



COMMERCIAL USE AUTHORIZATION APPLICATION

Pu'uuhonua o Hōnaunau NHP and/or Kaloko-Honokōhau NHP
U.S. DEPARTMENT OF THE INTERIOR
National Park Service
73-4786 Kanalani St. #14
Kailua-Kona, HI 96740
Email to: kahocua@nps.gov
Crystal Souza, CUA Coordinator



Read all application instructions (at the end of this application) as well as all conditions of the authorization before completing and submitting the 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. (example: KAHO or PUHO)*
- 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. We recommend obtaining an Acord form from your insurance provider. 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").

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 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.

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. These are the services which are currently approved in the park:
Road base tour (bus tour or taxi service)
All other services are available online.
If the service you are proposing to provide is not a currently approved service listed above, contact the park CUA office at the email address 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 A".
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 B".
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 - \$350 See "Attachment B".
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: 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. **Employee Conduct:** The holder must ensure that its employees are hospitable and exercise courtesy and consideration in their relations with the public. The holder must establish appropriate screening, hiring, training, safety, employment, termination and other policies and procedures. The holder must review the conduct of any of its employees whose action or activities are considered by the holder or the Director to be inconsistent with the proper administration of the Area and enjoyment and protection of visitors and must take such actions as are necessary to correct the situation. The holder must maintain, to the greatest extent possible, a drug free work environment.
4. **Rates:** The holder shall provide commercial services under this authorization to visitors at reasonable rates satisfactory to the area Superintendent.
5. **Operating Conditions:** The holder shall provide the authorized commercial services to visitors under operating conditions satisfactory to the area Superintendent.
6. **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.
7. **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.
8. **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.
9. **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.
10. **Transfer:** This authorization may not be transferred or assigned without the written consent of the area Superintendent.
11. **Termination:** This authorization may be terminated upon breach of any of the conditions herein or at the discretion of the area Superintendent.

12. **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.
13. **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.
14. **Reporting:** The holder must submit annually the CUA Annual Report (NPS Form 10-660) by January 31 for the prior CUA season and also must submit upon request the CUA Monthly Report (NPS Form 10-660A). The holder is to provide the area Superintendent upon request 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.
15. **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.
16. **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.
17. **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 kahocua@nps.gov or by going to the park CUA webpage at [Permits & Reservations - Kaloko-Honokōhau National Historical Park \(U.S. National Park Service\) \(nps.gov\)](#) or [Permits & Reservations - Pu'uhonua o Hōnaunau National Historical Park \(U.S. National Park Service\) \(nps.gov\)](#)
18. **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.
19. **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.
20. **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.

**PU'UHONUA O HŌNAUNAU NHP
SPECIAL PARK CONDITIONS
COMMERCIAL USE AUTHORIZATION**

1. Damages- The permittee shall pay the United States Government for any damage resulting from this use which would not reasonable be inherent in the use which the permittee is authorized to make of the land described in this permit.
2. The permittee is responsible for complying with all applicable regulations, including the Superintendent's Compendium for each park, and shall ensure that all members of the party are informed of park rules and regulations. The Kaloko-Honokohau NHP Compendium can be found at <https://www.nps.gov/kaho/learn/management/index.htm>, the Pu'uhonua o Hōnaunau NHP Compendium can be found at <https://www.nps.gov/puho/learn/management/index.htm>
3. A tour guide must accompany visitors on all guided tours except for bus tours and taxi service.
4. Vehicles shall not be left idling more than three minutes, per State EPA Clean Air requirements, in parking areas or park across multiple parking spaces. Loading zones will be occupied no longer than necessary to load and unload.
5. The permittee shall be responsible for the prompt and appropriate retrieval of clients and equipment in the event of a breakdown or accident.

