



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Natural Resources

DIVISION OF PARKS & OUTDOOR RECREATION
KENAI/PRINCE WILLIAM SOUND AREA OFFICE

514 Funny River Road
Soldotna, AK 99669
Main: 907.714.2471
Fax: 907.260.5992

January 1, 2022

Dear Kenai River Scenic Commercial Operator:

Please read this entire letter carefully as some requirements have changed.

Permit Fees:

- A non-refundable permit application processing fee of **\$100.00**
- Annual permit fee of Kenai River Scenic commercial Operator use permit is **\$350.00** for resident/non-resident (**total of \$450.00 including application processing fee**).
- Client fees: Per client fees for guided scenic tours are \$2 per client per day. Per client fees are not charged for guided sport fishing.

2022 Alaska State Park Permit Application:

- Thank you for your interest in an Alaska State Parks Non-Competitive Commercial Use Permit. Please review this cover letter and the attached application materials carefully.
- **If your company will be providing scenic tours on the Kenai River you are required to fill out this application and supply a list of your employees with all required documents.**
- **State Parks will no longer issue a Kenai River Guide card. The permittee must carry a copy of the permit on their person while conducting commercial operations on the Kenai River.**

State law requires that anyone conducting commercial activities within a unit of the State Park system 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 a park. Any activity that meets the definition of commercial activity as found in 11 AAC 12.340(19) requires a permit.

11 AAC 12.340(19) "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.

Application Submittal:

Please return your completed application by email to: parkpermitting@alaska.gov, fax-907-260-5992 or mail to Alaska State Parks, 514 Funny River Road, Soldotna, AK 99669. Once your application is processed, you will be contacted with instructions for payment of the application fee.

***Note: It may take up to thirty days to process your application and issue your permit, so please plan accordingly and submit your application well in advance of your commercial operating season. ***

Requirements: To avoid any permitting delays please take the time to review the permit application for the Kenai River Scenic Commercial Operator. **You are responsible** to ensure that copies of all the required documents are submitted with the Alaska State Parks Permitting Office. Once the completed application has been received a signed permit with decals will be issued. It is unlawful for anyone to provide guide services in any State Park unit without a valid permit issued under 11AAC 18.

Vehicle Decals: A numbered vehicle decal will be issued to the vehicle used during commercial activities. The decal shall be permanent affixed to the lower corner of the driver side of the windshield. Decals shall not be altered or affixed to unauthorized vehicles. Any motor vehicle and attached trailer that is found in violation of this requirement may be impounded and removed from the State Park at the registered owner's expense.

Boat Launches and Fees: KRSMA State Park boat launches are located at: The Pillars Boat Launch, Eagle Rock Boat Launch, Izaak Walton State Recreation Site, Bing's Landing State Recreation Site, and the Cooper Landing Boat Launch. Commercial operators using these facilities are required to pay the boat launch fee or purchase an annual boat launch pass. However, the annual boat launch pass is not honored at the Eagle Rock or Pillars boat launches. All clients are required to pay the daily parking fee for their vehicles. Annual passes may be purchased at the Gilman River Center or from volunteer hosts at state park facilities.

Mandatory Orientation for new Non-Fishing Permittees: Kenai River Scenic Operators are no longer required to attend an in-person orientation session. Commercial Operator companies that provide scenic tours on the Kenai River are required to submit a copy of their orientation and safety program with the completed application.

Permits are required for fishing, tournaments, derbies and organized events in the KRSMA: For the KRSMA, due to the size of groups in relation to the river corridor, the limit **for on-river activities only**, is limited to **40** people. Any promotional, entertainment, spectator, or competitive recreation event that attracts more than **40** people must first obtain a Special Park Use Permit. The Kenai River

Comprehensive Management Plan provides further guidance to limit contests and competitions to those not designed to attract large number of anglers and that are scheduled for non-peak fishing times or during periods of projected low stocks.

Department of Natural Resources Commercial Recreation Registration: Commercial users of general state lands and waters are required to register with the Department of Natural Resources, Division of Mining, Land and Water (DNR/DMLW). Please contact the Anchorage DNR Public Information Center at (907) 269-8400 with any questions you may have about the registration.

Please review the completed application prior to submitting. If you have any additional questions regarding this letter or any matters concerning Non-Competitive Commercial Use Permits call Pam Russell at (907) 714-2471 or email at Pamela.Russell@alaska.gov.

