



2016 Dinosaur National Monument *Compendium of Regulations*

DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
2016 COMPENDIUM of REGULATIONS
DINOSAUR NATIONAL MONUMENT
4545 EAST HIGHWAY 40
DINOSAUR, COLORADO 81610

AUTHORITY

Designations, Closures, Permit Requirements, and other Restrictions and/or Specifications Imposed Under the Discretionary Authority of the Superintendent, Title 36, Code of Federal Regulations, Chapter 1.

Under the authority of 54 USC 100751, and Title 36, Code of Federal Regulations, Chapter 1, Parts 1 to 7, this Compendium of Regulations is established for Dinosaur National Monument. The regulations listed in this compendium are a requirement in addition to those listed in Parts 1 to 7 of Title 36 unless otherwise noted. The specific authority for this regulatory authority procedure is found in Sections 1.5, 1.6, and 1.7 of Title 36.

In addition to these regulations, the following are also provided:

Written determinations that explain the reasoning 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), designations, closures, permit requirements, and other restrictions imposed under discretionary authority shall be updated annually and made available to the public upon request.

 Lee Buschkowsky

April 20, 2016

Recommended by: Chief Ranger

Date

 Mark A. Foust

April 20, 2016

Approved by: Superintendent

Date

SECTION 1.4 – DEFINITIONS

Bear Spray – Also known as bear deterrent or bear repellent. Bear spray is a chemical formula designed specifically to deter aggressive or attacking bears. It must be registered with the Environmental Protection Agency and individual states. It must be commercially manufactured and labeled as “Bear Spray”. Bear spray must contain between 1% to 2% of the active ingredients capsaicin and related capsaicinoids.

Electronic Personal Assistive Mobility Device (EPAMD) - Also known as a Segway, is a device that has two non-tandem wheels, is self-balancing, and is designed to transport only one person with an electric propulsion system that limits the maximum speed of the device to 12-1/2 miles an hour. It is defined as a motor vehicle in 36 CFR 1.4.

Service Animals - are defined in 28 CFR 36.104 as, “any guide dog, signal dog or other animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items”.

Unmanned aircraft - is defined as 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, quadcopters, and drones) that are used for any purpose, including for recreation or commerce.

SECTION 1.5 - CLOSURES AND PUBLIC USE LIMITS

(a)(1) Climbing on the rockface within the Quarry Exhibit Hall building is prohibited unless the activity is authorized by the Superintendent.

Determination: *The rockface has approximately 1500 exposed Jurassic-era dinosaur bones in-situ. These bones are rare, fragile, and of significant scientific value. They are also susceptible to vandalism and theft.*

(a)(1) Hiking off-trail is prohibited within the drainage of the Fossil Discovery Trail.

Determination: *Social trailing within the drainage is negatively impacting natural and scenic resources and causing accelerated erosion due to its steepness and fragile soil. Exposed fossils located within the drainage are susceptible to theft.*

(a)(1) Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Dinosaur National Monument is prohibited except as approved in writing by the Superintendent.

Determination: *This closure is necessary to maintain public health and safety and to protect park resources including, but not limited to, the protection of wildlife mating, breeding, nesting, and feeding activities, wilderness character, scenic values, and soundscapes. Less restrictive measures will not suffice as approximately 91% of the monument, including the Green and*

Yampa River corridors, is managed as wilderness and any operation would have an adverse impact on the wilderness character without written authorization in place from the Superintendent to ensure safety precautions and resource protection needs are adequately met.

- (a)(1) The 2-track road to Haystack Rock is closed to all vehicle traffic except as specifically authorized by the superintendent.

Between March 1 and August 15, peregrine falcon nesting season, Haystack Rock is also closed to foot traffic from visitors to prevent the disturbance of nesting activities.

Steamboat Rock, Jenny Lind Rock and the Outlaw Park area are closed to climbing between March 1 and August 15 to prevent the disturbance of nesting activities by peregrine falcons. The Outlaw Park area is defined as the area north of the Yampa River, across from the named Outlaw Park in T6N R102W Sec 4, 5, 6 and T7N R102W S 31, 32 as well as the two-track road beyond the RAWS.

Determination: *These closures are intended to protect peregrine falcons and to preclude interference with the mating, nesting, brood rearing, and fledgling activities of this sensitive species. The closures are also intended to ensure that known territories remain undisturbed for future use by this species and unimpaired for scientific study and monitoring. The success of peregrine falcons in raising their young is significantly decreased by human disturbances. See map in Appendix A. Appropriate signs that are posted at common access posts will identify closed areas. Other designated areas may also be closed to the public as necessary to protect nesting areas.*

- (a)(1) The Zenobia fire tower, the Roundtop fire tower and the Remote Automated Weather Station (RAWS), including all land 100 ft. around each structure, are closed to the public.

Determination: *This closure is to protect park facilities and critical radio infrastructure from tampering and to protect the privacy of seasonal employees residing in the towers.*

- (a)(1) Specific areas within Dinosaur National Monument may be closed to visitors or both visitors and employees by posting appropriate signs when, in the opinion of the superintendent, there are conditions that warrant such a closure. These conditions may include, but are not limited to, extreme fire danger, fires, hazardous conditions, aviation operational needs or construction. This determination is made for both visitor and employee safety.

Determination: *This type of closure is to provide for visitor and employee safety and preclude interference with emergency and administrative operations by visitors.*

- (a)(1) Temporary closures may occur in areas where paleontological or archeological excavations are being conducted or where public access may endanger sensitive paleontological or archeological resources.

Determination: *This type of closure precludes interference with paleontological and archeological excavations by visitors. When NPS personnel are available, they may provide guided interpretive trips to these excavations for visitors.*

- (a)(1) Closures of visitor use areas (campsites, trails, overlooks, interpretive stops along auto tours, etc.) may occur when necessary by posting appropriate signs to mitigate resource impacts associated with overuse, misuse, environmental, or health and safety issues.

