

1/8/2026 rev

**National Park Service  
Cape Hatteras National Seashore Recreational Area  
U.S. Department of the Interior  
Superintendent's Compendium**

1401 National Park Drive  
Manteo, NC 27954

Approved:

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David Hallac, Superintendent

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Date

In accordance with applicable law and policy, and pursuant to the delegated authorities provided in Title 36, Code of Federal Regulations, Chapter 1 (36 CFR), the following compendium actions apply to all lands and water administered by the National Park Service NPS within the boundaries of Cape Hatteras National Seashore. This document is the written compilation of designations, closures, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent, as required by 36 CFR 1.7(b). Violating any provision in this Compendium may result in criminal penalties under 36 CFR1.3.

The compendium actions in this document apply in addition to all other laws that apply to lands and water administered by the NPS within the boundaries of Cape Hatteras National Seashore. These include:

- Regulations in 36 CFR and other CFR titles such as Title 43, which contains regulations that apply on public lands administered by the Department of Interior. The current version of the CFR can be found at [www.ecfr.gov](http://www.ecfr.gov). Click on “Title 36” and then “Chapter 1” to access 36 CFR.
- Statutes codified in U.S. Code, in particular provisions in Title 16 and 54.

The compendium is organized by the sections of 36 CFR that give the Superintendent discretionary authority to take the compendium action. Written determinations that explain why each compendium action is necessary appear in this document under justification.

The Compendium is reviewed annually and revised as necessary. The park welcomes any questions or comments about the Superintendent's Compendium.

Written questions or comments on the Compendium may be submitted to:

Superintendent  
Cape Hatteras National Seashore  
1401 National Park Road  
Manteo, NC 27954

Copies of the Compendium are available at Park Headquarters located at: 1401 National Park Drive, Manteo, NC 27954

It may also be found at [Laws & Policies - Cape Hatteras National Seashore \(U.S. National Park Service\) \(nps.gov\)](https://www.nps.gov/caph/laws-policies/laws-policies.html)

NPS regulations in 36 CFR 1.4 define certain terms that are used in 36 CFR. Other sections in 36 CFR may define terms that are used in those sections. To the extent any terms defined in the CFR are used in this Compendium, those definitions apply. In addition to terms defined in the CFR, the following terms used in this Compendium are defined as follows:

**Day Use Area:** Any area consisting of or adjacent to paved parking lots, buildings, or toilet facilities that are open to the general public.

**Magnet Fishing:** Magnet fishing is defined as searching in outdoor waters for ferromagnetic objects available to pull with a strong magnet.

**No Wake Zone:** Is an area within which vessels are required to travel at idling speed or such slow speed that creates no appreciable wake.

**Uncrewed aircraft:** A device that is used or intended to be used for flight 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, and drones) that are used for any purpose, including for recreational or commerce.

**Walkway:** Sidewalks, paths, trails, or hard-surfaced areas that are closed to the use of bicycles and motorized vehicles.

## 36 CFR 1.5 – CLOSURE AND PUBLIC USE LIMIT

36 CFR 1.5(a)(1) – Visiting hours, public use limits and closures.

### Visiting Hours

#### *ORV Routes*

- Priority routes (year-round ORV routes accessible from Ramp 2, Ramp 4, Ramp 25, Ramp 27, Ramp 43, Ramp 44, Ramp 48, Ramp 49, Ramp 70, and Ramp 72) will open to ORV use at the following times:
  - 6:00 a.m. in May, June, and July.
  - 6:30 a.m. in August and September
  - 7:00 a.m. from October 1 until November 15.
- Other ORV routes will open at 7:00 a.m. when night driving restrictions are in place.
- When night driving restrictions are in place routes will close at 9 p.m.

If any of these priority routes are closed for an extended period due to erosion or weather conditions (e.g., flooding), alternate year-round ORV routes may be opened at earlier times in lieu of the designated priority routes, if no conflict exists with any restrictions expressed in the Seashore's existing ORV/species management plans or regulations.

On occasion, circumstances may prevent the routes from opening at the designated time. The NPS will make all efforts to open these routes as soon as possible.

*Justification:* The NPS needs time and ambient light to survey beaches for overnight wildlife use prior to opening routes for ORV use. This time allows staff to provide the appropriate protections for wildlife nesting areas that may have been established during the overnight hours.

### Closures

#### *Nesting Areas*

- Posted bird nesting areas are closed to all public use and entry.
- Posted turtle nesting areas are closed to all vehicular entry, including commercial fishing vehicles (visitors may walk in front of turtle nests – walking as close as practicable to the surf line –although occasionally, where signed, visitors may be directed to walk behind nest closures).
- Posted Sea Beach Amaranth (*Amaranthus pumilus*) sites are closed to public use and entry.

*Justification:* Bird nesting areas are marked and posted against entry during the nesting period to prevent disturbance by vehicles, persons, or their pets during reproductive periods. Visitors entering a nesting area cause parent birds to leave their nests in an attempt to frighten away intruders. If not protected by parents, fertile eggs and forming chicks are vulnerable to predation and/or exposed to the direct rays of the sun and can be quickly injured or killed. During the migration season, areas are closed to provide undisturbed feeding and resting sites for shorebirds.

Known turtle nest areas are closed to all entry for a period of time before and after the projected hatch date of the eggs. This is to (1) prevent vehicles from driving over any emerging hatchlings and (2) prevent the formation of vehicle ruts which trap hatchlings. Pedestrian activities are restricted from the upper sections of the beach in order to prevent egg loss from exposure or penetration (e.g., holes dug in the sand, erection of shade structures, volley-ball nets. Sea Beach Amaranth, a federally protected species, needs to be protected until its annual cycle is complete and seeds are produced.

#### *Personal Watercraft*

- Personal watercraft may not be towed on trailers or transported on Off Road Vehicle (ORV) Routes within the boundaries.

*Justification:* The enforcement of this prohibited use on 67 miles of shoreline is difficult due to the ability to launch and retrieve these craft rapidly. Therefore, the towing and transportation of personal watercraft on ORV routes is prohibited. Under 36CFR section 3.9, personal watercraft use is not authorized within the Seashore.

#### *Ocracoke Horse Pasture*

- Public use and entry into the enclosed horse pasture located on Ocracoke Island is prohibited.

*Justification:* The prohibition of entry into the horse pasture is necessary to prevent injury to visitors and horses.

36 CFR 1.5(a)(2) – Designated areas, conditions or restrictions on a use or activity.

Designated Area and Conditions on Use

*Remote Controlled Ground Devices*

- Remote controlled ground devices (remote controlled cars) are only authorized for use in the Frisco and Cape Point campgrounds when the campgrounds are closed for the season. They are prohibited in all other areas of the seashore.

*Justification:* The increased use of these areas during the high visitation season are not ideal places to use remote controlled vehicles. The use of these devices poses a risk to a motor vehicle if it attempts to avoid the RC car in the road. The safety of other road users may be compromised by this competing use.

Conditions or restriction on a Use or Activity

*Oregon Inlet North Shore Pond*

- No operation preparatory to, during, and subsequent to the taking of fish by any means if the primary purpose of the taking is to sell fish may originate from, be conducted on, or terminate on the beach bordering the "Oregon Inlet North Shore Pond."

*Justification:* Geological processes have created a pond-like enclosure, hereinafter referred to as Oregon Inlet North Shore Pond, on the southern extremity of Bodie Island. The waters of the Oregon Inlet North Shore Pond typically are much calmer than the nearby Atlantic Ocean and, on occasion, are populated by large numbers of fish. When this occurs, fishermen can catch or harvest the fish with much less effort or skill than would be required on the beach front. In the past, sport fishermen have complained that activities of commercial fishermen in this area, interferes with recreational use of the Oregon Inlet North Shore Pond.