Good luck and best wishes for a successful business season in 2022

Sincerely,

Pamela Russell
Natural Resource Specialist III
Enclosures

PRE-QUALIFICATION REQUIREMENTS FOR
KENAI RIVER GUIDES

To pre-qualify for issuance of a 2022 permit, all Kenai River Guide permit applicants shall be required to submit the following information. **Please take time to look them over.**

All new scenic or non-fishing guides are no longer required to attend a mandatory orientation. The business that they work for is required to have a copy of their orientation and safety program on file with Alaska State Parks.

If your company will be providing scenic tours on the Kenai River you are required to fill out this application and supply a list of your employees with each employees required documents.

1. A current driver's license or government issued picture I.D.
2. **Power boat operators:** Documentation with expiration date that shows you are registered with a U.S. Coast Guard Certified and approved random drug testing program. Kenai River guides who hold Coast Guard licenses to operate a vessel under power must provide proof of their enrollment in a random drug testing program (per Coast Guard requirements).
Non-Power boat operators: Unless otherwise registered in a random drug testing program, Kenai River fishing guides who operate non-motorized vessels are required to provide proof of a negative drug test administered no more than 30 days before the date of having their permit issued.

3. **Insurance Required.** Without limiting indemnification, the liability insurance required of commercial operators that provide guiding, outfitting, touring, education expeditions, equipment rentals or other recreational services in State Park Units shall be comprehensive (commercial) general liability insurance with coverage limits not less than \$100,000 per person / \$300,000 combined single limit per occurrence and annual aggregates where generally applicable, and shall include premise operation, independent contractor's products/completed operations, broad form property damage, blanket contractual and personal injury inducements. The director may require higher increments of liability insurance for activities that carry a higher degree of risk to the participants. The liability insurance policy must also list:

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Division of Parks and Outdoor Recreation
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Soldotna, AK, 99669

as additional insured and provide for a 30-day notification to the State of cancellation, non-renewal, or material alteration of insurance.

4. A valid American Red Cross Basic First Aid certification or the equivalent, with expiration date. The First aid certification needs to be recognized by state or national registration.
5. Signed Stipulations



**STATE OF ALASKA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF PARKS AND OUTDOOR RECREATION
Kenai River Commercial Use Permit
11 AAC 20.885**

2022 Kenai River Scenic Guide

LAS Number: _____

****The State Park permit issued card will be carried while operating in a State Park****

CONTACT INFORMATION		
Name of Business _____		
Name: _____		
Mailing Address: _____		
City: _____ State: _____ Zip Code: _____		
Phone #: _____ Email Address: _____		
<small>(Please include area code)</small>		
Field / Emergency Contact (Name and Cell Phone): _____		
BUSINESS INFORMATION		
Alaska Business License Number: _____ Expiration Date of Business License: _____		
<small>Per AS 43.70.020(a) a business license is required for the privilege of engaging in a business in the State of Alaska.</small>		
Business Website: _____		
<ul style="list-style-type: none"> • <u>When submitting the application please include a list of all employees that will be operating in a state park under this permit. Please include name, address and phone number and a copy of the following documents for each employee working as a scenic guide:</u> 		
USGS License # _____ USGS Expiration Date _____		
Certificate of Commercial Liability Insurance		
Driver's License		
First Aid Card		
Drug Program		
Signed Scenic Operator Non-Competitive Park Use Permit Stipulations		
List additional Park Name units you will be operating in:		

Signature of Authorized State Representative	Date of Issuance	Expiration Date

2022 NON-COMPETITIVE PARK USE PERMIT STIPULATIONS
ISSUED TO SCENIC GUIDES IN THE
KENAI RIVER SPECIAL MANAGEMENT AREA

BOAT INFORMATION

1. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____
2. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____
3. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____
4. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____
5. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____
6. KR. Vessel # Assigned _____ AK# _____ AK# Exp Date _____ (State Park Use Only) Hull ID # _____ Make/Model _____ Length _____

VEHICLE INFORMATION

1. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ (State Park Use Only) Color _____
2. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ (State Park Use Only) Color _____
3. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ (State Park Use Only) Color _____
4. KR. Vehicle Sticker # _____ State & License Plate # _____ Make _____ Model _____ Year _____ (State Park Use Only) Color _____

Attach additional pages as necessary (Page _____ of _____)

Alaska State Parks
Non-Competitive Permit for Commercial Activities

Guide Name	Address	Phone	Coast Guard License #
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

Attach additional pages as necessary (Page _____ of _____)

