

SUPERINTENDENT'S ORDER #13-001:

Special Use Permit Policy

War in the Pacific National Historical Park

Approved by: *John Robert Raabe*
Acting Superintendent
Effective date: 09/18/13



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1. INTRODUCTION

Special Use Permits are short term activities that take place in the park area and that:

- provide a benefit to an individual, group or organization rather than the public at large;
- require written authorization and some degree of management control from the National Park Service (NPS) in order to protect park resources and the public interest;
- are not prohibited by law or regulation; and
- are neither initiated, sponsored nor conducted by the NPS.

For definitions of these terms and others, see Superintendent's Order (SO)-13-001a, *Permitting Glossary*.

The park issues permits to impose terms and conditions to manage the use and prevent unacceptable impacts to park resources, to obtain the signature of the permittee agreeing to the terms and conditions of the permit, and to establish written documentation of the special use as part of the park's administrative record.

General Requirements (All Special Use Permits)

General Liability Insurance: General liability insurance is required in order to protect the U.S. Government from claims or litigation connected with injury or damage resulting from the actions of the permittee or his/her agents or employees. Permittee must obtain general liability insurance with a certificate of insurance naming the United States of America as additionally insured. This certificate of insurance must be provided to the park prior to permit issuance. General liability insurance amounts for Special Use Permits are \$1,000,000 per occurrence.

Insurance requirements may be waived if, in the opinion of the Superintendent, there is little or no possibility of injury or damage to persons or property resulting from the proposed activity. Proof of liability insurance is generally waived for weddings. Insurance requirements are waived for governments and government agencies, as they are self-insured. Governments and government agencies must furnish a statement declaring their self-insurance and waiving the United States of America and War in the Pacific National Historical Park of liability.

Bond Requirements: After review of the permit application, the permittee may be required to post a performance bond (cleaning deposit) to assure the area is left in its original condition. A performance bond of \$75 is required for Special Use Permits of fewer than 100 people. All Special Use Permits of 100 people or greater require a bond of \$150. All Special Use Permits of 500 people or more require a bond of \$500.

Emergency Support Personnel: For Special Use Permits open to the public, sufficient Emergency Support Personnel Staff will be listed on the permit and must be present for the event.

Sale of Food or Merchandise: The sale of food or merchandise in connection with a special use permit is prohibited at War in the Pacific National Historical Park. Such sale of food and merchandise should be managed under a commercial use authorization (*see Management Policies 2006 8.6.2.4*) Engaging in

or soliciting any business, including donations, in connection with a special use permit shall not be permitted at War in the Pacific National Historical Park.

National Park Service Supervision and Costs: Activities authorized by permit may be supervised by an NPS employee to assure full compliance with all terms of the permit. The level and type of supervision will be determined by the group size and complexity of the activity. The cost of this supervision is included in the administrative permit charge. In activities involving few people and where there is little possibility of resource damage or interference with other visitors’ park experience, occasional, random monitoring may occur at no cost to the permittee. If additional NPS supervision is required, charges indicated in Section 4 will be assessed.

Special Use Permits at the park primarily fall under one of four different categories: picnics (either (1). having 100 or more attendees; or (2). sponsored by an organization or agency rather than an individual or family); military/memorial ceremonies; Easter egg hunts; and weddings. Over the two year period, the Park issued approximately 100 permits annually. See the chart below for the history of use by category over the two year period from 2010-2011.

Activity	Percentage	Not Factoring Day Use Picnic
Day Use Picnic	47%	
Organization-Sponsored Picnic	21%	40%
Large Picnic (100+)	5%	10%
Memorial Ceremony/ Military	5%	9%
Easter Egg Hunt	3%	5%
Wedding	4%	7%
Other	15%	29%
Total	100%	100%

As Special Use Permits, all of these activities are privileges, not rights, and thus are subject to the same criteria as other special park uses provided that:

- there is a meaningful association between the park and the event; and
- the event in some way contributes to visitor understanding of the significance of the park.

2. PURPOSE

The purpose of this Superintendent’s Order is to provide Park-wide consistency for Special Use Permits, by providing:

- estimated time-frames and individual duties for permit processing;
- information of applicable fees associated with Special Use Permits;
- clarification for fee waivers; and
- an overall integration of restrictions within each unit as related to Special Use Permits

3. AUTHORITY

The authority for the management of Special Use Permits in a national park can be found in 16 USC § 1,

The Secretary “shall promote and regulate the use of the parks...to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations...”

and 16 USC § 3,

The Secretary shall “make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments and reservations under the jurisdiction of the NPS.”

National Park Service Management Policies 2006 and Director's Order 53 Special Park Uses provide policy guidance for management of Special Use Permits.

4. PROCESS

Special Use Permits (Attachment B) are issued by authority of the Superintendent through the Special Use Permit Coordinator. A completed application (see Attachment C) for a special use permit should be sent to:

*Special Use Permit Coordinator
War in the Pacific NHP
135 Murray Blvd., Suite 100
Hagatna, Guam 96910
Email: nps_wapa_permits@nps.gov
Fax: 671-333-4053*

Permit requests will be processed as quickly as possible, though requestors should allow at least 7 business days for administrative review of the completed application with supporting documents. Once logistics are confirmed and decided upon, an additional five days may be required to prepare and issue the permit. Permit applications will not be accepted more than 180 days from the intended activity.

Fees

Non-refundable fees shall be required for processing and issuing the Special Use Permit. These fees are subject to change.

