|  |  |
| --- | --- |
| **National Park Service Martin Van Buren NHS**  **U.S. Department of the Interior** | |
| **Superintendent’s Compendium**  Of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority.  Approved:  MEGAN Digitally signed by  MEGAN O'MALLEY  O'MALLEY Date: 2022.03.07  13:17:45 -05'00'  Megan O’Malley, Superintendent | 1013 Old Post Road Kinderhook, NY 12106  518-758-9689 phone  518-758-6986 fax |

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 54 United States Code, Section 100101, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Martin Van Buren National Historic Site. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

## 36 CFR §1.5 – Visiting Hours, Public Use Limits, and Closures

Visiting Hours

*Those buildings whose visitation is controlled by the National Park Service and which have not been designated as closed to the public are open for visitation. Hours are adjusted seasonally for some facilities. Due to staffing shortages, special activities, severe weather, mechanical failure, or maintenance purposes, buildings may be closed to the public.*

All NPS buildings and grounds are closed on Thanksgiving Day, Christmas Day, and New Year’s Day.

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:

**SCHEDULE OF VISITING HOURS** - These limitations to visiting hours provide for public safety, protect resources and promote efficient operation of the park.

All park areas, not otherwise closed to public use, will be open to public use according to the following schedule of visiting hours. These hours may be superseded by the superintendent or designee for park sponsored or permitted events:

* The park is open from 7:00am to sunset, Eastern Standard Time/Eastern Daylight Time, daily.
* Park headquarters are open from 8:00am to 4:30pm Monday through Friday, year round. Park headquarters are closed on Federal holidays.
* Visitor facilities are open from 9:00am to 4:30pm Sunday through Saturday during the visitor season. The visitor season is established annually and posted in the park's web site at <http://www.nps.gov/mava> no later than April 1 each year.

**NOTES:**

* Visitors are prohibited from entering the mansion carrying any item larger than 11”X15” including infant carriers.

***Justification:*** *Public safety and national security concerns for the protection and welfare of the visiting public and preservation of the resource.*

* + Flash photography is not permitted inside the mansion.

***Justification****: Flash is detrimental to the historic fabric.*

* + “Selfie Sticks” are not permitted inside the mansion.

***Justification:*** *Telescoping “selfie sticks” have potential for damaging collections.*

Grounds and Public Use Limits

All areas of the park, not otherwise closed to public use, will be open to public use with the following limits:

* + Any or all areas may be closed to public use or a permit issued may be canceled at the discretion of the Superintendent or designee when an emergency or potentially hazardous condition exists.
  + The maximum park capacity shall not exceed 500 visitors at any one time.
  + All school groups consisting of 12 or more students who are under the age of eighteen shall be accompanied by a minimum of one chaperon for every 12 students during the groups visit. Chaperons must be a minimum of eighteen years of age. Students found without their chaperon may be removed from the park.
  + Disorderly persons or groups consisting of disorderly persons may be removed from the park and prevented from returning to the park on the day they are removed.
  + It is prohibited to sit, stand upon, or climb any railing, fence, ledge, wall, tree, statue, museum exhibit or refuse receptacle.
  + Climbing over, under, or around railings, gates, doors, stanchions and lines, barricades, or other physical barriers used to control public access is prohibited.
  + Touching the furnishings or objects in the mansion is prohibited.
  + It is prohibited to consume food or drink inside any historic structure in the park. Food and drink are also prohibited in the visitor center and headquarters library.
  + It is prohibited to chew gum in the mansion or in any visitor facility.

**PARK AREA CLOSURES** - *These closures provide for public safety, protect resources and promote efficient operation of the park.*

The following areas of the park shall be closed to all public use:

* + The maintenance building.
  + Any maintenance storage shed.
  + All areas designated for parking government vehicles may only be used for that purpose except that government employees in the performance of their duties may be allowed to temporarily park private vehicles in those areas to facilitate park operation.

Access to any of the above areas is permitted only with the permission of the Superintendent or designee.

***Justification:*** *these areas are closed to the public for safety and security reasons.*

COVID-19 Mandatory 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.

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

***Justification****: To halt the spread of coronavirus disease 2019 (COVID–19) by relying on the best available*

*. data and science-based public health measures*

**DESIGNATED AREAS FOR SPECIAL USE OR ACTIVITY**

Special uses and activities are managed through the Special Use Permit process. When applying for a permit, the applicant must specify what area of the park they would like to use for the intended special use. Each application will be handled individually. In the instance that two separate applicants are requesting use of the same area on the same day, they will be handled on a “first come, first served” basis.

