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2022 Superintendent’s Compendium of Designations, Closures, Permit Requirements, and Other Restrictions Imposed Under Discretionary Authority for Black Canyon of the Gunnison National Park

Approved:

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Black Canyon of the Gunnison National Park*

Date

Under the provisions of 54 USC, Sections 100751, 100752, 100753, 102101, 103104 and Title 36 CFR, Chapter 1, Parts 1-7, the following designations, closures, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent are established for Black Canyon of the Gunnison National Park. Regulations listed in this compendium are a requirement in addition to those listed in Parts 1-7 of Title 36 unless otherwise noted.

In addition to these regulations, written determinations, which explain the reasoning behind the Superintendent’s use of discretionary authority, are required by 36 CFR 1.5 (c) and appear in this document as italicized print or are available for review in the Chief Ranger’s Office.

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36 CFR §1.5 – Visiting Hours, Public Use Limits, Closures, and Area Designations for Specific Use or Activities

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

Visiting Hours

(Not applicable)

Public Use Limits

See 36 CFR § 1.6

COVID-19 Management Strategy

The Park will follow the Department of the Interior Covid-19 response strategy:

When the COVID-19 Community Level is **LOW** or **MEDIUM** in Montrose and Gunnison Counties (CO) based on data provided by the Centers for Disease Control and Prevention (CDC), individuals are not required to wear masks.

When the COVID-19 Community Level is **HIGH** in Montrose or Gunnison Counties (CO) based on data provided by the CDC, all individuals over the age of two must wear masks, regardless of vaccination status, in all common areas and shared workspaces in buildings owned, leased, or otherwise controlled by the National Park Service, including, but not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of the COVID-19 Community Level, individuals may wear masks if they choose to do so. If the State of Colorado, Montrose, or Gunnison Counties impose more protective mask-wearing requirements than those indicated by the COVID-19 Community Level, individuals must follow those more protective requirements within the park.

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

Closures

The following areas are closed to all public entry to protect the privacy of residents, to reduce the hazards of associated public use in maintenance and service areas, and to protect government

equipment and facilities:

Year-round Closures and Prohibitions:

- South Rim maintenance yard and residential area.
- Pulpit Rock concession water tank and associated service area.
- North Rim residence and related service facilities, including the generator building, solar panels, propane tank and water tank.
- North Rim and South Rim Campgrounds water tanks.
- East Portal cable car (property of USGS).
- Park roads and buildings are subject to temporary closures at any time for visitor safety.
- Base jumping, rappelling, bungee jumping or other similar activities are not permitted from any man-made structures for visitor safety and to avoid conflict with other visitor groups.
- Possession and use of glass food and beverage containers are prohibited in the wilderness to reduce risk of broken glass hazards to humans and wildlife.

Winter Seasonal Closure:

Per Superintendent's order based upon sufficient snow accumulation, the South Rim drive west of the South Rim Visitor Center at Gunnison Point and the North Rim drive will be closed to motorized vehicular traffic at the Park boundary.

During winter, these roads will be gated and will not be maintained. They will be under one of two status, determined by snow conditions:

1. **Winter Road Status-** Park roads are closed to public motor vehicle travel, but pedestrians, leashed pets and bicycles are permitted.
2. **Winter Trail Status -** Park roads closed to public motor vehicle travel, leashed pets and bicycles. Bicycles are not allowed due to the damage they do to groomed ski trails.

Road status will be conspicuously posted at the gate.

Determination: Year-round closures and prohibition of activities are needed to protect public safety and park property. Winter closures are needed to protect public safety during the times when roads cannot be maintained.

Mines:

Definition: For management purposes, Black Canyon of the Gunnison National Park defines mine as any anthropogenic feature excavated for the purpose of mineral extraction. This definition includes adits, shafts, pits, tunnels, prospects, and tailings piles associated with mining.

Because of their sensitive and sometimes dangerous nature, public presence, use, and access in all mines, as defined above, is prohibited except for individuals with special, written permission from the Superintendent to conduct research or administrative business in the mine. 36 CFR § 1.5 (a)(2).

Determination: This restriction is necessary to protect human health and safety, unrecorded features, archaeological resources, and wildlife habitat.

