

EXHIBIT H
ARKANSAS HEADWATERS RECREATION AREA
SPECIAL USE AGREEMENT
ROCK CLIMBING, HIKING & MT. BIKING

PURPOSE OF EXHIBIT: To authorize **Company Legal** operating as **Company dba** the following activities for **2019** within the AHRA:

- Commercially guided Rock Climbing at _____
- Commercially guided Hiking at _____
- Commercially guided Mt. Biking at _____

as detailed in the AHRA Operating and Safety Plan, within the Agreement term, operation windows where applicable, capacities within the AHRA and pursuant to the provisions of the Arkansas Headwaters Recreation Area Management Plan (AHRA-MP) and the following Conditions:

CONDITIONS:

1. AHRA Special Use Agreement Application

As an addendum to Condition 1 of the Special Use Agreement, any person or business entity conducting any of the authorized commercial operations listed above shall meet the following requirement(s):

- a. Submit a marked map illustrating all areas within the AHRA proposed for commercial operations.
- b. Submit a list of all guides, list of other certifications (with copies) and a copy of their valid CPR/1st Aid Card at the time of application for the Agreement.

2. Authorized Activity Requirements: Rock Climbing

a. Holder and Guide Certification Requirements

- 1) Rock Guide, Rock Instructor or Top Rope Site Manager certification through the American Mountain Guides Association or certification through the International Federation of Mountain Guides Association; OR another certification approved in advance by AHRA.
- 2) If the aforementioned requirement 10.a.1) is not met, then the Holder must be accredited through the American Mountain Guides Association or another association/organization approved in advance by AHRA.
- 3) All guides/instructors must possess a valid CPR and standard first aid card at minimum and possess a working knowledge of technical rescue techniques.
- 4) The Holder is responsible for maintaining accurate records of the aforementioned qualifications. Testing of guides or instructors to ensure qualifications are met is the responsibility of the Holder. CPW or its agent may inspect records at any reasonable time.

b. Equitable Use

- 1) All instruction that takes place on multi-pitch climbs where the party does not intend to complete the entire route is limited to one climb at a time per guide with a maximum of two students.

- 2) Ropes cannot be hung on a climb and left unused. Someone must be belayed and climbing the pitch or the party must be preparing to do so.
- 3) Parking areas cannot be used for instructional purposes. This refers to any activity that would prevent a park visitor from parking in a legal parking spot. Parking by guides and/or their clients is permitted.

c. Safety

- 1) All climbing instruction involving multi-pitch climbs will involve no greater than 3 clients per guide.
- 2) The Holder must ensure that clients are adequately prepared or supplied with equipment needed for a safe climb.
- 3) The Holder or his or her designee will monitor the client's physical condition so that they can safely complete the climb.
- 4) Use of judgment and ability to recognize one's limits shall be imparted to clients by guides/instructors.
- 5) A written notice must be provided to clients identifying the general risks of rock climbing prior to the climb. Further, each client must sign a waiver of liability.

d. Environmental Awareness

The Holder will stress the value of low impact and clean climbing techniques. The Holder will not allow the placement of fixed gear to include webbing, pitons, and/or bolts. Any other alteration or modification of resource features including removal of lichen, trundling loose rock, etc. is expressly prohibited. A written notice must be provided to and approved by AHRA before any rock trundling operations or physically altering any of the surroundings. Groups will minimize their impact on small staging areas and informal trails by dispersing the groups away from vegetation and erosion areas.

3. Authorized Activity Requirements: Hiking

a. Holder and Guide Certification Requirements

- 1) All guides/instructors must possess a valid CPR and standard first aid card at minimum.

b. Equitable Use

- 1) Yield the right-of-way to horseback riders and take up no more than half the width of the trail.

c. Safety

- 1) The Holder must ensure that clients are adequately prepared or supplied with equipment needed for a safe hike.
- 2) The Holder or his or her designee will monitor the client's physical condition so that they can safely complete the hike.
- 3) Use of judgment and ability to recognize one's limits shall be imparted to clients by guides/instructors.

- 4) A written notice must be provided to clients identifying the general risks of hiking prior to the hike. Further, each client must sign a waiver of liability.
4. Authorized Activity Requirements: Mt. Biking
 - a. Holder and Guide Certification Requirements
 - 1) All guides/instructors must possess a valid CPR and standard first aid card at minimum.
 - b. Equitable Use
 - 1) Bicyclists give the right-of-way to all other trail users.
 - c. Safety
 - 1) The Holder must ensure that clients are adequately prepared or supplied with equipment needed for a safe mountain biking ride.
 - 2) The Holder or his or her designee will monitor the client's physical condition so that they can safely complete the bike ride.
 - 3) Use of judgment and ability to recognize one's limits shall be imparted to clients by guides/instructors.
 - 4) A written notice must be provided to clients identifying the general risks of mountain biking prior to the ride. Further, each client must sign a waiver of liability.