National Park Service
U.S. Department of the Interior

BUFFALO NATIONAL RIVER

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

Approved:

Kevin G. Cheri Date: 9/28/12
Kevin G. Cheri, Superintendent

A. INTRODUCTION

1. Superintendent's Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park System.

A copy of Title 36, CFR, can be purchased from the U.S. Government Printing Office at:

Superintendent of Documents
P.O. Box 371954
Pittsburgh, PA 15250-7954

The CFR is also available on the Internet at:

http://www.access.gpo.gov/nara/cfr/waisidx_05/36cfrv1_05.html

2. Laws and Policies Allowing the Superintendent to Develop This Compendium

The National Park Service (NPS) is granted broad statutory authority under 16 United States Code (U.S.C.) Section 1 *et.seq.* (Organic Act of 1916, as amended) to "...regulate the use of the Federal areas known as national parks, monuments, and reservations...by such means and measures as conform to the fundamental purposes of the said parks...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations" (16 U.S.C. Section 1). In addition, the NPS Organic Act allows the NPS, through the Secretary of the Interior, to "make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service" (16 U.S.C. Section 3).

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970 (16 U.S.C. Sections 1a1-1a8), Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating "Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States."

16 U.S.C. Section 1c defines the National Park System as"...any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes."

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director's Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection,

where the Superintendent has a reasonable basis to believe a resource is or would become impaired, than that Superintendent is obliged to place limitations on public use.

3. Consistency of This Compendium with Applicable Federal Law and Requirements

The Superintendent's Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such, an Environmental Assessment will not be prepared.

4. Development of the Requirements of the Superintendent's Compendium

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to $5,000 for individuals and $10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

8. Comments on the Compendium

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

Written comments on the Compendium may be submitted to:

Superintendent
Buffalo National River
402 N Walnut Suite 136
Harrison AR 72601

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of this document, and remains in effect until revised for a period up to one year.

10. Additional Information

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

11. Availability

Copies of the Compendium are available at *402 N. Walnut St. Suite 136 Harrison AR 72601*. It may also be found at *www.nps.gov*.

B. SUPERINTENDENT'S COMPENDIUM

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Buffalo National River 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.

I.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:

- The Tyler Bend Visitor Center will be open Monday 9:00-4:30 and Tuesday-Sunday 8:30-4:30.
- The Tyler Bend Visitor Center and all visitor contact stations will be closed Thanksgiving, Christmas and New Years Day.
- Buffalo National River Headquarters will be open Monday-Friday 8:00-4:30. Closed all Federal holidays
- Campground visitor hours are from 6:00am-10:00p.m. After 10:00pm only registered guests and employees are permitted in campgrounds.

Public Use Limits:

- Use of individual campsites at developed campgrounds is limited to a maximum of six persons. All group sites are limited to a minimum of 10 and a maximum of 25 people.

The Superintendent has imposed these restrictions to limit impacts to the resources and to decrease the likelihood of campers spilling over into adjacent campsites.

- No person, party or organization shall be allowed to camp at Buffalo National River for more than a 14 day period in one campsite and will not exceed a total of 30 days in a calendar year without authorization of the Superintendent.
- Between Memorial Day and Labor Day each year, camping in all campgrounds/campsites is limited to a total of 14 consecutive days in a 21 day period

The Superintendent has put these restrictions in place due to the high demand for campsites during this time.

- At Erbie Campground, Recreational Vehicles and pull behind campers are limited to the 14 designated RV sites.

The Superintendent has limited RVs to the designated sites that were designed for such use.

- Drive-in horse camping is only authorized at Steel Creek, Erbie, Woolum, Log Wagon Gap and Hathaway Horse camps and is limited to no more than six persons and four head of stock at each campsite.

The Superintendent has restricted the use of horses/stock to these campsites due to being designed for such activity. The amount of stock is limited based on the carrying capacity and size of the individual sites

- Camping at Steel Creek, Erbie, Woolum, Log Wagon Gap and Hathaway Horse Camps is limited to a total of seven consecutive days.

The Superintendent has limited the days due to impacts to the resources and the amount of manure that builds up over a period of days

- Only wood or charcoal may be burned within the park. The burning of "trash" is prohibited.

The Superintendent has determined the burning of wood and charcoal have less impact on air quality than burning trash which could release toxins into the atmosphere.

- Hikers must use the designated Lost Valley Trail. Using "social" trails or bushwhacking is prohibited.

The Superintendent has determined the Lost Valley area is heavily impacted by visitors creating social trails. This area is also very steep and there have been numerous search and rescues due to hikers leaving the trail system.

<u>Closures</u>:
All caves within the boundary of Buffalo National River are closed to recreational caving with the exception of:

- The caves in Lost Valley from Eden Falls Cave to the Lost Valley Campground parking area are open to unrestricted recreational caving.
- The caves along the trail system at Buffalo Point are open to unrestricted recreational caving except for Bat Cave which is closed.
- Back 0' Beyond cave and Silver Hill cave are open for guided interpretive tours only.

The Superintendent has determined that White Nose Syndrome is an imminent threat to the cave bats of Buffalo National River, and every effort should be made to prevent or slow its spread to the park. The United States Fish and Wildlife Service as the lead federal agency in wildlife conservation has issued protocols that are designed to prevent the spread of the suspected causative agent of the WNS. The Superintendent has determined the closure is the best available method to meet the National Park Service mission to conserve the wildlife in the park for the enjoyment of future generations.

- All abandoned mines are closed to public entry.

The Superintendent has determined closure of all abandoned mines in the park is necessary for public safety, and protection of the mine environment. During the late 1880s to 1918, the Rush area was an active zinc mining area. After 1918, the mines were deactivated and lay dormant except for occasional mineral collectors or rock hounds. In 1984, an on-site inspection of the mines was made by the park's Resource Management and Visitor Protection staff, the park Safety Committee, and a mine safety inspector from the Office of Mine Safety and Health Administration. The team recommended the mines be closed to public access. Among the hazards are large loose ceiling rocks, deep pits, and water-filled pits. Several of the tunnels showed signs of recent cave-ins. Mineral collecting over the past several years has further weakened the walls and ceiling. Chain link fencing was installed at the entrances to these mines in 1985, along with signs advising that the mines are unsafe and closed to entry. Cave gating has been installed in an effort to prevent entry. During 2002, mine inspections conducted by Resource Management and Visitor Protection Rangers found additional collapses and deterioration. Our experience with Rush mines and observations of other mines, has led to the conclusion the danger of these old mines is consistent throughout the park. This closure affects all abandoned mines in the park.

- All roads, lands and waters within Buffalo National River are closed to the operation of all-terrain 3 and 4-wheel cycles, off road vehicles and similar vehicles intended only for off-road use.

The Superintendent has determined all-terrain type vehicles pose a safety hazard to the visiting public. All-terrain vehicles are not required to have lights, reflectors, or signal devices under state law and pose a safety hazard to visitors and ATV operators on park roads. There is no state training or license requirement and, as such, no assurance of operator standards on public roads. No routes within Buffalo National River are designated for off-road motor vehicle use. Past activities of ATV users within the park have damaged resources and allowed entrance into designated wilderness areas. Administrative use is allowed in accordance with the park ATV Plan.

- The possession or use of glass containers in caves, on trails or waterways, or within 100 feet (30.48 meters) of any river or stream in the park is prohibited for public safety, except in designated campgrounds, picnic sites, or in vehicles on designated roads and parking areas.

The Superintendent has determined glass containers are prohibited on trails, in caves, on or in waterways, and within 100 feet (30.48 meters) of any river or stream in the park because a public safety hazard exists when visitors are allowed to possess glass containers in certain areas of the park. Buffalo National River is an area of extremely rocky terrain. There is very little area where something dropped will not strike rocks on the surface of the ground. There is a history of glass containers breaking on trails, in caves, in the river, and on gravel bars and it is difficult to clean up the shards. The waterways of the park are used by swimmers and canoeists who are usually barefooted. Broken glass on the river bottom and on the riverbanks has caused numerous injuries over the years. Glass is prohibited in caves due to the difficulty of cleaning up broken shards and the fact that cavers are often on their hands and knees when negotiating the passageways. Broken glass is a serious safety hazard. It is highly unlikely that hikers will cleanup broken glass along trails due to the difficulty of transporting and disposing it. It is almost always left along the trail presenting a safety hazard. Glass containers are allowed in all developed campsites and picnic sites as well as in vehicles on designated roads and parking areas. AR Game and Fish Regulation 43.10 also restricts glass use on the Buffalo River and other flowing streams in Arkansas.

- The possession of polystyrene coolers, (commonly known as Styrofoam) is prohibited while floating or camping along the Buffalo River, except in developed campgrounds, picnic areas, landings, roads and parking lots. This prohibition includes coolers, ice chests, and containers. High density bait containers, used solely for that purpose are allowed.

Discarded polystyrene does not biodegrade for hundreds of years and is resistant to decomposition. Because of this stability, very little of the waste discarded biodegrades. Because degradation of materials creates potentially harmful liquid and gaseous by-products that could contaminate groundwater and air, The Superintendent has determined these products to be detrimental to the Buffalo River.

- Camping is prohibited in all caves and rock shelters within Buffalo National River.

The Superintendent has determined most caves and bluff shelters in Buffalo National River have fragile geologic and archeological value and have flora and fauna that is delicate. Camping activities in these areas are extensive, and there is a body of evidence indicating real damage and vandalism. Because even "innocent" camping episodes can and have resulted in damage to these features, they are closed to camping activities.

- Camping is prohibited the entire length of Lost Valley including the area formally known as Lost Valley Campground.

The Superintendent has determined the area is prone to flash floods and could be dangerous to visitors. Also, camping in this area is detrimental to the preservation of the cultural and natural scenery, and the visitor experience. The valley is narrow, it is difficult to camp out of view of the trail, human waste has been left in open view, fires have been built and left within view of the trail and there is a strong history of improper camping in the area.

- All roadways, trails, and other two-track access conveyances, regardless of former use, that are gated and/or marked "No Motor Vehicles" within Buffalo National River are closed to the operation of all motor vehicles, except during emergencies or administrative use.

The Superintendent has determined closure of certain roads, trails, and two-track access roads in the park is necessary for protection of park agricultural lease fields, archeological and cultural sites, riparian areas, wildlife habitat, public safety, and the general protection of the river and its associated banks and access areas. The regular availability and popularity of four wheel drive vehicles and the activities of their users have created a similar environment to that of ATV users which have damaged resources and allowed entry into areas not normally available to prudent users of a roadway in the park. Many of these roadways or conveyances are in remote areas

- All areas in the Erbie Historic Zone, with the exception of the Cavers' Camp, Horse Camp, Erbie Campground, and Cecil Cove Springs, are closed to camping.
- All historic buildings are closed to camping

The Superintendent has determined camping around the historic zone would diminish the cultural and natural scenery and the visitor experience due to the presence of tents, human waste being left in the open, fire pits constructed and trash being left behind.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:
Lands and waters within Buffalo National River(BNR) are open to hunting as mandated by Federal statutory law and in accordance with Arkansas Fish and Game Commission regulations. BNR is a Wildlife Management Area and is located within WMA Zone 080. Additional regulations are as follows:

- Killing devices or traps may not be possessed on Wildlife Management Areas unless a season is open or the weapon is being transported while on a city, county, state or federally maintained road or right of way. Concealed weapon permit holders may carry a modern handgun.

The Superintendent has determined the park will incorporate Arkansas Game and Fish Commission restrictions concerning the possession of weapons on WMA's.

- The discharge of a weapon or killing device across, into, or from the Buffalo River or its gravel bars, is prohibited.

