



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

**Whitman Mission
National Historic Site**

328 Whitman Mission Road
Walla Walla, WA 99368

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

(509) 522-6360 phone
(509) 522-6355 FAX

Approved:

Stephen G. Thede, Superintendent

11/6/2022

Date

Authority:

Under the provisions of 54 U.S. Code §100751 and Title 36, Code of Federal Regulations, Chapter 1, Parts 1-7 (36 CFR §1-7) the following provisions apply to all lands and waters administered by the National Park Service within the boundaries of Whitman Mission National Historic Site. Unless otherwise stated, these regulatory provisions apply in addition to the regulations contained in 36 CFR §1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by 36 CFR §1.5(c), are italicized in this document.¹

As required by 36 CFR §1.7(b), designations, closures, permit requirements, and other restrictions imposed under discretionary authority shall be updated annually and made available to the public upon request.

36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USES OR ACTIVITIES

(a)(1-2) The following visiting hours, public use limits, and closures are established:

Visiting Hours:

The park is open daily from sunrise to sunset.

- Visiting hours for the park visitor center are posted on the park's website (www.nps.gov/whmi).
- Park sites may be closed or inaccessible due to emergency, weather, or other factors adversely impacting safety or site resources. See "alerts" section for current information on the park website (www.nps.gov/whmi).
- The federal portion of Swegle Road and the federally owned Whitman Mission Road west of the park entrance sign and gate do not close except during emergency situations.

Determination: Visiting hours are established to maximize the public benefit achievable with anticipated funding and staffing levels. Days and hours established also take into consideration staff and visitor safety. Restricting night access to the park reduces the possibility of vandalism and theft. Current visiting hours continue established pattern.

¹ 36 CFR §1.5(c) states: *Except in emergency situations, prior to implementing or terminating a restriction, condition, public use limit or closure, the superintendent shall prepare a written determination justifying the action. That determination shall set forth the reason(s) the restriction, condition, public use limit or closure authorized by paragraph (a) has been established, and an explanation of why less restrictive measures will not suffice, or in the case of a termination of a restriction, condition, public use limit or closure previously established under paragraph (a), a determination as to why the restriction is no longer necessary and a finding that the termination will not adversely impact park resources. This determination shall be available to the public upon request.*

Public Use Limits:

A Special Use Permit is required for all non-NPS events involving groups of more than 25 people.

Determination: Groups of excessive size will not leave enough parking spaces, picnic tables, or enough capacity in the grounds or visitor center for other visitors. Excessively large groups have the potential to disrupt the reflective nature of the visitor experience and diminish visitor understanding and appreciation. Review required for decision regarding a Special Use Permit application can consider seasonal, time of week, and time of day visitation patterns to avoid exceeding park's infrastructure and personnel capacity.

Conditions and Restrictions on Specific Uses or Activities:

Idling a vehicle engine which produces exhaust is restricted to loading or unloading of passengers.

Determination: The idling of engines adds unnecessary exhaust fumes to the air and noise pollution which diminishes the enjoyment by visitors of the peace and tranquility of the park and has the potential to increase the health risks to visitors and employees.

Vehicles twenty (20) feet or greater in length are required to use bus and RV parallel parking on west side of parking area.

Determination: Full-size passenger car parking spaces are not designed to safely accommodate oversized vehicles. Use of passenger car parking spaces by oversized vehicles creates obstacles to safe traffic flow through parking area. Generally speaking, parking spaces of the size provided in the passenger car parking area in the park will accommodate cars of seventeen (17) feet or less in length. Park staff will monitor safety issues associated with longer passenger cars seventeen to twenty (17-20) feet in length for future reanalysis of policy.

Pedestrian traffic throughout the park is restricted to paved or clearly mown trails and areas of mown grass (unless accompanied by NPS personnel).

Determination: Restricting use to the trail systems (paved or mown) and areas of mown grass throughout the park is required to prevent damage to surface and subsurface cultural resources, disturbance to wildlife, to protect native plant communities, to reduce the spread of non-native species, and for visitor safety. The National Park Service developed a paved trail system throughout the park that services all significant historic areas and continues to develop and refine a mown trail system that provides visitor access to a variety of ecosystems within the park while limiting access to more fragile areas.

