

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



## Cane River Creole National Historical Park

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Approved:

**KEVIN DOWNS**

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Superintendent Name

Date

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In accordance with the regulations and delegated authority provided in Title 36, Code of Federal Regulations (36 CFR), Chapter 1, Parts 1-7, authorized by Title 54 United States Code 100751, the following provisions apply to all lands and waters administered by the National Park Service within the boundaries of Cane River Creole National Historical Park (Cane River Creole NHP). Unless otherwise stated, these regulatory provisions apply in addition to requirements contained within 36 CFR, Chapter 1, Parts 1-7.

As required by 36 CFR Section 1.5(c), written determinations have been provided to explain the reasoning behind the Superintendent's use of discretionary authority. Determinations appear in this document identified by italicized print.

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

**(a)(1) The following visiting hours, public use limits, and closures are established:**

### Visiting Hours:

- The grounds and historic structures of the park's **Oakland Plantation** unit are open to the public from 9:00 AM until 3:30 PM daily with the exception of federal holidays when the park is closed. Unusual weather conditions may cause the park to close during regular hours.
- The grounds and historic structures of the park's **Magnolia Plantation** unit are open to the public from 9:00 AM until 3:30 PM daily with the exception of federal holidays when the park is closed. Unusual weather conditions may cause the park to close during regular hours.

*Determination: The small size of the park staff and the amount of time required to open the park and its buildings, facilities and gates in the morning, and to secure park buildings, facilities and gates at the end of each work day necessitate these hours. Visiting hours are established based on the availability of staff, to ensure an enjoyable and safe visitor experience, and to ensure adequate protection of park resources. After-hours use, nighttime activity, and overnight parking create a number of impacts that would be inconsistent with the protection of park resources. Closures during unusual weather conditions are for the health and safety of visitors and park staff.*

- **Park offices** at the Texas and Pacific Railway Depot (visitor center and park headquarters) in Natchitoches, Louisiana, and other park offices at Oakland and Magnolia Plantations are open Monday through Friday from 8:00 AM until 4:30 PM with the exception of federal holidays when park offices are closed. Park offices are closed to public visitation during non-business hours.
- Park **curatorial facility and archives** are available to researchers and the public by appointment only.

Public Use Limits: Pursuant to §1.5(d) to implement a public use limit, the Superintendent may establish a permit, registration, or reservations system.

- The maximum number of people allowed inside the **Main House at Oakland Plantation** at any given time is limited to 15 visitors, unless special exception is given by the Superintendent (or acting designee). The number of people allowed on the **galerie** (front and side porches) of the Main House at Oakland Plantation is 75.

*Determination: These numbers were determined by staff capabilities to control/monitor visitors during guided tours; the number reflects the park management's desire to provide a positive visitor experience. These numbers were also determined by structural carrying capacities and requirements imposed by the National Fire Protection Association (NFPA) and International Existing Building Code (IEBC). Exceptions to the 15 limit may be given for park-sponsored special events and short periods of time when testing new interpretive programming.*

- The maximum number of people allowed inside the **Texas and Pacific Railway Depot** is 71 total occupants. The breakdown per area allows 50 people in the exhibit areas, 17 in the administrative/office areas, and 4 in the mechanical areas unless special exception is given by the Superintendent (or acting designee).

*Determination: These numbers are based on occupancy classification (Group B - Business), building type, and occupancy loads that were established by the architect and engineering team in charge of the Depot construction. Occupancy loads were also reviewed and approved by the NPS Regional Structural Fire Coordinator/ Authority Having Jurisdiction for the park. These numbers align to requirements imposed by the National Fire Protection Association (NFPA) and International Existing Building Code (IEBC). Exceptions to the limit may be given for park-sponsored special events and short periods of time for partner events.*

- Groups of 10 or more requesting a guided tour are required to make a reservation at least two weeks prior to the visit. Reservations must be made through the park interpretive staff by calling 318-652-0383, ext 316.

*Determination: The availability of park staff is limited to give group tours. Additionally, some historic buildings are small and fragile, thus allowing more people in the building without a reservation would threaten public safety, integrity of the historic and cultural resources, and orderly management of the park.*

- Visitors participating in park-sponsored bicycle program, also known as "Two Wheels Toward History" are required to make reservations at least 24 hours prior to the start of the bike ride. Reservations must be made through the park interpretive staff by calling 318-352-0383, ext 316. All participants are required to follow the rules and guidance set forth in the park-approved bike ride standard operating procedure (SOP).

*Determination: There is inherent risk in conducting bike rides/tours along public highways and on private lands. Safety is of utmost concern when operating the bike tours, and a reservation system ensures that all participants are aware of the conditions and rules prior to the start of the program. Additionally, the number of park-owned bikes provided to visitors is limited.*

*Advanced reservations allow the park to ensure the park has enough bikes available to participants, proper safety procedures are in place, and the program is adequately staffed before the bike rides begin.*

- Visitors requesting to use the park, including the Depot, for short-term activities, which provide a benefit to an individual, group, or organization rather than to the public at large, require a special use permit. Such activities include, but are not limited to, first amendment activities, weddings, family reunions, and sports-related events. Refer to §1.6 of this document for specific activities that require a permit.

*Determination: Special use permits are required for authorization and some degree of management control from the NPS in order to protect park resources and the public interest; and which are not prohibited by law or regulation. Permits ensure impacts to sensitive resources will be minimal and clearly define the roles and responsibilities of all parties.*

- All commercial filming activities and some still photography activities require a permit. Commercial filming means filming that involves the digital or film recording of a visual image or sound recording by a person, business, or other entity for a market audience. This includes recordings such as those used for a documentary, television or feature film, advertisement, or similar project. Refer to 36 CFR §1.5(a)(2) of this document for specific guidance related to filming.

Still photography requires a permit when it takes place at a time and/or location(s) where or when members of the public are generally not allowed, or it uses models, sets, or props not a part of the location's natural or cultural resources or administrative facilities. Alternatively, still photography requires a permit when the park would need to provide management and oversight to prevent unacceptable impacts. Refer to §1.6 of this document for specific activities that require a permit.