Determination: *These closures may be required for resource or visitor protection. Examples of this type of closure include social trail closures for re-vegetation, building closure due to safety issues, river flooding of campsites, closure of a trail due to rock fall hazards, etc.*

- (a)(1) The use of all-terrain vehicles (ATVs), off highway vehicles (OHVs), utility terrain vehicles (UTVs), motorized vessels and any other type of motorized conveyance manufactured for recreational, non-highway, off-road or all terrain travel, including those licensed by a state for street use, within monument boundaries is prohibited. The prohibition includes any all-terrain type I or type II vehicles as defined by Utah State Code Annotated 41-22-2 and any vehicles defined by Colorado revised statute 33-14.5-101. The only exceptions are street legal vehicles as defined by Colorado revised statute 33-14.5-101 on a short section of Harper's Corner Road between the two Moffat County Road 16 intersections, limited snowmobile use on Harper's Corner Road from Plug Hat to the Echo Park turn-off when the road has been closed to all other motor vehicle use by the public, and on Cub Creek Road from where winter road maintenance ends near the Chew Ranch, when there is sufficient snow cover as described in 36 CFR 7.63(c).

Determination: *The public use of ATVs/OHVs and other motorized conveyances manufactured for recreational, non-highway, off road, or all terrain travel within monument boundaries pose a significant risk to visitor safety, park resources and values which cannot be appropriately mitigated and which cannot be sustained without causing unacceptable impacts. The use of such vehicles is, therefore, not consistent with the protection of the monument. An exception is made on a .65 mile section of Harper's Corner Road in order to facilitate safe and efficient crossing on a Moffat County designated OHV corridor. The excepted section of Harper's Corner Road is paved and fenced on both sides, effectively containing OHVs to the road corridor. There are also gates on either side of this section of road that serve to further restrict OHV traffic during periods of road closure. Signs will be maintained to identify the section of road where OHVs are permitted. See appendix B, Dinosaur National Monument Determination for ATV & OHV closure. The use of snowmobiles has been authorized under 36 CFR 7.63(c).*

- (a)(1) The lower portion of Red Rock Canyon, as defined by fence lines, is closed to all livestock use for the protection of significant rare plants in the area.

Determination: *This closure protects significant resources and rare plants in the area from livestock grazing damage.*

- (a)(1) Drivers of commercial passenger-carrying diesel-fueled motor vehicles are prohibited from idling their engines while parked or sitting at any park location.

Determination: *The noise and fumes caused by these engines severely impacts the natural experiences sought by many visitors.*

- (a)(1) The Harpers Corner Road between the Echo Park Access Road and the Harpers Corner Overlook, as well as the Josie Morris Ranch Access Road, are closed to motor vehicle use after the first significant snowfall of the winter. The Harpers Corner Road

between Plug Hat Picnic Area and the Harpers Corner Overlook is closed to motor vehicle use from approximately December 31 through April 15. Closing and opening dates are dependent upon snow accumulation, available funds, and personnel constraints, and may vary accordingly.

Determination: *There is little visitor use during the winter and early spring and snow accumulation closes the road. In the spring, the road remains closed after plowing to let the roadbed dry. The asphalt is very thin, and vehicle travel causes road damage if the asphalt bed is not dry. County Road 16 remains open during this closure and is isolated from this closure by two locked gates on the Harpers Corner Road.*

(a)(1) The following roads within monument boundaries are designated for vehicular and mechanized travel by visitors:

- Harpers Corner Road
- Canyon Overlook Road
- Yampa Bench Road
- Echo Park Road
- Red Rock access road to the Hell's Canyon Ranch boundary
- Castle Park Road at Hells Canyon to the Hell's Canyon Ranch boundary
- Quarry Entrance Road
- Quarry Visitor Center Road
- Cub Creek Road
- Split Mountain Campground Road
- Green River Campground Road
- Blue Mountain Road
- Rainbow Park Road
- Island Park Road
- Lodore Ranger Station/Campground Road
- Zenobia Basin Road (with prior permission from landowner to cross adjacent private property)
- Deerlodge Road
- Deerlodge Campground/Boat Ramp Road

All other roads, including access roads to the fire towers at Roundtop and Zenobia, are closed to motorized and mechanized travel except as authorized by the Superintendent.

Determination: *See map at park headquarters and in brochure for actual road locations. Much of Dinosaur National Monument was set as potential and recommended wilderness in the 1970s where vehicular and mechanized travel is prohibited. National Park Service policy requires potential and recommended wilderness be managed as wilderness. In furtherance of this policy, many old 2-track roads have been allowed to re-vegetate to best protect natural and cultural resources and wilderness character. In 1974, the Dinosaur National Monument Wilderness Recommendation went through environmental study and received public comment/civic engagement. The wilderness recommendation was forwarded to the President of the United States and subsequently recommended to Congress. In 1978, an updated recommendation was submitted to Congress by the Department of the Interior and is required by policy to be used to guide management decisions at the Monument. Maps of roads open to the public have been available at visitor centers and on park brochures for many years.*

(a)(2) The following conditions and restrictions are established for specific uses and activities:

Bear spray may be carried by individuals within Dinosaur National Monument for the strict purpose of protecting one's self or others from bodily harm against aggressive wildlife. It should not be applied to people, tents, packs, other equipment or surrounding area as a repellent.

Determination: *Bear Spray is specifically formulated to deter aggressive or attacking bears. Bear spray is specifically labeled for use against bears, and by law, must be registered with the Environmental Protection Agency and individual states. Bear spray, when properly used, has been found to be effective in deterring or ending most aggressive attacks. However, as with any deterrent method, there is no guarantee that it will be effective in all situations. Hikers and campers should not develop a false sense of security by carrying the spray, and should follow appropriate bear avoidance safety procedures. Bear spray, when used properly, causes temporary incapacitating discomfort which may provide a non-toxic, non-lethal deterrence of aggression*

SECTION 1.6 - PERMITS

- (e) See Appendix E for the 2016 terms and conditions of a river multi-day special use permit. See Appendix F for the 2016 terms and conditions of a river play permit.
- (f) The following is a compilation of the activities for which a park permit is required:

Carry or possess certain weapons, traps or nets	2.4(d)
Specimen collection	2.5
Developed area camping	2.10(a)
Backcountry camping	2.10(a)
Audio devices	2.12
Pet permit (park resident)	2.15(e)
Aircraft and air delivery	2.17
Explosives	2.38
Special events	2.50(a)
Public assemblies	2.51(a)
Sale or distribution of printed matter	2.52(a)
Livestock use and agriculture	2.60(b)
Scattering of human ashes	2.62(b)
Boating and water use activities	3.3
Advertising	5.1
Business operations	5.3
Commercial photography and filming*	5.5
Construction of buildings or other facilities	5.7

See appendix H for information on commercial filming and still photography regulations.

