

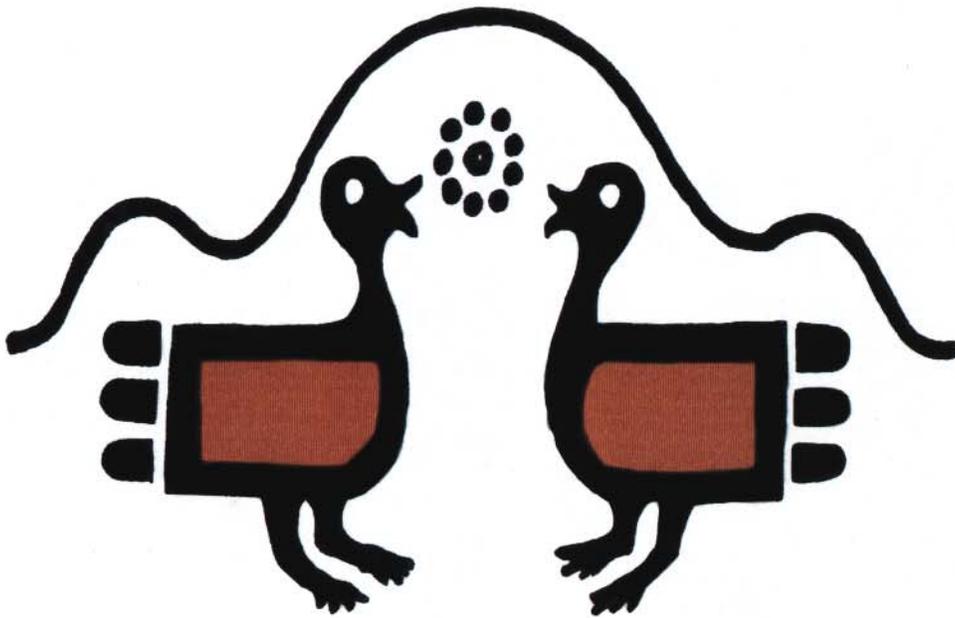


National Park Service
U.S.

Bandelier National Monument
Department of the Interior
15 Entrance Road
Los Alamos, NM 87544

Superintendent's Compendium

Of Designations, Closures, Permit Requirements and
Other Restrictions Imposed
Under Discretionary Authority.



Approved:

A handwritten signature in black ink, appearing to read "D. Lott", written over a horizontal line.

D. Jason Lott, Superintendent
November 20, 2014

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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 regulatory provisions are established for the proper management, protection, government and public use of those portions of Bandelier National Monument under the jurisdiction of the National Park Service. 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 Section 1.5(c), appear in this document identified by italicized print.

BANDELIER NATIONAL MONUMENT

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

Note: Violations under this section should be cited under §1.5(f).

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the Monument, and the following closures are established for all or a portion of the Monument to all public use or to a certain use of activity:

▪ Hours of Operation

Hours of operation are general closures and do not take into account special use permits signed by the Superintendent, registered guests, or Monument-sponsored events. **For the purposes of enforcement, dusk is defined as the time between one-half hour after sunset and dawn is defined as one-half hour before sunrise.**

All areas of Bandelier National Monument are open from dawn to dusk. Actual hours of entry into Frijoles Canyon are posted at the gate and adjusted according to the time of year to correspond with dawn and dusk.

The following exceptions exist:

- Designated backcountry areas for permitted users; specifically overnight backcountry camping areas and “in-travel” hiking users and valid backcountry permits;
- Designated campsites in Juniper and Ponderosa campgrounds, occupied by permitted users;
- Parking areas in Juniper and Ponderosa campgrounds, occupied by permitted users;
- Parking areas for vehicles with appropriate valid displayed permits; specifically vehicles parked overnight with displayed backcountry or other authorized permits;
- Areas approved under valid Bandelier National Monument issued Special Use, Research, or other Permits;
- The roadside pullout and access corridor on the east (or north) side of State Route 4 at about mile marker 46.5 known as the “County Line Access Corridor” for persons accessing US Forest Service lands;
- Forest Road 289, known as the “Dome Road” through the Monument for through-traveling vehicle traffic only.

Determinations: *The hours of operation are set to provide maximum visitor satisfaction during hours when staff is on site. All areas in the Monument are closed after dusk to deter vandalism and theft of natural, cultural and archaeological resources. All of the exceptions are self-explanatory and are there to accommodate permitted activity.*

▪ Closures

The following areas within Bandelier National Monument are closed:

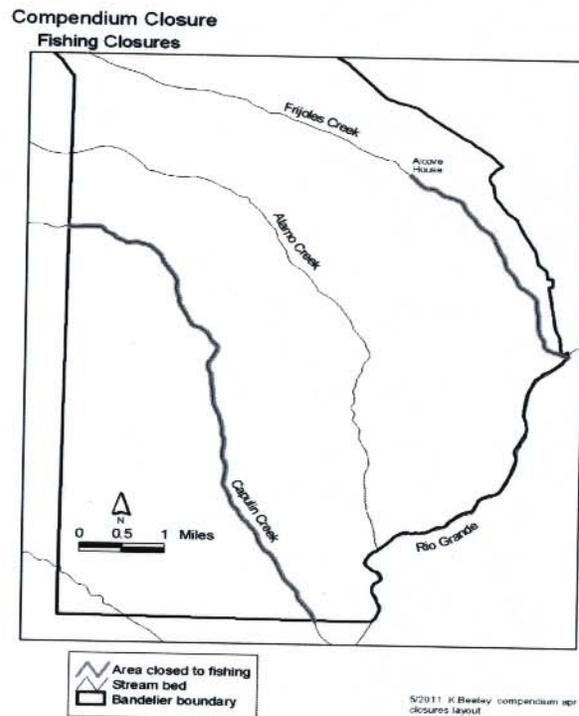
- All waters in Bandelier National Monument are closed to fishing until further notice.
- Hiking or pedestrian use of areas off of the designated trail/walking system in Frijoles Canyon from Alcove House to the first stream crossing down canyon from the Falls Trailhead is prohibited at all times.
- Hiking or pedestrian use of areas off of the designated trail for the Tsankawi Pueblo and Caveates on the main Tsankawi Mesa is prohibited. Hiking or pedestrian use in the North Mesa and Wye Mesa area of the Tsankawi Unit is allowed.
- The Falls Trail is closed at the Upper Falls overlook due to destruction of the trail beyond by the flooding making passage unsafe and impossible.
- Hiking or pedestrian use of areas off of the designated trail from the base of the Upper Falls in Frijoles Canyon downstream to the first point at which the Falls Trail crosses the creek below the Lower Falls is prohibited.
- At Alcove House, the Kiva is closed to public entry while repairs to the Kiva are underway.

Determinations: In general, the Monument follows state law on fishing but may issue closures of areas when the Superintendent determines it is in the best interest of the resource or the public. Due to the 2011 flooding that occurred after the Las Conchas Fire, all creeks were "sterilized" by the heavy ashy water. Creeks will remain closed until such time as successful reintroduction of native fish is accomplished.

The areas off trail in Frijoles Canyon contain sensitive archaeological sites that cannot sustain high traffic and unguided use. Since trail access to these sites is not developed, unguided use of this area would result in unacceptable social trailing and resource damage along access routes.

The main loop trail of the Tsankawi Unit bisects or abuts sensitive cultural sites which cannot endure foot traffic. The North Mesa area of Tsankawi has no designated trail and off-trail access is the only access to this area. Visitors are reminded to stay off of and not enter any archaeological sites.

Alcove House Kiva is closed due to structural damage of the Kiva which has created a safety concern for visitors as well as to prevent further damage to the Kiva from visitors walking and climbing on the structure.



- **Unmanned Aerial Vehicles (UAVs)**

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Bandelier National Monument 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.

