

Superintendent's Compendium 2019

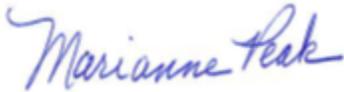
National Park Service
U.S. Department of Interior

Adams National Historical Park
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Quincy, MA 02169

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Marianne_Peak@nps.gov

Approved:



Marianne Peak, Superintendent
February 27, 2019

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

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Title 36 CFR Section 1.5(c), appear in this document identified by italicized print.

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

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

Park Locations:

Visitor Center, Presidents Place, 1250 Hancock Street, Quincy, MA

Park Headquarters, 181 Adams Street, Quincy, MA

Adams Birthplaces, 131-141 Franklin Street, Quincy, MA

Old House at Peace field, 135 Adams Street, Quincy, MA

Hours of Operation:

May 18 through November 10:

The Visitor Center, Adams Birthplaces & Old House

Open 7 days a week, including federal holidays, from 9:00 am to 5:00 pm. Eastern Standard Time

November 11 through May 1

The Visitor Center is open Tuesday through Friday, 10:00 am to 4:00 pm and closed on federal holidays.

Park Headquarters is open from 8:00 am to 4:30 pm, Monday through Friday, year round and closed except for federal holidays.

Adams Birthplaces & Old House closed to visitors.

These visiting hours were determined to be in the best interests of the park and are necessary for the proper management of the park.

The park may close due to hazardous weather conditions, power outages or other circumstances which necessitate a shutdown. Notice will be posted on the park website at www.nps.gov/adam, and published through local media and newspapers. Park Grounds, unless otherwise designated, should be considered a Day Use Area, open from 8:00 a.m. until dusk (1/2 hour after sunset).

Public Use Limits:

Tours of the John Adams and John Quincy Adams Birthplaces and the Old House at Peace field are given on a first come, first served basis. Reservations are preferred for groups of 8 or more.

Oversized pocketbooks, large bags, and backpacks are never permitted in the historic houses and may not be left unattended at any time at Adams NHP. The park does not have storage facilities. It is advised that these items be left in your vehicle, home, or hotel.

Space is limited along the historic tour route. Reservations for larger tour groups help to ensure public safety, the orderly management of park operations, and the preservation of historic and cultural resources.

The maximum number of occupants permitted in the Adams Carriage Room is based on the International Building Codes developed by the International Code Council (ICC) and varies by furniture configuration. The park will consider requests on a case-by-case basis. Occupancy limits are in place for reasons of life safety.

The historic homes cannot accommodate Segways or motorized chairs and assistance vehicles. The park provides non-motorized wheelchairs for loan at the Birthplaces and Old House at Peace field. The use of some vehicles to enhance the mobility of physically impaired visitors may be verbally approved for temporary use outdoors by a park staff member. This is to provide better safety and accessibility to the visitors of Adams NHP.

Closures:

Seasonal closures may be established and will be identified on the park's website.

The park is closed to the following activities:

Camping. This closure is necessary as there are no camping facilities within the park.

Picnicking. This closure without a permit is necessary to protect natural resources and to prevent interference with park operations. Park will consider a Special Use Permit for school groups.

Ice Skating. This closure is necessary to ensure visitor safety.

Sledding. This closure is necessary to ensure visitor safety.

Recreational bicycle use. Bicycles can be used as transportation to the park, but the park does not currently have bike racks to accommodate storage. Bicycles may not be used on park grounds because the park does not have bike paths and includes a historic orchard, class A turf and formal garden, not conducive to bicycle/recreational use.

(a)(2) The following areas are designated for a specific use or activity and/or the following conditions or restrictions are imposed on a specific use or activity:

Passenger Carrying Diesel-Fueled Vehicles:

Engines must be shut down when not underway. All motor vehicles traveling to the park that are parked for more than one (1) minute must have the engine shut down. This prohibition does not apply to law enforcement patrol operations, fire or emergency search and rescue missions or training exercises. The purpose of this restriction is to reduce public exposure to diesel, exhaust particulate matter and other toxic air contaminants by limiting the idling of buses, trucks and other motor vehicles. Additionally, this restriction will also limit the noise impact on visitors enjoying the natural, cultural and historical setting with the park. This is also a courtesy to our neighbors.

This restriction is necessary to prevent unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park.

Hiking & Pedestrian Use:

Hiking and walking are restricted to park paths and walkways. See also 36 CFR § 2.1(b).

Service Animals:

Service animals must be allowed wherever visitors are allowed when accompanying an individual with a disability, subject to the requirements for using service animals in this Memorandum and to properly implemented closures as described below.

A service animal must be harnessed, leashed, or tethered, unless (1) these devices interfere with the service animal's work, or (2) the individual's disability prevents them from using these devices. In those cases, the individual must maintain control of the animal through voice, signal, or other effective means.

NPS staff may require an individual with a disability to remove a service animal from a facility, service, program, or activity if:

- the animal is out of control (see [28 CFR 35.136\(b\)\(1\)](#) and [28 CFR 36.302\(c\)\(2\)\(i\)](#)) and the animal's handler does not take effective action to control it; or
- the animal is not housebroken.