Filming of any kind may not occur in closed areas without written authorization. Filming activities may not violate applicable laws, such as the Endangered Species Act, the Archeological Resources Protection Act, or the Wilderness Act. All filming must comply with laws protecting the NPS's intellectual property, such as laws and regulations governing the use of the NPS Arrowhead and images of NPS employees.

*Determination: Permits for all commercial filming and some still photography are required. Valid permits for such activities ensure resource protection and public and visitor safety.*

- Commercial operators are required to have a valid Commercial use Authorization (CUA) when money is exchanged for goods or services sold or provided on park lands. Such activities include, but are not limited to, conducting guided tours, selling food, and selling crafts within the park boundary. Refer to §1.6 of this document for specific activities that require a CUA.

*Determination: CUAs are required for authorization and some degree of management control from the NPS in order to protect park resources and the public interest. Valid CUAs for all commercial operators ensures public and visitor safety by requiring minimum standards for all operators.*

#### Closures:

- **All park facilities** including grounds and historic structures are closed on all federal holidays.

*Determination: This closure allows all park employees the opportunity to enjoy these holidays with families and friends.*

- The Superintendent may close any portion of the park and/or roadways to public access during: prescribed fires; wildland fires; structural fires; periods of ice, snow, floods, or any other potentially hazardous condition; or any emergency. Roadways may be closed with gates, barricades, or other traffic control devices. Driving around or past these devices is prohibited.

*Determination: This closure allows for protection of resources or for assurance of public safety during periods of unusual or unpredictable circumstances.*

- Some outbuilding interiors and certain areas of the park are closed to the general public. These include:

- Ground-level and attic of the Oakland Plantation Main House
- Bottle Garden at Oakland Plantation
- Tractor Shed at Oakland Plantation
- Carriage House at Oakland Plantation
- Carpenter Shop at Oakland Plantation
- East and West Pigeonniers at Oakland Plantation
- Seed House at Oakland Plantation
- Doctor's House, Doctor's Barn, and Doctor's Garage at Oakland Plantation
- South Tenant Cabin at Oakland Plantation
- Cattle Dipping Vat at Oakland Plantation
- Slave / Tenant Cabins 2-8 at Magnolia Plantation
- Cotton Picker Shed at Magnolia Plantation
- Overseer's Garage at Magnolia Plantation
- Stable at Magnolia Plantation
- Pigeonnier at Magnolia Plantation
- Cattle Dipping Vat at Magnolia Plantation

*Determination: All of these structures and areas (listed directly above) are closed due to one or a combination of reasons, including structural carrying capacity, lack of accessibility, unsafe/hazardous conditions, use in park operations, and/or sensitivity of the cultural resources. Exteriors are accessible to the public.*

- The grounds surrounding the Pigeonnier at Magnolia Plantation, Cattle Dipping Vat at Magnolia Plantation, East and West Pigeonniers at Oakland Plantation, and Cattle Dipping Vat at Oakland are closed to the general public. The closed areas are marked by fences.

*Determination: These areas contain a high concentration of arsenic in the soils surrounding the structures in these locations. The park is currently working through environmental assessments to remediate the soils and limit risk to staff and the public. Until remediation efforts are complete, these areas will remain closed.*

- Some roads are closed to general public use, except during authorized events. These same roads are also closed to bicycle use. These include the following:
  - Doctor's House driveway and parking lot
  - Seed House driveway and parking lot
  - Farm Lane at Oakland
  - Farm Lane at Magnolia (north of Store)

*Determination: These roads are maintained for service access and employee vehicles only. The use of these roads and parking lots is not necessary to reach any public facilities or park features. Such roads that are not open to the public, but are open for administrative uses are posted with signs indicating "Authorized Vehicles Only".*

- During preservation, restoration, stabilization, or other construction in the park, additional

historic structures or park areas may be temporarily off limits to public use. During that time those areas that are off limits will be clearly signed and marked with construction fencing or other material to prohibit public use. The signage and fencing will be removed upon the completion of the project and the historic structure or other park area will return to its normal public use.

*Determination: All construction projects are off-limits to the public for assurance of public safety.*

- Food and drink are prohibited inside the Main House at Oakland Plantation except during authorized events.

*Determination: The Main House is a controlled museum environment. Food and drinks are prohibited in order to protect the historic building and the historic museum collection from spills, damage, and pests.*

- The park is closed to camping except for volunteer or service groups who carry out a park-sponsored activity in conjunction with securing a special use permit.

*Determination: Camping opportunities exist outside the park. There are no designated campgrounds in the park, nor does the park's existing infrastructure support large volumes of camp sites. Volunteer and service groups connected with park-sponsored activities and that receive a special use permit through the office of the Superintendent may receive permission to camp within the park to support the park management in furthering the park mission.*

- Geo-caching is prohibited through the park, although virtual caching is allowed.

*Determination: The entire park consists of historically and archaeologically significant resources. Methods of stashing items such as digging, burying, covering and otherwise concealing items are frequently used while geocaching. These activities are inappropriate within the park. Abandoning and leaving property unattended is unlawful. The activity in itself could appear suspicious to bystanders and staff alike who might misinterpret what the individual is doing. This type of recreational activity is inconsistent with the preservation and protection of resource values, and it is inconsistent with the park's purposes and values.*

- All park trails and grounds are closed to off-road motorized vehicles, with the exception of park-owned electric carts or low-impact utility vehicles (John Deere gator, Kawasaki mule, golf cart, etc) to transport tools, equipment, or people.

*Determination: Visitor use of off-road vehicles is inappropriate for the nature and setting of the historic site and concern for visitor safety. Employee and volunteer use of such vehicles is necessary to limit damage from full-size vehicles on the park grounds and to provide more accessibility to remote park areas where no trails or roads exist.*

- All park trails and grounds are closed to equestrian use, except for those used during special events and interpretive programs, under the terms and conditions of a permit.

*Determination: Equestrian use of the grounds by the general public could cause a safety hazard for visitors and damage resources. Equestrian use for special events under a valid permit will be for interpretive or educational purposes only.*

- Engaging in recreational activities or special uses that interfere with or detract from the use and appreciation of the resources at Oakland and Magnolia Plantation units are prohibited. These activities include, but are not limited to paranormal investigation and

other activities that sensationalize the park's history.