Specialized Closures:

1. Seasonal Raptor Closures:

From March 15 through July 15, the following areas may be closed to all public use each year:

- North Rim: Serpent Point and adjacent walls within one-half mile, including the area above the listed wall(s) from the canyon edge extending for 50 feet (15.2 m) away from the canyon. Climbing routes included in this closure are: Southern Arete, West Arete, Forrest Walker, Journey through Mirkwood, Stratosfear and Dragon, Climb Bold or Fly, and Northern Arete.
- South Rim: The following routes upstream from Echo Canyon, including the top of the walls 50 feet (15.2 m) away from the rim edge: Me, Myself & My Ego, Kill 'Em All, The Black Buttress, and Deadman's Walk. Climbing routes which are located near any newly established or newly discovered cliff nesting raptor nests may be temporarily closed.

Determination: While the American Peregrine Falcon was delisted from the Endangered Species list in 1999, they continue to be protected under the Migratory Bird Treaty Act, as well as other federal and state laws. The peregrine is a Colorado State Special Concern Species and a native Species of Management Concern for BLCA and CURE. Because American Peregrine Falcons are a species of special concern for the state of Colorado and the NPS, NPS has determined that the continued monitoring to provide additional evaluation of the population recovery, particularly considering continued presence and effects of persistent chemical compounds in the environment, is warranted.

Closures may be needed to protect nesting raptors per the park's raptor nest standard operating procedure.

2. Use of Unmanned Aircraft

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 Black Canyon of the Gunnison National Park and Curecanti National Recreation Area is prohibited except as approved in writing by the superintendent.

Determination: The NPS recognizes that the increased use and popularity of unmanned aircraft has led to incidents in which public safety, environmental and scenic values, conflicts among different user groups and impacts to cultural and natural resources have occurred or have had a reasonable possibility of occurring. When confronted with a new park use, Superintendents are directed by agency policy to proceed with caution when determining the compatibility of the new use within the context of existing use and the values for which the individual park unit was designated. This closure is an interim measure pending potential regulatory action on a national level. In June of 2014, all park Superintendents were required to insert the above language into each park's compendium. An agency-wide prescription prohibits individual Superintendents from promulgating less restrictive measures without approval from

the NPS directorate.

3. Use of Segways and motor driven cycles

Definition: A Segway is a two-wheeled, gyroscopically stabilized, battery-powered personal transportation device which operates at a top speed of 12.5 mph (20.12 kmh). A motor driven cycle such as a seated scooter or road scooter are designed to travel on no more than 3 wheels and has a cylinder capacity of less than 50 cc.

The use of Segway's and motor driven cycles within park areas are permitted in accordance with state law. The operator must have a valid driver's license, the vehicle must have a Department of Revenue registration sticker and the vehicle is permitted to operate on public roads.

The use of Segway's and motor driven cycles in park areas off of the established roadway by persons with disabilities may be allowed in accordance with an individual special use permit issued by the superintendent under 36 CFR § 1.6. For special use permit information can be found at www.nps.gov/blca.

Determination: The NPS recognizes the use of Segway's and motor driven cycles are not designed and utilized solely by mobility impaired persons. For individuals without mobility impairments, the use of Segway's and motor driven cycles are permitted to operate on public roads only. The use of Segway's and motor driven cycles by persons with disabilities may be appropriate in other locations. Authorizing this use by permit gives the NPS the opportunity to ensure users understand use limitations, potential hazards due to other visitor use activities, fluctuating water levels and additional safety concerns.

(a)(2) Designate areas for a specific use or activity or impose conditions or restrictions on a use or activity.

The following climbing practices are prohibited:

- The placement of new fixed anchors which would result in rock alteration during installation when the ability to place removable protection is available. Exceptions must be approved in advance by the Chief Ranger or Superintendent.
- On an existing route, the placement of fixed anchors which would result in rock alteration, unless existing fixed anchors are deemed unsafe or in the event the first ascensionist has supplied park staff with a written request that an additional fixed anchor be placed on a route for safety reasons.

