

COMMERCIAL USE AUTHORIZATION FOR GUIDED PAINTING AND PHOTOGRAPHY
OPERATING PLAN-ATTACHMENT B

General Provisions

- 1) The CUA for Painting and Photography allows the CUA holder to conduct road based photography tours and instruction and/or painting instruction. Limited front country hiking on boardwalk areas and designated trails less than ½ mile from the road is permitted. Hiking to Trout Lake is also permitted.
- 2) Guided activities such as day hiking (> ½ mile from the road), backpacking, biking, boating, and/or fishing are not authorized under this permit and require a separate CUA.
- 3) Group size will be limited to 15 people including guides. Multiple groups must be dispersed and may not congregate at a destination.
- 4) Guides/group leaders must carry a copy of the CUA (or keep in the vehicle), their guide card and photo id with them at all times when they are in the park. **All person/groups entering the park must come to a complete stop at park entrance stations; guides must show the attendant their guide card and pay the applicable park entrance fees for all clients (Clients may use personal park passes for entry). Clients are not exempt from paying park entrance fees when on your tour. It is the responsibility of the CUA holder to inform clients of this requirement prior to arrival at the park entrance station.**

If you are entering the park where there is no entrance station (i.e., Bechler, Gallatin areas) you must purchase the entrance passes **in advance** by calling the Visitor Services Office at (307) 344-2115.

- 5) Client activities must not conflict with the public's normal use of park areas.
- 6) CUA holders and their vehicles are permitted to occupy the parking lots or vehicle pull-outs in Hayden Valley and Lamar Valley for a maximum of 2 hours.
- 7) The CUA holder shall be liable for damage to any property of the United States resulting from the use authorized hereunder.
- 8) Violation of any park regulation or terms of this permit may result in issuance of a violation notice, suspension of privileges granted by this permit, or revocation of this permit.
- 9) Guides must meet clients outside of park concessioner's land assignment and NPS Visitor Centers.
- 10) The Permit holder listed on the CUA permit may take short videos or photos to advertise the permitted business in areas permitted to operate without disruption to the public. Footage may be shot with a small handheld video camera, DSLR or Go Pro and tripod.

If the CUA holder hires a filmer or photographer to capture footage for advertisement purposes, a Commercial Film Permit is required. For Commercial Film Permit inquiries, please contact the Film Office at (307) 344-2272, or (307) 344-2115.

Administrative Requirements

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

Revised 10/15

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

- CUA holder employees may not possess firearms while on duty. The superintendent, in his or her sole discretion, may grant exceptions to this prohibition upon consideration of a written request from the CUA holder's general manager with a thorough explanation of the basis of the request.
- CUA holders are responsible for determining how they will interpret and implement State firearm possession laws in regard to their clients. The CUA holder and/or its legal counsel should consult the applicable state attorney general's office for access to relevant state firearms laws.
- The Concessioner must articulate to the Service how it will implement this law in regards to its operation. The policy should address the two issue points:
 1. The on-duty employees in Yellowstone Park, will be prohibited from firearm possession:
____ Yes ____ No
 2. I will ____ will not _____ allow visitors to carry firearms while participating in this service.

Staffing and Employment

- 10) At a minimum, one guide on each trip must be currently certified in Standard First Aid, CPR and carry a first aid kit. A written list of guides and dates of Standard First Aid certification must be provided to the Concessions Management Office prior to the beginning of the operating season. Copies of the first aid cards need not be submitted.
- 11) Guides must be at least 18 years of age and trained in basic safety, resource protection, park rules and regulations and in the requirements of the CUA terms and conditions.

Operational Requirements

- 12) While in Yellowstone, the CUA holder or guide is responsible for their clients for the guided portion of the trip.
- 13) "Foot travel in all thermal areas and within the Yellowstone Canyon between the Upper Falls and Inspiration Point must be confined to boardwalks or trails that are maintained for such travel and are marked by official signs." 36 CFR, Ch1, se. 7.13(i) No off-trail travel is allowed; stay on designated boardwalks and trails.
- 14) The CUA holder must ensure that all clients and guides stay at least 100 yards from bears and wolves. A distance of 25 yards is required from bison, elk and other animals. Individuals are required to remove one's self to prescribed distances during inadvertent, accidental, casual, or surprise encounters with wildlife. Regardless of any distance, if any wild animal changes its behavior due to your group's presence, you are too close.
- 15) All individuals are required to comply as directed by NPS staff engaged in administering wildlife management operations or managing wildlife viewing opportunities.
- 16) The CUA holder or guide must provide all clients with an orientation prior to the trip which emphasizes safety, camping in bear habitat, Leave No Trace principles, park rules and regulations, and the natures, demands and dangers of the trip.
- 17) The CUA holder is responsible for ensuring that all clients are safely equipped and properly clothed prior to the trip.
- 18) The CUA holder must provide all visitor services in a manner that is consistent with and supportive of the interpretive goals and objectives of the park.

Reporting requirements

- 19) All accidents must be reported to a ranger as soon as possible by calling **(307) 344-7381** and dial "0". You can also try to call 911 if you are in the backcountry and have a sat phone.
- 20) CUA holders must provide to the Concessions Management Office a monthly report indicating the date, number of visitors guided, and road segments ridden for the preceding month of operation. Reports must be received no later than the end of the following month.
- 21) CUA holders must submit the Annual Report, along with the % of gross receipts by January 31 each year.

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I have read and agree to the Painting and Photography conditions. I hereby confirm that the above conditions will be reiterated to all guides associated with this business.

CUA Holder's Signature

Date

Title

Company Name

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