



**National Park Service
U.S. Department of the Interior**



Grant-Kohrs Ranch National Historic Site
266 Warren Lane, Deer Lodge, MT 59722
406-846-2070 phone

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

Approved
Date: 3/15/2022

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Grant-Kohrs Ranch National Historical Site. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, 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 following the title Determination Statement.

36 CFR §1.4 DEFINITIONS

Unmanned aircraft means a device that is used or intended to be used in 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.

Preservation Subzone means the area of the park east of the Clark Fork River, surrounding the park's historic structures. See map on page 10 for more details.

Special Use Zone means areas of the park that are closed to the public access. See "Closures" on page 3 for more details.

Grazing/Haying Subzone means all areas within the park that are not part of the Preservation Subzone or Special Use Zone.

I. 36 CFR §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:

- Public access is open to the Preservation Subzone (see map on page 10), the Visitor Center Parking Lot, the Visitor Center and walking trail, and the Nature Trail, unless otherwise posted:
 - Memorial Day to Labor Day from 9:00 am to 5:30 pm
 - Labor Day to Memorial Day 9:00 am to 4:30 pm
- Roads and trails West of the River in the Grazing/Haying Subzone are open to the public from dawn to dusk.
- Public access may be provided at designated times by ranger guided tour, special use permit, or upon specific authorization of the superintendent.

Determination Statement: Public hours are established in order to protect the natural and cultural resources from resource damage, theft, vandalism and inappropriate activities, in addition to protecting visitor safety since some of these areas can present hazardous conditions, which become extreme during seasonal variations of weather and daylight.

Public Use Limits:

- Motor vehicle access is limited to the Visitor Center parking area and the handicapped parking East of the Dairy Barn. See Parking map on page 12. Use of motor vehicles such as Segways and motorized scooters are prohibited in the National Historic Site.

Determination Statement: Public use limits are established to protect resources and visitor safety. Use of motor vehicles such as Segways and motorized scooters within the historic site are considered inappropriate for the purposes for which the historic site was intended. Restrictions may also help to reduce user conflicts and protect the historic scene.

- Any visitor with a disability is permitted to use a motorized wheelchair, Segway, or motorized scooter throughout the historic site, including all structures, facilities, monument roads, sidewalks, trails and other surfaces where the general public is allowed access and when such devices are used for the sole purpose of mobility assistance. Use of any mobility assistive device, as outlined above, must also adhere to the following:
 - No person under 16 years of age may operate a motorized wheelchair, Segway or motorized scooter without direct adult supervision.
 - The person utilizing a Segway will be escorted by NPS staff to minimize the potential danger that operating such a device around livestock may elicit.
 - A person shall operate any mobility assistive device in a safe and responsible manner so as not to endanger one's self or any other historic site visitor.
 - A person riding any mobility assistive device shall have all the rights and duties applicable to a pedestrian under the same circumstances, except that the mobility assistive device operator must always yield to pedestrians.
- Any visitor requiring the use of a mobility assisted device should park at the Handicapped parking East of the Dairy Barn and is permitted to drive the device on the site's gravel administrative use roads, but is not permitted on the paved visitor center walking trail due to visitor safety concerns. See Parking map on page 12.

Determination Statement: The Segway is a two-wheeled, gyroscopically stabilized, battery powered personal transportation device. While Segways, golf carts, and motorized scooters (or similar devices) are not "designed solely for" mobility-impaired persons and thus do not meet the definition of a motorized wheelchair in 36 CFR Section 1.4, some individuals with disabilities use

these devices as their means of personal mobility, in lieu of more traditional devices like the wheelchair. In accordance with Management Policies, Section 8.2.4 and Director's Order 42, the NPS is committed to making all reasonable efforts to make its programs, facilities, and services accessible to people with disabilities. Allowing the use of motorized wheelchairs, Segways, golf carts, and motorized scooters by people with disabilities is part of this effort.