Fishing, swimming, and wading is prohibited in the park's irrigation system, including all ditches, "Doan Creek," and the millpond except as part of research approved under permit or NPS management actions.

Determination: The park irrigation system, including "Doan Creek" and the interpretive millpond exhibit, were designed to suggest the irrigation system used during peak of mission presence and incorporate features easily damaged through swimming or wading (such as polyethylene liners). Edges are unsafe and not designed for pedestrians. A manmade waterway, "Doan Creek" lacks a stable creek bottom and prevents safe visitor access. It was designed to enhance native anadromous species – angling jeopardizes fragile populations.

Kite flying, picnicking, frisbee, badminton, ball games, or other recreational activities of a similar nature are prohibited in all park zones except the Administrative Area or under Special Use Permit.

Determination: These public use restrictions decrease risk of damage to historic structures, reduce user conflicts, and allow for a reflective visitor experience.

Closures:

No areas are open for non-federal off-road vehicle travel within the park. No non-federal track-laying motor vehicles may be operated in the park.

Determination:

The above closures are necessary to provide government efficiency, ensure accountability of government equipment, protect park resources, and provide a safe environment for visitors and government employees alike.

Camping and overnight parking are prohibited within the park.

Determination:

The above closures are necessary to provide government efficiency, ensure accountability of government equipment, protect park resources, and provide a safe environment for visitors and government employees alike. There are no established camping facilities within the park and restricting public access at night reduces vandalism and potential theft.

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Whitman Mission National Historic Site is prohibited except as approved in writing by the Superintendent. "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.

Determination: This public use restriction is necessary to maintain public health and safety in this unit of the National Park System and to protect park resources and values.

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 August 31, 2022, all individuals must wear masks in or on any form of Department of the Interior-operated aircraft, boats and other maritime transportation conveyances, and buses with multiple occupants, regardless of COVID-19 Community Levels. Individuals are not required to wear masks while outdoors on conveyances or while outdoors on the premises of transportation hubs/facilities.

Determination (36 CFR §1.5(a)(2)): It is the policy of the federal government to halt the spread of COVID-19 by relying on the best available data and science-based public health measures. Such measures include wearing masks when around others, physical distancing, and other related precautions recommended by the Centers for Disease Control and Prevention (CDC). Masks are a critical step to help prevent people from getting and spreading COVID-19.

36 CFR §1.6 – PERMITS

Permits are required for the following:

- §1.5 Any non-NPS event or assembly involving more than 25 people or intended to occur in areas outside publicly accessible portions of Administrative Area
- §2.4 Carry or possess a weapon, trap, or net
- §2.5 Taking of plants, fish, wildlife, rocks, or minerals (specimen collection)
- §2.6 Gathering of plants or plant parts by federally recognized Indian Tribes under agreement authorized by 36 CFR §2.6
- §2.12 Operating a chain saw in developed areas
- §2.12 Operation of a portable motor or engine in non-developed areas
- §2.12 Operation of a public address system (in connection with public gathering under permit)
- §2.17 Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
- §2.17 Removal of a downed aircraft
- §2.37 Soliciting or demanding gifts, money, goods, or services
- §2.38 Use, possession, storage, transport of explosives or blasting agents, including fireworks
- §2.50 Sporting event, pageant, regatta, public spectator attraction, entertainment, and other events where size of audience is unknown prior or exceeds 25 persons
- §2.51 Public assemblies, meetings, gatherings, demonstrations, parades, and other public expressions of view involving groups of more than 25 persons
- §2.60 Livestock use
- §2.62 Memorialization (including scattering of ashes from human cremation)
- §4.11 Exceeding established vehicle load, weight, and size limits
- §5.1 Display, posting, or distribution of advertising
- §5.3 Engaging in or soliciting any business
- §5.5 Commercial filming (43 CFR §5)
- §5.5 Still photography using a set, model, or prop; in a location not accessible to visitors;

- or that would incur costs for providing oversight to protect resources or minimize visitor use conflicts (43 CFR §5)
- §5.7 Construction of buildings or other facilities
- §6 Operation of a solid waste disposal site