An application fee of \$20.00 shall be collected with every application that is turned in. This covers the costs of:

- Receiving request
- Sending out the application
- Receiving the completed application
- Initial review of application
- Preliminary discussions with permittee on intended activity.
- Processing application and permit preparation
- Materials, copies, supplies

If 100 or more people are expected to attend the special event; or the special event is open to the public; or the application warrants additional review by the Special Use Permit Coordinator and/or park management, Administrative Costs shall be collected prior to the issuing of the permit. The general Administrative Cost is \$50.00 to process the Special Use Permit request. Applicants shall receive a written estimate of additional projected Administrative Costs within 15 days after the submission of a permit application.

All permits open to the general public will require monitoring by at least one (1) park ranger. If the Permit Coordinator, Lead Ranger, Chief of Interpretation, or Superintendent determines that monitoring is required, it shall be billed after the special use permit. The Permit Coordinator is responsible for imposing appropriate permit conditions. These conditions will come after the standard 14 conditions (see Attachment B.) These will mitigate damage to the park resources. (*See Management Policies 2006 8.6.2*)

Monitoring a standard Special Use Permit and safeguarding park resources and visitors require a minimum of four hours. Below is the schedule for cost of staff for each permit. Permits that are more complex and thus require more monitoring will have additional staff assigned and charged under cost recovery to compensate for the additional staff. For each ranger assigned, a minimum of two hours of overtime shall be billed. (Special Use Permit monitoring does not take away other rangers from their normal daily duties, because, as stated above, Special Use Permits “provide a benefit to an individual, group or organization rather than the public at large.”) Any additional expenses incurred shall be billed to the permittee and must be paid prior to the return of the performance bond. (The below figures are the hourly rates + overtime for a GS-5 ranger. Overtime is included because monitoring Special Use Permits is considered outside the ranger’s regular duties, and can only be accommodated by a ranger devoting extra time to monitor.) Special Use Permits for first amendment activities have no monitoring fee.

# of expected participants	# of Rangers (minimum)↓				-	-		
up to 100	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
100-250	1	\$44.58	\$66.87	\$89.16	\$111.45	\$133.74	\$156.03	\$178.32
251-500	2	\$89.16	\$133.74	\$178.32	\$222.90	\$267.48	\$312.06	\$356.64
Over 500	3	\$133.74	\$200.61	\$267.48	\$334.35	\$401.22	\$468.09	\$534.96
Over 1000	4	\$178.32	\$267.48	\$356.64	\$445.80	\$534.96	\$624.12	\$713.28
	# of Hours →	2.00	3.00	4.00	5.00	6.00	7.00	8.00

All checks should be made payable to the “National Park Service.” Neither cash nor credit cards can be accepted. A \$50 fee shall be imposed for non-sufficient funds.

No fees (application, permit) will be waived. This includes permits for education or education sponsored events, military events, non-profit organizations, charities, 501c3 tax designated organizations, etc. since all Special Use Permits, regardless of non-profit status, require NPS involvement.

All permitted activities will be conducted in strict compliance with all Federal, Territorial, and municipal laws, ordinances, or regulations applicable to the area of operation covered under the agreement. Any violation of regulations or permit conditions can result in immediate termination of the permit, greater supervision/costs to permittee, or banning future permits.

Special Park Uses FBMS Functional Areas

Former PWE	Current FBMS Functional Area	PURPOSE	AVAILABILITY
318	PRO1ESUC1.380000	Cost recovery deposits and expenditures for all special park uses with the exception of commercial filming and still photography.	year-end money- must be spent or obligated by the end of the fiscal year. 100% remains in the park.
629	POPFR8021.XZ0000	80% money allocated by WASO back to the park into FFS Fund 21, Activity 80 (2180). Funds must be used for approved projects only. Specific project account must be established by the park before these allocations can be spent using POPFR8021.XZ0000	expenditure account, money available until expended
628	POPFR2021.XZ0000	20% money allocated by WASO into FFS Fund 21, Activity 80 (2120). Specific projects and accounts must be established by WASO SPU before these allocations can be spent using POPFR2021.000000	expenditure account, money available until expended
891	PSS00PR4R.XZ0000	U.S. Treasury, miscellaneous funds : deposit all moneys collected for the use of land or facilities authorized through a special use permit (e.g. right-of-way), with the exception of location fees	not available for expenditure by the NPS

Criteria to Determine If Permit Will Not Be Issued

Special Use Permits will not be issued, if in the Superintendent's opinion, the permit would:

- cause injury or damage to park resources;
- be contrary to the purposes for which the park was established, or unreasonably impairs the atmosphere of peace and tranquility maintained in natural, historic or commemorative locations within the park;
- unreasonably interfere with the interpretive, visitor service, or other program activities, or with administrative activities
- unduly disrupt normal visitor use of the park;
- present a clear and present danger to public health and safety; or
- result in significant conflict with other existing uses.

Asan Beach Unit Location Sites:

Both Special Use Permits and Day Use Reservations at the Asan Beach Unit shall be managed according to the Asan Beach Unit Location Plan. This plan is drawn out on in attached SO-13-001d (Asan Beach Unit map). The following areas shall be designated as public use areas, and are used on a first-come, first-served basis: (1). the beach north of the inner parking lot (2). The area north of the first 200 feet of the walking path. (3). The 50 yard x 50 yard square of grass that begins at the south corner of where the walking path and the parking lot meet.