***Justification:*** *The permit process allows NPS to protect park resources and guarantees groups a priority for a space when multiple groups or individual demonstrators want to use a designated first amendment area in a park.*

Boating

* + The use of vessels in all park waters is prohibited.

***Justification****: To provide for the safety of visitors and park resources.*

Climbing Trees

* + Climbing in or on trees is prohibited.

***Justification****: Climbing stresses and damages park trees which are an essential part of the cultural landscape.*

Engine Idling

* + Drivers of commercial passenger-carrying diesel-fueled motor vehicles are prohibited from idling engines in parking lots of developed areas for periods longer than five minutes.

***Justification:*** *The noise and fumes caused by these engines severely impacts the natural experiences sought by many visitors.*

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 2 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 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.

***Justification:*** *Per* [***36 CFR 1.5(a)(2)***](https://www.ecfr.gov/cgi-bin/text-idx?SID=05a4762aeee5067624b1c45c576c5a7f&mc=true&node=se36.1.1_15&rgn=div8) *NPS has a legal obligation to protect the resources within the National Park System and to provide for visitor enjoyment of the same. A memorandum from the Deputy Director, Operations Exercising the Delegated Authority of the Director, National Park Service dated February 22, 2021 titled* ***Managing Filming Activities After Price v. Barr,*** *outlines the guidance listed above.*

Geocaching

* + Activities such as geocaching that involve hiding and/or hunting physical containers are prohibited with the exception of containers placed by park personnel for educational purposes.

***Justification****: Allows for the management of potential adverse environmental impacts*.

Off-road Recreational Vehicles

* + The operation of off-road recreational vehicles or All-Terrain Vehicles (ATV’s) is prohibited.

***Justification:*** *Activity detracts from the historic setting of the park and poses a significant risk to visitor safety and park resources which cannot be sustained without causing unacceptable impacts.*

* + Off-road recreational and utility vehicles may be allowed for administrative purposes, such as fire control, search and rescue, law enforcement, resource management activities, or power line maintenance.

***Justification:*** *To provide for the safety and security of visitors, staff and park resources.*

Parking Limits

* + Public parking for the purpose of visiting park facilities or using park resources or for individuals conducting business with the park is permitted in the parking lot located on the easterly side of Old Post Road, west of New York Route 9H.
  + Overflow parking for staff or visitors may be made available at other locations based upon need and will not interfere with visitor safety or park operations.

***Justification:*** *These parking areas quickly exceed capacity during heavy visitation periods.*

Recreational Activities, Other

*Recreational activities are prohibited in the following areas: front lawn and south lawn. Recreational activities include, but are not limited to: playing catch, throwing Frisbees, kite flying, and sunbathing. Also see section* **36 CFR §2.11 – PICNICKING**

* + Badminton and volleyball nets, or any object anchored with stakes is prohibited.
  + Climbing in or on trees is prohibited.
  + Organized sports are prohibited.

***Justification****: Recreational activities in close proximity to buildings detract from the historic setting of the park and pose a risk to visitor safety and damage to natural resources.*

Remote-Controlled Devices

* + All areas of the park are closed to remote-controlled devices including but not limited to airplanes, helicopters, cars, and similar objects.
  + Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Martin Van Buren National Historic Site is prohibited except as approved in writing by the superintendent.

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

***Justification:*** *Activity detracts from the historic setting of the park and poses a risk to visitor safety.*

Segways

* + The use of Segways and similar devices in lieu of manual or motorized wheelchairs is allowed by persons with disabilities who would otherwise only have the option of using a manual or powered wheelchair.

***Justification****: Segways are not appropriate for use by non-handicapped vehicles in an historic setting mixed with pedestrians. The NPS ensures that those with disabilities have the highest level of accessibility that is reasonable to our programs, facilities, and services in conformance with applicable regulations and standards.*

* + Segways may not be operated at speeds greater than 2-3 mph, the equivalent of a walking pedestrian.

***Justification:*** *The safe operation of Segways and similar devices is dependent on their integration into the normal flow of pedestrian traffic.*

**CCTV Policy Statement**

In accordance with National Park Service Law Enforcement Reference Manual 9 (RM-9), notice is hereby given that Martin Van Buren National Historic Site uses Closed Circuit Television (CCTV) security camera monitoring.

