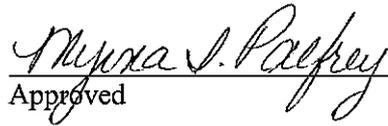


**CANAVERAL NATIONAL SEASHORE**  
**COMPENDIUM**

COMPENDIUM of designations, closures, request requirements and other restrictions imposed under the discretionary authority of the Superintendent for Canaveral National Seashore.

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, authorize by Title 16, United States Code, Section 3, the following regulatory provisions are established for the property management, protection, government and public use of the portions of Canaveral National Seashore under the jurisdiction of the National Park Service. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1.

 7/10/14  
\_\_\_\_\_  
Recommended                      Date

 7-11-14  
\_\_\_\_\_  
Approved                              Date

**Introduction.**

The purpose of this compendium is to provide a written document which provides the special designations, closures, public use limits, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent. The preparation of a compendium is required under Section 1.7, Title 36, Code of Federal Regulations and shall be made available to the public upon request. The compendium will be reviewed and updated annually to ensure adequate protection of the park's resources, provide for public safety and enjoyment and to meet changes in recreational use patterns.

It is important to utilize this document in conjunction with Title 36, Code of Federal Regulations, since the compendium only addresses restrictions imposed under the discretionary authority of the Superintendent or regulations that authorize special designations, closures or use limits. The use of this compendium in conjunction with park brochures, maps, signs and other media will provide a clear understanding of Canaveral National Seashore rules and regulations for both National Park Service employees and our visitors.

**Part 1 – GENERAL PROVISIONS:**

**Section 1.5 CLOSURES AND PUBLIC USE LIMITS**

- 1.5(a) The authorization of activities shall be construed and the protection, management, and administration of these areas shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established, except as may have been or shall be directly and specifically provided by congress.
- 1.5(a)1 The following areas are closed to all public entry, permitted camping, authorized special events and specified interpretive programs, during the period indicated for the protection of park resources. Research personnel who have cooperative agreements with Canaveral National Seashore, may have access to those areas.
- a. The emergent and submerged lands, administered by the National Park Service, with Canaveral National Seashore, bounded by Apollo Beach parking lot #1 and entrance gate on the north, from the Apollo entrance gate south along the west shoreline of the barrier island, the mean low water line of the barrier island on the east, to the Seashore's southern boundary at Playalinda Beach, and are Closed from 6:00 p.m. to 6:00 a.m. (eastern standard time) and 8:00 p.m. to 6:00 a.m. (daylight savings time).
- b. The area defined as Bill's Hill, -- Closed year round to public vehicular traffic where posted and closed from sunset to sunrise year round. Not available for horse use. The "Bill's Hill" area located in the city Oak Hill, FL is closed to horseback riding as there are no visitor facilities. These roads are closed to public vehicular traffic for the protection of natural resources and to provide a natural experience for visitors traveling by non-motorized traffic, the General Management Plan (GMP) of 1981.
- c. The road commonly known as the Sand Road from Apollo Beach south of parking lot #5, south of the unpaved surface of roadway (sand road) to the north end of the Playalinda Beach paved road is closed year round to public motorized vehicular traffic. (Approximately 12 miles).
- d. Klondike Beach is defined as the area of Canaveral National Seashore bounded on the west by the dune line, on the east by the Atlantic Ocean, on the south by a line running perpendicular to the dune line grid at marker number 71 and on the north by a line running perpendicular to the dune line at grid marker number 29. The Klondike Beach section of Canaveral National Seashore is designated as "backcountry" and is limited to 25 persons per day on the south end of the beach and 25 persons per day on the north end of the beach; permit required. The purpose of the limit is to: maintain the "backcountry" experience in these areas; public health and safety; and to protect the natural resources.
- e. Dune areas are closed except for administrative and protection purposes to all traffic including pedestrian, except to traffic on elevated boardwalks where they have been constructed. Dune areas are defined as the zone paralleling to open

beach bounded by the easternmost extent of vegetation on the eastside and the eastern edge of the paved roads/parking areas or unpaved areas of the sand road on the west side. Dune areas have been closed to all foot and motorized traffic to preserve and protect the natural dune vegetation and formation.