Other sites shall be indicated by dividing markers. Sites 8 and 10 are furnished with a barbecue grill and picnic table for permittees' use. Site 12 is furnished with a barbecue grill and two (2) picnic tables for permittees' use.

Wreath-Laying

Wreath-laying is a common activity at memorial sites throughout the park. Most wreath-laying occurs at Asan Bay Overlook during annual ceremonies. Wreath-laying may be conducted through a permit as long as plant materials are not introduced into the ecosystem. (See 36 CFR 2.1 (a)(2).) Wreaths shall be claimed (picked up) within 72 hours after they are laid. The park claims no responsibility for wreaths left unattended. If the wreath is not claimed after 72 hours, park maintenance will remove the wreath.

Weddings

The stunning open vista from Asan Bay Overlook makes it a natural location for a wedding. This is the most commonly requested area in the park for weddings. The following guidelines pertain to the Asan Bay Overlook only, and other requests will be given review on a case-by-case basis. Wedding permits are issued for a two-hour block of time. This two-hour block includes set-up, the ceremony, and clean-up.

The wedding permit is only for the wedding and not the reception.

The following are allowed and must be completely removed after the permit:

- chairs and canopies
- potted plants and bouquets; artificial plants and flowers;
- wedding arch
- small, portable audio devices such as AM/FM radios, mp3 players with speakers; and
- acoustic instruments.

In addition, the following are prohibited:

- loud noise (tying cans or other similar activities);
- releasing of balloons, or of doves, butterflies or any other type of wildlife;
- birdseed, rice, or any food related items (36 CFR 2.2(a)(2));
- use of candles, oil lamps, fire or open flames;
- attachment of ribbons, flowers, balloons or signs to vegetation, rocks or park signs;
- amplified music or generators

Weddings conducted at the Asan Bay Overlook shall be limited to a maximum of 40 people and a maximum of 15 vehicles. Special arrangement may be made to use the Asan Bay Overlook after the normal 5:00 pm gate closure. This shall be documented in the permit *Terms and Conditions*.

5. DOCUMENTATION

The administrative record will contain all letters, notes, emails, records of telephone calls, inter-disciplinary team meetings, and other documents related to the issuance of the permit, including a copy of the executed permit. Depending on the sensitivity of the matter, documentation will contain the dates, discussions, and rationale involved in the decision process. This administrative record provides institutional memory, documents precedence, documents agency policy and the park's conformity, individual park policy, and provides justification for future decisions for similar requests. It also documents work load and time spent on the Special Park Uses program for War in the Pacific NHP.

The rationale for the application fees and permit issuance fees presented above are described in SO-13-001e (Excel Spreadsheet) and will be maintained as part of this Superintendent's Order. The justification for requiring monitoring and clean-up-fees is also presented in SO-13-001e.

Permits issued without fees or cost recovery will be retained in the park files for at least 1 year and 1 day following expiration of the permit. Permits issued with fees or cost recovery will be retained in park files according to the document retention schedule. All permit files will be transferred to the park's archives after the retention period.

This document, SO-13-001 *Special Use Permit Policy*, is intended to be a living document and shall be reviewed (and, if necessary, revised) at least once every 6 months during the first 24 months after it is approved, and at least once per year thereafter.

6. ROUTING

6.1 Day Use Reservation Routing

Day Use Reservations are routine, short term activities that take place in the park that do not need written authorization, management review, or monitoring. They are further defined as: "*The use of a site within the park by a family or group gathering of fewer than 100 people for a picnic, barbeque, small party, quiet relaxation, or similar regularly accepted use.*" Day Use Reservations are not Special Uses, and therefore a Special Use Permit shall not be issued for them. Instead, the following steps shall be implemented:

1. A one-page form entitled "Day Use Reservation" shall be filled out by an interested individual (see Attachment SO-13-001f). The individual must agree to the conditions stated on the form. The forms are kept in the drawer marked "Pemits and Reservations" at the front desk.

2. The individual shall mark his/her preferred location by referencing the Asan Beach Unit Map's designated day use locations.
3. NPS staff on duty at the visitor center shall verify that this Reservation does not interfere with park interests, park events, or other Reservations or Permits. If no conflict occurs, the NPS staff shall sign and approve the form.
4. NPS staff shall assign a number to the reservation and write the number and an expiration date, meaning the day the permit is valid, on the upper left corner of the form.
5. NPS staff shall make a copy of the form to keep in a monthly folder in the ranger's office. This will be used for reference.

6.2 Special Use Permit Routing

The general steps for receiving and processing a Special Use Permit are described below:

1. A requestor shall complete a Special Use Permit Application. Applications are online at <http://www.nps.gov/wapa/planyourvisit/feesandreservations.htm> or <http://go.nps.gov/guampermit>; or at the front desk at the T. Stell Newman Visitor Center. This Application must be filled out completely with details and, if at Asan Beach Unit, two site locations must be selected in order of preference based on the Asan Beach Unit Map's designated site locations.
2. The Application shall be received at the front desk by visitor center staff and stamped with the date of receipt. The visitor center staff member shall review the Application to ensure that it is filled out completely. A nonrefundable Application Charge of \$20.00 will be received with the application by check made payable to "National Park Service." A receipt shall be given. (The only exception to this is if the receiving staff member immediately determines that the selected date and location are unavailable. This can be done by consulting the WAPA Google Calendar or by reviewing the white board in the rangers' office.)
3. The Application and check shall then be placed in the designated "in" box on the park ranger office door. If a NPS staff member does not initially accept the application, the NPS staff member must notify the requestor that it is received as soon as possible after finding it in the "in" box.
 - a. *Costs.* A nonrefundable Application Charge of \$20.00 will be received with the application by check made payable to "National Park Service." The memo on the check shall read "Application Charge." This will normally be collected at the Visitor Center, and a receipt will be given. The only exception to this is if the receiving park ranger immediately determines that the selected date and location are unavailable. This can be done by consulting the WAPA calendar or by reviewing the white board in the rangers' office. The receiving park ranger will make a scan of the application and documents to

the share drive, and make a copy of the check to be kept locked in the file cabinet until the satisfactory completion of the event, at which time it will be destroyed.

