

**EFFIGY MOUNDS NATIONAL MONUMENT COMPENDIUM OF
SUPERINTENDENTS ORDERS
2009**

Compendium of Designations, Closures, Request Requirements and other Restrictions imposed under the discretionary authority of the superintendent.

Under the provisions of 16 USC, Section 3, and Title 36, Code of Federal Regulations, Chapter 1, Parts 1-7, the following Superintendents Orders (compendium) are established for Effigy Mounds National Monument. Unless otherwise noted, these orders apply in addition to the provisions contained in parts 1-7 of Title 36 CFR.

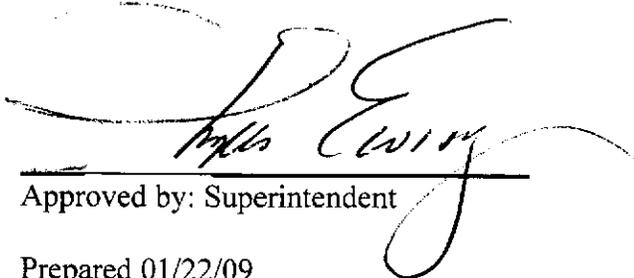
Compendium justification notes from the superintendent as required in 36 CFR 1.5(c) are listed in Appendix A.



Recommended by: Park Ranger (LE)

1/22/09

Date



Approved by: Superintendent

January 22, 2009

Date

Prepared 01/22/09

§ 1.5 Closure's and public use limits.

(a) (1) The park is open during daylight hours. Daylight hours is defined as one half hour before sunrise to one half-hour after sunset. The superintendent makes exceptions to these limits for evening programs, approved special use permits or approval on an individual basis. The superintendent reserves the right to close the park or portions thereof, for resource management purposes, public holidays, national security or emergency situations.

(a) (1) Any public activity, such as standing, sitting or walking on the mounds is prohibited.

(a) (1) All mound groups, rock shelters and historical sites, located in the North, South and Heritage Addition units that are not on established public trails, are closed to public access unless permitted in writing by the superintendent or their designee.

§ 1.6 Permits

(c) Permits are required for group and individual activities, and special events that may impact the resource or affect other visitors using the park. All permits will be processed in accordance with the provisions of NPS-53, Special Park uses.

Activities that require a permit include, but are not restricted to:

Specimen Collection	2.5
Special Events	2.50
Public Assemblies	2.50
Sale or Distribution of Printed Material	2.52
Scattering of Human Ashes	2.62(a)
Commercial Filming	5.5(a)
Commercial Photography	5.5(b)

§ 2.1 Preservation of natural, cultural and archaeological resources

(c) (1) Small amounts of berries, seeds and nuts may be gathered for immediate personal consumption within the park, but nothing can be removed from the park.

§ 2.2 Wildlife Protection

(d) Legally obtained wildlife that is within the limits of federal and state laws may be transported through the Sny Magill Unit public access corridor.

§ 2.4 Weapons, Traps and Nets

(a) Possession of weapons, traps and nets is permitted within the Sny Magill Unit public access corridor, provided such implements are legally possessed and being used outside the park in accordance with state and federal law, and are rendered temporarily inoperable or are packed, cased or stored in a manner that will prevent their ready use.

(b) Notwithstanding any other provision in the 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.

§ 2.11 Picnicking

Picnicking is permitted only in designated picnic areas. These areas are: the lawns surrounding the Visitor Center and the boat dock / parking area of the Sny Magill Unit public access area.

§ 2.13 Fires

(a) (2) The use of stoves, charcoal or gas grills or other cooking devices is prohibited within the park, unless permitted in accordance with the terms of a special use permit.

§ 2.15 Pets

(a) (5) 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.

§ 2.16 Horses and pack animals

(a) Horses and pack animals are permitted in the visitor center parking lot and the Sny Magill Unit public access corridor. Unless being used for resource management purposes, horses and pack animals are prohibited from all other park areas.

§ 2.20 Skating, skateboards, and similar devices.

Use of these devices is prohibited. Bicycles of all types are not permitted in the park beyond the visitor center parking area, or the Sny Magill Public access corridor. Segway® Personal Transporters (or similar such device) are not permitted in the park beyond the visitor center parking area, or the Sny Magill Public access corridor, *unless* the Segway® Personal Transporter is being used by persons with disabilities in designated handicapped accessible locations where persons with disabilities currently use personal mechanized modes of conveyance.

§ 2.21 Smoking

(a) Smoking 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.

§ 2.23 Recreation fees

(a) Established recreation fees will be collected from all recreational park users during collection periods, except for individuals using the Sny Magill Unit public access corridor or individuals in watercraft on the Yellow River.

§ 2.35 Alcoholic beverages and controlled substances

(a)(3)(i)(A) Possession and or consumption of alcoholic beverages is prohibited, unless possession and or consumption is permitted in association with a special use permit. Possession of unopened alcoholic beverages in the Sny Magill public access corridor is permitted.