*Determination: Activities such as those described above are inappropriate within the park due to the historic nature of park resources and the sensitive nature of park history.*

- Visitors may possess and carry firearms within Cane River Creole NHP in accordance with federal, state, and local laws. However, people open carrying or in possession of a valid concealed carry license are not permitted to possess a firearm inside any government facility, including all park buildings, offices, and interior spaces where ranger programs are conducted. Firearms in these places are prohibited. These places are marked with signs at public entrances. Possessing, carrying, storing, transporting or using black powder or black powder historic weapons is permitted with an approved permit issued by the Superintendent.

*Determination: Due to the inherently dangerous situations that arise from projectiles emitted from firearms, use of these is prohibited. This is to ensure the safety of park visitors, employees, wildlife, and prevent damage to property and resources.*

- Launching, landing, or operating unmanned aircraft from within or on lands and waters administered by the National Park Service within the boundaries of Cane River Creole NHP is prohibited except as approved in writing by the superintendent. The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quad copters, drones) that are used for any purpose, including recreation or commerce.

*Determination: The use of unmanned aircraft within park boundaries has the potential to adversely affect the historic setting of the plantations, disturb wildlife, increase noise, and result in a negative visitor experience. Cane River Creole NHP does not meet any of the specific circumstances that would allow the private or commercial use of unmanned aircraft and will not issue special use permits for the private or commercial use of unmanned aircraft within the boundaries of the park. Administrative use of unmanned aircraft may be approved by the Associate Director of Visitor and Resource Protection for such purpose as scientific study, fire operations, and law enforcement. Administrative use includes the use of unmanned aircraft by NPS personnel as operators or crew; cooperators such as government agencies and universities that conduct unmanned aircraft operations for the NPS pursuant to a written agreement; and other entities, including commercial entities, conducting unmanned aircraft operations for the NPS, provided such entities are in compliance with all applicable FAA and Department of the Interior requirements.*

- Pets are prohibited within any park facility or building, with the exception of:
  - Service animals, as defined by the Americans with Disabilities Act.
  - Animals used by authorized Federal, State and local law enforcement officers in the performance of their official duties
  - Pets are authorized in the open-air entrance pavilion at Oakland Plantation while on a leash. Leash must not exceed 10 feet.
  - Pets are authorized in parking lots while on a leash. Leash must not exceed 10 feet.
  - Pets are authorized on the trail and grounds at Oakland and Magnolia Plantations while on a leash. Leash must not exceed 10 feet.

In all cases, the pet owner is responsible for cleaning up any pet excrement. See §2.15 of this document for more details.

*Determination: To avoid conflict with park visitors and wildlife, pets are prohibited from all buildings and areas except those noted above. Pets also detract from the historic setting and*

*character of the park.*

**(a)(2) The following areas are designated for a specific use or activity and/or the following conditions or restrictions are imposed on a specific use or activity:**

**Areas Designated for a Specific Use or Activity:**

- Demonstration Areas/First Amendment Areas: The designated demonstration area at Oakland Plantation is the grassy area between the Entrance Pavilion and the back of the Tractor Shed. The designated demonstration area at Magnolia Plantation is the grassy area between the parking lot and Magnolia Store. The designated demonstration area at the Texas and Pacific Railway Depot is the grassy space to the south of the building. Refer to §2.51 of this document for more details.
- Sale or Distribution of Printed Matter: The designated areas for the sale or distribution of printed matter are the same areas designated for demonstrations. These areas are the grassy area between the Entrance Pavilion and Tractor Shed at Oakland Plantation, the grassy area between the parking lot and the store at Magnolia Plantation, and the grassy area south of the Texas and Pacific Railway Depot.
- Weddings: The designated area for weddings at Oakland Plantation will be limited to the oak allée to the east of the Main House; however, other wedding locations at Oakland Plantation may be approved in writing by the superintendent. Weddings are not permitted at Magnolia Plantation due to the nature of the site and limited staff capability for oversight. Refer to “Conditions and Restrictions on Specific Uses or Activities” for additional information.
- Other Special Events Requiring a Special Use Permit: In addition to the designated areas above, other areas may be designated by the superintendent based upon information provided by the potential permittee in the special use permit request. Restrictions for those areas will be determined by the superintendent on a case-by-case basis following submittal of special use permit request. Activities authorized under a special use permit must be consistent with legislation, regulations and policies; and they must not adversely impact public health, safety, environmental or scenic values, natural or cultural resources, scientific research, implementation of management responsibilities, proper allocation and use of facilities; and they must avoid conflict with visitor use activities.
- Camping Areas: The park is closed to camping except for volunteer or service groups who carry out a park-sponsored activity in conjunction with securing a special use permit. Please refer to §2.10 of this document for detailed camping area designations.

**Conditions and Restrictions on Specific Uses or Activities:**

- Passenger Carrying Buses: Buses must park in designated locations in the visitor parking lots at Oakland and Magnolia Plantations. Engines must be shut down when busses are parked for a period of more than five minutes.

*Determination: The idling of bus engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park.*

- Entering Closed Areas: Areas closed to the general public may be entered by persons or groups only if led or directed by authorized park employees, as approved by the Superintendent or his/her representative as long as such use does not compromise safety, environmental, scenic, natural and cultural values. Such uses may include research, training, or interpretive activities.