The park ranger will deliver the check to the Administrative Support Assistant's box at park headquarters, and the Administrative Support Assistant will keep it in the safe. The check must be deposited within 5 business days to PROIESUC1.380000. The park will retain the money as a reimbursement. (*See Management Policies 8.6.6.2*)

One charge including both Administrative Review and Monitoring costs shall be collected at the Visitor Center before the permit is issued. A receipt will be given. The memo on the check shall read "Administrative Review and Monitoring." A copy of the check will be kept locked in the file cabinet in the rangers' office until the satisfactory completion of the event, at which time it will be destroyed. The park ranger will deliver the check to the Administrative Support Assistant's box at park headquarters, and the Administrative Support Assistant will keep it in the safe. The check must be deposited within 5 business days to PROIESUC1.380000. The park will retain the money as a reimbursement. (*See Management Policies 8.6.6.2*)

- b. Bonds.* A Performance Bond, as detailed above, will be collected as a check at the park visitor center prior to issuing the permit. The memo on the check shall read "Performance Bond." A receipt will be given. A copy of the check will be kept locked in the file cabinet in the rangers' office until the satisfactory completion of the event, at which time it will be destroyed. The park ranger will deliver the check to the Administrative Support Assistant's box at park headquarters. The check will be kept in the safe until the satisfactory completion of the permitted activity. If the site has been left cleaned, undamaged, and, to the Superintendent's discretion, in its original condition, the check will either be returned to the Permittee, or voided and shredded. If the site is not returned to its original condition, the check will be deposited by the Administrative Support Assistant into PROIESUC1.380000 to recover the cost of clean-up. The appropriate use of the Performance Bond is at the discretion of the Facilities Division or the Superintendent.
4. If a Special Use Permit requires managerial review (that is, if 100 or more people are expected to attend the event; or the event is open to the public; or, if the Permit Coordinator advises so due to nature of the event or limited resources available), the Permit must be signed and approved by the Superintendent and the Permit Coordinator. Special Use Permits that do not require managerial review may be approved by the Permit Coordinator alone, however, the Superintendent must write a memo-to-file that grants authority for the Permit Coordinator to do so.
5. If, after review, the Permit is approved, the Permit Coordinator shall prepare the Permit. Each previous permit is saved on the Share Drive. The most recent one is opened, and primary data such as name, contact information, dates, and proposed activity, is changed. The Permit Coordinator writes additional Conditions for the activity. The permit number is changed and saved accordingly on the share drive.

6. The Permit Coordinator marks the activity on the white board in the ranger office with an asterisk * to signify it is a Special Use Permit and to reserve the site on that date. The Permit Coordinator also logs the Permit information into the WAPA Google Calendar and the Special Use Permit folder in the black file cabinet in the ranger office.
7. The Permit is printed and attached to the Application and any other supporting documents. The Permit Coordinator signs it for approval and a second copy of the package is made. The Permit Coordinator shall contact the Permittee to come to the visitor center and claim the Permit. Until that time, the Permit package is kept in the drawer at the front desk marked "Approved Special Use Permits."
8. When the Permittee comes to claim the Permit package, he/she signs all three pages of both copies: the front page, the Standard Conditions, and the Park Conditions. One copy must be kept with the Permittee on the day of the event (he/she takes it), and one copy stays in the files at the visitor center.
9. All park staff shall be notified of the event via email. In addition, the Permit Coordinator is responsible for sending a notification via fax to the Facilities Division. An appropriate method includes faxing a week-long printout of the Permits Google Calendar, once per week at the beginning of the week, or when a new Special Use Permit or Day Use Reservation has been created.
10. At the satisfactory completion of the event, the park ranger will retrieve the check for the Performance Bond from the safe at park headquarters and make arrangements with the Permittee to have it returned.

Permitting Glossary of Terms

Term	Definition
36 CFR	CFR stands for "Code of Federal Regulations." This is an index of the public laws of the United States. Title 36 states the regulations that apply to the national parks, and section 5 states the rules regarding "resource protection, public use and recreation" within national parks.
Application & Administrative Charge	Any and all costs associated with a request for an application. This includes time spent receiving request, sending out the application, receiving the completed application, initial discussions with the permittee, processing application, preparing the permit, processing funds, gathering appropriate signatures from permittee and authorizing NPS officials, filing, making copies, and reviews by park management.
Commercial Advertisement	Banners, logos, or other notices that are displayed, posted, or distributed for commercial activity , especially for the public's attention and market value. This includes audio advertisements on the radio. This includes, but is not limited to, sponsors of a permitted event.
Commercial Filming	The film, electronic, magnetic, digital or other recording of a moving image by a person, business, or other entity for a market audience with the intent of generating income. Examples include, but are not limited to, feature films, videos, television broadcasts, documentaries or other similar projects. Commercial filming activities may include the advertisement of a product or service, or the use of actors, models, sets, or props.