- Service Animals, as defined under 28 CFR 36.104, are “any guide dog, signal dog, or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability.” Animals that meet this definition are considered service animals regardless of whether they have been licensed or certified by a State or local government. The superintendent may close an area to all service animals upon an individualized assessment and a written determination that allowance of any domestic animal would pose a direct threat to the health and safety of people, livestock or wildlife. Individual service animals may be prohibited from any area upon an individualized assessment that the animal’s current behavior poses a direct threat to the health and safety of people or wildlife or when presence of the animal would result in a fundamental alteration to the nature of the historic site or public activities.

Determination Statement: Service animals for persons with disabilities have traditionally been understood to be guide dogs for blind individuals and hearing assistance dogs for persons with hearing impairments. Because these animals provide service for persons with disabilities, they are not considered to be pets and, consequently, are not regulated as pets. Accordingly, they have been allowed to go into areas where pets are traditionally prohibited and are exempt from prohibitions on pets in NPS areas. In 1990, with the passage of the Americans with Disabilities Act (ADA), the Department of Justice (DOJ) expanded the concept of service animals to include those providing a service for individuals with other disabilities. 36 CFR 2.15 states “guide dogs for the blind” and “signal dogs for persons with hearing impairments” are exempt from prohibitions on pets. All service animals are exempt from prohibitions on pets and, when accompanying a person with a disability (as defined by Federal law and DOJ regulations), will be allowed wherever visitors or employees are allowed. In accordance with Management Policies, Section 8.2.4 and Director's Order 42, the NPS is committed to making all reasonable efforts to make its programs, facilities, and services accessible to people with disabilities. The NPS has set a goal of ensuring that all people, including persons with disabilities, have the highest level of accessibility that is reasonable to our programs, facilities, and services in conformance with applicable regulations and standards. Therefore the definition of service animals has been expanded to be consistent with the DOJ definition in order to allow all service animals accompanying persons with disabilities the same privileges currently provided to guide dogs and hearing assistance dogs. Historic Site managers determined that the use of service animals by persons with disabilities is generally safe and appropriate in all areas currently open to access by the general public.

Closures:

- All park areas are closed on New Year’s Day, Thanksgiving Day, and Christmas Day.
- Areas within the Special Use Zone are closed to the public. The Special Use Zone includes the city of Deer Lodge’s wastewater treatment facility, the sewage lagoons, and the Burlington Northern/Montana Western railroad right-of-way.
- HS-01 The Ranch House is closed to the public except by escorted tour or by permit approved by the Superintendent.
- Building 9004 Museum Storage Facility is closed to the public except by escorted tour or by appointment with the park curator subject to staff availability.

Determination Statement: It is necessary to establish these area closures and restrictions in order to protect the natural and cultural resources from resource damage, theft, vandalism and inappropriate activities. It is also necessary for visitor safety since some of these areas can present hazardous

conditions, which become extreme during seasonal variations of weather and daylight, and construction activities.

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Grant-Kohrs Ranch National Historic Site is prohibited except as approved in writing by the superintendent.

Determination Statement: The use of unmanned aircraft may negatively impact public safety, natural or cultural resources and could conflict with visitor use activities.

(a)(2) Designate areas for specific use or activity, or impose conditions or restrictions on a use or activity

Mask Wearing Requirements

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.

Filming

The following types of filming activities may occur in areas open to the public without a permit and without advance notice to the NPS:

- Outdoor filming activities [outside of areas managed as wilderness] involving five persons or less and equipment that will be carried at all times, except for small tripods used to hold cameras.

The organizer of any other type of filming activity must provide written notice to the Superintendent at least 10 days prior to the start of the proposed activity. Based upon the information provided, the Superintendent may require the organizer to apply for and obtain a permit if necessary to:

- maintain public health and safety;

- protect environmental or scenic values;
- protect natural or cultural resources;
- allow for equitable allocation and use of facilities; or
- avoid conflict among visitor use activities.

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.

