

IMPORTANT - REGULATIONS & PERMITS

Paddling trips occur in a variety of locations that can have varied laws, regulations, and regional practices. These can come from a local jurisdiction, a trade association, at the state level, a federal agency, and even a combination of these. Though unlikely to occur for day trips, it's important to be aware about passing through multiple areas that can have different rules and regulations. Location dependent, a paddling trip can also cross a national boundary, which can add further complexity. It is not possible to cover and outline all of the laws and distinctions, since they are numerous, and they can change as laws are updated and revised. It is extremely important for everyone to know that ACA certification alone does not grant or guarantee access to paddling locations. For some bodies of water, stating you are an ACA Guide or Leader, "guide", "trip leader", or "instructor" may have legal ramifications if you are also not licensed or do not follow the regulations for that waterway. Always follow the laws, rules and regulations of local management agencies. Please find some guiding questions below to assist in determining what may need to happen:

- Who are the land management agencies (i.e. USFS) and/or jurisdictions (i.e. Indian Reservation) of the paddling trip location?
- What type of access is allowed and in what areas (i.e. public and commercial)?
- What are the requirements for access (i.e. permit and fee)?
- What time frames or constraints are there for gaining access (i.e. 'first come, first served' and day use only)?

These are some additional distinctions and areas to consider:

- **Designation** - Some land management agencies may have different requirements for how they designate user groups, such as commercial, non-profit, educational, etc. Other agencies may have no distinction, or they just have a difference between members of the public and groups that are all considered commercial. It is important to determine your designation, and in many cases this is up to how the management agency defines this.
- **License** - This is an official granted permission, generally by a state or federal government, to use, do, or own something. Specifically to paddlesports, this may be to operate paddle craft and/or guide groups. Some states, such as Maine, require a license for any type of outdoor activity where an individual is receiving any form of remuneration.
- **Permit** - This has some similarities to a license. However, they are generally shorter in duration, limited in scope, and do not necessarily address standards that may be required for a license. These may be issued to an individual or a company, and there are many variations of how they function. They can grant specific dates and an itinerary, they may be applicable for a certain number of days over an entire year, or they may be filled out the day of.
- **Insurance** - There are many types and ranges of insurance coverage for individuals and businesses. Determining what may be needed is beyond the scope of this course and should require consultation of a legal professional knowledgeable of the regulating area and type of industry. The reminder here is that licenses, permits, and access to paddling areas may require specific types of insurance and/or an indemnification to the managing agency.
- **Trade Association** - Similar to insurance, being a member of a trade association may be part of the process to obtain permits or licenses for states and areas that require them. That may be a requirement or a

recommendation. The ACA has many functions similar to a trade association, but it does not meet that requirement.

[US Forest Service Outfitter & Guide Permits \(America Outdoors & Garden Law Firm\)](#)

[Guides & Outfitters on Federal Lands: Background & Permitting Processes \(Congressional Research Service\)](#)