



National Park Service
U.S. Department of the Interior

Effigy Mounds
National Monument

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Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other Restrictions
Imposed Under Discretionary Authority.

Approved:

Susan R. Snow Superintendent

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 C.F.R."), Chapter 1, Parts 1-7, authorized by Title 54 United States Code, Section 100751, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Effigy Mounds National Monument. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 C.F.R., Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

36 C.F.R. § 1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

Visiting Hours:

- The park is open during daylight hours. "Daylight hours" is defined as being one hour before sunrise until one hour after sunset. **The Park is closed outside of these hours unless there is a park-sanctioned activity.** The Superintendent makes exceptions to these limits for evening programs, approved special use permits, activities of culturally associated American Indian Tribes, or approval on an individual basis.

Reason for Determination:

Visiting hours: With the establishment of the park, the President of the United States proclaimed that no unauthorized person shall "appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof". There are no overnight camping facilities in the park, and except for scheduled evening interpretive programs there is no valid scientific or educational reason to allow visitor use of the park after dark. Doing so would leave the site vulnerable to looting or vandalism. Visiting is therefore limited to daylight hours.

Closures:

- The Superintendent reserves the right to close the park or portions thereof, for resource management purposes, non-public meetings, government-to-government meetings and consultations, activities of culturally associated American Indian Tribes, public holidays, national security, or emergency situations.
- All rock faces along the Mississippi and Yellow Rivers are closed to both free and technical rock climbing.

Reason for Determination:

Technical and free climbing of any rock face along the Mississippi and Yellow Rivers may potentially damage archaeological resources and/or rare, threatened, or endangered plant or animal communities. Climbing in these areas is therefore prohibited.

- All rock shelters are closed to public access unless authorized by the superintendent or their designee.

Reason for Determination:

Unauthorized access to rock shelters located in the North, South and Heritage Addition units may potentially damage archaeological resources. Accessing these areas without authorization is therefore prohibited.

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Effigy Mounds National Monument is prohibited except as approved in writing by the Superintendent.

Definition: The term “unmanned aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

Reason for Determination:

Effigy Mounds National Monument is an indigenous ceremonial and burial area. Protection of the surviving features requires etiquette from visitors. Appropriate cultural, scientific, and educational activities of the site would be adversely impacted by allowing the unregulated use of unmanned aircraft within the park.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

- Picnicking is permitted in the public use areas adjacent to the parking lots. Picnicking along public trails and adjacent to mound groups is prohibited.

Reason for Determination:

Effigy Mounds National Monument exists to preserve and protect indigenous ceremonial and burial areas. Protection of the surviving features requires etiquette from visitors. There is no valid educational reason to allow picnicking activities in these areas.

- Recreational activities such as disk throwing, ball playing, etc. are restricted to the mowed turf area adjacent to the visitor center and the associated parking lot. Activities are further restricted, at the discretion of the Superintendent, to those that are low impact and do not result in damage to turf or other resources or cause undue interference with other park visitors.

Reason for Determination:

Effigy Mounds National Monument exists to preserve and protect indigenous ceremonial and burial areas. Protection of the surviving features requires etiquette from visitors. There is no valid educational reason to allow sport-like recreational activities in these areas.

Boat Launching Sites:

- Watercraft may be launched from the boat ramp at the Sny Magill Unit.

Wakeless Areas:

- The Yellow River is a no wake zone.
- Johnson Slough along the Sny Magill Unit is a no wake zone.

Reason for Determination:

Restrictions on Specified Uses: River access points and wakeless areas at Effigy Mounds National Monument reflect the very limited number of river public access points within the park and the fragile foreshore. The Iowa Department of Natural Resources has declared the Johnson Slough a no wake zone.

The following restrictions and/or conditions are in effect for the specific uses or activities noted:

Passenger Carrying Busses:

- Engines must be shut down when not underway.

Reason for Determination:

The idling of bus engines adds unnecessary noise and exhaust fumes which diminish enjoyment of the peace and tranquility of the park.

The following COVID-19 restrictions or actions are in effect within Effigy Mounds National Monument for public health and safety:

When the COVID-19 Community Level is **LOW** or **MEDIUM** in the county or all the counties where the park is located based on data provided by the Centers for Disease Control and Prevention (CDC), individuals are not required to wear masks.

When the COVID-19 Community Level is **HIGH** in the county or all the counties where the park is located based on data provided by the CDC, all individuals over the age of two must wear masks, regardless of vaccination status, in all common areas and shared workspaces in buildings owned, leased, or otherwise controlled by the National Park Service, including, but not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.