If a service animal is excluded for these reasons, the individual with the disability must have the opportunity to participate in the service, program, or activity without the service animal.

CCTV Policy Statement:

In accordance with National Park Service Law Enforcement Reference Manual 9 (RM-9), notice is hereby given that Adams National Historical Park 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 Audiovisual 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 – ACTIVITIES THAT REQUIRE A PERMIT

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit. Individuals and organizations wishing to apply for a permit should contact the Park's Special Use Coordinator for more information and application. Contact information:

Superintendent Marianne Peak
 Adams National Historical Park
 135 Adams Street, Quincy, MA 02169 Phone: 617-773-1177
 Email: Marianne_Peak@nps.gov

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

(b) Hiking or pedestrian traffic is restricted to the park’s paths or walkway as listed in 36 CFR § 1.5 of this document.

Under, §2.1(a) collecting natural materials from the park is generally prohibited. However, pursuant to §2.1(c), the following fruits, nuts, berries or unoccupied seashells may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or possession and consumption restrictions: Individuals choosing to do so must take responsibility for the fact that trees are sprayed throughout the season for natural resources management. FDA regulations should be acknowledged by those gathering fruit and nuts. Nuts, including beech nuts and horse chestnuts, and edible fungi can be gathered in the amount of one liter/quart per person per day. Gathering of fallen fruit/nuts from the trees throughout the park is permitted. Crop still on the tree may not be picked. The above described gathering and consumption of fruit/nuts will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This allowance is made based on a determination that the gathering or consumption of small quantities of nuts and fungi will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

36CFR §2.11 -- PICNICKING

- Picnicking is prohibited without a permit in the park pursuant to 36 CFR § 1.5.
- School groups may apply for a Special Use Permit for picnicking.
- Trash must be disposed of properly and packed out when no trash receptacles are available.
- Carry in/carry out.
- Picnicking is on a first-come, first-served basis.
- No grills are permitted.
- Picnic areas are designated at the Beale Estate and require permits.

◦36 CFR §2.12 – AUDIO DISTURBANCES

- (a)(2) Operating a power saw in developed areas is prohibited, except pursuant to the terms and conditions of a permit.**
- (a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas is prohibited, except pursuant to the terms and conditions of a permit.**
- (a)(4) Operating a public address system is prohibited, except 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 2.13 – FIRES

- (a)(1) The lighting or maintaining of fires is prohibited.

36 CFR §2.15 – PETS

◦(a)(1) Possessing pets in public buildings and public transportation vehicles is prohibited unless it is a service dog.

•Pets, including service dogs, must be restrained on a leash at all times while walking the grounds.

(a)(2) Failing to crate, cage, restrain on a leash, or otherwise physically confine a pet at all times is prohibited. Pets may not roam freely in the park.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

•Pet owners must remove and properly dispose of all solid pet excrement. Failure to do so may force the park to prohibit dog walking within the 13 acres of park boundaries.

36 CFR §2.17 – AIRCRAFT AND AIR DELIVERY

(a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means is prohibited, except in emergencies involving public safety or serious property loss or pursuant to the terms and conditions of a permit.

(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent (d)NPS Policy Memorandum 14-05 defines the use of authority under 36 CFR 1.5 that prohibits use of unmanned aircraft within the park. To date, no permits have been issued by the Superintendent. The Associate Director of NPS must approve any new special use permits authorizing the use of unmanned aircraft (drones). The National Park Service may use unmanned aircraft for administrative purposes such as search and rescue, fire operations and scientific study. These uses must also be approved by the Associate Director for Visitor and Resource Protection.

Authority: 36 CFR 1.5

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.

Launching, landing, or operating an unmanned aircraft from or on lands, and waters administered by the National Park Service within the boundaries of Adams National Historical Park is prohibited except as approved in writing by the Superintendent. Although their use remains relatively infrequent across the National Park System, this new use has the potential to cause noise, impact viewsheds, and disturbing wildlife. Recent incidents at national parks support the need for the required closures to enable a proper evaluation of this new use. These closures are a necessary, interim measure while this new use can be properly evaluated.

NPS regulations do not specifically address launching, landing, or operating unmanned aircraft. The prohibition on operating or using an aircraft in 36 CFR 2.17(a)(1) does not apply to unmanned aircraft because the definition of “aircraft” in 36 CFR 1.4 is limited to devices used or intended to be used for human flight. Further, section 2.17(a)(3) could be construed to apply only to unmanned aircraft when used to deliver or retrieve an object from NPS administered lands. Exhibit A of this Policy Memorandum

lists other regulations in 36 CFR that may apply to the use of unmanned aircraft under certain circumstances.

Recreational Activities:

Engaging in recreational activities that interfere with or detract from the use and appreciation of historic resources a part of the interpretive experience is prohibited.

36CFR §2.18(c) – SNOWMOBILES

(c) The use of snowmobiles is prohibited.

36 CFR §2.20 – SKATING, SKATEBOARDS AND SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited. The historic homes cannot accommodate Segways or motorized chairs and assistance vehicles. The park provides non-motorized wheelchairs for loan at the Birthplaces and Old House at Peace field.