The Superintendent has determined there is a considerable hazard to the public safety if hunters discharge weapons into or across the river, or on, into, or across the gravel bars. The Buffalo River is the principle recreation attraction of the park. There is year-around john-boat, canoe, and kayak use of the river; scuba divers and swimmers frequent it much of the year. Many of the park's hiking trails parallel the river or cross it and gravel bars are the preferred camping sites throughout the backcountry areas.

- No hunting allowed in areas designated as "developed areas", or within 150 yards (138 meters) of a developed area. *See list of developed areas at the end of this compendium.*

The Superintendent has determined developed areas are routinely visited by members of the public who camp, hike, picnic, launch boats, park cars, or attend programs. The visiting public should be able to have areas they do not feel threatened by hunting activities. Allowing hunting activities in these areas would be reckless.

- Buffalo Point Area No Hunting Zone Restrictions have changed to increase the area to be hunted. The additional area is open to Archery hunting only. Arkansas Fish and Game Commission regulations will apply. *See attachment for additional information*

The Superintendent has determined the No Hunting zone around Buffalo Point was larger than needed and has increased the area where hunting is permitted.

- The possession or use of gasoline, kerosene, or powered lights (generator or liquid fuel) and stoves is prohibited in all caves except for rescue or other authorized emergency operations.

The Superintendent has determined the use of gasoline, kerosene, and propane lanterns, traditionally used by some cave visitors has great potential for harm to the resource and visitors. Lanterns are generally carried in the hand as the primary light source. This reduces caver mobility in climbing and scrambling maneuvers. Lanterns are a problem in crawlways because they must be pushed along in front of the caver without burning him/her, breaking the globe, or breaking a mantle. There is always a possibility of liquid fuel spillage when a lantern is dropped or refueled, and there is a history of these occurrences in park caves. The glass globes on the lanterns are likely to break when lanterns are dropped; this has also happened in park caves. The exhaust gases of lanterns are known to cause asphyxiation in tents and in small crawlways with little airflow; they would have the same danger. Stoves pose the same risk of asphyxiation, burning, and fuel spillage as lanterns. While they may be needed in an emergency operation to heat liquids or foods, they are not a necessary piece of caving gear.

<u>Camping:</u>

- The following campgrounds are walk-in tent camping only. Recreational Vehicles and pull behind style campers are prohibited:
    - Kyle's Landing, Steel Creek, Rush, Spring Creek, and Carver.

The roads to these campgrounds are narrow, steep and winding and are not designed for large vehicles. Also, the campgrounds were not designed for this type of camping therefore the Superintendent has limited these areas to walk-in tent camping.

Boating

- Water Skiing is prohibited.

The Superintendent has determined the river corridors are too narrow and winding to support water skiing and considering the motor size is limited to 10 horsepower or less it would be inconsistent with water skiing.

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

(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:
  - Special events with groups of greater than 25 people (36 CFR, Sec 2.50).
  - Public Assemblies with groups of greater than 25 people (36 CFR, Sec 2.51).
  - Sale or distribution of printed matter with groups of greater than 25 people (36 CFR, Sec 2.52).
- §1.5(d) Cave Research-Entry into Fitton Cave
- §2.4(d) Carry or possess a weapon, trap, or net
- §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals)
- §2.12 Audio Disturbances:
  - (a)(2)Operating a chain saw in developed areas
  - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
  - (a)(4) Operation of 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
- §2.17 Aircraft & 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
- §2.23(b) The following special recreation activities (per 36 CFR Part 71):
  - A fee is required to reserve pavilions
- §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)
- §2.38 Explosives:
  - (a)Use, possess, store, transport explosives, blasting agents
  - (b) Use or possess fireworks
- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views with greater than 25 people.
- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising

- §2.60(b) Livestock use
- §2.61(a) Residing on federal lands
- §2.62 Memorialization:
  - (a) Erection of monuments (Requires approval from Regional Director)
  - (b) Scattering ashes from human cremation
- §3.3 Under certain circumstances use of a vessel
- §4.11(a) Exceeding established vehicle load, weight and size limits
- §5.1 Advertisements - (Display, posting or distribution.)
- §5.2(b) Sale of intoxicants on private lands.
- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).
- §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.
- §5.6(c) Use of commercial vehicles on park area roads (The superintendent shall issue a permit to access private lands within or adjacent to the park when access is otherwise not available)
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.
- §6.9(a) Operation of a solid waste disposal site
- Part 7 Special Regulations
- Part 10 Disposal of Certain Wild Animals (Wind Cave)
- Part 12 National Cemeteries

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 park in the following areas:

- In all areas of the park

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

- Entering a historic structure not open to the public is prohibited

(b) Hiking or pedestrian traffic is restricted to the trail or walkway as listed in Section 1.5 of

this document

- Lost Valley Trail

(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 or consumption restrictions:

- Edible species of fruits, nuts, mushrooms, and berries may be gathered by hand for daily personal consumption. Collection for commercial purposes is prohibited.

The Superintendent has determined reasonable quantities of fruits, berries, or nuts of all edible species may be gathered for personal use or consumption. Based on professional judgment and available information, the Superintendent has determined that gathering the fruits, nuts, mushrooms, or berries of edible plants within Buffalo National River boundaries for personal use will not adversely affect park wildlife, the reproductive potential of any of those species, or otherwise adversely affect park resources. It is not expected that large numbers of people will gather edible fruits, nuts, mushrooms, and berries in the park. In addition, there are many open and forested areas adjacent to the park which has better access and in some cases, more abundant edible plants. No rare, threatened or endangered plants are included in this listing.

36 CFR §2.2 - WILDLIFE PROTECTION

(a)(1) The following are prohibited:

- Harvesting of mussels

(b)(2) Hunting is permitted and mandated by Federal statutory law.

- Hunting is permitted and is regulated by Arkansas Fish and Game Commission Regulations

(b)(3) Trapping is permitted if specifically mandated by Federal statutory law.

- Trapping is prohibited

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

- Lawfully taken wildlife may be transported through the park but must be tagged and en route to the nearest wildlife check station or being transported for processing.

(e) The following areas are closed to the viewing of wildlife with the use of an artificial light:

- All areas within the boundary of the park

36 CFR §2.3 – FISHING

(a) The following State fishing laws and/or regulations, as noted, do not apply in the listed areas:

(d)(2) Possession or use of live or dead minnows or other bait fish, amphibian, non-preserved fish eggs or roe is permitted in the following fresh water areas:

- The Buffalo River and all its tributaries as long as the minnows are harvested from the Buffalo River or any of its tributaries

(d)(4) In accordance with federal statutory law, commercial fishing is authorized in the following areas, under the conditions noted:

- Prohibited

(d)(8) Fishing is allowed in or from the following otherwise prohibited areas:

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:

- As Buffalo National River is a Wildlife Management Area weapons may be possessed while hunting during hunting season in accordance with state law
- Weapons may be possessed within a vehicle while on a city, county, state or Federally maintained road or right of way
- Concealed weapons permit holders may carry a modern handgun
- Weapons are prohibited in all Federal facilities to include Visitor Centers/Contact Stations, Headquarters and Maintenance Facilities
- Loaded weapons are not permitted in camping areas, parking lots and at fishing or boating accesses per Arkansas Game and Fish Wildlife Management Area regulations

(2)(ii) Weapons, traps or nets may be used for target practice as provided in Section 7.**

- Not applicable

<u>36 CFR §2.10 – CAMPING and FOOD STORAGE</u>

(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:

- Designated campgrounds/campsites
- Gravel bars that are naturally devoid of vegetation and are within 100 feet of the river and at least ½ mile from any developed area.

(b)(3) Camping within 25 feet of a fire hydrant or main road, or within 100 feet of a flowing stream, river or body of water is authorized only in the following areas, under the conditions noted:

- On gravel bars on the Buffalo River that are naturally devoid of vegetation and within 100 feet of the river

(b)(9) Violating conditions which may be established by the Superintendent:

- Operating electricity producing generators between the hours of 8:00p.m. and 8:00 a.m. is prohibited.
- No person, party or organization shall be allowed to camp at Buffalo National River for more than a 14 day period in a campsite and will not exceed a total of 30 days in a calendar year without authorization of the Superintendent.
- Between Memorial Day and Labor Day each year, camping in all campgrounds/campsites is limited to a total of 14 consecutive days in a 21 day period
- Drive-in horse camping is only authorized at Steel Creek, Erbie, Woolum, Log Wagon Gap and Hathaway Horse camps.
- Recreational Vehicles and pull behind campers are limited to the 14 pull through sites at Erbie Campground.
- The following campgrounds are walk-in tent camping only. Recreational Vehicles and pull behind style campers are prohibited:
    - Kyle's Landing, Steel Creek, Rush, Spring Creek and Carver.
- Camping is limited to 6 people per site at primitive camping areas.

(b)(10) Camping outside of designated sites and areas prohibited:

- Camping within ½ mile of any National Park Service developed area unless it is in a designated camping site is prohibited
- Camping is permitted on gravel bars at Woolum, Shine Eye, Grinder's Ferry, developed areas and on the Gilbert Gravel bar only on that area downriver from where the Gilbert Road enters Gilbert Gravel Bar
- RV/pull behind campers prohibited in tent camping only sites

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

- None

36 CFR §2.11 – PICNICKING

Conditions for Picnicking:

- All pavilions except Lost Valley must be reserved through the reservation system. Lost Valley Pavilion is first come first served.

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:

- Developed campgrounds
- Picnic areas
- Backcountry camping areas

Established Conditions for Fires:

- In developed areas fires must be confined to grills and pads

(a)(2) The following restrictions are in effect for the use of stoves or lanterns:

- May not be used in caves or rock shelters if the lighting source is kerosene, gasoline or any combustible liquid.

(b)(9) Fires must be extinguished according to the following conditions:

- Fires may not be left unattended and must be completely extinguished upon leaving a campsite or picnic area

(c) During periods of high fire danger, the Superintendent may close all or a portion of the park area to the lighting and maintaining of a fire.

- When the surrounding counties have put a Burn Ban in affect Buffalo National River will implement a Fire Restriction which allows fires in fire grates and grills only. If the fire danger becomes **extreme** there will be a total ban of fires and smoking. **This ban will be put into effect based on the U.S. Forest Service National Fire Danger Rating System**

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 from a private or municipal property is allowed under the following conditions:

- Prohibited

(b) Conditions for the disposal, containerization, or carryout of human body waste have been established as follows:

36 CFR §2.15 – PETS

(a)(1) The following structures and/or areas are closed to the possession of pets:

- All government buildings
- All Park trails with the exception of Mill Creek and Forest trails and designated wilderness areas with the exception of Ponca Wilderness gravel bars. Leashed pets are permitted on gravel bars

up to 25' from water's edge
- Caves

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

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:
- In trash receptacles where provided
- Removed into the wood line and at least 15 feet from any public use area

(b) The use of dogs in support of hunting must be in accordance with Federal and State laws and the following conditions:
- Chase for pleasure and dog training are not allowed

(e) Pets may be kept by park residents under the following conditions:
- Pets must be on a leash

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) The following animals are designated as pack animals for purposes of transporting equipment:
- Horses
- Mules
- Burros
- Llamas

(b) The use of horses or pack animals is allowed on the following trails, routes or areas:
- Lower Buffalo Wilderness-The loop trail from Hathaway Horse Camp to Cow Creek, from Cow Creek along Buffalo River to Cook Hollow and then back to Hathaway Horse Camp
- Ponca Wilderness trails
- Abandoned roads
- The shoulder of gravel roads

(g) Other conditions concerning the use of horses or pack animals:
- Horses or pack animals may not be tethered within 100 feet of a watercourse or within a designated campsite not designed for horses.
- Horses or pack animals may not be tethered to signs, buildings, historic structures or live vegetation to include trees
- Horses or pack animals may not be loose herded, free trailed or allowed to graze on hay leases

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(a)(1) Areas designated for operating or using aircraft are provided for in section 7. [Insert your park special regulation section where applicable]**

(a)(2) The operation or use of aircraft under power on water within 500 feet of designated swimming beaches, boat docks, piers, or ramps is permitted in the following areas, under the conditions noted:
- Throughout the park during emergency operations
- During training operations with a permit signed by the Superintendent

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

basis

36 CFR §2.18 – SNOWMOBILES

(c) Snowmobiles may be operated only on routes designated in section 7. [Insert your park special regulation section where applicable]**

36 CFR §2.19 – WINTER ACTIVITIES

(a) The following park 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: None

(b) The towing of persons on skis, sled or other similar device by motor vehicle or snowmobile is allowed in the following areas and/or routes:

- Prohibited

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices are allowed only in the following areas:

- Prohibited

36 CFR §2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking as noted:

- Government buildings
- Historical structures

36 CFR §2.22 – PROPERTY

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

- Visitors on backcountry trips may leave their vehicles unattended at designated parking areas for the duration of their trip
- Agriculture permit holders, use and occupancy holders and employees within park housing may leave personal vehicles and farm implements unattended at locations of use in excess of 24 hours.

