



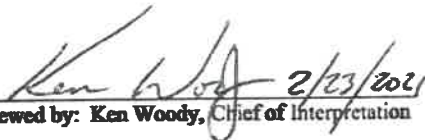
National Park Service
U.S. Department of the Interior

Little Bighorn Battlefield
National Monument
756 Battlefield Tour Rd
Crow Agency, MT 59022
406-638-2621 phone
www.nps.gov/libi
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Little Bighorn Battlefield National Monument

Superintendent's Compendium of designations, closures, permit requirements and other restriction imposed under the discretionary authority of 36 CFR 1.7(b).

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, as authorized by Title 16 United States Code, Sections 1 and 3, the following enforceable regulatory provisions apply to all lands administered by the National Park Service within the boundaries of Little Bighorn Battlefield National Monument. Unless otherwise stated, these provisions apply in addition to requirements contained in 36 CFR, Chapter 1, Parts 1-7.


Reviewed by: Ken Woody, Chief of Interpretation

Reviewed by: Vacant, Chief of Maintenance

LEONARD
MATHIEU

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MATHIEU
Date: 2021.02.25 09:00:39 -07'00'

Reviewed by: Len Mathieu, Chief of Administration

Sharon Small 2/24/2021

Reviewed by: Sharon Small, Museum Curator

MICHAEL STOPS

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Date: 2021.02.23 13:07:03 -07'00'

Recommended by: Michael Stops, Chief Ranger

WAYNE
CHALLONER

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Approved by: Wayne Challoner, Superintendent

Chief Ranger
Little Bighorn Battlefield National Monument
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756 Battlefield Tour Rd.
Crow Agency, Montana 59022-0039
Telephone: 406-638-2621

INTRODUCTION

36 CFR §1.7(b) requires that the Superintendent compile in writing all the designations, closures, permit requirements and other restrictions implemented under the discretionary authority of the park superintendent. The Superintendent's authority to implement these designations, closures, use and activity restrictions, is found at 36 CFR §1.5(a). Other sections of 36 CFR provide the Superintendent with discretionary authority as outlined further in this document. The regulations and provisions contained in this Compendium apply to all persons entering, using, visiting, or otherwise within the boundaries of federally owned lands and waters administered by the National Park Service (NPS) as part of Little Bighorn Battlefield National Monument (park; monument). Other applicable regulations found in the CFR and United States Code (U.S.C.) are enforceable without further elaboration at the park level. The Code of Federal Regulations and USC are available online at <http://www.ecfr.gov/> and <http://uscode.house.gov/>.

The park intends that this compendium, in conjunction with park brochures, maps, signs, and other media, provide the public and park employees with a clear understanding of park regulations to ensure adequate protection of the park's resources and provide for public safety and enjoyment. Additional guidance for park residents, such as for pets, is provided in the Housing Management Plan. Many of the requirements of this compendium complement existing state and local law and regulations which are also in effect within the park. If a state or local law is currently enacted, this compendium does not replace or repeal that law.

A person who violates any provision of the regulations found in 36 CFR Parts 1-7, along with this compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$ 5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings.

The Compendium is reviewed and updated annually or as needed to address changes in public use patterns. The park welcomes comments about its regulations, programs and activities at any time. Comments can be directed to either the Superintendent or the Chief Ranger at the address above.

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The Compendium is reviewed and updated annually or as needed to address changes in public use patterns. The park welcomes comments about its regulations, programs and activities at any time. Comments can be directed to either the Superintendent or the Chief Ranger at the address above.

The Superintendent may temporarily close park roads, parking areas, buildings, and all or portions of the park when such actions are deemed necessary to ensure public safety, protection of resources, or the avoidance of visitor use conflicts. The posting of signs, maps, media announcements, and the use of barricades and/or gates will identify such closures.

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the NPS within the boundaries of Little Bighorn Battlefield National Monument is prohibited except as approved in writing by the Superintendent.

Determination: Use of this discretionary authority is required for resource protection, public safety, and the security of park property. Unmanaged or unrestricted use of unmanned aircraft within the park will conflict with, or impact, a variety of park uses, including visitor experience. Use may also lead to the disturbance, displacement or harassment of park wildlife and creation of public safety hazards per operation near roadways and persons. *NPS Management Policies (2006)* provide that a new form of park use may be allowed within a park only after a determination has been made by the park superintendent that it will not result in unacceptable impacts on park resources and values. Less restrictive measures are not considered sufficient at this time.

Section 1.6 (F) Permits

Below is a compilation of activities which require a permit. Special Use Permits and Commercial Use Authorizations are requested through the Chief Ranger. Research Permits are requested through the Chief of Resource Management.

Permits are required for the following activities:

- 36 CFR 2.5 Research Permits; includes specimen collection
- 36 CFR 2.16 Use of Horses and Pack Animals
- 36 CFR 2.37 Non-Commercial Soliciting
- 36 CFR 2.50(a) Special Events; conduct a public spectator attraction, entertainment, ceremony, and similar events
- 36 CFR 2.51(b) Public Assemblies, Meeting; demonstrations of 25 persons or less do not require a permit
- 36 CFR 2.52 Sale or Distribution of Printed Material
- 36 CFR 4.11 Load, Weight, and Size Limits; commercial trucks are prohibited
- 36 CFR 5.3 Business Operations; engaging in or soliciting any business
- 36 CFR 5.5(a) Commercial filming of motion pictures or television with professional casts, settings, or crews except bona fide newsreel or television news and uses requiring cost recovery

Copies of the Compendium are available at

<https://www.nps.gov/libi/learn/management/lawsandpolicies.htm>.