*Determination: Conducting research, training, and interpretation activities within closed areas are appropriate uses of park areas and this activity should be allowed in accordance with oversight from park staff.*

- Weddings: Weddings are subject to all applicable park regulations. Those wishing to use the park for weddings should contact the park at least 90 days in advance. Additionally the following restrictions apply:
  - Permittee is responsible for set-up and tear-down. All equipment, chairs, debris, and trash shall be removed at the close of the event.
  - Ceremonies shall be held in designated areas only.
  - Only live flowers and/or plants may be used as wedding decorations. The use of balloons, banners and live birds are prohibited. All other decorations shall be approved in advance and shall be removed by the permittee at the end of the event.
  - The use of rice or confetti is prohibited.
  - The use of any audio device (tape recorders, amplifiers, etc.) is prohibited. Only live acoustic instruments and/or live singing is permitted in keeping with the historic character of the park and its grounds. The use of drop cords for video and/or audio recording of the wedding is prohibited.
  - Normal visitation to the park shall not be hampered, hindered, or restricted in any way. The historic structures at Oakland, including the main house, are not available to the wedding party for changing clothing or other preparations. Use of the visitor parking lot for wedding guests may be permitted but requires a parking plan.
  - Receptions are prohibited.
  - Ceremonies may be held between the hours of 9:30 AM and 3:30 PM except Sunday mornings when no services will be held before noon. Evening weddings may be permitted from 4:30 PM until one hour before sunset during the summer only and when park staff is available to monitor the event. No other times will be available for weddings on the park grounds. The Park may not approve a wedding permit for a holiday weekend, or any other time that a special program or event is being held on the grounds.
  - Due to the nature of the historic site, the wedding site including guests and wedding attendants shall be limited to no more than 125 people

*Determination: Oakland and Magnolia Plantations are small, discreet acreages that are both National Historic Landmarks (NHL). As such, the natural and cultural resources at the park are sensitive in nature. Any use outside of normal day-to-day operations has the potential to negatively and adversely impact these resources, which could be a detriment to the NHL listing. These restrictions are design to pose the least impact to the resources, while still accommodating a permitted use.*

- Filming Activities: All commercial filming and some still photography activities require a permit. In addition, such activities are subject to the provisions of 43 CFR part 5, subpart A. Failure to comply with any provision of 43 CFR part 5 is a violation of this section. A permit is required in the following situations:
  - Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television.
  - Most still photography will not require a permit. Still photography activities require a permit only if:
    - The still photography activity uses models, set or props.
    - The still photography activity takes place in an area where or when members of the public are not allowed.
    - The agency would incur costs for providing on-site management and oversight to protect agency resources and minimize visitor use conflicts

*Determination: Permits for filming may be required for some degree of management control from the NPS in order to protect park resources and the public interest. Valid permits for such activities ensure resource protection and public and visitor safety.*



(a)(3) The following restrictions, limits, closures, designations, conditions, or visiting hour restrictions imposed under §§(a)(1) or (2) have been terminated:

- No restrictions have been terminated.

### 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. Information and permit applications can be obtained at Park Headquarters at 400 Rapides Drive, Natchitoches, LA 71457 or by calling 318-352-0383 during regular business hours.**

- **§ 2.5(a) Specimen collection:** A permit is required for collecting any natural (plants, fish, wildlife, rocks, or minerals) or cultural resource (archeological, ethnographic, or historical). A permit is required for collection of resources as part of a scientific or cultural research project.
- **§ 2.6(b) Gathering of plants or plant parts by federally recognized Indian tribes:** A permit is required for collecting plants or plant parts by federally recognized tribes. Contact the park at 318-352-0383, ext 500 for additional details.
- **§ 2.10(a) Camping:** A permit is required for overnight camping by volunteer, educational, research, or youth groups who carry out a park-sponsored activity.
- **§ 2.17(a) Aircraft and air delivery:** A permit is required for delivery or retrieval of a person or object by parachute, helicopter, or other airborne means.
- **§ 2.17(c) Removal of downed aircraft:** A permit is required for the removal of a downed aircraft.
- **§ 2.37 Noncommercial soliciting:** Soliciting or demanding gifts, money, goods or services is prohibited, except pursuant to the terms and conditions of a permit that has been issued under §2.50 (Special Events), § 2.51 (Demonstrations) or § 2.52 (Sale or distribution of printed matter).
- **§ 2.38(a) Explosives:** A permit is required for use, storage, or transporting any explosive or blasting agent, including black powder, historic weapons, and fireworks. All black powder use and storage must be in compliance with the standards established by NPS Director's Order 6 and Reference Manual 6.
- **§ 2.50(a) Special Events:** Sports events, pageants, regattas, public spectator events, community meetings, entertainment, ceremonies, weddings, or similar events require a permit. See §1.5(a)(2) for additional conditions for weddings.
- **§ 2.51(a) Demonstrations:** A permit is required for public assemblies, meetings, demonstrations, or other first amendment protected activities. See §1.5(a)(2) and §2.51(c) of this document for additional details.
- **§ 2.52(b) Sale or distribution of printed matter:** A permit is required for the sale or distribution of printed matter that is not solely commercial advertising. See §1.5(a)(2) and §2.52 of this document for additional information.
- **§ 2.60(b) Livestock use and agriculture:** A permit is required for pasturing or grazing of livestock of any kind in a park area or the use of a park area for agricultural purposes.
- **§ 2.61(a) Residing on federal lands:** A permit is required to reside on federal lands.

- **§ 2.62(b) Memorialization of human remains:** A permit is required for the scattering of human ashes from cremation. Requests for the scattering of human remains will be handled on an individual/case-by-case basis. Arrangements are requested through the special use permit process.
- **§ 5.1 Advertisements:** A permit is required for displaying, posting, or distributing advertisements.
- **§ 5.3 Business operations:** Engaging in or soliciting any business in park areas requires accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area. Approved business operations at Cane River Creole NHP include the following and require a Commercial Use Authorization (CUA):
  - Guided Bus Tours
  - Guided Walking Tours
  - Food Service for Special Events, Short term only (1-3 Days only)
  - Traditional Craft Vendors for Special Events, Short term only (1-3 Days)
- **§ 5.5 Filming and still photography:** All commercial filming and some still photography activities require a permit. See §1.5 “Public Use Limits” of this document additional information.
- **§ 5.6 Commercial vehicles:** A permit is required for commercial vehicles to be used on park roads when such use is necessary for access to private lands situated within or adjacent to the park area, to which access is otherwise not available.
- **§ 5.7 Construction of buildings or other facilities:** A permit is required for constructing or attempting to construct a building, or other structure, boat dock, road, trail, path, or other way, telephone line, telegraph line, power line, or any other private or public utility, upon, across, over, through, or under any park areas.

