



National Park Service
U.S. Department of the Interior

DEATH VALLEY
NATIONAL PARK

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

2013

Approved:

Kathy Billings
Kathy Billings, Superintendent

DATE: 7/10/13

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations (“36 CFR”), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following regulatory provisions are established for the proper management, protection, government and public use of those portions of DEATH VALLEY NATIONAL PARK 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, and Parts 1-7.

In addition to these regulatory provisions, the following is also provided:

Written determinations explain the reasons behind the Superintendent’s use of discretionary authority, are required by Section 1.5(c) and appear in this document as italicized print.

Section 1.6 (f) states that a list of those activities that require a permit must be maintained. That list appears in this document under 1.6.

As required by 1.7(b), the regulations and permit requirements with their written determinations shall be updated annually.

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PART 1 GENERAL PROVISIONS

36 CFR §1.5 – CLOSURES AND PUBLIC USE LIMITS

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

Public Use Limits:

- A maximum of eight persons and two vehicles or four motorcycles or one motor-home are permitted in the designated camping sites of Furnace Creek, Sunset, Texas Springs, Wildrose, Stovepipe Wells and Mesquite Springs Campgrounds.
- Backcountry or Wilderness camp group's size is limited to a maximum of 15 persons and no more than 6 vehicles.
- Designated group campsites are limited to a maximum of 40 persons and 10 vehicles.

These limits are intended to reduce negative impacts on resources and other park visitors.

Closures:

- All facilities and buildings used for the storage, treatment, or transmission of electricity, gas, telephone, waste disposal, and domestic water.

This closure is for visitor health and safety.

- All service roads and government housing areas are closed except to authorized individuals with the exception of traffic to and from the Cow Creek library.

This closure is for visitor health and safety as well as facility and infrastructure security.

- The service roads in Furnace Creek Wash and in Sunset Campground to Travertine Spring are closed to motor vehicles, except authorized vehicles.

This closure is for visitor health and safety.

- Copper Canyon: That area from the mouth of the canyon, following the highest ridgelines above the canyon floor, as shown in the attached map, (Appendix D). A permit is required to enter this area.

This closure is for resource protection.

- Crystal Cave (i.e. Titus Cave), Leadfield Mine, and the Lower Leadfield Mines at Leadfield.

This closure is for visitor safety and resource protection.

- Eureka Sand Dunes is closed to sledding, sand boarding and sand skiing to protect the Federally Listed plant species and other sensitive endemic flora and fauna.

This closure is for resource protection.

- Devils Hole: The areas enclosed by fence. (A permit is required to enter this area). Sensitive species shall not be disturbed.

This area is closed for resource protection.

- Devils Hole: National Park Service lands that comprise the Devils Hole section of Death Valley National Park are closed from sunset to sunrise. Exempt from this closure is continuous travel through the Devils Hole Unit on the county road.

This closure is for resource protection and to match existing rules on adjacent refuge lands.

- All mines and caves are closed to the public unless otherwise posted.

This closure is for visitor health and safety and for resource protection.

- Keane Wonder Mine:

Posted mine area is closed for visitor safety.

- Nevares Springs and Road. Nevares Springs Road from the main gate 1.9 miles east to the monitoring well is closed to park visitors. The Nevares Springs area is closed to all unauthorized persons, unless accompanied by a Death Valley National Park representative. There is a ¼ mile (1320 ft) perimeter closure around the monitoring well.

These areas closed for public health and safety.

- The Nevares Road Training Facility is closed to all unauthorized persons.

This area is closed for public safety.

- Lower Vine Ranch, including entry via the hiking trail from Scotty's Castle to the Lower Vine Ranch, except for special guided tours approved beforehand by the superintendent.

This closure is for resource protection.

- Buildings in the Scotty's Castle Historic District, except self guided areas during normal operating hours. The Scotty's Castle grounds between the hours of 6:00 p.m. and 7:00 a.m. or as posted.

This closure is for resource protection.

- The parking lots at the Furnace Creek Visitor Center, Furnace Creek Picnic Area east of the date grove, Scotty's Castle and Stovepipe Wells Ranger Station are closed to overnight parking from 10:00 pm to 6:00 am without prior permission from the Superintendent.

After hours camping in these areas impacts the egress of emergency vehicles in these areas.

- Skidoo Stamp Mill.

Access to site is closed to motor vehicles for resource protection.

- Surprise Canyon Route is closed to vehicles.

This closure is for resource protection.

- Timbisha-Shoshone tribal cemetery near Texas Springs Campground. Exempt from this closure provision are the members of the tribe residing in Death Valley, relatives of the deceased, and escorted guests of such members and, or relatives.

This closure is through an agreement with the Timbisha Shoshone for protection of an area of extreme cultural and religious significance to the tribe.

(a)(2) The following are designated areas, conditions and restrictions on activities as established by the Superintendent:

- The use of model or toy aircraft, propelled by non-combustion means, is permitted in the northeastern overflow area of Sunset Campground. Such aircraft may be operated from 30 minutes before dawn to 30 minutes after sunset. Such aircraft are prohibited from operating above developed areas or within 100 feet of Highway 190. The northeastern overflow area of Sunset Campground is closed to the use of such aircraft when it is occupied by campers, contractors or other permitted users.

This area and these conditions have been established to accommodate two distinct user groups while minimizing conflicts and negative impacts without compromising safety.

- Passenger-carrying busses must shut down their engines when not underway between October 1 and April 15 or as determined by the Superintendent in areas where other cool environments are available.