Permits will be specific in nature to the activity being permitted. For those activities that frequently require a permit, a specific permit form has been designed, such as backcountry permit, camping fee permit, commercial filming permit, etc. In most other cases, a special use permit or letter of authorization that is signed by the Superintendent and identifies the specific conditions under which the permitted activity is authorized will be prepared. In all cases, a permit or letter of authorization must be in the permittee's possession at all times and exhibited to any authorized person upon request.

Determination: Permit systems authorized and issued pursuant to specific regulations in this chapter, except 1.5, need not be supported by a written determination unless required by the specific authorizing regulation.

SECTION 2.1 - PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL FEATURES

- (a)(4) Gathering firewood of any kind is prohibited on and along the Green River above Echo Park year-round. Gathering firewood that is dead, down or live is prohibited at all times along both rivers, except that driftwood may be collected year-round on the Yampa River and on the Green River below Echo Park for campfire use. With the implementation of fuel reduction projects at both Jones Hole and Echo Park, the public may also use available cut and stacked wood already placed at these two locations.

Determination: Driftwood has become scarce in Lodore Canyon because 1) Flaming Gorge Dam blocks wood from upstream source areas and 2) reduced spring peak runoff volume is insufficient to wash new woody material into the river. High spring floods still occur on the free-flowing Yampa, where large driftwood piles can still be seen. Coarse woody debris (trees and branches) provides an important food source for aquatic invertebrates, so food webs in the Green River have been altered and diminished by dam operations. Restrictions on driftwood gathering in Lodore Canyon help preserve this dwindling resource. Standing dead, down and live wood provide habitat for cavity-nesting species and insects, which are food for birds and other animals. These resources are protected in all National Park Service units.

- (c)(1) The following fruits, berries, and nuts may be gathered by hand for personal daily consumption within the Monument's boundaries. Gathering fruits or berries in quantities for preserving and/or canning is prohibited.

Elderberry
Wild onion and other edible bulbs
Three leaf sumac berries
Pinyon pine nuts
Choke cherry
Hackberry
Apricots
Plums
Grapes
Apples
Rose Hips
Walnuts

Determination: The unrestricted collection of native fruits, berries, nuts, and fruiting bodies of mushrooms could adversely impact plant propagation and/or wildlife food sources. Fruiting bodies of edible mushrooms (fungi) are not fruits, berries, or nuts, and therefore collection cannot be authorized by the Superintendent.

SECTION 2.2 - WILDLIFE PROTECTION

(a)(2) The use of elk bugles, varmint calls, audio attractants, or other artificial or natural means of attracting or disturbing wildlife (including rattling antlers, coyote, turkey and sage grouse calls, or verbal bugling or howling imitations) is prohibited.

Determination: *Intentional disturbing of wildlife may adversely affect wildlife behavior (i.e., breeding and mating rituals, feeding habits, travel patterns/routes) possibly causing stressful and/or disruptive conditions for wildlife. Dinosaur National Monument is mandated to protect and preserve healthy and natural wildlife populations. Intentional disturbance by humans directly conflicts with this mandate and is unnatural. Using calls can cause wildlife to leave foraging and mating areas and attract them to roads where they are more likely to become injured or killed. They may also become unnatural prey if artificially attracted out of cover.*

(d) Wildlife taken lawfully outside the legislative jurisdiction of the Monument may be transported through the Monument under the following conditions:

1. Persons transporting will have in their possession a valid State hunting license.
2. Animal carcasses will display a valid State game tag that is properly completed.
3. Animal carcasses will be subject to inspection at any time by an authorized person.

Determination: *The monument does not wish to impede those hunting legally nor impede the transportation of legally taken game. The transportation of game through the Monument, which is closed to hunting, however, has elicited visitor complaints and could cause confusion with the monument's hunting regulation. Law enforcement park rangers are authorized to check hunters transporting game to ensure wildlife was not taken illegally within the monument boundaries.*

(e) The monument is closed to viewing wildlife with any artificial light, which includes and is not limited to spotlights and vehicle headlights directed beyond those areas covered in normal highway driving.

Determination: *The viewing of wildlife at night with the use of artificial lights temporarily blinds animals, which causes them to become unnatural prey for natural predators and poachers. Nighttime poaching is a problem at the Monument.*

SECTION 2.4 – BOW PERMIT

(d)(4) A bow permit issued by the Superintendent is required on public land within Monument boundaries for a hunter to access adjacent lands when other means of access are otherwise impractical or impossible.

Determination: *The permit is intended to extend to archers similar treatment as firearms hunters and with the dissemination of park regulations. It reduces the likelihood of trespassing on private property and wildlife illegally taken within the Monument, which is closed to all hunting activities. The recent change in federal law on carrying firearms within National Park Service areas addressed only firearms and not other weapons, such as bows, that are still prohibited under 36 CFR 2.4.*

SECTION 2.10 - CAMPING AND FOOD STORAGE

- (a) Camping in or within 100 yards of any historic structure is prohibited.

Determination: *Historic structures are fragile and need protection from any activity that could adversely impact the structure or degrade the historic scene. Examples of historic structures include the Chew ranch, Bill White cabin, Baker cabin, Ruple ranch, etc.*

- (a) Operating a gasoline/propane-powered generator inside a frontcountry campground between the hours of 9:00 pm and 7:00 am is prohibited.

Determination: *The noise caused by operating a gasoline/propane generator in a campground during these hours disturbs other campers. Over the years, this generator noise has been a constant complaint to rangers from adjacent campers.*

- (a) Reservations are required for group campsites at Split Mountain and Echo Park. Unreserved group campsites may be released by the monument fee program manager or designee on a first-come, first-served basis if it is determined that no user conflicts will occur by doing so.

