

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

**Lava Beds National** 

Monument

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# Superintendent's Compendium

Of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority.

Approved: 1/26/10 /s/ signature on file

David F. Kruse, Superintendent

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 regulatory provisions are established for the proper management, protection, government and public use of those portions of Lava Beds National Monument under the jurisdiction of the National Park Service. 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.

# $\underline{36}$ CFR $\underline{\$}1.5$ – 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 visitor center hours are from 8:30 am -5:00 pm daily during the winter months and from 8:00 am -6:00 pm during the summer months unless otherwise posted.

#### Public Use Limits:

- The Cave Loop Road is closed to motor vehicle use during nighttime hours or when road closure gate is closed. Pedestrian and non-motorized bicycle use during these hours is permitted. *This is to reduce instances of vandalism and drinking in caves after dark.*
- A maximum of two vehicles or three motorcycles per campsite is permitted in the Indian Well Campground provided those vehicles do not obstruct traffic. This determination is based on the need to keep all vehicles on the pavement.
- All vehicles in Indian Well Campground must be parked on the pavement. This determination is based on the need to protect the area from undue resource damage from vehicles and their by-products.
- No person or group may camp within ¼ mile of any developed area or road outside the Indian Well Campground. This determination is to limit visual impacts and resource damage in developed areas and along roadways.
- No person or group may camp within 50 yards of any cave entrance or within any cave. This determination is to
  protect caves and cave entrances from excessive visitor impacts.

#### Closures:

No camp may be established in the monument for use as a base for hunting. *Hunting is prohibited within the Monument, as is the storing of taken game.* 

- No unauthorized person or persons may enter a designated management ignited prescribed fire area for 24 hours
  proceeding, or during active fire operations. This determination is made to protect visitors and staff during periods of
  active burning.
- Technical or free climbing is not permitted on any face of the Petroglyph Point area, to include rappelling or rope use. This determination is made due to the inherent instability of the rock and significant resource values at risk in the area.
- In addition to the cliff face closure listed above, access to a zone 100-horizontal feet upslope of the cliff face tops within the Petroglyph Point Unit, is closed from March 1 to August 15 annually. This determination is made to prevent disturbance of cliff nesting birds. Petroglyph Point is the site of numerous bird-of-prey roosts.
- Eagle roost sites within the monument, at Eagle Nest Butte, Caldwell Butte and Boundary Butte are closed to public access from November 1 to March 31 annually. This determination is made to protect roosting Bald Eagles from disturbance. Administrative access into these buttes, during these months, can occur when no inclement weather is present and only between the hours of 0900 to 1500.
- No unauthorized person or persons are permitted in the area within 100 yard radius of the entrance to Fern Cave.
   Fern Cave and the area within 100 yards of the cave entrance are accessible only by permit from the Superintendent.
   Access to this area is restricted due to the potential damage and disturbances to sensitive cultural resources resulting from unsupervised visitation.
- All public use and entry into any locked gated cave or a cave posted "CLOSED" is prohibited. This shall include, but is not limited to caves closed due to hazardous conditions, caves closed due to emergency conditions, caves closed temporarily to provide protection for breeding colonies of Townsend's Big-Eared Bats (subject to monitoring by the Lava Beds National Monument resource management staff), caves closed to provide protection for bats during the hibernaculum season. Termination of temporary restrictions, limits, or closures shall be accompanied with the removal of the posted notices. Crystal Cave may be accessible by Ranger guided tours on a limited basis subject to the conditions established by the Lava Beds National Monument Cave Management Plan.

#### 36 CFR §1.6 - ACTIVITIES THAT REQUIRE A PERMIT

(f) The following is a compilation of those activities for which a permit from the superintendent is required. Permits must be obtained at the Monument Headquarters during regular business hours or via mail addressed to Superintendent, Lava Beds National Monument, 1 Indian Well Headquarters, Tulelake, CA 96134-8216.

- §2.5(a) Specimen collection (taking plant, fish, wildlife, rocks or minerals).
- §2.50(a) Special events (e.g., a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events).
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views
- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising.
- §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(a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television.

 §5.5(b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.

#### **GENERAL REGULATIONS**

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

(a)(4) It has been determined that no wood collection is permitted within Lava Beds National Monument with the exception of wood collected though on-going resource management and maintenance projects and placed in a designated collection/disposal area in or near the campground. These designated collection/disposal sites will be posted at the campground when available.

(b) Hiking or pedestrian traffic is restricted to the trail tread or walkway on the following trails/walkways within corridor 100-feet on either side of the following trails except with written permission of the Superintendent:

- Schonchin Butte
- Missing Link Trail
- Petroglyph Point Trail

(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:

- Edible fruits, berries, and nuts may be collected for personal consumption within the monument and is limited to an amount equal to or less than 2 pounds per day. Limited consumption of these resources does not adversely affect the reproduction of either the plants or the wildlife food source. If future monitoring indicates that such gathering or consumption is likely to cause adverse affects to park resources, then the authorization of this consumptive use will be terminated. Use of these items for any purpose other than personal consumption is specifically prohibited. Certain fruits, nuts, and berries may not be suitable for human consumption.
- Collection of mushrooms for any purpose is prohibited.

