

1 Supporting Statement A for Paperwork Reduction Act Submission

Commercial Use Authorizations OMB Control Number 1024-0268

Terms of Clearance: None.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Conducting commercial operations in a unit of the National Park System without a contract, permit, Commercial Use Authorization (CUA), or some other written agreement is prohibited. Section 418 in Public Law 105-391 (54 U.S.C. 101925) gives the Secretary of the Interior the authority to authorize a private person, corporation, or other entity to provide services to visitors in units of the National Park System through a CUA. Such authorizations are not considered concession contracts. We (National Park Service, NPS) authorize commercial operations that originate and operate entirely within a park (in-park); commercial operations that provide services originating and terminating outside of the park boundaries; noncommercial organized children's camps, outdoor clubs, and nonprofit institutions; and other uses as the Secretary determines appropriate. The commercial operations include a range of services, such as mountain climbing guides, boat repair services, transportation services and tours, canoe livery operations, hunting guides, retail sales at festivals, fun runs, catering services, and dozens of other visitor services.

Section 418 limits CUAs to:

- Commercial operations with annual gross receipts of not more than \$25,000 resulting from services originating and provided solely within a unit of the National Park System;
- Incidental use of resources of the unit by commercial operations which provide services originating and terminating outside of the boundaries of the unit; or
- Uses by organized children's camps, outdoor clubs and nonprofit institutions (including backcountry use) and such other uses as the Secretary determines appropriate.

Nonprofit institutions are not required to obtain CUAs, unless, taxable income is derived by the institution from the authorized use.

The legislative mandate of the NPS, found at 54 U.S.C. 100101(a), is to preserve America's natural wonders unimpaired for future generations, while also making them available for the enjoyment of visitors. Meeting this mandate requires the NPS to balance preservation with use. Maintaining a good balance requires both information and limits. The information requested will allow the unit manager to evaluate requests for a commercial use to determine impact on the resources and the appropriateness of the activity.

Regulations resulting in information collection required for a CUA include:

- 36 CFR 1.6—Permits;
- 36 CFR 2—Resource Protection, Public Use and Recreation;
- 36 CFR 5—Commercial and Private Operations;
- 36 CFR 7—Special Regulations;
- 36 CFR 13—National Park System Units in Alaska.

2. Indicate how, by whom, how frequently, and for what purpose the information is to be used.

We collect information using NPS Forms: 10-550 *Commercial Use Authorization Application* 10-660 *Commercial Use Authorization Annual Report*, and 10-660A *Commercial Use Authorization Monthly Report*. We use the information from these forms to:

- Manage the program and operations.
- Determine the qualifications and abilities of the commercial operators to provide a high quality, safe, and enjoyable experience for park visitors.
- Determine the impact on the parks natural and cultural resources.
- Manage the use and impact of multiple operators.
- Calculate CUA management fees.

When deemed necessary, the following forms may be customized on a park-by park basis to

include park specific information (e.g., park name, address, point of contact name and telephone number; park-specific approved services and conditions, fee schedule/payment information, etc.).

This request for renewal includes a new proposed form, NPS 10-550s *Commercial Use Authorization Application, Short-Term*, described below.

Form 10-550 Commercial Use Authorization Application

This form is available on park websites and hard copy format. Forms may be submitted during an appropriate window of time before an event. Commercial Use Authorizations are typically issued for one (1) year however, two (2) years is the maximum allowed by law. Authorizations are not renewable, and new applications are required to continue beyond the current authorized term. This form collects the following information:

- Type of service applicant will offer
- Business Name
- Primary Contact Information (In Season) – mailing address, telephone numbers, email and website
- Contact Information (Off season) – mailing address, telephone numbers, email and website
- Type of Business (corporation, partnership, LLC, sole proprietorship, non-profit, other)
- State Business License (number, expiry) if applicable
- Employer Identification number
- Proof of required liability insurance
- Owned/leased/hired vehicles/vessels/aircraft used to conduct business
- NPS employment if applicable
- Violations of any State, Federal, or local laws or regulations committed by the company, its officers, or its employees.

Some parks have minimum requirements for businesses offering services relating to the safety and welfare of visitors and protection of resources. These requirements may include documentation of first aid training, an emergency response plan, limits to group size, etc. Park-specific requirements are identified during the application process and documentation of the

minimum requirements may be required of the applicant.