Determination: *Many large groups travel considerable distances and require that a site capable of adequately accommodating the group can be reserved to prevent logistical issues and user conflicts. Reservations for Split Mountain and Echo Park group sites are made through www.recreation.gov or by calling 1(877)-444-6777 between 8:00a.m.-10:00p.m. (MST).*

- (a) Frontcountry Camping:
 - The "frontcountry" is defined as any area in the monument that is within 1/2 mile of a road or developed area.
 - Camping is permitted only in designated campgrounds, which are indicated on the monument brochure and include Green Mountain, Split Mountain, Echo Park, Deerlodge, Lodore, and Rainbow Park.
 - Camping within 1/2 mile of picnic areas, parking areas, and overlooks is prohibited.
 - No person shall occupy a campsite in the same campground for more than 14 consecutive days.
 - No person shall camp in the monument for more than 30 days/calendar year.
 - Vehicle camping is prohibited in the Island Park area, except at the Rainbow Park Campground.
 - Vehicles must be parked in established parking areas at campsites.
 - Camping fees, where applicable, are due within 30 minutes of occupying the site.
 - Sites for which required fees are not paid will be considered unoccupied and available for use.
 - Sites may not be unattended for more than 24 hours unless authorized by the Superintendent.
 - The following limits apply to each campground campsite:

Green River	Maximum 8 people	2 vehicles
Split Mountain	Maximum 25 people	6 vehicles
Rainbow Park	Maximum 8 people	2 vehicles
Echo Park	Maximum 8 people	2 vehicles
Echo Park Group	Maximum 25 people	6 vehicles
Deerlodge Park	Maximum 25 people	4 vehicles
Lodore	Maximum 8 people	2 vehicles

Determination: Limiting camping to specific areas is necessary to maintain public health and safety, protect the environmental and scenic values, protect natural resources, implement management responsibilities and equitable use of facilities, and avoid conflict among visitor use activities. Camping time limits prevent domination of a campsite or area by a few and to more equitably allocate use of the area. Group size limits are applicable in the interest of resource protection and to minimize obtrusiveness to other visitors. Many visitors are seeking the quiet and solitude of a wilderness experience. Limiting the maximum number of vehicles per campsite minimizes impacts to natural resources that would otherwise result in soil erosion and trampling of vegetation and obtrusiveness to other visitors.

(a) Backcountry Camping:

- The "backcountry" is defined as any area within the Monument that is more than ½ mile away from any road or developed area.
- No person shall camp within 1/2 mile of any road or developed area unless in a designated campsite.
- No backpacking party shall occupy a designated river campsite during the high use river season.
- During the low use season, permitted boating groups have priority for river campsites over hikers at designated river campsites.
- Camping is limited to seven consecutive nights from May through September.
- Camping is limited to 14 consecutive nights from October through April.
- No person shall camp in the Monument for more than 30 calendar days/year.
- Camping is prohibited within 1/2 mile of Roundtop and Zenobia fire lookouts.
- Camping is prohibited in Hog Canyon and Box Canyon at Josie Morris Ranch.
- Camping is prohibited along the Sounds of Silence and Desert Voices trails.
- Camping within 100 feet of a water source, such as a pond, seep, plunge pool, river or stream is prohibited. This prohibition does not apply to individuals under a valid river permit.
- Except for permitted river groups, the maximum number of people in a camping party is eight.
- Ely Creek has two campsites. A permit is required to camp at Ely Creek. The maximum number of people per site is eight. It is filled on a first-come, first-served basis through a phone-in reservation system that starts on January 2nd of each year. Staff at the Quarry Visitor Center manage the Ely Creek campsite reservation program.
- Camping is prohibited within ½ mile of Jones Hole Creek Canyon, except at the designated Ely Creek and Green River campsites with a valid backcountry camping permit.
- Camping is prohibited within 100 yards of any archeological, historical or paleontological site.
- A backcountry camping permit is required for all overnight camping outside the Green River, Split Mountain, Deerlodge, Lodore, Rainbow Park, and Echo Park campgrounds.

Determination: Backcountry permits and the permit system help the park monitor visitor use, provide users important information about park regulations and resource protection and aid rangers conducting emergency operations, such as search and rescue and wildland fire evacuations. Limiting camping to specific areas is necessary to maintain public health and safety, protect the environmental and scenic values, protect natural resources, implement management responsibilities and equitable use of facilities, and avoid conflict among visitor use

activities. Camping time limits prevent domination of a campsite or area by a few and to more equitably allocate use of the area. Group size limits are applicable in the interest of resource protection and to minimize obtrusiveness to other visitors. The ½ mile distance away from roads and developed areas is to discourage the creation of campsites within an easy walking or horseback riding distance from a vehicle, the creation of social trails between a vehicle and campsite, the free use of developed campground facilities that other visitors have paid a camping fee to use, and to limit the visual impacts of erected camping equipment along scenic drives and overlooks.

- (d) Food, garbage, lawfully taken fish, equipment used to cook or store food, and all other scented items must be kept suspended at least 10 feet above the ground and 4 feet horizontally from a post, tree trunk or other object, or kept stored in a vehicle, or in a latched metal container, or in a durable plastic container that is secured with a latch or strap. This restriction does not apply to food that is being prepared or consumed.

Determination: *Incidents within the Monument with black bears accessing food and scented items due to improper storage by campers and day-users have been reported from 2010-2015. Proper food and scented item storage will reduce the likelihood of the area being temporarily closed to public use, a negative encounter between the public and a bear, and/or a bear being removed through trapping or euthanasia.*

SECTION 2.13 - FIRES

- (a)(1) Open wood fires in all designated vehicle campgrounds, picnic areas, and any other developed area are restricted to permanent monument-installed metal fire rings or grills. Visitors may use portable gas or charcoal grills. Charcoal must be cooled and safely disposed of in a garbage receptacle.

Open wood fires are prohibited in park housing areas except for two designated areas where seasonal park residents can use a fire pan with wire mesh enclosure in place to reduce the possibility of a wildfire or structural fire. The pan will not be placed directly under tree canopies or within 20 feet of the wildland-urban interface boundary. All wood fires must be completely extinguished and cold to the touch prior to being left unattended. One designated area is the east side of Quarry area apartment complex 4-8. The other designated area is the south side of headquarters housing area apartment complex 2-11. A charged garden hose must be present in order to extinguish the fire, or an accidental fire in the incipient stage only.

Permanent park residents are authorized to have an open fire at their residence that is enclosed within a fire pan that has a mesh enclosure to reduce the possibility of a wildland or structural fire.

Park residents may also use gas or charcoal grills.

Open wood campfires are permitted in the backcountry except for the following locations:

- Jones Hole Creek Canyon including Ely Creek campsites
- Upper Pool Creek Canyon
- Lower Sand Canyon
- Pat's Draw

The inner canyons of the Green and Yampa Rivers that are not part of designated river campsites

Within 1 mile of developed campgrounds and day-use areas

Open fires are prohibited within 100 yards of a historical structure unless contained within a permanent Monument-installed metal fire ring or grill.

Lighting and maintaining any type of fire, including but not limited to cigarettes, candles, lanterns, grills and stoves, is prohibited within any historical structure unless authorized by the Superintendent.