In a public workshop held by the Cape Hatteras National Seashore in Manteo, North Carolina, on January 5, 1993, representatives of both sport and commercial interests agreed that as the Oregon Inlet North Shore Pond is particularly suited to recreational fishing, commercial fishing in the Oregon Inlet North Shore Pond should be eliminated. As the Oregon Inlet North Shore Pond is a temporary geographic feature, subject to daily change by wind and wave action, or becoming sand filled by a moderate storm with the right combination of wind and surf conditions, the Superintendent believes Title 36, United States Code of Federal Regulations, Section 1.5, Closures and Public Use Limits is the proper vehicle to close the Pond to commercial fishing. On February 16 a second workshop group, also consisting of representatives of both sport and commercial interests, agreed to the restrictions imposed by this compendium regulation. Enhancement of Recreational Fishing: Cape Hatteras National Seashore was authorized by Congressional Act, H.R. 7022 on August 17, 1937, (50 Stat. 669). This Act provides that "... the legal residents of villages referred to in section 1 of this Act shall have the right to earn a livelihood by fishing within the boundaries to be designated by the Secretary of the Interior,

subject to such rules and regulations as the said Secretary may deem necessary in order to protect the area for recreational use as provided for in this Act."

*Oregon Inlet No Wake Zone*

- No person shall operate a motorboat in the area identified as Motts Creek greater than "no wake" speed. For the purpose of this action "no wake" speed means idling speed or a slow speed creating no appreciable wake.

Motts Creek includes the USCG Station Oregon Inlet, Oregon Inlet Fishing Center Marina, Oregon Inlet Public Boat Launch and Public Kayak Launch. The Motts Creek no wake zone encompasses the waters surrounding all the previous mentioned entities and extends from the mouth of the boat basin into the sound approximately 900 feet to the "No Wake Zone" buoys. As indicated in the map below. (See map)

*Justification:* The areas is used by large charter boats, USCG vessels, general motorized recreational vessels, nonmotorized vessels and wade fisherman. The flat wake ensures a safe area of navigation for all users during day and night. This also reduces the impact to area vegetation and shoreline erosion.



### *Vehicle Parking*

- All vehicles parking at the Whalebone Information Center are required to park in designated parking spaces on the paved surface.
- Parking is limited to two hours at Whalebone Information Center.

*Justification:* Whalebone Information Center was established in order to provide information to the visiting public. In recent years, the area has, on an increasing basis, become used as a commuter “Park and Ride” facility with an increasing number of vehicles being parked and left all day. Earlier attempts to limit this practice and prevent commuter vehicles from using all the spaces for short- term visitors have resulted in large numbers of vehicles parking on the grass, denuding the area, and preventing mowing and other required grounds maintenance.

- Parking at the Ocracoke boat ramp parking lot is limited to day use only (commercial and/or construction equipment and vehicle parking is prohibited). An overnight parking permit may be issued on a limited basis for overnight tow vehicle and unloaded boat trailer parking associated with overnight/multi-day recreational boat use and may be obtained at the Visitor Center during normal business hours. Vehicles may be parked overnight without a permit once the Superintendent designates a weather emergency which may cause Ocracoke Island flooding. Vehicles should be removed within 72 hours after the weather event.

*Justification:* Limiting parking at the Ocracoke boat ramp parking lot will allow more visitors an opportunity to experience the national seashore. This parking area has been used as a storage lot for commercial and private vehicles, boat trailers, and personal property and equipment for extended periods of time. The intended use of this parking lot is to provide adequate parking for Cape Hatteras National Seashore visitors accessing park resources during the day.

- Parking is prohibited along Billy Mitchell Road except for: Extended overnight parking along Billy Mitchell Road in Frisco will be allowed prior to and immediately following severe weather events, defined in this scenario as storms projected to create localized flooding. All vehicles must be parked on the shoulder only and not block the roadway. All vehicles must be removed within 3 days after the severe weather event has passed.

*Justification:* Billy Mitchell Road is unmarked with only grass shoulders; tree encroachment prevents a good line of sight around corners and therefore make parking on a regular basis risky to vehicle operators. Billy Mitchell Road also has the highest elevation in the area and provides ample parking for residents and visitors to protect their vehicles from being flooded in low lying areas. Vehicles left longer than this time frame add congestion and safety hazards and prevents grounds maintenance.

### *Boat Mooring*

- The paid docking of a boat for more than 14 days between Memorial Day and Labor Day at the Silver Lake Marina and Ocracoke docks is prohibited.

*Justification:* Limiting boat mooring to 14 days at Silver Lake Marina during the heavy visitor use season provides more boaters the opportunity to utilize the limited available space. The small Silver Lake Harbor receives many private and commercial boaters during a season, many of whom would like to use this facility for a month or more at a time. In addition, local residents like the convenience of leaving their boat moored throughout the summer. Limiting the length of stay, offers most visitors an opportunity to use the facilities.

- The Oregon Inlet boat ramp is for the immediate launching and retrieval of vessels only. Mooring and leaving vessels unattended is prohibited. Unattended vessels may be impounded, at owner's expense.

*Justification:* The Oregon Inlet Boat Ramp was intended for the immediate launching and retrieval of vessels and was not intended to provide for mooring. Mooring space may be available at the adjacent Oregon Inlet Fishing Center. Vessels left moored and unattended block access to the ramp and add congestion and safety hazards to an already busy public ramp.

- Vessels moored at Silver Lake Marina will pay docking fees. Fees may be waived during gale warning or higher conditions.

*Justification:* A Safe Haven Policy may be implemented for vessels seeking safe haven during gale or higher warning conditions at Silver Lake Marina until gale conditions subside. During these conditions, docking fees may be waived at Silver Lake Marina.

#### *Quiet Hours*

- Silver Lake Dock quiet hours are from 10:00 pm to 6:00 am.

*Justification:* Silver Lake Marina quiet hours are from 10:00 pm to 6:00 am, in accordance with local community quiet hours.

#### *Filming, still photography, and audio recording*

- Filming, still photography, and audio recording activity may require a permit, consistent with 54U.S.C. 100905.
  - Filming, still photography, and audio recording activity that occurs in closed areas, requires exclusive use of a site or area, or involves a set or staging equipment other than handheld equipment (such as a tripod, monopod, and handheld lighting equipment) requires a permit, unless the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.
  - Filming, still photography, and audio recording that involves more than eight individuals requires a permit, unless the NPS has specifically notified an individual or group that a permit is not required, or if the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.

- If a permit is required for the reasons stated above, or if the NPS otherwise determines and then notifies an individual or group that a permit is required for a filming, still photography, or audio recording activity, then engaging in that activity without a permit is prohibited. Violating a term or condition of a permit issued by the NPS for a filming, still photography, or audio recording activity is prohibited, and may result in the suspension or revocation of the permit, in addition to any penalties that may apply under 36 CFR 1.3.

*Justification:* Federal law at 54 U.S.C. 100905 states that permits and fees are not required for filming, still photography, or audio recording in park areas if certain requirements are met. These requirements address various topics, including, but not limited to, group size, location, equipment, potential impacts to resources and visitors, and the likelihood that the NPS will incur related administrative costs. If any of these requirements are not met, the law allows the Secretary of the Interior, acting through the NPS, to require a permit for the subject activity. Permit requirements are imposed by the superintendent under discretionary authority provided by 36 CFR 1.5(a)(2), which allows the superintendent to impose conditions or restrictions on a use or activity, consistent with applicable legislation, to implement management responsibilities. The general regulations for permits in 36 CFR 1.6 do not apply to permits issued for filming, still photography, and audio recording, which instead are governed by the statutory provisions in 54 U.S.C. 100905. The imposition of permit requirements, on a case-by-case basis, for filming, still photography, or audio recording does not require rulemaking under 36 CFR 1.5(b). Requiring a permit with reasonable terms and conditions in accordance with statutory requirements at 54 U.S.C. 100905 is not highly controversial, will not result in a significant alteration in the public use pattern of the System unit, will not adversely affect the System unit's natural, aesthetic, scenic or cultural values, or require a long-term or significant modification in the resource management objectives of the System unit, because the permit requirement is limited in time and scope to the specific activities authorized by the permit, which contain terms and conditions that protect the values, resources, and visitors of the System unit, and implements federal law.

