



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

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

Approved:

/S/ Vidal Davila Date: 02/19/10
Vidal Davila, Superintendent

**National Park Service
Wind Cave National Park**

Wind Cave National Park
26611 US Highway 385
Hot Springs, SD 57747

605-745-4600 phone
605-745-4207 fax

AUTHORITY

In accordance with the provisions of 16 USC, Section 3 and Title 36 Code of Federal Regulations, Chapter 1, Parts 1 through 7, the following orders are established for Wind Cave National Park. Unless otherwise noted, these orders apply in addition to the provision contained in Title 36 CFR, Parts 1 through 7.

These regulations will provide for the maintenance of public health and safety, the protection of scenic or environmental values, the protection of natural or cultural resources and aid in scientific research. They will provide for the implementation of management responsibilities, equitable allocation and use of facilities and reduction of conflict among visitor use activities.

Visitors may obtain additional information or permit applications by contacting: Office of the Superintendent, Wind Cave National Park, 26611 US Hwy 385, Hot Springs, SD 57747, telephone (605) 745-4600.

In addition, a copy of this compendium is available for public review at the following locations:

- Office of the Superintendent – Wind Cave National Park, 12 miles north of Hot Springs, South Dakota.
- Office of the Chief Ranger - Wind Cave National Park, 12 miles north of Hot Springs, South Dakota.
- **The Wind Cave National Park Website** – www.nps.gov/wica

GENERAL PROVISIONS

The specific discretionary authority for Park Superintendents to establish reasonable schedules for visiting hours, impose public use limits, and close park areas for all public use or specific use is found at 36 CFR 1.5. These park-specific restrictions are also based upon 36 CFR, Chapters 1-7 to protect park resources, visitors and employees. Under CFR 1.7 notice of all restrictions, closures, designations and permit requirements will be made available to the general public by at least one or more of the following methods of notification: maps, brochures, signs, permits, or other appropriate methods, as well as within this compendium. Finally any Records of Determination are available upon request under 36 CFR 1.5(c).

APPLICABILITY AND SCOPE

The regulations and public use limitations or restrictions contained in this document apply to all persons entering, using, visiting or otherwise within the boundaries of lands and waters, controlled, leased, administered or otherwise subject to the jurisdiction of the National Park Service, National Mall & Memorial Parks.

The regulations and public use limitations or restrictions contained in this document shall not be construed to prohibit administrative activities conducted by the National Park Service, or its agents, in accordance with approved management plans, or in emergency operations involving threats to life, property, or park resources.

DEFINITIONS:

Please refer to the definitions section (terms to know) in 36 CFR.

Section I: Closures & Public Use Limits

36 CFR 1.5(a)(1) Closures:

NOTE: Violations under this section should be cited under 36 CFR 1.5(f)

1.5 (a)(1) The following areas are closed to; vehicular traffic, and/or all public use:

- All caves within Wind Cave National Park are closed to public use; except by authorized permit.
- The Wind Cave firearms range is closed to all public use and employee use with the exception of NPS commissioned law enforcement personnel. The Superintendent may grant permission for use of the range to authorized agents in accordance with the park's Firearms Range Use Policy.
- The Wind Cave sewage lagoons and treatment areas are closed to all public use.
- The Wind Cave bison corrals and buildings are closed to all public use except by permit.
- The Rankin Ridge Fire Tower is closed to all public use.
- All service roads are closed to non-authorized vehicle use. Service and administrative roads shall be designated with signs or gates. These roads currently include: Mixing Circle Road, Lower Housing Loop, Upper Housing Loop, Reservoir Access Road, Wind Cave Canyon Road, and Bison Corral Road.
- In accordance with 36 CFR 5.6, the following park owned roads are closed to commercial vehicles:
 - NPS 5
 - NPS 6

Roads closed to commercial vehicle use shall be designated with signs. Commercial vehicles conducting business within the park, public transportation vehicles, and official concession or park contracted vehicles are exempted.