Cost Recovery	All agency costs incurred in processing the application, and monitoring the permitted activity if the request is approved. This includes all personnel costs, including salaries and benefits.
Day Use	The use of a site within the park by a family or group gathering of fewer than 100 people for a picnic, barbeque, small party, quiet relaxation, or similar regularly accepted use.
Emergency Services	Emergency Medical Technicians who are on site to immediately respond and treat an injury to an permit attendee. Emergency Services should also have dedicated emergency transportation available, such as an ambulance or fire truck.
Enabling Legislation	The public law enacted by the United States Congress that establishes a National Park and describes its purpose. For War in the Pacific, this enabling legislation states clearly the purpose is to "commemorate the bravery and sacrifice of those participating in the campaigns of the Pacific theater of World War II and to conserve and interpret outstanding natural, scenic, and historic values and objects on the island of Guam for the benefit and enjoyment of present and future generations."
First Amendment Activity	Public assemblies, meetings, demonstrations, religious activities, and other public expressions of views protected under the First Amendment of the U. S. Constitution. These demonstrations include picketing, speeches, marching, vigils, or religious services, and all other like forms of conduct that involve the communication or expression of views or grievances, engaged in by one or more persons, the conduct of which is reasonably likely to attract a crowd or onlookers.
Liability Insurance	A long-term or one-time insurance policy to cover injury to the public or damage to the park's resources. This insurance must also name the United States of America as "additionally insured."

Location Fee	A "location fee" is the amount of money equal to a "fair return to the United States" for the use of those lands for commercial filming and still photography, based on: (1) The number of days the filming activity takes place on Federal land, (2) The size of the film crew present, & (3) The amount and type of equipment present. According to current National Park Service policy, 80% of the money is retained by the park in which it is collected, 20% goes into a national fund. See Public Law 106-206.
Meaningful Association	The direct connection between the purpose of the permit and the purpose of the park, as stated in the enabling legislation. This connection must contribute to visitor understanding of the significance of the park. (Management Policies 2006, Special Events - General 8.6.2.1
NPS 53	The document released by the Director of the National Park Service detailing policy regarding special park uses.
Open to the Public	An permit is considered "open to the public" when the general public will not be turned away from the event. If the permit is characterized by a special group of invitees, a select group(s) or organization(s), a limited gathering of family or friends, or a restricted target audience, the permit is not open to the public.
Organized Sports	Any team practices, games, or athletic training. This includes competitions such as races. Organized sports are typified by the presence of: coaches, jerseys, trainers, PA systems, prizes, whistles. Small family groups are generally not organized sports.
Park Resources	All associated plants, animals, trails, artifacts, facilities, memorials, monuments, roads, sidewalks, buildings, flagpoles, bollards, signs, picnic tables, grills, benches, beaches, trash cans, and other objects of which the national park has jurisdiction. This also includes paid employee time and commitment; tools, supplies, and equipment; and documents and media produced by park staff.

Performance Bond

A monetary guarantee of the permittee's compliance with permit conditions that will provide reimbursement for damage to resources and facilities resulting from the permittee's activities or negligence. The bond will be refunded once all permit provisions are met.

Photography

The film, electronic, magnetic, digital or other recording of a still image by a person, business, or other entity for a market audience with the intent of generating income. Examples include, but are not limited to, wedding photography, motor vehicle shoots, magazine photography, or other similar projects. Photography activities which require a fee include the advertisement of a product or service, or the use of models, sets, or props.

Printed Matter

The term "printed matter" means message-bearing textual printed material such as books, newspapers, leaflets and pamphlets, whose primary purpose is the advocacy, definition, or explanation of a group's or individual's political, religious, scientific or moral beliefs, provided that it is not solely commercial advertising.

Special Park Use

Any activity that takes place in a park area, and that provides a benefit to an individual, group, or organization rather than the public at large; requires written authorization and some degree of management control from the NPS in order to protect park resources and the public interest; is not prohibited by law or regulation; and is not initiated, sponsored, or conducted by the NPS.

Traffic Control

Dedicated, capable, on-site personnel who safely direct motor vehicles into and around the permit site, keeping special attention to pedestrians, bicycles, other traffic, and high-volume areas. Proper traffic control also permits ingress and egress, suitable disability (handicap) access, and a plan for safe and efficient parking.

Trash Removal

This means a permittee physically takes their generated trash outside of the park for disposal. Trash bins within the park are provided for the everyday public's use only and cannot accommodate additional waste from a special use permit.