Determinations: Management policies require a park Superintendent to use caution when confronted with a new park use such as the use of unmanned aerial vehicles (UAV's). Presently the NPS is considering how to address UAV's on a long-term basis and allowing this use before the park has properly evaluated whether this use is appropriate could result in unacceptable impacts to park resource, values, and visitor safety. Unmanaged or unrestricted recreational use of Model Aircraft and UASs within Bandelier National Monument will conflict with, or impact, a variety of park uses including visitor experience of unimpaired view sheds; the disturbance, displacement or harassment of park wildlife; creation of public safety hazards per operation near roadways or large aggregations of visitors, and visual or aural impacts to wilderness character and values within the park backcountry.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

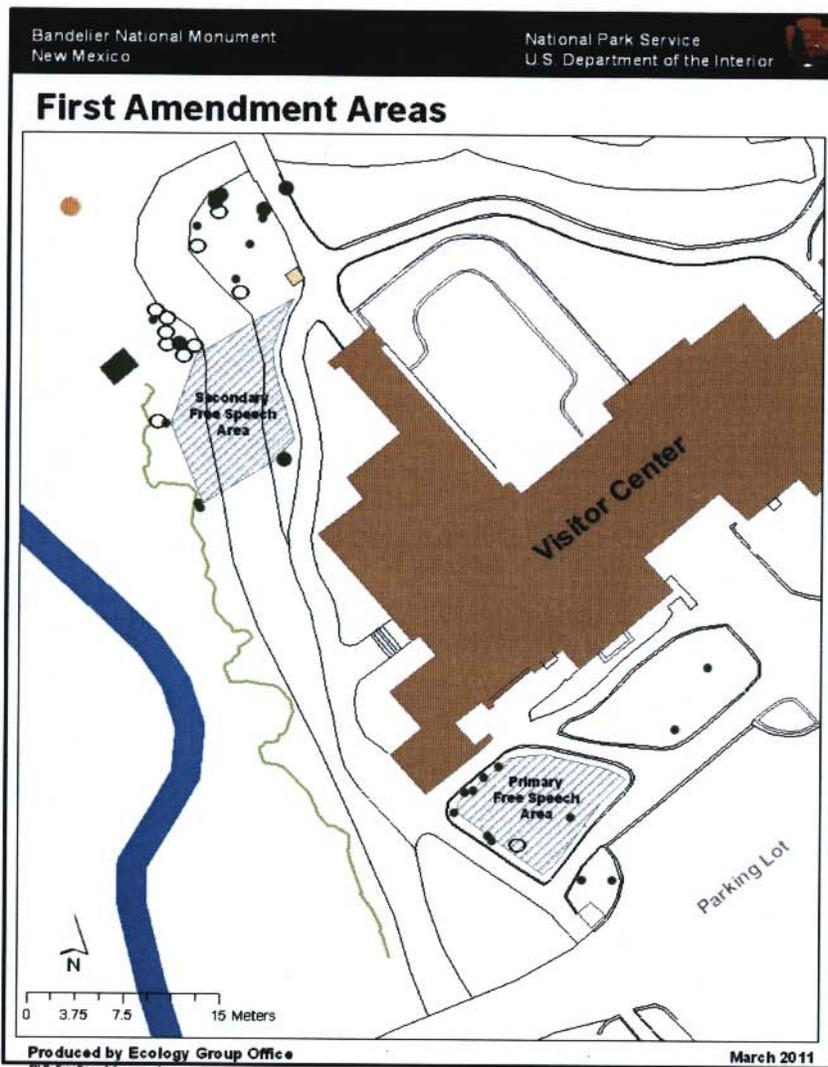
- **First Amendment Activities**

Public gatherings or demonstrations including, but not limited to, religious observances or distribution of related materials may be held only in the following designated areas:

- The primary First Amendment site is in front of the Visitor Center on the southeast side of the Visitor Center. This area is outlined with rocks and has public walkways on all sides. All activities are to remain inside the rock outline and not extend onto any of the walkways.
- The secondary First Amendment site is located between Frijoles Creek and the Visitor Center Theater. This area begins where the walkway veers away from the creek and gravel area widens. The bushes near the creek are on one side and the side nearest the Theater remains 5 feet from the walkway, then the area extends to the two large rocks in the west side.
- Both areas are represented on the attached map. This section shall not be interpreted so as to interfere with the rights of Native Americans as delineated in the Native American Religious Freedom Act, nor any other applicable regulation or policy (See map on next page).

The following restrictions and/or conditions are in effect for the specific uses or activities:

- Implementation of a public use limit: Groups of 25 or more engaged in public gatherings or demonstrations including, but not limited to, religious observances or distribution of related materials, must obtain a permit in accordance with the criteria and procedures of 36 CFR 1.6. Individuals or groups of less than 25 do not need a permit but must remain within the designated areas.
- Groups of 25 or more may not circumvent the permit process by breaking into two smaller groups.
- Activities may include the use of hand-carried signs, but not stages, platforms, or structures.
- The use of loudspeakers or other sound amplifying devices is prohibited.
- Normal pedestrian traffic may not be impeded by activities under this section.



Determinations: In order to accommodate Freedom of Speech Activities, the Superintendent has designated the areas as shown on the attached map where such activities may take place. Groups of 25 or more are required to obtain a permit. The Superintendent will issue permits upon request after making a determination that the requested activity will not have an adverse impact on public health and safety, environmental or scenic values, natural or cultural resources, scientific research, implementation of management responsibilities, proper allocation and use of facilities, or the avoidance of conflict among visitor use activities. The Superintendent must remain content neutral when evaluating the issuance of a permit for First Amendment activities. Use of these areas will be on a "first come, first served" basis. A group holding a permit will NOT have priority over a smaller group already in place.

- **Shuttle Bus Requirements**

From late-May 23 through mid-October 27, entry into Frijoles Canyon is by Shuttle Bus only. The shuttle runs from the new Visitor Center in White Rock between the hours of 9am and 5 pm with the last shuttle leaving Frijoles Canyon at 5 pm.

Exceptions:

- Private vehicles will be allowed to enter Frijoles Canyon from dawn to 9am and from 3pm to dusk. From 9am to 3pm entry by shuttle bus is required with the following exceptions:
- School groups that arrive in school busses or vans. School groups arriving only in private vehicles will not be allowed to drive into the canyon. If there is a private vehicle or two accompanying a school group that is travelling in school vans or busses, they may travel with the group into the canyon.
- Cultural demonstrators that are scheduled by Interpretation to demonstrate on a particular day.
- Backcountry permit holders who intend to depart and return outside of the bus schedule.
- Commercial Use Authorization Tour groups.
- ADA visitors requiring their vehicles.
- Persons with pets in their vehicles.
- Administrative uses.
- Bicyclists will be allowed to ride into the canyon.
- Affiliated Pueblo groups that have coordinated their visit with the Tribal Liaison.
- NPS employees, Concession employees, WNPA employees required to be in Frijoles Canyon.
- USPS mail delivery.
- Personal visitors of employees living in the canyon.
- Researchers with valid permits.
- Other special groups as requested by the Superintendent.
- Visitor access by personal vehicle will be allowed from dawn until 9am and from 3pm until dusk. Once in, vehicles may remain through the day until closing.
- Special Use Permit (SUP) holders.

- **Passenger Carrying Busses**

Allowing bus engines to idle for more than 5 minutes in Frijoles Canyon, the Amphitheater parking lot, or any other location within Bandelier is prohibited. Atomic City Shuttle busses may be an exception.

- **Camping**

Please refer to §2.10 for detailed camping area designations.

- **Technical Rock Climbing Routes**

Rock climbing, both technical and non-technical, is prohibited throughout the Monument.