f. The emergent lands, within Canaveral National Seashore except those administered by the United States Fish and Wildlife Service -- closed to all hunting and trapping activities. The waters of Mosquito Lagoon and adjacent water impoundments', administered by the National Park Service within Canaveral National Seashore are closed to all public hunting and trapping, except waterfowl hunting within established seasons and according to applicable Federal and State regulations, and subject to security closures on lands owned by the National Aeronautics and Space Administration and only in areas administered by the United States Fish and Wildlife Service.

The legislation creating Canaveral National Seashore allows for the closure of portions of the seashore to public hunting and trapping for reasons of public safety(93-626). Because of the intensive recreational use that occurs on the narrow barrier island portion of the Seashore and the small islands of Mosquito Lagoon, these areas are closed to public hunting and trapping as per consultation with the Florida Game and Fresh Water Fish Commission. The area is closed to hunting except for administrative use and designated as U.S. Fish and Wildlife waterfowl hunting areas.

g. All parking areas and roadways associated with parking will be closed when they reach maximum capacity. Parking areas and roadways will reopen to incoming traffic when parking spaces become available. Parking areas and roadways are closed to incoming traffic when parking areas are full to protect persons and property within the parking areas and to protect park resources.

h. Designated portions or all of the National Aeronautics and Space Administration-owned lands within Canaveral National Seashore are closed to all public access, at times, during checkout, launch and landing periods or during emergencies involving the safety and/or security or property and/or personnel at the request of the National Aeronautics and Space Administration.

i. The 25 acre area known as Seminole Rest whose boundaries are described in the quit claim and special warranty deeds conveying lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15 and a portion of lot 9 found in the assessor's subdivision of lot 3, Sec. 5, T 195, R35E in Oak Hill, Volusia County Florida is closed to all vehicles and activities, such as fishing, pets, boat launching, bicycles, inline skating (or similar devices), and gathering fruit, except to pedestrian traffic restricted on the designated constructed pathway. Closed from sunset to sunrise year round. These lands were authorized by Congress to be acquired "for the primary purpose of protecting and interpreting their archeological and historical resources". Due to the confined space on the designated pathway, pets and leashes may impede the flow of traffic.

j. Designated lifeguard protected beach areas are closed to water activities such as use of rigid floatation devices (i.e., surfing), scuba gear, and fishing, except to swimming during the time that lifeguards are present and on duty as indicated by

signage: Designated lifeguarded beaches are located at Apollo Beach. Designated lifeguarded beaches are at Playalinda Beach. Specific areas are designated as swimming areas only from May thru September and all other activities (i.e., fishing, and surfing) are prohibited within the designated swimming area in accordance to 36 CFR.

k. Personal Watercraft, as defined below, are prohibited on all waters under the legislative jurisdiction of Canaveral National Seashore(36CFR,3.24a). This excludes watercraft for emergency search and rescue missions for law enforcement operations carried out by National Park Service, U.S. Coast Guard, or other federal, state, or local jurisdiction. Personal watercraft refers to a vessel; usually less than 16 feet in length, which uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion. The vessel is intended to be operated by a person or persons sitting, standing or kneeling on the vessel, rather than within the confines of the hull. Personal watercraft includes, but is not limited to vessels referred to as Jetskis, Sea-doods, Waverunner, Wavejammer, Wetjet, Wetbike, and Surf jet.

l. Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Canaveral National Seashore is prohibited except as approved in writing by the Superintendent.

- 1.5(a)(1)(2) Vessels may not operate or anchor within 500 feet (160 yards) of the mean low tide on any part of Canaveral National Seashore's shoreline. This closure applies to all vessels including but not limited to, any type of boat, sailboat, seaplane, personal watercraft or any other type of motorized vessel. This is established to protect wading fishermen, surfers, and swimmers year round. This excludes non-motorized boats or in cases of emergency to protect life and property.