The idling of bus engines creates noise and adds unnecessary exhaust fumes to the air. It diminishes the enjoyment by visitors of the clean air and tranquility of the park. However, the Superintendent recognizes the need for a readily accessible environment in which visitors may cool off after being exposed to extreme temperatures.

36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

(f) The following is a compilation of activities for which a permit from the Superintendent is required under Title 36 of the Code of Federal Regulations:

- §2.5(a) Specimen collecting and Research Activities. Permits are subject to the requirements set forth by the National Park Service's Research Permit Reporting System and the park's Resource Management Permit Coordinator. (See Section 2.5)
- §2.10(a) Backcountry, wilderness and other persons in non-designated campgrounds with group size exceeding 15 persons shall be required to split into smaller groups of 15 persons or less, and camp, eat and sleep one quarter mile from the other group. Visitors and other park guests may request an exception to these limits from the Superintendent under the terms of a Special Use Permit.
- §2.12(a)(2) Operating a chain saw in developed areas, except for NPS approved resource management or maintenance projects.
- §2.12(a)(3) Operation of any type of portable motor or engine (including generators), or device powered by a portable motor or engine in non-developed areas.
- §2.12(a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.
- §2.13(a)(1) Debris burning on private lands is only permitted on state approved "Permitted Burn Days" in compliance with regulations of the Great Basin Unified Air Pollution Control District, and the conditions of a burn permit issued by the park.
- §2.17(a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means.
- §2.17(c)(1) Removal of downed aircraft.
- §2.38(a) Use, possess, store, transport explosives, blasting agents.
- §2.38(b) Use or possess fireworks.
- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events, (Appendix A)
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views. (Appendix A)
- §2.52(a) Sale or distribution of printed matter that is not solely commercial advertising when more than 25 individuals are participating in the activity. (Appendix A)
- §2.60(b) Livestock use.
- §2.61(a) Residing on federal lands.
- §2.62(b) Memorializations – (Scattering ashes from human cremation)
- §4.11(a) Exceeding designated vehicle load, weight and size limits.
- §5.1 Advertisements – (Display, posting or distribution.)
- §5.2(b) Sale of intoxicants in certain park areas.

- §5.3 Engaging in or soliciting any business (requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).
- §5.5(a) Commercial filming of motion pictures, television or other film making methods or sound tracks involving the use of professional casts, settings or crews, other than a bona fide newsreel or news television crew.
- §5.5 (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising or any such activity which requires a degree on management as determined by the Superintendent.
- §5.6(b) Use of commercial vehicles on park area roads including the testing of motorized vehicles. The superintendent shall issue a permit to access private lands within or adjacent to the park when access is otherwise not available.
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.
- §6.9(a) Operation of a solid waste disposal site.
- §7.26(c) Mining. Application for any permit required by this section shall be made through the Superintendent of the Park.

The Superintendent has determined that the above activities have a high potential for impacting park resources, safety and visitor experience. By requiring permits for these activities, the Superintendent can manage these activities and mitigate negative impacts.

NOTE: Those individuals wishing to apply for a permit for any of the following activities should contact the Special Park Use Permit Office (760) 786-3241 or the Resource Management Permit Coordinator (760) 786-3258. Research permits are applied for via an on-line system at <http://science.nature.nps.gov/research>.

PART 2 RESOURCE PROTECTION, PUBLIC USE AND RECREATION

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

(c)(1) The following fruits, nuts, berries or seashells may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or use or consumption restrictions:

- pine nuts
- mesquite beans
- grapes
- fruits of non-native plants (such as palms, apples, figs, black walnuts and pomegranates).

It has been determined that the gathering or consumption of these items will not adversely affect park wildlife, the reproduction potential of any plant species, or otherwise adversely affect park resources. If future monitoring indicates that such gathering or consumption is likely to cause adverse affects to park resources, then the authorization of this consumptive use will be terminated.

(c)(2) The fruits, nuts, and berries listed above may be gathered for personal consumption in quantities of less than 1 quart per person per day and no more than 5 total quarts per calendar year;

It has been determined that the gathering or consumption of these items in these quantities will not adversely affect park wildlife, the reproduction potential of any plant species, or otherwise adversely affect park resources. If future monitoring indicates that such gathering or consumption is likely to cause adverse affects to park resources, then the authorization of this consumptive use will be terminated.

NOTE: Use of these items for any purpose other than personal consumption is specifically prohibited.

36 CFR §2.2 – WILDLIFE PROTECTION

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

- The carcass must be tagged in accordance with state fish and game law.
- Game must be kept out of sight as much as practicable.
- When, from adjacent land, the only practical means of egress is on a road through Death Valley National Park, and, when the hunter makes one continuous trip to the nearest or most practical exit from the park.
- When, from non-adjacent lands, the shortest and most practical means of travel to the hunter's residence is on roads through the park.
- When a resident of the park transports lawfully taken wildlife in one continuous trip to their residence.

These conditions are intended to promote resource protection while accommodating an activity legally conducted outside the park.

NOTE: Title 16 United States Code §62 specifically provides that mere possession of dead animals or animal parts within a National Park constitutes prima facie evidence that said animal was taken illegally within the park. The responsibility to prove that the animal was taken outside of the park rests, therefore, with the hunter.

(e) Viewing wildlife with artificial lights:

- Prohibited in Death Valley National Park lands, unless permitted by the Superintendent as an allowable condition of a research permit. This includes all light producing sources including infrared and black lights.

This prohibition is for resource protection.