36 CFR 1.5(a)(2) Public Use Limits:

1.5 (a)(2) The following public use limits apply:

- 1) Segways and non street legal motorized scooters, as defined under 36 C.F.R. § 1.4, are motor vehicles. Pursuant to 36 C.F.R. § 1.5(a), 4.10(a) the Park is closed to the use of Segways and motorized scooters from all areas within the park including all park roads, trails and sidewalks.

However, any park visitor with proof of disability is permitted to use wheelchairs, motorized wheelchairs, Segways and motorized scooters in the Visitor Center, Elevator Building, Elk Mountain Campground, Picnic Area, vehicle pullouts, and adjacent sidewalks.

Due to potential damage to cave resources from wheelchairs and walkers in narrow passages, alternative tours are available to mobility challenged visitors. These include the Middle Landing and the Assembly Room, via the Lower Landing. Only the Middle Landing immediately outside of the airlock meets the accessibility for visitors with disabilities requirements for unassisted wheelchair access (Directors Order #42). The Assembly Room, via the Lower Landing, is accessible with assistance. Segways and motorized scooters are not permitted in Wind Cave due to potential damage to cave resources and for safety considerations to visitors. A person shall operate any mobility assistive device in a safe and responsible manner so as not to endanger one's self or any other park visitor.

2) While participating in a public cave tour the following is required:

- A. Hard soled footwear
- B. Wild Cave Tour participants must be 16 years of age
- C. Candlelight Tour participants must be 8 years of age

While participating in a public cave tour the following is prohibited:

- The consumption/use of food, tobacco products, beverages and gum
- Touching the cave or the removal of any type of cave resource
- Disposal of human waste (Urine/feces)
- Off trail travel

3) Bus idling is prohibited in all areas except during the loading and unloading of passengers.

4) Willfully remaining, approaching, photographing, filming, or video recording within 100 yards of bison or elk, (unless inside a legally positioned vehicle) is prohibited.

5) As stated in 36 CFR Section 4.10(a), all off road motor vehicle travel is prohibited including the off-road operation of all OHV type vehicles (ATVs). The Superintendent may authorize the use of off road travel for administrative purposes such as fire control, search and rescue, law enforcement, resource management activities and maintenance activities.

6) Firearms:

Per 18 USC 930 - The cave and all park buildings that are open to the public (except bathrooms in the picnic area and the Elk Mountain Campground) are CLOSED to the carrying of firearms regardless of permits. Each building shall be signed at or near the entrances to alert the public. Law enforcement officers on official duty are exempted.

Per 43 CFR 20.511 – Departmental employees in the course of their official duties (except those specifically designated to perform law enforcement, police or other duties requiring the use of firearms) are prohibited from possessing firearms on property under control of the Department. Includes: Park volunteers, contractors, permit holders, etc.

Reminder:

The carrying and transportation of firearms is in strict accordance with South Dakota State law
The use of firearms is prohibited – 36CFR 2.4(a)(1)(iii)
Please see Section III for additional information about firearms regulations

7) Climbing, rappelling, bungee jumping, hang gliding, para-gliding and other similar activities are prohibited from all park bridges, and structures. The Superintendent may waive restrictions for official SAR training events or maintenance/construction needs.

8) Established quiet hours (11 p.m. to 6 a.m.) apply to all developed areas and parking areas including administrative, maintenance and employee housing areas. The Superintendent may lift the restrictions during times of emergency operations or required maintenance.

9) The operation of mini-motorcycles (Pocket Rockets) is prohibited.

10) Flying kites and remote model airplanes is prohibited in the park.

Section II: 36 CFR 1.6 Permits:

The following is a compilation of those activities for which a permit from the superintendent or designee is required. Fees apply to most special use permits. Permit fees apply to cave tours and the use of the campground.