When the COVID-19 Community Level is **HIGH** in one or more, but not all, of the counties where the park is located based on data provided by the CDC, the superintendent will determine whether individuals are required to wear masks. The requirement, if any, will apply to all facilities within the park.

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of the COVID-19 Community Level, individuals may wear masks if they choose to do so. Where a state, local, tribal, or territorial government where the park is located imposes more protective mask-wearing requirements than those indicated by the COVID-19 Community Level, individuals must follow those more protective requirements within the park. More protective state, local, tribal, or territorial mask-wearing requirements are hereby adopted as federal requirements in all units of the National Park System located within that state, locality, area subject to a federally recognized Indian tribe's regulatory jurisdiction, or territory, regardless of a particular park's jurisdictional status.

Additionally, all individuals must wear masks in or on public transportation conveyances and transportation hubs/facilities, to the extent required by current orders or directives issued by the CDC, the Transportation Security Administration (TSA), or other federal agencies with jurisdiction over those conveyances or areas. As of March 4, 2022, CDC and TSA orders or directives require all individuals regardless of vaccination status to wear masks in indoor areas of all forms of public transportation conveyances, including busses, trains, and boats/ferries, and in the indoor premises of transportation hubs/facilities. Individuals are not required to wear masks while outdoors on conveyances or while

outdoors on the premises of transportation hubs/facilities.

Reason for Determination:

To reduce threats to the health and safety of individuals within Effigy Mounds National Monument from the spread of coronavirus disease 2019, in compliance with Executive Order 13991.

36 C.F.R. § 1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 C.F.R. Section that authorizes or requires the issuance of a permit.

36 C.F.R. § 2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending or traversing the listed archeological or cultural resource, monuments or statues:

- Except for management purposes, walking on identifiable mounds is prohibited.
- All rock shelters are closed to public access unless permitted in writing by the Superintendent or their designee.

Reason for Determination:

Walking on identifiable mounds and within rock shelters may damage those resources. There is no valid interpretive or educational reason for walking on the mounds. Affiliated Tribal authorities have conveyed that walking on the mounds is disrespectful. Mounds and rock shelters are therefore closed to foot travel.

36 C.F.R. § 2.2 - WILDLIFE PROTECTION

(d) The transporting of lawfully taken wildlife through the park is permitted under the following conditions and procedures:

- Legally obtained wildlife that is within the limits of federal and state laws may be transported through the Sny Magill Unit public access road.

Reason for Determination:

The transportation of legally obtained wildlife through the Sny Magill Unit public access corridor poses an acceptably low level of risk to the public and wildlife within the park.

36 C.F.R. § 2.4 – WEAPONS, TRAPS, AND NETS

(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:

- Possession of weapons, traps and nets is allowed provided such implements are legally possessed and being used outside the park in accordance with state and federal law. A person may possess, carry, and transport firearms within Effigy Mounds National Monument in accordance with State of Iowa and Federal laws.

Reason for Determination:

The possession of weapons, traps and nets is permitted and poses a limited and acceptable level of risk to the public and wildlife within the park, provided such implements are possessed and being used in

accordance with state and federal law. A person may possess, carry, and transport firearms within Effigy Mounds National Monument in accordance with State of Iowa and Federal laws.

(a)(2)(h) Notwithstanding any other provision in this Chapter, a person may possess, carry, and transport concealed, loaded, and operable firearms within a national park area in accordance with the laws of the state in which the national park area, or that portion thereof, is located, except as otherwise prohibited by applicable Federal law.

This authority does not extend to Federal facilities within the park (18 U.S.C. § 930(a)). Federal facilities include: The Visitor Center, the Administrative / Management Offices, and the Maintenance Facilities.

Reason for Determination: *Compliance with the United States Code.*

36 C.F.R. § 2.5 – RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.

Reason for Determination:

Effigy Mounds National Monument is an indigenous burial and ceremonial area. The collection of research specimens requires consultation with associated Tribal governments.

36 C.F.R. § 2.11 – PICNICKING

Most areas of the park have been closed to picnicking and are listed in section 1.5(a)(1) "Closures".

Picnicking is allowed on the grounds by the Visitor Center and the associated parking area.

Conditions for Picnicking:

For the purposes of this section, picnicking is defined as more than the mere possession or consumption of food. It may include such activities as the spreading of blankets or ground covers, setting up tables and/or chairs, storage of food in coolers or other containers, or other similar social activities.

Reason for Determination:

Effigy Mounds National Monument is an indigenous burial and ceremonial area. Protection of the surviving features requires etiquette from visitors. Additionally, the park contains sensitive archeological features. Appropriate cultural, scientific, and educational activities would be adversely impacted by allowing picnicking throughout the grounds.