The National Aeronautics and Space Administration does not permit motorized vessels landing or launching from any part of the beach, which includes Canaveral National Seashore.

- 1.5(a) (2) Visitors are prohibited from possessing glass containers on the beach, boardwalks and parking lots. Beach and boardwalks are bounded by the eastern edge of the paved roads or unpaved areas of the sand road on the west side, to the eastern most boundary of the seashore, extending the length of the seashore.

Glass containers have been determined to be unsafe and detrimental to public health.

## **Section 1.6 Permits.**

Permits are required for the following activities:

- Backcountry permit: §1.5(a)(1)
- Backcountry camping permit: §2.10(a)
- Commercial harvesting permit: §2.3

- Horse or pack animal use: §2.16
- Special events: §2.50
- Public assemblies, meetings: §2.51
- Sale or distribution of printed matter: §2.52
- Commercial or business activities (CUA): §5.3

Harvesting within oyster leased submerged lands is restricted to leaseholder only.

## **Part 2 – RESOURCE PROTECTION, PUBLIC USE AND RECREATION:**

### **Section 2.1 Preservation of natural, cultural and archeological resources.**

Driftwood is considered a hazard to navigation and may be collected from the beach east of the dune area (dune area previously described.) All archeological resources and cultural resources are protected by law, and may not be removed except by authority of the Superintendent.

- 2.1(c)(1) Amounts not to exceed one gallon/per person/per day of the following items that are not located within the dune area may be gathered for personal use or consumption: seagrapes, hickory nuts, prickly pear fruit, palmetto berry, and unoccupied seashells taken from above the waterline.

It has been determined that the gathering or consumption of these items will not adversely affect wildlife at Canaveral National Seashore, the reproductive potential of a plant species, or otherwise adversely affect the resources.

### **Section 2.10 Camping.**

- 2.10(a)(1) Backcountry camping is only permitted at designated areas within Volusia County. A permit is required. Fee includes 1-6 persons \$10/site/nite and 7-15 persons \$20/site/nite. No person, party or organization shall be permitted to camp for more than a total of 30 days in a calendar year. Backcountry camping is being permitted in accordance with the General Management Plan. This activity is being analyzed for impact upon the natural resources. The beach is closed to backcountry camping from April 15<sup>th</sup> to October 31<sup>st</sup> to prevent interference with endangered sea turtle nesting, date adjusted as needed. Camping is permitted only within the Volusia County portion of Canaveral National Seashore so as not to interfere with the space and defense programs of the National Aeronautics and Space Administration.

### **Section 2.13 Fires.**

- 2.13(a)(1) Fires are permitted in grills or self-contained units designed for fires throughout the seashore or in designated areas at backcountry camping sites.

Fires are restricted in use for the safety of the visitor and for the prevention of resource damage from uncontrolled visitor-lit fires.

### **Section 2.15 Pets.**

- 2.15(a)(1) Pets are prohibited from the western edge of the dune line, east to include the boardwalks and the beach. Pets are also prohibited from the Seminole Rest (25 acre) area. In all other areas they must be on a leash.

Pets were determined to be detrimental to public health and safety. Canaveral National Seashore allowed pets on the beach from 1975 until 1981. During this period, pets were allowed on a leash. In 1981 a total of 181 warnings were given for dogs running loose and a number of incidents were recorded concerning dog fights and dogs biting humans. Pets also interfere with native wildlife on the

beach. Due to the confined space on a boardwalk, pets and leashes may impede the safe flow of foot traffic.

**Section 2.16 Horses and Pack Animals.**

2.16(g)(1) A permit is required for the use of horses or pack animals and must be approved prior to the scheduled use date. Each horse MUST have a current Coggins certificate. The use of horses or pack animals is permitted only in designated areas of Klondike Beach, Apollo Beach and beachside, by special use permit. Feces from horses or pack animals must be removed from the Seashore or buried by the rider. Horses must not be allowed to consume vegetation. Horses must be walked across boardwalks unless a waiver has been obtained from the Superintendent for safety, insurance or physically challenged reasons, to ride across the boardwalk.