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

Under §2.1(a) collecting natural materials from the park is generally prohibited. However, pursuant to §2.1(c), 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 possession and consumption restrictions:

- Pecans, limited to one gallon per person per day
- JuJubes or Chinese Dates (known locally as ZiZis), limited to one quart per person per day
- Figs, limited to one gallon per person per day
- Climbing on buildings, trees, or fences to collect within the park is prohibited

*Determination: The gathering or consumption of the natural materials listed above will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources. Such limits have been in place at the park since the late 1990s with no significant impact to the resources. Additionally, collecting such foodstuffs is a lifeway of the Cane River region, and supporting public use of these resources fulfills the park mission.*

### 36 CFR §2.2 - WILDLIFE PROTECTION

**(b)(1) Hunting shall be allowed in park areas where such activity is specifically mandated by Federal statutory law. Hunting is not allowed by federal statute in Cane River Creole NHP.**

### **36 CFR §2.3 – FISHING**

**(a) Fishing shall be in accordance with the laws and regulations of the State within whose exterior boundaries the park area.**

### **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:**

- When necessary to support research activities conducted in accordance with § 2.5 and under the terms and conditions of a valid permit
- For employees, agents or cooperating officials in the performance of their official duties
- During park-sponsored special events as part of an interpretive or educational program and under the terms and conditions of a valid permit (i.e. black powder historic weapons)

### **36 CFR §2.5 – RESEARCH SPECIMENS**

**(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.**

A permit is required for collecting any natural (plants, fish, wildlife, rocks, or minerals) or cultural resource (archeological, ethnographic, or historical) within Cane River Creole NHP. A permit is required for collection of resources as part of a scientific or cultural research project. See 36 CFR §2.5 for permitting criteria.

### **36 CFR §2.10 – CAMPING AND FOOD STORAGE**

**(a) Camping is allowed in the following designated sites or areas and is subject to the following established conditions:**

- Overnight primitive tent camping is only available for volunteer, educational, research, or youth groups who carry out a park-sponsored activity. Tent camping is limited to the area behind (south) of the Seed House at Oakland Plantation. Group size shall not exceed 12 people sharing the same affiliation (school, club, group, etc). All groups must check-in/check-out during regular park operating hours. Special use permits are required for tent camping.
- Overnight RV camping is only available for park volunteers who bring their own RV and volunteer a minimum of 32 hours per week. Volunteer RV camping is first-come, first-served and is limited to one RV pad in front (north) of the Seed House at Oakland. RVers must check-in/check-out during regular park operating hours. RV campers must be fully self-sufficient for 24-48 hours in the event of emergency. Special use permits are not required for RV camping.

**(b)(7) Connecting to a utility system is prohibited, except as designated below:**

- Using the RV campsite front of (north) of the Seed House at Oakland. Volunteers using the RV pad have the ability to connect to utility systems (electric and waste water) for the duration of their stay. In the event of power outage or other emergency, RV campers must be fully self-sufficient for 24-48 hours.

**(d) Conditions for the storage of food are in effect as designated below:**

- Food items must be stored in a vehicle or in an animal proof hard-sided container at all times unless being prepared or consumed.

## 36 CFR §2.11 – PICNICKING

### Conditions for Picnicking:

- Picnicking is permitted during normal operating hours on the grounds of Cane River Creole NHP.
- Picnickers are responsible for cleaning up any litter from their picnic site prior to leaving the park. Trash and recycling receptacles are located at the entrance pavilion at Oakland Plantation and at the plantation store at Magnolia Plantation.

## 36 CFR 2.13 – FIRES

### **(a)(1) The lighting or maintaining of fires is prohibited, except in the following areas and/or receptacles, and under the conditions noted:**

- Only park staff, volunteer, educational, research, or youth groups camping in the park (tent or RV camping) are allowed to light or maintain fires within approved areas and approved receptacles.

### Designated Areas:

- Gravel area surrounding the Seed House at Oakland Plantation (camp stoves, grills, BBQs, fire pits, fire rings)
- Area surrounding the Entrance Pavilion at Oakland Plantation (park-owned grills only)
- Others as designated on a case-by-case basis under special use permit and/or approved in writing by the superintendent.

### Receptacles Allowed:

- Camp stoves
- Cooking grills / BBQs
- Metal fire pits / fire ring on hard, non-combustible surfaces

### Established Conditions for Fires:

- All fires must be self-contained in an approved receptacle in an approved location.
- Fires are to be used for cooking or after-hours social/recreational purposes only.
- Using or burning wood gathered from within the park area is prohibited.
- Fires may only be lit in designated areas when moisture levels in park vegetation are high enough that fuels will not ignite if ash or embers stray from the fire contained within the approved receptacle.

*NOTE: This section does not apply to prescribed fires used by authorized Type I or Type II wildland fire crews (or equivalent) in the performance of their official duties to achieve resource management objectives.*

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

- All fires must be extinguished and ashes cold.

### **(c) During periods of high fire danger, the following areas of the park are closed to the lighting or maintaining of a fire.**

- All grounds, entire or in part, at Oakland Plantation as approved in writing by the Superintendent
- All grounds, entire or in part, at Magnolia Plantation as approved in writing by the Superintendent

## 36 CFR §2.15 – PETS

**(a)(1) Pets are prohibited within any park buildings or structures open to the public. The following exceptions apply:**

- Service animals as defined by the Americans with Disabilities Act are authorized in park-administered facilities.
- Animals used by authorized Federal, State and local law enforcement officers in the performance of their official duties
- Pets are authorized in the open-air entrance pavilion at Oakland Plantation while on a leash.
- Pets are authorized in parking lots while on a leash.
- Pets are authorized on the trails and grounds at Oakland and Magnolia Plantations while on a leash.
- Pets are authorized on the grounds and exterior of the Texas and Pacific Railway Depot while on a leash.

**(a)(2) Pets must be on a leash at all times. Leash shall not exceed 6 feet in length.**

**(a)(3) Leaving a pet unattended and tied to an object is prohibited.**

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

- Excrement must be collected by the pet owner and disposed of in a park trash can.