- **Geo-caching**

The creation or maintenance of a “geo-cache” containing any physical items within the Monument is prohibited. “Virtual” caches may be created and maintained as long as they meet the designated management conditions of the location. Conditions include consistency with park management plans such as not encouraging off-trail travel or travel in closed areas, visitor safety considerations, and the protection of resources (Geo-caching is also a violation of 36 CFR, Section 2.22(a) – Property).

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Note: Violations under this section should be cited under §1.6(g)(1) or (2)

(f) **The following is a compilation of those activities for which a permit from the Superintendent is required:**

- **§1.5(d) The following activities related to Public Use Limits:**

- Backcountry Permit – Any person entering the designated backcountry/wilderness area within the Monument for overnight use is required to obtain a Backcountry Permit. *This permit is obtained from the Bandelier Visitor Center. (Phone: 505-672-3861 ext. 517)*
- Group Reservation/Use Permit – Education institutions applying for fee waiver are required to make a group reservation and obtain a group use permit by contacting the Monument normally two weeks prior to a visit. They must provide an outline of group visit plan; a lesson plan that outlines the role their visit to the Monument plays in the curriculum of the class; documentation of the legal status of the organization as a recognized defined educational institution (as requested); and a signed group visit agreement. Groups failing to abide by these regulations may be subject to fines and/or disciplinary action (i.e. - being banned from the Monument in the future) affecting the student, teacher, and/or group leader, and/or the school as a whole. *This permit is obtained by the Group Reservation Coordinator in the Fee Office.*

- **§2.4(d) Carry or possess a weapon, trap or net**

- As authorized by the Superintendent after a determination that such devices are necessary for the specific activities or programs, such as research, wildlife control, or special programs. *Request permit from the Superintendent's Office.*

- **§2.4 (d)(4) Transporting lawfully taken wildlife through the Monument.**

- Permits are available through the Chief Ranger's Office. Contact the Visitor Center at 505-672-3861 ext. 517 and request any Law Enforcement Ranger.

▪ **§ 2.5(b) Specimen collecting, research, and some science education activities.**

- Permits are available from the Chief of Resources Management.
- Please refer to 36 CFR §2.5 RESEARCH SPECIMENS

Note: When permits are required for scientific activities pertaining solely to cultural resources, including archeology, ethnography, history, cultural museum objects, cultural landscapes, and historic and prehistoric structures, other permit procedures apply and will be outlined during the permitting process.

▪ **§ 2.10(a) Camping in designated campgrounds:**

- Ponderosa Campground
- Juniper Campground
- Any backcountry camping area

Note: Camping zones in all canyon areas are closed from July 1st through September 15th. During this period camping is only permitted on mesa tops with a backcountry permit.

Obtain camp permits at the campground Ventek machine for Juniper Campground, from the Group Reservation Coordinator in the Fee Office or on rec.gov for Ponderosa Campground and Juniper Group sites, and from the Visitor Center for backcountry camping between the hours of 8am and 5pm.

Determination: Backcountry camping zones have all been affected by the Las Conchas fire and ensuing floods and remain susceptible to flooding during the three month monsoon season in July, August and September. Flood risk at other times of the year remains a possibility and campers should be prepared for such during periods of rain.

▪ **§ 2.12 Creating Audio Disturbances**

- (a)(2) Operating a chain saw in developed areas
- (a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
- (a)(4) Operating a 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
- Permits are available through the Chief Ranger's Office
- Please refer to Section III, Regulations § 2.12 AUDIO DISTURBANCES

▪ **§ 2.17 Aircraft and Air Delivery**

- (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
- (c)(1) Removal of a downed aircraft
- Request permits through the Chief Ranger's Office
- Please refer to 36 CFR § 2.17 AIRCRAFT AND AIR DELIVERY

▪ **§ 2.37 Soliciting or Demanding Gifts, Money, Goods or Services** (Pursuant to the terms and conditions of a permit issued under § 2.50, § 2.51 or § 2.52)

- Please refer to 36 CFR § 2.37 NONCOMMERCIAL SOLICITING

- **§ 2.38 Using or Possessing Explosives**
 - (a) Using, possessing, storing, or transporting explosives, blasting agents
 - (b) Using or possessing fireworks
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 2.38 EXPLOSIVES

- **§ 2.50 Conducting a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, or similar events**
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 2.50(a) SPECIAL EVENTS

- **§2.51 Conducting a public assembly, meeting, gathering, demonstration, parade or other public expression of views**
 - Request permits, which shall detail location, restrictions and liability insurance requirements, through the Chief Ranger's Office

- **§ 2.52 Selling or distributing printed matter that is not solely commercial advertising**
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 2.52(c) SPECIAL EVENTS

- **§ 2.62 Memorialization**
 - (a) Erecting Monuments (requires approval from the Director of the National Park Service)
 - (b) Scattering ashes from human cremation.
 - Request permits through the Chief Ranger's Office
 - Please refer to Section III, Regulations § 2.62 MEMORIALIZATION

- **§ 5.1 Displaying, posting or distributing advertisements**
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 5.1 ADVERTISEMENTS

- **§ 5.5 Commercial Photography/Filming**
 - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
 - (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 5.5 COMMERCIAL PHOTOGRAPHY

- **§5.6 (c) The Superintendent shall issue permits for commercial vehicles used on Monument area roads when such use is necessary for access to private**

lands situated within or adjacent to the Monument area, to which access is otherwise not available.

- Request permits through the Superintendent's Office
- Please refer to 36 CFR § 5.6(c) COMMERCIAL VEHICLES

III. GENERAL REGULATIONS

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

(a)(4) Dead wood on the ground may be collected for use as fuel for campfires within the Monument, provided that:

- The collection of firewood is prohibited within Bandelier National Monument except to provide warmth when legitimate emergency conditions exist.
- In other areas as designated by the Superintendent pursuant to the issuance of a permit.

Determination: Campfire use is a traditional activity in campgrounds. Monument campgrounds are amid areas where ecological restoration activities are taking place and the removal of the scattered debris reduces the effectiveness of the restoration. Firewood is offered for sale by the concessioner in Juniper Campground and is available at site 14.

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending, or traversing the listed archeological or cultural resource, monuments, or statues:

- Entering archeological sites within the backcountry and wilderness is prohibited except as noted below.
 - Climbing, sitting, or otherwise having physical contact with standing walls, shrines, or other exposed archaeological features is prohibited.
 - Walking through unexposed archaeological features is allowed for exploration purposes so long as such actions are not damaging to the resource.
- Archeological sites accessible directly from the established trail system that may be entered, for day use visits only, include areas of Yapishi Pueblo Ruins, San Miguel Pueblo ruins, Stone Lions Shrine, Frijolito, Alcove House, and those sites within the Main Loop Trail and the Tsankawi Unit that are directly accessible through established ladders and trails.
- In other areas as designated by the Superintendent pursuant to the issuance of a permit.

(b) Hiking or pedestrian traffic restricted to the trail or walkway as listed in §1.5 of this document.

- The Main Loop Trail in Frijoles Canyon. Hiking or pedestrian use of areas off of the designated trail/walking system in Frijoles Canyon from Alcove House to the first stream crossing down canyon from the Falls Trailhead is prohibited at all times.

Determination: Archeological sites are extremely fragile and easily damaged. The prohibition from leaving the main loop walkway and on entering sites exists to protect the sites from unintended damage, reduce social trailing to the sites, and to reduce the potential for vandalism.

(c)(1), (c)(2) 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 use of consumption restrictions:

- The gathering, possession and consumption of fruits, berries, nuts, and other natural products are restricted in the Monument area for personal consumption. No Monument derived item may be sold. For resource protection, the gathering of mushrooms within the Monument area is prohibited.
- Pinon nuts are limited to one dry gallon per person in any given season.