6. All accidents and injuries requiring medical attention must be reported to park within 24 hours. Rangers can be contacted through the Pacific Area Communications Center 24-hour dispatch (808) 985-6170.
7. Execution of services or activities by the permittee may not block traffic, pedestrian or vehicular, or otherwise interfere with visitor use of the park.
8. Possession of this CUA does not guarantee entry into the parks. Entrance into the park may be closed or restricted from time to time in response to natural (fire, drought, high SO₂) and /or national security events or for traditional cultural events. Every attempt will be made to notify permittee of these closures as soon as reasonably possible.
9. All permittee vehicles shall carry a copy of the entire Commercial Use Authorizations Permit and any addendum.
10. The permittee agrees to cooperate in surveys or vehicle tour inspections conducted by Pu'uhonua o Hōnaunau and Kaloko-Honokōhau NHPs designed to assist in park management actions.
11. The permittee is required to submit an annual report that summarizes visitor use for the prior calendar year, no later than February 1 of the permitted year. The NPS will provide the permittee with the appropriate form.
12. Advertising for the permitted activity shall not state or imply endorsement by the National Park Service and may not depict or suggest prohibited activities.
13. It is the responsibility of the permittee to ensure that all employees are informed of the Conditions of the CUA Permit.
14. Penalties for non-compliance of CUA permit. This authorization may be terminated upon breach of any of the conditions herein or at the discretion of the park area Superintendent. However, at the Superintendent's discretion, the following penalties may apply:
 - a. First violation will result in a warning letter and/or citation.
 - b. Second violation will result in a final warning letter and/or citation and may result in suspension or revocation of the CUA permit.
 - c. A third violation will result in revocation of the CUA permit.
15. All passenger vehicles must display readily visible marking identifying the business name on both exterior sides of the vehicle. Vehicles that transport six (6) or fewer passengers may display PUC number on the front and rear bumper; all larger vehicles must display PUC number on the side.
16. Smoking is not permitted within 25 feet of any public building. Guides and clients who smoke must not discard cigarette butts on the ground. A container must be provided for this purpose and passengers made aware of this regulation.
17. Commercial vehicles may not be used to enter the Park as a personal vehicle, unless authorized in advance.
18. Areas used by the guides/drivers and clients shall be left in the same condition (or better) as prior to the activities herein. Guides/drivers providing food service of any type are responsible for the collection and disposal of their own refuse at a location offsite. Recycling containers are available throughout the park.
19. We are a Climate Friendly Park. Please REDUCE, REUSE, RECYCLE

1. All permittees and employees may be required to attend a NPS sponsored orientation/guided walk or CUA meeting to learn about the cultural and natural history of the park. The park offers orientations daily; please contact the visitor center to find out times. Group CUA meetings will be scheduled.
2. No offerings should be left at Hale o Keawe. Inappropriate and non-biodegradable items such as hell money, plastic bags, bento containers, Styrofoam food containers, bottles and flowerpots are prohibited from being left as offerings.
3. The permittee is responsible to ensure that each tour group/vehicle pays the park entrance fee by check, credit card or voucher, regardless of the time of entry. After hours deposit the completed fee envelope with payment in the drop box, which is located at the entrance station.
4. Tour buses and picnic area- All buses/school/coach/mini are prohibited from driving on the dirt road to the picnic area.
5. Groups of more than 25 persons (maximum of 50 people) using the picnic area require a Special Use Permit.
6. No off-trail foot travel is allowed. All foot travel must be on marked and maintained trails.
7. Bus Tours- Motorcoaches (over 25 passenger vehicles) may use the smaller passenger vehicles are restricted to general vehicle parking.
8. Hikes - A walking tour, led by a tour leader or guide through the park.
 - a. Mitigation:
 - i. Guided groups using the 1871 Trail are limited to a maximum group size of 15 people, including guides and clients. This restriction does not apply to the Visitor Center, Royal grounds or picnic area.
 - ii. Guided groups must be aware of park boundaries and adjoining private lands.
 - iii. All tour guides are required to have a current first aid card and CPR card in their possession.
9. Wedding Services- Wedding ceremonies at designated sites in park
 - a. Mitigation:
 - i. Wedding ceremonies are restricted to the picnic area only (South of the Great Wall to the end of the picnic area parking lot).
 - ii. Weddings are limited to a maximum of 50 persons.
 - iii. The permittee shall not bring any potted plants, dried flower arrangements, or other plants with seeds to be used in any manner. No leis or seeded flowers are allowed in any park waters. All flowers and (petals, stalks, etc.) must be removed from the park at the end of the event.
 - iv. The permittee will notify the NPS by email kahocua@nps.gov at least two weeks prior to the event.
 - v. The authorized permittee must inform the bride and groom that wedding guests are not exempt from the standard entrance fees unless they possess a valid park pass.
 - vi. Gathering of stones or coral for the construction of ceremonial walkways or to create messages is the standard entrance fees unless they possess a valid park pass.

10. **Bicycle Tours-** Visitors take a self-guided tour through the park. Bicycle tours meet in the picnic area for visitor pick up and lunch.
- a. Mitigation:
- No bicycle tours or individuals associated with same are permitted to ride bicycles on the 1871 Trail, or the service road.
 - All traffic control devices must be adhered to. Operating a bicycle abreast of another bicycle is prohibited.
 - All tour guides are required to have a current first aid card and CPR card in their possession.
 - Staging area will be located in the picnic area or outside of the park only.