#### *Airport Use*

- Aircraft may not park at Billy Mitchell or Ocracoke Airstrips for more than a 14-day period, or no more than 30 days total per calendar year.
- Unauthorized vehicles and pedestrians are not permitted on the airstrip tarmac or runways.
- Aircraft maintenance and refueling are prohibited unless in emergency circumstances.
- Aircraft operations are prohibited from  $\frac{1}{2}$  hour after sunset to  $\frac{1}{2}$  hour before sunrise at the Billy Mitchell and Ocracoke Airstrips.

*Justification:* This restriction allows for more equitable use by other visitors to experience the Seashore. Prohibiting vehicles and pedestrians on the aircraft parking ramps and runways increases the safety of both pilots and visitors. The facilities at Billy Mitchell and Ocracoke Airstrips do not allow for a proper response to a hazardous material spill. The airstrips are not lighted. This restriction provides appropriate safety measures by eliminating aircraft operations  $\frac{1}{2}$  hour after sunset to  $\frac{1}{2}$  hour before sunrise.

### *Kites*

- The flying of all types of kites, including kiteboarding, is prohibited within 150 feet of any overhead power lines regardless of land or water surface (e.g., Haulover Beach, Kite Point, Sound side Ramp 60 parking area, and Sandy Bay).
- Flying of all types of kites is prohibited in or above any resource closure.
- The flying of kites is prohibited on the beach adjacent to all designated park airstrips.

*Justification:* Prohibiting kites within 150 feet of overhead lines is necessary to prevent injury to kite flyers and kite boarders by shifting and gusting winds. Kites can scare birds off their nests leaving eggs and chicks exposed to predators and deadly heat. Prohibiting kites on the beach adjacent to the Billy Mitchell and Ocracoke Airstrips is necessary to ensure the safety of pilots and passengers flying in and out of the facility due to its proximity to the beach.

### *Uncrewed Aircraft*

- Launching, landing, or operating an uncrewed aircraft from or on lands and waters administered by the NPS within the boundaries of Cape Hatteras National Seashore is prohibited except as approved in writing by the superintendent.
- In limited cases the following activities may be considered acceptable use of UAS systems and subject to approval by the superintendent.
  - Administrative use includes the use of uncrewed aircraft by:
    - NPS personnel as operators
    - Cooperators such as government agencies and universities.
    - For Scientific Research that benefits the preservation of natural and cultural resources.

*Justification:* This restriction is necessary to prevent unacceptable impacts to park resources and values from the use of uncrewed aircraft. Potential impacts include harming visitors, interfering with rescue operations, causing excessive noise, impacting view sheds, and disturbing wildlife. This restriction is required by Reference Manual 60 (Aviation Management) chapter 12 Uncrewed Aircraft Systems.

### *Bonner Bridge Fishing Pier*

The following conditions are established for the use of the Bonner Bridge Fishing Pier.

- Canopies, umbrellas, or shade structures are prohibited on the pier.
- Standing on, sitting on, or climbing on or over the railing to gain access to the pilings/pier structure below is prohibited.
- All entry by swimmers, snorkelers, scuba divers, boats, vessels, or water-based craft (e.g., kayaks, paddleboards, or other motorized or non-motorized watercraft) closer than 100 feet from the Pier structure is prohibited.
- Generators are prohibited.
- Glass containers are prohibited.

- All pets are prohibited on the fishing pier.
- Limit of 2 fishing poles per angler.
- “Pin rigs”, “king rigs”, and similar “two pole fishing” systems and methods, where baits or lures from one rod are anchored by way of a weight or anchoring systems from another fishing rod, are prohibited.

*Justification:* The items identified are in place to reduce the safety risk to all anglers using the fishing pier. These restrictions are put in place to reduce negative interactions amongst anglers. The surface of the fishing pier is concrete, and the use of glass products would likely break if in contact with the concrete surface. This area experiences strong tides making it difficult to operate water-based crafts in a safe manner. The presence of individuals, boats, vessels, and other water-based craft below would interfere with the ability for pier users to fish and poses a safety risk to individuals in the water due to fishing lines, weights, and hooks.

## 36 CFR 1.6 – ACTIVITIES THAT REQUIRE A PERMIT

36 CFR1.6(f) The following is a compilation of those activities for which a permit from the superintendent is required. A permit may be requested by contacting Park Headquarters at 252-473-2111.  
<https://www.nps.gov/caha/planyourvisit/permitsandreservations.htm>

- Beach driving in accordance with 36 CFR (Section 7.58)
  - Annual ORV permits will be valid for 365 days from the date of issuance.
  - A 10-day permit is also available.
- Non-commercial soliciting (Section 2.37)
- Special events (Section 2.50)
- Public assemblies/meetings (Section 2.51) Designated First Amendment areas are identified in attached maps
- Sale/distribution of printed matter (Section 2.52)
- Scattering of Ashes (Section 2.62(b))
- Business operations (Section 5.3)
- Airplane Parking (Section 1.5)
- Vehicle Parking (Section 1.5)
- Some filming, still photography, and audio recording (depends upon the facts and circumstances; contact the park for more information). 36 CFR 1.5(a)(2) and 54 U.S.C. 100905
- Beach Fires (Section 2.13)
- Vessel Removal (Section 3.14)
- Commercial Fishing (Section 7.58)
- Hunting Blind Assignments (Section 7.58(a)13)

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

**36 CFR 2.1(a)(7) Other metal detecting devices are prohibited.**

- This applies to “**magnet fishing**” within the boundaries of Cape Hatteras.

*Justification:* Lands and waters of the National Park Service preserve the natural, cultural, and archeological resources which may be located and disturbed with the use of a magnet. Magnet fishing has been known to recover dangerous items, such as bombs, ammunition, and even firearms, in addition historical artifacts may be removed from their natural state. Therefore, this activity is prohibited within the territorial and maritime jurisdiction of the United States.

**36 CFR 2.1(c)(1), (c)(2) Designation of natural products for personal use or consumption.**

- The following items which may be gathered have an identified limit per person per day.
  - Edible fruits of wild grape, persimmon, blackberry, huckleberry, blueberry, mulberry, service berry, prickly pear cactus, and mushrooms. 1 gallon
  - All uninhabited seashells – (One) 5-gallon bucket, not for commercial use.

*Justification:* Those natural items enumerated are not endangered or rare and are present in such quantities that the gathering or consumption thereof will not adversely affect park wildlife, reproductive potential of the species, or otherwise adversely affect park resources. The limitation of quantity is in place to allow all visitors the same opportunity to gather wanted items.

**36 CFR 2.2 - WILDLIFE PROTECTION**

**36 CFR 2.2(e) All areas within the park are closed to viewing wildlife with any type of artificial light.**

*Justification:* Prohibiting the use of artificial lights minimizes the potential for the illegal taking of wildlife and disorienting nesting turtles during night periods.

**36 CFR 2.3 – FISHING**

**36 CFR 2.3(e) Except as otherwise designated, fishing with a net, spear, or weapon in the saltwaters of park areas shall be in accordance with State law.**

- There are no sites within the park area designated for the use of Bait launchers or any device used to propel bait and or fishing gear with compressed air, gas or explosive.
- The possession of a bait launcher with the intent to use is prohibited.

*Justification:* Although this prohibition was originally in place under state law, recent findings have shown that this restriction was removed by the state of North Carolina. The launcher is an implement designed to discharge frozen cylindrical shaped chunks of ice imbedded with bait. These implements meet the NPS definition of a weapon under Title 36 CFR 1.4. The NPS is concerned with the potential hazards these items may have on public safety either to swimmers, unbeknownst to the user, that would be in the trajectory of the missile or the public walking on the beach in the event the implement misfires or falls over during launch and creates a trajectory over land in the location of public users.