Hard copies may be obtained on request at the Visitor Center or Administration buildings.

Some of the terms used in this Compendium may be unclear to you. If you are unsure about a specific term please consult 36 CFR §1.4 at: <http://www.gpo.gov/fdsys/pkg/CFR-2006-title36-vol1/pdf/CFR-2006-title36-vol1-sec1-4.pdf>. Terms that may be unique to this Compendium are defined below.

DEFINITIONS

Administrative Roads and Areas: Areas closed to the public, but necessary for government vehicles, equipment and personnel to access in order to maintain park facilities and infrastructure.

Cultural Resources: In addition to the 36 CFR §1.4 definition, this includes markers on the battlefield, headstones in the National Cemetery, historic structures and monuments, the battlefield itself, and the museum collection including artifacts, correspondence, manuscripts, books, documents, human skeletal remains, and known and unknown archaeological sites and objects.

Unmanned Aircraft: 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). The term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, and drones) that are used for any purpose, including for recreation or commerce.

36 CFR Part 1 – GENERAL PROVISIONS

Section 1.5 Closures, and Public Use Limits

- (a)(1) Little Bighorn Battlefield National Monument is closed to public use at regularly scheduled hours. Visitor access to the battlefield is restricted to the park's tour road, Custer National Cemetery, and designated trails. Designated trails are shown on Appendix 1. Persons visiting the battlefield to pay tribute to monuments, markers, and graves in the national cemetery may access those areas for that purpose. All other access or uses must be authorized by the Superintendent or their designee.

Section 2.10 Camping and Food Storage

- (a) Camping is prohibited anywhere within Little Bighorn Battlefield National Monument.

Section 2.11 Picnicking

Picnicking is prohibited within the Little Bighorn Battlefield National Monument except on the mowed grass adjacent to the parking lot at the Visitor Center and on the benches or mowed grass area at the Reno-Benteen Site. The cooking of food is prohibited at these locations. These prohibitions do not apply to authorized activities within the residential area. Appendix 2 shows areas where picnics may be allowed.

Section 2.12 Audio Disturbances

- (a)(1) Diesel trucks and busses, when parked in areas adjacent to the cemetery or visitor center, must stop engines to prevent interference with interpretive programs and the contemplative setting of the National Cemetery.

Section 2.13 Fires

- (a)(1) All cooking fires and campfires are prohibited in the park, except at the employee quarters, and then only in designated barbeque-style grills or portable stoves.
- (c) During periods of high fire danger, the Superintendent may close all or a portion of the park.

Section 2.15 Pets

- (a)(1) Pets are prohibited within the public areas of Little Bighorn Battlefield National Monument and Cemetery, except in personal vehicles, and for use of the designated Pet Walking Area between the entrance kiosk and the first towed vehicle parking sign along the north side of the road. The designated Pet Walking Area extends no more than 10 feet from the road edge and is shown on Appendix 3. Service animals are excluded from this prohibition. The keeping of livestock or other pack animals within the park by park residents is prohibited.
- (a)(2) Pets must be restrained on a leash (maximum 6' length) when allowed outside a vehicle to utilize the designated Pet Walking Area.
- (a)(3) Pets may not be left unattended outside of a vehicle.

- 36 CFR 5.5(b) Still Photography of vehicles or other articles of commerce or models for the purpose of commercial advertising and uses requiring cost recovery

Determination: The Superintendent has determined that these use prohibitions, restrictions, regulation, and permitting are necessary for resource protection, public safety, and the security of park property.

36 CFR Part 2 – RESOURCE PROTECTION, PUBLIC USE AND RECREATION

Section 2.1 Preservation of Natural, Cultural and Archaeological Resources

- (a)(6) Digging is specifically prohibited anywhere within the park except as authorized by permit or administrative use. This regulation also specifically prohibits damaging or removing parts of the fence at the “Last Stand” site, Battlefield Markers, Cemetery Headstones, Memorials, including the Indian Memorial, or damage to the Superintendent’s Lodge.
- (c)(1) The picking or gathering by hand of edible fruits, berries, nuts, or mushrooms for personal use and for immediate use or preservation is allowed providing that such gathering (no digging) does not adversely affect park wildlife or the reproduction potential of a plant species, and is otherwise not destructive to park resources. Collection without permit is only available from publicly accessible roads and trails. Persons entering the park for this purpose are subject to the appropriate entrance fee and must stop at the Park Headquarters to notify park staff prior to collecting.

Section 2.3 Wildlife Protection

- (d) Wildlife lawfully taken on Indian lands between the two units of Little Bighorn Battlefield National Monument may be transported through to exit the park in accordance with Bureau of Indian Affairs regulations. Dead wildlife, or wildlife injured on private lands that travel into the park and die, may not be retrieved from the park unless under conditions of a written permit (e.g., research permit).

Section 2.4 Weapons, Traps, and Nets

- (d)(4) Firearms, traps, or nets may be transported through the Monument for the use in the lawful taking of wildlife on Indian Lands between the two units of the park.

Determination: The Superintendent has determined that these use prohibitions and restrictions are necessary for resource protection, including wildlife management.