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:

none.

Daily Site Use Fee Areas:

Pavilions

Special Recreation Permit Fee (Such as but not limited to, group activities, recreation events, and the use of motorized recreation vehicles):

Wagon Trains

Road Rallies
Trail Races
Any recreation event with greater than 25 persons

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

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

- All government buildings

36 CFR §2.38 – EXPLOSIVES

(b) Fireworks and firecrackers may be possessed and/or used in the following areas, under the conditions noted:

- Prohibited

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains, or in the following designated areas without a permit, in accordance with the following terms and conditions:

- The scattering of human ashes from cremation, without a permit, is allowed under the following terms and conditions:
    - The remains to be scattered must have been cremated and pulverized.
    - The scattering of remains by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility, or body of water.
    - The scattering of remains from the air is to be performed at a minimum altitude of 2000 feet above the ground.
    - No scattering of remains from the air is to be performed over developed areas, facilities, or bodies of water.

36 CFR §3.3 – VESSEL PERMITS

Permits are required for the use of a vessel in the following areas:

- None

36 CFR §3.8 – BOATING OPERATIONS

(a)(1) The following areas/sites are designated for the launching or recovery of vessels using a trailer:

- All areas outside of the designated wilderness area that are opened to the operation of machinery/motorized vehicles

(a)(2)The following areas/sites are designated for the launching or recovery of vessels propelled by machinery:

- All areas outside of the designated wilderness area that are opened to the operation of machinery/motorized vehicles

(4) Vessels must meet the following size, length, horsepower restriction or width restrictions:

- Found in 7.35 special regulations

36 CFR §3.9 – PERSONAL WATERCRAFT (PWC)

36 CFR §3.12 – WATER SKIING

(a) The towing of persons by vessels is allowed in the following areas under the terms and conditions noted:

- Prohibited

36 CFR §3.16 – SWIMMING AND BATHING

(a)(1) The following areas are closed to swimming and bathing:

(a)(2) The following restrictions apply to all swimming and bathing activities:

(b) The use of flotation devices, glass containers, kites, or incompatible sporting activities is not permitted on the following swimming beaches, as noted:

- Glass containers are not permitted within 100 feet of any river or stream.

36 CFR §3.18 – SCUBA AND SNORKELING

(a) SCUBA diving and snorkeling is permitted in the following swimming, docking, and mooring areas under the terms and conditions noted:

- All areas within the park

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

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

- All roads that are not signed "Closed to Motor Vehicles", "Authorized Vehicles Only" or are gated and locked.
- Unless specifically allowed, parking on gravel bars, except to unload canoes and other gear at designated boat launches, is prohibited.
- Unless specifically allowed, driving on gravel bars is prohibited.

(c)(1) Track-laying motor vehicles, or other motor vehicles equipped with a similar traction device may be operated on the following routes under the terms and conditions noted:

- During construction projects

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:

- No single vehicle operated on any road within Buffalo National River, unladen or with load, shall have an overall length in excess of forty feet (40').
- No bus operated on any road within Buffalo National River shall have an overall length in excess of forty five feet (45').
- No motor vehicle shall be operated on any road within Buffalo National River with more than two (2) trailers or which has an overall length in excess of forty feet (40'). (these regulations mimic State regulations)

36CFR §4.21 – SPEED LIMITS

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

- All gravel roads-20 MPH
- Tyler Bend Road-35 MPH
- County Road 56 to Kyle's Landing-20 MPH
- Steel Creek Road-25 MPH

- Rush Road-20 MPH
- HWY 7, 65, 14, 43, 74 and 21 are posted per State Regulations

36 CFR §4.30 – BICYCLES

(a) Park roads and parking areas that are closed to bicycle use are listed in section 1.5 of this document.

(d)(3) Riding a bicycle abreast of another rider is allowed on the following routes:
- Prohibited

36 CFR §4.31 – HITCHHIKING

Hitchhiking is permitted in the following areas under the conditions noted:
- Prohibited

36 CFR §7.35 - Buffalo National River SPECIAL REGULATIONS

(a)*Fishing.* (1) Unless otherwise designated by the Superintendent, fishing in a manner authorized by State law is allowed.
- The gigging for rough fish, use of attended trot lines, and non commercial capture of bait fish, using traps or seines

(2) The Superintendent may designate times when and locations where and establish conditions under which the digging of bait for personal use is allowed.
- Digging for bait is prohibited

(3) The Superintendent may designated times when and locations where and establish conditions under which the collection of terrestrial and aquatic insects for bait for personal use is allowed.
- The collection of terrestrial and aquatic insects for bait is permitted if the insects are collected by hand or hand net for use as bait.

(4) Violating a designation or condition established by the Superintendent is prohibited.

(b) *Frogs, Turtles and Crayfish.* (1) The Superintendent may designate times and locations and establish conditions governing the taking of frogs, turtles and crayfish for personal use.
- The collection of frogs, turtles and crayfish is permitted under traditional methods

(2) Violating a designation or condition established by the Superintendent is prohibited.

(c) *Motorized vessels.* (1) Except for a vessel propelled by a gasoline, diesel or other internal combustion engine with a rating of 10 horsepower or less, operating a motorized vessel from Erbie Ford to the White River is prohibited.

(2) Operating a vessel propelled by a motor is prohibited above Erbie Ford.

(3) The provisions of paragraph (c) do not apply to a vessel operated for official use by an agency of the United States, the State of Arkansas or one of its political subdivisions.

Appendix A: List of Developed Areas:

General

- All Park Residence Areas
- All Campgrounds
- All Park Visitor Use Facilities
- All Park Maintenance Facilities
- All Parking Areas
- All Canoe/Boat Launch Areas
- All Historic Buildings
- All Trailheads
- Any road open to motorized vehicles

Upper District (Generally Newton County) – Call Pruitt Ranger Station
(870) 446-5373

- Boxley Valley - only permitted with written land owner permission on private in holdings within the boundaries of Buffalo National River
- Lost Valley
- Ponca Launch
- Steele Creek - campground and ranger facilities
- Kyle's and Camp Orr
- Erbie Area - historic zone, Cavers' Camp, Cove Spring, Cedar Glade
- Pruitt - Ozark Campground Area - offices and landings, Mill Creek Trail
- Hasty Launch
- Blue Hole
- Carver Campground and Launch
- Mt. Hersey

Middle District (Generally Searcy County) Call Tyler Bend Visitor Center
(870) 439-2502

- Woolum
- Tyler Bend Area
- Gilbert, Shine Eye, Grinder's Ferry
- North and South Maumee
- Baker Ford

Lower District (Generally Marion County) Call Buffalo Point Ranger Station
(870) 449-4311

- North and South Maumee
- Spring Creek
- Buffalo Point and Dillard's Ferry – Hwy 14 parking and launch
- Rush Area – historic and campground area

Maps of these areas are attached – the interior of the areas marked by the red dotted lines are restricted areas. You may not hunt in these areas; camping may be restricted to designated areas, or not be allowed – see note on the specific map. If you need additional information, call our dispatch center at 1-888-692-1162. Hunters keep in mind that if it is not shown on the attached maps, there is a restriction from discharging a weapon 150 yards from any structure, trailhead, or parking area in the park.

Appendix B: List of areas for public expression of views

Upper Buffalo District:
Pruitt Picnic Area
Ozark Amphitheater (with reservation)
Picnic Pavilions (with reservation and fee)

Middle Buffalo District:
Tyler Bend Visitor Center
Tyler Bend Amphitheater (with reservation)
Picnic Pavilions (with reservation and fee)

Lower Buffalo District:
Buffalo Point River Access
Buffalo Point Amphitheater (with reservation)
Picnic Pavilions (with reservation and fee)

Buffalo Point Area No-Hunting Zone Restrictions

Relaxed for 2012-13 Deer Season

Why relax restrictions on deer hunting this deer season?

- There has been a noticeable increase in deer in the Buffalo Point Area which has been closed to hunting for many years.
- It is possible that the area currently closed to hunting is larger than it needs to be.
- The National Park Service can provide additional hunting opportunities to its visitors by establishing this easement area.

Where are the new areas I can now hunt?

- The easement area is shown on the map, generally west of the Buffalo Point campground and north of Highway 14 to the NPS boundary on the north and west.
- Areas that remain closed are the campground, roads, trail system and developed areas.

When and what can I hunt in the area opened up for this season?