## **36 CFR - 2.10 CAMPING AND FOOD STORAGE.**

36 CFR 2.10(a) – Permits, designated sites or area, and conditions for camping.

### DESIGNATED CAMPING

- Camping is permitted only in designated campgrounds as listed on printed park maps and information brochures.
- A parked motor vehicle, motor home, trailer, or moored vessel in the park with one or more occupants must be actively engaged in an overnight recreational activity to be considered not camping.

*Justification:* Designated campgrounds have been established to protect the immediate environment and limit public use conflicts.

### OVERNIGHT USE LIMITATIONS

- From Easter weekend through Thanksgiving weekend, all camping is limited to 14 days at each campground.
- At all campgrounds, campsite occupancy is limited to 6 persons per campsite.
- With the exception of a family group (i.e. parents & children) of more than 6 individuals, there will be no more than 1 wheeled camping unit plus 1 tent or 2 tents occupying one campsite.
- All vehicles must be parked on the parking pad, not on the grass or extending into the roadway.
- A maximum of 2 vehicles is allowed per site. (A wheeled camping unit counts as a vehicle, i.e., tent camper and truck.)

*Justification:* Restrictions limiting the duration of camping will allow all campers to have the opportunity to enjoy camping in America's first National Seashore. Established limits are designated to prevent resource damage and impacts to sites and allow for an enjoyable recreational experience.

## **36 CFR 2.13 – FIRES**

36 CFR 2.13(a)(1) Designated Areas and Conditions for fires.

- Beach Fires are authorized year-round under the following conditions.
  - A free permit is required for any beach fires
  - All beach fires must be no greater than 3 feet in diameter
  - The use of treated wood products and wood containing nails and other foreign material will not be used for fire construction
  - Fires are prohibited during the following conditions:
    - From 10:00 p.m. to 6:00 a.m.
    - Within resource closures
    - Within 100 meters of any turtle nest closure

- May 1 to November 15 beach fires are only permitted on the beaches in front of: Coquina Beach Parking Lot, Rodanthe, Waves, Salvo, Avon, Buxton, Frisco, Hatteras, and Ocracoke Day Use Area.
- Nov 16 – April 30 beach fires are allowed throughout the park unless otherwise restricted.
- Ground fires are prohibited in campgrounds.
- Grills, camping stoves, and other self-contained units are only allowed for cooking within the designated campgrounds.
- A fire may be ignited and maintained only by using fuel sources designed and commonly used for warmth or the preparation of food, such as charcoal briquettes or natural firewood. Lighting or maintaining a fire with other materials including, but not limited to, flammable liquids, garbage, fireworks, plastics, aerosol canisters, batteries, or other manufactured or synthetic materials, is prohibited.
- Fires are prohibited in all other portions of the Seashore.

*Justification:* Restrictions limiting ground fires in campgrounds to government installed fire rings, grills, and self-contained units are necessary to protect park resources and adjacent landowners from wildfires caused by constructing fires too close to flammable grasses and other vegetation. Limiting the hours for beach fires will reduce night lighting and potential distraction to nesting wildlife.

This action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, and the implementation of management responsibilities. Materials other than approved combustibles – especially fire accelerants and substances prone to wind transport or explosion – creates serious risks when used to light or maintain fires. These combustibles can ignite or spread wildfires that directly threaten people and valuable resources and assets. The burning of manufactured or synthetic materials can contribute to air pollution, contaminate soil and water, and be toxic to humans and the environment. Less restrictive measures, such as an education campaign informing visitors of the risks of using certain materials to light or maintain a fire, would not be commensurate with the substantial risks associated with those activities and could lead to adverse outcomes that might be prevented by establishing an enforceable condition.

## 36 CFR 2.14 – SANITATION

### 36 CFR 2.14(a)(7) - Designated fish disposal areas.

The following areas are designated for fish cleaning and remains disposal.

- Ocracoke fish cleaning station across from the Ocracoke Campground.
- Cape Point Fish Cleaning station at Lighthouse Road and Ramp 44.

- Use of fish cleaning stations with trash receptacles, where provided, is required.
- The cleaning of fish except at locations designated for such purposes is prohibited.
- When fish cleaning and disposal areas are not provided, all fish and fish remains must be removed from the beach, bagged and/or disposed of in an appropriate garbage receptacle.

*Justification:* As opposed to many cleaning products, fish wastes are absolutely biodegradable and can be eaten by other fish, birds, and marine animals. However, when many fish are cleaned and the waste discarded into the same water area on the same day, such as at fishing tournaments, there can be a disposal problem. Too much deteriorating fish waste within a small area of water is unsightly and can result in extremely foul odors, decreased dissolved oxygen levels in the water column, and/or attract predators/scavengers to the area. When fishing near, on the shore, or bank, it is recommended that all fish remains be bagged and disposed of in an appropriate garbage receptacle, which will help keep the shoreline clean.

## 36 CFR 2.15 – PETS

\*\*\*\*\*Service animals are not subject to the park's pet policies and, when accompanying an individual with a disability, they are allowed wherever visitors are allowed. A service animal means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability.

36 CFR 2.15(a)(1) The following structures and/or areas are closed to the possession of pets.

- Resource closures
- Designated Swim beaches Memorial Day weekend through Labor Day.
- Pedestrian shoreline access areas in front of (i.e., seaward of) bird pre-nesting areas.

*Justification:* The presence of pets serves as a disturbance both by sight and smell that may be detrimental to the health and viability of birds engaged in nesting activities or young recently hatched sensing the presence of a potential predator. Pets in high density or limited access public use areas and walkways create the potential for disturbances and nuisance to the visiting public and the potential unwanted findings of pet excrement that is not properly disposed or deposited on porous walkways.

36 CFR 2.15(a)(5) Failing to comply with pet excrement disposal conditions which may be established by the superintendent.

- Pet excrement must be immediately picked up and properly disposed of.

36 CFR 2.15(b) Conditions on the use of dogs while hunting.

- Dogs used for hunting are required to be leashed going to and from the hunting areas.

*Justification:* This restriction serves to ensure that dogs are under physical control while accessing hunting areas and minimize disturbance to other hunters and recreational park users. This restriction complies with existing restrictions under Title 36 CFR 2.15(a)(2).

36 CFR 2.15(e) Pets may be kept by residents of park areas consistent with the provisions of this section and in accordance with conditions which may be established by the superintendent. Violation of these conditions is prohibited.

- Refer to Housing Management Plan

*Justification:* Compendium item 2.15(e) allows permanent park residents the same opportunities to keep pets as they would have if they lived outside of the park boundary. Pets are to be confined or restrained at all times due to their potential negative impact on park resources, neighbors, and park employees. Removal of pet excrement is necessary due to health and sanitation.

## 36 CFR 2.16 – HORSES AND PACK ANIMALS

36 CFR 2.16(b) The use of horses or pack animals outside of trails, routes or areas designated for their use.

Horses may be ridden or used only in the following designated areas:

- Designated ORV ramps and ORV routes open to vehicular travel.
- Seaward of the existing dunes on beaches open to vehicular travel.
- On road shoulders only if there is enough space as to not interfere with vehicular traffic.
- Across paved routes where travel is necessary to cross to or from beach access routes.
- Off Island Hunt Club Road.
- Piney Ridge Trail, Sedge Trail, and Boundary Trail
- Open Ponds Trail
- October through March only:
  - Vehicle-Free Area Ramp 45 to Ramp 48
- On trails or in areas designated under Commercial Use Authorizations or Special Use Permits.

Horses are prohibited on Ramp 72 (also known as South Point Road.) and the multi-use path in Buxton.

