United States Department of the Interior
U.S. Fish and Wildlife Service

National Wildlife Refuge System Commercial Activities Special Use Application and Permit

OMB Control Number 1018-0102
Expiration Date: 06/30/2014

Name of Refuge Presquile National Wildlife Refuge

Address Office - 11116 Kimages Rd Charles City, VA 23030

Attn: (Refuge Official) Cyrus Brame - Wildlife Refuge Specialist

Phone # 804-829-9020 E-mail cyrus_brame@fws.gov

Application

(To be filled out by applicant. Note: Not all information is required for each use. See instructions at the end of the notice.)

1) ◯ New ◯ Renewal ◯ Modification ◯ Other _____

Applicant Information

2) Full Name: _____

3) Title: _____

4) Business Name: _____

5) Address: _____

6) City/State/Zip: _____

7) Business Phone #: _____

8) Business Fax #: _____

9) E-mail: _____

10) Business Tax ID #: _____

11a) Within the past 5 years, has the company (entity) or any of the owners of the business been convicted, pled nolo contendere, forfeited collateral, or are currently under charges for any violations of any State, Federal, or local law, or regulations related to fish and wildlife or permit activities? ◯ Yes ◯ No

11b) If you answered "YES" to question #11a, provide: a) individual's name, b) date of charge, c) charge(s), d) location of incident, e) court, and f) action taken for each violation.

12) Assistants/subcontractors/subpermittees: (List full names, addresses and phone #'s and specifically describe services provided if subcontractors are used.)

Activity Information

(Depending on the activity for which you are requesting a permit, we may ask you for the following activity information. Please contact the specific refuge where the activity is being conducted to determine what information is required.)

13) Activity type: ◯ Guiding hunters ◯ Guiding anglers ◯ Guiding other outdoor users
◯ Commercial filming ◯ Agriculture ◯ Cabins ◯ Other _____

14a) State, Federal or tribal licenses required for activity: ◯ Yes ◯ No

14b) License type: _____ Number: _____ Date: _____

15) Describe activity: (Specifically identify timing, frequency, and how the activity is expected to proceed.)

16) Location: (Specifically identify location; GPS location preferred.)

17a) Is map of location(s) required?
◯ Yes ◯ No ◯ N/A

17b) Is map of location(s) attached?
◯ Yes ◯ No

18) Estimated number of clients: Per Day _____ Per Season _____

19) Activity/site occupancy timeline: (Specifically identify beginning and ending dates, site occupation timeline, hours, clean-up and other major events.)

20a) Is Plan of Operation required?
◯ Yes ◯ No ◯ N/A

20b) Is Plan of Operation attached?
◯ Yes ◯ No

21a) Is trip schedule required?
◯ Yes ◯ No ◯ N/A

21b) Is trip schedule attached?
◯ Yes ◯ No

Insurance Coverage/Certifications/Permits

22a) Is grounding/flight insurance required?
◯ Yes ◯ No ◯ N/A
Carrier type: _____ Policy #: _____

22b) Is contaminants insurance required?
◯ Yes ◯ No ◯ N/A
Carrier type: _____ Policy #: _____

22c) Is medical evacuation insurance required?
◯ Yes ◯ No ◯ N/A
Carrier type: _____ Policy #: _____

23a) Is rat free certification required?
◯ Yes ◯ No ◯ N/A
Copy of certification provided:
◯ Yes ◯ No

23b) Is hull inspection certification required?
◯ Yes ◯ No ◯ N/A
Copy of certification provided:
◯ Yes ◯ No

23c) Is EMT/first aid certification required?
◯ Yes ◯ No ◯ N/A
Copy of certification provided:
◯ Yes ◯ No

23d) Are other certifications required?
◯ Yes ◯ No ◯ N/A
Copy of certification provided:
◯ Yes ◯ No

24a) Are State permits required?
◯ Yes ◯ No ◯ N/A
Copy of permits provided:
◯ Yes ◯ No