This form is changing because there is a need to clarify requested information. Updates for each form are listed in the tables below.

Old Question	New Question	Reason For Change
4. Authorized Agents: (Name and title of owner, and any onsite person authorized to manage the operation or service)	4. <i>Owner and Authorized Agents: (Give the name of the owners and name(s) of persons designated as Authorized Agents for your business. Authorized Agents have the power to sign on your behalf.</i>	Amended for clarification
6. What is your Business Type? (check below) Sole Proprietor Partnership Limited Liability Company (ST: Entity Number) Corporation (ST: Entity Number) Non-Profit	6. What is your Business Type? (check below) Sole Proprietor Partnership Limited Liability Company Corporation Non-Profit	State and entity number are required in question 7.
9. Liability and Vehicle Insurance. Provide proof of liability insurance. The CUA operator must maintain General Liability Insurance naming the United States of America as additional insured. Minimum coverage amount is \$500,000 per occurrence. Some activities will require increased coverage; see Park-Specific CUA Insurance Requirements (Attachment B). Auto Liability insurance is required, if applicable, in the minimum coverage amounts described below.	9. Liability Insurance. Provide proof of liability insurance. The CUA operator must maintain General Liability Insurance naming the United States of America as additional insured. Minimum coverage amount is \$500,000 per occurrence. Some activities will require increased coverage or other types of liability insurance; see Park-Specific CUA Insurance Requirements (Attachment A).	Attachment A and park special conditions both explain vehicle insurance if required. Questions 9 is not about vehicle insurance.

<p>10. Will your business operate vehicles/vessels/aircraft within NPS boundaries? (check yes or no). If “yes” please give a description of each vehicle. Use additional paper if necessary. All vehicles are required to be registered and the operators are required to have the proper licenses to operate them commercially, as required by law or regulation. Table requires applicant to provide for vehicles: make/model, license number, year, max # passenger capacity, indicate if owned or rented; requires applicant to provide for aircraft: make of aircraft, tail number, max # passenger capacity, indicate if owned or rented; to provide for vessels: make/model, registration or USCG documentation, length, max # passenger capacity, indicate if owned or rented.</p>	<p>10. Will your business operate* vehicles/vessels/aircraft within NPS boundaries? (check yes or no). *Information for vehicles/vessels/aircraft chartered from and operated by another company is NOT required. If “yes” please provide the following:</p> <p>Passenger Vehicle</p> <ul style="list-style-type: none"> • make/model, year, • max # passenger capacity, • indicate if owned or rented; <p>Aircraft</p> <ul style="list-style-type: none"> • make/model and tail number, • max # • passenger capacity, • indicate if owned or rented; to provide for <p>Vessels:</p> <ul style="list-style-type: none"> • make/model, • registration or USCG documentation, • length, • max # passenger capacity, • indicate if owned or rented. 	<p>Removed unnecessary information and clarified info is not required for chartered vehicles/ vessel/aircraft.</p>
<p>11. Employee Licenses and Certifications: Parks typically require proof of applicable licenses, registrations and certificates of training, such as: valid driver’s or pilot’s license, fishing license, vessel registration, dive certification, CPR certification, or others. Provide copies of licenses and certifications required by “Attachment A”.</p>	<p>11. <i>Additional Required Documentation: Parks may require proof of licenses, registrations, certificates, etc. Provide copies of additionally required documentation outlined in “Attachment B”.</i></p>	<p>Original question titled “Employee Licenses and Certifications”, but parks may require documentation other than those. Changed associated attachment from A to B.</p>
<p>14. Fee: Please include the Application/Administrative Fee as outlined in “Attachment C”.</p>	<p>14. Fee: Please include the Application Fee as outlined in “Attachment B”.</p>	<p>Reworded for clarification and changed attachment from C to B.</p>

[NEW FORM] Form 10-550s, Commercial Use Authorization Application – Short Term

This is a new form. The NPS recognizes the need to streamline the application process for one-time events, such as for vendors during farmer’s markets or operations lasting no more than seven (7) consecutive days. Short-term Authorizations are not renewable, and new applications are required to continue beyond the current authorized term.