2022 NON-COMPETITIVE PARK USE PERMIT STIPULATIONS
ISSUED TO SCENIC GUIDES IN THE
KENAI RIVER SPECIAL MANAGEMENT AREA

- 1) **SUPERVISION:** A permitted guide must be aboard a guide vessel whenever it is being used for guiding activities. A permitted guide must remain in sight and sound of his/her clients at all times (11 AAC 20.885 (e)). The permitted guide must have his/her Kenai River Special Management Area Guide identification card and a photo identification card in his/her possession at all times while guiding within the Kenai River Special Management Area. The permittee must present this card to any Peace Officer upon request.
- 2) **GUIDE VESSEL IDENTIFICATION:** A guide vessel shall be identified by prominently displaying the Kenai River scenic guide decals on both sides of the vessel just aft of the midpoint and directly forward of the assigned three-digit guide vessel number. The assigned guide vessel number is to be permanently displayed in six-inch high by one-inch wide block style figures of contrasting color to the color of the vessel hull. Duct tape, electrical tape, and other temporary numbers are not acceptable.
- 3) **VEHICLE IDENTIFICATION:** Motor vehicles that are operated or parked on state park lands and used in conjunction with commercial activities shall be identified by a numbered Commercial Operator decal. This identification decal shall be affixed on the bottom left hand corner of the vehicles windshield. Decals shall not be altered or affixed to unauthorized vehicles. Decals that are altered or affixed to unauthorized vehicles may be confiscated by State Park staff. Any motor vehicle and attached trailer that is found in violation of this requirement may be impounded and removed from the State Park at the registered owner's expense. If a vehicle bearing an authorized decal has a mechanical breakdown, the permittee may temporarily substitute another vehicle without a decal upon notification and approval from State Parks.
- 4) **FISHING GEAR PROHIBITED:** Permittees classified as scenic guides are also non-fishing guides and may not carry or allow clients to carry any fishing poles, tackle or other fishing equipment aboard the permitted guide vessel while the vessel is being used for guiding activities in the Kenai River Special Management Area.
- 5) **CAMPS AND CACHES:** The permittee agrees not to establish temporary or permanent camps or caches within the Kenai River Special Management Area.
- 6) **OUTBOARD MOTOR INSPECTION:** All Kenai River Guides must permit the random inspection of their outboard motors by any Peace Officer for the purpose of verifying the propshaft horsepower rating. Failure or refusal to comply with an outboard motor inspection may result in an immediate permit suspension.
- 7) **LAWFUL OPERATIONS:** The permittee agrees to operate in accordance with the regulations of all local, state and federal laws.
- 8) **BOAT LAUNCH FEES:** The permittee is responsible for paying boat launch fees for the use of the State Park boat launches in the KRSMA or purchase a State Parks boat launch decal. The State Park boat launch decal is to be permanently affixed to the tongue of the boat trailer it was purchased for. Temporary placement of the boat launch decal is not allowed. Boat launch decals that are not permanently mounted or affixed may be confiscated by State Park Staff. The State Parks boat launch decal is not honored at the Pillars and Eagle Rock Boat Launch's. Due to limited parking facilities, no guide or guide employees' vehicles may be placed at the Izaak Walton Unit parking lot from June 1 through August 15.
- 9) **SANITATION:** Public restrooms are located in most of the heavily used areas of the Kenai River Special Management Area. The permittee agrees to use the restrooms and take his/her clients to the public restrooms. If the restrooms are not available, the permittee must COLLECT and PROPERLY dispose of all SOLID human waste and refuse generated by themselves or their clients within the permit area. All solid human waste will be disposed of in the appropriate facility outside of the permit area.