The park’s use of Closed Circuit Television (CCTV) for law enforcement and security purposes will only be to visually monitor public park areas and public activities where no constitutionally

protected reasonable expectation of privacy exists. Such CCTV use – which will have adequate privacy and First Amendment safeguards – will be to help ensure public safety and security;

facilitate the detection, investigation, prevention, and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; and help facilitate the protection of the innocent and the apprehension and prosecution of criminals. (RM-9, 26.1)

This policy does not restrict the official use of CCTV in government administrative areas, including administrative buildings, jail holding facilities (RM-9, 26.3.7), revenue collection sites, etc., where the government may record/monitor its facilities. For example, the government may perform unrestricted video/audio recording at revenue collection points (entrance stations, visitor center counters, etc.). This policy does not restrict the use of an Audio/Visual Recording Device (AVRD) in patrol vehicles or officer-worn recording devices used by commissioned rangers.

(RM-9, 26.1).

Operation of CCTV cameras, maintenance of recorded images and use of recorded images will be in accordance with NPS and Department policy and applicable laws and regulations. (RM-9, 26.1-26.4) No person will be targeted or monitored merely because of race, religion, gender, sex, disability, national origin, or political affiliation or views. (RM-9, 26.4.2)

Nothing in this policy statement is intended to create any rights, privileges, or benefits not otherwise recognized by law.

**36 CFR §1.6 PERMITS**

Engaging in the following activities without first obtaining the required permit is prohibited:

* + Carrying or possession of a weapon, trap, or net unless necessary to support §2.5 activities, **36 CFR**

## §2.4(d)(1)

* + Collecting research specimens (plants, fish, wildlife, rocks, or minerals), **36 CFR §2.5(a)**
  + Operating an unauthorized public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51, **36 CFR §2.12(a)(4)**
  + Aircraft and Air Delivery
* Delivery or retrieval of a person or object by parachute, helicopter, or other airborne means, **36 CFR §2.17(a)(3)**
* Removal of downed aircraft, **36 CFR §2.12(c)(1)**
  + Noncommercial soliciting, 36 CFR §2.37
  + Explosives
* Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials, **36 CFR §2.38(a)**
* Using or possessing fireworks **36 CFR §2.38(b)**
  + Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events, **36 CFR §2.50(a)**
  + Public assemblies, meetings, gatherings, demonstrations, parades, and other public expressions for groups greater than 25 people, **36 CFR §2.51(a)**
  + Sale or distribution of printed matter for groups greater than 25 people, **36 CFR §2.52(a)**
  + Memorialization - Scattering of human ashes or remains, leaving markers, tributes or memorials **36 CFR**

## §2.62(b)

* + Engaging in or soliciting any business (requires a permit, contract, or other written agreement with the U.S.), **36 CFR §5.3**
  + Commercial Photography

o Still photography using models, sets, or props, **36 CFR §5.5(b)**

* + Construction of buildings, or other structures, boats, docks, road, trails, paths, etc. **36 CFR §5.7**

Generally, commercial photography and filming permits are not required for:

* + A visitor using a camera and/or recording device for their own personal use and within normal visitation areas and hours; or
  + A commercial photographer not using a prop, model, or set, and staying within normal visitation areas and hours; or
  + Press coverage of breaking news. This never requires a permit, but is subject to the imposition of restrictions and conditions necessary to protect park resources and public health and safety.

Applications for permits may be found on the park’s website at: <http://www.nps.gov/mava/planyourvisit/permitsandreservations.htm>

General Regulations

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

* All areas of the park are closed to wood gathering **36 CFR § 2.1 (a)(4)**

***Justification*:** *Standing dead, down, and live wood provides habitat for cavity-nesting species and insects.*

* It is prohibited to gather any fruits, berries, nuts, or unoccupied shells. **36 CFR § 2.1 (a)(1)(ii)**

***Justification****: Collection could inadvertently result in collection of crops from neighboring farms.*

# 36 CFR §2.2 – WILDLIFE PROTECTION

* Hunting is not permitted on any park property **36 CFR § 2.2 (b)(2)**
* Trapping is not permitted on any park property **36 CFR § 2.2 (b)(3)**