The form collects the following information:

- Type of service applicant will offer
- Business Name
- Primary Contact Information (In Season) – mailing address, telephone numbers, email and website
- Type of Business (For-profit or non-profit)
- State Business License (number, expiry) if applicable
- Employer Identification number
- Proof of required liability insurance
- Owned/leased/rented vehicles used to conduct business
- NPS employment if applicable
- Violations of any State, Federal, or local laws or regulations committed by the company, its officers, or its employees.

Form 10-660A Commercial Use Authorization Monthly Report

NPS must strictly manage some CUA activities by imposing restrictions such as daily visitor limits to protect sensitive natural and cultural resources. Some parks may require the CUA Monthly Report to track CUA activities and associated visitor use. We estimate only 10% of CUA holders are required to complete the CUA Monthly Report.

In order to ensure maximum daily limits and seasonal average limits are not exceeded, parks use the forms to check the average and actual use of each commercial operator throughout the season. Monitoring this information ensures that commercial operators do not exceed the authorized use before the end of the season creating a gap when prospective visitors cannot be accommodated. It also ensures that commercial operators do not receive unsatisfactory ratings or suspension of their authorizations due to exceeding use limits. The information collected in the CUA Monthly Reports can be included in the Annual Report. Form 10-660A collects the following information:

- Contact information and services provided
- Report of Monthly Visitor Service for all CUA activities
- Reportable Injuries

Old Question	New Question	Reason for change
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1. CONTACT INFORMATION; Holder Name; Business Name; Mailing Address; Phone; Fax	1. CUA INFORMATION: CUA Number; Services Provided (as it appears on your authorization)	Same questions – sequence changed to allow quicker identification CUA type. CUA Number added for clarification.
2. SERVICES PROVIDED (as it appears on your authorization)	2. CONTACT INFORMATION: Holder Name; Business Name; Mailing Address; Phone; Fax	

Form 10-660 Commercial Use Authorization Annual Report and Instructions

The NPS requires submission of the CUA Annual Report every year. If monthly reports are required, the CUA holder compiles the information collected in the CUA Monthly Report and provides additional annual financial information. Form 10-660 collects the following information:

- Contact information and services provided.
- Report of annual visitor service for all CUA activities.
- Annual gross revenues derived from all CUA activities.
- Reportable injuries.

This information allows the park to manage the impacts of the commercial use on natural and cultural resources and the visiting public. Knowing the level of use allows park managers to measure and control the impacts of excessive use (e.g., trail maintenance, landscape maintenance, parking limitations, trash collection, utility use, or degradation of visitor experience, etc.). The financial information allows the park to determine that the legislatively mandated financial limits are being met for in-park operations (gross receipts not to exceed \$25,000) and allows the park to calculate CUA management fees, if applicable.

Old Question	New Question	Reason for change
1. CONTACT INFORMATION; Holder Name; Business Name; Mailing Address; Phone; Fax	1. CUA INFORMATION: CUA Number; Services Provided (as it appears on your authorization)	Same questions – sequence changed to allow quicker identification CUA type. CUA Number added for clarification..
2. SERVICES PROVIDED (as it appears on your authorization)	2. CONTACT INFORMATION: Holder Name; Business Name; Mailing Address; Phone; Fax	
5. The park is: (check box) The EXCLUSIVE destinations for your clients; a KEY DESTINATION or a SIGNIFICANT LOCATION	Question Eliminated	Unnecessary information.
6. What percentage of the service you provide is a result of visiting the park?	5. What percentage of the service you provide takes place in the	Updated number sequence

	park?	
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3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.

In accordance with Government Paperwork Elimination Act (GPEA), all forms are available in a fillable format on the NPS and park websites. Electronic forms are downloaded and submitted via email, postal mail, fax, or in person. Efforts to make the submission process 100% electronic via an online CUA portal are underway. This will eliminate the need to print, fax, mail or email forms. There will always be an option to request and submit hard copy forms.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

There is no duplication of efforts. The information requested in the CUA application is not otherwise collected by the NPS.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

Historically, small businesses have provided the majority of the visitor services authorized under CUAs. The CUA Application gathers key information necessary to determine the capability, resources, and fitness of the business to provide the services or activity, and information needed to protect park resources.

Small businesses may be minimally impacted by completing Form 10-660 *Commercial Use Authorization Annual Report* as a course of normal business operations. The financial information required at the end of the operating year is straightforward and there are no requirements for audited financial statements, advanced recordkeeping, or retention of records beyond what the IRS requires.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to

reducing burden.