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(a) (1-2) weapons, traps, or nets may be carried, possessed or used at the following designated times and locations where the taking of wildlife is authorized by law in accordance with §2.2. or the taking of fish is authorized by law in accordance with §2.3.

(d)(4), persons may transport weapons, traps or nets through the park without a permit in order to gain access to otherwise inaccessible lands or waters contiguous to the park when other means of access are otherwise impractical or impossible. Such weapons, traps and nets will be rendered inoperable, or packed, cased, or stored in such a manner that will prevent their ready use.

(h) a person may possess, carry, and transport concealed, loaded, and operable firearms within a national park area in accordance with the laws of the state except as otherwise prohibited by applicable Federal law.

These conditions are intended to promote resource protection while accommodating an activity legally conducted outside the park.

NOTE: Title 18 USC §930(a) prohibits the possession of firearms in federal facilities.

36 CFR§ 2.5 – RESEARCH SPECIMENS

(a) Taking biological specimens (plants, fish, wildlife) rocks or minerals except in accordance with other regulations of this chapter or pursuant to the terms and conditions of a specimen collection permit is prohibited. (Refer to Part I for Collection Permits)

The Superintendent has determined that specimen collection or utilization of biological, paleontological, and geological specimens is to be limited. Collection of these resources may affect park wildlife, the reproduction of plant and animal species, or other park resources. However, the superintendent may issue a permit authorizing the collection of plants, fish, wildlife, rocks, mineral, archeological resources or other specimens when the request for a permit is accompanied by a written formal research proposal, and when the Superintendent determines that the research project is consistent with National Park Service and park-specific policies.

NOTE: Those individuals wishing to apply for a permit for any activities covered in the section should contact the Resource Management Permit Coordinator (760) 786-3258. Research permits are applied for via an on-line system at <http://science.nature.nps.gov/research>.

36 CFR §2.10 – CAMPING and FOOD STORAGE

Definitions:

- “Camping:” The erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home or trailer, or mooring of a vessel for the apparent purpose of overnight occupancy.” (36 CFR §1.4)
- “Non-designated Camping:” Camping in or near a vehicle in an area open to public use and for the use of overnight camping and, where a vehicle is parked just beyond the driving surface on a dirt road.

(a) The sites and areas listed below have been designated for camping activities as noted. A permit system has been established for certain campgrounds and camping activities. Conditions for camping and camping activities are in effect as noted:

Group size limits:

- In designated campgrounds, group size limitations on the number of vehicles and the number of persons per campsite, or campground are as posted. If group size limits are not posted, the limit is 2 vehicles or 4 motorcycles or one recreational vehicle and 8 people per designated campsite.
- In non-designated campgrounds, group size is limited to 15 persons, and/or 15 pack animals, and/or 6 vehicles. Larger groups must split up into smaller groups within these limits, and must camp, and eat at least ¼ mile apart. Larger groups may request an exception to these limits from the Superintendent under the terms of a Special Use Permit.
- The Furnace Creek Campground group reservation sites shall permit between 9 and 40 persons. The maximum numbers of vehicles that can be parked at each group site is 10. No recreational vehicles (trailers, motor homes or pop-ups) shall be parked at the site. These sites are available through a reservation system during busy times of the year.

Camping is an intensive use of park resources. Limitations on the number of persons per site seek to reduce impacts to individual campsites and reduce negative impacts to adjacent campers while still providing an equitable allocation of camping opportunities.

“Designated Camping” is permitted only in the following areas:

1) Campgrounds:

- Emigrant
- Eureka Sand Dunes
- Furnace Creek
- Homestake Dry Camp
- Mahogany Flat
- Mesquite Springs
- Stovepipe Wells
- Sunset
- Texas Spring
- Texas Spring Administrative Site (by permit of the Superintendent)
- Thorndike
- Warm Springs (Saline Valley)
- Wildrose

The above locations have developed, designated campgrounds with various amenities.

“Un-Designated Camping” is permitted only in the following areas:

2) Backcountry Cabins

Backcountry cabins may be used for overnight camping or day-use subject to the following conditions:

- Cabins are not to be locked. Any locks in place will be cut and removed.
- Cabins are to be used on a first-come, first-served basis and for short-term occupancy only. (Short term occupancy is defined as occupying a site or cabin for a period not to exceed 7 days. Camping in Death Valley other than the Furnace Creek Campground is limited to thirty days total per calendar year.
- Except for emergency repairs, all cabin maintenance will be performed only with written approval from the superintendent.
- Fires in backcountry cabins are restricted to existing wood-burning stoves or fireplaces that function safely.

The primary concern with the use of backcountry cabins is that historic structures and cultural landscapes not be destroyed by fire and/or vandalism or be subject to modifications that will alter their historical character or physical integrity. The park recognizes that the general public has used many of these cabins for years and feels a certain sense of ownership. It is the Superintendent’s goal to work towards a partnership with the public in the preservation, maintenance, and interpretation of Death Valley’s backcountry cabins.

3) Wilderness/Backcountry

Camping in the wilderness/backcountry is allowed two miles from the nearest paved road or developed area provided, however, that the site is at least 100 feet from a flowing stream, spring, or other natural body of open water, and is not otherwise closed.

These conditions are intended to reduce the visual impact of camping on other park users as well as impacts on sensitive park resources.

4) Roadside Camping

Roadside camping is prohibited on all paved roads within the limits of the national park boundary. Undesignated or roadside camping is allowed in previously disturbed areas along open dirt roads provided; however, that the camp is at least 2 miles from the nearest paved road and at least 100 feet from a flowing stream, spring or other natural body of open water, and the area is not otherwise closed to camping.