Definition: "fixed anchor hardware requiring rock alteration for installation" refers to manufactured hardware, specifically bolts that require the drilling of rock for installation and is left in the rock by a climbing party after the completion of the climb.

- The use of non-climbing specific hardware (i.e. concrete anchors, home manufactured equipment, etc.)
- The use of motorized equipment for drilling.
- The placement of new fixed belay/rappel stations when the ability to place adequate removable protection is available. Exceptions must have prior written approval by park staff.
- Bolting shall be allowed only in the development of new climbing routes and only in sections of the route that have no rock features adequate for the placement of removable anchors. Prior authorization is required.

- The installation and removal of pitons except when no other means exist to protect the climbing party.
- The caching or leaving of unattended equipment in any area other than a designated campsite unless:
 - The climbing party intends to return to continue the climb.
 - The placement does not exceed a period of 14 days, and either the climbing party remains in the Park during the 14 days period or approval is received from Park staff prior to departure and notification of intended return date is made.
- The intentional development of approach trails.
- The building of “cairns” or marking of approach trails.
- The removal of rock from its natural position unless it has been determined the rock poses a significant risk to the climbing party or a future climbing party.
- Chipping or the gluing on of holds.
- Removal of vegetation from the base of climbs, belay ledges or cracks.
- The use of temporary anchors unless adequate padding is used between the rope and bark surface to prevent tree damage.
- High lines.
- The anchoring of slack lines to natural vegetation or park property.

Determination: The Black Canyon has long been established as a traditional area where bolts are kept to a minimum, if used at all. The inner canyon within the Park is a federally designated wilderness area. These regulations are intended to preserve the natural character of cliff faces and preclude visual and auditory disturbances and to follow guidelines established in the “Wilderness and Backcountry Management Plan, Black Canyon of the Gunnison National Park-Curencanti National Recreation Area (2022 Draft).”

Off Highway Vehicles:

Any use of any off-highway vehicle (OHV), all-terrain vehicle (ATV), utility vehicles (UTV’s) or other motorized conveyance manufactured for recreational non-highway, off-road, or all-terrain travel regardless of registration status is prohibited within Black Canyon of the Gunnison National Park.

Determination: The recreational and general use of off-highway vehicles such as OHVs, ATVs UTVs, and other motorized conveyances manufactured for recreational non-highway, off-road, or all-terrain travel poses a significant risk to park resources and conflicts with other park visitors and wildlife. These risks and conflicts cannot be appropriately mitigated, or be sustained without causing unacceptable impacts. The use of such vehicles is, therefore, not consistent with the protection of the parks and monuments.

Boating and Water Use Activities:

The following areas are closed to boating and shoreline entry:

- Crystal Dam downstream from the dam 200 yards (182.88 m).
- Within 100 yards (91.44 m) Upstream and Downstream of the Gunnison Tunnel Diversion Dam

Additional regulations include:

- Motorized vessels are limited to 25 horsepower or less (jet drive equivalent). Administrative patrols in vessels exceeding 25 horsepower carrying NPS and Bureau of Reclamation (BOR) personnel are authorized for visitor and resource protection.
 - All watercraft that is mechanically propelled is subject to inspection for Aquatic Invasive Species (AIS).
 - This includes gas, diesel, or electric motors.
 - Pursuant to CRS Title 33-10.5.
- No trailer may enter the water on Morrow Point or Crystal Reservoirs without prior inspection
 - Pursuant to CRS Title 33-10.5 -103 (II).
- Exempt watercraft include:
 - Most non-motorized watercraft including: Canoe, Kayak, Belly Boat, Float Tube, Inner Tube, Raft, Sail Board, Paddleboard, Foldable Plastic Boat without mechanical power.

36 CFR §1.6 – Activities That Require a Permit

Wilderness Use Permit System:

A permit is required for all Wilderness use for both day and overnight for the inner canyon access routes, overnight upland wilderness and backcountry use, technical climbing, and all river use. No permit is required for day use in the upland Wilderness or backcountry.

- Only overnight backpackers or boaters (kayakers) accessing the Park Wilderness from the East Portal require a permit, all day-users do not need a permit.