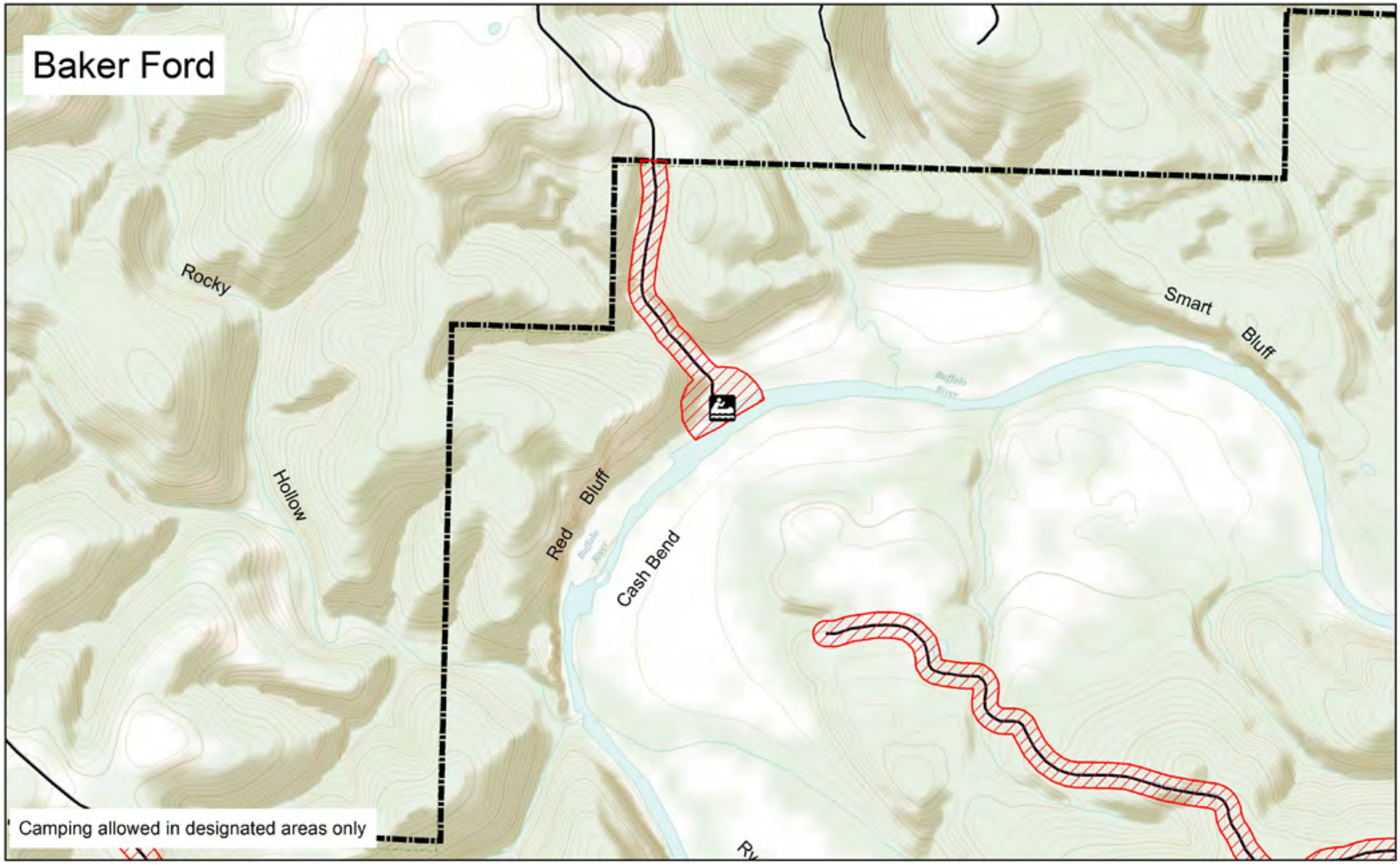
- The area described is open for the 2012-13 WMA Zone 080 Deer Archery season.
- Only deer and feral hogs are allowed to be hunted in the area opened for this hunt.
- Deer count towards your Zone 080 bag limit as normal.

What rules apply to hunting here?

- All Arkansas Fish & Game Commission (AGFC) regulations applicable Statewide and to Wildlife Management Areas apply to this area (see page 76 of the Arkansas Hunting Guidebook).
- Hunting is not allowed in developed areas.
- Hunting is not allowed within 100 feet of a road or trail or within 150 yards of a structure.
- Weapons must be unloaded and cased when at parking areas or campgrounds.
- Trails maybe used to access areas but killing devices must be unloaded when within 100 feet of a road or trail.
- Regulations governing the use of tree stands may be found on page 67 of Arkansas Hunting Guidebook.
- Weapons may not be fired across roads or trails and may not be fired into or across the Buffalo River or its gravel bars.
- Wildlife carcasses may not be field dressed or displayed (hung) in developed areas.
- Campsites may not remain unattended for more than 24 hours. All regular campground fees and rules apply.
- ATV use and driving off designated roadways is prohibited.
- Hunting in this area with dogs is not allowed.

Where can I get more information?

- Information is available at the Buffalo Point Visitor Contact Station (limited hours of operation) and lower district concessioners. You may call Buffalo National River dispatch 24/7 at **888/692-1162** for information or to report accidents.
- A voluntary register will be available at the Buffalo Point Visitor Contact Station to record the number of hunters, types of hunts, and hunter comments. Use of this sign-in is not required but is strongly encouraged to assist the park in making future decisions about this area.



Buffalo National River
Arkansas
Produced by:
Buffalo National River
Division of Interpretation
and Cultural Resources
November 2012

Legend

- Campground
- Day Use Area
- Launch
- Point of Interest
- RV waste station
- Restaurant
- Visitor Information Center
- Safety Zone - No Hunting Permitted
- Road
- Trail
- Park Boundary

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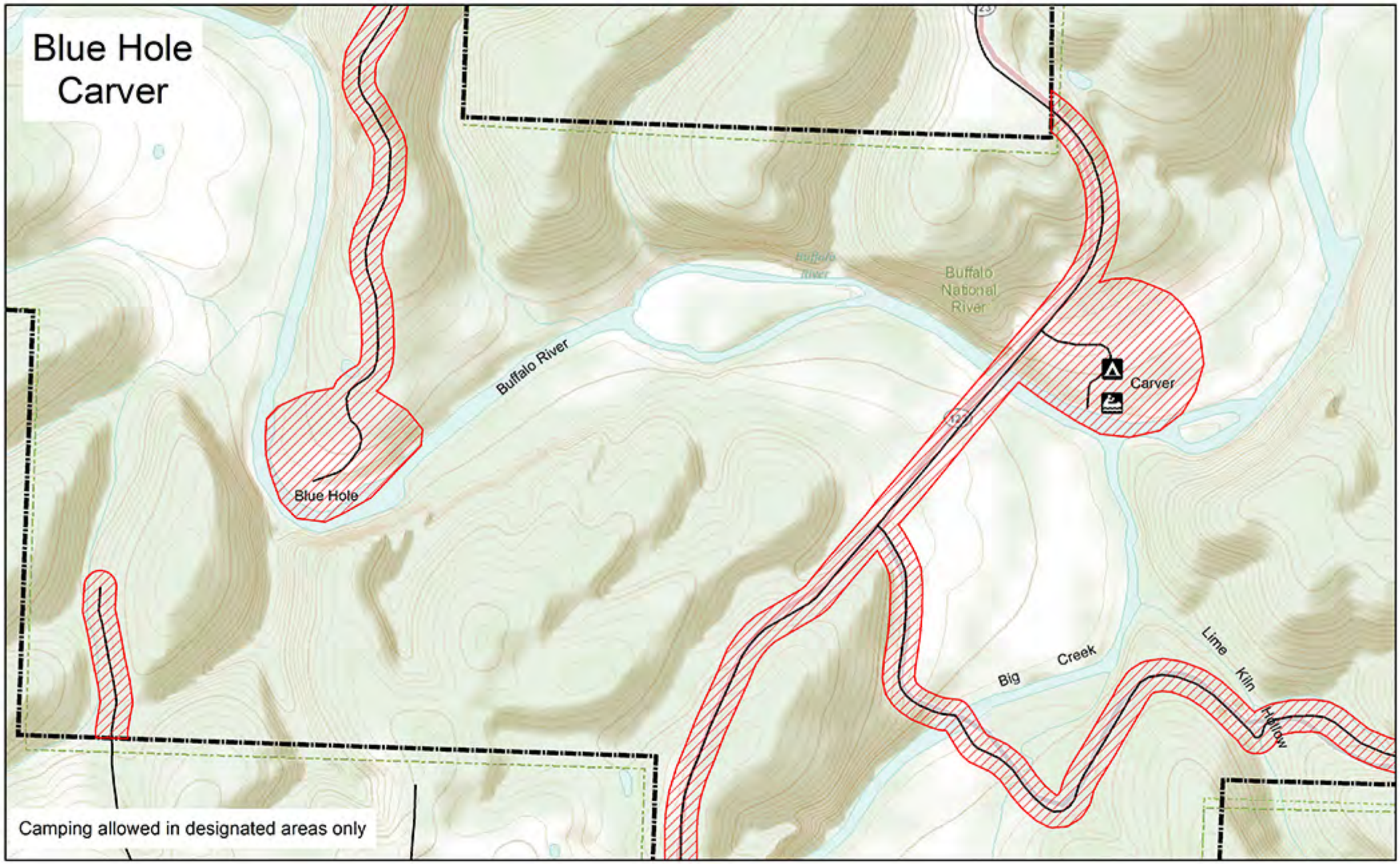
NATIONAL PARK SERVICE



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Buffalo Point
Dillards Ferry

Indian Rockhouse

Buffalo Point

Buffalo Point Recreation Area

Dillards Ferry

Camping allowed in designated areas only

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Buffalo Point
Dillards Ferry

Indian Rockhouse

Buffalo Point

Buffalo Point Recreation Area

Dillards Ferry

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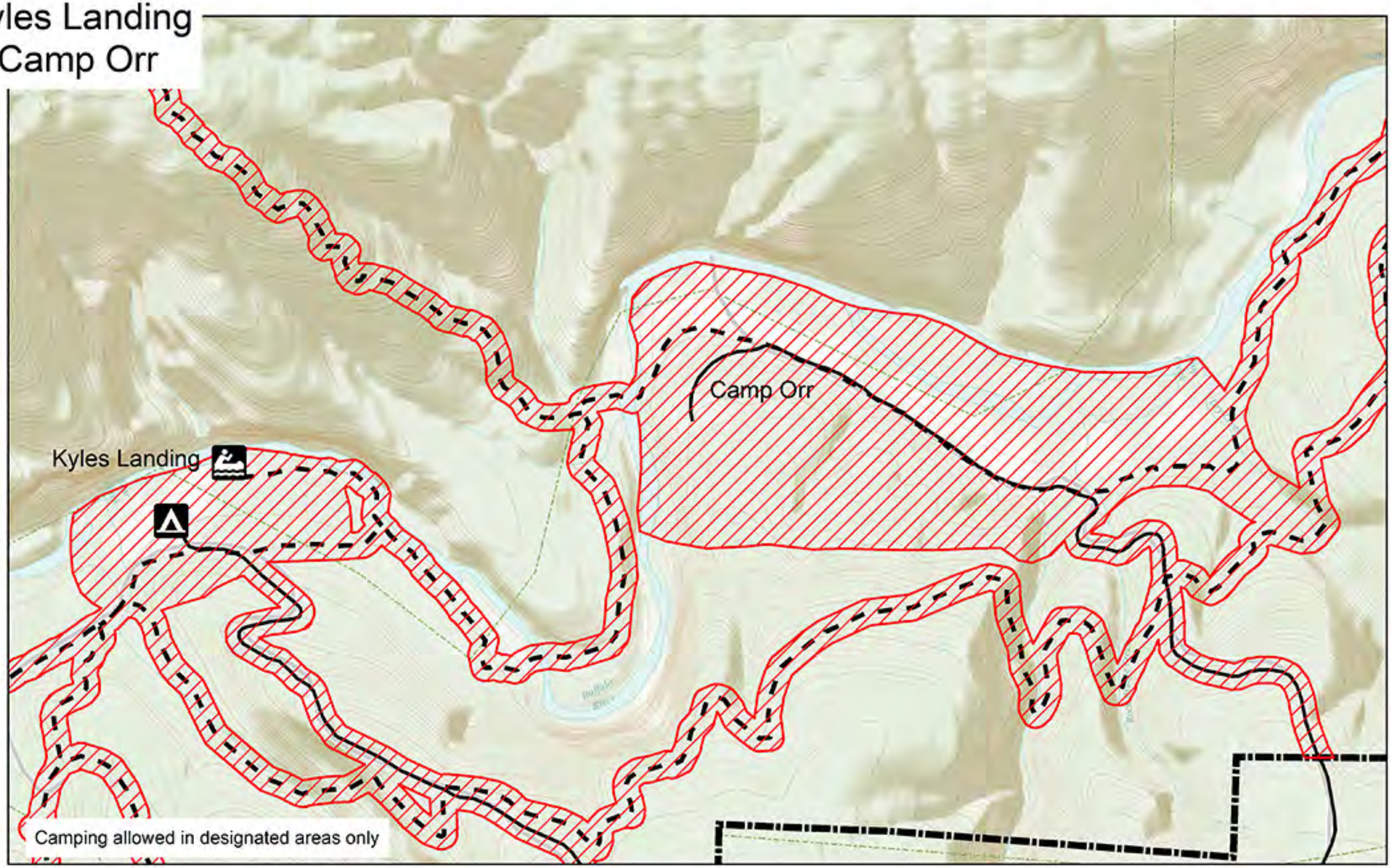
NATIONAL PARK SERVICE