KALOKO-HONOKŌHAU NHP
SPECIAL PARK CONDITIONS
COMMERCIAL USE AUTHORIZATION

- Damages-** The permittee shall pay the United States Government for any damage resulting from this use which would not reasonable be inherent in the use which the permittee is authorized to make of the land described in this permit.
- The permittee is responsible for complying with all applicable regulations, including the Superintendent's Compendium for each park, and shall ensure that all members of the party are informed of park rules and regulations. The Kaloko-Honokohau NHP Compendium can be found at <https://www.nps.gov/kaho/learn/management/index.htm>, the Pu'uhonua o Hōnaunau NHP Compendium can be found at <https://www.nps.gov/puho/learn/management/index.htm>
- A tour guide must accompany visitors on all guided tours except for bus tours and taxi service.
- Vehicles shall not be left idling more than three minutes, per State EPA Clean Air requirements, in parking areas or park across multiple parking spaces. Loading zones will be occupied no longer than necessary to load and unload.
- The permittee shall be responsible for the prompt and appropriate retrieval of clients and equipment in the event of a breakdown or accident.
- All accidents and injuries requiring medical attention must be reported to park within 24 hours. Rangers can be contacted through the Pacific Area Communications Center 24-hour dispatch (808) 985-6170.
- Execution of services or activities by the permittee may not block traffic, pedestrian or vehicular, or otherwise interfere with visitor use of the park.
- Possession of this CUA does not guarantee entry into the parks. Entrance into the park may be closed or restricted from time to time in response to natural (fire, drought, high SO₂) and /or national security events or for traditional cultural events. Every attempt will be made to notify permittee of these closures as soon as reasonably possible.
- All permittee vehicles shall carry a copy of the entire Commercial Use Authorizations Permit and any addendum.
- The permittee agrees to cooperate in surveys or vehicle tour inspections conducted by Pu'uhonua o Hōnaunau and Kaloko- Honokōhau NHPs designed to assist in park management actions.
- The permittee is required to submit an annual report that summarizes visitor use for the prior calendar year, no later than February 1 of the permitted year. The NPS will provide the permittee with the appropriate form.
- Advertising for the permitted activity shall not state or imply endorsement by the National Park Service and may not depict or suggest prohibited activities.
- It is the responsibility of the permittee to ensure that all employees are informed of the Conditions of the CUA Permit.
- Penalties for non-compliance of CUA permit.** This authorization may be terminated upon breach of any of the conditions herein or at the discretion of the park area Superintendent. However, at the Superintendent's discretion, the following penalties may apply:
 - First violation will result in a warning letter and/or citation.
 - Second violation will result in a final warning letter and/or citation and may result in suspension or revocation of the CUA permit.
 - A third violation will result in revocation of the CUA permit.
- All passenger vehicles must display readily visible marking identifying the business name on both exterior sides of the vehicle. Vehicles that transport six (6) or fewer passengers may display PUC number on the front and rear bumper; all larger vehicles must display PUC number on the side.