*NOTE: "Pet" means dogs, cats, or any animal that has been domesticated [36 CFR §1.4]. 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 §2.16 – HORSES AND PACK ANIMALS**

**(a) The use of animals other than those designated as "pack animals" for purposes of transporting equipment is prohibited. The following animals are designated as pack animals:**

- Horses
- Burros
- Mules
- Donkeys

**(b) The use of horses or pack animals is allowed in the park only under a special use permit for a park-sponsored special event or as part of a project or agreement to achieve resource management objectives.**

### **36 CFR §2.17 – AIRCRAFT AND AIR DELIVERY**

**(a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means is prohibited, except in emergencies involving public safety or serious property loss or pursuant to the terms and conditions of a permit.**

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

*NOTE: Under §2.17(b), the provisions of this section, other than paragraph (c), do not apply to official business of the Federal government or emergency rescues in accordance with the directions of the superintendent or to landings due to circumstances beyond the control of the operator.*

*NOTE: Section 2.17(c)(1) authorizes the superintendent to establish procedures for the removal of an aircraft; establish a timeframe for the removal; determine times and means of access to the site, and specify the manner or method of removal. The intent of this section is to allow superintendents control over the recovery of downed aircraft through a permitting process. [48 FR 30268, June 30, 1983]. The superintendent may waive the requirements and conditions established under §2.17(c)(1) or prohibit the removal of downed aircraft, upon a determination pursuant to §2.17(c)(3).*

### **36 CFR §2.21 – SMOKING**

**(a) The Superintendent may at any time prohibit smoking in an area when necessary to protect park resources, mitigate fire risk, protect employees and visitors from second hand (ETS) smoke exposure, and prevent conflict from among employees and visitors. Smoking is defined as the use and carrying of a lighted cigarette, cigar, pipe, electronic vaporizer, or other tobacco product.**

The following portions of the park, buildings, structures, and/or facilities are closed to smoking:

- All government owned or leased structures, including the entrance pavilion at Oakland Plantation
- All government owned or lease vehicles, heavy machines, or tractors
- Within 25 feet of any entrance or exit used by the public or park employees, or where smoking would result in smoke travelling through doorways, windows, air ducts, or other openings.

The following areas are designated smoking areas for employees, volunteers, and researchers:

- Texas and Pacific Railway Depot – 25 feet from any entrance of the building
- Oakland Plantation – 25 feet from the main or rear entrance of any building and 50 feet away from flammable material storage areas
- Magnolia Plantation – 25 feet from the main or rear entrance of any building
- Curation Facility - 25 feet from the main entrance of the building

Employees may smoke while on breaks or other personal time in the above areas generally outside of public view and no closer than within 25 feet of any building entrance. When fire danger is high, the Superintendent may prohibit smoking on all park grounds until the emergency has passed. The public will be notified of such a prohibition through signs posted at conspicuous locations throughout the park. At such times smoking is allowed only in personal vehicles in the park's gravel parking lots.

*Determination: The listed areas are closed to smoking to protect park visitors and employees from the health hazards associated with smoking, and to mitigate damage to park resources caused by the careless burning and disposal of tobacco products. Nearly all park buildings are historic and constructed of wood. Prohibiting smoking in and near historic structures reduces the risk of fire in these sensitive resources. Smoking is prohibited in the Oakland Entrance Pavilion to prevent conflicts among other visitor use activities.*

### **36 CFR §2.35 – ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES**

**(a)(3)(i) The following areas and facilities within the park are closed to consumption of alcoholic beverages:**

- Inside all park buildings and structures at Oakland and Magnolia Plantations.
- Inside the Texas and Pacific Railway Depot
- Inside the Curation Facility

Alcohol possession and use is permitted within the park in accordance with Louisiana state laws, including age restrictions and open container regulations. No alcohol possession or use is permitted inside any government building. Alcohol is permitted on the park grounds in accordance with state law.

*Determination: The consumption of an alcoholic beverage inside park buildings and structures would be inappropriate considering other uses of the location and the purpose for which the park was established. Nearly all of the park's buildings are historic and building interiors serve as controlled museum environments, administrative offices, and government storage. Alcohol is prohibited in these spaces in order to protect historic materials, museum collections, and government equipment/property from spills and damage.*

### **36 CFR §2.37 – NONCOMMERCIAL SOLICITING**

**Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under §2.50, §2.51, or §2.52.**

### **36 CFR §2.38 – EXPLOSIVES**

**(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit.**

**(b) Using, or possessing fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a permit.**

### **36 CFR §2.50 – SPECIAL EVENTS**

**(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the superintendent. See 36 CFR §2.50 for permitting criteria.**

### **36 CFR §2.51 -- DEMONSTRATIONS**

**(b) Demonstrations of more than 25 people are allowed within park areas designated as available under paragraph (c)(2) when the superintendent has issued a permit for the activity. See 36 CFR §2.51(b)(1) for permitting criteria.**

*NOTE: Demonstrations involving 25 persons or fewer may be held without a permit in designated park areas, provided that the requirements in §2.51(b) are met. The 25 person maximum for the small group permit exception may be reduced pursuant to §2.51(b)(3).*

**(c)(2) The following locations are designated as available for demonstrations. These activities may require a permit and may not interfere with foot traffic or block any public entrance. Detailed maps of specific areas are available in the Appendix.**

- Oakland Plantation - grassy area between the Entrance Pavilion and the back of the Tractor Shed
- Magnolia Plantation - grassy area between the visitor parking lot and Magnolia Store
- Texas and Pacific Railway Depot - grassy area south of the building

### **36 CFR §2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER**

**(b)** The sale or distribution of printed matter by more than 25 persons is allowed within park areas designated as available under §2.51(c)(2) (see above) when the superintendent has issued a permit. See 36 CFR §2.52(b) for permitting criteria.

The following locations are designated as available for the sale or distribution of printed matter. These activities may not interfere with foot traffic or block any public entrance. Detailed maps of specific areas are available in the Appendix.

- Oakland Plantation - grassy area between the Entrance Pavilion and the back of the Tractor Shed
- Magnolia Plantation - grassy area between the visitor parking lot and Magnolia Store
- Texas and Pacific Railway Depot - grassy area south of the building

*NOTE: Sale or distribution activity by 25 persons or fewer may be conducted without a permit in designated park areas, provided that the requirements in §2.52(b) are met. The 25 person maximum for the small group permit exception may be reduced for a designated available area, pursuant to §2.52(b)(3).*

### **36 CFR §2.60 – LIVESTOCK USE AND AGRICULTURE**

**(a)** Livestock are generally prohibited in any park area with the exception of those permitted under a special use permit. They are only permitted in park areas pursuant to the exceptions provided for in §2.60(a) and only pursuant to the terms and conditions of a license, permit, or lease. See 36 CFR §2.16 of this document for additional information on horses and pack animals.