Horseback riding has been allowed since Canaveral National Seashore was created in 1975, and will continue unless it is determined to be in conflict with other Seashore activities. Horseback riding on the beach is prohibited from April 15<sup>th</sup> through October 31<sup>st</sup> to prevent interference with the nesting of sea turtles and date may be adjusted as needed. Horseback riding is prohibited in the Playalinda district due to security concerns of NASA.

**Section 2.2 Hunting.**

2.2(a) Waterfowl hunting is authorized within the boundaries of Canaveral National Seashore, only in designated areas administered by the U.S. Fish and Wildlife Service (hunting areas previously described).

**Section 2.21 Smoking.**

2.21 Smoking is prohibited within the interior portions of and within 15 feet of entrance to all buildings due to the presence of displays and the health effects on visitors and employees.

It has been determined that smoking poses a possible threat to sensitive display items including historical artifacts, photographs and fragile documents. Studies have also shown that ambient smoke poses a possible health hazard in closed areas.

**Section 2.22 Property.**

2.22(a)(2) Visitors on authorized backcountry trips are permitted to leave vehicles unattended for the period specified on their camping permits. All sections of 2.22 apply.

**Section 2.23 Recreational Fees.**

2.23 Fees are established as provided for in 36 CFR 71.2 and The Federal Land Recreation Enhancement Act, 16 USC 6801-6814. Collection of fees is

suspended for the day on August 25<sup>th</sup> each year, and additional “Fee Free” days, approved by the Department of Interior and the National Park Service.

**Section 2.50 Special Events.**

- 2.50(a)(4) Permits will be denied for activities that would adversely affect access to or operation of parking areas, restroom accommodations, or boardwalks.
- 2.50(a)(6) Permits will be denied for activities that would adversely affect access to the beach or water areas of the park. Limits are placed on the location of special events due to the limited number of parking areas, limited points of access to the beach areas, and limited number of restrooms available in consideration of the varied user groups that frequent the beach areas.

**Section 2.51 Public Assemblies, Meetings.**

- 2.51(e) Areas available for first amendment activities include specific parking spaces designated within the parking lots as follows:
  - In Playalinda District: parking lots 1-5
  - In Apollo District: parking lot 1-2

The dunes, boardwalks or the seashore proper are not areas available for first amendment activities- (damage to park resources). The special park conditions are listed and located in page 13 and they are incorporated in the Special Use Permit required for this activity.

**Section 2.52 Sale or Distribution of Printed Matter.**

- 2.52 The special park conditions are listed and located on page 13, which is part of the Special Use Permit for this activity.

**Part 3 – BOATING AND WATER USE (PROHIBITED OPERATIONS):**

**Section 3.21 Swimming and Bathing.**

3.21(b) Swimming is permitted within the boundaries of Canaveral National Seashore, except where closed by the posting of signs. The following are prohibited on lifeguard protected beaches:

- Use of rigid floatation devices (i.e., surf boards, 36CFR 3.22).
- Scuba diving
- Sporting events (except as authorized by Special Use Permit)
- Fishing

**Section 3.6 Boating and Water Use (prohibited operations).**

3.6(h) Designated launch sites are identified as follows:

- Apollo Beach paved boat ramp at #1 into Mosquito Lagoon.
- Apollo Beach dirt boat ramp at #5 into Mosquito Lagoon.
- Playalinda Beach boat ramp at Eddy Creek into Mosquito Lagoon.

**Part 4 – SPEED LIMITS:**

**Section 4.21 Speed Limits.**

- 4.21(b) Unless otherwise designated, the speed limit of motorized vehicles traveling the road surface of Canaveral National Seashore will be a maximum of 35 miles per hour. The 35 mile per hour limit is selected as the maximum allowable safe limit due to a variety of factors, such as the large number and frequency of visitor vehicle access points, parking along the roadway, blind curves, bicyclists use and unprotected water hazards along the roadway.