24b) Are Federal permits required?
◯ Yes ◯ No ◯ N/A
Copy of permits provided:
◯ Yes ◯ No

24c) Are tribal permits required?
◯ Yes ◯ No ◯ N/A
Copy of permits provided:
◯ Yes ◯ No

24d) Are other permits required?
◯ Yes ◯ No ◯ N/A
Copy of permits provided:
◯ Yes ◯ No

Logistics and Transportation

25a) Does activity require personnel to stay overnight onsite?
◯ Yes ◯ No

25b) Personnel involved:

26) Specifically describe all equipment/gear and materials used:

27a) Transportation description(s) and license number(s) to access refuge(s): (Provide description of and specific auto license/boat/plane registration number(s).)

27b) Specifically describe ship-to-shore transportation:

27c) Specifically describe intersite transportation:

27d) Specifically describe onsite transportation:

28a) Is fuel cache needed?
◯ Yes ◯ No ◯ N/A

28b) Specific location(s) of fuel caches: (GPS Coordinates preferred)

29a) Is Safety Plan required?
◯ Yes ◯ No ◯ N/A

29b) Is Safety Plan attached?
◯ Yes ◯ No

Work and Living Accommodations

30) Specifically describe onsite work and/or living accommodations, including spike camps:

31) Specifically describe on or offsite hazardous material storage or other on or offsite material storage space: (Including on and offsite fuel caches.)

32) Signature of Applicant _____ Date of Application: _____

Sign, date, and print this form and return it to the refuge for processing.
Do not fill out information below this page.

PRINT FORM

OMB Control Number 1018-0102
Expiration Date: 06/30/2014

For Official Use Only (This section to be filled out by refuge personnel only.)

Special Use Permit

Permit #: _____

1) Date: _____ 2) ◯ Permit Approved ◯ Permit Denied 3) Station #: _____

4) Additional special conditions required: (Special conditions may include activity reports, before and after photographs, and other conditions.)
◯ Yes ◯ No ◯ N/A

Additional sheets attached:
◯ Yes ◯ No

5) Received details on any Conviction(s) and/or Notice of Violation(s): ◯ Yes ◯ No ◯ N/A

6) Other licenses/permits required:
◯ Yes ◯ No ◯ N/A

Verification of other licenses/permits, type:

7) Insurance/certifications required:
◯ Yes ◯ No ◯ N/A

Verification of insurance/certification, type:

8) Minimum requirements analysis has been conducted:
◯ Yes ◯ No ◯ N/A

Assessment attached:
◯ Yes ◯ No

9) Record of Payments: ◯ Exempt ◯ Partial ◯ N/Full

10) Bond Paid: ◯ Yes ◯ No ◯ N/A

Amount of payment: _____ Record of partial payment: _____

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the applicant signed below, subject to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the notice, conditions, and requirements included or attached. A copy of this permit should be kept on-hand so that it may be shown at any time to any refuge staff.

Permit approved and issued by (Signature and title):

_____ Date: _____

Permit accepted by (Signature of applicant):

_____ Date: _____

Notice

In accordance with the Privacy Act (5 U.S. C. 552a) and the Paperwork Reduction Act (44 U.S. C. 3501), please note the following information:

The issuance of a permit and collection of fees on lands of the National Wildlife Refuge System are authorized by the National Wildlife Refuge System Administration Act (16 U.S. C. 668dd-ee) as amended, and the Refuge Recreation Act (16 U.S. C. 460k-460k-4).

The information that you provide is voluntary; however submission of requested information is required to evaluate the qualifications, determine eligibility, and document permit applicants under the above Acts. It is our policy not to use your name for any other purpose. The information is maintained in accordance with the Privacy Act. All information you provide will be considered in reviewing this application. False, fictitious, or fraudulent statements or representations made in the application may be grounds for revocation of the Special Use Permit and may be punishable by fine or imprisonment (18 U.S.C. 1001). Failure to provide all required information is sufficient cause for the U.S. Fish and Wildlife Service to deny a permit.