Kyles Landing
Camp Orr



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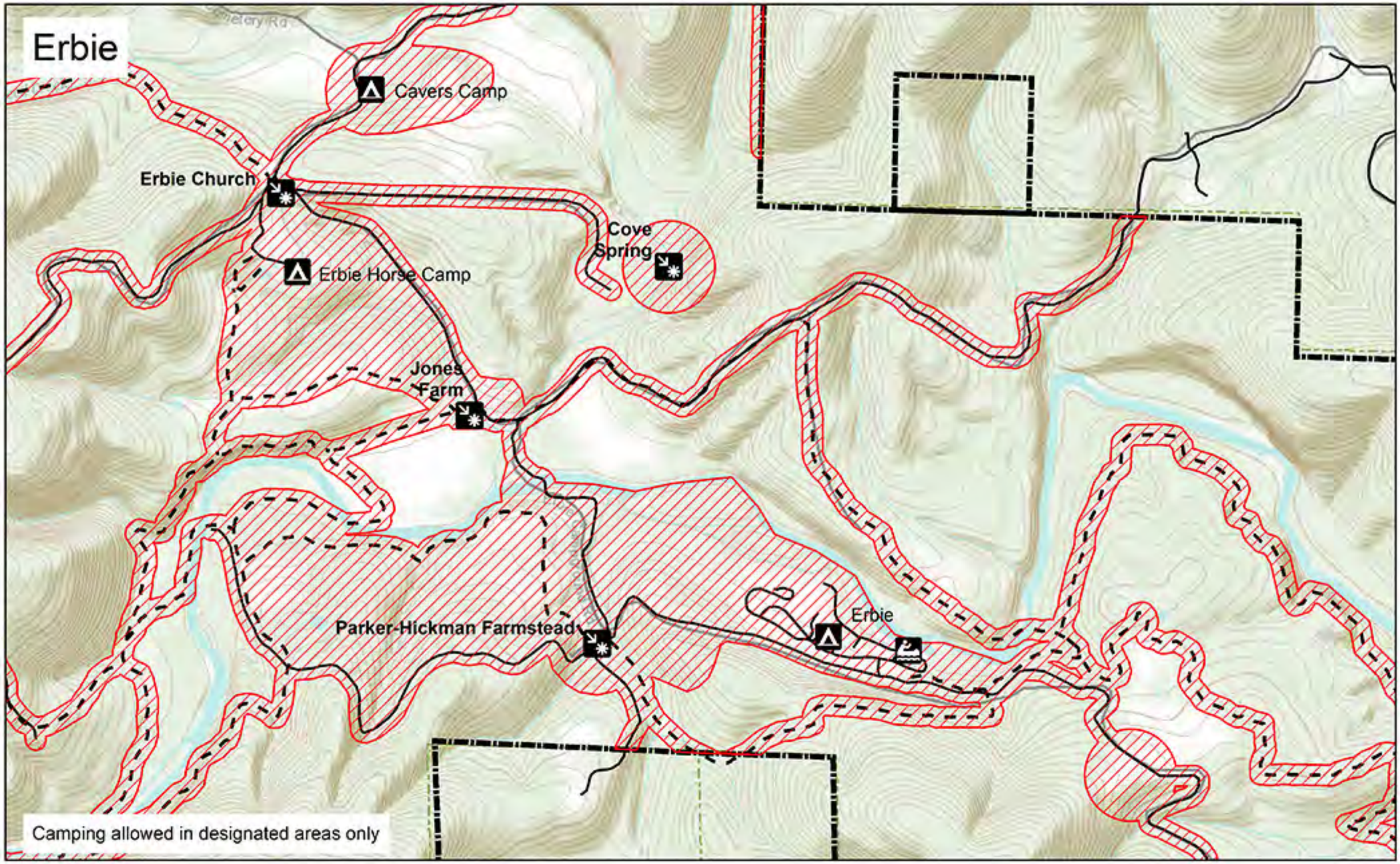

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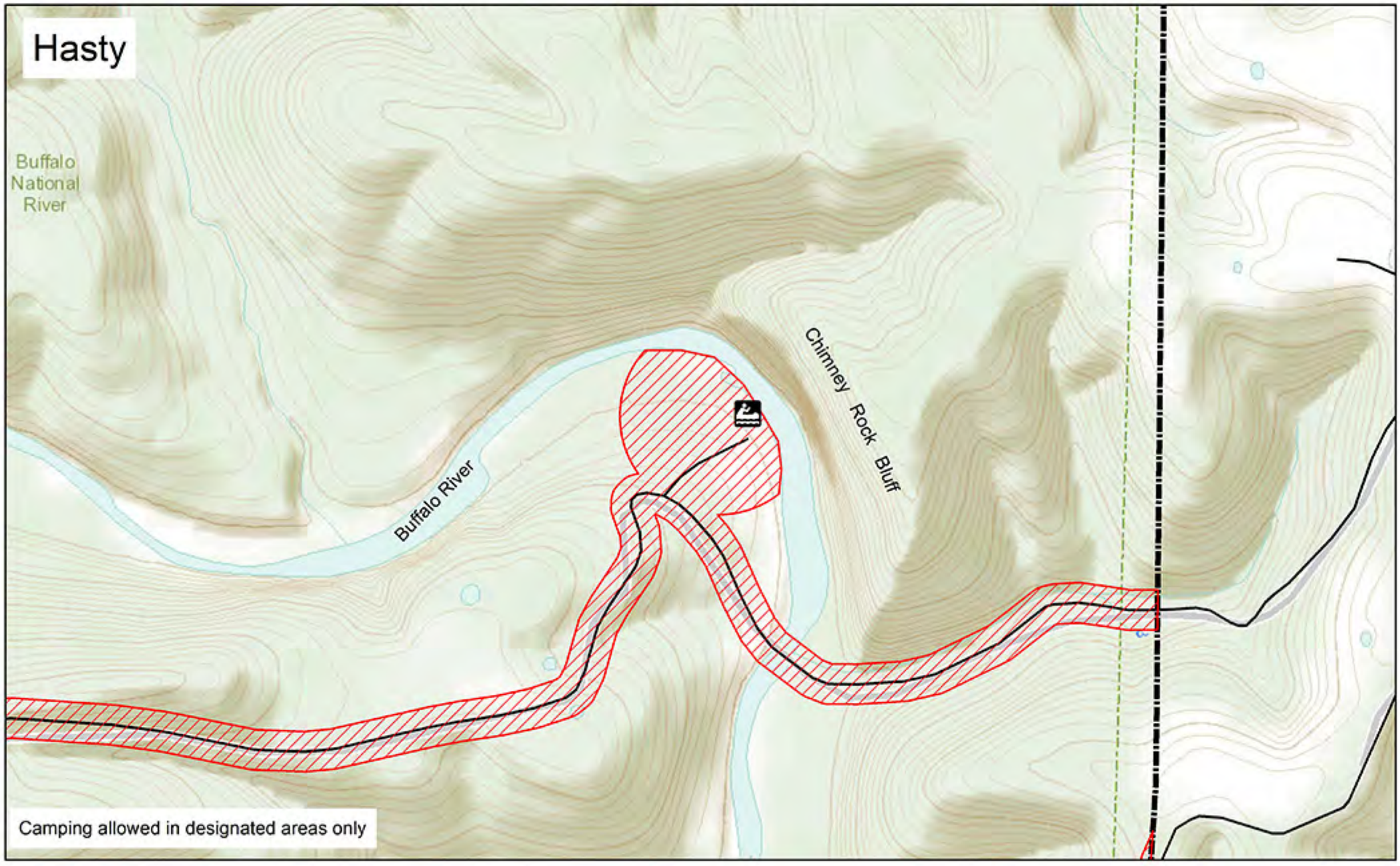

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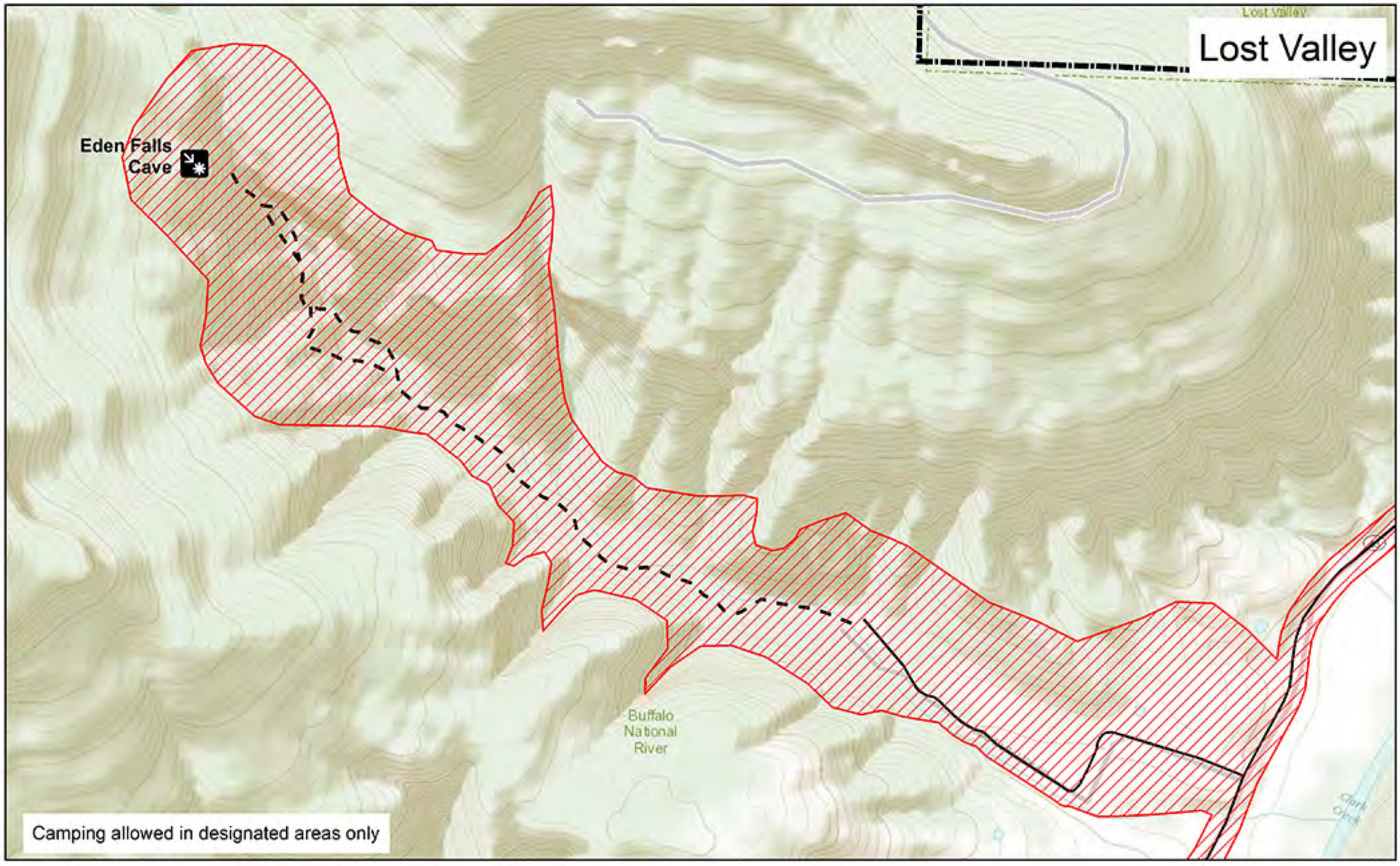