Campfires in the backcountry must be constructed in areas where they will not spread. All rock rings must be dispersed prior to leaving a campsite.

In the case of designated river camps, open fires must be contained in a fire pan of no less than 250 square inches with a 3-inch rim on an a fireproof tarp or blanket of sufficient size to catch coals and ashes around the pan. The fire pan must be elevated at least 3 inches off the ground.

- (b) All or portions of Dinosaur National Monument may be closed to open fires during periods of high fire danger in conjunction with state and local closures.

Determination: *The use of fires in the Monument is regulated to protect structures, natural resources and the public. During extreme weather conditions, open fires may be restricted to prevent the accidental ignition of wildfires. Open fires in park housing areas also create considerable smoke that affects residents, especially during the summer when windows are left open. The use of an appropriate fire pan in designated park housing areas should mitigate the effects of smoke while allowing park residents the opportunity to enjoy a wood fire. Section 2.13(b) does not apply to planned ignitions by park management or wildfires determined by the Superintendent to be allowed to burn for resource benefit.*

SECTION 2.14 - SANITATION AND REFUSE

- (b) Solid human waste must be containerized and carried out by all boaters. Waste carried out by boaters may be placed in the designated disposal facility adjacent to the Split Mountain Boat Ramp or at an appropriate facility outside the park.

All other backcountry users must bury solid human waste at least 100 feet away from any water source or trail.

Determination: *Disposal of solid waste as required above is necessary to protect human health and the environment, including water quality.*

SECTION 2.15 - PETS

- (a)(1) With the exception of specially trained service dogs meeting requirements listed under the Americans With Disabilities Act (ADA), or specially trained ranch dogs under the direct control of ranchers engaged in approved livestock grazing operations, pets are not permitted in any backcountry area or on any river trip within Dinosaur National Monument.

With the exception of specially trained service dogs meeting ADA requirements, pets may be kept overnight only in designated frontcountry campsites.

With the exception of specially trained service dogs meeting ADA requirements, pets may not be taken more than 100 feet from developed areas, such as parking lots, designated river launches, campgrounds, and day-use areas, and 100 feet from the centerline of any road.

With the exception of specially trained service dogs meeting ADA requirements, pets are not permitted on any hiking trail except for the Cold Desert, Green Mountain Campground to Split Mountain Campground, Plug Hat, Echo Park Overlook and Iron Springs Bench Overlook trails along Harpers Corner Road.

- (a)(3) There are no designated areas where pets may be left unattended and tied to an object.
- (a)(5) Pet owners or responsible persons shall promptly collect and properly dispose of pet fecal matter in residential and public use areas. Fecal material should be collected in a plastic bag and disposed of in a garbage can.
- (d) The owners or responsible persons of pets running-at-large will be charged for kennel or boarding costs, in addition to veterinarian, transportation, and other fees and fines.
- (f) Park residents may keep pets in accordance with the Dinosaur National Monument Pet Policy and in full compliance with applicable regulations.

Determination: *These regulations are not intended to restrict pets from the monument but rather to enhance the natural experience of all visitors. Pets are natural predators and their scent alone may scare wild animals into hiding places. Pet excrement contributes to sanitation problems in visitor use areas and may contribute to transmission of wildlife diseases. During warm temperatures, pets have been left unattended and tied to objects in monument campgrounds and visitor center parking areas. Unattended pets have barked at and bitten other park visitors and are frequently public safety hazards. We recommend that a member of the group stay with the pet while the rest of the group sees the visitor center exhibits. Keeping a pet in an unattended vehicle during high temperatures can result in the death of the animal. Specially trained service dogs fall under provisions of the Americans with Disabilities Act (ADA) and are permitted to accompany people with disabilities in all areas where members of the public are allowed to go.*

SECTION 2.16 - HORSES AND PACK ANIMALS

- (a) Horses, mules, burros, and llamas are designated as pack animals.
- (g) Only certified weed-free pellets and cubes, but no hay, may be taken into and used in the backcountry. It is recommended that pack animals be fed weed-free feed for 48 hours in advance of entering the Monument.

Stock parties shall include no more than eight animals.

Corrals and drift fences are prohibited.

Horse travel is prohibited on Cub Creek Road to the Josie Morris Cabin. Horse travel is permitted on all other unpaved roads that are open to vehicular traffic within Dinosaur National Monument.

The use or containment of pack animals within developed areas, such as picnic areas, residential areas, designated river campsites, designated frontcountry vehicle campgrounds, and visitor center areas, is prohibited.

With the exception of permittees engaged in authorized livestock grazing operations, holding pack animals within 100 yards of a river, flowing stream, pond, seep or plunge pool during extended stops or overnight camps is prohibited. River camps may not be used by stock parties.

With the exception of permittees engaged in authorized grazing operations, allowing pack animals to travel closer than 5 feet to the road shoulder of paved roads is prohibited. An exception is when pack animals need to cross the road.

Horse and pack animal use is prohibited in or on developed areas, campgrounds, around visitor centers, historic structures, paved roads, parking lots or hiking trails. Their use is allowed in the backcountry for day-use and camping..

Manure shall be scattered no less than 100 feet from any campsite area before departing the area.

Stock parties are allowed one night at each backcountry camping area to reduce resource impacts. Stock parties may not keep their stock overnight at any campground.

Picket pins may be made from down and dead wood on-site or packed in. Picket pin sites must be moved frequently to prevent overgrazing or other damage to vegetation and the pins must be pulled from the ground before leaving the campsite.

Lost or dead stock animals within the Monument boundaries will be reported as soon as possible to a park ranger.

If an animal dies within the Monument, it will be the owner or responsible person's responsibility to remove the carcass from the park or make arrangements for its proper disposal as soon as possible.

Pack animals may not be left unattended.

Stock may not be directly tied to trees.

At unloading areas, spilled manure or fresh excrement must be placed in the trailer or scattered at least 100 feet from the area.

Stock parties may not block roads or other visitor access areas with stock or trailers.

Stock parties are subject to the regulations set forth in section 2.10 for backcountry camping.