The NPS will consider requests and process permit applications in a timely manner. Processing times will vary depending on the complexity of the proposed activity. If the organizer provides the required 10 day advance notice to the NPS and has not received a written response from the NPS that a permit is required prior to the first day of production, the proposed filming activities may occur without a permit.

The following are prohibited:

- (1) Engaging in a filming activity without providing advance notice to the Superintendent when required.
- (2) Engaging in a filming activity without a permit if [the activity takes place in areas managed as wilderness or if]3 the Superintendent has notified the organizer in writing that a permit is required.
- (3) Violating a term and condition of a permit issued under this action.

Violating a term or condition of a permit issued under to this action may also result in the suspension and revocation of the permit by the Superintendent.

Determination Statement: Filming activities should occur during public hours. Public hours are established in order to protect the natural and cultural resources from resource damage, theft, vandalism and inappropriate activities, in addition to protecting visitor safety since some of these areas can present hazardous conditions, which become extreme during seasonal variations of weather and daylight.

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

(f) The following is a list of prohibited or restricted activities the superintendent may authorize through a permit:

- §1.5(d) The following activities related to Public Use Limits:
 - Demonstrations
 - Special Events
 - Weddings
 - Athletic Events
 - Driving horse-drawn wagon
 - First Amendment Activities
- §2.5(a) Specimen collection (Taking of plant, fish, wildlife, rocks or minerals)
- §2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52)
- §2.60(b) Livestock use and agriculture
- §2.62 Memorialization:

- (a) Erection of monuments (Requires approval from Regional Director)
- (b) Scattering ashes from human cremation
- §5.1 Advertisements (Display, posting or distribution)
- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).
- §5.5 Commercial Photography:
 - Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.

III. GENERAL REGULATIONS

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(c)(1), (c)(2) The following fruits, nuts, berries or unoccupied seashells may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or use or consumption restrictions:

- Apples: hand gathered for personal, non-commercial use and consumption in the park only
- Gooseberries: hand gathered for personal, non-commercial use and consumption in the park only
- Chokecherries: hand gathered for personal, non-commercial use and consumption in the park only

Determination Statement: The park determined that collection of these items for personal use will not have a negative impact on natural resources. Allowing limited harvesting for human consumption is meant to assure fruits are also available for wildlife.

36 CFR §2.3 – FISHING

(a) Fishing shall be in accordance with the Montana laws and regulations.

36 CFR §2.10 – CAMPING AND FOOD STORAGE

Camping is prohibited in the park.

Determination Statement: The park does not have the infrastructure to support overnight stays and the lack of facilities would lead to resource damage if camping occurred.

36 CFR §2.11 – PICNICKING

Picnicking is permitted in all outdoor public areas on a first come, first serve basis. Picnicking is also permitted in the dairy barn (HS-9) and the stallion barn (HS-19). Visitors must clean up after themselves.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas and/or receptacles, and under the conditions noted:

Established Conditions for Fires:

- During authorized interpretive functions using fire containment appropriate to the function.
- The use of stoves, charcoal, or gas grills or other cooking devices by the public is prohibited.
- Groups may request use of stoves, grills, or fire through a special use permit.

- Fires must be monitored at all times.
- During periods of high fire danger, the Superintendent may close all or a portion of the park to the lighting and maintaining of fires.

Determination Statement: Fires and ash disposal are regulated to protect human life, park structures and park resources. The park does not have the infrastructure for safe use and containment of fire, ash, or hot coals. Use of stoves, grills and cooking devices could put park resources at risk.

36 CFR §2.15 – PETS

(a)(1) Dogs, cats and other pets are prohibited in the following areas:

- All park buildings.
- Trails and administrative roads in the Preservation Subzone (see maps on page 10 and page 14).

Determination Statement: Pet behavior can interfere with the natural sounds of the park and can scare wildlife and ranch livestock. Note: Section 36 CFR §1.5 of this Compendium addresses service animals.