In order to manage the CUA program, the NPS requires accurate and current data on the business applicants. Operational information is necessary to ensure that businesses provide the services, staff, equipment, insurance, certifications and licenses to meet operational and liability requirements, while providing a safe, legal, and quality service to National Park visitors. This information assists the NPS determine if the resources in an area are being negatively impacted. Not collecting this information could negatively affect NPS resources and visitor experiences.

Form 10-550 - The CUA Application and 10-550s CUA Application – Short Term:

collects information at the start of any commercial activity and/or a single event, annual permit, or biennial permit. It cannot be collected less frequently.

Form 10-550A The CUA Annual Report: collects of three types of data: (1) visitation information, (2) financial information, and (2) reportable injury statistics. The CUA authorization is issued for a maximum term of 2 years, or many for single events or short-term activities. Collecting the information less than on a less frequently would require retaining and retrieving information for the report after 2 years which would assume additional recordkeeping requirement for the CUA holder.

Form 10-660A Commercial Use Authorization Monthly Report: collects two types of data, (1) visitation information and (2) reportable injury statistics. Parks require this information when CUA activities are limited and strictly managed to ensure maximum daily and seasonal average limits are not exceeded. These reports can be consolidated, with the addition of financial information, into the CUA Annual Report.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**

- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Some parks may require CUA holders to submit Form 10-660A *Commercial Use Authorization Monthly Report* if additional information is needed to monitor park visitation to ensure minimal impact to park resources. There are no other special circumstances, that require us to collect this information in a manner inconsistent with OMB guidelines.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On May 28, 2019, we published in the Federal Register (84 FR 24539) a notice requesting public comment on this information collection. The comment period ended on July 29, 2019. The NPS received 17 comments from that 60-day Federal Register Notice, which have been included as supplemental documents in ROCIS. The comments received were primarily in opposition to “proposed” changes in the NPS commercial tour fees, which was not the subject of the May 28, 2019 Federal Register Notice. That notice solicited comments about the use and content of the

forms only and not proposed changes in the NPS commercial tour fees. The Commercial Use Program drafted the following message to respond to the comments that did not address the specifics of the federal register notice.

Dear respondent,

In reference to Federal Register Notice (84 FR 24539) dated May 28, 2019, we would like to acknowledge the receipt of your comment and to thank you for your response. Your comments above are about the proposed changes to NPS commercial tour fees and requirements. This current Federal Register Notice is only in reference to the continued use of the commercial use authorization (CUA) application and reporting forms. The approval of these forms is separate from the issues related to commercial tour fees and requirements.

All federal agencies with forms designed to collect information from the public must publish a federal register notice to obtain approval from the Office of Management and Budget before the form can be used. So, again, this notice was ONLY about the form and not commercial tour fees and requirements.

Thank you for your continued interest in this process. Please know that your comments are taken seriously and are being considered in the planning process. If you have any comments about the CUA application and reporting forms please send them my way.

In addition to the message above, we have summarized the comments received into seven categories listed below. The corresponding NPS response was added to the message above as appropriate.

1. **Comments unrelated to the ICR.** The majority of the comments received regarded the proposed changes to NPS commercial tour fees. These comments did not specifically address the information collection or matters related to the forms.

NPS Response: *The Federal Register Notice you've referenced is only about the continued use of the commercial use authorization (CUA) application and reporting forms. The approval of these forms is separate from the issues related to commercial tour fees and requirements. Only comments related to the application and reporting forms will be recorded as a part of the record for this collection. All other comments will be forwarded to the CUA program for its records.*

All federal agencies with forms designed to collect information from the public are required to obtain approval of those forms from the Office of Management and Budget every three years in order for the agency to continue to use the forms. So, again, this is ONLY about the form and not commercial tour fees and requirements.

2. **Administrative burden due to increased paperwork or fees.** Comments received from road-based commercial tour industry related to the administrative burden and fees charged to road-based commercial tour operators during the CUA application and reporting process.