Backcountry camping and the day use of pack animals in the park require a permit which is available free at the Visitor Center. Violations under this section should be cited under 36 CFR 1.6(g)(1) or (2)

- Transporting a weapon, trap or net across park lands to access legal hunting and fishing areas requires a permit unless it is being properly transported in a mechanical conveyance – See 36 CFR 2.4(d)
- Specimen collecting, research and some science education activities – See 36 CFR 2.5
- Camping in designated areas: Elk Mountain Campground and Wind Cave National Park Backcountry Areas – See 36 CFR 2.10
- Horse and Pack Animal Use: Backcountry day use utilizing pack animals - See 36 CFR 2.16(g)
- Creating Audio Disturbances - Operating a public address system – See 36 CFR 2.12
- Aircraft and air delivery – See 36 CFR 2.17
- Soliciting or demanding gifts, money, goods or services – See 36 CFR 2.50, 2.51, 2.52 or 2.37
- Using or possessing explosives – See 36 CFR 2.38
- Conducting a sporting event, pageant, regatta, public spectator attraction, entertainment, ceremony or similar event – See 36 CFR 2.50(a)
- Conducting a public assembly, meeting, gathering, demonstration, parade, ceremony, wedding, or expression of view – See 36 CFR 2.51(e)
- Sale or distribution of printed materials – See 36 CFR 2.52(c)
- Livestock Use – See 36 CFR 2.60(b)(c)
- Residing on Federal Lands – See 36 CFR 2.61(a)
- Memorialization – See 36 CFR 2.62
- Exceeding established vehicle load, weight or size limits – See 36 CFR 4.11
- Displaying, posting or distributing advertisements – See 36 CFR 5.1
- Selling intoxicants – See 36 CFR 5.2(b)
- Engaging in or soliciting any business – See 36 CFR 5.3
- Commercial photography/filming (Use of models, vehicles, props, crew, casts, etc) – See 36 CFR 5.5
- Use of commercial vehicles to access private lands – See 36 CFR 5.6(c)
- Construction of buildings, facilities, trails, roads, paths, structures, docks – See 36 CFR 5.7
- Operation of eating, drinking, or lodging establishments – See 36 CFR 5.10(a)

Section III: General CFR Regulations

36 CFR 2.1 - Preservation of Natural, Cultural, and Archeological Resources:

- 2.1 (a) (4). All areas of the Park are closed to wood gathering.
- 2.1 (b). All persons on guided cave tours must stay on established trails or designated routes.
- 2.1 (c) (2) (i). Gathering of fruits, berries, nuts, in small quantities for non-commercial use is permitted. The quantity shall not exceed the daily use of the immediate family.

Reminder:

All natural objects (antlers, plants, bones, rocks, fossils, etc.) are protected. When in doubt ask a ranger a first.

36 CFR 2.2 - Wildlife Protection:

2.1 (a)(1)(i). Lawfully taken wildlife from outside the park may not be possessed while visiting or camping in the park, but may be transported by vehicle on established roads through the park. (See below)

2.2(d) The motorized transportation of lawfully taken wildlife through Wind Cave National Park on established roads will be conducted in compliance with applicable South Dakota State game laws.

2.2(d). The retrieval of wounded or dead wildlife from the park is prohibited.

2.2 (e). All areas within Wind Cave National Park are closed to the viewing of wildlife with artificial light, which includes the purposeful direction of headlights and flash photography. The use of artificial light for special events, research, interpretive programs, emergencies and maintenance functions may be permitted by the Superintendent or designee.

36 CFR 2.4 – Weapons, traps and nets

P.L. 111-24 Section 512: The carrying and transportation of firearms is allowed provided;

- (1) The individual is not otherwise prohibited by law from possessing the firearm; and
- (2) The possession of the firearm is in compliance with the laws of the State of South Dakota.

36 CFR 2.4 (a)(1)(iii) The use of firearms is prohibited in Wind Cave National Park

Reminders:

Per 18 USC 930 : The cave and all park buildings that are open to the public (except bathrooms in the picnic area and the Elk Mountain Campground) are CLOSED to the carrying of firearms regardless of permits. Each building shall be signed at or near the entrances to alert the public. Law enforcement officers on official duty are exempted.

State and Federal firearm laws can be complex, when in doubt always ask a ranger first.

36 CFR 2.10 - Camping

2.10(a) Camping:

- Camping is allowed in designated areas only.
- Camping or overnight sleeping in vehicles alongside roadways, in parking lots, picnic areas, trailheads and wayside exhibit areas is prohibited.