No Members of Congress or Resident Commissioner shall participate in any part of this contract or to any benefit that may arise from it, but this provision shall not pertain to this contract if made with a corporation for its general benefit.

The Permittee agrees to be bound by the equal opportunity “nondiscrimination in employment” clause of Executive Order 11246.

Routine use disclosures may also be made: (a) to the U.S. Department of Justice when related to litigation or anticipated litigation; (b) of information indicating a violation or potential violation of a statute, rule, order, or license to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation or for enforcing or implementing the statute, rule, regulations, order, or license; (c) from the record of the individual in response to an inquiry from a Congressional office made at the request of the individual (42 FR 19083; April 11,1977); and (d) to provide addresses obtained from the Internal Revenue Service to debt collection agencies for purposes of locating a debtor to collect or compromise a Federal Claim against the debtor, or to consumer reporting agencies to prepare a commercial credit report for use by the Department (48 FR 54716; December 6, 1983).

An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. This information collection has been approved by OMB and assigned control number 1018-0102. The public reporting burden for this information collection varies based on the specific refuge use being requested. The relevant public reporting burden for the Commercial Activity Special Use Permit Application form is estimated to average 4 hours per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Comments on this form should be mailed to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS 2042-PDM, Arlington, Virginia, 22203.

General Conditions and Requirements

1. Responsibility of Permittee: The permittee, by operating on the premises, shall be considered to have accepted these premises with all facilities, fixtures, or improvements in their existing condition as of the date of this permit. At the end of the period specified or upon earlier termination, the permittee shall give up the premises in as good order and condition as when received except for reasonable wear, tear, or damage occurring without fault or negligence. The permittee will fully repay the Service for any and all damage directly or indirectly resulting from negligence or failure on his/her part, and/or the part of anyone of his/her associates, to use reasonable care.

2. Operating Rules and Laws: The permittee shall keep the premises in a neat and orderly condition at all times, and shall comply with all municipal, county, and State laws applicable to the operations under the permit as well as all Federal laws, rules, and regulations governing national wildlife refuges and the area described in this permit. The permittee shall comply with all instructions applicable to this permit issued by the refuge official in charge. The permittee shall take all reasonable precautions to prevent the escape of fires and to suppress fires and shall render all reasonable assistance in the suppression of refuge fires.

3. Use Limitations: The permittee’s use of the described premises is limited to the purposes herein specified and does not, unless provided for in this permit, allow him/her to restrict other authorized entry onto his/her area; and permits the Service to carry on whatever activities are necessary for: (1) protection and maintenance of the premises and adjacent lands administered by the Service; and (2) the management of wildlife and fish using the premises and other Service lands.

4. Transfer of Privileges: This permit is not transferable, and no privileges herein mentioned may be sublet or made available to any person or interest not mentioned in this permit. No interest hereunder may accrue through lien or be transferred to a third party without the approval of the Regional Director of the Service and the permit shall not be used for speculative purposes.

5. Compliance: The Service’s failure to require strict compliance with any of this permit’s terms, conditions, and requirements shall not constitute a waiver or be considered as a giving up of the Service’s right to thereafter enforce any of the permit’s terms or conditions.

6. Conditions of Permit not Fulfilled: If the permittee fails to fulfill any of the conditions and requirements set forth herein, all money paid under this permit shall be retained by the Government to be used to satisfy as much of the permittee’s obligation as possible.

7. Payments: All payment shall be made on or before the due date to the local representative of the Service by a postal money order or check made payable to the U.S. Fish and Wildlife Service.