#### 36 CFR §2.2 - WILDLIFE PROTECTION

- (d) The transporting of lawfully taken wildlife through the park is permitted under the following conditions and procedures:
  - Legally taken wildlife may be transported through the monument. The game must be properly tagged and fully
    compliant with all state game regulations.
- e) The following areas are closed to the viewing of wildlife with the use of an artificial light:
  - Use of artificial light for locating or viewing wildlife in the monument is prohibited.

#### 36 CFR §2.10 - CAMPING and FOOD STORAGE

- (a) The sites and areas listed below have been designated for camping activities as noted. A permit system has been established for certain campgrounds or camping activities, and conditions for camping and camping activities are in effect as noted:
  - In any 30-day period, camping in Lava Beds National Monument may not exceed 14 days, either consecutively or
    in a combined period. Further, camping within the monument shall not exceed thirty days annually. Campsite
    capacity at Indian Well Campground is 8 persons per site unless otherwise agreed upon in advance with the
    superintendent's representative.

- A valid Camping Permit is required for camping in the Indian Well Campground. Camping permits are available at the self-registration kiosk in the Indian Well Campground.
- Camping is permitted in the designated wilderness and backcountry areas of Lava Beds National Monument in compliance with all wilderness regulations and restrictions specified under section 1.5 of this compendium.
- Without prior permission of the Superintendent, failing to have at least one person occupy a designated campsite during the first night after camping equipment has been set up is prohibited.
- Holding or reserving a campsite for another party is prohibited. Sites may not be paid for by those who do not
  intend to occupy the site immediately. Sites for which required fees are not paid will be considered unoccupied
  and available for use. Sites may not be unattended for more than 24 hours.
- (d) Conditions for the storage of food are in effect, as noted, for the following areas:
  - All food, garbage, and equipment used to cook or store food must be stored where animals cannot get at it.

#### 36 CFR §2.11 – PICNICKING

### Conditions for Picnicking:

The storage and handling of food must comply with section (2.10) (d) of this document.

#### 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 or receptacles, and under the conditions noted:

#### Designated Areas:

- Wood fires are permitted only in metal fire rings within the Indian Well Campground. No open fires are permitted
  in the backcountry, wilderness or caves.
- (a)(2) The following restrictions are in effect for the use of stoves or lanterns:
  - Gas stoves and lanterns are permitted in the Indian Well Campground and wilderness/backcountry.
- (c) Extreme or very high fire danger closures will be in effect as noted:
  - Fires may be prohibited during periods of extreme fire danger, as defined by the Monument's Fire Management Office.
  - Gas stoves and lanterns may be prohibited in the campground, wilderness and backcountry during periods of extreme fire danger.

#### 36 CFR §2.14 – SANITATION and REFUSE

- (b) Conditions for the disposal, containerization, or carryout of human body waste have been established for the following:
  - Defecation and urination are prohibited in all caves.

### 36 CFR §2.15 - PETS

(a)(1) The following structures and/or areas are closed to the possession of pets:

- Pets are prohibited on all monument trails, in non-developed and wilderness areas, caves, and in government buildings (with the exception of permanent employee housing units).
- (a)(3) Pets may be left tied to an object under the following conditions:
  - Pets may be left tied to an object in an occupied campsite in the Indian Well Campground (subject to a valid Camping Permit) provided they create no hazard or nuisance.
- (a)(5) Pet waste must be immediately picked up and properly disposed of in a waste container by the person responsible for the pet. Excrement must be removed to prevent health hazards and to lessen negative impacts on wildlife.
- (e) Pets may be kept by park residents under the following conditions:
  - Permanent Monument employees are permitted to have pets in accordance with the Lava Beds National Monument Pet and Housing Policies.

#### 36 CFR §2.16 - HORSES and PACK ANIMALS

- (b) The use of horses or pack animals is permitted on the following trails, routes or areas:
  - Horses and pack animals are permitted on backcountry roads and trails within the monument with the exception of the following: the trail to Schonchin Butte Lookout; all interpretive and cave trails.
- (g) Other conditions concerning the use of horses or pack animals:
  - Horse and pack animal use may be temporarily prohibited by the Superintendent during such times and at such locations where the use of the animals may create a hazardous condition or resource damage.

#### 36 CFR §2.20 - SKATING, SKATEBOARDS and SIMILAR DEVICES

The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices are allowed in the following areas:

The Monument Housing Compound is exempt from these restrictions by employees, their families and guests.

#### 36 CFR §2.21 - SMOKING

- (a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking:
  - Smoking is prohibited in all government facilities, seasonal quarters, and government owned or leased vehicles.
  - Additional smoking restrictions may apply during periods of very high or extreme fire danger as defined in the Monument's Fire Management Plan

#### 36 CFR §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 possession of any open bottle, can or receptacle or consumption of alcoholic beverages is prohibited in all
caves and government work areas. Possession or consumption of alcoholic beverage is prohibited in all caves
because of adverse impacts to cave environments from litter and associated activities.

## 36 CFR §4.11 – VEHICLE LOAD, WEIGHT AND SIZE LIMITS

- (a) The following load, weight and size limits, which are more restrictive than State law, apply to the roads indicated under the terms and conditions, and/or under permit as noted:
  - Gross vehicle weight of any vehicles using monument roads may not exceed 52,000 pounds without prior written authorization of the Superintendent.