CONDITIONS OF THIS PERMIT

1. The permittee is prohibited from giving false information; to do so will be considered a breach of conditions and be grounds for revocation: [36 CFR 2.32(a)(3)].
2. The permittee shall exercise this privilege subject to the supervision of the Superintendent or designee, and shall comply with all applicable Federal, State, county and municipal laws, ordinances, regulations, codes, and the terms and conditions of this permit. Failure to do so may result in the immediate suspension of the permitted activity or the termination of the permit.
3. If any provision of this permit shall be found to be invalid or unenforceable, the remainder of this permit shall not be affected and the other provisions of this permit shall be valid and be enforced to the fullest extent permitted by law.
4. The permittee is responsible for making all necessary contacts and arrangements with other Federal, State, and local agencies to secure required inspections, permits, licenses, etc.
5. Failure to comply with any of the terms and conditions of this permit may result in the immediate suspension or revocation of the permit. All costs associated with clean up or damage repairs in conjunction with a terminated permit will be the responsibility of the permittee.
6. This permit may be revoked at the discretion of the Superintendent upon 24 hours notice, or without notice if damage to resources or facilities occurs or is threatened, notwithstanding any other term or condition of the permit to the contrary.
7. This agreement is made 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 (Permittee/Grantee), 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 agreement or occasioned by any occupancy or use of said premises or any activity carried on by the (Permittee) in connection herewith, and the (Permittee) 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.
8. Permittee agrees to carry general liability insurance against claims occasioned by the action or omissions of the permittee, its agents and employees in carrying out the activities and operations authorized by this permit. The policy shall be in the amount of \$ _____ and underwritten by a United States company naming the United States of America as **additionally insured**. The permittee agrees to provide the Superintendent with a Certificate of Insurance with the proper endorsements prior to the effective date of the permit.
9. Permittee agrees to deposit with the park a bond in the amount of \$ _____ from an authorized bonding company or in the form of cash or cash equivalent, to guarantee that all financial obligations to the park will be met, including the restoration and rehabilitation of the permitted area.
10. Costs incurred by the park as a result of accepting and processing the application and managing and monitoring the permitted activity will be reimbursed by the permittee. Administrative costs and estimated costs for activities on site must be paid when the permit is approved. If any additional costs are incurred by the park, the permittee will be billed at the conclusion of the permit. Should the estimated costs paid exceed the actual costs incurred; the difference will be returned to the permittee.
11. The person named on the permit as in charge of the permitted activity on-site must have full authority to make any decisions about the activity and must remain on-site at all times. He/she shall be responsible for all individuals, groups, vendors, etc. involved with the permit.
12. As a condition of acceptance of this permit by the permittee and pursuant to 41 U.S. C. 22, "No Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or accepted by or on behalf of the United States, or to any benefit to arise thereupon."
13. Nothing herein contained shall be construed as binding the Service to expend in any one fiscal year any sum in excess of appropriations made by Congress or administratively allocated for the purpose of this Agreement for the fiscal year, or to involve the Service in any contract or other obligation for the further expenditure of money in excess of such appropriations or allocations.
14. This permit may not be transferred or assigned without the prior written consent of the Superintendent.

Permittee Signature _____

APPENDIX A: SPECIAL PARK CONDITIONS

- A. **Public Use.** This park is meant for the general public's use as a place for reflection on the cost of war and enjoyment of Guam's natural environment. Your special use of the park shall allow for the public to access all paths, trails, exhibits, monuments, historic structures, and other World War II equipment.
- B. **Litter.** All debris, litter, charcoal, and garbage generated by the activity must be removed from the park.
- C. **Safety.** Caves and tunnels are off-limits to visitors.
- D. **Closures.** Most park units are open 24 hours a day. Asan Bay Overlook gate closes by 5 pm daily. Restrooms at park units are closed by 5:30 pm daily. In the event of emergency conditions such as a tsunami or typhoon, park units will be closed.
- E. **Sports.** Limit sports and games to small family groups only. Organized sports such as team practices, games, or athletic training are not appropriate and are not permitted.
- F. **Electricity.** Electric power is not available to permittees.
- G. **Clean-up.** Permittee is responsible for cleaning barbecue grills after use.
- H. **Vehicles.** Vehicles are permitted on paved roads and parking lots only. Do not drive or park on the grass, the trails, or the beach.
- I. **Prohibited.** The following are prohibited within the park boundaries:
 - 1) use of firearms
 - 2) possession of fireworks
 - 3) overnight camping
 - 4) ground fires
 - 5) jumpers and bouncers
 - 6) climbing on trees, monuments, or historical objects
 - 7) removing, cutting, or damaging natural resources
 - 8) operating any type of portable motor or engine, or a device powered by a portable motor or engine
 - 9) motor boats within the Asan reef

Permittee Signature _____

**National Park Service
 War in the Pacific National Historical Park
 135 Murray Blvd., Suite 100
 Hagåtña, Guam 96910
 671-333-4050**



Application for Special Use Permit

Please supply the information requested below. **Attach additional sheets, if necessary, to provide required information.** A nonrefundable processing fee of \$20.00 must accompany this application unless the requested use is an exercise of a First Amendment right. You must allow sufficient time for the park to process your request; check with the park for guidelines. You will be notified of the status of the application and the necessary steps to secure your final permit. Your permit may require the payment of cost recovery charges and proof of liability insurance naming the United States of America as also insured. Please return application to the T. Stell Newman Visitor Center, mail to the above address, or fax to 671-333-4053.

Enter either a social security number OR a tax ID number; we do not require both.

Applicant Name:	Company/Organization Name:
Social Security #:	Tax ID #
Street/Address:	Street/Address:
City/State/Zip Code:	City/State/Zip Code:
Telephone #:	Contact name:
Cell phone #:	Telephone #:
Fax #:	Fax#:
Email:	Email:

Description of Proposed Activity (attach diagram, attach additional pages if necessary):

Requested Location(s): _____

DATE(S)

Set up begins: (date and time)	Activity begins: (date and time)	Activity ends: (date and time)	Removal completed (date and time)

Maximum Number of Participants _____ (Please provide best estimate)

Maximum Number of vehicles: (attach parking plan)

_____ Cars _____ Vans/lt.trucks _____ Utl.vans/trucks _____ Buses/oversized vehicles

Support equipment (list all equipment; attach additional pages if necessary)

List support personnel including addresses and telephones; attach additional pages if necessary

Individual in charge of activity on-site (include cell phone number) and authorized to make decisions related to the permitted activity:



- Is this an exercise of First Amendment Rights? Y N
- Have you visited the requested area? Y N
- Have you obtained a permit from the National Park Service in the past? Y N
(If yes, provide a list of permit dates and locations on a separate page.)
- Do you plan to advertise or issue a press release before the event? Y N
- Will you distribute printed material? Y N
- Is there any reason to believe there will be attempts to disrupt, protest or prevent your event? (If yes, please explain on a separate page.) Y N
- Do you intend to solicit donations or offer items for sale? Y N
(These activities may require an additional permit.)