Food Storage:

- All human and pet food must be stored in a closed hard-sided container or enclosed vehicle when not in use. Food scraps, cooking utensils, and garbage must be stored or disposed of in such a manner as to be inaccessible to wildlife.

Backcountry Camping:

- A free permit is required for all backcountry camping
- Pets are prohibited in the backcountry.
- Open fires are prohibited in the backcountry
- Backcountry camping is permitted in the northwest area of the park only. The designated area is north of Beaver Creek, east of route 87 and west of the Highland Creek Trail. **(See map)**
- All other backcountry areas in the park are closed to camping
- Campsites must be a ¼ mile from, and out of sight of, any paved or improved dirt road and all campsites must be 100 feet away from the trail and any water source.
- A site may only be occupied for two consecutive nights and an individual is limited to 7 nights per trip and no more than 30 total nights per year.

- Human waste must be buried in a shallow hole 100 feet or more from camps, trails and water sources. Food waste and trash must be packed out of the backcountry, burial of these items is prohibited.

Elk Mountain Campground:

- A camping permit is required to camp at Elk Mountain Campground. (Recreation fees apply)
- An individual may stay a maximum 14 consecutive nights, no more than 30 total nights during the calendar year.
- A maximum of two tents, 8 people and 1 vehicle is permitted on each site.
- The group camping sites is limited to 30 people
- Campground quiet hours are from 10 p.m. to 6 a.m.
- The campground is closed to persons other than registered campers from 11 p.m. to 7 a.m.
- Generators may only be used from 8 a.m. to 8 p.m.
- Checkout time is 12:00 p.m.
- Campground Fees: See below – Section 36 CFR 2.23 for a list of park recreation fees

36 CFR 2.11 - Picnicking:

- Unless closed, picnicking is permitted throughout the surface area of Wind Cave National Park.
- Picnicking in Elk Mountain Campground is allowed only if there are open campsites.
- Open fires and charcoal fires are prohibited unless they are in a designated fire grate. Fire grates are located in the Visitor Center picnic area and the Elk Mountain Campground.

36 CFR 2.12 - Audio Disturbances:

2.12 (a) (2). Park residents may operate power saws within residential areas from 8 a.m. to 8 p.m. without a permit. Note: Established quiet hours, (11 p.m. to 6 a.m.), apply to all developed areas and parking areas; including administrative, maintenance and employee housing areas. The Superintendent may lift the restrictions during times of emergency operations or required maintenance.

36 CFR 2.13 - Fires:

2.13 (a) (1). Open fires are prohibited at all locations except for Elk Mountain Campground, park residential areas and the established picnic ground. All fires, must be confined in established fire grates or charcoal broilers which are located in the Elk Mountain Campground, Visitor Center Picnic Area and park housing areas.

2.13 (b). All fires shall be completely extinguished and cold to the touch prior to abandonment. Disposal of remaining ash and by-products into garbage cans is prohibited.

Reminder:

Fires must not be left unattended - CFR 2.3(a)(4)

36 CFR 2.14 - Sanitation and Refuse:

2.14 (a) (2). The use of government refuse receptacles, garbage cans and dumpsters for the disposal of household refuse is prohibited. Employees may bring recyclable items from home if their local community does not have a recycling program. The disposal of commercial and industrial refuse within the Park is prohibited. Park residents may utilize government receptacles when occupying Park quarters.

2.14 (a) (8). In backcountry areas, human waste must be buried in a shallow hole, 100 feet or more from camps or water sources and immediately covered. All food waste, food containers, and disposable items packed into the backcountry must be packed out. Burial of these items is prohibited.

36 CFR 2.15 - Pets:

2.15 (a) (1). All caves, hiking trails, and backcountry areas are closed to pets. Service dogs are allowed on paved cave trails if medically necessary. All public use buildings are closed to pets except for service dogs. Properly leashed dogs are allowed in the Elk Mountain Campground, on established roadways that are open to public motor vehicle traffic, parking lots, and on the two front country nature trails; Elk Mountain and Prairie Vista.