***NPS Response:** The NPS requires all types of commercial operators to complete the same OMB approved CUA applications and reporting forms. Public Law 105-391, Section 418 requires the collection of a reasonable fee for associated administrative and management costs. The CUA application and reporting forms gather the minimum key information necessary for NPS to determine the capability, resources, and fitness of the applicant to provide the service. It also gathers the minimum amount of information needed to ensure the activity does not have more than a minimal impact on park resources and values.*

In response to this feedback, NPS completed a burden assessment to determine standard administrative and management fees for road-based commercial tour CUAs and will set the standard road-based commercial tour CUA application fee to allow for legislatively required cost recovery. Again, this process is only about the forms, not commercial tour fees.

In addition to the assessment for fees, the CUA program also consulted with the entities listed below in Table 8.1 to determine the average time to complete the forms in this collection. The average reported time aligns with the NPS burden assessment.

	#1	#2	#3	#4	#5	#6	Average
Form 10-550 - Application	3	2	2.5	3.5	2	2	2.5 hours
Form 10-550s – Application Short-Term	1	1	1.5	2	1.5	1.5	1.5 hours
Form 10-660 - Annual Report (incl. recordkeeping)	1.5	1.25	1.25	1.5	1	1	1.25 hours
Form 10-660A - Monthly Report (incl. recordkeeping)	.75	.75	.75	1	.50	.75	45 minutes

3. **Financial burden due to CUA permit fee or entry fee.** Comments received from destination marketing organizations suggested that the new CUA requirements would impose increased financial burdens on local businesses.

***NPS Response:** Public Law 105-391, Section 418 requires the collection of a reasonable fee for administrative and management costs associated with issuing and managing commercial use authorizations.*

Entrance fees are managed by another NPS program and are separate from the issues related to commercial tour CUA fees and requirements. Only comments related to the CUA application and reporting forms will be recorded as a part of the record for this collection.

4. **Concern regarding sharing financial earning information with NPS.** Comments received from commercial tour operators, in this category, suggested that reporting on annual financial earnings posed an undue burden on CUA applicants.

NPS Response: The CUA annual report collects service activity (visitors served), gross annual revenues, and injury information. The required financial information does not require audited financial statements, advanced recordkeeping, or retention of records beyond IRS requirements. The required financial information allows the NPS to determine that a CUA holder is not exceeding the legislatively mandated financial limits for in-park operations (gross receipts not to exceed \$25,000).

The NPS maintains operational information and will only release information as requested or required by law. NPS will not routinely disseminate financial information about individual CUA holders unless prompted by a FOIA request. NPS does report information collectively at the park, regional, or national level (e.g., number of CUA's, reported revenue, fees retained by NPS, etc.).

5. **Negative impact on group visits due to proposed fees associated with the collection.** Comments received from commercial tour operators suggested that an increased fee associated with the CUA would substantially reduce the number of visitors accessing parks through third party tour services.

NPS Response: Public Law 105-391, Section 418 requires the collection of a reasonable fee for administrative and management costs associated with issuing and managing commercial use authorizations.

The information required by the forms does not affect the ability of anyone to come to a park. These forms implement the administrative process of allowing and managing commercial uses in units of the National Park System.

6. **Ambiguous or opaque rules, procedures, or deadlines.** Comments received from commercial service providers suggested that the estimated burden reported by the CUA was prohibitive due to the level of detail requested to complete applications.

NPS Response: The legislative mandate of the National Park Service (NPS), found in 54 U.S.C. 100101(a), is to preserve America's natural wonders unimpaired for future generations, while also making them available for the enjoyment of visitors. Meeting this mandate requires the NPS to balance preservation with use. Maintaining a good balance requires CUA management at the unit-level. Unit managers must evaluate commercial uses to determine the impact on the resources and the appropriateness of the activity to ensure the impact does not exceed the legislatively allowed minimum impact. Units vary in staffing levels and seasonality so CUA application seasons vary. Some units have firm deadlines, and some do not, though CUA applicants may always contact a unit directly to determine if it will accept late applications. Units post application acceptance dates on websites well in advance.

During the past four and a half years, NPS has provided online trainings, frequently updated Q&As. We have also participated in numerous meetings with the road-based commercial tour industry to prepare for CUA requirements and fees (including detailing the CUA application forms and process). The NPS works to provide the most transparent process possible and will continue to provide on-going training for industry. The program will make itself available for questions and will continue to participate in industry meetings.

7. **Impractical information requested on form, specifically mentioned insurance documentation requirements.** Comments received from road-based commercial tour industry stated difficulty in furnishing Commercial Vehicle Insurance maintained by chartered motor coaches external to the tour operator.