These conditions are intended to reduce the visual impact of camping on other park users as well as impacts on sensitive park resources.

Areas excluded from all camping:

Except in designated campgrounds, camping in the following areas is prohibited.

- Certain dirt roads: Titus Canyon Road, West Side Road, Wildrose Road, Skidoo Mine Road, Aguerberry Point Road, Mosaic Canyon Road, Cottonwood Canyon Road (first 8 miles), Grotto Canyon Road, Keane Wonder Mine Road, Racetrack Road (from Teakettle Junction to Homestake Drycamp) Natural Bridge Canyon, Desolation Canyon.
- Within 1 mile of certain mining areas: Lost Burro Mine, Ubehebe Lead Mine, Leadfield Mines, Keane Wonder Mill, Skidoo Mill. Within one mile of all standing mining structures.

- The floor of Death Valley from the Ashford Mill to 2 miles north of Stovepipe Wells.
- The active shifting sand areas of Eureka Dunes.
- Within 2 miles of the nearest paved road.
- Within 2 miles of any developed areas.

These conditions are intended to reduce the visual impact of camping on other park users as well as impacts on sensitive park resources. Many closures are for visitor safety.

Other camping rules and regulations:

- Camping is limited to no more than 14 days per calendar year in the Furnace Creek Campground and no more than 30 days per calendar year for the rest of Death Valley National Park.

This limitation is to ensure the equitable use and availability of campsites while discouraging the illegal residing on park lands.

- In each campsite or campground, sites may be restricted to organized groups, recreational vehicles, length of vehicles, or tents. Between October 15th and the last day of the 49ers Encampment motor homes and other recreational vehicles are allowed in all campsites in the Texas Springs Campground.

This exception is to accommodate a distinct and predictable change in user patterns.

- During periods of anticipated high occupancy, recreational vehicles, fifth wheels, pop-up campers and similar camping units shall back into spaces at Sunset Campground.

The Superintendent has identified the need to facilitate a swift and orderly egress from Sunset Campground in the event of an emergency.

- Operating electrical generating equipment is limited to the hours between 7:00 am and 7:00 pm in all campgrounds, except Sunset Campground which is limited to the hours between 7:00 am and 9:00 pm. (Electrical generating equipment is defined as a motor or engine capable of producing electrical energy).

These restrictions are intended to accommodate various user groups while providing a peaceful sleeping environment for all campers.

- Generators and similar electrical generating equipment are prohibited in Texas Springs Campground.

This restriction is intended to accommodate user groups seeking a camping experience without the noise produced by generators.

- Holding or reserving a campsite in any designated campground for another party is prohibited. Sites may not be paid for by those who do not intend to occupy the site immediately. Sites must be occupied with a camp unit (tent, trailer or other sleeping unit) and by persons using the area for overnight sleep purposes. Sites may not be unattended for more than 24 hours.

This prohibition is intended to ensure the fair and equitable use and availability of campsites.

- Maximum limit of 4 pets per campsite in all designated campgrounds in the park.

Consistent with public health and safety, protection of natural resources and avoidance of conflict among visitor use activities, pets must be restricted. Pets are not considered compatible with the broad park goal of minimal resource impact or inherently suitable for adapting quickly to a strange environment often involving

close association with strange persons and animals. It is recognized that pets are a common possession of park visitors, and provisions are made for them where they do not jeopardize basic park values.

- Campground use fees shall be paid within 30 minutes of arrival.

This requirement is intended to ensure the fair and equitable use and availability of campsites while facilitating the efficient management and administration of campgrounds.

- Check out time for all campgrounds is 12:00 noon.

This requirement is intended to ensure the fair and equitable use and availability of campsites while facilitating the efficient management and administration of campgrounds.

- Up to 8 people may visit the registered campers in a designated campsite. Between the hours of 10:00 pm and 7:00 am, no more than 8 people may occupy a campsite.

This limitation is intended to reduce impacts to individual campsites and reduce negative impacts to adjacent campers while providing for reasonable social activities within the campground.

Camping is an intensive use of park resources. All of the camping regulations are in effect to protect the natural and cultural resources of the park and the recreational enjoyment by other visitors. Limitations on the number of camping days, person per site, horses per party seek to achieve this protection while still providing an equitable allocation of camping opportunities.

(d) Food storage.

The superintendent may designate all or a portion of a park area where food, lawfully taken fish or wildlife, garbage and equipment used to cook or store food must be kept sealed in a vehicle, or in a camping unit that is constructed of solid, non-pliable material, or... as otherwise designated. This restriction does not apply to food that is being transported, consumed, or prepared for consumption.

- All unattended food, garbage, cooking equipment or similar scented items must be sealed in a vehicle or a solid, non-pliable, animal-resistant container.

Animals that feed on human food can become reliant on it and be less adapted to the natural conditions of Death Valley National Park. Frequently fed animals can become a nuisance and cause litter to be strewn about campsites and picnic areas.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas or receptacles, and under the conditions noted:

- Campfires are permitted only in campgrounds or picnic areas, in fire enclosures, grills or fire grates that have been provided by the park.
- The construction of new fire rings is specifically prohibited.
- All firewood must be brought into the park. No gathering, cutting or scavenging of firewood or kindling is permitted in the park from any source.
- Debris burning is not permitted in the park by the public.
- At the Warm Springs (Saline Valley), fires are prohibited except in ash and fire containing pans or in barbecues. Ashes, charcoal and other fire debris must be removed from fire enclosures at the time of departure. Ashes must be transported out of the park.
- At the Sunset Campground all ash producing fires are prohibited, except those in the Group Designated Fire Ring.
- In all designated campgrounds, natural gas or white gas produced fires are permitted in appropriately designed units wherein the flow of gas can be controlled and instantaneously discontinued.
- Debris burning on private lands within the park is only permitted on state approved “Permitted Burn Days,” in compliance with regulations of the Great Basin Unified Air Pollution Control District, and under the conditions of a burn permit issued by the park.