You are encouraged to attach additional pages with information useful in evaluating your permit request including: staging, sound systems, parking plan, security plans, sanitary facilities, crowd control, emergency medical plan, use of any building, site clean-up, etc.

The applicant by his or her signature certifies that all the information given is complete and correct, and that no false or misleading information or statements have been given.

Signature _____ Date _____
Printed Name _____ Title _____

Note: This is an application only, and does not serve as permission to conduct any special activity in the park. The information provided will be used to determine whether a permit will be issued. Send the completed application along with the application fee in the form of a personal check made payable to **National Park Service** to the Permits Coordinator at the Park address found on the first page of this application.

If your request is approved, a permit containing applicable terms and conditions will be sent you. The permit must be signed by the responsible person and returned to the park for final approval by the Park Superintendent before the permitted activity may begin.

Credit Card Authorization: All credit card information is protected under the Privacy Act.

Name as it appears on the card (print clearly): _____

(Circle One): VISA MasterCard Discover

No. _____ Exp. __/__/__ Security Code _____
(Month/Year)

Total Amount Authorized: \$XXX.00

Notice to Customers Making Payment by Personal Check: When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

NOTICES

Privacy Act Statement: The Privacy Act of 1974 (5 U.S.C. 552a) provides that you be furnished with the following information in connection with information required by this application. This information is being collected to allow the park manager to make a value judgment on whether or not to allow the requested use. Applicants are required to provide their social security or taxpayer identification number for activities subject to collection of fees and charges by the National Park Service (31 U.S.C. 7701). Information from the application may be transferred to appropriate Federal, State, and local agencies, when relevant to civil, criminal or regulatory investigations or prosecutions.

Paperwork Reduction Act Statement: We are collecting this information subject to the Paperwork Reduction Act (44 U.S.C. 3501) to provide the park managers the information needed to decide whether or not to allow the requested use. All applicable parts of the form must be completed in order for your request to be considered. You are not required to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

Estimated Burden Statement: Public reporting burden for this form is estimated to average 30 minutes per response including the time it takes to read, gather and maintain data, review instructions and complete the form. Direct comments regarding this burden estimate or any other aspect of this form to the Information Collection Clearance Officer, National Park Service, 1849 C Street NW. (1237), Washington, D.C. 20240

Title 18 U.S.C. Section 1001 makes it a crime for any person to knowingly and willfully make to any department or agency of the United States any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.



	Visitor Center Application Fee \$20	Management Team Review + Additional Fee	Ranger Monitoring	Liability Insurance	Performance Bond	Approved in the Past?	Would it be approved now?	Location Fee per day (Video)	Location Fee per day (Still)
DAY USE									
0-100 people	NO	NO	NO	NO	NO	YES	YES		
SPECIAL EVENTS, ORGANIZATION SPONSORED, NOT LISTED BELOW									
0-100 people	YES	NO	NO	YES	YES	YES	YES		
100+ people	YES	YES	NO	YES	YES	YES	YES		
200+ people	YES	YES	YES	YES	YES	YES	YES		
SPECIAL EVENTS, INDIVIDUAL SPONSORED, NOT LISTED BELOW									
0-100 people	YES	NO	NO	YES	YES	YES	YES		
100+ people	YES	YES	NO	YES	YES	YES	YES		
200+ people	YES	YES	YES	YES	YES	YES	YES		
PUBLIC INVITED	YES	YES	YES	YES	YES	YES	YES		
Organized Sport	NOT PERMITTED	NOT PERMITTED	NOT PERMITTED	NOT PERMITTED	NOT PERMITTED	YES	NO		
John Gerber Memorial Run	YES	YES	NO	YES	YES	YES	YES		
Memorial Ride (Harleys)	YES	YES	YES	YES	YES	YES	YES		
Weddings									
1-40 people	YES	NO	NO	NO	YES	YES	YES		
41+ people	YES	YES	NO	NO	YES	YES	YES		
Military Static Display	YES	YES	YES	YES	YES	YES	YES		
Fishing Derby	YES	YES	YES	YES	YES	YES	YES		
Candlelight Vigil	YES	NO	YES	YES	YES	YES	YES		
Worship Service									
0-100 people	YES	NO	NO	YES	YES	YES	YES		
100+ people	YES	YES	NO	YES	YES	YES	YES		
USMC Color Guard	YES	YES	YES	YES	YES	YES	YES		
Dog Training	YES	YES	YES	YES	YES				
Easter Egg Hunts									
0-60 people	YES	NO	NO	NO	YES	YES	YES		
61-100 people	YES	NO	NO	NO	YES	YES	YES		
100+ people	YES	YES	YES	YES	YES	YES	YES		
Rocket Launch	YES	YES	YES	YES	YES	NO	NO		
Cub Scout Activities Program	YES	YES	NO	YES	YES	YES	YES		
Girl Scout Fishing	YES	NO	NO	YES	YES	YES	YES		
Military Promotion/Enlistment	YES	YES	YES	YES	YES	YES	YES		
Wreath Laying relating to Park Enabling Legislation									
0-50 people	NO	YES, no fee	YES	NO	NO	YES	YES		
51+ people	NO	YES, no fee	YES	NO	NO	YES	YES		
Car Club Road Rally	YES	YES	NO	YES	YES	YES	NO		
Fire Department Photos						NO	YES		