***NPS Response:** Public Law 105-391, Section 418 requires the NPS to limit the liability of the United States arising from activities under CUA's. NPS implements this requirement, in part, by requiring all commercial operators conducting business in a unit of the National Park System to carry and maintain the appropriate categories of insurance and minimum amounts of coverage. CUA holders must have commercial general liability as well as other coverages specific to the commercial operation, including commercial automobile insurance.*

NPS has determined the minimum general commercial liability policy limit is \$500,000 per occurrence. Higher risk operations have increased minimums ultimately determined by the unit manager. Minimum commercial automobile liability policy limits are determined by state requirements for intrastate operations and the Federal Motor Carrier Safety Act.

In addition to this Notice, we contacted six entities outside the agency, by telephone and email. They were asked to suggest ways to improve the forms and for comments on:

- whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions they felt were unnecessary;
- ways to enhance the quality, utility, and clarity of the information to be collected; and
- ways to minimize the burden of the collection of information on respondents.

We used the information to make the changes and updates presented Question 2 above. The respondents indicated that the information collected was appropriate and necessary and provided comments related to the revised edits of the forms. The comments supported the NPS' current logistics and practices so no actions were necessary to change the way the forms are submitted.

Table 8.1 Consultations outside organization with title

<i>Homer Air, Owner</i>	<i>Owner</i>
<i>Living Adventure Co.</i>	<i>President, CEO</i>
<i>Kittatinny Canoes</i>	<i>Owner</i>
<i>Crystal River Outfitters</i>	<i>Owner</i>
<i>Hansers Wreckers</i>	<i>Owner</i>
<i>Caught Looking Charters</i>	<i>Owner</i>

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

We do not provide payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

We do not provide any assurance of confidentiality. The information collected is subject to the requirements of the Privacy Act and the Freedom of Information Act. We maintain information collected in accordance with Privacy Act System of Records, Commercial Use Authorization System-NPS-24 (78 FR 20944, April 8, 2013).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.**

We estimate we will receive 63,920 annual responses totaling 61,080 annual burden hours. The estimated burden for each respondent group listed in the table below.

The dollar value of the burden hours is approximately \$2,306,643 (rounded). We used the Bureau of Labor Statistics (BLS) News Release USDL-19-1002, June 18, 2019 Employer Costs for Employee Compensation— released March 19, 2019, (<http://www.bls.gov/news.release/pdf/ecec.pdf>) to estimate average hourly wages and to calculate benefits. All CUA holders are licensed businesses, not individuals. Therefore, all burden for this collection is reported under the Private Sector category.

- We used Table 1 to calculate the total compensation for all private sector as \$36.77, including the multiplier for benefits.

Table 12.1 Total Annual Hour Burden

Activity	No. of Annual Responses	Completion Time per Response	Total Annual Hours	Rate Including Benefits	\$ Value of Annual Burden Hours
Form 10-550 - Application	5,880	2.5 hours	14,700	\$36.77	\$540,519
Form 10-550s – Application Short-Term	120	1.5 hours	180	\$36.77	\$6,679
Form 10-660 - Annual Report (incl. recordkeeping)	5,800	1.25 hours	7,250	\$36.77	\$319,899
Form 10-660A - Monthly Report (incl. recordkeeping)	52,200	45 minutes	39,150	\$36.77	1,439,546
Totals	63,920		61,080		0

13. Provide an estimate of the total annual non-hour cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as**

purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices.**

We estimate the non-hour burden costs for this information collection to be \$1,480,000 for application fees. Application fees range from \$150 to \$350 depending on the level of effort to issue, accept, review, and approve the CUA. With this, we assume an average application fee of \$250 (\$250 × 6,000 applications per year).

Table 13.1 Non-hour Cost Burden

CAU Applications	Number Received	Application Fee (average)	Non-hour burden costs
Form 10-550 Private Sector	5,880	\$250	\$1,450,000
Form 10-550s Private Sector	120	\$250	30,000
TOTAL	6,000	\$250	0

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

We estimate the annual cost to the Federal government to administer this information collection is \$1,790,436 (\$1,720,436 for salaries/benefits plus \$70,000 for other costs detailed in table 14.2).

NPS personnel in parks responsible for reviewing CUA applications reside in all 50 States.