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

(a-c): 43 CFR §7.4 prohibits excavation, removal, damage, altering, or defacing any archeological resources on federal lands, including Indian trust except when such activity is pursuant to permit. The prohibition in 36 CFR §2.1 against possession or modifying of wildlife or fish parts, plants or plant parts, paleontological specimens, cultural or archeological resources, or mineral resources does not apply to interpretive or other management activities undertaken by National Park Service personnel or others authorized to act on behalf of National Park Service. There are no areas within the park where visitors may collect dead wood for use except under permit. Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statue, is prohibited, however visitors are allowed to walk upon the sites of historic buildings as delineated in Mission Grounds. Hiking or pedestrian traffic throughout the park is restricted to paved or clearly mown trails and areas of mown grass (unless accompanied by NPS personnel). Apples that have fallen from the orchard trees in the Mission Grounds may be gathered. Climbing of trees is prohibited.

Determination: The gathering of apples off of the ground will not harm the health of the trees. Once fallen, they no longer contribute to the visitors' enjoyment of or understanding of the purpose and significance of Whitman Mission National Historic Site.

36 CFR §2.2 - WILDLIFE PROTECTION

(d, f-g): Wildlife lawfully taken outside park boundaries may be transported in or on vehicles and through the park on publicly accessible vehicular roads under the following conditions:

- Persons transporting will possess a valid state hunting license or proof of appropriate tribal enrollment.
- Animal carcasses will be subject to inspection at any time by an authorized person.
- Transported wildlife will be covered or otherwise not publicly visible.

Hunters pursuing injured wildlife into the park must contact the Superintendent prior to pursuing injured wildlife in park or inflicting additional damage to wildlife once within park.

(e): With the exception of National Park Service conducted or sponsored programs, all park sites are closed to the viewing of wildlife with the use of an artificial light.

Determination: The National Park Service does not wish to impede those hunting legally nor impede the transportation of legally taken game. The transportation of game through the park, which is closed to hunting, however, could cause confusion with the park's hunting regulation.

36 CFR §2.3 – FISHING

(a, c): Fishing in the park's irrigation system, including all ditches, "Doan Creek," and the millpond is prohibited within the boundaries of Whitman Mission National Historic Site. See section 36 CFR §1.5, above

Determination: The park irrigation system, including "Doan Creek" and the interpretive millpond exhibit, were designed to suggest the irrigation system used during peak of mission presence and incorporate features easily damaged through fishing (such as polyethylene liners). Edges are unsafe and not designed for pedestrians or anglers. "Doan Creek" feature was designed to enhance native anadromous species – angling jeopardizes fragile populations.

36 CFR §2.4 – WEAPONS, TRAPS AND NETS

(e): The Superintendent may issue a permit to possess a weapon, trap or net when necessary to support research activities conducted in accordance with 36 CFR §2.5; for employees, agents, or cooperating officials in the performance of their official duties; or to provide access to lands or waters contiguous to park when other means of access are impracticable or impossible.

Determination: None of the provisions in this section or any regulation in this chapter may prohibit an individual from possessing a firearm, including an assembled or functional firearm, in any National Park unit if the individual is not otherwise prohibited by law from possessing the firearm; and the possession of the firearm is in compliance with the law of the state in which the National Park unit is located. However, firearms are prohibited within federal facilities except as otherwise permitted under 18 USC §930.

36 CFR §2.6 – GATHERING OF PLANTS OR PLANT PARTS BY FEDERALLY RECOGNIZED INDIAN TRIBES

The Superintendent may enter into an agreement with Indian Tribes to authorize the traditional gathering and removal of plants or plant parts for traditional purposes.

Determination: This provision for traditional gathering rule supports continuation of cultural traditions of American Indians while supporting the park mission and recognizing tribal sovereignty and the government-to-government relationship between the United States and the tribes.

36 CFR §2.10 – CAMPING AND FOOD STORAGE

(a): Camping is not allowed within Whitman Mission National Historic Site except as expressly permitted as part of an event under Special Use Permit.