36 C.F.R. § 2.15 – PETS

(a)(3) Pets may be left unattended and tied to an object in the following areas, under the conditions noted:

- To use the Visitor Center facilities (bathroom, drinking fountain), pets may be tied for a period no more than five minutes in the parking lot area adjacent to the Visitor Center.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- Pet excrement must be immediately collected by the pet handler and disposed of in the nearest trash receptacle.
- If there is not a trash receptacle in the area, the excrement shall be removed from the park by the handler.

Reason for Determination:

Pet owners are responsible for their animals, including cleaning up after them. The nature of the park, an indigenous burial and ceremonial site, requires the park to be treated with respect.

36 C.F.R. § 2.16 – HORSES and PACK ANIMALS

(b) The use of horses or pack animals is allowed on the following trails, routes or areas:

- Horses and pack animals are permitted in the paved Visitor Center parking lot and the Sny Magill Unit access road and parking lot. Horses and pack animals are prohibited from all other park areas.
- Horses may not be fed within the park and owners must take away all horse manure.

Reason for Determination:

This restriction is necessary to maintain public safety and for the protection of the cultural, environmental, and scenic values of the park.

36 C.F.R. § 2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking as noted:

- Smoking, which includes the use of e-cigarettes and other similar devices, is prohibited in all public buildings.
- Smoking on trails and other outside areas of the park may be prohibited during periods of high fire danger.
- Cigarette butts or any other smoking debris should be packed out and properly disposed of and not dropped on the trails or other outdoor areas.

Reason for Determination:

This restriction is necessary for public health and safety.

36 C.F.R. § 2.35 – ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

The consumption of alcoholic beverages or the possession of an open container of an alcoholic beverage is prohibited in the following areas:

Inside the Visitor Center and within 100 feet of all Mound Groups.

Reason for Determination:

The restriction is in place to protect facilities and resources from potential damage which may occur from liquid spills or the accumulation of refuse where receptacles are not present. The Mound Groups that Effigy Mounds National Monument preserves and protects are burial and ceremonial. Consumption of alcoholic beverages in the immediate vicinity of the mound areas is disrespectful.

36 C.F.R. § 2.37 – NONCOMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under § 2.50, §2.51, or §2.52.

Reason for Determination:

Permitting noncommercial soliciting within the park would be contrary to the significance and purpose of Effigy Mounds National Monument.

36 C.F.R. § 2.38 – EXPLOSIVES

(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit.

(b) Using, or possessing fireworks and firecrackers is prohibited.

Reason for Determination:

Permitting the use of explosives within the park would be contrary to the significance and purpose of Effigy Mounds National Monument.

36 C.F.R. § 2.50 – SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the Superintendent.

36 C.F.R. § 2.51 - DEMONSTRATIONS

(b) Demonstrations of more than 25 people are allowed within park areas designated as available under paragraph (c)(2) when the Superintendent has issued a permit for the activity.

NOTE: Demonstrations involving 25 persons or fewer may be held without a permit in the designated park areas (c)(2), provided that the requirements within §2.51(b) are met.

(c)(2) The following locations are designated as available for demonstrations:

- The Visitor Center parking area central pedestrian island and lawn.
- The Visitor Center outdoor presentation area.
- The Sny Magill parking area.

Reason for Determination:

Permitting demonstrations in areas other than listed would be contrary to the significance and purpose of Effigy Mounds National Monument.

36 C.F.R. § 2.52 - SALE OR DISTRIBUTION OF PRINTED MATTER

(a) The sale or distribution of printed matter by less than 25 persons is allowed within designated areas within park areas designated as available under §2.51(c)(2)

(b) The sale or distribution of printed matter by more than 25 persons is allowed within park areas designated as available under §2.51(c)(2) (see above) when the Superintendent has issued a permit.

Reason for Determination:

Permitting demonstrations in areas other than listed would be contrary to the significance and purpose of Effigy Mounds National Monument.

36 C.F.R. § 2.60 – LIVESTOCK USE AND AGRICULTURE

(a) Livestock are generally prohibited in any park area. They are only permitted in park areas pursuant to the exceptions provided for in §2.60(a) and only pursuant to the terms and conditions of a license, permit, or lease.

36 C.F.R. § 2.61 – RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.

36 C.F.R. § 2.62 – MEMORIALIZATION

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation is prohibited.

Reason for Determination:

Permitting the installation of memorials or the scattering of human ashes within the park would potentially contaminate the archaeological and sacred landscape and would be contrary to the significance and purpose of Effigy Mounds National Monument.