36 CFR §2.2 WILDLIFE PROTECTION

(a) The following are prohibited to wildlife observed at Adams NHP that include, coyote, deer, hawks, turkeys:

(1) the taking of wildlife

(2) The feeding, touching, teasing, frightening or intentional disturbing of wildlife nesting, breeding or other activities.

(3) Possessing unlawfully taken wildlife or portions thereof.

36 CFR §2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking, E-Cigarettes, personal vaporizers, and all other Electronic Nicotine Delivery Systems (ENDS) as noted:

Smoking is prohibited throughout the park including grounds, any NPS building, historic structure, trolley, or vehicle under NPS administration. This restriction is intended to reduce any possible conflict between users and the harmful effects of second-hand smoke and to protect park structures from fire danger or smoke. This prohibition is consistent with federal law.

NOTE: E-Cigarette/ personal vaporizer means a device containing a liquid or other substance that is vaporized and inhaled, typically used to simulate the experience of smoking tobacco, more generally known as Electronic Nicotine Delivery Systems (ENDS) as referred to in Policy Memorandum 15-03.

(See DO 50D which cites Executive Order 13058: "Protecting Federal Employees and the Public from Exposure to Tobacco Smoke 1n the Federal Workplace." and Policy Memorandum 15-03, "Use of Electronic Nicotine Delivery Systems")

36 CFR §2.22 – PROPERTY

(a)(2) Leaving property unattended is prohibited. Oversized and large bags and backpacks are not permitted in the historic houses and may not be left unattended at any time at Adams NHP. Strollers are not permitted inside the historic homes.

36 CFR §2.23 – RECREATION FEES

(b) Recreation fees and/or permits, in accordance with 36 CFR part 71, are established for the following areas and/or for the use of the following specialized sites, facilities, equipment or services, or for participation in the following group activity, recreation events or specialized recreation uses:

- Adams National Historical Park is part of the Federal Recreational Lands Pass Program.
- All visitors 17 years and older are charged a \$15.00 entrance fee. Children under 17 years of age and school groups are admitted free.
- Annual passes are available for a fee of \$80.00
- The entrance fee includes travel to the historic homes via a trolley bus.
- As a federal fee area the Interagency Annual Pass, Interagency Senior Pass, Interagency Access Pass, and Interagency Volunteer Pass are accepted

36 CFR §2.35 – ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a)(3)(i) The following areas and facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- Alcoholic beverages and controlled substances are not permitted on site. A Special Use Permit must be filed for consideration of alcoholic beverages in conjunction with a Special Event.

36 CFR §2.37 – NON-COMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR §2.38 – EXPLOSIVES

- (a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited
- (b) Using, or possessing fireworks and firecrackers is prohibited

36 CFR §2.50 – SPECIAL EVENTS

A Permit is required to hold a Special Event. Adams NHP represents a unique national resource associated with the Presidents and four generations of the Adams family. Special events may be considered provided there is a meaningful association between the park area and the events, the observance contributes to visitor understanding of the significance of the park, and a permit has been issued by the Superintendent. A special event may be permitted only if the activity has been judged by the Superintendent not to cause any derogation of the values and purposes for which the park was

established, unless directly and specifically authorized by federal law. No events will be permitted if the Superintendent identifies that such use might present a danger to public health or safety, creates an impairment of public use facilities, interference with program activities, damage to park resources or impinges on the bucolic setting. Programs such as lectures, music, educational activities, trail walks, and activities supporting partner programs are potential uses. The National Park Service retains the right to terminate any inappropriate activities that are obtrusive.

With the exception of those permits issued for First Amendment activities, to the extent authorized by applicable legislation, regulations, and policies, the NPS will establish and collect appropriate permit fees for special park uses and will seek reimbursement from permit holders for NPS costs incurred administering the permit, monitoring the activities it authorizes, or for any damage caused by those activities.

(a) public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the Superintendent.

36 CFR §2.51 -- DEMONSTRATIONS

(b) Demonstrations of 25 people or less are allowed within the park areas designated as available under paragraph (c)(2). Demonstrations of more than 25 people are allowed within designated park areas. The superintendent is required to issue a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- Front lawn at the Beale Estate.**

36 CFR §2.61 – RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.

36 CFR §2.62 – MEMORIALIZATION

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit.

36 CFR §4.21 – SPEED LIMITS

(a), (b) The following speed limits are established for the routes/roads indicated:

- No public access or roads exist throughout the park.

36 CFR §4.30 – BICYCLES

(a) The use of bicycles is prohibited in the park pursuant to 36 CFR § 1.5 of this document. The park does not have bike paths and includes a historic orchard, class A turf and formal garden, not

conducive to bicycle/recreational use. Bicycles can be used as transportation to the park, but the park does not currently have bike racks to accommodate secure storage.

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising is prohibited.

(c) Commercial photography, including wedding photographs, on-site is prohibited.

36 CFR §5.6 – COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited, and requires permission or a permit from the Superintendent.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

Such activities are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

--END--