*Justification:* Horseback riding and the use of pack animals is restricted to the areas specified in 2.16 (b) to ensure compatibility between visitor use, resource protection, and visitor safety. Use in areas not specified would cause unacceptable resource damage and/or cause unacceptable risks to visitor safety. South Point Road on Ocracoke Island (Ramp 72) is heavily used by motor vehicle traffic, the ramp does not offer adequate shoulder space to safely stay clear of any vehicles; horse use should access beaches via Ramp 70.

36 CFR 2.16(g) Violation of conditions which may be established by the superintendent concerning the use of horses or pack animals.

- Horse excrement, hay, straw and/or bedding materials must be immediately removed from all parking/staging areas and along the Open Ponds Trail from the pavement at Lighthouse Road to 50 feet past the British Cemetery.
- All equine users upon request must provide proof of a negative Coggins test or similar Equine Infectious Anemia test performed within the last 12 months.

*Justification:* Horseback riding and the use of pack animals is restricted to the areas specified above to ensure compatibility between visitor use, resource protection, and visitor safety. Use in areas not specified would cause unacceptable resource damage and/or cause unacceptable risks to

visitor safety. A negative Equine Infectious Anemia test are needed for the protection of visitor stock.

## **36 CFR 2.20 - SKATING, SKATEBOARDS, AND SIMILAR DEVICES.**

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices are prohibited, except in designated areas.

- The use of roller skates, skateboards, roller skis, in-line skates, coasting vehicles, trikes and similar devices are prohibited except in the following locations under the following conditions:
  - In Cape Point, and Frisco campgrounds when they are closed for the season.
  - No artificial ramps or jumps are permitted

*Justification:* All existing roads and other paved areas within Cape Hatteras National Seashore are high volume areas designated either for motor vehicles or pedestrian use. The mixing of skating, skateboards, trikes, and similar devices in those areas would present unacceptable risks to visitor safety and increase the potential for personal injury. The exception is Cape Point, and Frisco campgrounds when they are closed for the season and there is little potential for conflict.

## **36 CFR 2.21 SMOKING.**

36 CFR 2.21(a) The superintendent may designate a portion of a park area, or all or a portion of a building, structure or facility as closed to smoking when necessary to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities.

- Smoking is prohibited in the following areas:
  - All government buildings.
  - All designated swim areas

*Justification:* Pursuant to Executive Order 13058, “Protecting Federal Employees and the Public From Exposure to Tobacco Smoke in the Federal Workplace” (3 CFR, 1997 Comp., p.216), it is the policy of the executive branch to establish a smoke-free environment for Federal employees and members of the public visiting or using Federal facilities. The smoking of tobacco products is prohibited in all interior space owned, rented or leased by the executive branch of the Federal Government.

## **36 CFR 2.22 PROPERTY**

36CFR 2.22(a)(2) Leaving property unattended for longer than 24 hours, except in locations where longer time periods have been designated or in accordance with conditions established by the superintendent.

- The placement of unattended property on the beach, such as, but not limited to chairs, toys umbrellas, canopies, coolers, etc. is prohibited between sunset and sunrise.

*Justification:* This restriction ensures the safety and enjoyment of the beach by all users and is consistent with local ordinances in nearby towns. Chairs, umbrellas, canopies, coolers, etc. can be harmful to people and wildlife. People walking at night, public safety personnel who may have to drive on the beach at night, sea turtles that must make their way to nesting areas and hatchlings to the water to survive depend on safe and obstruction free beach conditions.

## **36 CFR 2.35 - ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES**

36 CFR 2.35(a)(3)(i) Closures to alcohol. The superintendent may close all or a portion of a public use area or public facility within a park area to the consumption of alcoholic beverages and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed.

The following areas are closed to the consumption, use, and possession of alcohol.

- Bodie Island hunt area, during hunt seasons.
- Possession and consumption of alcoholic beverages is prohibited in all visitor centers, museums, government offices and buildings unless authorized by a Special Use Permit.

*Justification:* The consumption and possession of alcohol in the hunting area is not conducive to accepted safe hunting practices. The consumption and possession of alcoholic beverages in visitor centers, museums, lighthouses, and government offices and buildings is not conducive to the purpose of the facilities.