Smoking, electronic cigarettes and other electronic nicotine delivery system (ENDS), is prohibited within all buildings, within 25 feet of all building entrance's and in all other areas, except within 25 feet of an established ash receptacle.

Section 2.22 Property

- (a)(2) Vehicles may only be left unattended after hours with prior permission from a park law enforcement ranger or a member of the park management team.

Section 2.23 Recreation Fees

- (a) See <https://www.nps.gov/libi/planyourvisit/fees.htm> or Appendix 5 for the current fee schedule which fully implements entrance rate changes implemented in 2018.
- (b) Free Access To Pay Tribute at Battlefield Memorials, Markers & in the National Cemetery
 - a. All individuals wishing to pay tribute to Little Bighorn Battlefield memorials and markers will have free access to enter the battlefield to visit those sites. When trying to access a marker without a trail, individuals paying tribute are permitted to walk on the battlefield to access the markers. Markers are placed on hills, slopes, and in ravines in sites related to the actual battle so they are not handicap accessible in most locations.
 - b. All individuals wishing to honor those buried in the Custer National Cemetery will have free access to visit the cemetery.

Section 2.35 Alcoholic Beverages

- (a)(3) The consumption of alcoholic beverages within the park is an inappropriate activity considering the historic nature of the park and the purposes for which it is maintained. This prohibition extends to the Administration Building, Maintenance Building, Superintendent's Lodge, Visitor Center, including the patio and restrooms, Custer National Cemetery, Last Stand Hill, Indian Memorial, parking areas and designated trails. This prohibition does not extend to employee activities in/adjacent to employee housing.

Section 2.38 Explosives

- (a) The use of fireworks within the park is prohibited.

Section 2.51 Public Assemblies and Meetings

- (e) The mowed grass area near the public restroom as shown on Appendix 6 is a designated First Amendment demonstration area. Public meetings, assembly or

- (a)(5) Pet excrement must be collected and disposed of in a trash receptacle.

Determination: Certain activities in the park are limited to ensure protection of the battlefield and provide suitable visitor opportunities for reflection and learning. These regulations prevent undesirable interactions between pets and visitors, and will help protect wildlife and provide for public safety. Service animals are not considered pets and should be identifiable as such; they may be utilized in the park consistent with the established service need. Additionally, 36 CFR prohibits recreation activities in a National Cemetery.

Section 2.16 Horses and Pack Animals

Horses and pack animals are prohibited outside of vehicles within Little Bighorn Battlefield National Monument except that the park road and the areas shown on Appendix 4 may occasionally be used under the terms of a Special Use Permit. Use is generally restricted to annual commemorative events occurring on or near June 25.

Determination: Cultural sensitivity to this sacred site requires that we preserve and protect the landscape and the potential artifacts therein. The Superintendent has determined this restriction is necessary for public safety and for consistency with resource management objectives to minimize the spread of invasive weeds.

Section 2.18 Snowmobiles

- (c) Snowmobiling is prohibited within the Monument except for emergency administrative use or on the park road for legal access to adjacent Indian Lands when the road is closed to motor vehicles due to snow conditions.

Section 2.19 Winter Activities

- (a) Skiing and walking on the park road is permitted from the gate at the Visitor Center to the Reno-Benteen Site when the road is closed to motor vehicles due to snow conditions. Snowshoeing is permitted throughout the park during times of adequate snowfall. Please check in at the Visitor Center before heading out by snowshoe.

Section 2.20 Skating, Skateboards, Frisbees and similar devices

Use is permitted only by park residents and their guests in the residential area, and on parking areas and roads in the administrative areas when closed to the public.

Section 2.21 Smoking

Determination: The Superintendent has determined that these restrictions are necessary for public health and safety and for resource protection. Additionally, 36 CFR prohibits recreational activities in a National Cemetery.

36 CFR Part 3 – BOATING AND WATER USE ACTIVITIES

Superintendent permission is required to access the river from within the park.

Determination: These restrictions are necessary to protect park resources and public health and Safety, as well as to minimize potential conflict with neighboring landowners.

36 CFR Part 4 – VEHICLES AND TRAFFIC SAFETY

Section 4.3 Authorized Emergency Vehicles

- (a) Commercial towing vehicles may enter to provide towing or other assistance to visitors at Little Bighorn Battlefield National Monument as long as notification of their presence and actions is provided to park personnel.

Section 4.10 Travel on Park Roads and Designated Routes

- (a) The tour road and paved surfaces to access parking lots are the only designated route for motor vehicles. The entrance gate is the only way to enter and exit Little Bighorn Battlefield National Monument. Visitor entrance and travel is allowed during established operating hours.

Section 4.11 Load, Weight, and Size Limits

- (b)(1) Unless making a delivery to the park, commercial tractor/trailer vehicles are prohibited in the park.

Section 4.21 Speed Limits

- (b) The posted speed limits are:
 - a. 15 mph within the employee housing, shop, and administrative areas, including the service road;
 - b. 15 mph from the entrance kiosk to the Monument on Last Stand Hill;
 - c. 30 mph on the park road inside park boundaries; and
 - d. 30 mph on the right-of-way road between the two unit

Section 4.30 Bicycles

demonstration, if greater than 25 persons, may only be allowed when authorized by the Superintendent.