Most of Death Valley is not classified as a high fire danger environment. The use of ground fires, however, requires aggressive management due to the high probability of windblown hot coals or ash igniting combustible materials such as tents, awnings and vehicles. Allowing open fires only in existing fire enclosures, grills, or fire grates that have been provided by the park helps to control human-caused fires. Restricting fires also serves to inhibit the illegal collection of sparse native vegetation materials and wood from signs and historic structures. Persons desiring to use portable grills do not compromise park management concerns when procedures for disposal of ashes/coals are followed. Campfire restrictions do not apply to the use of gas or petrochemical cooking or heating stoves or to lanterns and the use of those devices which are easily extinguishable, and pose a minimal threat to the resource.

(c) High fire danger closures will be in effect as noted:

- Wildrose, Thorndike and Mahogany Flats Campgrounds shall be closed to campfires between June 15th and September 15th or during other periods of high fire danger.

The Superintendent has determined at the areas around the above campgrounds are extremely susceptible to wildland fire due to heavy fuel concentrations and low fuel moisture during the identified time. This restriction is intended to ensure visitor safety as well as resource protection.

36 CFR §2.15 – PETS

(a)(1) Pets are not allowed in Wilderness Areas or on any trail unless otherwise indicated. Where they are permitted, pets must be on a leash and under physical control at all times.

(a)(3) Leaving a pet unattended in a vehicle under heat conditions that pose a significant risk to the health of a pet is prohibited. The Superintendent may impound or take custody of pets that are endangered in these heat conditions.

The Superintendent has determined that conditions may exist where the act of leaving a pet in a vehicle during hot weather may pose a significant risk to the health of a pet.

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

- Pet feces in campgrounds, campsites, residential areas, lawns, walkways, access roads, and around public buildings must be disposed in a trash bin by the person responsible for the pet.

Since pets are usually concentrated in the campgrounds and developed areas of Death Valley, excrement must be removed to prevent health hazards to people and to lessen negative impact on wildlife from potential disease transmission.

(e) Park residents under the following conditions may keep pets:

- Pet owners will comply with all applicable county and state regulations pertaining to pets according to the requirements set forth in the Death Valley National Park Pet Policy.

The National Park Service has long prohibited pets on trails. Dogs in particular chase wildlife, pollute water sources and can become defensive and dangerous in strange surroundings. The burden is placed on pet owners to assure their pets do not destroy park values for other people in areas where pets are allowed. Resident employees are subject to these regulations and may keep pets only in accordance with the park's pet policy.

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) The following animals are designated as pack animals:

- Horses, mules, burros, oxen, llamas and camels may be used as pack animals. No other species may be used for purposes of transporting equipment.

The Superintendent has identified these animals as pack animals per authority granted under 36 CFR §1.4.

(b) The following trails and areas are specifically closed to horses and pack animals:

- Devils Hole Unit of DVNP
- Badwater Boardwalk & Trail
- Darwin Falls Trail
- Eureka Sand Dunes
- Stovepipe Wells Dunes
- Ibex Dunes
- Golden Canyon Trail
- Harmony Borax Works
- Mosaic Canyon Trail
- Salt Creek Trail
- Telescope Peak Trail
- Ubehebe Crater Trail
- Zabriskie Point Trail
- Trail to Scotty's Grave
- Trail from Scotty's Castle to Lower Vine Ranch
- All campgrounds and picnic areas

- All lawn areas
- All areas closed to public use

These closures are for resource protection and visitor safety.

(g) Other conditions established by the Superintendent concerning the use of horses or pack animals:

- Horses and pack animals are permitted on dirt roads, in Wilderness Areas, in other natural areas, on designated horse trails in the Furnace Creek area, and on non-paved trails and in areas that are not closed to stock.
- All feed must be brought into the park. Weed-free feed is required; free ranging or grazing is not permitted.
- Horses and pack animal camps must be at least 100 yards from a flowing stream, spring, or other body of open water.
- All manure shall be removed, or if it is not reasonably feasible to remove the manure, it must be raked out and spread over a large area.
- Up to 15 horses or pack animals are allowed per group. Larger groups may request an exception to these limits from the Superintendent under the terms of a Special Use Permit.

The recreational use of horses and pack animals is well established in the park. However, restrictions on animal type, watering, numbers and locations for stock use are necessary to: 1) protect the soil, vegetation and water quality from unacceptable damage, 2) protect public health concerns and 3) avoid conflict among visitor use activities.

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(a)(1) The use of aircraft on lands or waters within the park other than at locations designated by special regulations is prohibited. Death Valley’s special regulations at 36 CFR 7.26(e) authorizes the use of aircraft only at the following locations:

- Death Valley Airport, latitude 36°27’50” N., longitude 116°52’50” W., Commonly known as the Furnace Creek Airport.
- Stovepipe Wells Airport, latitude 36°36’15” N., longitude 117°09’30” W.
- The Saline Valley Warm Springs air strip is open pending special regulation. Latitude N 36° 48.41”, Longitude W 117° 46.90”

The landing of aircraft at locations other than those listed above, such as for wildlife research, is permitted only under conditions of a permit issued by the Superintendent.