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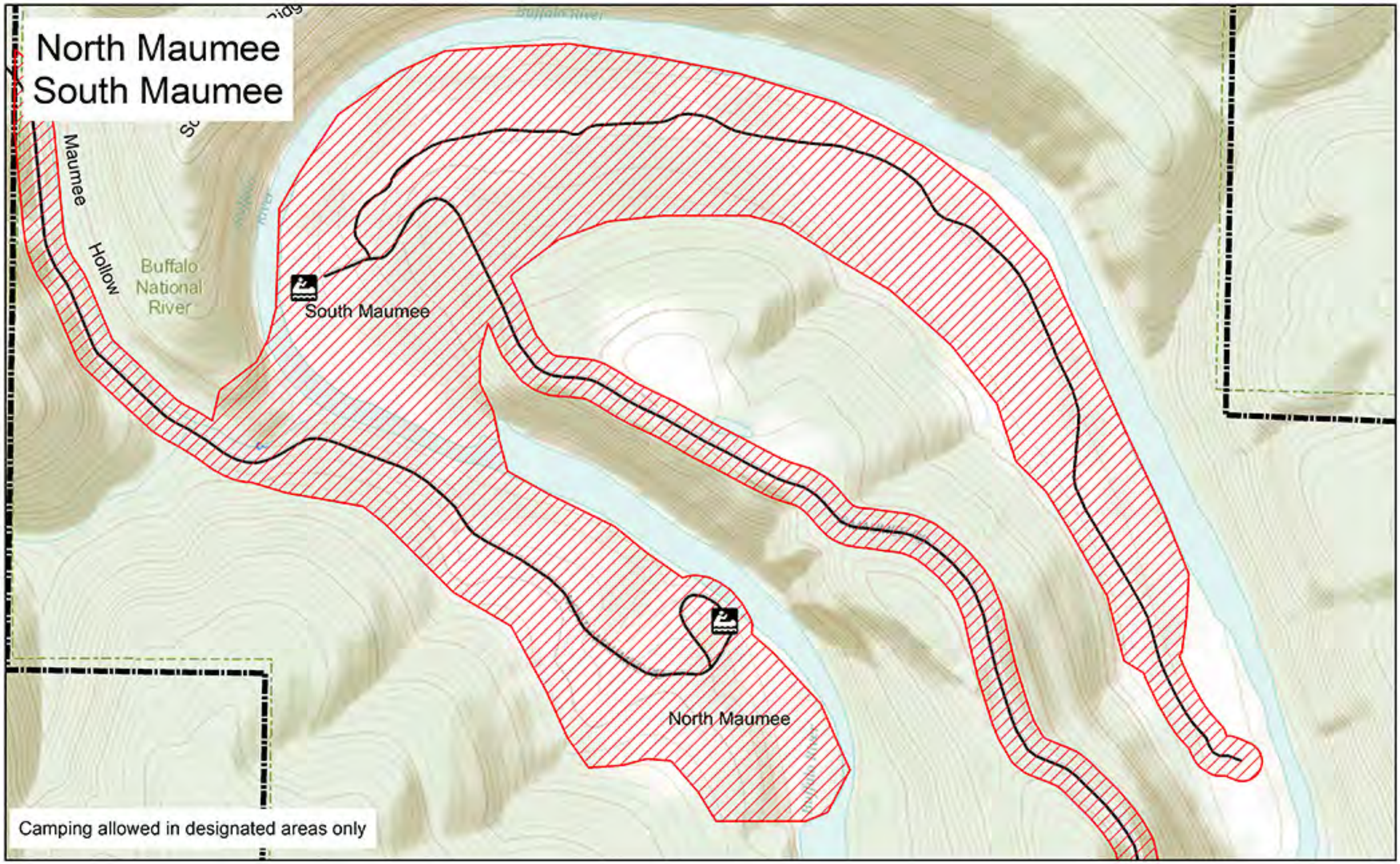

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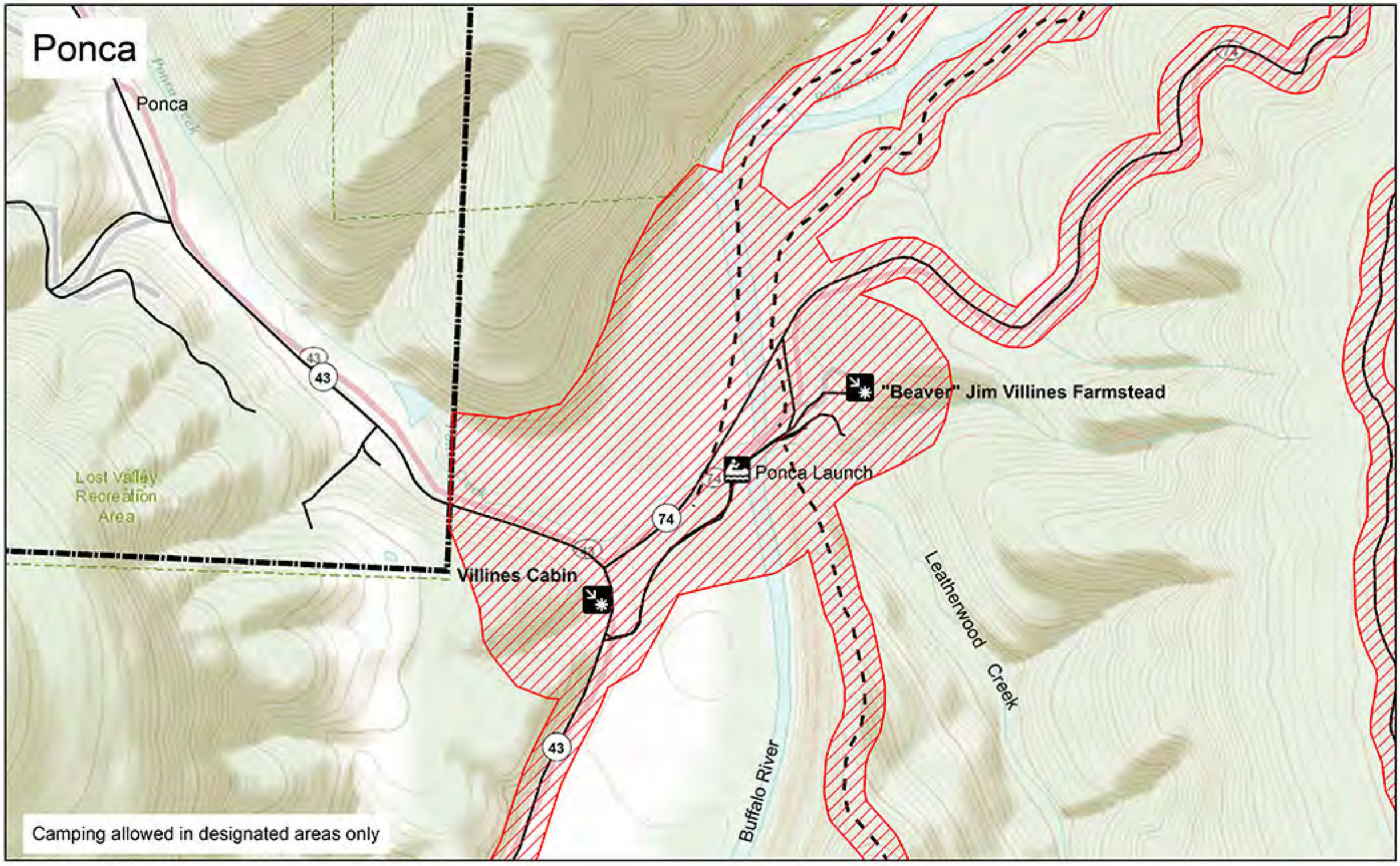

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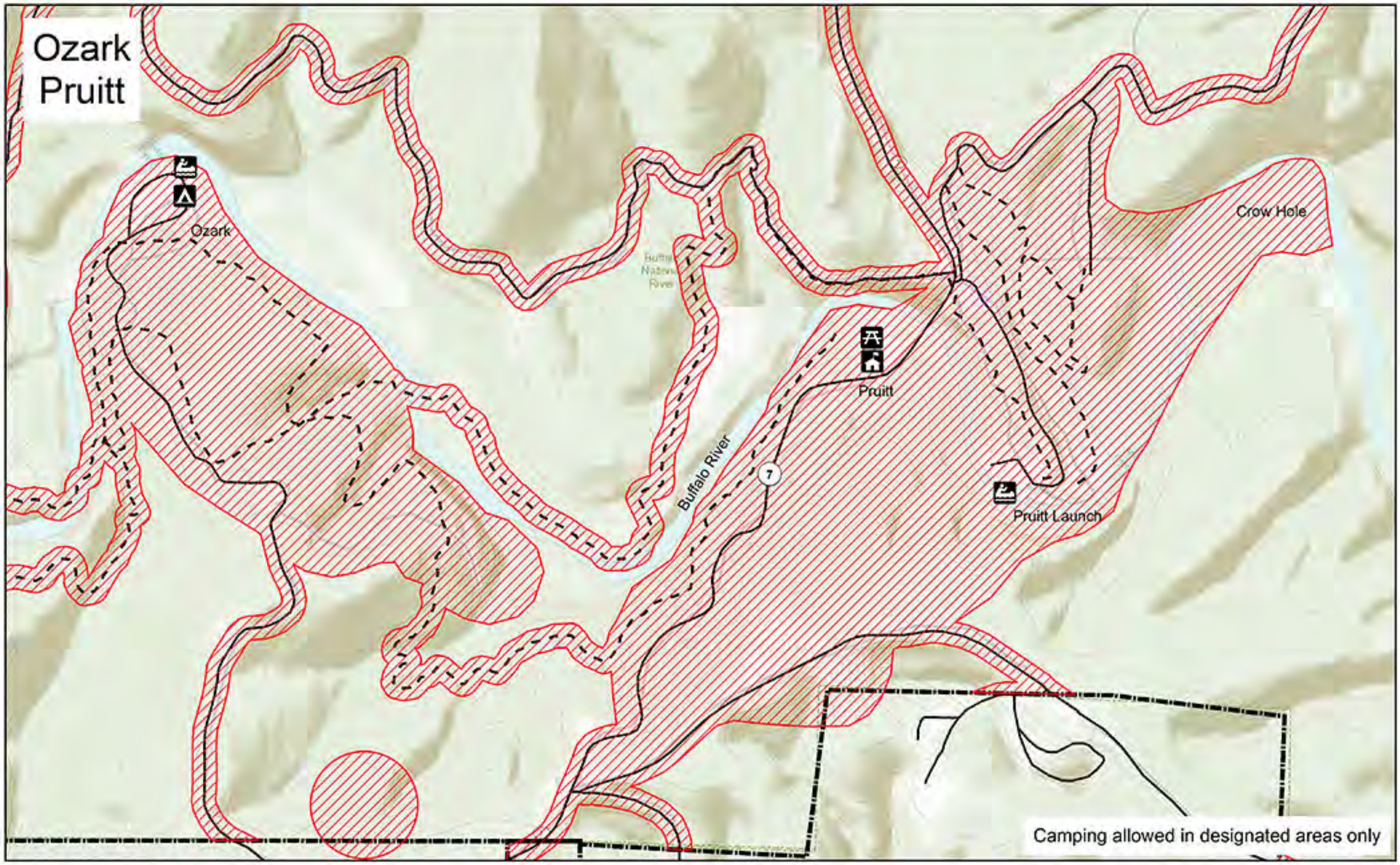