***Justification:*** *Park lands are open and managed for recreation and wildlife. Hunting and trapping pose a risk to public safety and are counter to park wildlife management goals.*

* Wildlife legally wounded outside the park in accordance with State hunting regulations may only be followed inside park boundaries, dispatched and removed from the park with an NPS Law Enforcement Ranger or Resource Management Specialist present. **36 CFR § 2.2 (d)**

***Justification****: The requirement to notify a Law Enforcement Ranger or Resource Management Specialist protects public safety and avoids unwarranted public accusation that an illegal hunt may have occurred in the park.*

* Viewing of wildlife with an artificial light is prohibited throughout the entire park. **36 CFR § 2.2 (e)**

***Justification****: Wildlife viewing with an artificial light may disrupt natural wildlife activities and condition wildlife to human presence. This regulation also provides increased protection of wildlife from poaching activity.*

# 36 CFR §2.3 – FISHING

* Non-conflicting New York state fishing laws and regulations apply throughout the park **36 CFR § 2.3 (a)**
* Fishing with live or dead minnows or other bait fish, amphibians, non-preserved fish eggs or fish roe is prohibited. Other types of bait may be used in accordance with state law. **36 CFR § 2.3 (d)(2)**

**Justification:** *Introduction of non-native species is detrimental to the ecosystem.*

* Commercial fishing is prohibited in all areas of the park **36 CFR § 2.3 (d)(4) 36 CFR §2.4 – WEAPONS, TRAPS, AND NETS**
* Individuals are authorized to possess, carry, and transport concealed, loaded, and operable firearms within NPS areas in accordance with applicable state and federal law. Possession of firearms is prohibited in Federally-owned or leased buildings. The law regarding discharge of firearms remains unchanged. **36 CFR §2.4(h)**

***Justification:*** *This wording reflects implementation of 512, P.L. 111-24, Credit Card Accountability Responsibility and Disclosure Act of 2009****,*** *123 Stat. 1764-65 § 512 effective February 22, 2010*

# 36 CFR §2.10 – CAMPING

* All areas of Martin Van Buren NHS are closed to camping, **36 CFR § 2.10(a)**

***Justification:*** *Camping activities detract from the historic setting of the park.*

# 36 CFR §2.11 – PICNICKING

* The following areas are closed to picnicking:
  + The lawn in front of Lindenwald bordered by Old Post Road on the east, the South Gate House on the south, Lindenwald on the west, and the foundation of the north gate house on the north.
  + The area in between the South Gate House and Old Post Road.

***Justification****: Picnicking in close proximity to buildings detracts from the historic setting of the park.*

* Groups of 25 people or more require a permit to picnic on park grounds

***Justification:*** *Large groups require more oversight to avoid adverse impacts to park resources and operations.*

# 36 CFR §2.13 – FIRES

* Portable gas grills are permitted in picnic areas with tables. The use of charcoal or other open flame is prohibited. **36 CFR § 2.13(a)(1)**
* Fires are prohibited in all areas of the park during Red Flag Warnings **36 CFR § 2.13(c)**
* Lighting and maintaining any type of fire, including but not limited to cigarettes, candles, lanterns, grills, and stoves, is prohibited within any park building unless authorized by the Superintendent. **36 CFR § 2.13(a)(1)**

***Justification****: The use of fire is regulated to protect structures, natural resources, and the public.*

# 36 CFR §2.14 – SANTITATION AND REFUSE

* The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property is prohibited **36 CFR § 2.14(a)(2)**

# 36 CFR §2.15 – PETS

* Persons having custody of any animal(s) will immediately remove and dispose of excrement voided by an animal(s) under their control. Excrement will be properly disposed of in outdoor trash containers or removed from park property*.* ***36 CFR § 2.15(a)(5)***

***Justification****: Proper disposal of pet waste eliminates a water quality, health and aesthetic problem.*

# 36 CFR §2.16 - HORSE AND PACK ANIMALS

* The use of horses or pack animals is prohibited. **36 CFR § 2.16(g)**

***Justification****: Restriction is intended to protect natural resources and reduce possible visitor use conflicts.*

# 36 CFR §2.18 – SNOWMOBILES

* Snowmobiles are prohibited*.* **36 CFR § 2.18(c)**

***Justification****: Activity detracts from the historic setting of the park and poses a significant risk to visitor safety.*