Aircraft have a significant potential for impacting park resources and human safety. By requiring permits for these activities, the Superintendent can manage these activities and mitigate negative impacts.

(a)(3) Delivering or retrieving a person or object by parachute, helicopter, ultra-lights or other airborne means is prohibited except in emergency, or pursuant to the terms and conditions of a permit.

Air delivery has a significant potential for impacting park resources and human safety. By requiring permits for these activities, the Superintendent can manage these activities and mitigate negative impacts.

(c)(1) The removal of a downed aircraft, components, or parts thereof is allowed, subject to written authorizations from the superintendent, under the following terms and conditions:

- A permit is required for the removal of any downed aircraft.

The removal of downed aircraft requires careful planning in order to limit further damage to natural and cultural resources and wilderness character. Aircraft, especially military aircraft, may contain numerous hazardous materials including explosive devices.

NOTE: Subsection (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]

36 CFR §2.19 – WINTER ACTIVITIES

(a) Park roads and/or parking areas open to motor vehicle traffic may be used for skiing, snowshoeing, ice skating, innertubing, tobogganing, and similar winter activities under the conditions noted:

- Skiing, snowshoeing, sledding, tobogganing, and similar non-motorized winter sports are permitted anywhere, and on roads impassable to motor vehicles and closed due to snow.

The Superintendent has determined that these activities pose no significant threat to resources or safety.

- Sledding, skiing, snowboarding and similar activities are not permitted on the Eureka Sand Dunes and the Marble Dunes areas for the protection of plant species.

This closure is for resource protection.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

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

- The use of roller skates, in-line skates, skateboards, and similar non-motorized devices is permitted only on the bikeway in the Furnace Creek area and within National Park Service residential housing areas.

Roller skates, roller skis, and other such devices may create a hazardous condition when used on the same roadways as vehicles, sidewalks traveled by pedestrians or on sand dunes when other visitors are present. They also cause damage to natural resources when used off of pavement or other hard surface. For these reasons, specific areas have been designated for their use where they will conflict minimally with other user groups.

36 CFR §2.21 – SMOKING

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

- All government occupied buildings and historic structures, including all restrooms, except employees' residences and with the consent of the occupant(s).
- The Salt Creek and Badwater Boardwalks.
- All government owned rented or leased vehicles.
- Within 25 feet of the entrance to a public building.
- Within 50 feet of gasoline pumps and flammable material storage areas.
- All cabins, structures and ruins found in non-developed areas.

Certain areas are restricted to protect public health and to protect structures from fire danger or smoke. This prohibition is consistent with federal and state law.

Smoking while hiking or riding in the backcountry:

- Persons who wish to smoke must stop and remain in one location until they have extinguished their smoking material.

Smoking while traveling on trails is prohibited because of fire danger. Ashes inadvertently dropped while walking or while riding an animal have the potential to start a fire that may go unnoticed in its initial stages. Requiring persons to remain in one location minimizes this risk.

36 CFR §2.22 – PROPERTY

(a)(2) The following describes areas where property may be left unattended for periods longer than 24 hours, and the conditions under which property may be left:

- A vehicle may be left unattended for more than 24 hours in an area other than a developed campground, when the driver is on a camping trip and intends to return to the vehicle immediately after the trip.

The Superintendent has determined that this is a reasonable condition with negligible negative impacts which also allows for visitor safety and wellbeing.

(b)(1) Impoundment of property:

- Any motor vehicle that is immobile because it is not capable of moving under its own power due to mechanical malfunction; or any vehicle which is inoperable because it cannot be operated legally on public roads because it is unlicensed or unregistered, may be impounded by the Superintendent when it has been left unattended for 5 days.

Abandoned vehicles, apparently abandoned vehicles, and inoperable vehicles cause a shortage of parking spaces, create an eyesore, and may interfere with access to a building during an emergency, such as fire.

NOTE: The provisions stated above are the only conditions under which persons may leave a vehicle unattended in excess of 24 hours. Otherwise, property may be impounded according to the procedures stated in 36 CFR 2.22(b) and (c).

- “Geo-caching” articles left at a geo-cache site for over 24 hours will be considered abandoned property and impounded.

The Superintendent has determined that, while geo-caching is a legitimate recreational activity, virtual geo-caches offer a suitable alternative to physical caches. Physical articles left at a geo-cache site will be considered abandoned property. Alterations to sites for the purposes of geo-caching will be considered vandalism.

36 CFR §2.23 – RECREATION FEES

(b) Recreation fees, in accordance with 36 CFR Part 71, are established for the following entrance fee areas, and/or for the use of the following specialized sites, facilities, equipment or services, or for participation in the following group activity, recreation events or specialized recreation uses:

- Entrance Fee Areas: Death Valley National Park has congressionally mandated entrance fees, group activity, recreation event and other specialized recreational use fees.

This requirement is consistent with all applicable federal laws.

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

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

- Consumption of alcoholic beverages is prohibited in public buildings, except in portions thereof where alcoholic beverages are served by the drink under contract or permit from the Superintendent and/or from the California Department of Alcoholic Beverage Control.

This prohibition is consistent with all applicable federal and state laws.

36 CFR §2.50 and §5.5 – SPECIAL EVENTS AND COMMERCIAL PHOTOGRAPHY

Permits are required for any special event utilizing park areas. Special events are defined as sports events, pageants, regattas, public spectator attractions, entertainment, ceremonies, and similar events, or any event involving an organized gathering of 20 or more people (including non-profit or charitable organizations).

