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park; therefore, engines must be shut down when not underway. Parking in park boundaries is allowed only in appropriate designated parking areas.

60. Holding a special event without a separate special park use permit is not authorized. The event must be located within the approved location from the Special Park Uses Office.

61. Violation of Permit Conditions – Violation of any park regulation or the terms of this authorization will result in the suspension or termination of privileges granted by the 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 $1,000,000. 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 owned/leased/rented vehicles 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 *intrastate* passenger transport is $1,500,000. 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\*** |
| --- | --- |
| 15 or fewer passengers | $1,500,000 |
| 16 or more passengers | $5,000,000 |

The NPS has not established commercial automobile liability minimums for intrastate auto use by CUA holders because each state has unique rules and regulations. Intrastate CUA holders must meet individual state requirements for Commercial Automobile Liability Insurance or the interstate requirements above, whichever are greatest.

If the CUA applicant or holder will use rented or leased vehicles in performance of the authorized service, the applicant or holder must secure appropriate insurance for that rented or leased vehicle in the amount required by the CUA application. Proof of insurance secured directly from the rental or lease company may not be available upon application submission, but applicants are required to provide proof of insurance coverage after application submission upon NPS request.

**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

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## ATTACHMENT B

**List of Approved Service, Additionally Required Documentation, and Fee Information**

|  |  |  |
| --- | --- | --- |
| **AUTHORIZED COMMERCIAL SERVICE** | **REQUIRED DOCUMENTATION** | **REQUIRED CUA FEES** |
| Climbing Guide Certification Program | Verification from one of the three companies who train certification programs (AMGA, PCGI, or PCIA)Current Rock-Climbing Certifications Current First Aid/CPR CertificationsLeave No Trace CertificationsCopy of Commercial General Liability InsuranceAcknowledgment of Risk Form (if applicable)Operating PlanSafety PlanPrinted Advertising Material | Application Fee $465.00Market Price Management Fee <$250,0003% of gross receipts (minus application fee)$250,000 to $500, 000 4% of gross receipts (minus application fee)>500,000 5% of gross receipts (minus application fee) Market Price Management Fee is due no later than January 15 each year for the prior year. Guide Card fee $10.00 per card  |
| Limited Trip Climbing  | Current Rock-Climbing Certifications Current First Aid/CPR CertificationsLeave No Trace CertificationsCopy of Commercial General Liability InsuranceAcknowledgment of Risk Form (if applicable)Operating PlanSafety PlanPrinted Advertising Material | Application Fee $465.00Market Price Management Fee <$250,0003% of gross receipts (minus application fee)$250,000 to $500, 000 4% of gross receipts (minus application fee)>500,000 5% of gross receipts (minus application fee) Market Price Management Fee is due no later than January 15 each year for the prior year. Guide Card Fee $10.00 per card |
| Guided Hiking on Established Trails Guided BackpackingGuided Front Country CampingGuided Night Sky Presentations | Current First Aid/CPR CertificationsLeave No Trace CertificationsCopy of Commercial General Liability InsuranceAcknowledgment of Risk Form (if applicable)Operating PlanSafety PlanPrinted Advertising Material | Application Fee $465.00Market Price Management Fee <$250,0003% of gross receipts (minus application fee)$250,000 to $500, 000 4% of gross receipts (minus application fee)>500,000 5% of gross receipts (minus application fee) Market Price Management Fee is due no later than January 15 each year for the prior year. Guide Card Fee $10.00 per card |
| Guided Back Country Camping | Current First Aid/CPR Certifications or WFRLeave No Trace CertificationsCopy of Commercial General Liability InsuranceAcknowledgment of Risk Form (if applicable)Operating PlanSafety PlanPrinted Advertising Material | Application Fee $465.00Market Price Management Fee <$250,0003% of gross receipts (minus application fee)$250,000 to $500, 000 4% of gross receipts (minus application fee)>500,000 5% of gross receipts (minus application fee) Market Price Management Fee is due no later than January 15 each year for the prior year. Guide Card Fee $10.00 per card$6.00 Reservation Fee on Receration.gov |
| Photography WorkshopsYoga WorkshopsSound Bath Workshops | Current First Aid/CPR CertificationsLeave No Trace CertificationsCopy of Commercial General Liability InsuranceAcknowledgment of Risk Form (if applicable)Operating PlanSafety PlanPrinted Advertising Material | Application Fee $465.00Market Price Management Fee <$250,0003% of gross receipts (minus application fee)$250,000 to $500, 000 4% of gross receipts (minus application fee)>500,000 5% of gross receipts (minus application fee) Market Price Management Fee is due no later than January 15 each year for the prior year. Guide Card Fee $10.00 per card |
| Catering ServicesPicnic Services  | Current First Aid/CPR CertificationsLeave No Trace CertificationsCurrent Food Handlers CertificationCopy of Commercial General Liability InsuranceAcknowledgment of Risk Form (if applicable)Operating PlanSafety PlanPrinted Advertising Material | Application Fee $465.00Market Price Management Fee <$250,0003% of gross receipts (minus application fee)$250,000 to $500, 000 4% of gross receipts (minus application fee)>500,000 5% of gross receipts (minus application fee) Market Price Management Fee is due no later than January 15 each year for the prior year. Guide Card Fee $10.00 per card |
| Guided Horseback Riding Tours  | Current First Aid/CPR CertificationsLeave No Trace CertificationsCopy of Commercial General Liability InsuranceAcknowledgment of Risk Form (if applicable)Operating PlanSafety PlanPrinted Advertising Material | Application Fee $465.00Market Price Management Fee <$250,0003% of gross receipts (minus application fee)$250,000 to $500, 000 4% of gross receipts (minus application fee)>500,000 5% of gross receipts (minus application fee) Market Price Management Fee is due no later than January 15 each year for the prior year. Guide Card Fee $10.00 per card |
| Guided Jeep ToursGuided Motorcycle ToursGuided Bicycle Tours  | Current First Aid/CPR CertificationsLeave No Trace CertificationsCopy of Commercial General Liability InsuranceAcknowledgment of Risk Form (if applicable)Operating PlanSafety PlanPrinted Advertising Material | Application Fee $465.00Market Price Management Fee <$250,0003% of gross receipts (minus application fee)$250,000 to $500, 000 4% of gross receipts (minus application fee)>500,000 5% of gross receipts (minus application fee) Market Price Management Fee is due no later than January 15 each year for the prior year. Guide Card Fee $10.00 per card |