§ 2.51 Public assemblies, meetings

(a) (e) These activities may be conducted under a permit issued by the superintendent and can only take place in area(s) listed under the conditions of the permit. The permit must be obtained during normal business hours, at least 36 hours in advance of the planned activity. The activities can only take place on the grass island in the center of the parking lot.

§ 2.52 Sale or distribution of printed matter

(a) (e) These activities may be conducted under a permit issued by the superintendent and can only take place in area(s) listed under the conditions of the permit. The permit must be obtained during normal business hours, at least 36 hours in advance of the planned activity. The activities can only take place on the grass island in the center of the parking lot.

APPENDIX A COMPENDIUM JUSTIFICATION NOTES

As required in 36 CFR 1.5(c), the superintendent has prepared a written determination justifying the actions set forth in this compendium. The justification of actions are listed below.

§ 1.5 Closure's and public use limits.

(a) (1) The superintendent has determined that visitation in other than daylight hours is incompatible with the educational and scientific purposes for which the park was established. The superintendent has also determined that this closure is necessary for visitor safety and protection of government property. Emergency and holiday closures will be posted and/or announced through the media.

(a) (1) The superintendent has determined that it is necessary to close the mounds to public travel because of the possibility of damage from erosion and or intentional acts of vandalism.

(a) (1) The superintendent has determined that the closure of all mound groups and rock shelters and historical sites, located in the North, South and Heritage Addition units that are not on established public trails is necessary for visitor safety and protection of government property. These areas are sensitive archaeological, historical and biological sites with no trails, interpretive or visitor services available for their use. The superintendent may grant access to these areas for educational or scientific reason.

§ 1.6 Permits

(c) The superintendent has determined that permits are necessary for the listed activities in order to protect park resources and to avoid conflicts in visitor use.

§ 2.1 Preservation of natural, cultural and archaeological resources

(c) (1) The superintendent has determined that berries, seeds and nut collecting in small amounts will not adversely affect wildlife or the reproductive potential of traditionally collected plants at this time.

§ 2.2 Wildlife Protection

(d) The superintendent has determined that the transportation of legally obtained wildlife through the Sny Magill Unit public access corridor poses an acceptable level of risk to the general public and wildlife within the park.

§ 2.4 Weapons, traps and nets

(a) The superintendent has determined that the possession of a weapons, traps and nets is permitted within the Sny Magill Unit public access corridor, and poses a limited, and acceptable level of risk to the general public and wildlife within the park, provided such implements are

possessed and being used in accordance with state and federal law, and are rendered temporarily inoperable or are packed, cased or stored in a manner that will prevent their ready use.

(b) Concealed weapons permits for firearms from the State of Iowa ONLY will be valid within the boundary of the Monument. The State of Iowa does not share reciprocity with any other state for accepting their concealed weapons permits as valid in Iowa. Persons from other states carrying a concealed weapon in Iowa with a concealed weapon permit from another state are in violation of State Law. No firearms, either concealed or in the open, may be possessed within or brought into any Federal building on the site. This will allow persons from Iowa with a valid concealed weapon permit to carry a concealed weapon on the grounds of the Monument as long as they do so in accordance with State Law and the provisions of their concealed weapons permit.

§ 2.11 Picnicking

The superintendent has determined that picnicking in non-picnicking areas would conflict with the scientific and educational purposes for which the park was established.

§ 2.13 Fires

(a) (2) The superintendent has determined that the use of stoves, charcoal or gas grills or other cooking devices is inconsistent with the mission and facilities within the park, and could possibly put resources at risk.

§ 2.15 Pets

(a) (5) The superintendent has determined this restriction is necessary to maintain public safety and for protection of the environmental and scenic values of the park.

§ 2.16 Horses and pack animals

(a) The superintendent has determined this restriction necessary to maintain public safety and for the protection of the environmental and scenic values of the park.

§ 2.20 Skating, skateboards, and similar devices

The superintendent has determined this restriction of these and similar devices is necessary for public safety and the protection of park resources. The use of Segway® Personal Transporters (or similar such device) have been determined to be appropriate for use in areas designated as being available to individuals with physical disabilities.

§ 2.21 Smoking

(a) The superintendent has determined this restriction is necessary for public health and safety.

§ 2.23 Recreation fees

(a) The superintendent has determined this variance necessary to account for lawful recreational users who are only travelling through the park by watercraft on the Yellow River or by vehicle in the Sny Magill access corridor, and do not come in contact with fee collection stations.

§ 2.35 Alcoholic beverages and controlled substances

(a) (3) (A) The superintendent has determined that restrictions regarding the possession and or consumption of alcoholic beverages is necessary for public safety, and to prevent conflicts with the scientific and educational uses for which the park was established.

§ 2.51 Public assemblies, meetings

(a) (e) The superintendent has determined these restrictions are necessary for public safety and to prevent any conflicts with the scientific and educational uses for which the park was established.

§ 2.52 Sale or distribution of printed matter

(a) (e) The superintendent has determined these restrictions are necessary for public safety and to prevent any conflicts with the scientific and educational uses for which the park was established.