(a)(3) Pets may be left unattended in vehicles in the Visitor Center park area, under the conditions noted:

- No barking, growling, or howling
- As long as they have proper ventilation and water and if weather conditions are not hazardous to the immediate welfare of the animal.

Determination Statement: The park wants to ensure the safety and well-being of visitors and their pets.

(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 site.

Determination Statement: Cattle and horse excrement is easily recognizable and appropriate to this operating ranch. Pet excrement has an undesirable smell and is unsightly.

36 CFR §2.16 – HORSES and PACK ANIMALS

(b) The use of horses or pack animals is allowed on the following trails, routes or areas (see attached map titled “Horse Trails” on page 11):

- Horses and pack animals should stay on designated roads and trails shared with park vehicles and visitors.
- Horses and pack animals must stay at least 100 feet away from all livestock.

Determination Statement: We must ensure the welfare of the park livestock, prevent invasive plants and weeds from entering the ranch grounds, and ensure safety for all visitors.

(g) Other conditions concerning the use of horses or pack animals:

- Riding is limited to speeds no faster than a trot.
- Horses and pack animals must proceed at a slow walk and yield when passing in the immediate vicinity of persons on foot.
- Riders must leave gates as they find them. If the gate is found closed, rider must close the gate after passing through.

- Cleaning of horse trailers on site is prohibited.
- All horses must arrive healthy, physically sound, and have a safe temperament.

Determination Statement: We must ensure the welfare of the park livestock, prevent invasive plants and weeds from entering the ranch grounds, and ensure safety for all visitors.

36 CFR §2.21 – SMOKING

(a) Smoking is only allowed in the following areas as long as individuals are 25 feet from buildings:

- The Visitor Center parking lot.
- The Warren House parking lot.
- The parking area outside the Maintenance Shop.

Determination Statement: Smoking is prohibited in all but the above areas to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities.

36 CFR §2.35 – ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The possession or consumption of alcoholic beverages is prohibited unless possession and or consumption is permitted in association with a special use permit approved by the superintendent.

Determination Statement: The park is closed to alcohol consumption as this activity is incompatible with the historic nature of the park and its potential to negatively impact visitor experience.

36 CFR §2.51 – DEMONSTRATIONS

(b) Demonstrations of 25 people or less are allowed within the park areas designated as available under paragraph (c)(2). However, there are exceptions and, even when not required, a permit is recommended or in order to ensure space will be available at a particular designated location. Demonstrations of more than 25 people are allowed at designated locations areas when the superintendent has issued a permit for the activity.

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

- The south side of the Visitor Center parking lot is identified as the “Free Speech Designated Area.” A map showing the location is located on page 13 of this document.

36 CFR §2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

(c)(4) The following locations are designated as available for the sale and distribution of non-commercial printed matter when a permit has been issued by the superintendent.

- The south side of the Visitor Center parking lot is identified as the “Free Speech Designated Area.” A map showing the location is located on page 13 of this document.

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains, or in the following designated areas without a permit, in accordance with the following terms and conditions:

- The remains to be scattered must have been cremated and pulverized.

- The scattering of remains by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility, or body of water.