Many of the parks are not in defined locality pay areas. Therefore, we used the Office of Personnel Management Salary Table 2019-RUS (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/19Tables/html/RUS_h.aspx) to estimate the average hourly rates including benefits for CUA Coordinator/Concessions Managers, (GS-11/5), Superintendents (GS-14/5) and Budget Techs (GS7/5) to calculate the annual cost to administer this information collection. The staff time for each activity follows:

- **Applications:** includes time for creating, posting, and mailing (when necessary) the application; answering queries; receiving and reviewing applications; data entry and filing.
- **Reports:** includes time for receiving and tracking data, reconciling monthly reports, and filing.

Table 14.1 Total annual cost to the Federal Government

Position	GS Level	Hourly Rate	Hourly Rate incl. benefits*	Annual Hours			Annual Cost*
				Applications	Reports	Total	
CUA Coordinator/ Concessions Manager	11/5	\$33.80	\$54.08	18,000	9,000	27,000	\$1,460,160
Superintendent	14/5	\$56.92	\$91.07	1,500	0	1,500	\$136,605
Budget Tech	5/7	19.52	\$31.23	1,980	1,980	3,960	\$123,671
							0

*Hourly Rate x Benefits multiplier (1.6 rounded)

** Rounded

Table 14.2 – Operational Expenses

Action	Cost
Training Expenses for 25 park coordinators /year @ \$2,500	\$62,500
Equipment and Supplies at park level (estimated 145 parks)	7,250
Printing	\$250
0	

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

We made adjustments in hour and cost burden estimates because the number of received CUA applications fluctuates on a yearly basis. Over the last three years the NPS has seen annual

decrease of approximately 100 CUA applicants.

Based on public comments received, the NPS is requesting to add Form 10-550s, ‘Commercial Use Application – Short-Term’ to this collection. This form proposes to streamline the application process for short-term CUAs applicants requesting one-time events or for operations lasting seven days or less. The proposed 10-550s, will collect the information necessary to meet legislative requirements allowing NPS to manage services provided by CUAs, while reducing the application burden on CUA applicants.

Based on our experiences with annual and monthly reports, we have revised the number of responses that resulted in a change in the burden hours. Please see Table 15.1 for a breakdown of the associated program changes.

Form 10-550 - In 2016, NPS estimated the number of CUA applicants at 5,900. Based on the number of applications received between 2016 and 2019, NPS now assumes it will receive approximately 5,880 CUA applications (Form 10-550) annually. The net decrease of 100 responses results in the net decrease of 250 burden hours.

Form 10-550s - This is a new form that will cause a net increase of 120 responses and 180 burden hours.

Form 10-660 - Annual Report – Based upon the revised estimated number of Form 10-550, we expect to receive 5,900 reports which will cause a net decrease of 100 respondents submitting annual reports causing a net increase decrease of 125 hours.

Form 10-660A - Monthly Report - In 2016, NPS estimated it would receive Form 10-660A from 5,900 CUA holders 9 months out of the year, equating to 53,1000 total responses and 39,825 burden hours. This overestimated because NPS assumed all CUA holders would submit Form 10-660A. Currently, approximately 10% of CUA holders are required by NPS units to submit Form 10-660. The reduction of 920 responses resulted in a net decrease of 625 hours.

Table 15.1. Program Changes due to Agency request.

Form	Previously Approved		Current Request		Program Change due to Agency Estimate	
	Number of responses	Time Burden (hours)	Number of responses	Time Burden (hours)	Number of responses	Time Burden (hours)
Form 10-550 - Application	5,900	14,750	5,800	14,500	-100	-250
Form 10-550s – Application Short-	0	0	120	180	+100	+180

Term						
Form 10-660 - Annual Report	5,900	7,375	5,800	7,520	-100	-125
Form 10-660A - Monthly Report	53,100	39,825	52,200	39,150	-900	-675
TOTAL	0	0	00	0	-1,100	-1,050

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The CUA holder’s contact information and details of the services provided are collected in the application form and may be published on NPS unit websites to advertise the services offered. The parks, where the activity takes place, may make the information available online, typically in a spreadsheet format. The information may also be available for requests by phone or in person. NPS will not routinely release information considered confidential (e.g., financial information).

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We will display the OMB control number and expiration date on the forms.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.