Red Rock Canyon Permit Policy:

- Group size is limited to four (4) people; groups may be split to meet requirement, but there is a four-person per campsite limit.
- Overnight use is limited to three days/two nights per visit.
- One parking space per group, for a total of three vehicles, is permitted. Private vehicles must park in designated parking area and may not drive beyond the “green gate” whether it is open or closed.

Determination: This interim management plan for restricting access into Red Rock canyon is established in order to protect park resources, provide a quality wilderness experience for visitors, and gather information necessary for the long-term protection of this scenic area of the Park.

River Assisted Backcountry Travel (RABT): Defined as the transient travel on the Gunnison River using a portable, personal raft (typically pack rafts). River Assisted Backcountry Travel is allowed under the following conditions:

- Permit Required: The group must have Wilderness Use permit with River Assisted Backcountry Travel designation regardless of the duration of the trip.
- PFDs: A type III or Type V PFD must be worn by every person while on the river or while lining or portaging near rough water. 36 CFR § 3.7.
- Multiple Crossings: Multiple crossings/launches are approved Self-Carried: Any pack raft or devices used on the river for River Assisted Backcountry Travel must be carried in and out by the person. 36 CFR § 1.5.

Permit required for:

2.10(b (9) Camping along the CLOSED South Rim drive is permitted beyond Pulpit Rock

Overlook during winter season when the drive is in Winter Road and Winter Trail status beyond the visitor center.

NOTE: The Park amphitheater and the associated parking lot, and the Pulpit Rock parking lot are designated locations for 1st amendment activities. A map which designates these areas, will be available upon request, in the office of the superintendent.

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: Overall vehicle length with trailer may not exceed 22 feet (6.7 m) on the East Portal road.
- (b) *Determination: Due to the narrow width and the 16% grade of the East Portal road, it is not safe for vehicles over 22 feet (6.7 m) to travel on the road. Two-way travel is not feasible with oversized vehicles.*

36 CFR §2 – Resource Protection, Public Use, and Recreation

36 CFR §2.1 – Preservation of Natural, Cultural and Archeological Resources

- (a)(1)(i) Antler gathering is prohibited throughout the Park.
- (a)(4) Wood gathering is prohibited throughout the Park.
- (a)(5) The following conditions are in effect for walking, climbing, entering, ascending, or traversing the listed archaeological or cultural resource, monuments, or statues: (Not applicable)
- (c) Hiking or pedestrian traffic is restricted to the durable surface of the trail tread or walkway on all developed trails, overlooks, day use picnic areas, parking lots, and campgrounds, except where access into or out of climbing areas may require some off-trail use.
- (c)(1) Collection of edible fruits, berries and nuts may be gathered by hand for personal consumption only and not for the purpose of sale or exchange. (Permit Required). Permit information and applications are available at www.nps.gov/blca.

36 CFR §2.2 – Wildlife Protection

- (d) The transportation of lawfully taken wildlife over publicly owned park lands is allowed. Taken

wildlife must comply with all applicable state regulations . Wildlife lawfully taken on private lands or on lands outside Black Canyon of the Gunnison National Park accessed by the East Portal road, or taken on non-NPS lands adjacent to the Park which are accessed by an NPS permitted right of way, may be transported on Park roads for the sole purpose of exiting the Park.

(e) Use of an artificial light to view wildlife is prohibited within the Park.

36 CFR §2.3 – Fishing

(a) Fishing is authorized within the park in accordance with federal and state law.

(d)(2) Possession or use of live or dead minnows or other bait fish, amphibian, non-preserved fish eggs or roe is not permitted.

(d)(4) In accordance with federal statutory law, commercial fishing is authorized in the following areas, under the conditions noted. (Not applicable)

36 CFR §2.4 – Weapons, Traps, and Nets

Section 512, of the Credit Card Accountability Responsibility and Disclosure Act of 2009, P.L. 111-24, 123 Stat. 1764-65, allows persons to possess firearms while in units of the National Park and National Wildlife Refuge Systems if they are in compliance with applicable federal and state law. Specifically, Section 512 (b) states:

The Secretary of the Interior shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm including an assembled or functional firearm in any unit of the National Park System or the National Wildlife refuge System if:

- (1) The individual is not otherwise prohibited by law from possessing the firearm; and
- (2) The possession of the firearm is in compliance with the law of the State in which the unit of the National Park System or the National Wildlife Refuge System is located.