2.15 (a) (3). Leaving pets unattended or tied to any object while unattended within the Park is prohibited, including the exterior of motor vehicles parked or camped within Park boundaries. Pets may be left unattended within motor vehicles with proper ventilation and water and in weather that is not hazardous to the immediate welfare of the animal.

2.15 (a) (5). Pet excrement shall be removed by the pet owner/handler from all public use areas.

2.15 (e). Park residents may keep pets in accordance with the Park pet policy.

Reminder:

2.15(a)(2) Pets must be restrained at all times and when using a leash, the leash may not exceed six feet.

36 CFR 2.16 - Horse and Pack Animals:

(a) The following animals are designated as pack animals:

- Horses, Burros, Mules
- Alpacas or Llamas

(b) Permitted uses:

- Wind Cave National Park is open to the use of horses and pack animals . All horse and pack animal use will be by permit only. A free backcountry use permit will be issued at Park Headquarters .
- Group size limits and total number of stock and riders allowed in the Park will be limited in order to ensure the opportunity for a quality experience and to minimize the possibility of harmful impact to the Park's natural and cultural resources. The Superintendent will utilize the permit system to determine use limitations.

(g) Prohibited Uses and Conditions:

- Pack animals are prohibited in the following areas: Elk Mountain Campground, Centennial Trail, Visitor Center/Administrative areas, and on all designated hiking or nature trails.
- Pack animals are prohibited on the paved portion of all roadways and parking areas, except while crossing.
- Hitching horses or other saddle or pack animals so as to damage, injure, deface or disturb natural or cultural resources is prohibited.
- Overnight horse/pack animal use is prohibited
- All hay and feed brought into the Park to support pack animals must be certified as weed free.
- All parking lots will be cleaned of feed and manure.

36 CFR 2.17 - Aircraft and Air Delivery:

2.17 (c) (3). Arrangements for the removal of downed aircraft will be made pursuant with the recommendations of the National Transportation Safety Board or Federal Aviation Administration investigators or designated personnel.

36 CFR 2.18 - Snowmobiles:

2.18 (a). Snowmobiling is prohibited within the boundary of Wind Cave National Park.

36 CFR 2.20 – Skating, Skateboards and Similar Devices:

Skating, rollerblades, skateboards and non-motorized scooters and/or the use of similar devices is prohibited except for residential areas within the Park.

36 CFR 2.21 - Smoking:

The following park structures, facilities and areas are closed to smoking:

- All NPS offices and buildings
- All government quarters
- All government owned or leased vehicles
- Fuel and flammable storage areas
- Fuel refilling areas

Reminder:

36 CFR 2.21(b) prohibits smoking in all caves and caverns

36 CFR 2.23 – Recreation Fees:

Campground and Cave Tour fees are half price for Senior or Access card holders

Campground Fees

\$12	Tent and RV sites per night	Approximately April to November
\$ 6	Tent and RV sites per night	Approximately November to April
\$20	Group Camping (30 max)	Call for details/reservations 605-745-4600
(Additional fees may apply for groups over 20)		

Cave Tours

<u>Tour Route</u>	<u>Adults (17 & Older)</u>	<u>Youth (6-16)</u>	<u>Infant/Toddler</u>
Garden of Eden:	\$7.00	\$3.50	Free
Natural Entrance:	\$9.00	\$4.50	Free
Fairgrounds:	\$9.00	\$4.50	Free
Candlelight:	\$9.00	\$4.50*	Not Permitted
Wild Cave:	\$23.00	Not Permitted**	Not Permitted

- * The minimum age for the Candlelight Tour is age 8.
- ** The minimum age for the Wild Cave Tour is age 16 – the fee is \$23.00

36 CFR 2.35 – Alcoholic Beverages and Controlled Substances:

2.35 (a) (3). Unless authorized by the Superintendent all park buildings and NPS administrative work areas are closed to the consumption of alcoholic beverages and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal has been broken or the contents of which have been partially removed. Park housing is exempted.

Reminder:

- 36CFR 2.35(a)(2)(i) Supplying alcohol and/or a place for minors to consume alcohol is prohibited.
- 36CFR 2.35(a)(2)(ii) The consumption/possession of alcohol by persons under 21 years is prohibited.