Determination: Much of Dinosaur National Monument is open to grazing. Horses, mules, and burros are common livestock traditionally used for packing. It has been determined that llamas would have no adverse impact relative to other authorized livestock and in some respects llamas would have less impact than other types of livestock. For these reasons, llamas are designated as an acceptable pack animal. Archeological and historical sites are easily damaged by livestock and require special protection. The requirement that only processed feed be carried into the backcountry is intended to prevent the introduction or spread of non-native vegetation. The requirement to tether or picket stock is to prevent damage to live trees or shrubs and is intended to protect root systems, bark, and foliage from excessive damage that can occur if stock is left restrained in one area for an extended period. Animal stock use limits are implemented to protect the resources. The Cub Creek Road receives heavy visitor vehicle traffic because it is part of the Tilted Rocks Auto Tour. Horse and vehicle traffic on this road is a safety issue.

SECTION 2.20 - SKATING, SKATEBOARD, AND SIMILAR DEVICE

The following areas are designated for the use of skates, rollerblades, skateboards, and similar devices: Headquarters Housing Area – not including the road from the housing area to the Harpers Corner Road.

Quarry Housing Area from the maintenance entrance through the housing areas to the junction of the Quarry Entrance Road.

Determination: The residential areas, housing for NPS employees, provide the principle areas for play and activity by children of residents. Skating and using skateboards are activities one can expect children to enjoy. These areas do not have any conflicting uses involving visitor recreation and they are areas in which traffic hazards are minimized

SECTION 2.21 - SMOKING

- (a) Smoking is prohibited in all public use and administrative buildings and facilities, as well as within 25 feet of a public building entrance.

Determination: It is NPS policy that public use and administrative facilities be smoke-free. There are no designated employee smoking areas within NPS facilities.

SECTION 2.22 - PROPERTY

- (a)(2) Motor vehicles may be left in designated parking areas at trailheads, along roadways where the vehicle does not interfere with the flow of traffic and river access areas for more than 24 hours while the vehicle operator, who has been issued or is with a group that has been issued a valid permit by the Monument, is using the backcountry.

Motor vehicles left overnight in visitor center parking lots require a parking permit.

Determination: Motor vehicles are prohibited from using visitor center parking lots without a parking permit due to security concerns. Broken down vehicles need to be reported to park rangers if they can't be fixed within 24 hours.

SECTION 2.23 - RECREATION FEES

- (a) The following areas within Dinosaur National Monument are designated recreation fee collection points:
- Quarry Entrance Station – Entrance Fee
 - Quarry Visitor Center – Entrance Fee
 - Green River Campground – Camping Fee
 - Split Mountain Campground – Camping Fee
 - Lodore Campground – Camping Fee
 - Echo Park Campground – Camping Fee
 - Deerlodge Campground – Camping Fee
 - Rainbow Park Campground – Camping Fee
- (b) Fees may be suspended in situations deemed appropriate by the Superintendent.

Determination: *Recreation and entrance fees are charged according to criteria set forth in 35 CFR Part 71.*

SECTION 2.34 - DISORDERLY CONDUCT

- (a)(3) Creating or sustaining an unreasonable noise is prohibited within park housing areas between the hours of 10:00 pm and 6:00 am.

Determination: *Park residents have a reasonable expectation for quiet during the night. Residents should be mindful of the noise generated by their activities and be considerate of neighbors.*

- (a)(4) Public nudity, including but not limited to boating, swimming, hiking, sunbathing or bathing in the nude, is prohibited in areas frequented by or in the presence of park visitors.

Determination: *Public nudity can be considered offensive to some park visitors. Visitors participating in these activities need to use discretion and do these activities away from areas frequented by park visitors.*

SECTION 2.35 - ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

- (a)(3)(i) The possession or consumption of an alcoholic beverage and/or the possession of a bottle, can, or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken, or the contents of which has been partially removed is prohibited in all public/administrative buildings.

The superintendent may authorize the possession and consumption of alcoholic beverages as part of a special use event.

Determination: *Closing these areas to the consumption and possession of alcoholic beverages is for public safety concerns and the orderly management of the facilities.*

SECTION 2.51 - PUBLIC ASSEMBLIES

- (c) (2) The following areas may be used for public demonstrations, picketing, speechmaking, marching, holding vigils or religious services and all other like forms of conduct that involve the communication or expression of views or grievances, engaged in by one or more persons, the conduct of which is reasonably likely to draw a crowd of onlookers:

The information kiosk area along Harper's Corner Road between the visitor center/administrative building and the maintenance facility.

The Quarry Visitor Center parking lot.

See park maps in appendix C, Green River Public Assembly Area and D, Headquarters Public Assembly Area.

This does not apply to casual park use by visitors or tourists that is not reasonably likely to attract a crowd of onlookers.

Determination: *This action is necessary to comply with 36 CFR 2.51 to provide a map showing locations available for public assembly activities. The areas provided should not unreasonably interfere with visitor services and should provide adequate public recognition for any public assembly activity.*

SECTION 2.62- MEMORIALIZATION

- (c) Most areas in Dinosaur National Monument, excluding archeological sites, are open to the scattering of human ashes with a permit from the Superintendent.

Determination: *The resource concerns for this type of activity are minimal. Such activity can occur without causing any negative impacts to the resources of the area.*

SECTION 3.3 - BOATING AND WATER USE ACTIVITY PERMITS

A boating permit is required for all vessel use on the Green and Yampa Rivers within Dinosaur National Monument. See appendix E for specific river special park use permit terms and conditions at the monument, which apply to multi-day Green and Yampa River permit holders as well as single-day Green River permit holders from Rainbow Park to the Split Mountain river access. See appendix F for specific river "play permit" terms and conditions at the monument. A play permit is not required if launching from Placer Point as that section of river is outside the monument boundary.

Determination: *The permit requirement is to provide for visitor safety, wilderness and resource protection and to reduce user conflicts. A copy of the Dinosaur National Monument River Management Plan and the 2013 "Boating in the Monument" guide are available upon request.*

SECTION 3.7 – PERSONAL FLOTATION DEVICE (PFD) REQUIREMENT

- (a) On the Green and Yampa Rivers within the boundaries of Dinosaur National Monument, every person on board a vessel is required to properly wear a US Coast Guard-approved PFD for whitewater activities at all times, except PFDs may be loosened or

removed by persons 13 years of age or older on the Green River from the mouth of Whirlpool Canyon to the head of Split Mountain Gorge.