Section 2.62 Memorialization

- (a) The installation of a monument, memorial, tablet, structure or other commemorative installation without authorization by the NPS Director is prohibited.
- (b) The scattering of human ashes from cremations is prohibited except in the designated area of Custer National Cemetery with prior permission from the Superintendent.
- (c) Individuals intending to leave physical tributes at memorials or markers should leave them in locations where they will be respected and left undisturbed. Digging on the battlefield or affixing anything to memorials or markers is prohibited. All tributes are temporary and subject to removal.
 - 1. Items should not be left that will damage the markers or could be used to deface them, including sharp implements and metal items.
 - 2. No flammable items, vigil lights, or statues are permitted.
- (d) Physical tributes are not permitted to be affixed on or left within the Indian Memorial. A location is designated for leaving physical tributes to the right of the tour road just beyond the Last Stand Hill Memorial.
- (e) Tributes should not be left in the National Cemetery that will damage the headstones or could be used to deface them, including sharp implements and metal items. All physical grave tributes left in the national cemetery will be temporary, and will be removed for grounds maintenance and care of the headstones.
 - 1. No tributes can physically be attached to the headstones, markers, or monuments.
 - 2. Leaving vigil lights and statues is prohibited.
 - 3. American flags are placed on every grave site for Memorial Day but are temporary. Only those who participated in the Battle of Little Bighorn have flags which remain in place all year.

Further guidance is provided in the National Park Service's Guidelines for National Cemeteries, RM-61, and in the Veteran's Administration Manual for administration of national cemeteries.

- (a) Visitor use of bicycles at Little Bighorn Battlefield National Monument is prohibited except on the paved park road and in accordance with applicable traffic regulations.

- (f) The term “e-bike” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.). E-bikes are allowed in the Little Bighorn Battlefield National Monument 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. 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)(2)-(5). Except as specified in this Compendium, the use of an e-bike within Little Bighorn Battlefield 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

Determination: Applicable federal, state and tribal regulations are enforced for all motor vehicle, boating and bicycle operations. Due to the narrow width of the tour road, these vehicle and traffic restrictions are necessary to ensure public safety.

Appendix 1: Designated Park Trails

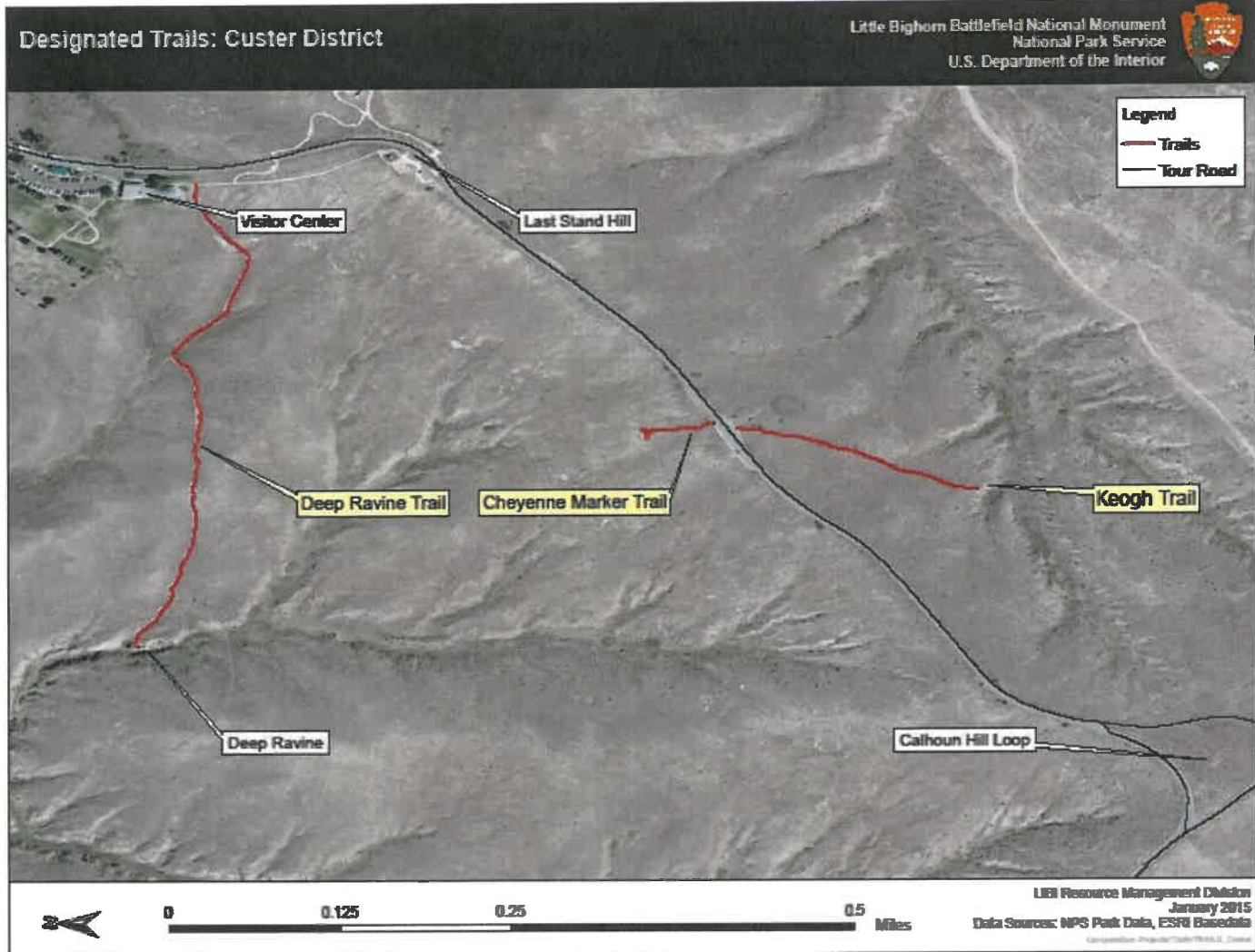


Figure 1. Designated Trails at Little Bighorn Battlefield National Monument, Custer District