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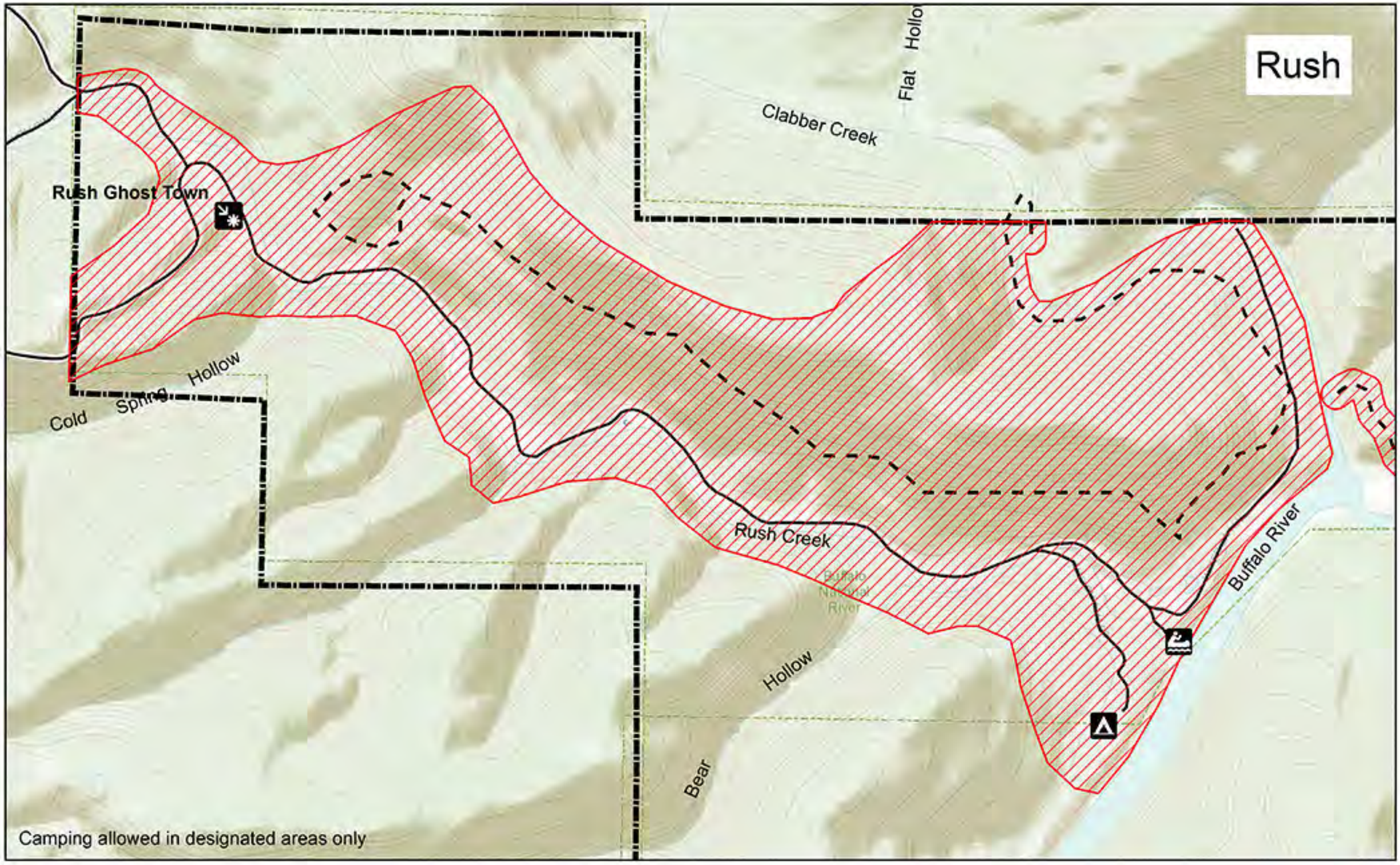

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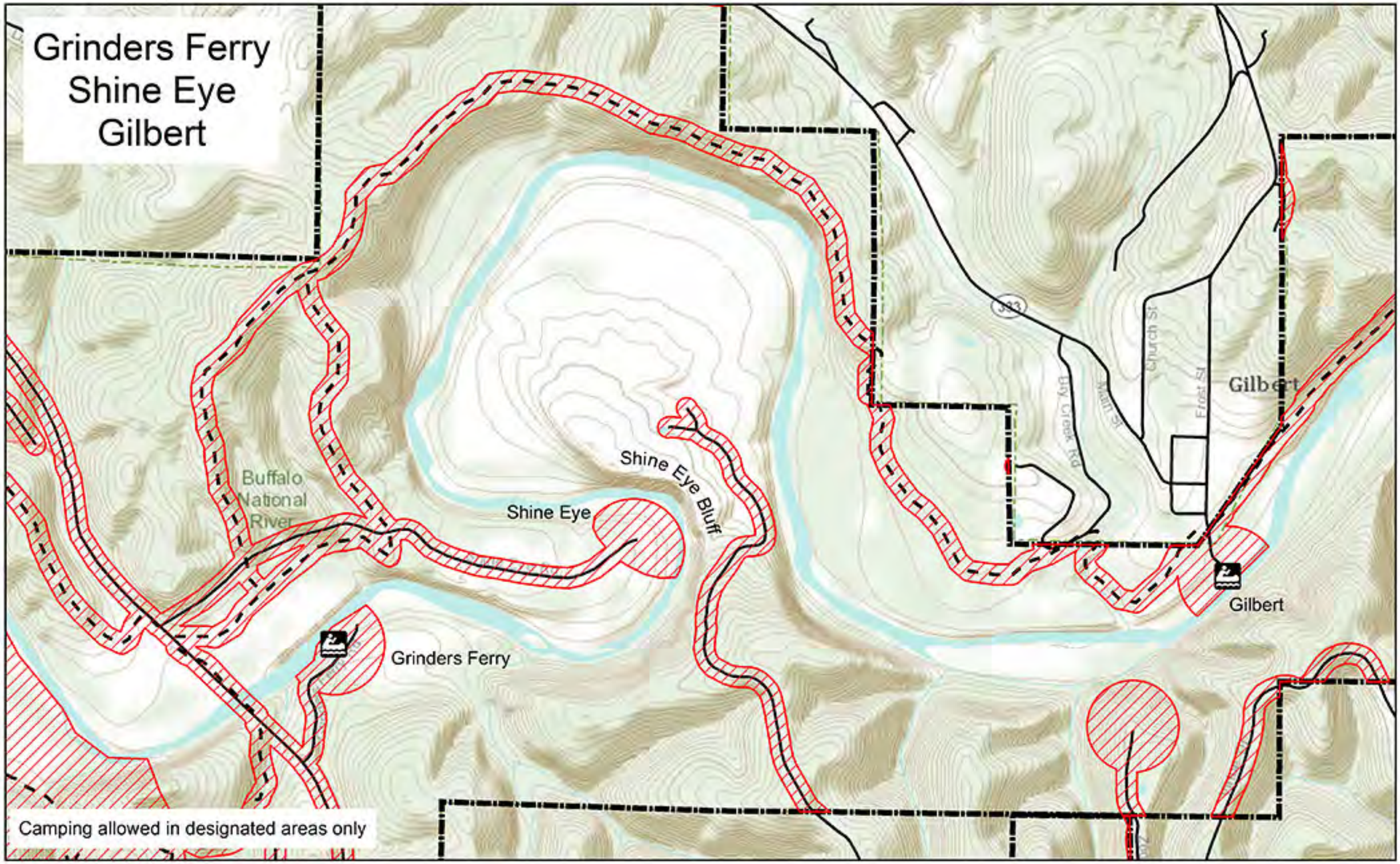

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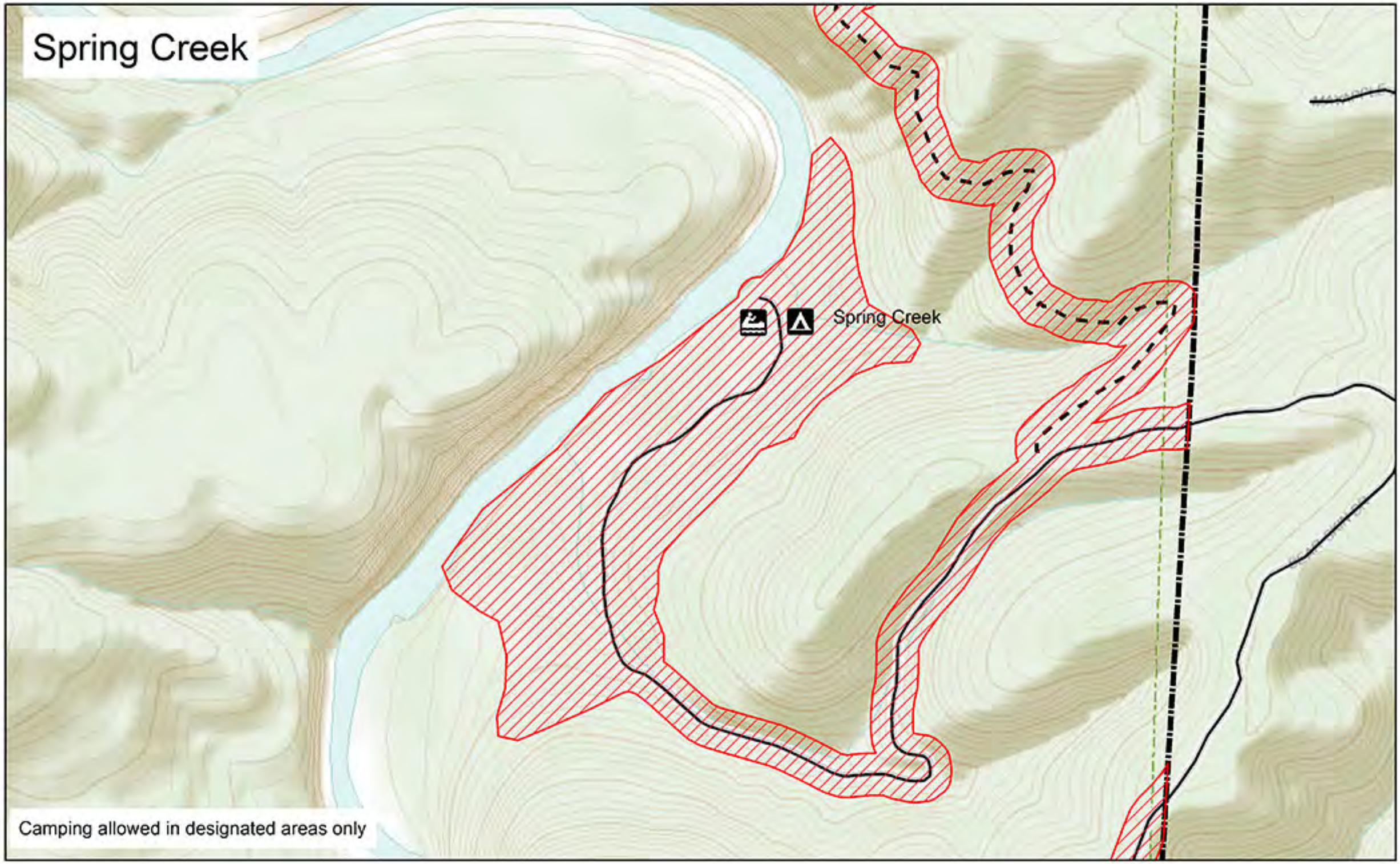