### **36 CFR §2.61 – RESIDING ON FEDERAL LANDS**

**(a)** Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.

### **36 CFR §2.62 – MEMORIALIZATION**

**(a)** The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

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

### **36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES**

**(a), (b)** Operating a motor vehicle is prohibited except on park roads, routes, and areas designated for off-road motor vehicle use as outlined in §1.5 of this document.

### **36 CFR §4.21 – SPEED LIMITS**

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

- Park Entrance Road to Oakland Plantation entrance pavilion parking lot, 15 mph
- Administrative Road to the Seed House, 15 mph



- Magnolia Plantation Parking Lot, 5 mph

### **36 CFR §4.30 – BICYCLES**

**(a) The use of a bicycle is prohibited except on park roads and in parking areas. Park roads and parking areas that are closed to bicycle use are listed in §1.5 of this document. The park does not have any additional routes in developed areas or in special use zones designated for bicycle use.**

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

E-bikes are allowed in Cane River Creole NHP where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 and that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5). Additional sections of 36 CFR 1.4 and 4.30(i) also apply.

Except as specified in this Compendium, the use of an e-bike within Cane River Creole NHP is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

*Determination: Bicycle use is not a common visitor use. Bicycle use on park roads and parking lots will not disturb wildlife or park resources, but will promote healthy lifestyle and recreational opportunities for local communities. Bicycling on park trails is not allowed, given safety issues and the current condition of the park trails (mowed paths, no paved surfaces).*

### **36 CFR §5.1 – ADVERTISEMENTS**

**Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent. See 36 CFR §5.1 for criteria for granting permission.**

### **36 CFR §5.3 – BUSINESS OPERATIONS**

**Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.**

### **36 CFR §5.4 – COMMERCIAL PASSENGER-CARRYING MOTOR VEHICLES**

**(a) The commercial transportation of passengers by motor vehicle except as authorized under a contract or permit from the Secretary or his authorized representative is prohibited in certain parks. See §5.4(a) for more information.**

### **36 CFR §5.5 – STILL PHOTOGRAPHY & AUDIO RECORDING**

**(a) Still photography activities are subject to the provisions of 36 C.F.R. § 1.5.**

Still photography does not require a permit unless:

- (1) It uses a model, set, or prop as defined in 43 CFR part 5, subpart A § 5.12; or
- (2) The agency determines a permit is necessary because:
  - (i) It takes place at a location where or when members of the public are not allowed; or
  - (ii) The agency would incur costs for providing on-site management and oversight to protect agency resources or minimize visitor use conflicts.

**(b) Audio recording does not require a permit unless:**

- (1) It takes place at location(s) where or when members of the public are generally not allowed;
- (2) It uses equipment that requires mechanical transport;
- (3) It uses equipment that requires an external power source other than a battery pack; or
- (4) The agency would incur additional administrative costs to provide management and oversight of the permitted activity to:
  - (i) Avoid unacceptable impacts and impairment to resources or values; or
  - (ii) Minimize health or safety risks to the visiting public.

**(c) Cost recovery charges associated with processing the permit request and monitoring the permitted activity will be collected.**

**(d) The location fee schedule for still photography conducted under a permit issued under 43 CFR part 5 applies to audio recording permits issued under this part.**

**36 CFR §5.6 – COMMERCIAL VEHICLES**

**(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited, and requires permission or a permit from the Superintendent.** See conditions for granting permission or issuing a permit in 36 CFR §5.6.

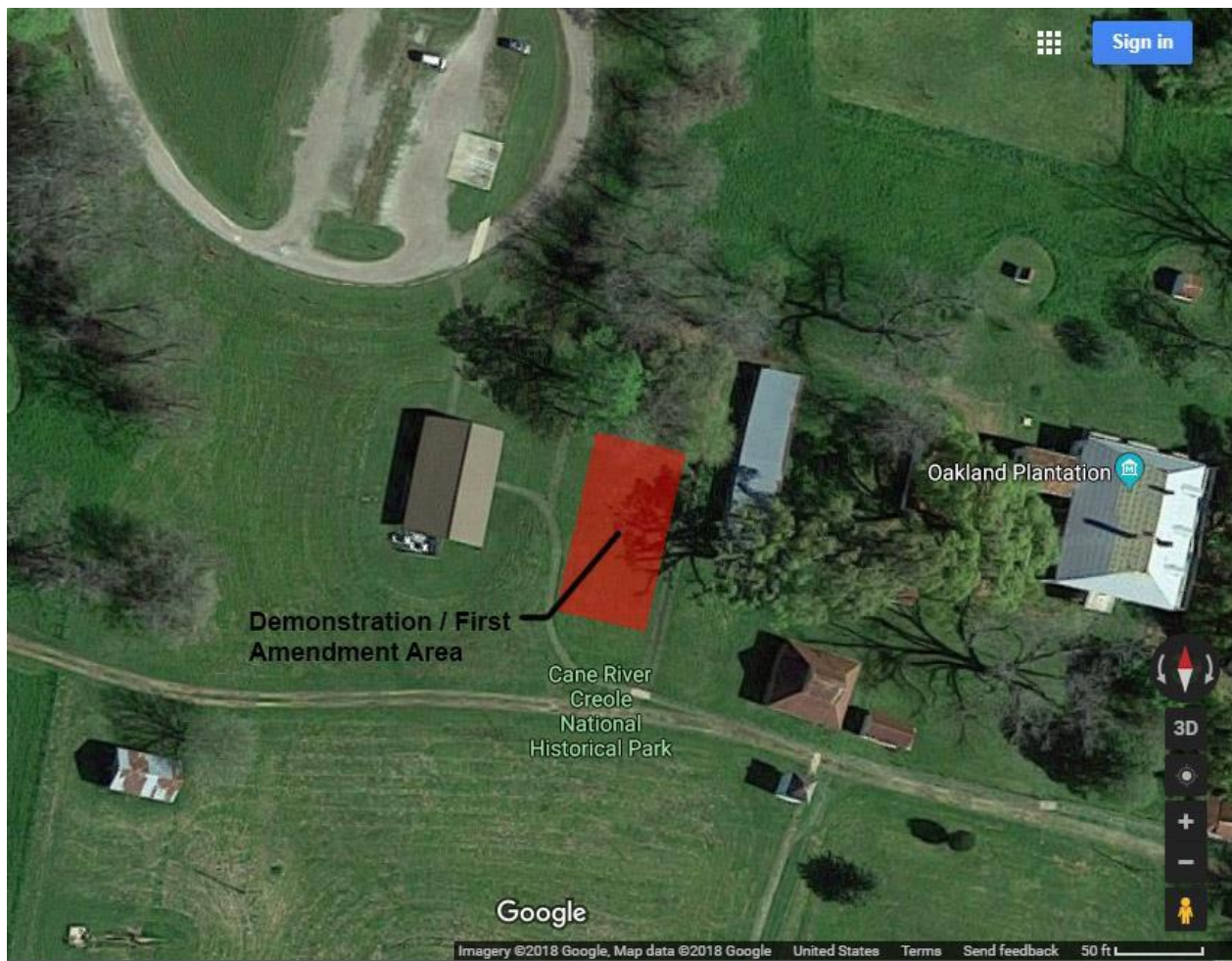
**36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES**