8. Termination Policy: At the termination of this permit the permittee shall immediately give up possession to the Service representative, reserving, however, the rights specified in paragraph 11. If he/she fails to do so, he/she will pay the government, as liquidated damages, an amount double the rate specified in this permit for the entire time possession is withheld. Upon yielding possession, the permittee will still be allowed to reenter as needed to remove his/her property as stated in paragraph 11. The acceptance of any fee for the liquidated damages or any other act of administration relating to the continued tenancy is not to be considered as an affirmation of the permittee’s action nor shall it operate as a waiver of the Government’s right to terminate or cancel the permit for the breach of any specified condition or requirement.

9. Revocation Policy: This permit may be revoked by the Regional Director of the Service without notice for noncompliance with the terms hereof or for violation of general and/or specific laws or regulations governing national wildlife refuges or for nonuse. It is at all times subject to discretionary revocation by the Director of the Service. Upon such revocation the Service, by and through any authorized representative, may take possession of the said premises for its own and sole use, and/or may enter and possess the premises as the agent of the permittee and for his/her account.

10. Damages: The United States shall not be responsible for any loss or damage to property including, but not limited to, growing crops, animals, and machinery or injury to the permittee or his/her relatives, or to the officers, agents, employees, or any other who are on the premises from instructions or by the sufferance of wildlife or employees or representatives of the Government carrying out their official responsibilities. The permittee agrees to save the United States or any of its agencies harmless from any and all claims for damages or losses that may arise to be incident to the flooding of the premises resulting from any associated Government river and harbor, flood control, reclamation, or Tennessee Valley Authority activity.

11. Removal of Permittee's Property: Upon the expiration or termination of this permit, if all rental charges and/or damage claims due to the Government have been paid, the permittee may, within a reasonable period as stated in the permit or as determined by the refuge official in charge, but not to exceed 60 days, remove all structures, machinery, and/or equipment, etc. from the premises for which he/she is responsible. Within this period the permittee must also remove any other of his/her property including his/her acknowledged share of products or crops grown, cut, harvested, stored, or stacked on the premises. Upon failure to remove any of the above items within the aforesaid period, they shall become the property of the United States.

Instructions for Completing Application

You may complete the application portion verbally, in person or electronically and submit to the refuge for review. Note: Please read instructions carefully as not all information is required for each activity. Contact the specific refuge headquarters office where the activity is going to be conducted to determine applicability of a particular item. Special conditions or permit stipulations may be added to permit prior to approval.

1. Identify if permit application is for new, renewal or modification of an existing permit. Permit renewals may not need all information requested. Contact the specific refuge headquarters office where the activity is going to be conducted to determine applicability of this requirement.

2-9. Provide applicant or business full name, organization or business name (if applicable), address, phone, fax, and e-mail.

10. Provide tax identification number of business or individual.

11a-11b. Check box answering the question regarding any violations of State, Federal, or local law, or regulations related to fish and wildlife or permit activities, if required. If ***you answered yes to question 11a,*** supply the detailed information requested in question 11b. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if information on violations of State, Federal, or local law, or regulations related to fish and wildlife or permit activities is required.

12. Provide the names and addresses of assistants, subcontractors or subpermittees. Names and address are only required if the assistants, subcontractors or subpermittees will be operating on the refuge without the permittee being present. Volunteers, assistants, subcontractors or subpermittees that are accompanied by the permittee need not be identified.

13. Activity type: identify activity type (such as, guiding hunters, anglers, or other outdoor users, commercial filming, providing other visitor services, agriculture activities such as haying, grazing, crop planting, logging, beekeeping, and other agricultural products, building or occupying cabins, or other commercial uses). Describe other commercial uses if not one of the listed categories. Applicants in Alaska should contact the specific refuge headquarters office where the activity is going to be conducted if you have questions regarding commercial or subsistence activities.

14a-14b. Specifically identify types and numbers of other Federal, State or tribal licenses, as required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine the types of Federal, State or tribal licenses required, and to coordinate the simultaneous application for multiple types of Federal, State or tribal licenses. This SUP may be processed while other Federal, State or tribal licenses are being sought, but may, or may not, be issued until other appropriate Federal, State or tribal licenses are obtained.