36 CFR §4.30 - BICYCLES

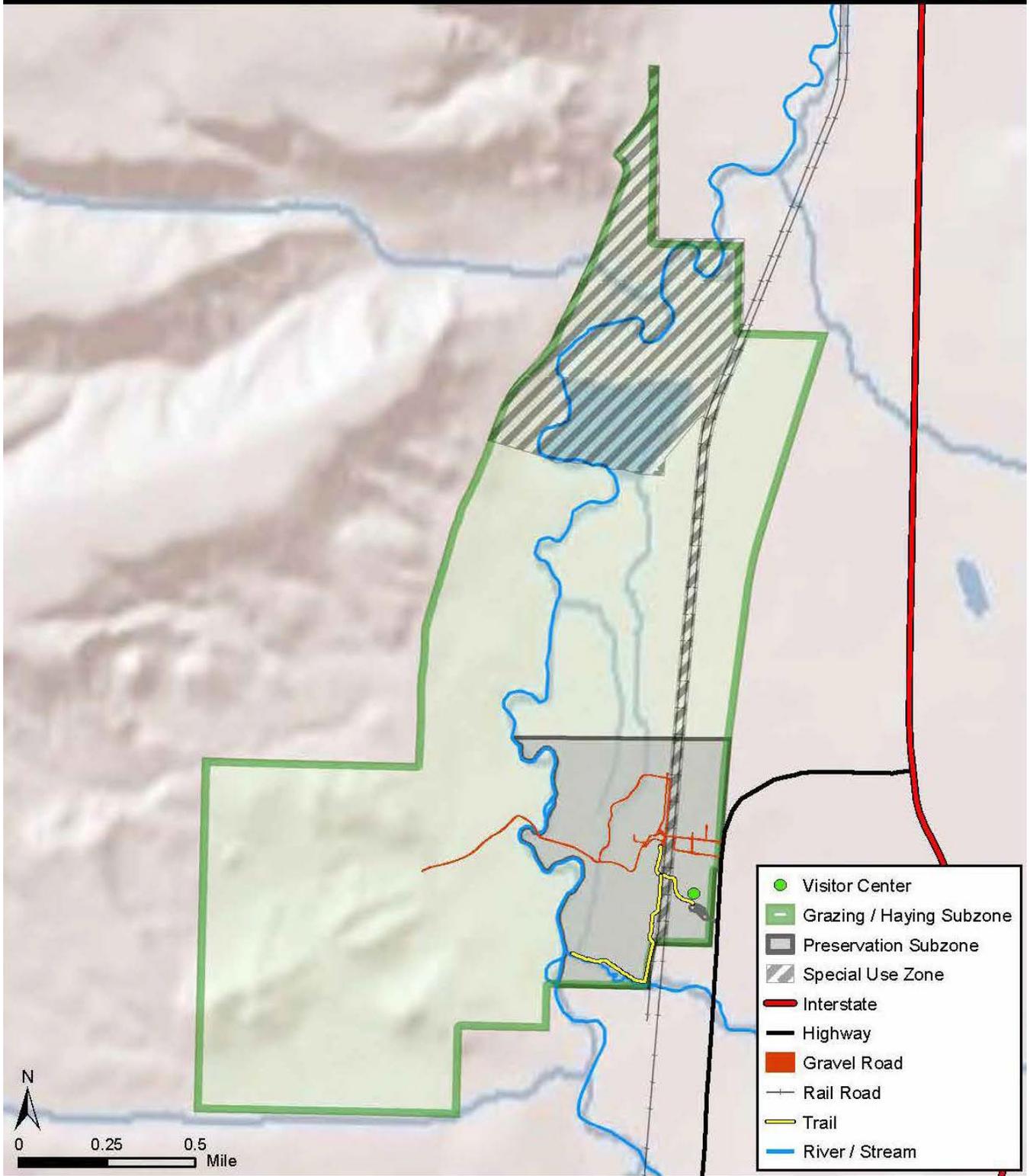
- Public bicycle use is prohibited in the park.

Determination Statement: Park roads are not open for motor vehicle use by the general public. (National Park Service regulations state that bicycles are only allowed on roads that are open for motor vehicle use.) Bicycles could conflict with visitor use, livestock or equipment movement on roads and trails.