The following are prohibited except through a permit issued by the Superintendent:

- Gathering for commercial purposes
- Taking conifer cones, fungi, lichens and "fiddle-head" ferns or other plant material

Note: A "dry gallon" refers to a gallon of uncrushed fruits or berries, or unshelled nuts.

Determination: Limiting fruit, nut, and berry collection reduces the likelihood that the Monument will be adversely affected. The imposed limits are generally considered generous and should not create hardship.

Removal of cones, fungi, fiddle heads is in violation of 36 CFR § 2.1 (a)(1)(ii) "Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state plants or the parts or products thereof." Limited collection of fruits, berries, nuts and unoccupied shells is exempt from this restriction because the CFR provides Superintendents an avenue for permitting such activity and park managers have determined that collection of these items are not detrimental to future populations.

36 CFR §2.2 – WILDLIFE PROTECTION

(a)(1) Tracking wounded wildlife into the Monument, which was lawfully wounded outside of Monument boundaries, is prohibited unless accompanied by a commissioned park ranger. The ranger on site may terminate the search if the animal is not located within a reasonable amount of time, as determined by the ranger. Call the Visitor Center at 505-672-3861 ext. 517 and ask to speak to a Law Enforcement Ranger.

(a)(2) The calling of wildlife, including artificial calls or recording devices is prohibited within the Monument.

(d) The transporting of lawfully taken wildlife through the Monument is permitted under the following conditions and procedures:

- Lawfully taken wildlife may be transported through the Monument only on New Mexico State Highway 4 and on U.S. Forest Service Road 289 (known as the Dome Road), or otherwise with prior notification and approval or when accompanied by a Law Enforcement Ranger. (*Call the Visitor Center at 505-672-3861 ext. 517 and ask to speak to a Law Enforcement Ranger.*) In particular, that area known as the Forest Service Access Corridor at the turnout on New Mexico Highway 4 known as "County Line," permission may be granted to remove lawfully taken wildlife from U.S. Forest Service lands under established guidelines for access subsequent to the restrictions and procedures of a permit issued under 2.4(d)(4).

(e) Viewing wildlife by artificial light (spotlighting, including redirection of vehicle headlights) is prohibited Monument-wide.

Note: Night vision devices are not artificial lights, however, infrared lighting/beams are.

Determination: These regulations help to protect against the unlawful taking of wildlife within the Monument.

36 CFR §2.3 – FISHING

- All fishing in Bandelier National Monument is prohibited.

Determinations: In general the Monument follows state law on fishing but may issue closures of areas when the Superintendent determines it is in the best interest of the resource or the public. All streams in the Monument were adversely affected by the Las Conchas Fire and subsequent flooding. Streams will not reopen to fishing until they have recovered sufficiently to support fish followed by a successful re-introduction program.

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(d) A special use permit signed by the Superintendent or designee is required to transport weapons, traps, or nets across park lands in order to access Forest Service lands

- The carriage of firearms within the boundaries of Bandelier National Monument is allowed pursuant to New Mexico State law.
- The actual **USE** of firearms within the Monument is **PROHIBITED**. Use includes aiming, sighting, or using a scope to view wildlife.
- Firearms are prohibited in all federal facilities.
- In the State of New Mexico you must be 19 years of age to carry a firearm "open carry" and must be 21 years of age to obtain a Concealed Weapons permit and "carry concealed."
- All other weapons, traps and nets remain prohibited to possess or use in the Monument.
- Request permits through the Chief Ranger's Office – (505) 673-3861, ext. 401.

Determination: As of February 22, 2010, federal law changed to allow the carriage of firearms in National Parks and Monuments pursuant to state law. While that section of the CFR has changed, it remains prohibited to use a firearm within NPS boundaries. (Use of a firearm includes, pointing, looking through an optic mounted on the firearm, display or brandishing, and the actual firing of the weapon.) Carriage of a loaded firearm through the Monument while engaged in a legal or illegal hunt outside of the Monument is not allowed as that activity meets the definition of "take".

Firearm means a loaded or unloaded pistol, rifle, shotgun or other weapon which is designed to, or may be readily converted to expel a projectile by the ignition of a propellant.

Weapon means a firearm, compressed gas or spring-powered pistol or rifle, bow and arrow, crossbow, blowgun, spear gun, hand-thrown spear, slingshot, irritant gas device, explosive device, or any other implement designed to discharge missiles, and includes a weapon the possession of which is prohibited under the laws of the State in which the park area or portion thereof is located.

36 CFR §2.10 – CAMPING AND FOOD STORAGE

(a) The sites and areas listed below have been designated for camping activities as noted. A permit system has been established for certain campgrounds or camping activities, and conditions for camping and camping activities are in effect as noted:

- Camping is prohibited in all areas of the Monument except established campgrounds and permitted backcountry areas.
- **Juniper Campground**
 - The maximum allowable number of person in any one group occupying a campsite is ten (10), and the maximum number of tents per individual campsite is two (2). Camping is permitted only on the established tent pads and is not permitted on any vegetated area.
 - Parking more than two vehicles per site is prohibited except in those sites designed and designated for additional units. Travel trailers shall be considered vehicles for the purpose of this subsection. Extra vehicles may be parked in the Amphitheater parking lot. Vehicles must remain on the pavement.
 - Campsites should be vacated by 11:30 a.m. unless payment has been made for the following night.
 - Gathering of live, dead, or down wood is prohibited.
- **Group Camping at Bandelier**
 - Groups will be required to stay in either of the designated group sites at Ponderosa Group Campground or the designated sites in Juniper Group Campground (Sites 1 and 5 in the Abert's Squirrel Loop).

- **Juniper Group Campground**

- Juniper Group sites are reserved for groups and administrative use only. Groups will not be allowed in the main Juniper Campground, which is reserved for family camping only. Each group site will have a maximum capacity of fifteen (15) individuals.
- At Juniper Campground, groups must be at least ten (10) but not more than twenty (15) persons in size. Groups will **not** be permitted to split up to accommodate these size limits and are permitted to occupy only one group site per night. **EXCEPTION:** A group greater than ten (10) but less than thirty (30) may occupy two group sites within the limits of each site.
- Only five (5) vehicles per group are permitted including the allowable number of recreational vehicles per site. Only one (1) recreational vehicle per group are permitted. For the purpose of this policy, recreational vehicles are defined as any motor home, travel trailer, cab-over camper, or tent camper.
- Only ten (10) tents per group site are permitted.

- **Ponderosa Group Campground**

- The minimum allowable number of persons per campsite is 10.
- The maximum allowable number of persons per campsite is 50.
- No more than one recreational vehicle per campsite is permitted. For the purpose of this subsection, a recreational vehicle is defined as a motor home, pickup truck with camper, tent trailers, and travel trailers.
- Camping is allowed only within posted campground limits.
- Parking more than five vehicles per site is prohibited except in those sites designed and designated for additional units. Travel trailers shall be considered vehicles for the purpose of this subsection. Camping vehicles may not park in the Trailhead parking area.
- Campsites should be vacated by 11:30 a.m. unless a reservation and payment has been made for the following night.

- **Backcountry Camping**

In accordance with the backcountry use guidelines, the following are in effect:

- From July 1st through September 15 backcountry camping is restricted to mesa top camping only by permit. All canyon camp zones are closed due to fire and flood damage and risks.
- Camping and overnight travel in Frijoles Canyon is restricted to designated camp zones "E" and "F" from October 1 through June 30
- Overnight travel and camping is prohibited from the rim of Frijoles Canyon north to the Monument boundary at New Mexico State Highway 4, except in designated campgrounds.
- Camping and overnight travel is prohibited in Alamo Canyon from the Monument's west boundary to the north shoreline of the Rio Grande at the mouth of the canyon.
- Camping and overnight travel is prohibited in Capulin Canyon from the south end of camping zone "D," to the southern boundary of Bandelier.
- Camping and overnight travel is prohibited in lower Lummis Canyon from the trail crossing south to the north shoreline of the Rio Grande.