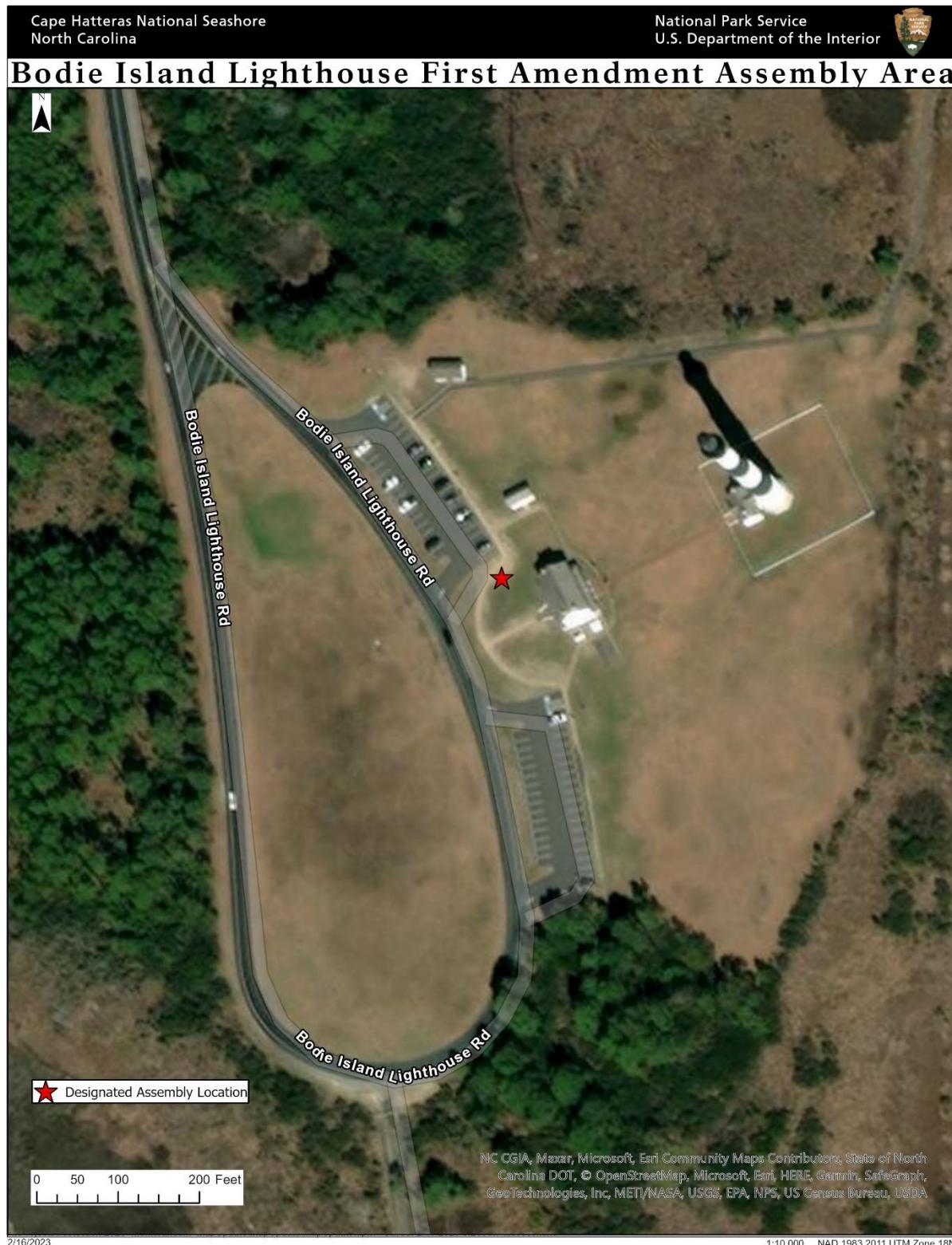
## **36 CFR 2.51 DEMONSTRATIONS**

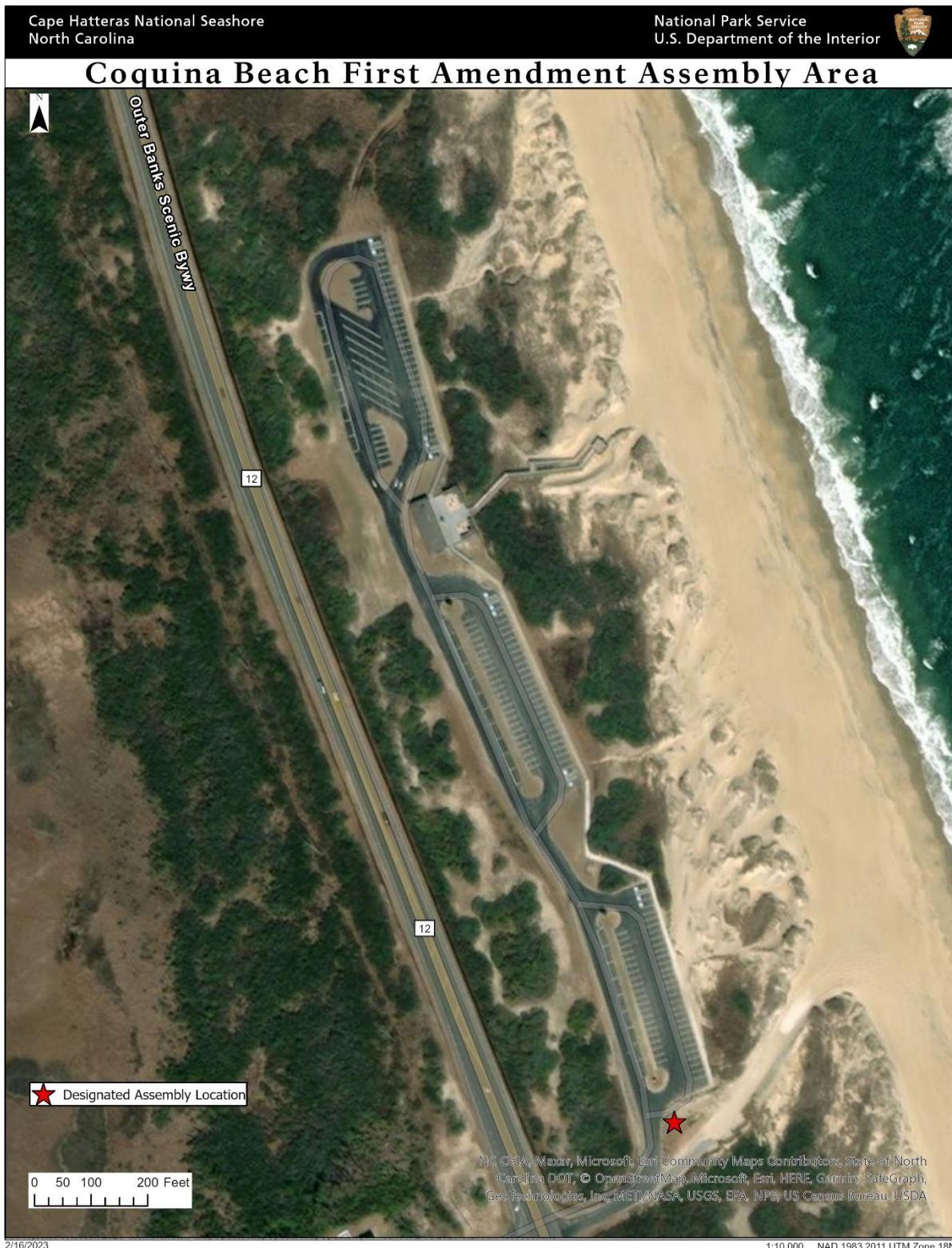
36 CFR 2.51(c)(2) The superintendent must designate on a map, which must be available in the office of the superintendent and by public notice under § 1.7 of this chapter, the locations designated as available for demonstrations and the sale or distribution of printed matter.

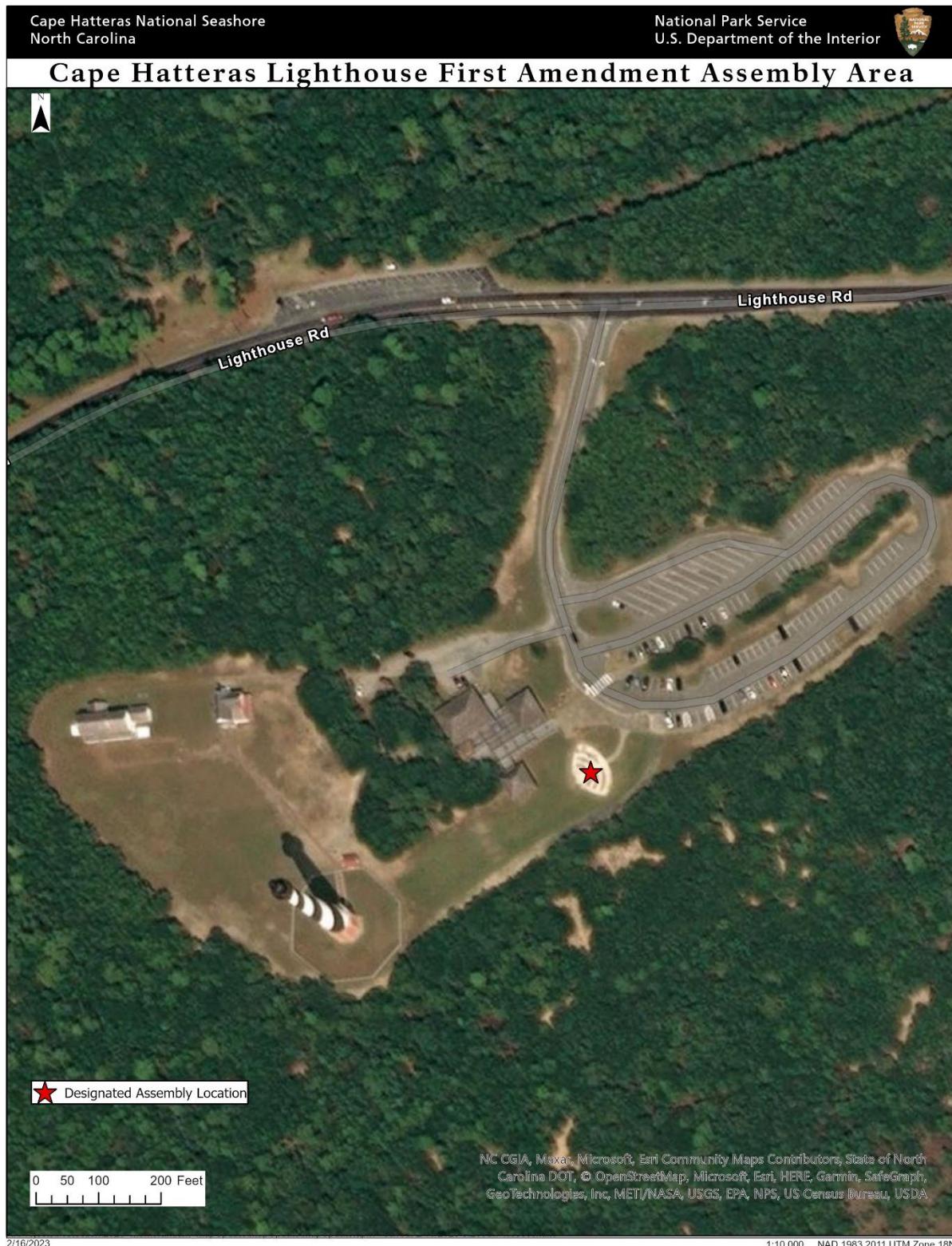
- The following First Amendment Assembly areas are designated on a map in the Office of the Superintendent:

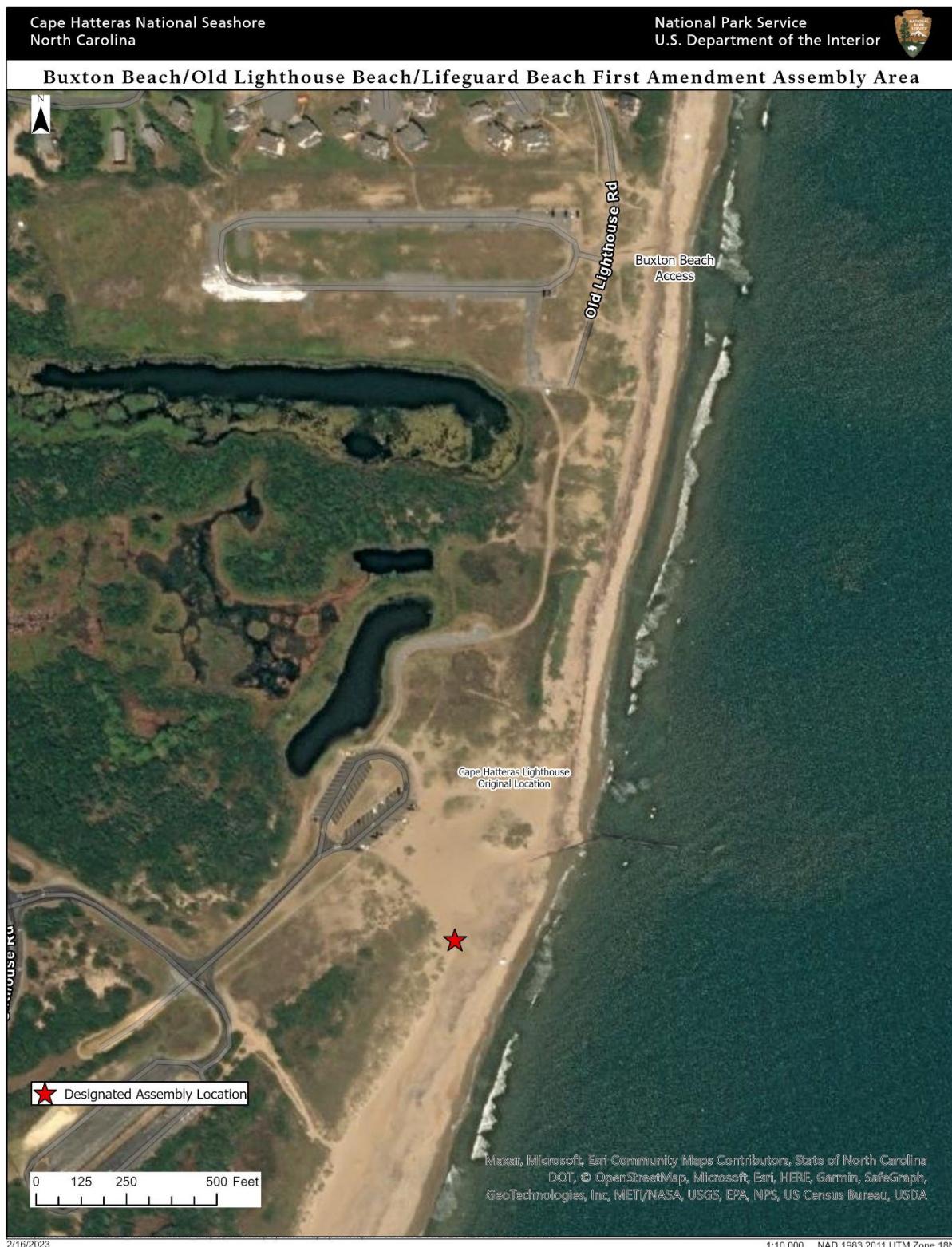
See attached maps for:

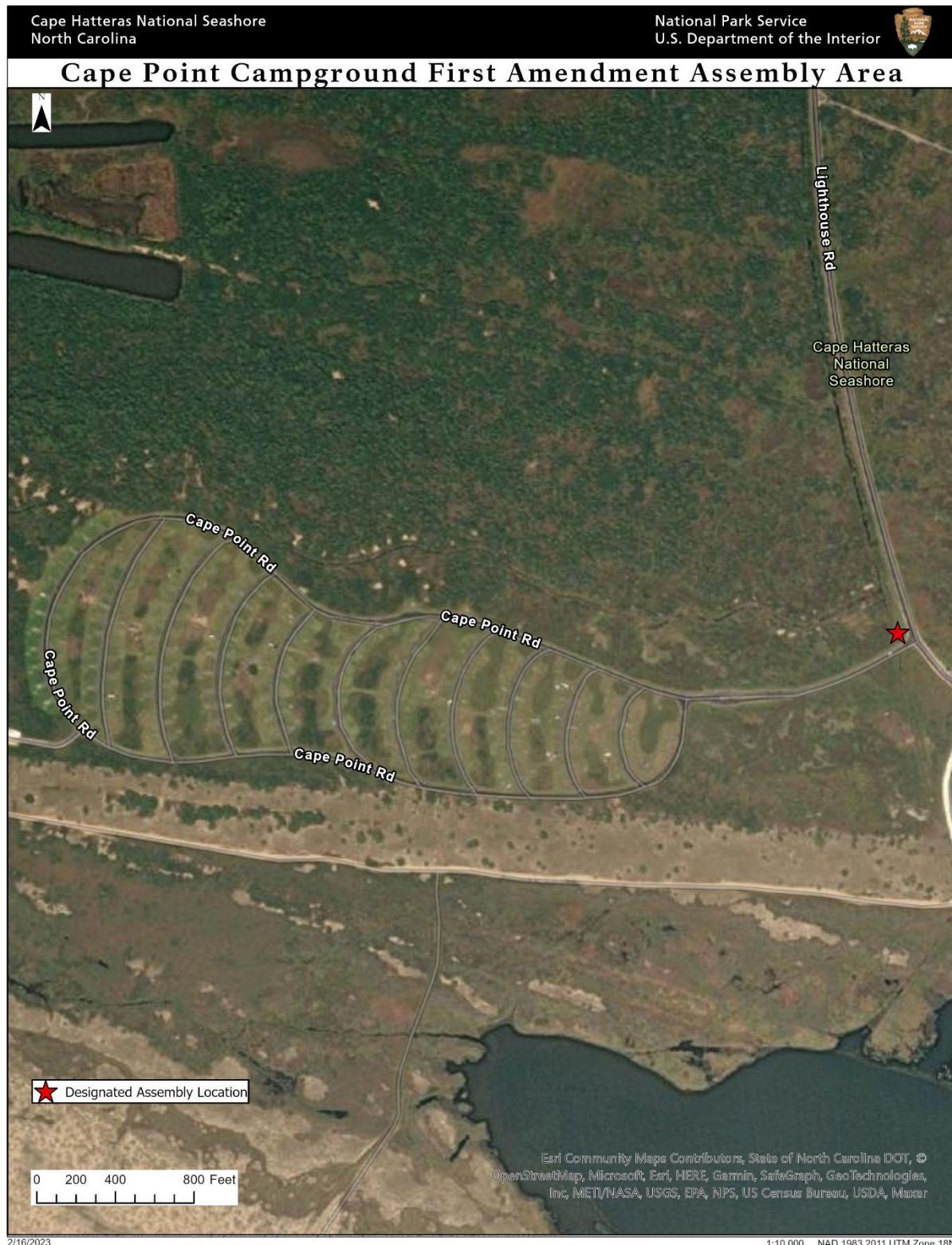
\*Bodie Island Lighthouse  
\*Coquina Beach  
\*Cape Hatteras Lighthouse  
\*Buxton Beach  
\*Cape Point Campground  
\*Ocracoke  
\*Ocracoke Campground