Grant-Kohrs Ranch National Historic Site

Preservation Subzone

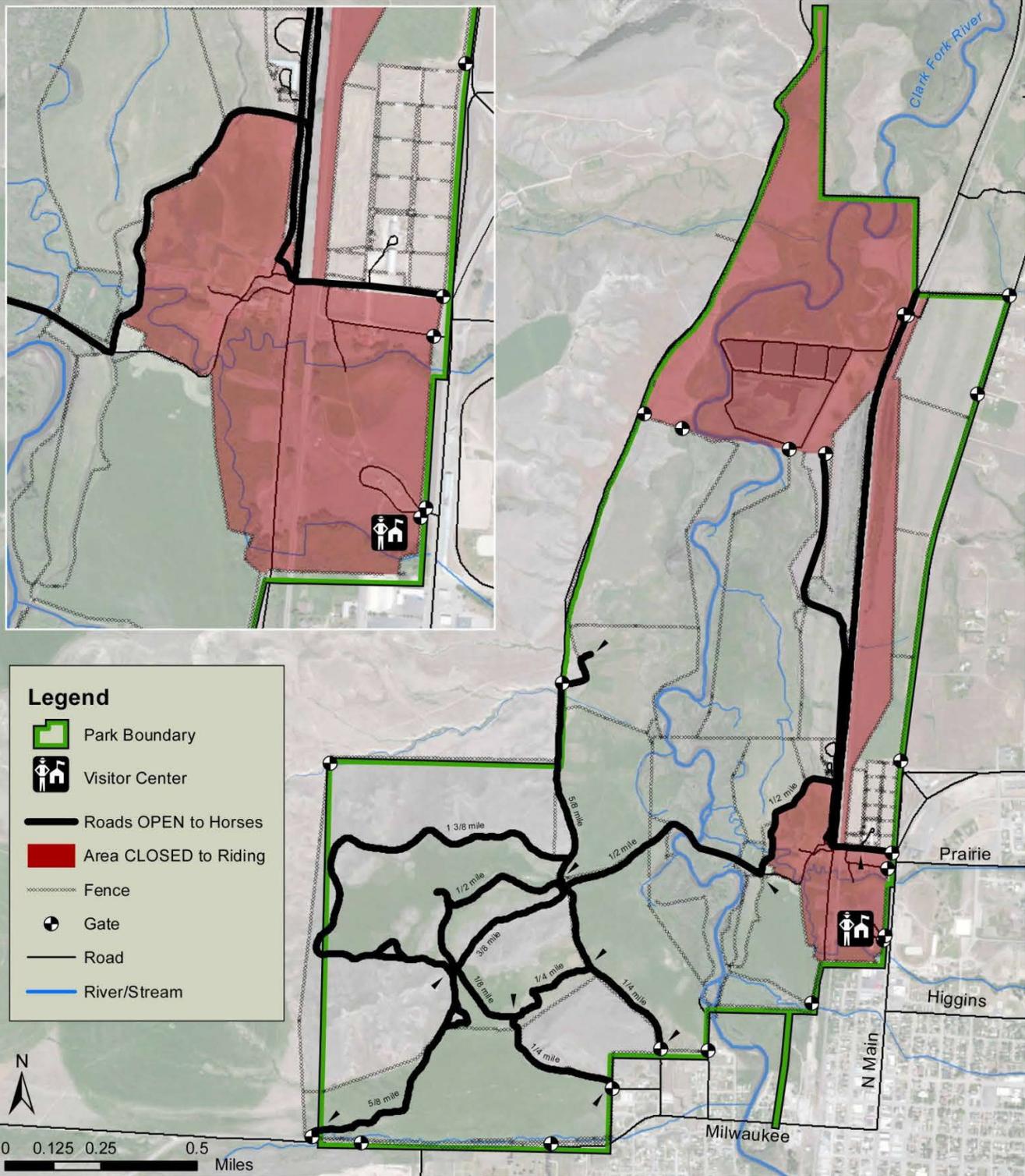
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Grant-Kohrs Ranch National Historic Site