- The area along the north shoreline of the Rio Grande river corridor is closed to camping and overnight travel east from the west rim of Alamo Canyon to the east rim of lower Lummis Canyon.
 - Camping and overnight travel is prohibited in the section west of Alamo Canyon as designated including the Yapashi and Stone Lions areas.
 - Occupying the same campsite for more than three consecutive nights in the backcountry area of the Monument is prohibited. Camping in Frijoles Zone E is restricted to one night only.
- **Generally:**
 - The maximum number of nights that any person or group may occupy any space in the established campgrounds of the Monument is 14 total nights during the period of the Friday before Memorial Day until Labor Day, and 14 *consecutive* nights at any time during the rest of the year with a limit of 28 total nights.
 - Camping on or in archeological sites or caves is prohibited.
 - Camping within one-quarter mile of major archeological sites (San Miguel Ruins, Stone Lions, Painted Cave, Yapashi Pueblo Ruins and Frijolito Ruins) is prohibited.
 - Electrical and gas generators may not be operated in established campgrounds between the hours of 8:00 p.m. and 8:00 a.m. and then use must be reasonable so as not to cause a nuisance to other campers.

***Determination:** Visitors to Bandelier value the peacefulness of the campgrounds. While generator use is allowed, excessive use at any one occurrence, beyond 30 minutes, will be considered unreasonable.*

(d) Conditions for the storage of food are in effect as noted, for the following areas:

- Food must be securely stored at all times except during the actual preparation of a meal to prevent animal access. Coolers and other food containment devices must be secured to prevent any access and should be kept in vehicles trailers, or other protection devices to prevent access including large mammals (bear, deer, elk, etc.).
- Backcountry food storage will be in compliance with established backcountry guidelines (available at the Visitor Center).

***Determination:** This regulation reduces the likelihood of creating habituated wildlife and nuisance animals by eliminating human-caused wildlife attractants. Reducing habituated and nuisance wildlife also reduces the potential for wildlife bites and provides for the safety and well-being of Monument visitors and wildlife.*

36 CFR §2.11 – PICNICKING

- **Cottonwood Picnic Area**
 - Open year-round for picnicking except that, for the period beginning the Friday before Memorial Day weekend until September 30, this area is designated for

picnicking by groups of fewer than twenty (20) persons per site, except as permitted under a written permit or by approval by the Superintendent.

▪ **Juniper Campground**

- No picnicking by groups of more than twenty (20) persons per site is permitted during the period of May 15 until September 30 except by permit or approval by the Superintendent.
- Individuals and groups picnicking in Juniper Campground must vacate the campground by 4:00 p.m. or pay the nightly fee for the site.

▪ **Ponderosa Group Campground**

- Picnicking by groups of twenty (20) persons or more is permitted. The shelters may be reserved when the campground area is open for use through the group reservation process. Extended use of the facility before 11:00 a.m. and after 4:00 p.m. may require a fee.

▪ **Amphitheater Picnic Area**

- No picnicking by groups of more than twenty (20) persons is allowed except by permit or approval by the Superintendent.

***Determination:** Picnicking in campgrounds is by permit only to maintain open areas for registered campers. A permit is required for groups of 20 or more to keep congestion down in the area during peak use. Larger groups should reserve space in Ponderosa campground.*

36 CFR §2.13 – FIRES

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas and/or receptacles, and under the conditions noted:

▪ **Designated Areas**

- Campfires are prohibited in all areas except in the grills provided for such purpose in the Juniper and Ponderosa Campgrounds. Only containerized fuel burning stoves are permitted in the wilderness/backcountry areas.
- Wood and/or charcoal fires are prohibited in Cottonwood Picnic Area. Containerized fuel-type stoves are permitted.

▪ **Established Conditions for Fires**

- Campfires must be attended in person by the user at all times and may not be abandoned.

(b) Fires must be extinguished according to the following conditions:

- All campfires must be completely extinguished and out “cold.” Fires must be “drowned;” soil containment/cover is generally not adequate to fully extinguish a fire.

***Determination:** While the NPS seeks to provide opportunities for picnicking throughout the Monument, another goal is to prevent wildland fires, to prevent debris associated with charcoal grills, and to reduce the potential for other resource damage. Because of the problems associated with disposal of hot coals from charcoal grills and from wood fires, these methods used to heat food are restricted to campgrounds only.*

36 CFR §2.14 – SANITATION AND REFUSE

(a)(2) The use of government refuse receptacles or facilities for dumping household, commercial, or industrial refuse, brought as such from private or municipal property is allowed under the following conditions:

- Only waste generated while visiting Bandelier National Monument may be placed in government receptacles. General household, commercial, or industrial waste generated outside of the Monument is not allowed.
- Human waste must be buried or carried out from the backcountry in compliance with the backcountry use guidelines. No burning of any materials is permitted.

***Determination:** Refuse containers are placed throughout the Monument to service the visitor. Household waste from outside the Monument taxes the capacity of trash receptacles and adds to the cost of waste removal. Burning of waste materials in the backcountry is not allowed due to the high possibility of starting wildfire. Backcountry use guidelines are available at the Visitor Center.*

36 CFR §2.15 – PETS

- Pets in these areas must be under physical control with a leash at all times.
- Pets, other than official guide dogs and service animals, may not accompany individuals on trails. "Comfort animals" are not considered service animals and are subject to the same restrictions as all other non-service animals.
- Search and rescue animals which are involved in an active search and rescue within the boundaries of the Monument, or training within Monument boundaries approved by the Superintendent, are allowed with their handlers.

(a)(1) Pets are permitted only in the following areas:

- Established campgrounds – prohibited beyond designated campsite areas.
- Parking areas.
- Cottonwood Picnic area.
- Forest Road 289 (Dome Road) when the road is closed, and it is restricted to the actual roadway or immediate shoulder area.
- County Line Access Corridor along trail only.

(a)(3) Pets may be left unattended and tied to an object in the following areas, under the conditions noted:

- Pets are permitted to be unattended and tied to the owner's vehicle, provided that the pet is not left for a period exceeding two hours, the pet is not making unreasonable noise or otherwise creating a disturbance or safety hazard, and the pet is not exposed to conditions which endanger the pet's health.
- Owners are required to provide water for the duration of their time away from the pet.

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

- Pet excrement will be removed and disposed of by the person(s) responsible for the care of the animal.

(e) Pets may be kept by Monument residents under the following conditions:

- Per the established policy as defined in the housing policy. Pets are not permitted in the "cabin" area of Frijoles Canyon.

Determination: Managing pet excrement in high use areas and areas where visitors congregate, sit, and lay down is necessary for human and pet health and safety.

Note: Leaving pets in vehicles during the summer months can be dangerous to pet health due to the heat. Pet owners wishing to leave pets in or around their vehicles should be aware that it is not uncommon to see bears or mountain lions in the area, which can also be a threat to the pets. The Superintendent strongly encourages visitors to leave their pets at home when visiting Bandelier National Monument.

36 CFR §2.16 – HORSES AND PACK ANIMALS

(a) The following animals are designated as pack animals for purposes of transporting equipment:

- "Pack animal" means horses, burros, mules, or other hoofed mammals when designated as pack animals by the Superintendent.

