



## **Fact Sheet: Permitting on State Park Managed Waters**

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Anyone conducting commercial activities within a unit of the State Park system must obtain, in advance, a permit issued by the Division of Parks and Outdoor Recreation. Examples of commercial activities include guided activities, charter services, transportation services, outfitting, supply or equipment sales, or rentals within state parks.

Pursuant to 11 AAC 12.990(9)\* “commercial activity” means the sale of, delivery of, or soliciting to provide, goods, wares, edibles, or services in exchange for valuable consideration through barter, trade, or other commercial means; a service offered in conjunction with another sale of goods, wares, edibles, or services, which service involves the use of state park land or water, is a commercial activity whether or not it is incidental to, advertised with, or specifically offered in the original sale; all guide, outfitter, and transportation services are commercial activities if any payment or valuable consideration through barter, trade, cash, or other commercial means is required, expected, or received beyond the normal and customary equally shared costs for food and fuel for any portion of the stay in the park.

Commercial operators that operate as a water-based business within a unit of the State Park system must obtain a Commercial Use Permit. Examples of water-based businesses include water taxis, whale or wildlife watching tours, and fishing charters.

### ***Do I need a Commercial Use Permit if I am exclusively operating on navigable waters managed by Alaska State Parks?***

**YES, IF** you are using State Park-managed waters for a commercial activity\*. This includes removing or attempting to remove resources from State Park managed waters (i.e. fishing with clients) or using resources within State Park managed waters for economic gain (i.e. whale/wildlife viewing).

**YES, IF** you are traveling through state-managed waters to access land that is managed by State Parks for commercial purposes. An example of this is water taxis transporting clients to State Park managed uplands.

**NO, IF** you are traveling through State Park managed waters, even if for a commercial purpose, to access waters or lands not managed by Alaska State Parks. Commercial operators cannot stop in State Park managed waters to view wildlife or sightsee; they can only use park waters to get from point A to B. If commercial operators stop in State Park managed waters for such purposes, they are using State Park waters for commercial gain and will need a commercial use permit.

**NO, IF** you fall under 11 AAC 12.300: No person may engage in a commercial activity in a state park without a permit issued under 11 AAC 18, except for: (1) lawful commercial fishing operations conducted aboard vessels operating in saltwater and not using stationary gear or dredges.

### ***When are client fees/End of Season fees collected?***

Per client or End of Season fees are **ONLY** collected if using State Park managed uplands in conjunction with water-based activities. Using State Park uplands includes transporting clients to utilize hiking trails, picnicking, camping, or guided tours.