Horse Trails

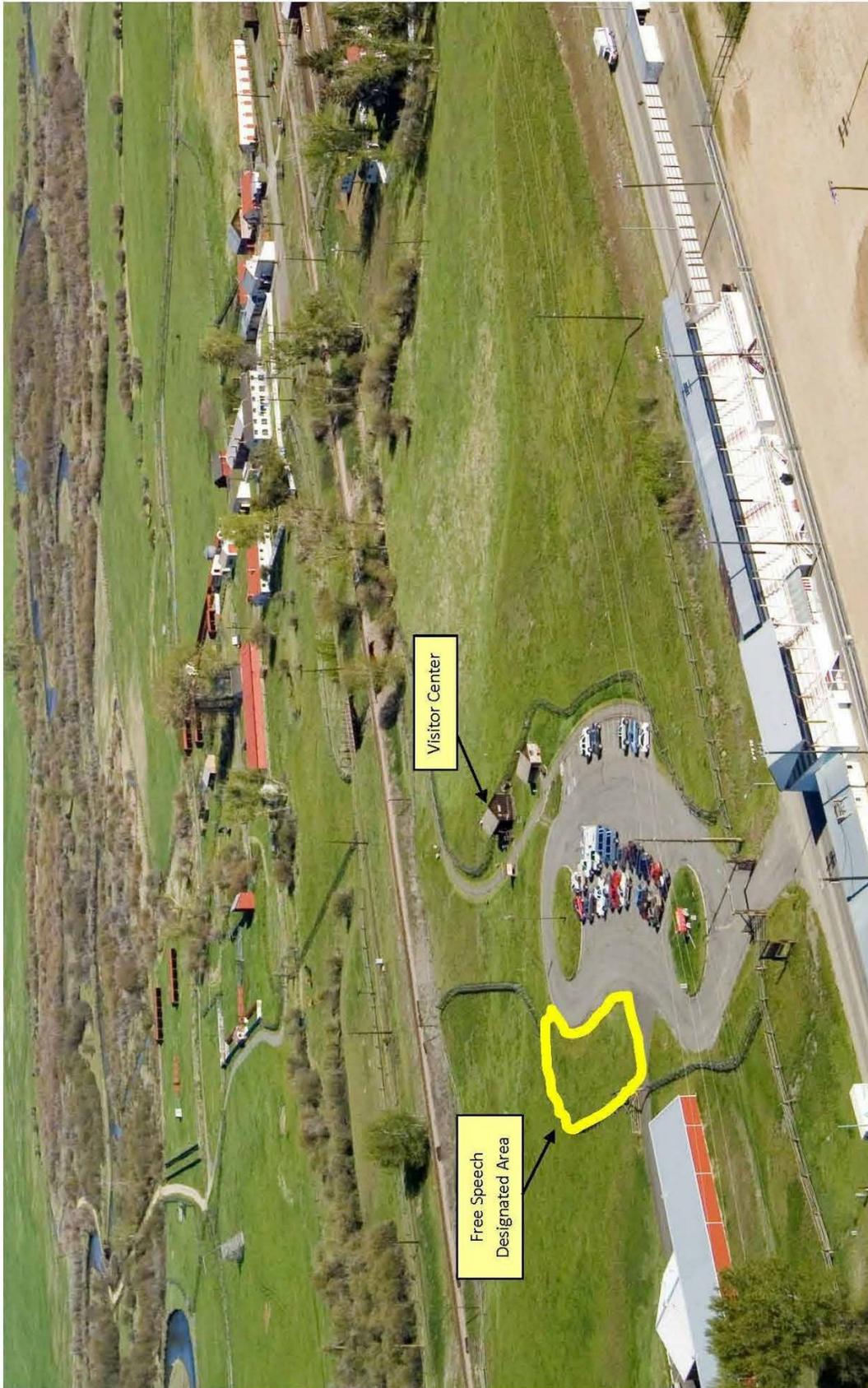
Intermountain Region
National Park Service
U.S. Department of the Interior



Produced by the Intermountain Region Geographic Resources Division
Denver, Co

August 2014
Data Sources: ESRI Basedata, NPS Park Data
GRKO_14_05_HorseTrailMapMXDs\FinalGRKO_HorseMap.mxd

Public Assemblies and Distribution of Printed Materials



Free Speech Designated Area is 0.14 acres or approximately 6,100 sq. feet.