The speed limit is 15 miles per hour within all parking areas, other places of public assembly, and at emergency scenes.

**Section 4.30 Bicycles.**

- 4.30(b) The beaches of Canaveral National Seashore are designated as a natural environment subzone, special use zone, and as such, the use of bicycles is permitted.

It has been determined that the use of bicycles on the beaches of Canaveral National Seashore is not detrimental to the resources of the seashore and does not interfere with other visitor uses of the beach. Visitors must follow state law 316.2065, Chapter 316 Bicycle Regulations.

## FIRST AMENDMENT AREAS

### Areas Available for First Amendment activities:

Specific parking spaces designated within the parking lots as follows:

- In Playalinda District: parking lot #2
- In Apollo District: parking lot #1

### Areas where first amendment activities are not authorized:

The park contains approximately 57,000 acres and approximately 97% of this area is available for First Amendment activities. *The only areas not available are:*

The dunes as defined in the Superintendent's Compendium - (damage to park resources.)

All National Aeronautic Space Administration "restricted" areas – (security and public safety.) Specifically, camera pad 9 located between south parking areas 4 and 5; camera pad 10 next to south parking area 13; and the area between SR 402 and the relocated National Aeronautics and Space Administration railroad tracks, which is within the three mile shuttle blast zone.

The beach access roads and their 10 ft shoulders (including A1A and SR 402 within the park). Automobile accessible portions of all parking areas. The beach access boardwalks located at north parking areas 1 through 5 and south parking areas 1 through 13. (safety and interference with visitor services).

Archeological sites - (damage to park resources.) This includes the shell middens at Seminole Rest, Turtle Mound, Castle Windy, and known burial sites whose locations are privileged. Park interpretive and administrative structures and the 100 ft area surrounding them (safety and park function needs.) Specifically, in the southern part of Canaveral National Seashore, the fee station, ranger activities complex and the curatorial building. Also, the northern portion of Canaveral National Seashore, the fee station, ranger station, visitor center, and maintenance complex.

General area maps and maps depicting representative samples (roadways, parking lots and administrative structures) of the areas not available for First Amendment activities are available at Canaveral National Seashore Headquarters, 212 S. Washington Ave, Titusville, Florida 32796.

Suggested areas for First Amendment activities include: The paved vistas on the beach access road, the sidewalks and grassy areas next to parking lots (but not within 10 ft of the beach access road).

Other factors affecting the time, place and manner of First Amendment activities at the Canaveral National Seashore include:

Approximately 40,000 acres of Canaveral National Seashore are managed by the United States Fish and Wildlife Service (generally the area north of State Highway 402, west of the road behind the ocean dune line, south of the Gomez-Grant line and west of State Highway 3) and activities in this area fall under their management prerogative.

Canaveral National Seashore is home to 14 endangered species whose existence and habitat has various degrees of protection under Public Law 93-205.

Canaveral National Seashore contains over 100 historic/archeological sites including Native American grave-sites whose location and serenity are protected under Public Law 101-601.

Canaveral National Seashore contains seven (7) oyster leases whose utilization is retained by the lease.

Persons are prohibited from engaging in activities to obstruct or impede pedestrians or vehicles, or harassing Canaveral National Seashore visitors with physical contact.

Canaveral National Seashore contains several administrative areas and facilities such as fee booths, ranger stations and maintenance areas where safety (hazardous materials and machinery), security, and management functions are underway.

Criteria outlined in CFR 36 2.51 (e).

## **SPECIAL PARK CONDITIONS**

In addition to the conditions found on the Special Use Permit, these Special Park Conditions are added as park specific guidelines.

The Permittee copy of the special use permit will be presented upon request during the stated activity.

The Permittee must be present at and during the stated activity.

Access to areas within the seashore is dependent upon the availability of authorized parking and camping sites.

Hour, location and date are stated on approved permit.

All trash generated must be disposed of in National Park Service trash receptacles or taken off site for disposal.

