



VALLES CALDERA NATIONAL PRESERVE

Annual Commercial Recreation Use Permit

Guided Fishing

Guide # - VFG _____

Permit Dates: _____ to _____

These stipulations are a part of your permit to provide commercial recreation services on the Valles Caldera National Preserve to the public as underlined above and described on your approved permit. Before you may operate under your permit, you **MUST** provide (or have on file):

1. a \$300.00 flat user fee payment for first fishing guide from each business (additional guides from the same business are \$50.00 each);
2. proof of insurance: liability, workman's compensation, vehicle;
3. proof of first aid/CPR certification;
4. a schedule of prices for all trips/services offered under the permit and a copy of current brochure if one is available;
5. a copy of your business license and letter(s) of recommendation.

These requirements must be met each year prior to scheduling and guide service for that year. All permits expire December 31 of the year in which they were purchased.

A. GENERAL

1. The guide must not misrepresent in any way either the services provided, the status of the permit, or the area covered by the permit through; advertisements, signs, statements, circulars, brochures, letterhead, and like materials, oral, electronic and written. These representations may not portray activities as being conducted by the Valles Caldera Trust (VCT). However, we encourage the guide to indicate that activities are occurring under VCT permit on the Valles Caldera National Preserve (VCNP).
2. Any property of the guide left unattended on the VCNP, without permission of the Preserve Manager or designee is subject to disposition or will be removed and delivered to the outfitter or disposed of at the outfitter's expense. Violations of the road uses may result in fines, probation, suspension or cancellation of permit privileges.
3. Unless otherwise provided, nothing in this permit is to be construed as authorizing the guide to erect, construct, or place any building, structure, or other fixture on the Valles Caldera National Preserve. Any use of the VCNP is subject to the condition that upon leaving, the lands must be restored as nearly as possible to conditions existing before the permitted activity or better.
4. The Commercial Recreation Use Permit does not create an exclusive right of use of the area by the guide. The guide shall not interfere with other valid uses of the Valles Caldera National

Preserve by other users. The Valles Caldera Trust reserves the right to use any part of the area for any purpose.

5. The guide must file or have on file an operating plan to accompany their contract. Existing guide will submit operating plan revisions prior to each permit season, if necessary, or inform the Trust in writing that previous operating plans will be followed with no changes. The Trust has the authority to request new or revised operating plans if determined to be necessary.
6. This permit authorizes use of the Valles Caldera National Preserve only.
7. The Commercial Recreation Use Permit may be modified by the Trust at any time. Generally the guide will be notified of these modifications and given at least 15 days to comment on such modifications.
8. The guide is required to be familiar with and abide by all rules and/or regulations set by the Trust. They must ensure that their customers are informed of these rules and regulations. This information is available upon request from this office. Guides must also be in compliance with all local, state, and federal laws and regulations as applicable.
9. The guide must maintain a current business address and telephone number with the Valles Caldera Trust office. The address of record must be the address where the outfitter intends to receive business mail for the company or concern holding the permit. If the address of record is different from the physical address, VCT must be notified of the physical address as well. The outfitter must notify this office of any change in address or telephone number within fifteen (15) days of the change.
10. Guided Fishing Permits: The guide must report on numbers of fish taken by guide's customers.
11. The non refundable guide fee is \$300.00. The Trust is not issuing multi-year permits at this time. No permits will be issued until all fees are paid in full.
12. Schedule of Prices – The guide should include a copy of the outfitter's brochure, if available.
13. The annual commercial recreation use permit (guided fishing) is only valid during year in which permit was purchased.

B. LIABILITY/WORKERS' COMPENSATION INSURANCE

1. Guides shall indemnify, defend, and hold harmless the United States and the Valles Caldera Trust and representatives against and from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to, damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the outfitters use and occupancy of the Valles Caldera National Preserve described in this permit or with the event authorized under your permit.

2. Certificates of insurance as described below must be provided to VCT before use can take place under this permit. The VCT will accept faxed copies of certificates (505-829-4614). Failure to provide certificates before operations begin will subject the permit to immediate suspension or cancellation.
 - a. Comprehensive insurance in the minimum amounts of: \$1,000,000 bodily injury for any one person, or \$2,000,000 to \$10,000,000 for any one occurrence; and \$25,000 property damage for any one occurrence.
 - b. Vehicle insurance for all cars, trucks or buses that will be used for operations covered by this permit. The policy must identify the vehicles which are so covered.
3. All certificates shall state that (1) such insurance is in force, (2) that the insurer will give VCT seven days notice prior the cancellation or modification of such insurance, and (3) name the United States (Valles Caldera Trust) as an additional insured.
4. Policies will cover all participants and/or employees or contracted personnel.

C. TRANSFER

1. This permit is NOT transferable.

D. OWNERSHIP

1. The guide must provide a statement of ownership; and if they are a corporation, partnership, limited partnership, or association, must initially furnish the VCT with a list of officers and directors of the corporation and their addresses.

E. USE RESTRICTIONS/ENVIRONMENTAL AND RESOURCE PROTECTION

All Permits:

The guide is only authorized to use designated open roads and approved by the Preserve Manager.

1. Guide vehicles that are used on the VCNP must have day use passes displayed on windshields; these passes are for commercial use only. Passes must be placed and maintained on the vehicle as indicated on the pass or by VCT staff.
2. The following minimal impact procedures shall be followed:
 - a. Guide will not be required to provide portable toilets. The Valles Caldera Trust has portable toilets located at several different locations and they will be available.
 - b. NO open fires will be allowed on the VCNP.
 - c. All trash generated by the activity shall be hauled out of the VCNP. The trash dumpsters that are located within the VCNP will not be used.
3. The collection of artifacts or disturbance of archaeological or cultural resources is prohibited by Federal law.

4. Antlers found on the Valles Caldera National Preserve are not to be removed.

Guided Fishing Rules:

Please see [fishing rules](#) posted on the Valles Caldera National Preserve website as well as those rules issued by the New Mexico Department of Game & Fish.

Photography:

All photographs taken and on the Valles Caldera National Preserve may not be used for commercial purposes without approval of the Trust.

F. SAFETY AND EQUIPMENT

1. Guides are required to carry a first-aid kit adequate to handle common injuries.
2. Guide orientation will be offered by the Trust, to cover such topics as: safety preparedness, rescue technique, protection of the environment and rules and stipulations of the managing agencies.
3. Guides will maintain and provide to VCT a current list of staff who will conduct business on behalf of the business. This list must be updated whenever there is a change in staff. The guide shall provide proof of the following qualifications to the VCT Office:
 - a. current certification in cardio-pulmonary resuscitation (CPR).
 - b. current first aid certification. (Not required for photography permits)
 - c. driver's license number and expiration date.
4. Accident Reporting - In case of an accident requiring professional medical attention or causing property damage, the guide shall notify the VCT Office immediately after the incident.

G. PERMIT RENEWAL/ANNUAL PERFORMANCE EVALUATION

1. This permit does not constitute a commitment by the Valles Caldera Trust (VCT) to continue authorization of the permitted use beyond the permit period indicated on line 4 of the permit. The guide will be the preferred applicant for a new permit provided that guide performs in good standing.
2. Guide conduct will be monitored throughout the season. The Authorized Officer will investigate apparent and/or alleged violations of the stipulations, as brought by VCT personnel, the guide's customers, other guides, other VCT land users and other affected parties. A finding based on the evidence presented will be rendered.

Guide Signature: _____

Date: _____

Operations Director: _____

Date: _____