16. Smoking is not permitted within 25 feet of any public building. Guides and clients who smoke must not discard cigarette butts on the ground. A container must be provided for this purpose and passengers made aware of this regulation.
17. 17. Commercial vehicles may not be used to enter the Park as a personal vehicle, unless authorized in advance.
18. 18. Areas used by the guides/drivers and clients shall be left in the same condition (or better) as prior to the activities herein. Guides/drivers providing food service of any type are responsible for the collection and disposal of their own refuse at a location offsite. Recycling containers are available throughout the park.
19. 19. We are a Climate Friendly Park. Please **REDUCE, REUSE, RECYCLE**.
 1. All permittees and their employees may be required attend a NPS sponsored orientation/guided walk or CUA meeting to learn about the cultural and natural history of the park. Group CUA meetings may be scheduled.
 2. No off-trail foot travel is allowed. All foot travel must be on marked and maintained trails.
3. Rocks, coral debris, and plant material may not be moved or collected for any reason.
4. Balloons, hammocks, kites, and/or tiki torches are not permitted within the park.
5. No items will be left at the site and items may not be stored in the Park. The permittee shall clean up any rubbish generated by the event.
6. The permittee shall not restrict or obstruct pedestrian or vehicular traffic in any way anywhere in the Park. This permit does not grant exclusive use of the area described. Other park visitors may not be prevented from utilizing area immediately adjacent to the authorized activity unless safety hazards exist. All activities must stay within designated/permitted areas. Audio devices and music shall not be used in a manner that may disturb other visitors.
7. Fires are prohibited. All cooking is limited to camp stoves, propane grills, or self-contained charcoal-fire grills. Ash and charcoal remnant debris shall be removed from the park prior to departure.
8. The use and possession of any glass container is prohibited on any park beach, shoreline or in the picnic area.
9. **Guided Groups-** Guided groups along park trails and beaches.
 - a. **Mitigation:** Guided groups using park trails are limited to a maximum group size of 25 people (including guides and clients). This restriction does not apply to the Visitor Center and parking area.
10. **Weddings-** Wedding ceremonies at designated sites in park.
 - a. Mitigation
 - i. Wedding parties are limited to a maximum of 50 people.
 - ii. The event is limited to twelve (12) chairs and three (3) tables.
 - iii. All weddings must have a NPS ranger monitor the event. Cost recovery of \$25 per event must be received prior to the wedding date for approval.
 - iv. Weddings and ceremonies are allowed only between the canoe halau(thatched house) and the Pu'uoina Heiau at 'Ai'ōpio Fishtrap.
 - v. The permittee shall not bring any potted plants, dried flower arrangements, or any plants with seeds to be used in any manner. No leis or seeded flowers are allowed in any pond or ocean waters to prevent wildlife entanglement and spread of non-native seeds. All flowers and flower parts (petals, stalks, etc.) associated with the wedding event must be removed from the park at the end of the event.
 - vi. Construction and use of shelters, including tents, awnings and umbrellas or other facilities and modifications to the area are prohibited, including the use of decorative arches during wedding ceremonies.
 - vii. The permittee will notify the NPS by email kahocua@nps.gov of an event at least 2 weeks prior to the event.
11. **Surf Lessons-** Clients and instructors gather at the Kaloko Picnic Area parking lot for a safety briefing. Clients and instructors walk together to the site then place buoy in the water.
 - a. Mitigation
 - i. Group size for surf lessons is limited to 5 people (including instructors and clients) per company on the coastal trail (between the Kaloko Fishpond picnic area and the surf spot), at the surf area or in the water at any one time. Other clients may be at the Kaloko picnic area or other areas of the park at the same time. Family members or friends of clients who are watching the lesson are not included in this number.
 - ii. Permittee may only access the park from the Kaloko Fishpond Road (not from Honokohau Harbor).

- iii. Each company is limited to three (3) associated vehicles to be parked in the Kaloko Fishpond parking area at any one time during the day. This limitation includes company vehicles, client vehicles and clients' friend/family vehicles.
- iv. For each lesson, permittee (or employee) will submit a registration card. The NPS will provide registration cards and a drop box at the Kaloko Fishpond parking area. The registration card must be filled out completely by the permittee.
- v. All surf instructors must possess a current first aid and CPR certification and have cards in their possession while in the park. Guide names and copies of certification must be submitted to the park by February 1 of the year the application is submitted.
- vi. Clients and employees must stay on established trails while hiking. Clients and employees may not block the trail at any time. While on shore, all members of the group must sit or stand on sand or beach cobbles not on vegetation. Surfboards, clothing, backpacks and any other items must not be leaned or draped on trees or vegetation.
- vii. Permittee shall inform clients of the location of restrooms and shall ensure that clients use restrooms for sanitation and environmental health.
- viii. Wagons or carts are not authorized to transport surfboards. Surfboards may not be left unattended over one hour.

ATTACHMENT A CUA Insurance Requirements

Commercial General Liability (CGL) Insurance

Liability insurance is required for all CUA holders under the terms of the authorization. Such insurance should be of sufficient scope to cover all potential risks and in an amount to cover claims that can reasonably be expected in the event of serious injury or death. The minimum commercial general liability insurance is \$500,000.00. Liability insurance policies must name the United States of America as additional insured. The business or person that is providing the service must be the named insured (policy holder). Companies that provide transportation only are not required to have Commercial General Liability as long as the passengers do not disembark.

Other Required Insurance

Commercial Auto Liability Insurance is required if a CUA holder transports passengers or uses in the performance of the service in the park owned/leased/rented vehicles. If a CUA holder charters the vehicle and those chartered vehicles are owned and operated by another company, the CUA holder is not required to have Commercial Automobile Liability insurance. The minimum Commercial Auto Liability Insurance for *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 standard 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.

ATTACHMENT B
List of Approved Service, Additionally Required Documentation, and Fee Information

AUTHORIZED COMMERCIAL SERVICE	REQUIRED DOCUMENTATION	REQUIRED CUA FEES
Road base tour (Bus tour/Taxi service)	Mandatory Park Orientation – Date to be announced	