# 36 CFR §2.19 - WINTER ACTIVITIES

* Skiing, ice skating, sledding, inner tubing, tobogganing, and similar winter sports are prohibited with the exception of cross country skiing and snowshoeing. **36 CFR § 2.19(c)**
* Cross country skiing and snowshoeing are prohibited on park road and parking areas open to motor vehicle traffic. **36 CFR § 2.19(a)**

***Justification****: Restriction is intended to protect the health and safety of visitors.*

# 36 CFR §2.20 – SKATING, SKATEBOARDS, AND SIMILAR DEVICES

* Use of roller skates, in-line skates, skateboards, roller skis, or similar devices is prohibited. **36 CFR § 2.20**

***Justification****: Restrictions are intended to protect the health and safety of visitors.*

# 36 CFR §2.21 - SMOKING

* Smoking is prohibited in all park buildings, all government vehicles, within 25 feet of a public building entrance, and within 50 feet of fuel storage facilities. **36 CFR § 2.21(a)**

## Pursuant to the Director’s Policy Memorandum 15-03, the use of Electronic Delivery Systems (ENDS) or “vaping” will be treated the same as smoking.

***Justification****: It is NPS policy that public use and administrative facilities be smoke-free. The restrictions are intended to protect park resources, reduce the risk of fire, and prevent conflicts among visitor use activities.*

# 36 CFR §2.22 – PROPERTY

* Leaving property unattended for longer than 24 hours is prohibited unless the property is part of an activity under a special park use permit (e.g. storage of equipment in a staging area during a construction project) **36 CFR § 2.22(a)(2)**

# 36 CFR §2.35 – ALCOHOLIC BEVERAGES

* The following areas are closed to alcohol consumption, except pursuant to the terms and conditions of a permit: **36 CFR § 2.35 (a)(3)(i)**
  + Within 200 feet of Lindenwald.
  + All government buildings and passenger compartments of all vehicles.

***Justification****: Areas where the public engages in business with the government or is participating in educational opportunities are not appropriate for alcohol consumption.*

# 36 CFR §2.51 – PUBLIC ASSEMBLIES

Public assemblies for groups greater than 25 people are prohibited without a permit. Designated areas for all public assemblies are:

* The area to the south of the walkway to the visitor center, between Old Post Road and the crabapple grove, and the three northern-most parking spaces in the main parking lot, non-inclusive of the disabled spots, have been designated for public assemblies. See attached map.

Written applications for permits must be received by the Superintendent ten days prior to the date desired for the event. The activity must not conflict with any scheduled NPS function or program. Visitors will not be subjected to undue noise or physical contact. Visitors shall not be impeded in their progress to any portions of the park including public buildings, visitor centers, parking areas, etc.

***Justification***: *The permit process allows NPS to protect park resources and guarantees groups a priority for a space when multiple groups or individual demonstrators want to use a designated first amendment area in a park*.

# 36 CFR §2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

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

**Justification:** *The permit process allows NPS to protect park resources and guarantees groups a priority for a space when multiple groups or individual demonstrators want to use a designated public assembly area in a park*.

# 36 CFR §2.62 – MEMORIALIZATION

* The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit, or in designated areas according to conditions which may be established by the superintendent. ***36 CFR § 2.62 (b)***

No designated area exists, and no permits will be issued for memorialization purposes.

***Justification****: Activity detracts from the historic setting of the park*

# 36 CFR §3.16 – SWIMMING

* Swimming and wading in park waters is prohibited.

***Justification****: Restriction is intended to protect the health and safety of visitors.*

# 36 CFR §4.10 – TRAVEL ON PARK ROADS AND DESIGNATED ROUTES

* Off-road motor vehicle use is prohibited **36 CFR §4.10(a)**

***Justification:*** *To ensure the safety of park visitors and to protect cultural landscapes*

# 36 CFR §4.21 – SPEED LIMITS

* The speed limit on all park roadways is 15mph **36 CFR §4.21(b)**

***Justification****: Park speed limits have been determined to be reasonable, safe and consistent with the purposes for which the park area was established.*

# 36 CFR §4.30 – BICYCLES

* Bicycle use is permitted on Old Post Road **36 CFR §4.30(a)**
* 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 Martin Van Buren National Historic Site 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. **36 CFR**

## §4.30(i)

* 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 Martin Van Buren National Historic Site 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.

***Justification****: To avoid adverse environmental impact and honoring the historical significance of the sites.*

MAPS