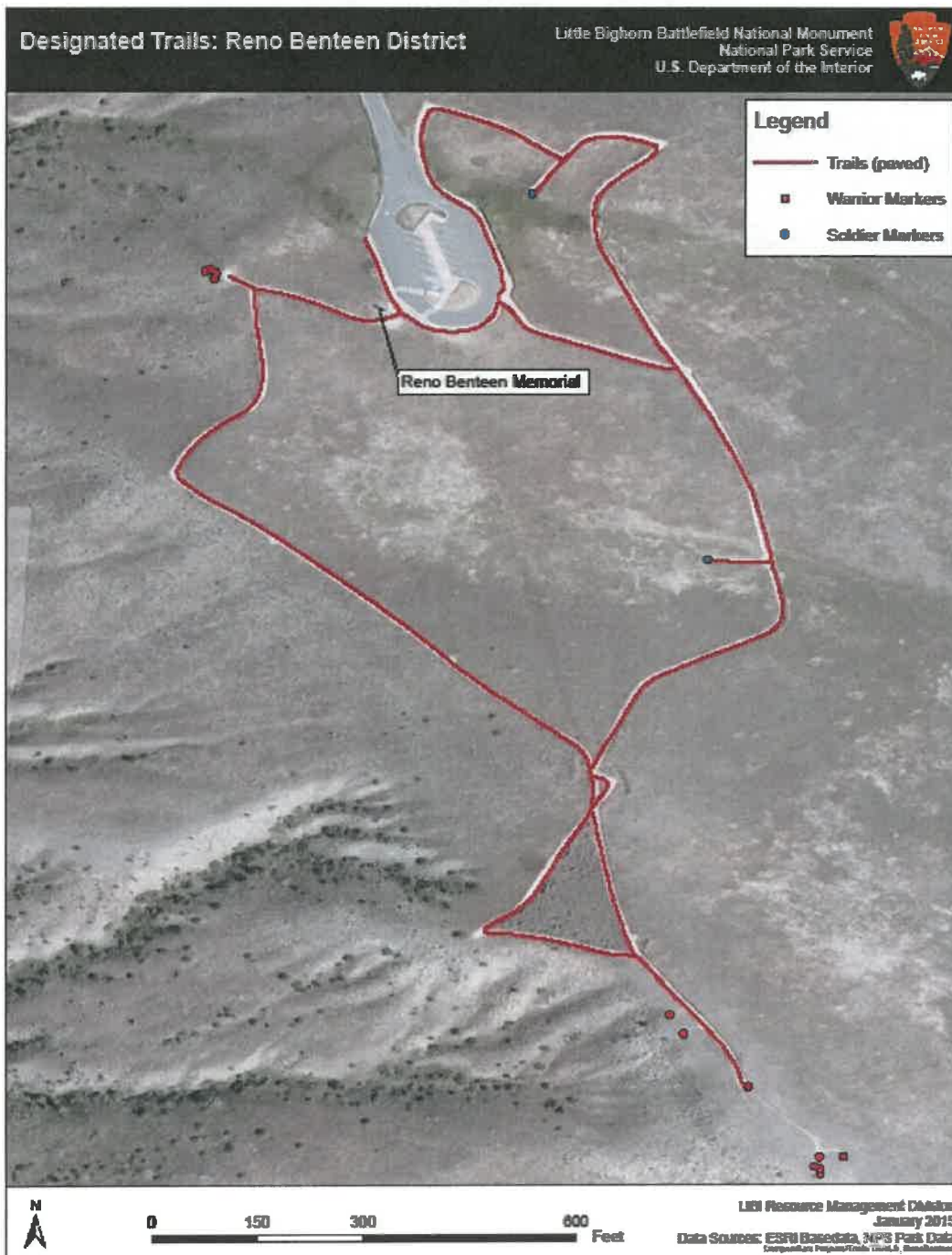


Figure 2. Designated Trails at the Little Bighorn Battlefield National Monument, Reno Benteen District