36 CFR 2.38 - Explosives:

The possession of and/or use of fireworks, firecrackers or black powder or explosives in the Park is prohibited.

36 CFR 2.51 - Public Assemblies, Meetings:

Public assemblies, meetings, gatherings, demonstrations and other public expressions of views will be allowed if a permit has been issued in accordance with 36 CFR 2.51 at locations designated to balance the legitimate needs of persons to express their views and the needs of Park visitors to enjoy the Park and its resources.

- Permits for public assemblies, meetings, gatherings, demonstrations and other public expressions of views may be requested for all areas of Wind Cave National Park with the exception of the following:
 - All roadways,
 - Inside all buildings,
 - Areas closed to the general public,
 - Within the cave,
 - Administrative areas including Park Headquarters and the Elk Mountain Campground. Within these administrative areas permits may be requested for the following two areas only (**See attached map**)
 - The lawn area across the street from the Park Headquarters/visitors center.
 - The Elk Mountain Campground Amphitheater. (N-43.33.935 W-103.29.798)

36 CFR 2.52 - Sale and Distribution of Printed Material :

The sale or distribution of printed matter will be permitted at locations designated to balance the legitimate needs of persons to express their views and the needs of Park visitors to enjoy the Park and its resources.

Designated areas at Wind Cave National Park where the sale or distribution of printed matter is allowed pursuant to a written permit include the same areas identified as opened to public assemblies. All other areas of the Park are closed to the sale or distribution of printed matter.

36 CFR 2.62 - Memorialization:

2.62(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in the Park without the authorization of the Director of the National Park Service is prohibited.

2.62 (b). Spreading of human ashes in the Park may only be done by a special use permit issued by the Superintendent.

36 CFR 4.13 - Obstructing Traffic:

1. Obstructing traffic, stopping or parking a motor vehicle upon any Park roadway is prohibited.
2. Parking on Routes 385, 87 and the Wind Cave Access Road is limited to established parking lots, pullouts and wayside exhibit areas.
3. Parking on NPS Routes 5 and 6 is limited to within one and one-half vehicle width of the road edge.

36 CFR 4.21 - Motor Vehicle Speed Limits:

The speed limits specified here are adopted for use in the Park:

1. Highway 385 – 45 miles per hour
2. Highway 87 – 35 miles per hour
3. NPS 5 and NPS 6 – 25 miles per hour
4. Visitor Center Access Road – 30 miles per hour
5. Visitor Center parking lot – 15 miles per hour

6. Maintenance/Fire Cache/Residential Access Road – 15 miles per hour
7. Elk Mountain Campground Access Road – 25 miles per hour
8. Elk Mountain Campground – 15 miles per hour

36 CFR 4.30 - Bicycles:

4.30 (a). The operation of bicycles is permitted on all public roadways within the Park. Bicycles are prohibited on trails, walkways, off road, and routes closed to public vehicular traffic. Bicycles are required to follow the same laws and regulations that apply to the safe operation of motor vehicles as required in both 36 CFR 4.30 (c) and South Dakota State law.

36 CFR 4.31 - Hitchhiking:

The solicitation of rides by pedestrians or hitchhiking along any roadway within Wind Cave National Park is prohibited.

36 CFR 5.5 - Commercial Photography:

As a general rule, permits are not required for either commercial or non-commercial still photographers. However, written permits issued by the Superintendent shall be required when the still photography involves products or service advertisement or the use of models, sets, or props, or when such photography could result in damage to the resources or significant disruption of normal visitor uses. Permits shall be required for photographers granted access to areas normally closed to the visiting public except that verbal approval can be given for such access to a photographer engaged in bona fide news-gathering activities. For advertising photography, it is appropriate to impose a permit condition that prohibits implied or stated Service endorsement of the advertised product or service. Written permits issued by the Superintendent shall be in accordance with established policy and those procedures detailed in 36 CFR 1.6.

Approved:

/S/ Vidal Davila Date: 02/19/10
Vidal Davila, Superintendent