#  ATTACHMENT A

#  SCUBA /SNUBA

#  SPECIAL PARK CONDITIONS

#  Commercial Use Authorization

**2022**

The Virgin Islands National Park (VINP) was established to protect and preserve the scenic and natural environment and cultural heritage for future generations to enjoy. We are all privileged to live and work in this beautiful environment. Our livelihood depends on keeping these islands and surrounding waters naturally healthy and beautiful for generations to come. Given this charge, we thank you for complying with the following operating conditions. Please share applicable regulations with your guests.

1. **Compliance**: Permittee, captain, crew, employees, and visitors must comply with regulations for the protection and management of the natural, historic and physical resources of the Virgin Islands National Park as contained in the Title 36 of the Code of Federal Regulations, the Superintendent’s Compendium, and U.S. Virgin Islands Territorial regulations, and all applicable U.S. Coast Guard regulations. These documents are available at the Superintendent’s office or at the park’s website at: www.nps.gov/viis.
2. **Insurance**: The permittee must carry insurance against public liability, employee liability, and other hazards. Minimum amounts of coverage will be established in accordance with NPS-48, Concessions Guidelines, and may vary depending upon capacity of vessel and type of activities occurring within the Park.
3. **Reporting Incidents**: All incidents that occur within the Park that result in collision, accident, fire, or other casualty, and/or results in damage to natural resources, property or personal injury or death of any person during your commercial activity, must be reported to the Chief Ranger (340-776-6201 ext. 254) or Law Enforcement Rangers (1-866-995-8467) immediately. The CUA permittee is then required to provide a written statement/incident report to the Chief Ranger within 24 hours of the incident. Filing this report does not satisfy applicable Territorial or Coast Guard accident reporting requirements.
4. **Specific Conditions**:
5. **Permittee shall ensure that one staff member certified in both CPR and Scuba related lifesaving skills and techniques is present on all SCUBA outings. These individuals must be capable of and available to perform first aid procedures aboard vessel, on the beach and in the water, and training maneuvers must be conducted on sand only.**
6. **All permittee’s doing tours with-in the Park must have a first aid kit on hand.**
7. All advertising materials relative to the Park will be submitted to the Park’s Concessions Office for review and approval prior to use and publication.
8. Vessel passengers and crew shall comply with Virgin Islands anti-nudity laws.
9. Serving alcoholic beverages during or prior to diving excursions is prohibited.
10. Authorized persons may at any time stop or board a vessel to examine documents, licenses or permits relating to operation of the vessel, and to inspect such vessel to determine compliance with regulations pertaining to safety equipment and operation.
11. Operators must provide a safety orientation to their guest on proper snorkeling and diving instructions and on preventing reef damage prior to guest being discharge in the water.
12. Permittee’s VINP serial numbered decal must be displayed on the port side of the vessel in a highly visible location. Any decals that are not displayed correctly will be considered invalid,

Guides must maintain a 1 to 8 ratio for guides and passengers.

 h. Vessel must be Coast Guard certified.

 i. Permittee must comply with USCG, OSHA regulations for marine vessels and commercial Scuba

 Operations, and also NPS, Virgin Islands National Park mooring and anchoring regulations.

 j. Permittee must always fly the international Scuba or Alpha flag from vessel when diving, and be sure

 To use a surface float with line to enhance diver safety during drift dives.

1. Permittee and passengers shall not touch, feed or harass any wildlife or any other marine creatures at any time. Artifacts or wildlife, whether living or dead, shall not be collected within the

 Virgin Islands National Park.

1. All automated underwater propulsion units, including but not limited to underwater scooters, are

 Forbidden in the park.

1. Smoking is prohibited on Park beaches, between the water’s edge and 50 feet landward.
2. The Permittes Scuba/Snuba equipment shall be in serviceable condition, routinely inspected and well maintained at all times

**5. Prohibited Activities:** (See Title 36, Code of Federal Regulations for additional regulations):

1. Commercial advertising within park boundaries, including banner advertising on vessels.
2. Commercial group use of Francis Bay beach.
3. Possession or use of a firearm or spear gun.
4. Sale or use of balloons.
5. Camping, other than in designated sites at Cinnamon Bay.
6. Glass bottles and/or containers or pets on Park beaches.
7. Dumping trash, garbage, refuse and the discharge of sewage of any kind.
8. Loud recorded or live music as described in 36 CFR 2.12.
9. Disturbing or removing historic structures or their contents.
10. Disturbing or removing shipwrecks or parts thereof or their contents.
11. Feeding, touching, teasing, frightening, chasing or intentionally disturbing wildlife, including fish and sea turtles.
12. Damaging, breaking, or taking of any marine or terrestrial, flora or fauna except for allowable fruits and berries.
13. Waterskiing, towing boogie-boards, parasailing and use of personal watercraft (jet-skis, wave runners, etc.).
14. Tying ropes or lines to shoreline vegetation.
15. Smoking on Park beaches or within 50 feet from restaurants, public restrooms, pavilions, or picnic tables in the Park
16. Use of Drones/Unmanned aircrafts systems.
17. Digging of holes in the sand, ie. To plant post for props.

6. **Vessel and other Restrictions in National Park Waters**:

1. Operating a vessel in excess of 5 MPH and/or creating a wake within 500 feet of a diver's marker or swimmer are prohibited.
2. Anchoring is only permitted in VINP in the Cruz Bay 3 hour anchoring area, or the Lind Point designated anchorage box.
3. Commercial vessels with a LOA greater than 125 feet are prohibited from anchoring or mooring in the Park.
4. Park CUA moorings may be used by vessels no greater than 60 in overall length.
5. Rafting of boats is prohibited while on a mooring if the combined length of both vessels does not exceed 60ft.
6. Fishing is prohibited while on a mooring.
7. Vessels less than 26 feet in length overall may access the beach using the channels designated by red and green buoys. Vessels may not anchor in these channels.
8. Dinghies may not be secured in any way to any natural feature or Park sign/sign post including rocks and vegetation.
9. Scuba diving and snorkeling is prohibited in designated boat channels, shipping lanes and dock areas and at Trunk Bay beach.
10. Hookah underwater breathing systems which are powered by internal combustion compressors are prohibited.

See Superintendent's Compendium and Park brochures for complete details on anchoring and mooring in the park, available at the Superintendent’s office.

1. **Monthly Reporting**: Permittee will provide a monthly report indicating the date, number of passengers carried, and the bays visited, for the preceding month of operation. Reports must be received no later than the 15th day of the following month. Send reports to Concessions Office, Virgin Islands National Park, The Tunick BLDG STE 101 1336 Beltjen RD, St. Thomas, VI 00802 or e-mail to paul\_p\_jones@nps.gov.

These Operating Conditions are hereby attached to and made a part of the Commercial Use Authorization for commercial activities in the Virgin Islands National Park. The Superintendent may amend these conditions during the operating year. Failure to comply with National Park Service regulations, policies, and conditions of this permit shall constitute cause for a warning, immediate suspension and/or revocation of the commercial use authorization. I have read, understand and intend to comply with these conditions for operation of my commercial Vessel or activity in the Virgin Islands National Park.

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Signature of Permittee Date