(b) The use of horses or pack animals is not allowed on the following trails, routes, or areas:

- **All trails in the Monument are currently closed to stock use of any kind.**
 - Alcove House Cave (Administrative Use Only)
 - Frijoles Canyon Main Loop Trail (Administrative Use Only)
 - Frey Trail and Tyuonyi Overlook Trail
 - Frijolito Trail
 - Frijoles Canyon Falls Trail (Administrative Use Only)

- Rio Grande Trail between Frijoles Canyon and Lummis Canyon (Administrative Use Only)
- Mid-Alamo Trail from Long Trail intersection to Yapashi Pueblo Ruins (Administrative Use Only except for Mid-Alamo Canyon)
- Apache Springs Trail to Upper Crossing (administrative use only)
- Upper Frijoles hiking and ski trail area (administrative use only)
- All areas between Highway 4 and Frijoles Canyon except for the Ponderosa Trail
- Cerro Unit including the Cerro Route (administrative use only)
- Scooter Unit including Alamo Boundary Trail (administrative use only)
- That portion of the USFS road 289 that lies within the Monument (administrative use only)
- Elk Meadows tract (administrative use only)

(d) Free-trailing or loose-herding is allowed on the following rails/routes, subject to the conditions noted:

- Not permitted on any Monument trails

(g) Other conditions concerning the use of horses or pack animals:

- Loading and unloading of pack and saddle animals into the Monument are restricted to the following trailheads:
 - Ponderosa Group Campground
 - St. Peter's Dome
 - Alamo Springs Trailhead
 - All stock trips are required to obtain a backcountry permit and have the permit in their possession while in the Monument. All stock groups must identify themselves as having or using stock at the time of permit issuance
 - Overnight use of pack and saddle animals is prohibited
 - The maximum number of animals per group is six
 - The maximum number of groups of animals allowed within the Monument at any given time is two.
 - The use of pack and saddle animals is restricted to unpaved established trails in the areas described in the draft Backcountry Management Plan (1988) and horse use guidelines

***Determination:** Due to the poor condition of trails in the Monument, the Superintendent has deemed the use of stock and pack animals unsafe and that any use will result in further deterioration of trails and of the area around trails, as stock are forced to travel off trail around the worst areas. When major repairs are completed and routine maintenance of the trails allows, stock use will be re-opened.*

36 CFR §2.17 – AIRCRAFT AND AIR DELIVERY

(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent through written authorization.

- Request permits through the Chief Ranger's Office – (505) 673-3861, ext. 401

36 CFR §2.18 – SNOWMOBILES

- (c) U.S. Forest Service Road 289 (known as the Dome Road) only when the road is closed to motor vehicles. Travel is restricted to the unplowed road surface only.

Determination: The Dome Road is a Forest Service road that crosses Monument lands. The forest service closes the road to non-resident motor vehicle during the winter. When the road is closed to motor vehicles and the gate is closed, snowmobiling is allowed on the road. Note – regular plowing of the road by Dome road residents occurs so conditions may not be conducive to snowmobiling.

36 CFR §2.19 – WINTER ACTIVITIES

- (a) The following Monument roads and/or parking areas open to motor vehicle traffic may be used for skiing, snowshoeing, ice skating, inner tubing, tobogganing, and similar winter activities under the conditions noted:

- U.S. Forest Service Road 289 (known as the Dome Road) for hiking, skiing, and snowshoeing only when safe. Foot traffic must yield to motor vehicle travel.

Determination: The Dome Road is a Forest Service road that crosses Monument lands. The Forest Service closes the road to non-resident motor vehicles during the winter. When the gate is closed, winter activities described above are allowed. Note – regular plowing of the road by Dome road residents regularly occurs so conditions may not be conducive to these activities.

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

- Using roller skates, skateboards, roller ski's, coasting vehicles, or similar devices is prohibited, except in designated areas.
- To provide for public safety, no areas are designated for this activity.

Determination: The above activities generally take place on paved roads and parking areas. The Entrance Road is narrow with no shoulders making these activities extremely dangerous on the road. The main parking area in Frijoles canyon is generally extremely congested with vehicles and pedestrians again making this area unsuitable for the above activities.

36 CFR §2.21 – SMOKING

- (a) The following areas, structures or facilities are closed to smoking:

- Smoking is allowed in the designated smoking area in the parking island across from the Administration Building in Frijoles Canyon during times when parkwide fire restrictions allow.
- Smoking is allowed in individual campsites Smoking is prohibited in all Monument facilities.

- As Bandelier is always is Stage I Fire Restriction, smoking is not allowed on trails and in the backcountry.
- Smoking is prohibited in the Snack Bar Courtyard, the Gift Shop Courtyard, and within 25 feet of the entrances to all buildings including, the Administration Building, and the entrances to historic housing and office spaces.
- Smoking is prohibited from the parking lot along the entire entrance way to the Visitor Center.
- Smoking may be prohibited in all other areas of the Monument, when in the opinion of the Superintendent such prohibition is necessary during periods of high fire danger. Notice of such prohibition will be posted at trailheads and at the Visitor Center.

***Determination:** Smoking is prohibited to protect Monument resources, reduce the risk of fire, or prevent conflicts among visitor use activities. Electronic cigarettes are included in the above restrictions.*

36 CFR §2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours under the following conditions:

- With permission of the Superintendent upon approval of a permit or special use authorization.
- Request permits through the Chief Ranger's Office – (505) 673-3861, ext. 401.

***Determination:** The purpose of this restriction is to protect the natural, cultural, and archaeological resources from damage from geocaching and similar activities and to preserve the landscape in as pristine visual condition as possible.*

36 CFR §2.23 – RECREATION FEES

(b) Recreation fees, and/or a permit, in accordance with 36 CFR part 71, are established for the following entrance fee 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:

- **Entrance Fee Areas:** Collection operation consists of operating two separate entrance station operations, one 65-site campground (Juniper), one group campground (Ponderosa), and commercial group reservation and Special Use Permit (SUP's) programs. Collection activities take place all year at the Entrance Station or at the Visitor Center in Frijoles Canyon. Ponderosa group camp is operated 9 months. The automated fee station at Tsankawi is open during the normal operational period (daylight hours only) of the Tsankawi Unit. Fees are collected all year. The Ponderosa Group Campground is by reservation through Rec.gov and opened usually from April through October. The group sites in Juniper are also by reservation through Rec.gov.

Entrance Fee Type	Rates
Individual – per person (bicycle, hiker) – Valid for seven days	\$6.00
Per vehicle (family group, noncommercial, single party – including motorcycle) – Valid for seven days	\$12.00
Bandelier Annual Pass – Valid for one year from the date of purchase	\$30.00

Recreation Fee Type	Rates
Campground Fee – per site per night (regular)	\$12.00
Campground Fee – per site per night (Golden Age/Access)	\$6.00
Group Campground per site per night	\$35.00
Interpretive Fee – Night Walk (per person)	\$6.00
Interpretive Fee – Night Walk (per person) (Golden Age/Access)	\$3.00
Interpretive Fee – Bat Walk (per person) Adult	\$4.00
Interpretive Fee – Bat Walk (per person-children and Golden Age/Access)	\$2.00
Interpretive Fee – Group Talk (1/2 hour) Size 5-45	\$20.00
Interpretive – Group Talk (1 hour) Size 5-45	\$40.00
Interpretive Fee – Group Bat Walk	\$50.00
Interpretive Fee – Group Night Walk	\$150.00

(c) The collection of entrance fees may be suspended during the following periods:

- National Public Lands Day, the last Saturday in September
- Other dates as designated by the Superintendent
- Other dates as designated by the Director of the NPS

36 CFR §2.62 – MEMORIALIZATION

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

- Request permits through the Chief Ranger's Office – (505) 673-3861, ext. 401.