Loud speakers, generators and any other types of similar equipment will not be permitted.

No walking, standing or sitting on the dunes or vegetation thereof, no impeding traffic or blocking of boardwalks or parking areas. The beach and boardwalks must remain passable.

Portions of the Canaveral National Seashore may be closed due to weather.

Portions of the Canaveral National Seashore may be closed at the discretion of the Kennedy Space Center.

Justification For Restrictions, Closures And Public Use Limits Established By The Superintendent, Canaveral National Seashore, Pursuant To 16 U.S. Code, Section 3, And Title 36, U.S. Code Of Federal Regulations, Chapter 1, Parts 1-7:

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## **Section 1.5 CLOSURES AND PUBLIC USE LIMITS**

The Administrator of the National Aeronautics and Space Administration shall close this area or any part thereof to the public when necessary for space operations and or defense programs of the Nation (PL93-626, H.R. 5773, Jan 3, 1975).

Bills Hill. This closure is established for management's responsibilities toward protection of natural and cultural resources. Canaveral National Seashore was established "to preserve and protect the outstanding natural, scenic, scientific, ecological, and historic values of certain lands, shoreline and waters of the State of Florida, and to provide for public outdoor recreation use and enjoyment of the same." Recreation use is predominantly in the form of daytime activities such as swimming, bird watching, etc.

Sand Road. This road is closed to motorized vehicles for the protection of natural resources and to provide a natural experience for visitors traveling by foot, in the Volusia County section of the Sand Road. The Sand Road from the Volusia/Brevard County line south to the north end of the Playalinda paved road is closed to pedestrian traffic.

Klondike Beach. The General Management Plan for the Park depicts the Klondike Beach area as "backcountry".

Personal Watercraft "36 CFR, 3.9". This prohibition is necessary to prevent adverse impacts and disturbances to wildlife such as waterfowl, sea birds, and marine mammals. The loud, high speed nature and maneuverability of personal watercraft creates impacts to wildlife including interruption of activity, alarm and flight; avoidance and displacement; interference with movement; alteration of behavior, and nest abandonment.

This prohibition is also necessary to avoid conflict with other visitor uses such as fishing, boating, kayaking, and boardsailing. The loud engine pitch and volume of noise are also disturbing to park visitors and intrude upon the opportunity for a peaceful park experience.

The degradation of water quality due to emissions from the two-stroke engines is also a concern.

The prohibition is consistent with the closure of 40,000 of the 58,000 acres in Canaveral National Seashore by Fish and Wildlife Service to Personal Watercraft.

Restoration Area: Possessing, tampering, removing, injuring, defacing, digging, destroying, disturbing from its intended physical shape of any and all and one yard around of the oyster reef restoration mats above or below the water line within the boundaries of Canaveral National Seashore is Prohibited. The harvesting or taking of any shellfish on, attached, above, beneath, or one yard around any and all of the oyster reef restoration mats above or below the water line within the boundaries of Canaveral National Seashore is Prohibited.

## SECURITY AND ANTI-TERRORISM MEASURES

The following measures will take place immediately at Canaveral National Seashore, South District, Playalinda Beach, upon orders from the National Aeronautics and Space Administration, due to national security reasons.

**Vehicles.** Vehicles entering Playalinda will be inspected in accordance with National Aeronautics and Space Administration security requirements.

**Hours of Operation.** At Playalinda Beach, the normal hours of operation are 8:00 a.m to 6:00 p.m. This is subject to change in accordance with NASA security closure schedule. Park hours of operation are 6:00 a.m. to 6:00 p.m. for the visiting public. The gate will be locked at 6:00 p.m.

**Parking Lots.** Parking lots 1,2, and 3 will be closed to the public, and all activity in the associated beach areas.

**Eddy Creek.** The Eddy Creek boat ramp will be closed to all boating activities, with the exception of authorized administrative and protection activities.

**Vista Areas.** All Vista areas (scenic pull-offs) along SR 402, east of the Playalinda fee station, will be closed to public use and public assembly activities.