36 CFR §2.10 – Camping and Food Storage

(a) Within the developed campgrounds, no more than two primary recreational camping units per site, (car, pickup, motorhome, van, pop-up trailer, in which people are sleeping). Three tents are allowed per site. Maximum of eight people per site. Vehicles must be parked within established parking areas.

- Registered sites must be occupied. “Occupied” implies the site has been slept-in once within a 24-hour period.
- Camping is limited to a visit of fourteen (14 day) consecutive nights for a total of 30 days during the calendar year.
- Checkout time of campsites in developed campgrounds is 1:00 pm.
- Maximum Occupancy in developed campgrounds is eight people per site.
- Maximum number of vehicles in developed campgrounds is two per site.
- Tent camping or the overnight occupancy of camper vehicles, such as, pickups, coaches, trailers, and motorhomes is restricted to designated, developed campsites in the following areas:

- South Rim Campground
- East Portal Campground
- North Rim Campground

* To protect limited forest resources at the North Rim Campground, the practice of securing or tying camping/sleeping equipment to trees, including but not limited to traps, hammocks, slack lines, clotheslines, , is prohibited. Slack lines are prohibited.

(b)(9) The use of generators in the South Rim Campground is prohibited when Loop B is open, and electricity is being provided. Camping along the CLOSED South Rim drive is permitted beyond Pulpit Rock Overlook during winter season when the drive is CLOSED beyond the visitor center.

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

- North and South Rim Campgrounds and East Portal Campground
- For any camping outside the designated campgrounds on the North and All food, scented items, and cooking utensils must be stored in a vehicle, hard sided RV or Trailer, and/or bear box when the site is unattended in any of the areas in which conditions for food storage are in effect.

36 CFR §2.14 – Sanitation and Refuse

(a)(2) The use of government refuse and recyclables receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property may be allowed under the following conditions: (Not applicable)

(a)(9) For all inner canyon travel, utoilet (along the Gunnison River at Gunnison and Warner campsites), is available, all solid human waste must be packed out in an appropriate WAG (Waste Alleviation Gel) system. All toilet paper and hygiene products must be packed out.

36 CFR §2.15 – Pets

Definition: “Pet” means dogs, cats, or any animal that has been domesticated. (36 CFR § 1.4)

(a)(1) Leashed pets are permitted only in picnic areas, campgrounds, parking lots, trails to overlooks, and along roads currently open to vehicles. They are prohibited in non-developed areas and on all trails except Chasm View Nature Trail and Rim Rock Trail.

- NOTE: Due to established use on lands previously under Bureau of Land Management (BLM) jurisdiction, leashed pets are permitted upstream from Chukar Trail to Margaritaville Campground.

- On designated cross-country ski or snowshoe trails, including that portion of the South Rim Road closed west of the visitor center when the road is listed as a trail in snow conditions.

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

- Pet excrement must be picked up by pet owners and then must be disposed of in trash receptacles immediately. Leaving pet excrement on the side of the trail for pick-up later is prohibited.

36 CFR §2.16 – Horses and Pack Animals

(a) The following animals are designated as pack animals: Horses, burros, mules, or other hoofed mammals.

(b) The use of horses or pack animals is permitted on the following trails, routes, or areas:

- Deadhorse Trail, North Rim

(c) The use of horses and pack animals is prohibited in all other Park areas unless authorized by a grazing use permit approved by the Superintendent. Other conditions concerning the use of horses or pack animals:

- Picketing or tying livestock to natural features such as trees is prohibited.
- Grazing is prohibited. All hay utilized within the Park must be certified as weed free in compliance with Colorado Department of Agriculture standards.
- Horses and pack animals are prohibited in the North Rim campground except during transport in a trailer.

36 CFR §2.18 – Snowmobiles

(c) In addition to 36 CFR, Section 2.18, Snowmobile use is allowed under 36 CFR, section 7.53 (a)

(1) During periods when snow depth prevents regular vehicle travel to the North Rim, snowmobiling will be permitted on the graded, graveled, unplowed North Rim Drive and parking areas from the north boundary to the North Rim Campground.