Determination: The prohibition against camping is necessary for the maintenance of public health and safety, there are no facilities onsite to support such use. Prohibiting overnight access to the park reduces vandalism and theft.

36 CFR §2.11 – PICNICKING

Picnicking is allowed in the Administrative Area, which includes the picnic area and parking lot and is prohibited in all other park zones. All picnic tables are available on a first come-first served basis. No picnic table or picnic area reservations are allowed. See section 36 CFR §1.5, above.

Determination: Zoning of picnicking is discussed above, under 36 CFR §1.5.

36 CFR 2.13 – FIRES

(a-d): Except under Special Use Permit, fires are allowed only in the Administrative Area, which includes the picnic area, and must be in a container that will prevent damage to tables, trees, grass, or other park resources. All fires must be completely extinguished after use, with no burning material remaining - fires will be considered out when all burnable materials are cold to the touch. As posted during periods of extreme fire danger, the National Park Service may place additional burning and fire restrictions in place, up to and including complete prohibition of fires throughout the park.

Determination: The prohibitions within this section serve the purpose of protecting park natural, historic, and archaeological resources from the detrimental effects of fire. In addition, restricting fire to Administrative Area, where charcoal burning containers are provided, prevents fire from impacting visits and limits fire debris to a small area. Sparks from fire can start uncontrolled grassland fires, and so are forbidden outside the Administrative Area except under Special Use Permit.

36 CFR §2.14 – SANITATION AND REFUSE

Other than associated with National Park Service operations, the use of government refuse receptacles or facilities is allowed only for refuse created during visits to the park such as from picnicking at the park or disposal of vehicle litterbags. Disposal of human excreta may only occur in fixtures provided for that purpose in the public restrooms. Disposing of fish remains in the specific section of park waters from which they were legally taken is allowed.

Determination: The above statement neither increases nor decreases that already allowed by law, it merely documents that there are no additional uses permitted. Disposal of fish remains from other waters or alternative locations within a watershed contributes to spread of exotic pests.

36 CFR §2.15 – PETS

(a): Pets must be restrained on a leash not exceeding six (6) feet in length and are permitted only in the Administrative Area and on paved or mown trails open to the general public. Pets are prohibited in the cemetery. Pets may not be left tied to any object. Pet owners must remove and properly dispose of all solid pet excrement. Government refuse receptacles located out-of-doors may be used for this purpose.

Determination: Leash requirement provides for the protection of the pet as well as other park visitors, while preventing pets from disturbing or harassing native wildlife. Pet excrement poses a public health hazard in high use areas. All other regulations in this section are in effect to protect unattended pets from exposure to high temperatures and dehydration.

36 CFR §2.16 – HORSES AND PACK ANIMALS

(g) Any and all use of horses and pack animals, except on or along Swegle and Whitman Mission Road west of park entrance sign and gate, requires a Special Use Permit.

Determination: The use of horses and pack animals is restricted to areas where they will not present a safety hazard or other user group conflicts to visitors. The impact of stock on trail surfaces is also a consideration in determining where they can be used.

36 CFR §2.17 – AIRCRAFT AND AIR DELIVERY

(a)(1): No area within park is designated for use by aircraft.

36 CFR §2.18 – SNOWMOBILES

(c): Snowmobiles may not be operated within the park.

Determination: Snowmobile use is inconsistent with the park's cultural and aesthetic values, safety considerations, and will disturb wildlife and impair park's natural sound environment.

36 CFR §2.20 – SKATING, SKATEBOARDS AND SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited.

Determination: There are no reasonably safe accommodations for skating, skateboarding, or similar recreation that would ensure visitor safety and avoid conflicting visitor uses.

36 CFR §2.21 – SMOKING

(a): Smoking is prohibited in all government buildings and facilities, as well as within 25 feet of a public building entrance or air intake duct. The use of electronic nicotine delivery systems is also prohibited within all government buildings and facilities as well as within 25 feet of a public building entrance. The Superintendent may post notices and further restrict areas where smoking is allowed during periods of high fire danger.

Determination: Smoking is prohibited to protect public health, to protect structures and resources from fire danger or smoke, and to minimize conflicts among visitor use activities. There are no designated employee smoking areas within National Park Service facilities. The onsite use of electronic nicotine delivery systems is also regulated to serve the same purposes.