- A written application for a permit must be submitted to the Superintendent at least 30 days prior to the date desired for the event.
- Consideration will be given only to those activities that contribute to visitor understanding of the significance of the park area or where there is a meaningful association between the park area and the event.
- The use of explosives or pyrotechnics in special events or in filming operations is prohibited.
- The use of animals in filming operations requires a California State permit.
- NPS escorts are required for all special events and filming operations at Scotty's Castle, and may be required for any permitted filming event in the park. Filming in the interior of any historic building will only be permitted for documentary films or news/travel programs and will require an NPS escort.
- Special Use Permits for activities on State Route 190, or beginning and/or ending outside Death Valley are conditional upon approval from all other involved jurisdictions.

A permit is required to control special events in the park that may damage park resources or conflict with the overall safety and enjoyment of the park by park visitors.

36 CFR 2.51 – PUBLIC ASSEMBLIES, MEETINGS

Permits are required for any public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of opinions with more than 25 participants within the park. Approved locations are designated below, and a map is available for inspection in the Superintendent's office.

While groups of 25 or fewer participants are not required to obtain a permit, it is recommended that they do so to ensure the availability of designated 1st amendment right areas.

Written applications for permits must be submitted to the Superintendent at least 72 hours prior to the date desired for the event. The activity must not conflict with any scheduled NPS function or program.

The designated areas for these activities are:

- Furnace Creek – the front of the Furnace Creek Visitor Center.
- Furnace Creek – the area immediately east of California State Route 190, across from the entrance to Furnace Creek Ranch, approximately 260 feet by 110 feet.
- Scotty's Castle – the area immediately to the east of the unfinished swimming pool, but not interfering with the use of facilities or visitor services.
- Grapevine Ranger Station – the southern one-half of the parking area in front of the ranger station, but not interfering with the use of the restrooms or telephone.
- Stovepipe Wells Ranger Station – a portion of the paved parking lot east of the ranger station. This area is north of California State Route 190 and will be barricaded by the NPS for such use.
- Stovepipe Wells Village – the area between the general store buildings, east to California State Route 190 within the fenced area, excluding the store walkways.

A permit is necessary to control public assemblies and meetings in the park that may damage park resources or conflict with the overall safety and enjoyment of the park by the majority of park visitors, while allowing for First Amendment rights.

36 CFR 2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

Permits for sale or distribution of printed matter will be limited to areas designated under 36 CFR 2.51, Written application for such a permit must be submitted to the Superintendent at least 10 days prior to the commencement of the activity.

This requirement does not apply to groups of 25 or fewer individuals. However, even groups subject to small-size exemption are recommended to obtain a permit to ensure the availability of designated 1st amendment rights areas.

NOTE: The permit is similar to the permit issued for public assemblies and meetings. A map is always included. The cited CFR subsection 2.52, Sale or Distribution of Printed Matter is also included with the permit request.

A permit is necessary to control sale or distribution of printed matter since such activities may conflict with the overall safety of visitors and employees, the right of park visitors to have free and unencumbered passage throughout park facilities, the right of park visitors to enjoy park values without non-value related intrusions, and basic operational needs.

36 CFR §2.60 – LIVESTOCK USE AND AGRICULTURE

Absent a permit, the running-at-large, herding, driving across, allowing on, pasturing or grazing of livestock of any kind in a park area for agricultural purposes is prohibited. Additionally, a permit can only be issued in the following circumstances:

(a)(1) As specifically authorized by Federal statutory law; or

(a)(3) As designated, when conducted as a necessary and integral part of a recreational activity or required in order to maintain a historic scene.

This condition is for resource protection.

NOTE: The term “livestock” means a domesticated animal that is personal property kept for commercial purposes. [48 FR 30273, June 30, 1983] Sample designation pursuant to §2.60(a) (3):

36 CFR §2.61 – RESIDING ON FEDERAL LAND

Absent a permit, lease or contract, residing in park areas on other than private land, is prohibited.

This prohibition is consistent with 36 CFR §2.61(a).

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains in Death Valley National Park, and/or according to the following terms and conditions:

- The remains to be scattered must have been cremated and pulverized.
- The scattering of remains by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility, or body of water.
- The scattering of remains from the air is to be performed at a minimum altitude of 2000 feet above the ground.
- No scattering of remains from the air is to be performed over developed areas, facilities, or bodies of water.
- Except for authorization to disperse human remains by scattering, nothing in the permit shall be construed as authorizing an entry or activity otherwise prohibited or restricted by law or regulation.

These conditions are established for resource protection and human health and safety.

PART 3 BOATING AND WATER USE ACTIVITIES

36 CFR §3.21 – SWIMMING AND BATHING

(a)(1) The following areas are closed to swimming and bathing or subject to conditions established by the Superintendent:

Saratoga Springs

- The Saratoga Springs and pools are closed to all swimming and bathing.

This closure is in effect for resource protection.

Saline Valley Warm Springs

- The “source” pools at Saline Warm Springs, including Palm Spring and the lower source pool are closed to bathing.
- The introduction of human bodily waste into the waters of Saline Hot Springs is prohibited.
- In Saline Hot Springs, children who have not been “potty-trained” or who are younger than 4 years old are required to wear waterproof swimming diapers.
- In Saline Hot Springs, birthing or attempting to give birth in the waters is specifically prohibited.
- Dogs and other domestic pets are not permitted within 50 feet of the pools and/or springs.
- Persons afflicted with an infectious disease, suffering from a cough, cold or sores, or wearing bandages shall not use the pools and/or springs.