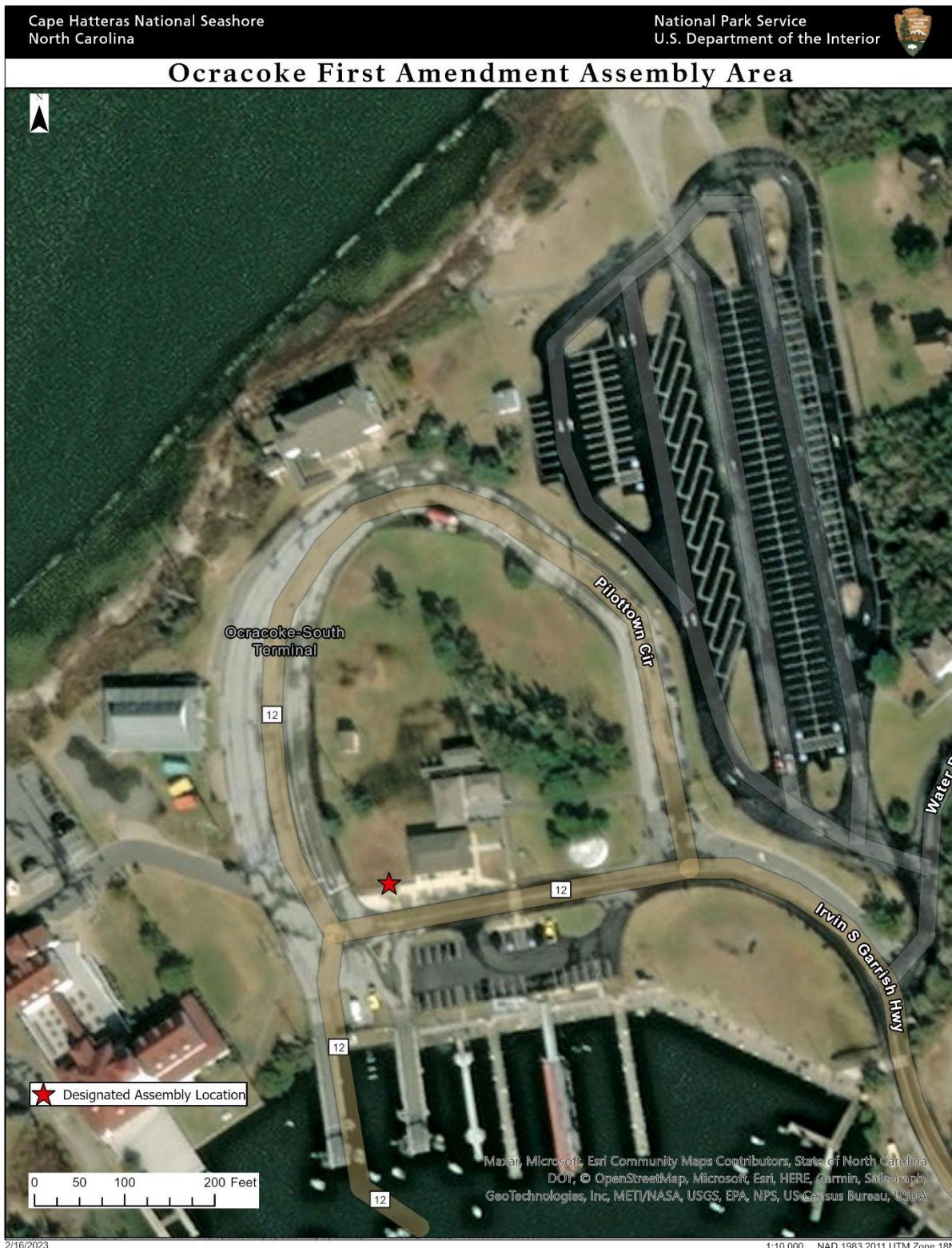














## 36 CFR 3.8 - BOATING AND WATER SAFETY

36 CFR 3.8(a)(2) Launching or recovering a vessel is prohibited, except at a launch site designated by the superintendent.

The following launch sites are designated:

- Bodie Island: All ocean and sound side areas and Oregon Inlet Boat Ramp.
- Hatteras Island:
  - All sound side access areas
  - All ocean side areas are open to boat launching and recovery.
  - Motorized recreational vessels are prohibited from launching or retrieving 0.5 miles either side of Cape Point.
- Ocracoke Island: NPS boat ramps and all ocean and sound side areas.
- Launching or recovery of vessels (including non-motorized) is prohibited within resource closures and within designated swim beaches.

*Justification:* The designated non-commercial recreational boat/vessel launching sites at Oregon Inlet Boat Ramp and Ocracoke NPS boat ramps and docks are recommended sites to launch and retrieve boats. Due to unsafe conditions and visitor use conflicts (i.e., deep sand, surf conditions, crowded beach areas, and beach closures), sound side launching in other areas of the park is recommended between May 15 to September 15.

## 36 CFR 3.14 - REMOVING SUNKEN, GROUNDED, OR DISABLED VESSELS

36 CFR 3.14(a) The Superintendent has established conditions for the removal of all vessels if they are unable to be removed by hand. The owner of the vessel should contact the National Park Service immediately to obtain any required permits and conditions before beginning the removal of a vessel.

## 36 CFR 3.17 – SWIMMING AREAS AND BEACHES

36 CFR 3.17(a) – Designated Swimming areas and beaches.

The following areas are designated as swim areas or beaches. Coquina lifeguard beach, Buxton lifeguard beach, Rodanthe lifeguard beach, Frisco lifeguard beach, Ocracoke lifeguard beach.

- The following activities or items are prohibited within the designated swim areas or lifeguard beaches only when a lifeguard is present from the Saturday of Memorial Day Weekend to the Monday of Labor Day; surfing, fishing, smoking, having glass containers, and pets.
- The placement of canopies in front of a lifeguard tower is strictly prohibited while lifeguards are present.

*Justification:* Lifeguarded beaches and swim areas represent only a small portion of the Seashore and typically receive heavy use. To make these areas safe for swimmers and enjoyable to all the above listed incompatible activities have been identified. To ensure lifeguards have an unobstructed view of the ocean no canopies will be placed in front of the lifeguard stands.

## 36 CFR 4.21 - SPEED LIMITS

36 CFR 4.21(b) The superintendent may designate a different speed limit upon any park road when a speed limit set forth in paragraph (a) of this section is determined to be unreasonable, unsafe or inconsistent with the purposes for which the park area was established.

- The speed limit on park beaches is 15 mph, or 5 mph within 100 feet of pedestrians.

*Justification:* The maximum speed allowed on beach and sound side off-road vehicle areas is 15 mph. Speeds in excess of 15 mph could cause injury or damage to park resources and present danger to the public's safety. Documented incidents, congestion, and beach conditions do not allow for safe operation of vehicles at speeds greater than 15 mph. The speed limit is 5 mph within 100 feet of pedestrians.

- The speed limit within Oregon Inlet Campground is 5 mph.

*Justification:* Speeds more than 5 mph could cause injury or damage to park resources, visitor resources, and present a danger to the public's safety. Due to observed and reported near misses, blind corners created by trailers, campers, and vehicles, campsites located close to the roadway and close to each other, heightened visitation, and incidents, conditions do not allow for safe operation of vehicles at speeds greater than 5 mph.

## 36 CFR 4.30 - BICYCLES

36 CFR 4.30(i) Electric bicycles.

The use of an electric bicycle may be allowed on park roads, parking areas, and administrative roads and trails that are otherwise open to bicycles. The Superintendent will designate the areas open to electric bicycles, or specific classes of electric bicycles, and notify the public pursuant to 36 CFR 1.7

- The following areas are open to all classes of electric bicycles:
  - All areas where bicycles are allowed.

*Justification:* Electronic bicycle shall be treated the same as a traditional bicycle and allowed for use where traditional bicycles may be used.