***Determination:** Bandelier NM is a culturally sensitive area and continues to be used by affiliated Pueblos. The Superintendent will examine each request for scattering ashes and will take into consideration the circumstances of each request before issuing a permit.*

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Park roads open for travel by motor vehicle are those indicated below

- New Mexico State Highway 4 within the boundary of Bandelier National Monument.
- The Main Entrance Road to Frijoles Canyon.
- That portion of US Forest Service Road 289 (known as the Dome Road) that lies within the boundary of Bandelier National Monument only when the US Forest Service allows travel on the portion of the road outside of the Monument. This includes the use of off road vehicles.
- Campground roads, picnic areas, and parking areas.
- Roads that are gated shut are closed to public motor vehicle use.

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

(a) The following load, weight, and size limits which are more restrictive than State law, apply to the roads indicated under the terms and conditions and/or under permit as noted:

- Visitor towed vehicles such as, but not limited to, travel trailers, automobiles, stock trailers, and utility trailers are not permitted on the Main Entrance Road beyond the intersection with the Juniper Campground road or in Frijoles Canyon except as permitted by the Superintendent or in support of Monument operations, without prior approval. Delivery trucks are exempt when performing delivery tasks within those areas. Towed vehicles and trailers must be left in the Amphitheater parking area by Juniper Campground.
- Buses: **Definition** – every motor vehicle designed and used for the transportation of persons and every motor vehicle other than taxicabs, designated and used for the transportation of persons for compensation. New Mexico Vehicle Code 66-1-4 B (4).
- All buses longer than 20 feet must be parked at the Juniper Campground Amphitheater parking lot from March 1 through December 1 unless prior approval has been granted by the Superintendent or his/her designee.
- Parking in marked spaces in the main Frijoles Canyon parking area is restricted to vehicles under 20 feet in length.
- Parking in the Backcountry lot is limited to vehicles less than 20 feet in length during the same period noted above.
- Recreation vehicles over 20 feet in length are restricted to the designated (signed) RV parking space in the main Frijoles Canyon parking lot, the roadside parking area

south of the main lot, and Cottonwood Picnic Area parking sites sufficient to accommodate the unit.

- RV's and vehicles over 20 feet long must not cross the temporary steel bridge. The turn off the bridge is too tight for longer vehicles to make without striking the bridge as it turns.

***Determination:** Managing vehicle parking is a challenge at Bandelier National Monument. In an effort to reduce congestion in the main lot in Frijoles Canyon, trailers and oversized vehicles are accommodated in the Amphitheater parking lot on the Mesa top. Parking may be managed during heavy use periods and visitors should expect delays and temporary closures to entry when the Frijoles Canyon parking areas are full.*

36 CFR §4.21 – SPEED LIMITS

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

- Unless otherwise designated, the speed limit is 15 mph.

***Determination:** Monument speed limits are set at speed which allow for the safety of large numbers of wildlife along the roads as well as high volume pedestrian use. Visitors and residents should expect a lower speed than the surrounding highways.*

36 CFR §4.30 – BICYCLES

(a) Bicycle use is only permitted on paved roads, parking areas, and FS 289 known as “The Dome Road.”

- The use of bicycles on hiking trails and in off-road areas is prohibited.

***Note:** New Mexico State law requires bicycles to stay to the right and ride single file. Monument roads, as well as adjoining state roads, are very narrow with no shoulder. Riders should ride defensively and be aware of traffic at all times.*

36 CFR §4.31 – HITCHHIKING

- **Hitchhiking is permitted in the following areas under the conditions noted:**
 - Hitchhiking is permitted where traffic and road conditions will allow roadside standing/stopping in a safe manner that will not obstruct traffic.
 - Hitchhiking is prohibited along the Entrance Road from the main gate to the entrance of the main parking area of Frijoles Canyon.

***Determination:** The main entrance road is a narrow, two-lane road with no shoulders making it unsuitable for pedestrian use.*

DEPARTMENT OF ENERGY (DOE) PROPERTY PUBLIC USE AREAS

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

Note: Violations under this section should be cited under §1.5(f).

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of DOE property, public use areas within TA-70 and 71, located along NM Highway 4 from TA-39 to Pajarito Acres in White Rock, and the following closures are established for all or a portion of the DOE property, public use areas, to all public use or to a certain use of activity:

▪ Hours of Operation

Hours of operation are general closures and do not take into account special use permits signed by the Superintendent, DOE sponsored events. **For the purposes of enforcement, dusk is defined as the time between one-half hour after sunset and dawn is defined as one-half hour before sunrise.**

All areas of the DOE Property Public Use Areas are open from dawn to dusk.

The following exceptions exist:

- Areas or activities approved under valid DOE or NNSA issued permits.

Determinations: All DOE Property Public Use areas are closed after dusk to deter vandalism and theft of natural, cultural and archaeological resources.

▪ Closures

The following areas within DOE Property Public Use Areas are closed:

- ◆ Ancho Canyon, from Hwy. 4 down canyon to where Ancho Canyon meets Ancho Springs. Access from Gate 2 along the old road adjacent to Hwy. 4 or any other route or trail is prohibited.

Determination: Ancho Canyon remains closed for safety reasons.

▪ Unmanned Aerial Vehicles (UAVs)

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of DOE Property Public Use areas, is prohibited except as approved in writing by the DOE Los Alamos Field Office.

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, quad copters, drones) that are used for any purpose, including for recreation or commerce.

Determinations: UAV's can pose a serious security threat and are prohibited.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

▪ **First Amendment Activities**

The following restrictions and/or conditions are in effect for the specific uses or activities:

- Implementation of a public use limit: Groups of 25 or more engaged in public gatherings or demonstrations including, but not limited to, religious observances or distribution of related materials, must obtain a permit in accordance with the criteria and procedures of 36 CFR 1.6. Individuals or groups of less than 25 do not need a permit but must remain within the designated areas.
- Groups of 25 or more are required to obtain a permit and may not circumvent the permit process by breaking into two smaller groups.
- Activities may include the use of hand-carried signs, but not stages, platforms, or structures.
- The use of loudspeakers or other sound amplifying devices is prohibited.
- Normal pedestrian traffic may not be impeded by activities under this section.

▪ **Camping**

There are no areas open to camping in the DOE Property Public Use areas.

▪ **Technical Rock Climbing Routes**

Rock climbing, both technical and non-technical, is prohibited throughout the DOE properties.

▪ **Geo-caching**

The creation or maintenance of a "geo-cache" containing any physical items within DOE Property Public Use areas are prohibited. "Virtual" caches may be created and maintained as long as they meet the designated management conditions of the location. Conditions include consistency with DOE management plans such as not encouraging off-trail travel or travel in closed areas, visitor safety considerations, and the protection of resources (Geo-caching is also a violation of 36 CFR, Section 2.22(a) – Property).

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Note: Violations under this section should be cited under §1.6(g)(1) or (2)

(f) **The following is a compilation of those activities for which a permit from the Superintendent is required:**

- **§1.5(d) The following activities related to Public Use Limits:**
- **§2.4(d) Carry or possess a weapon, trap or net**
- **§2.4 (d)(4) Transporting lawfully taken wildlife through the Monument.**
- **§ 2.5(b) Specimen collecting, research, and some science education activities.**
 - Permits are available from the Chief of Resources Management.
 - Please refer to 36 CFR §2.5 RESEARCH SPECIMENS

Note: When permits are required for scientific activities pertaining solely to cultural resources, including archeology, ethnography, history, cultural museum objects, cultural landscapes, and historic and prehistoric structures, other permit procedures apply and will be outlined during the permitting process.