**Such activities are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.**

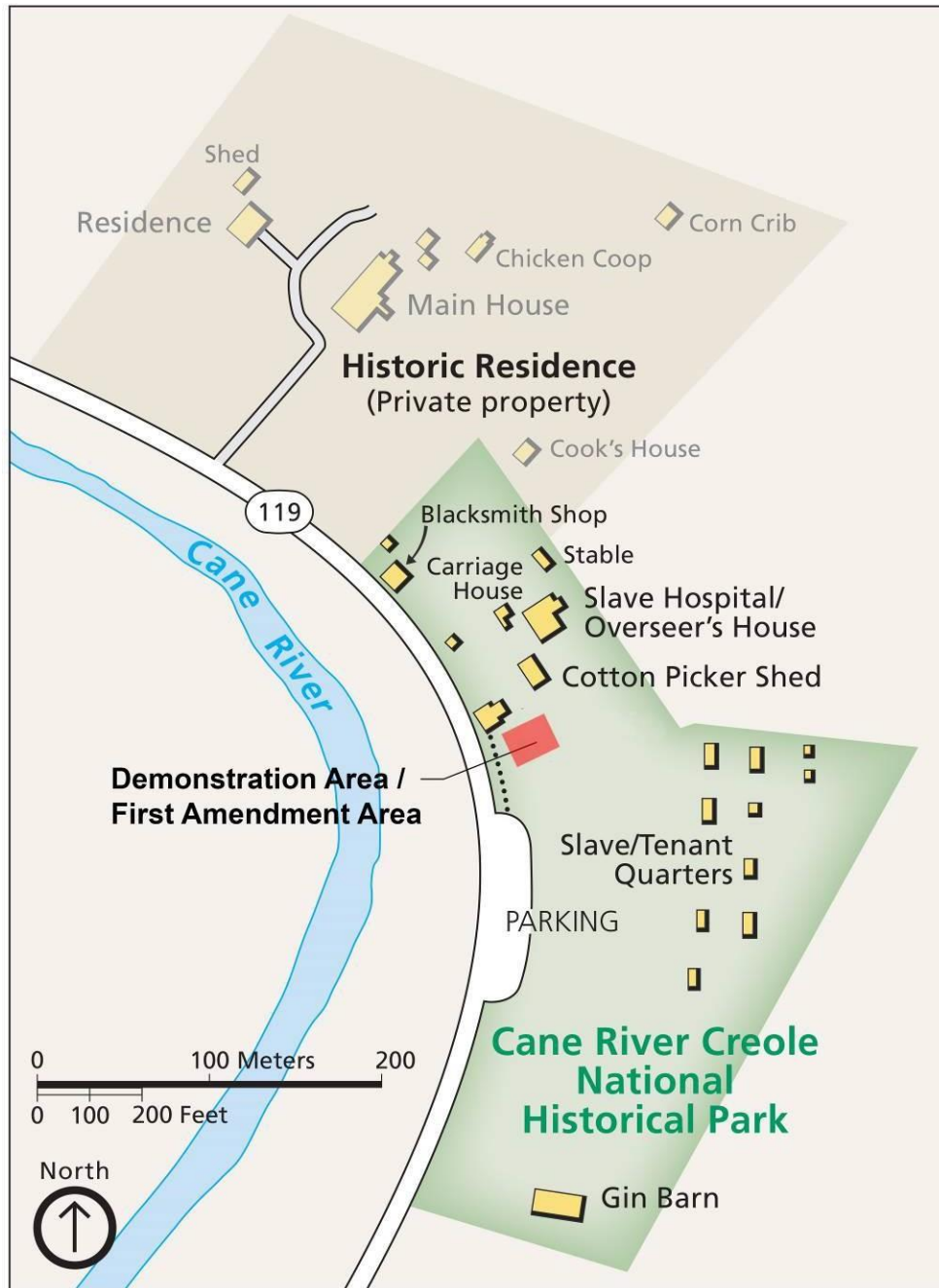
## APPENDICES



Designated Demonstration Area / First Amendment Area (in red) at Oakland Plantation, located in grassy area between Entrance Pavilion and Tractor Shed.



Detail of designated Demonstration Area / First Amendment Area (in red) at Oakland, located in grassy area between Entrance Pavilion and Tractor shed.



Designated Demonstration Area / First Amendment Area (in red) at Magnolia Plantation, located in grassy area between parking lot and Plantation Store.





Detail of designated Demonstration Area / First Amendment Area (in red) at Magnolia Plantation, located in grassy area between parking lot and Plantation Store.



Detail of designated Demonstration Area / First Amendment Area (in red) at Texas & Pacific Railway Depot, located in grassy area south of the building.