Appendix 2: Designated Picnic Areas

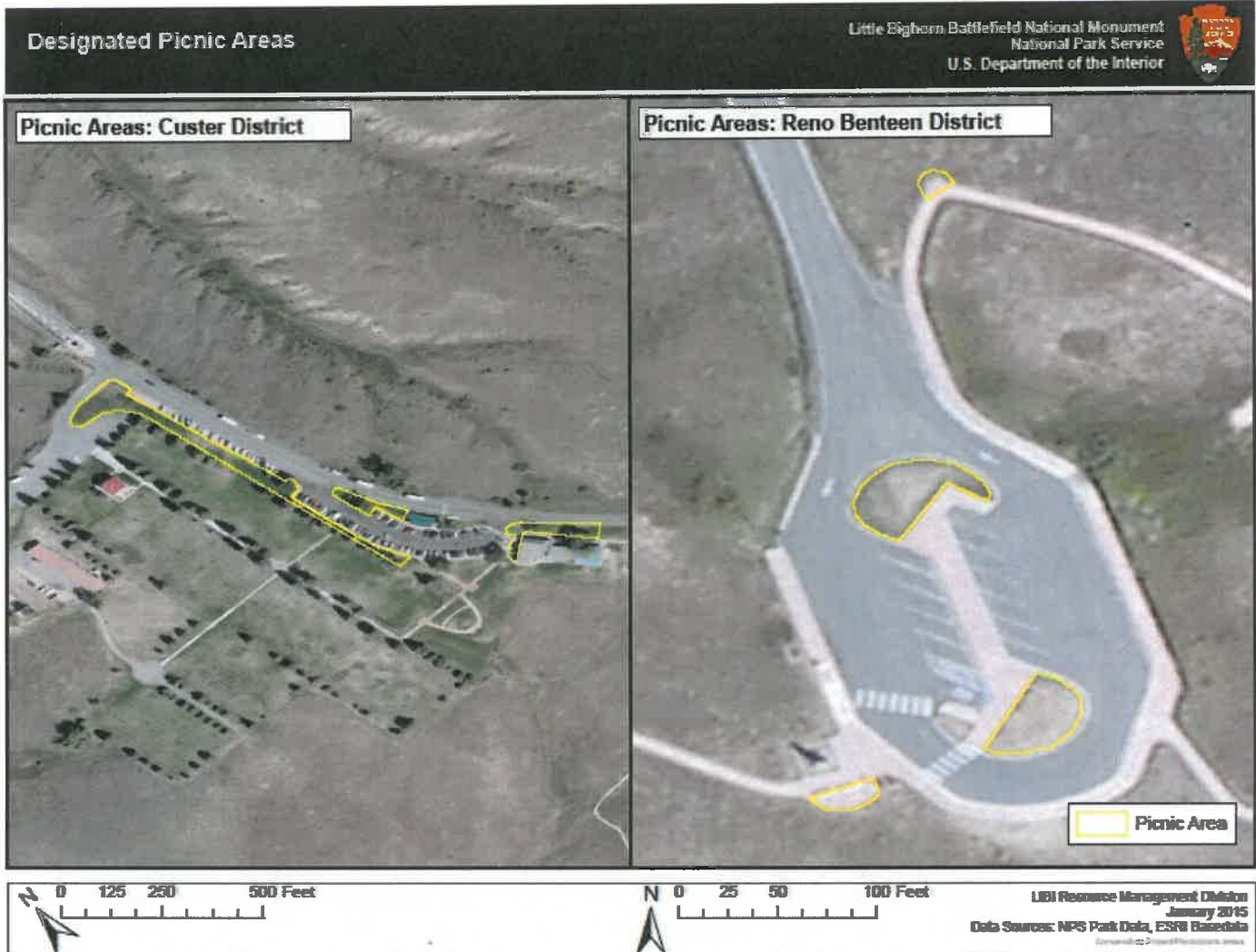


Figure 3. Designated Picnic Areas at the Little Bighorn Battlefield National Monument



Categorical Exclusion Documentation Form (CE Form)

Project: Implementation of Executive Order 13991, Protecting the Federal Workforce and Requiring Mask-Wearing, through 2/2/2021 NPS Deputy Director Memo, Implementing and Enforcing Mask-Wearing Requirements for Park Visitors and subsequent park 36 C.F.R 1.5 compendium changes

Description of Action (Project Description):

E.O. 13991 directs federal agencies to:

“... immediately take action, as appropriate and consistent with applicable law, to require compliance with [Centers for Disease Control and Prevention] guidelines with respect to wearing masks, maintaining physical distance, and other public health measures by: on-duty or on-site Federal employees; on-site Federal contractors; and all persons in Federal buildings or on Federal lands.”

The 2/2/2021 Deputy Director’s Memorandum (Memo) provides the following direction to Superintendents:

“In order to protect the health and safety of NPS employees, volunteers, partners and contractors, and park visitors, superintendents must implement mask-wearing requirements for park visitors, using the authority in 36 CFR 1.5(a)(2). This authority allows superintendents to impose restrictions on activities within park areas for the maintenance of public health and safety.

Superintendents must use the following language in their park’s compendium for this purpose: Individuals over the age of two years must wear masks, except when actively eating or drinking, in the following locations:

1. All common areas and shared workspaces in buildings owned, rented or leased by the National Park Service, including, but not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.

2. The following outdoor areas, when others are present, where the superintendent has determined that physical distancing (staying at least six feet apart) cannot reasonably be maintained:

- [e.g., outdoor areas adjacent to visitor centers]
- [e.g., parking lots and common areas in campgrounds]
- [e.g., crowded trails, viewpoints, and other areas of interest] • [e.g., covered structures that attract crowds such a memorials and open-air pavilions]

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.

If a park has indoor locations where visitors are allowed but does not have any outdoor locations where physical distancing cannot be maintained, item 2 from the model compendium language may be omitted. Compendium actions requiring visitors to wear masks must be justified in a written determination that is made available to the public upon request. These written determinations may be placed in the compendium immediately after the action.