The above restrictions are in effect to protect the habitat of aquatic species or sensitive species and to provide for public health and safety.

Warm Springs Swimming Pool

- The swimming pool at the Warm Spring Camp is closed to swimming and bathing.

The above closure is in effect to provide for public health and safety.

PART 4 VEHICLES AND TRAFFIC SAFETY

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

- (a) Operating a motor vehicle is prohibited except on park roads, parking areas and on routes and in areas designated for off road travel.

(b) Off road travel “routes and areas may only be designated in national recreation areas, national seashores, national lakeshores and preserves”.

The above restriction is in effect to protect the habitat of aquatic species or sensitive species and to provide for public health and safety.

NOTE: Death Valley National Park has no designated routes or areas for off-road vehicle use.

NOTE: All park roads regardless of surface conditions are classified as highways for purpose of the California Vehicle Code including Division 16.5 sections 38000 et al. and should be driven on only by “street legal” and properly licensed vehicles.

NOTE: “Off road vehicle” is defined by Executive Order Number 11644 (37 FR 2887) and includes vehicles identified under California Vehicle Code Section 38012 (a) through (b)(3).

§4.11 – VEHICLE LOAD, WEIGHT AND SIZE LIMITS

(a) The following load, weight and size limits, which are more restrictive than State law, apply to the roads indicated under the terms and conditions, and/or under permit as noted:

On the following roads, travel is closed to vehicles in excess of 9 feet wide or 25 feet in total length (combined length including towed vehicles or trailers),

- Emigrant Canyon Road, from California State Route 190 to Mahogany Flat Campground.
- Lower Wildrose Road, from park boundary to intersection of Emigrant Canyon Road.
- Dantes View Road
- Artists Drive
- Twenty Mule Team Canyon (Recommended)

These restrictions provide for the safety of other passenger vehicles along narrow road corridors, and are due to lack of adequate space for turn-around of extended length vehicles, and vehicle/trailer combinations.

§4.21 – SPEED LIMITS

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

- The maximum speed limit on paved park roads is 35 mph unless otherwise posted.
- The maximum speed limit on dirt roads is 25 mph unless otherwise posted
- The maximum speed limit for the 50 yards approaching and leaving all entrance stations is 15 mph.
- The maximum speed limit in all campgrounds is 15 mph unless otherwise posted

Variations from the speed limit designations in the general regulations have been made where road conditions allow either a higher speed without jeopardizing public safety, or require a lower speed limit for public safety and to prevent road deterioration.

36 CFR §4.30 – BICYCLES

(a) Bicycle use is permitted on park roads, parking areas, and on the following designated routes:

- Bicycles are permitted only on roads open to public vehicular traffic, or on those routes designated in developed areas and special use zones for bicycle use in the official park brochure.
- Bicycles are allowed on the path between headquarters and Harmony Borax Works.
- Bicycles, whether ridden or walked, are prohibited on all trails, bridle paths, or off the roadway.

These restrictions are in effect for public safety and resource protection.

36 CFR §4.31 – HITCHHIKING

Hitchhiking is permitted in the following areas under the terms and conditions noted:

- Hitchhiking, or the soliciting of transportation, is allowed anywhere in the park as long as the person is off the paved roadway on the shoulder, and visitor safety and traffic flow are not adversely affected.

Hitchhiking is commonly engaged in by persons who have been hiking and need transportation back to their starting point, or by persons, often from foreign countries, who are traveling without a personal vehicle.

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

- A permit is required for any commercial photography, as defined in section 1.6, and under NPS Director's Order 53.
- Persons or organizations engaged in commercial photography, motion pictures or video production must complete an application for a permit and return it to the parks Office of Special Park Uses at 760-786-3241.

The permit will specify whether a surety bond is required prior to the commercial operation occurring. The Superintendent has determined that the issuance of a commercial photography permit is contingent on adequate protection of park resources, avoidance of unreasonable interference with public access to the park, and actions consistent with all applicable laws.

PART 7 SPECIAL REGULATIONS

36 CFR §7.26 MINING IN DEATH VALLEY

- Permit Applications for any permit required in this section shall be made through the Superintendent of the Park.

The Superintendent has determined that mining has a high potential for impacting park resources, safety and visitor experience. By requiring a permit for this activity, the Superintendent can manage the activity and mitigate negative impacts.

36 CFR Part 8	<u>Labor Standards – Employees of Concessionaires to the NPS</u>
36 CFR Part 9	<u>Minerals Management</u>
36 CFR Part 10	<u>Disposal of Certain Wild Animals</u>
36 CFR Part 11	<u>Use of Arrowhead and Parkscape Symbols</u>
36 CFR Part 14	<u>Rights-Of-Way</u>
36 CFR Part 17	<u>Conveyance of Freehold & Lease Interests on NPS Land</u>
36 CFR Part 18	<u>Leases and Exchanges of Historic Property</u>
36 CFR Part 51	<u>Concession Contracts</u>

36 CFR Part 71 Recreation Fees

ATTACHMENTS:

- | | | |
|----|--|--------------------------|
| a. | 1 st Amendment Rights Site Maps | (Available upon request) |
| b. | Fee Demonstration Regulations and Rates | (Available upon request) |
| c. | Campground Maps | (Available upon request) |
| d. | Copper Canyon Closure Map | (Available upon request) |