- **§ 2.12 Creating Audio Disturbances**
 - (a)(2) Operating a chain saw in developed areas
 - (a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
 - (a)(4) Operating a 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
 - Permits are available through the Chief Ranger's Office
 - Please refer to Section III, Regulations § 2.12 AUDIO DISTURBANCES
- **§ 2.17 Aircraft and Air Delivery**
 - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
 - (c)(1) Removal of a downed aircraft
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 2.17 AIRCRAFT AND AIR DELIVERY
- **§ 2.37 Soliciting or Demanding Gifts, Money, Goods or Services** (Pursuant to the terms and conditions of a permit issued under § 2.50, § 2.51 or § 2.52)
 - Please refer to 36 CFR § 2.37 NONCOMMERCIAL SOLICITING
- **§ 2.38 Using or Possessing Explosives**
 - With the exception of DOE – EOD, the use of explosives of any kind, including fireworks, is prohibited.
 - Request permits through the DOE Los Alamos Field Office.
 - Please refer to 36 CFR § 2.38 EXPLOSIVES

- **§ 2.50 Conducting a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, or similar events**
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 2.50(a) SPECIAL EVENTS
- **§2.51 Conducting a public assembly, meeting, gathering, demonstration, parade or other public expression of views**
 - Request permits, which shall detail location, restrictions and liability insurance requirements, through the Chief Ranger's Office
- **§ 2.52 Selling or distributing printed matter that is not solely commercial advertising**
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 2.52(c) SPECIAL EVENTS
- **§ 2.62 Memorialization**
 - (a) Erecting Monuments of any kind is prohibited.
 - (b) Scattering ashes from human cremation is prohibited.
 - Please refer to Section III, Regulations § 2.62 MEMORIALIZATION
- **§ 5.1 Displaying, posting or distributing advertisements**
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 5.1 ADVERTISEMENTS
- **§ 5.5 Commercial Photography/Filming**
 - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
 - (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising
 - Request permits through the Chief Ranger's Office
 - Please refer to 36 CFR § 5.5 COMMERCIAL PHOTOGRAPHY

III. GENERAL REGULATIONS

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

(a)(4) Dead wood on the ground may be collected for use as fuel for campfires within the Monument, provided that:

- The collection of firewood is prohibited within DOE Property Public Use areas except to provide warmth when legitimate emergency conditions exist.

Determination: DOE Property Public Use areas are open to provide the local populace an opportunity for recreation only. No campfires are allowed and other collection for home or commercial use is prohibited.

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending, or traversing the listed archeological or cultural resource, monuments, or statues:

- Entering archeological sites within the backcountry and wilderness is prohibited except as noted below.
 - Climbing, sitting, or otherwise having physical contact with standing walls, shrines, or other exposed archaeological features is prohibited.
 - Walking through unexposed archaeological features is allowed for exploration purposes so long as such actions are not damaging to the resource.
- In other areas as designated by the Superintendent pursuant to the issuance of a permit.

(c)(1), (c)(2) 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 use of consumption restrictions:

- No gathering of fruits, nuts, berries or unoccupied seashells is allowed.

Determination: Removal of cones, fungi, fiddle heads is in violation of 36 CFR § 2.1 (a)(1)(ii) "Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state plants or the parts or products thereof." Gathering of fruits, nuts, berries or unoccupied seashells is prohibited due to the very limited resources available on these properties.

36 CFR §2.2 – WILDLIFE PROTECTION

(a)(1) The taking of wildlife within the DOE Property Public Use areas is prohibited. Tracking or retrieving wildlife legally shot outside of the property is not allowed.

(a)(2) The calling of wildlife, including artificial calls or recording devices is prohibited within the DOE Property Public Use areas.

(f) The transporting of lawfully taken wildlife through the Monument is permitted under the following conditions and procedures:

- Lawfully taken wildlife may be transported through the DOE Property Public Use areas only on New Mexico State Highway 4.

(g) Viewing wildlife by artificial light (spotlighting, including redirection of vehicle headlights) is prohibited throughout the DOE Property Public Use areas.

Note: Night vision devices are not artificial lights, however, infrared lighting/beams are.

Determination: These regulations help to protect against the unlawful taking of wildlife within the DOE Property Public Use areas.

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(a)(1) Except as otherwise provided in this section, the following are prohibited:

- Possessing a weapon, trap or net
- Carrying a weapon, trap or net
- Using a weapon, trap or net

36 CFR §2.10 – CAMPING AND FOOD STORAGE

(a) There are no areas within the DOE Property Public Use areas designated for camping.

(e) Conditions for the storage of food are in effect as noted, for the following areas.

- Food must be securely stored at all times except during the actual preparation of a meal to prevent animal access. Coolers and other food containment devices must be secured to prevent any access and should be kept in vehicles trailers, or other protection devices to prevent access including large mammals (bear, deer, elk, etc.).

***Determination:** This regulation reduces the likelihood of creating habituated wildlife and nuisance animals by eliminating human-caused wildlife attractants. Reducing habituated and nuisance wildlife also reduces the potential for wildlife bites and provides for the safety and well-being of visitors and wildlife.*

36 CFR §2.11 – PICNICKING

There are no designated picnic areas within DOE Property Public Use areas

36 CFR §2.13 – FIRES

(a)(1) The lighting or maintaining of fires is prohibited on DOE Property Public Use areas Designated Areas

***Determination:** Due to the threat of a wildfire being sparked by a campfire, the lighting or maintaining of fires in this area is prohibited.*

36 CFR §2.15 – PETS

- Pets in these areas are allowed to run off leash. Mean or vicious animals must be under leash or physical control of the owner when in the presence of other hikers and dogs.

***Determination:** These public use areas have historically been utilized by local residents as an area to safely take their pets for runs and hikes. The threat to wildlife in these areas is minimal.*

36 CFR §2.16 – HORSES AND PACK ANIMALS

(a) The following animals are designated as pack animals for purposes of transporting equipment:

- “Pack animal” means horses, burros, mules, or other hoofed mammals when designated as pack animals by the Superintendent.

(b) The use of horses or pack animals is allowed on all trails within the DOE Property Public Use areas.

Determination: The majority of trails within the DOE Property Public Use areas are old roads and are able to sustain horse use. Should it be determined that some trails cannot sustain this use, those trails will be closed and noted herein.

36 CFR §2.17 – AIRCRAFT AND AIR DELIVERY

(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent through written authorization.

- Request permits through the Chief Ranger’s Office – (505) 673-3861, ext. 401

36 CFR §2.18 – SNOWMOBILES

(c) These areas are open only to foot and bicycle traffic. No motorized use of any kind is allowed.

36 CFR §2.21 – SMOKING

(a) The following areas, structures or facilities are closed to smoking:

- Smoking may be prohibited in all other areas of the DOE Property Public Use areas, when in the opinion of the Superintendent such prohibition is necessary during periods of high fire danger. Notice of such prohibition will be posted at trailheads and at the Visitor Center.

Determination: Smoking is prohibited to protect DOE resources, reduce the risk of fire, or prevent conflicts among visitor use activities. Electronic cigarettes are included in the above restrictions.

36 CFR §2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours under the following conditions:

- With permission of the Superintendent upon approval of a permit or special use authorization.

- Request permits through the Chief Ranger's Office – (505) 673-3861, ext. 401.

Determination: The purpose of this restriction is to protect the natural, cultural, and archaeological resources from damage from geocaching and similar activities and to preserve the landscape in as pristine visual condition as possible.

36 CFR §2.62 – MEMORIALIZATION

(b) The scattering of human ashes from cremation is prohibited

Determination: DOE Property Public Use area is a culturally sensitive area.

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Roads open for travel by motor vehicle are those indicated below and/or as indicated in the following publication of document (attached hereto):

- New Mexico State Highway 4.
- Roads that are gated shut are closed to public motor vehicle use.
- RV's and vehicles over 20 feet long must not cross the temporary steel bridge. The turn off the bridge is too tight for longer vehicles to make without striking the bridge as it turns.

Determination: There are no public access roads within the DOE Property Public Use areas. NM Highway 4 is a main route that runs adjacent to the public use areas.

36 CFR §4.30 – BICYCLES

(b) Bicycle use is permitted on all trails with the DOE Property Public Use areas.