Superintendents must include mask-wearing requirements in the terms and conditions of permits for events or activities that will take place inside or in outdoor areas where physical distancing (staying at least six feet apart) cannot be reasonably maintained. These terms and conditions must include the same requirements about the proper fitting and type of masks that are included above in the model compendium language.”

Project Locations: All NPS Units

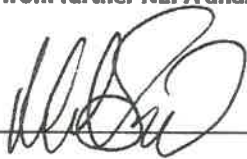
CE Citation: 3.3 D.2. Minor changes in amounts or types of visitor use for the purpose of ensuring visitor safety or resource protection in accordance with existing regulations.

CE Justification: Mask-wearing requirements are a minor change to visitor use in NPS units. These requirements may result in minor changes to the types and amounts of use by visitors as visitors may interact differently with the NPS workforce and other visitors when wearing a mask. Some visitors who may have avoided a park when masks were not required may visit a park if they know masks are required while others may not visit if they are required to wear a mask. A small number of visitors may resist wearing a mask and may need to be redirected to appropriate areas where masks are not necessary per the Memo. Overall, the requirement itself is a minor change since visitors will still have access to the same areas of the park, will still be able to participate in the same activities in the park and will receive the same information in the park. Park visitation at individual parks is not likely to change meaningfully due to the mask mandate. Many parks have had steady visitation during the pandemic and this is unlikely to change visitation in a meaningful way since many states already have mask mandates and visitors are already used to wearing them.

The purpose of the requirement is to ensure visitor and workforce safety. As noted in the Memo, masks protect others as well as the wearer. COVID-19 spreads mainly from person to person through respiratory droplets. Masks are a simple barrier to help prevent respiratory droplets from reaching others. Masks can prevent the spread of the disease even when the wearer is not sick. This is because several studies have found that people with COVID-19 who never develop symptoms (asymptomatic) and those who are not yet showing symptoms (presymptomatic) can still spread the virus to other people. The mask-wearing requirement is in accordance with existing regulations (it does not conflict with other regulations or policy). NPS is using one CE to cover compendium changes for all NPS Units because, while mask requirements may be different for each NPS Unit, the impacts of requiring mask-wearing and anticipated changes in visitor use are the same regardless of location; the same general impacts can be assumed for all parks.

Decision: I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

Signature:



Date: 2/22/2021

Raymond M. Sauvajot, Ph.D.
 Associate Director, Natural Resource
 Stewardship and Science

Extraordinary Circumstances:

If implemented, would the proposal...	Yes/No	Notes
A. Have significant impacts on public health or safety?	No	Mask-wearing poses no significant adverse effect on public health and safety. Wearing a mask improves public health by protecting both the wearer and those around the mask-wearer. This has a meaningful beneficial impact on the health of individuals and can lower virus rates in communities. Mask-wearing contributes to the national goal articulated in the EO to help reduce the spread of the disease on the national level. A list of references discussing the benefits of wearing masks is provided at the end of this document. https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html#evidence-effectiveness;
B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas?	No	Implementing mask-wearing requirements does not have significant impact on any natural or cultural resources in a park. An indirect effect of mask-wearing may be an increase in trash if visitors use disposable masks. If disposable masks are not disposed of in trash receptacles, this trash may end up in parks and may result in minor adverse impacts to wildlife and wildlife habitat. The impacts are not expected to be significant however, because many wearers will be using reusable masks and many visitors will properly dispose of disposable masks so the issue at any one park should not be significant. See <i>The environmental impact of abandoned face masks</i> https://environmentjournal.online/articles/the-environmental-impact-of-abandoned-face-masks/; <i>'More masks than jellyfish': coronavirus waste ends up in ocean</i> https://www.theguardian.com/environment/2020/jun/08/more-masks-than-jellyfish-coronavirus-waste-ends-up-in-ocean;
C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))?	No	There is no conflict over resources from requiring masks.
D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?	No	There are minimal to no environmental effects of wearing masks. There are no unknown environmental or unique or unknown risks associated with mask wearing.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	No	Requiring mask-wearing does not establish a precedent for future action or represent a decision in principle. The action implements an executive order that is only in effect because of an international pandemic and it is unlikely that this action would be required in the future absent another pandemic or site-specific outbreak.
F. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		Consistent with the CEQ NEPA regulations, this extraordinary circumstance no longer applies.
G. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office?	No	This action has no impact on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office.
H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?	No	This action has no impact on threatened or endangered species.
I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment?	No	This action does not conflict with any federal, state, local or tribal law nor other regulations or policies imposed for the protection of the environment.
J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)?	No	This action applies equally to all park visitors and does not disproportionately impact low income or minority populations.
K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 130007)?	No	This action does not limit access to Indian sacred sites of Federal Lands or adversely affect sacred sites. Visitors may be required to wear masks when visiting these sites, depending on their location, whether they are outside, etc., but mask do not preclude access or change the integrity of the resources. Masks may protect the human health of visitors to these sites.
L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?	No	This action has no impact on invasive or exotic species. Masks should not introduce new invasive or exotic species into the environment.