(2) On roads designated for snowmobile use, only that portion of the road or parking area intended for other motor vehicle use may be used by snowmobiles. Snowmobile use outside designated routes is prohibited.

36 CFR §2.22 – Property

(a)(2) Vehicles may be left unattended in excess of 24 hours at locations within the Park if a wilderness use permit has been obtained in advance. The permit must distinguish the vehicle by description; identify the location where the vehicle will be parked and the duration of stay.

(3) Vehicles left unattended must be associated with a wilderness permit. The vehicle may be left unattended for the term established in the permit.

36 CFR §2.23 – Recreation Fees

(b) Recreation fees, 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	
Entrance Fee	\$30.00
Black Canyon Annual Pass	\$55.00

Person,	\$15.00
Motorcycle	\$25.00
Bicycle	

Campground Fees

Note: All expanded amenity fees are discounted 50% for Interagency Senior/Access pass holders. Former Golden Age Access passes are still valid. A limited-service fee (50% of full price) is charged for all campgrounds when water is unavailable.

South Rim Loop A & C	\$16.00
South Rim Loop B (Electric)	\$22.00 (includes \$6 utility fee), discount price is \$14.00.
North Rim	\$16.00

36 CFR §3.8 – What Vessel Operations are Prohibited?

(a)(4) Motorized vessels are not permitted in Black Canyon of the Gunnison National Park. Motorized vessels are also prohibited for the section of Curecanti National Recreation Area from 200 yards (182.88 m) downstream of the Crystal Dam to 100 yards (91.44 m) upstream of the Gunnison Tunnel Diversion Dam.

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:

- Overall vehicle length with trailer may not exceed 22 feet (6.7 m) on the East Portal Road

36 CFR §4.30 – Bicycles

a) Bicycle use is permitted on park roads and parking areas.

Definition: The term “e-bike” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.).

E-bikes are allowed in Black Canyon of the Gunnison National Park where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5).

Except as specified in this Compendium, the use of an e-bike within Black Canyon of the Gunnison National Park is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

36 CFR §5.5 – Commercial Photography

(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, requires a permit.

Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising requires a permit.

The following types of filming activities may occur in areas open to the public without a permit and without advance notice to the NPS:

- Outdoor filming activities [outside of areas managed as wilderness]² involving five persons or less and equipment that will be carried at all times, except for small tripods used to hold cameras. The organizer of any other type of filming activity must provide written notice to the Superintendent at least 10 days prior to the start of the proposed activity. Based upon the information provided, the Superintendent may require the organizer to apply for and obtain a permit if necessary to:

- maintain public health and safety.
- protect environmental or scenic values.
- protect natural or cultural resources.
- allow for equitable allocation and use of facilities.

or • avoid conflict among visitor use activities. If the Superintendent determines that the terms and conditions of a permit could not mitigate the concerns identified above in an acceptable manner, the Superintendent may deny a filming request without issuing a permit.

The ² See section entitled “Filming in Wilderness”. Superintendent will provide the basis for denial in writing upon request. The NPS will consider requests and process permit applications in a timely manner. Processing times will vary depending on the complexity of the proposed activity. If the organizer provides the required 10-day advance notice to the NPS and has not received a written response from the NPS that a permit is required prior to the first day of production, the proposed filming activities may occur without a permit. The following are prohibited:

(1) Engaging in a filming activity without providing advance notice to the Superintendent when required.

(2) Engaging in a filming activity without a permit if [the activity takes place in areas managed as wilderness or if the Superintendent has notified the organizer in writing that a permit is required.

(3) Violating a term and condition of a permit issued under this action. Violating a term or condition of a permit issued under to this action may also result in the suspension and revocation of the permit by the Superintendent.

Still photography activities require a permit only if it:

1. the activity takes place at location(s) where or when members of the public are generally not allowed; or

2. the activity uses model(s), sets(s), or prop(s) that are not a part of the location's natural or cultural resources or administrative facilities; or
3. a park would incur additional administrative costs to monitor the activity.