Commerical Filming and Photography								
1-2 people, camera & tripod only	YES	YES	YES	YES	YES			NO CHARGE
1-10 people	YES	YES	YES	YES	YES			\$150.00 \$50.00
11-30 people	YES	YES	YES	YES	YES			\$250.00 \$150.00
31-49 people	YES	YES	YES	YES	YES			\$500.00 \$250.00
50+ people	YES	YES	YES	YES	YES			\$750.00 \$250.00

Application Costs	Position	Salary/Hr	Time Req	Cost	
Materials, Copying, etc.				\$ 0.10	
Initial Application Review	GS-0025-05	\$ 20.95	0.25	\$ 5.24	This cost is salary + benefits of the average visitor center ranger.
Processing Application & Permit Preparation	GS-0025-05	\$ 20.95	0.25	\$ 5.24	
Processing Funds	GS-0025-05	\$ 20.95	0.20	\$ 4.19	
Gathering appropriate signatures from permittee and authorizing NPS official, filing, making copies	GS-0025-05	\$ 20.95	0.25	\$ 5.24	
Review By Management if Needed		\$ 75.00	0.67	\$ 50.00	Review by the Chief of Interpretation and the Superintendent will be used for large or public events.
APPLICATION COSTS TOTAL				\$ 70.00	

Performance Bond								
This is specifically for the clean-up to be performed by WG-01 and WG-03 Maintenance Employees, assuming the permittee failed to meet the clean-up conditions of the permit. The rate is calculated to include overtime costs, to anticipate the need for call back to return the park to its original condition.								
# of Event Participants	Number of Maintenance Employees							
	half day	full day						
up to 100	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
100-250	1	\$96.00	\$120.00	\$144.00	\$168.00	\$192.00	\$216.00	\$240.00
251-500	2	\$192.00	\$240.00	\$288.00	\$336.00	\$384.00	\$432.00	\$480.00
Over 500	3	\$288.00	\$360.00	\$432.00	\$504.00	\$576.00	\$648.00	\$720.00
Over 1000	4	\$384.00	\$480.00	\$576.00	\$672.00	\$768.00	\$864.00	\$960.00
Excessive Trash requiring a dumpster (in addition to above)								\$250.00
# of Hours	4.00	5.00	6.00	7.00	8.00			
Rate:	\$24.00	\$24.00	\$24.00	\$24.00	\$24.00			

Monitoring Costs						
To monitor a Special Use Permit and safeguard park resources and visitors for a simple standard event requires a minimum of four hours. Below is the schedule for cost of staff for each event. Those SUPs that are more complex and thus require more Rangers monitoring will have additional staff assigned and charged under cost recovery to compensate for the additional staff. SUPs for first amendment activities have no monitoring fee. For each Ranger assigned, a minimum of four (4) hours of time shall be billed. Any additional expenses incurred shall be billed to the permittee and paid prior to the return of the performance bond.						
# of Event Participants	# of Rangers (minimum)					
	4.00	5.00	6.00	7.00	8.00	
up to 100	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
100-250	1	\$89.16	\$111.45	\$133.74	\$156.03	\$178.32
251-500	2	\$178.32	\$222.90	\$267.48	\$312.06	\$356.64
Over 500	3	\$267.48	\$334.35	\$401.22	\$468.09	\$534.96
Over 1000	4	\$356.64	\$445.80	\$534.96	\$624.12	\$713.28
# of Hours	4.00	5.00	6.00	7.00	8.00	

Permit No.:
Expires:



UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
WAR IN THE PACIFIC NATIONAL HISTORICAL PARK



DAY USE PERMIT SHORT FORM

Name: _____ Phone: _____

Email Address: _____ Number of People: _____

Is hereby authorized during this date: _____ Times: _____

To use the following area at Asan Beach: _____

For the purpose of: _____ Picnic _____ Bar-B-Q _____ Celebration _____ Other, please explain: _____

Subject to the below conditions:

- Restroom facilities are closed by 5:30 p.m. daily.
- The National Park Service is not held liable for any hurt, loss, or damage arising from this activity.
- All debris, litter, and garbage generated by activity must be removed from the park at the end of the permit.
- Permittee is responsible for cleaning barbecue grills and for the removal of charcoal after use.

The following are prohibited:

- Operating a generator
- Organized sports activities
- The use of weapons
- The possession of fireworks
- Entering tunnels and caves
- Camping
- Ground fires
- Removing, cutting, or damaging natural resources
- Climbing on trees or historic objects
- Motor boats within the Asan reef area
- Jumpers and bouncers
- Vehicles on sidewalks or grass
- Activities that prevent, disrupt, or interfere with public access to park areas and points of interest

THE UNDERSIGNED HEREBY ACCEPTS THIS PERMIT SUBJECT TO THE TERMS, COVENANTS, OBLIGATIONS, AND RESERVATIONS EXPRESSED OR IMPLIED.

Permittee name: _____

Signature: _____ Date: _____

Approved by: _____

Signature: _____ Date: _____