Determination: *There are numerous rapids and natural obstacles on the Green and Yampa rivers within the Monument, as well as unforeseen circumstances, which may cause a person on a vessel to end up in the river. The use of a properly fitted, US Coast Guard-approved whitewater PFD reduces the possibility of drowning. The requirement is optional in only one particular section of flat water for boaters ages 13 years of age or older in accordance with Utah state boating regulations. While optional, the Monument strongly encourages all boaters to wear their PFD at all times.*

SECTION 3.8 – VESSEL OPERATIONS

(a)(2) The following areas are designated vessel launch and recovery sites:

Cross Mountain parking lot, Deerlodge boat ramp, Lodore boat ramp, Echo Park boat ramp, Rainbow Park boat ramp, Split Mt. boat ramp, and Placer Point day use area.

The Echo Park boat ramp is for administrative/emergency vessel launching and recovery only, as well as for play permit access to Steamboat Rock for hikers and rock climbers.

While a permit is not required for launching vessels at the Placer Point day-use area, the launching or recovery of rafts and motorized vessels are prohibited as the site lacks an adequate boat ramp capable of handling larger, heavier craft.

Launch and recovery sites are designated on river permits. Only those sites identified on the permit may be used.

The Superintendent or designee may temporarily allow the launching and recovery of vessels at other locations upon request.

Determination: *Launching and recovering vessels outside of designated areas can lead to unauthorized boating activities, bank erosion, impact to sensitive plants, parking issues and user conflicts. The Superintendent may approve requests to launch and recover vessels outside these designated areas on a case-by-case basis.*

SECTION 4.10 - VEHICLES AND TRAFFIC SAFETY

(a) Electronic Personal Assistive Mobility Device (EPAMD), motorized scooters and similar devices, as defined under 36 CFR 1.4 are motor vehicles. The monument has imposed a restriction on the use of EPAMDs, motorized scooters and similar devices from all park areas including roads, sidewalks and trails.

However, any visitor or employee with a disability is permitted to use EPAMDs, motorized scooters, motorized wheelchairs or similar devices in park buildings and developed areas, such as campgrounds and parking lots, when the sole purpose for use of such devices is mobility assistance. For safety reasons, EPAMDs, motorized scooters and similar devices may not be used on any park road or trail.

Individuals with disabilities who operate one of the above described devices must operate the device in a safe and responsible manner so as not to endanger one's self or

other park visitors. The maximum speed for such devices is 8 mph. The operator of an assistive mobility device will have the same rights applicable to a pedestrian under the same circumstances, except the operator must yield to other pedestrians.

Wheelchairs (either manual or motorized) are not considered motor vehicles or mechanized vehicles and are allowed on park trails, although this is not recommended.

Determination: *The monument wishes to provide as much access as possible to visitors with disabilities while maintaining an environment that is safe for all visitors and protects park resources.*

SECTION 4.21 - SPEED LIMITS

- (b) The Superintendent has established the following speed limits:
- Split Mountain Campground/Boater Access Road – 25 mph
 - Cub Creek Road (Access road to Josie Morris' cabin) – 15 mph
 - Quarry Exhibit Hall Access Road – 15 mph
 - Green River Campground Access Road – 25 mph
 - Lodore Access Road – 25 mph
 - Island and Rainbow Park Roads – 25 mph
 - Harper's Corner Road from Hwy 40 to the park residential access road – 25 mph
 - Harper's Corner Road at Plug Hat day-use area – 25 mph
 - Harper's Corner Road in the Harper's Corner Trailhead and parking lot area – 15 mph
 - Hwy 149 approaching the fee entrance station from either direction – 15 mph

Determination: *36 CFR 4.21(a) establishes a 45 mph speed limit for park roads outside of certain areas listed in 36 CFR 4.21(a)(1) and (a)(2) unless the Superintendent determines that the speed is "unreasonable, unsafe or inconsistent with the purposes for which the park area was established" as stated in 36 CFR 4.21(b). The Superintendent has determined that the speed limits listed above are reasonable, safe and consistent with park purposes. Many are based on the recommendations from Utah and Colorado Department of Transportation road engineers.*

SECTION 4.30 - BICYCLES

- (a) Bicycle use within Dinosaur National Monument is permitted only on routes open to public motor vehicle use. They are prohibited on administrative roads and all trails. Park staff are authorized to use bicycles on administrative roads approved by the Superintendent.

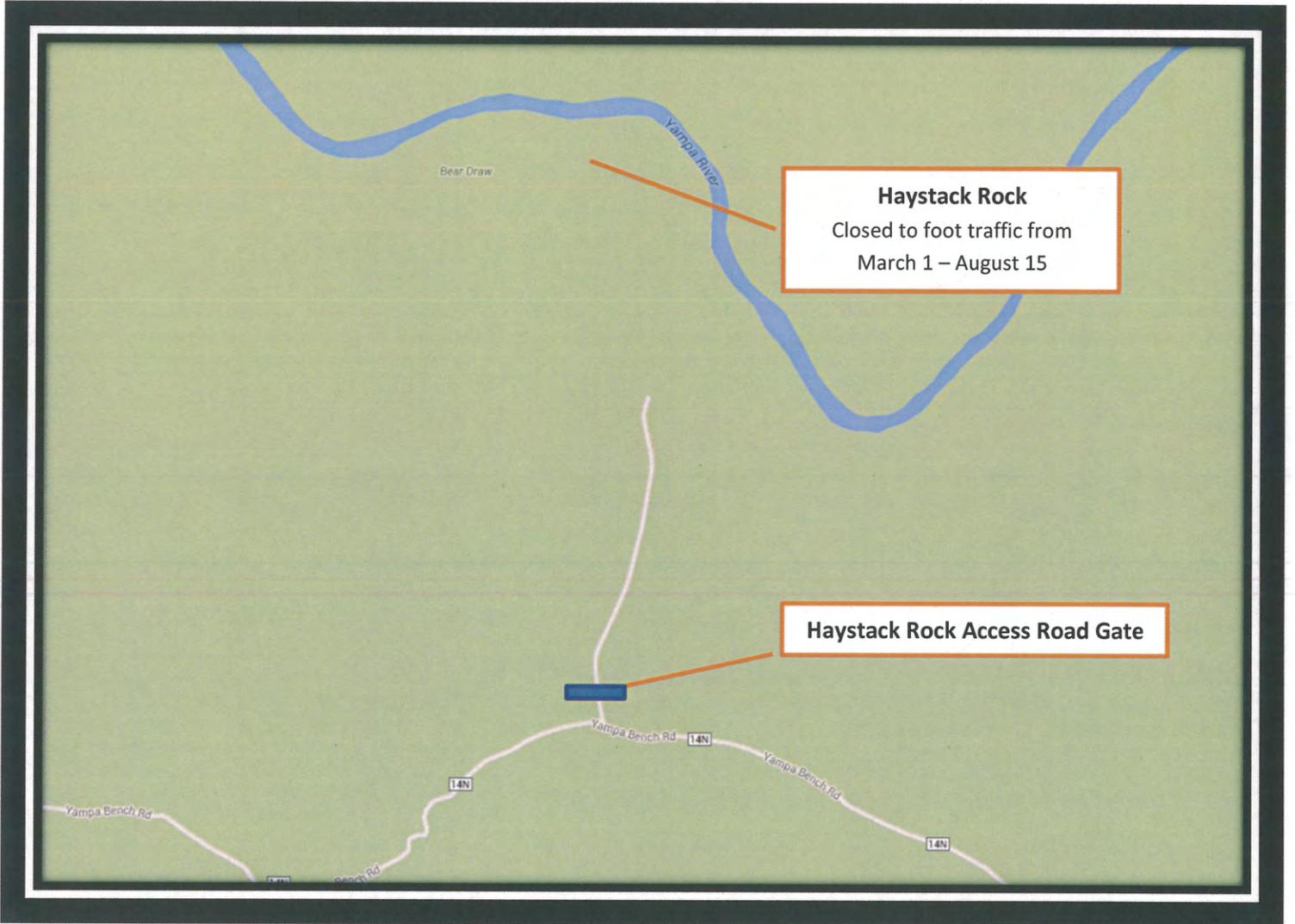
Determination: *Bicycle use is permitted on all roads open to public motor vehicle use. They are not permitted on trails or roads closed to the public. Much of the Monument is recommended wilderness where wheeled vehicles are prohibited.*