36 C.F.R. § 3.6 – BOATING OPERATIONS

(d)(1) Vessels may not create a wake or exceed 5 mph in the following areas:

- The Yellow River.

(h) The following areas/sites are designated for the launching or recovery of vessels using a trailer:

- Sny Magill public access area.

(i) The following areas/sites are designated for the launching or recovery of vessels propelled by machinery:

- Sny Magill public access area.

Reason for Determination:

Restrictions on Specified Uses: River access points and wakeless areas at Effigy Mounds National Monument reflect the very limited number of river public access points within the park and the fragile foreshore.

36 C.F.R. § 3.19 – USE OF SUBMERSIBLES

The use of manned or unmanned submersibles may only occur in accordance with a permit issued by the Superintendent.

36 C.F.R. § 4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Park roads, open for travel by motor vehicle are those indicated below, and/or as indicated in the following publication or document (attached hereto):

- The Visitor Center parking area and Headquarters Loop Road.
- Sny Magill public access roadway.

Reason for Determination:

These are the only roads within Effigy Mounds National Monument that are maintained to a standard suitable for public use.

36 C.F.R. § 4.21 – SPEED LIMITS

(b) The following speed limits are established for the routes/roads indicated:

- The Visitor Center parking area and Headquarters Loop Road: 5 MPH.
- Sny Magill Public Access Roadway: 25 MPH.

Reason for Determination:

Based on the standards and conditions of the roads, these speed limits are needed to ensure visitor safety and resource protection.

36 C.F.R. § 4.30 – BICYCLES/E-BIKES

(a) The use of a bicycle is prohibited except on park roads and in parking areas.

- Electric bicycles (E-bikes) are allowed in Iowa where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited (ex. public sidewalks, gravel traces, etc).
- A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(3)-(5).
- Except as specified in this Compendium, the use of an e-bike within Effigy Mounds National Monument is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

Reason for Determination:

Trails within the park are not designed for bicycles and could present a risk to visitors.

36 C.F.R. § 5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

Reason for Determination:

Permitting advertisements within the park would be contrary to the significance and purpose of Effigy Mounds National Monument.

36 C.F.R. § 5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

36 C.F.R. § 5.4 – COMMERCIAL PASSENGER-CARRYING MOTOR VEHICLES

(a) The commercial transportation of passengers by motor vehicle except as authorized under a contract or permit from the Secretary or his authorized representative is prohibited in certain parks. See §5.4(a) for more information.

36 C.F.R. § 5.5 – COMMERCIAL FILMING/PHOTOGRAPHY

(a) Commercial filming and still photography activities are subject to the provisions of 43 CFR Part 5. All commercial filming requires a permit. Still photography regardless of perceived commercial or professional status of photographer does not require a permit unless:

- It uses a model, set, or prop (For the purposes of [43 CFR 5.2](#), portrait subjects such as wedding parties and graduation photos are not considered models.)
- It takes place where members of the public are not allowed
- The park would incur costs to provide onsite management to protect resources or minimize visitor use conflicts

Non-Commercial Filming

Non-Commercial Filming may require a permit if a permit is necessary to manage the activity to protect park resources and values while minimizing conflict between user groups or to ensure public safety. Examples of non-commercial filming include, but are not limited to, filming for tourism bureaus, convention and visitor bureaus, and student filming. In most cases, a permit is not necessary for visitors engaging in casual, non-commercial filming.

(b) Audio recording does not require a permit unless:

- It takes place at locations where or when members of the public are generally not allowed
- The equipment requires mechanical transport
- It requires an external power source
- The activity requires monitoring
- The activity impacts resources

If the superintendent determines that the terms and conditions of a permit could not mitigate the concerns identified above in an acceptable manner, the Superintendent may deny a filming request without issuing

a permit. The Superintendent will provide the basis for denial in writing upon request. Violating a term or condition of a permit issued under this action may result in suspension and revocation of the permit by the Superintendent.

Reason for Determination:

Effigy Mounds National Monument is an indigenous burial and ceremonial area. Additionally, the park contains sensitive archeological features. The Superintendent must carefully weigh all filming requests to ensure the protection of these areas.

36 C.F.R. § 5.6 – COMMERCIAL VEHICLES

(b) & (c): Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited and requires permission or a permit from the Superintendent.



Visitor Center



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

0 10 20 40 60 80 Meters

Produced by EFMOCR

September 2019

FILE: Untitled.mxd



Sny Magill



0 12.5 25 50 75 100 Meters

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September 2019

FILE: Untitled.mxd