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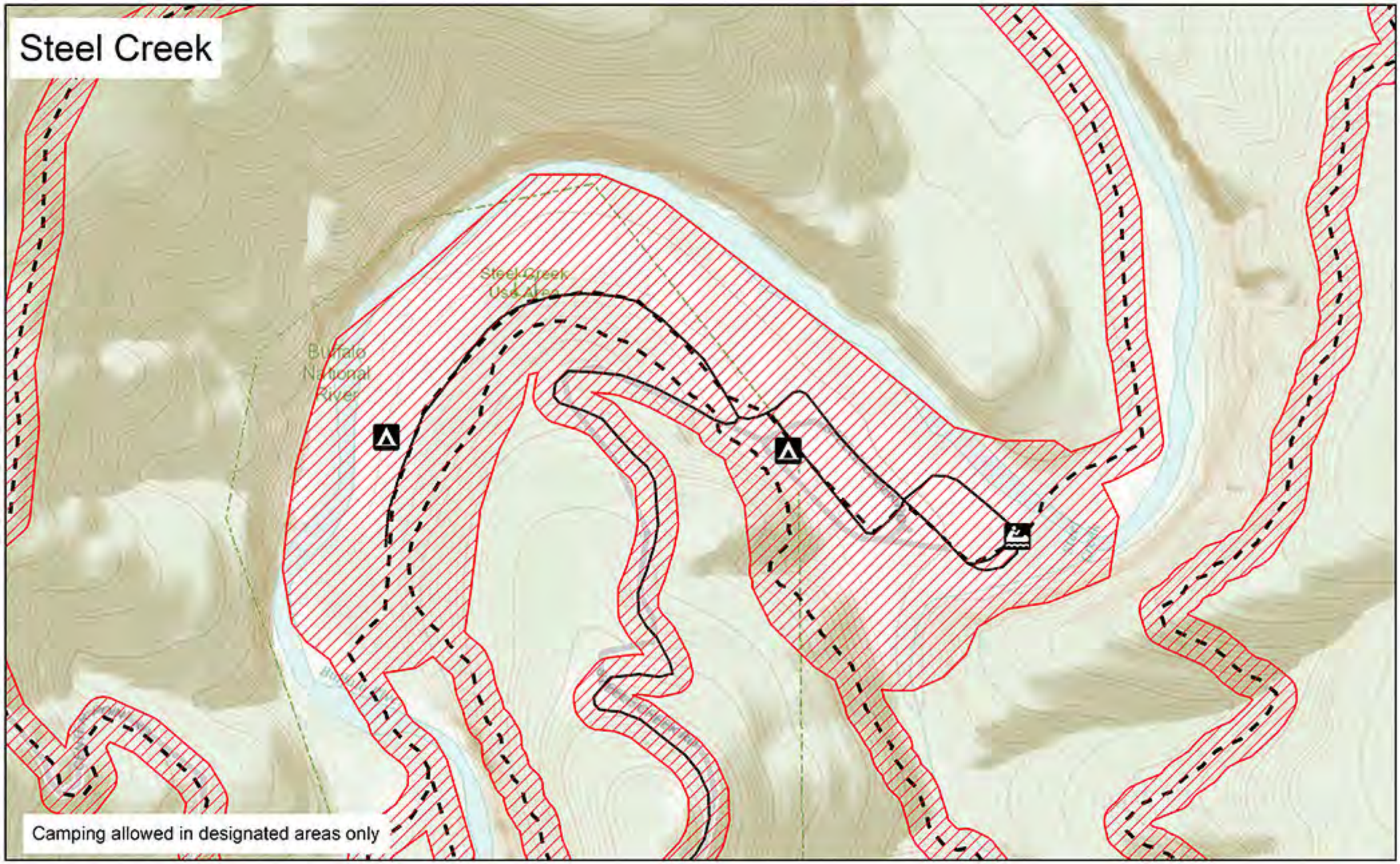
N

0 0.1 0.2 Miles



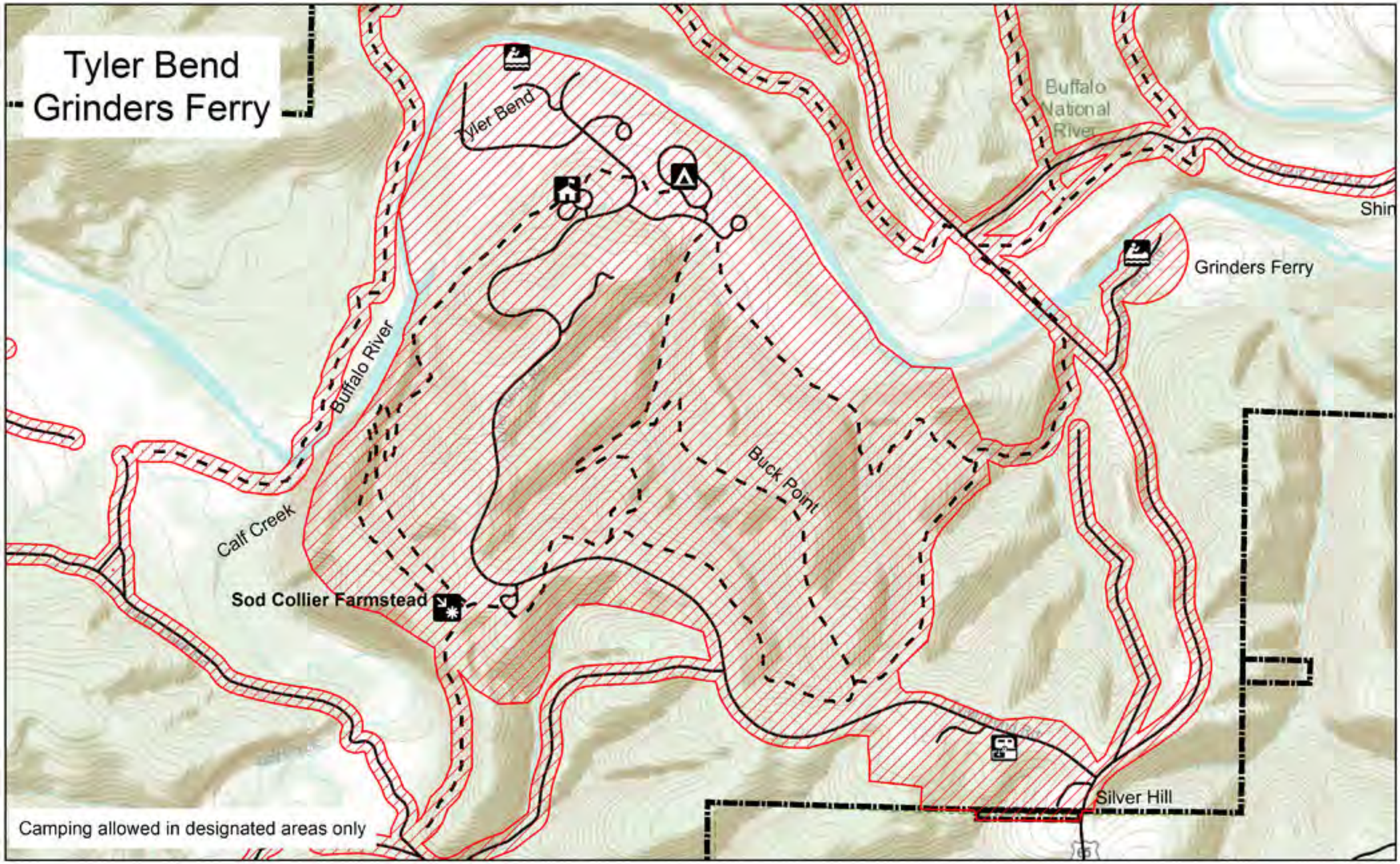
Buffalo National River
Arkansas
Produced by:
Buffalo National River
Division of Interpretation
and Cultural Resources
November 2012

Legend

- Campground
- Day Use Area
- Launch
- Point of Interest
- RV waste station
- Visitor Information Center
- Safety Zone - No Hunting Permitted
- Trail
- Road
- Park Boundary

N

0 0.1 0.2 Miles



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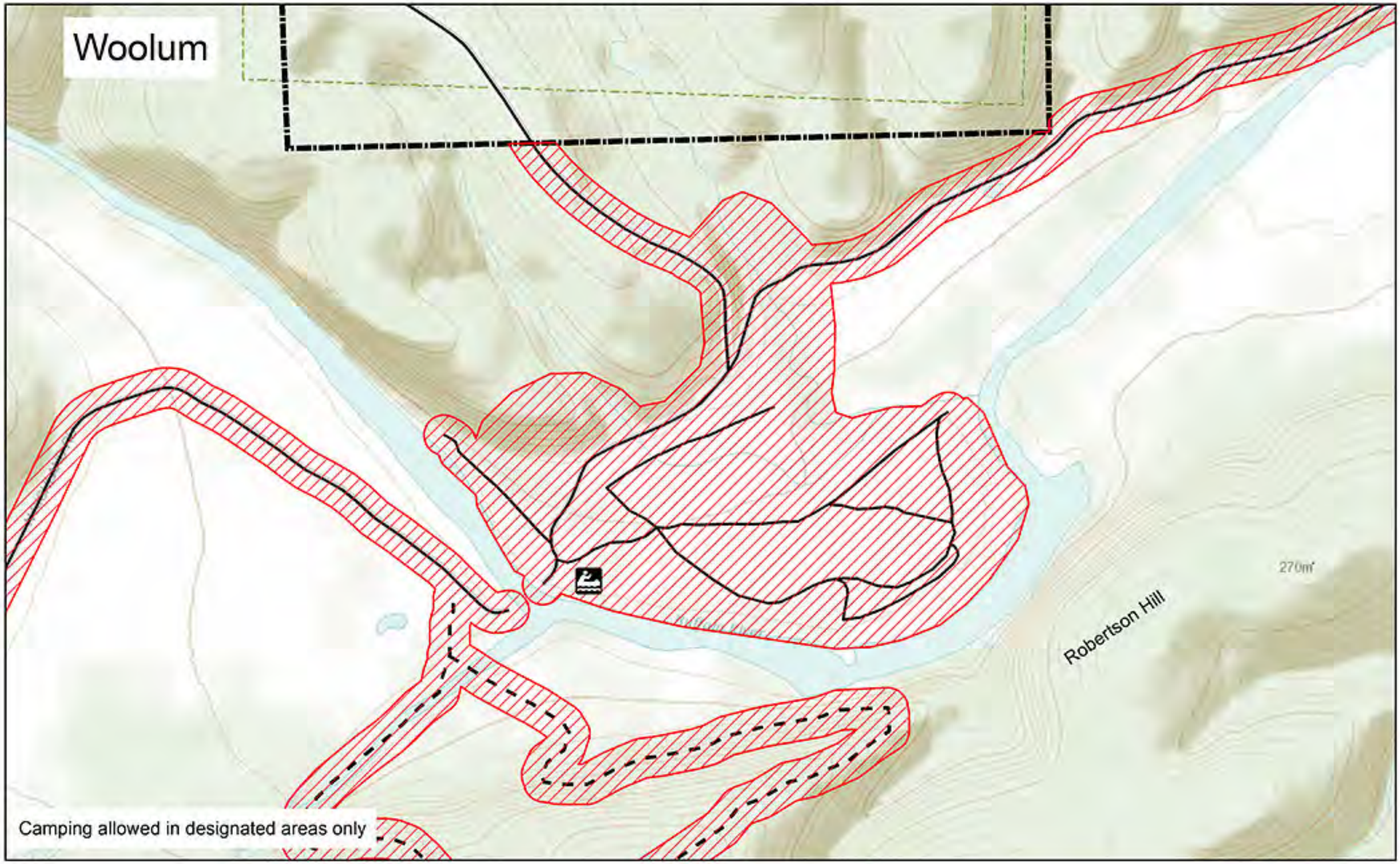
N

0 0.1 0.2 0.3 Miles



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N

0 0.1 0.2 Miles