15. Describe Activity: provide detailed information on the activity, including timing, frequency, how the activity is expected to proceed, etc. Permit renewals may not need activity description, if the activity is unchanged from previous permit. Most repetitive activities do not require an activity description for each visit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine applicability of this requirement.

16. Location: identify specific location (GPS coordinates preferred), if not a named facility. Most repetitive activities may not require identification of a location. In addition, permit renewals may not require a location if the activity is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if a location is required.

17a-17b. Attach a map of location, if required and activity is not conducted at a named facility. Most repetitive activities may not require a map. In addition, permit renewals may not require a map if the activity is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if a map is required.

18. Estimate number of clients per day or per season.

19. Activity/site occupancy timeline: identify beginning and ending dates, site occupation timeline, hours, clean-up and other major events. Permit renewals may not need an activity/site occupancy timeline, if the activity is unchanged from previous permit. Most repetitive activities do not require an activity/site occupancy timeline for each visit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if an activity/site occupancy timeline is required.

20a-20b. Attach Plan of Operation, if required. Most repetitive activities do not require Plans of Operations for each visit. In addition, permit renewals may not require Plans of Operations if the activity is essentially unchanged from the previous permit. Contact the specific refuge headquarters office listed where the activity is going to be conducted to determine if a Plan of Operations is required.

21a-21b. Attach trip schedule, if required. Most repetitive activities will require trip schedules for each visit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if trip schedules are required.

22a-22c. Provide name, type and carrier of insurance, if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if and type of insurance required.

23a-23d. Specifically identify types and numbers of other certifications, if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine the types of certifications required, and to coordinate the simultaneous application of multiple certifications. This Special Use Permit may be processed while other certifications are being obtained.

24a-24d. Specifically identify types and numbers of other State, Federal or tribal permits, if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine the types of certifications required, and to coordinate the simultaneous application of multiple State, Federal or tribal permits. This Special Use Permit may be processed while other State, Federal or tribal permits are being sought, but may or may not be issued until other appropriate State, Federal or tribal permits are obtained.

25a-25b. Provide name(s) of any personnel required to stay overnight, if applicable.

26. Identify all equipment and materials, which will be used, if required. Most repetitive activities do not require a list of equipment. In addition, permit renewals may not require a list of equipment if the event is essentially unchanged from the previous permit. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if a list of equipment is required.

27a-27d. Describe and provide vehicle descriptions and license plate or identification numbers of all vehicles, including boats and airplanes, if required. Motor vehicle descriptions are only required for permittee vehicle, and/or if the vehicle will be operated on the refuge without the permittee being present. Motor vehicles that are accompanied by the permittee as part of a group (convoy) activity need not be identified if cleared in advance by refuge supervisor. Specifically describe ship-to-shore, intersite (between islands, camps, or other sites) and onsite transportation mechanisms, and license plate or identification numbers, if required.

28a-28b. Identify specific location(s) of fuel cache(s) (GPS coordinates preferred), if required.

29a-29b. Attach safety plan, if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if a safety plan is required.

30. Specifically describe onsite work and/or living accommodations, if required. Include descriptions and locations (GPS coordinates preferred) of spike camps or other remote work and/or living accommodations that are not part of the base of operations. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if descriptions of on-site work and/or living accommodations are required.

31. Specifically describe onsite or offsite hazardous material storage, or other material storage space (including on and offsite fuel caches), if required. Contact the specific refuge headquarters office where the activity is going to be conducted to determine if descriptions of hazardous material storage or other on-site material storage are required.

32. Date and sign the application. Click on the Print button to print the application (if using the fillable version). The refuge official will review and, if approved, fill out the remaining information, sign, and return a copy to you for signature and acceptance.

The form is not valid as a permit unless it includes refuge approval, a station number, a refuge-assigned permit number, and is signed by a refuge official.