36 CFR §2.22 – PROPERTY

(a)(2): Property may not be left unattended for longer than 24 hours.

Determination: Property left in park conflicts with other users' enjoyment of public land, impedes efficient federal management of land and associated resources, and is vulnerable to theft, destruction, or vandalism.

36 CFR §2.35 – ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a)(3)(i)(A): The consumption of alcoholic beverages and/or the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed, is prohibited within any federal facility, in Memorial Hill & Great Grave Area, including the pioneer cemetery, and within Mission Grounds.

Determination: This restriction is intended to avoid visitor conflicts, provide for visitor safety in an area heavily used by families and children, and help prevent injuries to park visitors. Prohibition on use in historic areas is intended to prevent potential damage to historic and cultural resources and to enhance the reflective nature of the visitor experience.

36 CFR §2.38 – EXPLOSIVES

(b): Fireworks are prohibited.

Determination: Fireworks are prohibited to ensure visitor safety and reduce wildfire risk.

36 CFR §§2.51-2.52 – DEMONSTRATIONS AND SALE OR DISTRIBUTION OF PRINTED MATTER

§2.51(c), §2.52(e)(4): A public assembly area has been designated within the park Administrative Area and is delineated on attached map. The location is available for demonstrations under 36 CFR §2.51 and sale or distribution of printed matter under 36 CFR §2.52 and is composed of the areas of mown grass surrounding the parking lot. Areas other than those designated above may be approved under Special Use Permit in accordance with 36 CFR §2.51(c).

Determination: First Amendment activities for 14 days or less and involving 25 people or fewer do not require a Special Use Permit to demonstrate or distribute or sell printed matter under their First Amendment rights. However, First Amendment activities without a permit are restricted to the designated First Amendment sites listed above. Those sites were selected by the park for their high visibility and access to the public and for the physical nature of those sites to provide ample room for freedom of speech activities. Activities shall not cause injury or damage to park resources, unreasonably interfere with tranquility or interpretive activities, or create a clear or present danger to park visitors.

36 CFR §2.62 – MEMORIALIZATION

(b): A permit is required for scattering ashes in all areas of the park. 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 300 feet from any trail, road, developed area or flowing stream, river or other body of water. Scattering on the ground must result in complete dispersal of ashes so that no obvious piles remain in any one place. No containers/urns are to be left behind or buried. No scattering of remains from the air is to be performed over developed areas, facilities, or bodies of water.

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

Electric powered mobility assistance devices (i.e. electric scooters or Segway devices) used to help visitors overcome disabilities, are permitted on all park roads, paved trails, and walkways.

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

(a): Vehicle load, weight and size limits established by state law apply to a vehicle operated on a park road. Where vehicles under permit exceed established state weight and size limits, travel on park roads will require a permit issued by the superintendent and establishing conditions for the operation of such vehicle exceeding designated limits.

(b): The following are prohibited:

- (1) Operating a vehicle that exceeds a load, weight or size limit designated by the superintendent.

36 CFR §4.21 – SPEED LIMITS

(a-b): The speed limit on all park roads east of the park entrance sign and gate is 15 miles per hour.

Determination: These restrictions are in place to protect the public health and safety of those on the narrow roadways, protect the scenic values, wildlife safety, protect the infrastructure of roads, and to reduce conflicts among visitor users.

36 CFR §4.30 – BICYCLES

For the purpose of applying 36 CFR §4.30 at Whitman Mission National Historic Site, the following will hold true:

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 at Whitman Mission 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. 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 at Whitman Mission 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.

(a, d): Bicycle riding is permitted only on public use roads designated for vehicular traffic and parking areas and is prohibited on all park trails, paved or unpaved. Bikes may be walked on pedestrian walkways when necessary to reach provided bike racks.

Determination: The use of bicycles is restricted to areas where they will not present a safety hazard or other user group conflicts to visitors, or cause resource impacts.

36 CFR §4.31 – HITCHHIKING

Hitchhiking is prohibited within the park and on park roads.