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United States Department of the Interior

Little Bighorn Battlefield National Monument
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Crow Agency, MT 59022



IN REPLY REFER TO:

COVID-19 Response

AUG 16 2021

2021 COMPENDIUM AMENDMENT

COVID-19 Mask Wearing Requirement

AUTHORITY

Under the authority of 54 U.S.C. Section 100751(a) and Title 36 Code of Federal Regulations §1 .5 (a) (1) the Superintendent to impose restrictions on activities within park areas for the maintenance of public health and safety. This restriction is necessary for one or more of the following reasons (choose one or more):

- Maintenance of public health and safety
- Protection of environmental or scenic values
- Protection of natural or cultural resources
- Aid to scientific research
- Implementation of management responsibilities
- Equitable allocation and use of facilities
- Avoidance of conflict among visitor use activities

CLOSURE AND PUBLIC USE LIMIT

Regardless of vaccination status or local community transmission levels, all individuals over the age of two must wear masks, except when actively eating or drinking, in all common areas and shared workspaces in federally owned buildings administered by the National Park Service and in office space leased by the National Park Service.

'Federally owned buildings administered by the National Park Service' include, but are not limited to, visitor centers, administrative offices, maintenance facilities, and shared government quarters; buildings assigned to concessioners or other park partners; and buildings leased for commercial purposes to individuals or entities other than the National Park Service.

All individuals over the age of two, regardless of vaccination status or local community transmission levels, must wear masks in the following outdoor areas when others are present, except when actively eating or drinking, where the superintendent has determined that physical distancing (staying at least six feet apart) cannot reasonably be maintained:

- outdoor areas adjacent to visitor centers
- parking lots and common areas around park comfort station
- crowded trails, viewpoints, and other areas of interest
- covered structures that attract crowds such park patio, memorials and the National Cemetery

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 vaccination status, all individuals must comply with all orders regarding masks issued by the Centers for Disease Control and Prevention (CDC).

CDC prevention measures continue to apply to all travelers on public transit, regardless of vaccination status. Masks remain required on all forms of public transit that operate within parks, including busses, trains, and boats/ferries, and in transportation hubs. Effective August 16, 2021, Little Bighorn Battlefield National Monument is requiring mask wearing on all federal lands and buildings by employees and park visitors as such:

In order to protect the health and safety of NPS employees, volunteers, partners and contractors, and park visitors, superintendents must implement mask-wearing requirements for park visitors, using the authority in [36 CFR 1.5\(a\)\(2\)](#). This authority allows superintendents to impose restrictions on activities within park areas for the maintenance of public health and safety.

DETERMINATION

Little Bighorn Battlefield National Monument Regulations

Consistent with applicable legislation and Federal administrative policies, and based upon a determination that such action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, aid to scientific research, implementation of management responsibilities, equitable allocation and use of facilities, or the avoidance of conflict among visitor use activities, the Superintendent makes the following changes to Little Bighorn Battlefield National Monument Regulations.

1. Regulation change:

Individuals over the age of two years must wear masks, except when actively eating or drinking, in the following locations:

1. All common areas and shared workspaces in buildings owned, rented or leased by the National Park Service, including, but not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.

2. The following outdoor areas, when others are present, where the superintendent has determined that physical distancing (staying at least six feet apart) cannot reasonably be maintained:

- outdoor areas adjacent to visitor centers
- parking lots and common areas around park comfort station
- crowded trails, viewpoints, and other areas of interest
- covered structures that attract crowds such park patio, memorials and the National Cemetery

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.

2. Previous regulation(s) affected by this change:

This is an emergency regulation change adopted for Little Bighorn Battlefield National Monument.

3. Date of Adoption: August 17, 2021

4. Reasons for change:

In order to protect the health and safety of NPS employees, volunteers, partners and contractors, and park visitors, superintendents must implement mask-wearing requirements for park visitors, using the authority in 36 CFR 1.5(a)(2). This authority allows superintendents to impose restrictions on activities within park areas for the maintenance of public health and safety.

On January 20, 2021, the President signed Executive Order 13991, Protecting the Federal Workforce and Requiring Mask-Wearing (E.O. 13991). E.O. 13991 directs federal agencies to: "... immediately take action, as appropriate and consistent with applicable law, to require compliance with [Centers for Disease Control and Prevention] guidelines with respect to wearing masks, maintaining physical distance, and other public health measures by: on-duty or on-site Federal employees; on-site Federal contractors; and all persons in Federal buildings or on Federal lands."

5. Effective Date(s): Until further notice.

6. Authority for adoption: Code of Federal Regulations, 36 CFR, Part 1.5(a)(2)

<p>Superintendent, Little Bighorn Battlefield National Monument</p> <p>WAYNE CHALLONER</p> <p>Digitally signed by WAYNE CHALLONER Date: 2021.08.17 08:32:03 -06'00'</p>	<p>Date:</p> <p>8/17/21</p>
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Recommended: MICHAEL STOPS Digitally signed by MICHAEL STOPS Date: 2021.08.16 17:11:43 -06'00' Date: 8/16/2021
Michael Stops, Incident Commander, LIBI COVID-19 Response

Reviewed: MICHAEL STOPS Digitally signed by MICHAEL STOPS Date: 2021.08.17 06:31:21 -06'00' Date: 8/17/2021
Michael Stops, Chief Ranger, Little Bighorn Battlefield National Monument

Approved: WAYNE CHALLONER Digitally signed by WAYNE CHALLONER Date: 2021.08.17 08:27:19 -06'00' Date: 8/17/2021
Wayne Challoner, Superintendent, Little Bighorn Battlefield National Monument

Rescinded: _____ Date: _____