2022 NON-COMPETITIVE PARK USE PERMIT STIPULATIONS
ISSUED TO SCENIC GUIDES IN THE
KENAI RIVER SPECIAL MANAGEMENT AREA

- 10) **NON-EXCLUSIVE USE:** This permit does not limit the rights of the officer to issue similar permits for same or similar activities in the area covered by this permit. The permittee and their agents or clients shall not interfere with public use or other authorized use of roads, trails, parking areas or other lands and waters in the area of their activities.
- 11) **ADVERTISING:** It is agreed and understood that this permit does not authorize the permittee to solicit business, advertise, collect any fees or sell any goods or services on lands and water authorized to be used by this permit unless specified on the permit. The permittee shall not make any misrepresentations in their advertisements, signs, circulars, brochures, letterhead, and like materials regarding this permit. This restriction shall not apply to business names, graphics, logos or telephone numbers that are applied to guide vessels or vehicles.
- 12) **CLIENT INFORMATION:** The permittee agrees to provide clients with information regarding rules, regulations and other information pertaining to the guided activity, the area and basic safety information relative to the client's visit.
- 13) **ACCIDENT NOTIFICATION:** The permittee will notify State Park staff immediately after completing a trip in which accidents involving personal injury, boat collision, overturning or swamping, or damage to the guide vessels or other vessel occur; or of any threatening incidents involving wildlife or of incidents involving the loss of equipment, such as canoes, rafts, tents or other gear which could create the impression that someone may be lost or in danger.
- 14) **INDEMNIFICATION:** The permittee shall indemnify, save harmless and defend the State, its officers, agents and employees from liability of any nature or kind, including costs and expenses for, or on account of any and all legal actions or claims of any character whatsoever resulting from injuries or damages sustained by any person or persons or property as a result of any error, omission or negligent act of the permittee relating to its performance of this permit. All legal actions or claims including defense cost resulting from injuries or damages sustained by a person(s) or property arising from the permittee's performance of this permit which will result in joint liability of the State and permittee shall be apportioned on a comparative fault basis. Any such joint liability on the part of the State must be due to the active negligence on the part of the State.
- 15) **QUALITY OF SERVICE:** The permittee shall observe such requirements respecting quality and standards of service as dictated by laws or regulations or as necessary to protect the public health, safety and welfare.
- 16) **PROFESSIONAL BEHAVIOR:** The permittee shall not verbally, physically or by any other method harass, assault, or abuse clients, employees, outfitters, other guides and their clients, members of the general public or any state or federal agency representative. This includes aggressive and disruptive behavior.
- 17) **REPAIR OF DAMAGE:** The permittee shall exercise diligence in protecting from damage lands, waters, facilities and resources in the permit area and used in connection with this permit. The permittee shall be liable for the repair of any damage to lands, water, facilities or resources resulting from the activities of the permittee, their agents, employees or clients.
- 18) **NATURAL HAZARDS:** The permittee recognizes and understands that natural hazards are likely to exist within the area of their operation. The permittee agrees to take all reasonable precautions to make themselves aware of these hazards and to avoid injury to persons or property. The permittee is responsible for ensuring the safety of the clients under their supervision.
- 19) **COOPERATION:** The permittee agrees to cooperate with all state and federal agency representatives for the purpose of permit compliance and to gather information on fish, wildlife, and other natural resources.

2022 NON-COMPETITIVE PARK USE PERMIT STIPULATIONS
ISSUED TO SCENIC GUIDES IN THE
KENAI RIVER SPECIAL MANAGEMENT AREA

- 20) **RANDOM DRUG TESTING PROGRAM:** Power boat operators are required to hold a U.S Coast Guard License for their business operations in State Parks and will be required to present to the State Park permitting staff documentation, including expiration date that they are currently registered in a random drug testing program. The Division of Parks and Outdoor Recreation may impose an in- season permit suspension to anyone who has a verified positive test for drugs or alcohol.

- 21) **End of Season Report:** **Scenic guides who provide scenic tours on the Kenai River are now required to submit an end of season report on or before December 1 of the permitted season.** If you are an employer make sure you list ALL your employees' names on the use report. The report is due whether you conducted commercial activities in a unit of the State Park system or not. A new online system is being developed stage and will be available by August 2020.

- 22) **OTHER PERMITS:** The permittee understands that guiding, outfitting or other commercial activities conducted within the boundaries of the Kenai National Wildlife Refuge or Chugach National Forest may require an additional Special Use Permit.

- 23) **NONDISCRIMINATION IN EMPLOYMENT AND SERVICES:** The permittee and his/her employees shall not discriminate against any employee providing services under this permit or applicant for employment to provide services under this permit because of race, color, religion, sex, national origin, age, or disability. The permittee and his/her employees shall not discriminate by segregation, by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally because of race, religion, sex, national origin, age, or disability.

The permittee has read and agreed to the terms of the permit and understands that the breach of any terms is cause for suspension or revocation under 11 AAC 20.885. Further, it is expressly understood and agreed that this permit may be revoked per regulation at the discretion of the Director, or his/her designee without compensation to the permittee.

The issuance of this permit does not confer any rights of renewal or preferences for renewal despite investments made by the permittee or for other reasons.

This permit is non-transferable and the permittee shall not sublet or enter into any third party agreements involving the privileges authorized by this permit. This permit is issued in accordance with 11 AAC 12.300 and 11 AAC 18.030. I have read and understand and agree to comply with Commercial Use Permit Stipulations #1 through #23 and confirm that I am a:

Permittee's Printed Name/Signature Date