SECTION 4.31 - HITCHHIKING

For the purpose of hiking a pack trail or traveling crosscountry, hitchhiking is permitted to obtain transportation back to one's vehicle or from one's vehicle to a trail entry point. Hitchhiking is also permitted to obtain assistance for a disabled vehicle. It shall not be permitted where it creates a traffic hazard.

Determination: *Some park trails do not loop back to their beginning point but come out some distance from the original entry point. Soliciting a ride for a short distance has been an accepted practice for many years without any complaints or history of problems.*

Appendix A – Haystack Rock Closure Area



Appendix B – Dinosaur ATV and OHV Memo



United States Department of the Interior

NATIONAL PARK SERVICE
Dinosaur National Monument
4545 Highway 40
Dinosaur, CO 81610



W46 (DINO-S)

October 6, 2008

Memorandum

To: File

From: Superintendent, Dinosaur National Monument */s/ Mary Risser*

Subject: Determination regarding the use of all terrain vehicles and similar vehicles on Dinosaur National Monument roads

For many years, the use of motor vehicles "off-road" within national parks has been prohibited by 36 CFR 4.10. 36 CFR 4.10(a) prohibits motor vehicle use except on park roads, in parking areas, and on routes and designated areas. 36 CFR 4.10(b) requires that route and area designations be made only by special regulation and that they be made only in national recreation areas, national seashores, national lakeshores and national preserves. This precludes making such designations within national parks and monuments.

In Utah, all terrain vehicles (ATV), off-road vehicles (OHV), and similar vehicle use on roads within NPS areas has been prohibited by action of 36 CFR 4.2, which assimilates Utah law related to motor vehicles. Utah law had generally prohibited the use of ATV, OHV, and similar vehicles on roads. Thus, such vehicles were prohibited both off-road and on-road within national parks in Utah.

During the 2008 General Session of the Utah legislature, however, S.B. 181 was passed. The new law became effective on October 1, 2008. The bill alters the previous state law regarding the operation of ATV, OHV, and similar vehicles on roads, so that those vehicles could operate on many roads in Utah, including within NPS areas. In effect, this alteration of state law could terminate the longstanding closure of park roads to ATVs and introduce a new use into the parks and monuments.

NPS Management Policies require that park superintendents monitor new or changing patterns of use and assess their potential impacts on park resources. A new park use may not be allowed until the superintendent has made a determination that it will be appropriate and not cause unacceptable impacts. ATV, OHV, and similar vehicle use on roads is a potential new use within Dinosaur National Monument and must be evaluated and determined to be appropriate prior to being allowed.

The NPS Management Policies 2006 contain a discussion of applicable laws:

"The 1916 Organic Act directs the Service to conserve park resources "unimpaired" for the enjoyment of future generations. The 1970 National Park System General Authorities Act, as amended in 1978, prohibits the Service from allowing any activities that would cause



derogation of the values and purposes for which the parks have been established. Taken together, these two laws establish for NPS managers a strict mandate to protect park resources and values; a responsibility to actively manage all park uses; and when necessary, an obligation to regulate their amount, kind, time and place in such a way that future generations can enjoy, learn, and be inspired by park resources and values and appreciate their national significance in as good or better condition than the generation that preceded them.” (Management Policies 2006, 8.1)

“The fundamental purpose of the national park system, established by the Organic Act and reaffirmed by the General Authorities Act, as amended, begins with a mandate to conserve park resources and values. This mandate is independent of the separate prohibition on impairment and applies all the time with respect to all park resources and values, even when there is not risk that any park resources or values may be impaired. NPS managers must always seek ways to avoid, or to minimize to the greatest extent practicable, adverse impacts on park resources and values.” (Management Policies 2006, 1.4.3)

“Congress, recognizing that the enjoyment by future generations of the national parks can be ensured only if the superb quality of park resources and values is left unimpaired, has provided that when there is a conflict between conserving resources and values and providing for enjoyment of them, conservation is to be predominant.” (Management Policies 2006, 1.4.3)

The Management Policies, reflecting applicable laws, go on to discuss what constitutes appropriate park use.

“Appropriate forms of visitor enjoyment emphasize appropriate recreation consistent with the protection of the park.” (Management Policies 2006, 8.1.1)

“However, many forms of recreation enjoyed by the public do not require a national park setting and are more appropriate to other venues. The Service will therefore

- Provide opportunities for forms of enjoyment that are uniquely suited and appropriate to the superlative natural and cultural resources found in the parks;
- Defer to local, state, tribal, and other federal agencies; private industry; and nongovernmental organizations to meet the broader spectrum of recreational needs and demands.

To provide for enjoyment of the parks, the National Park Service will encourage visitor activities that

- Are appropriate to the purpose for which the park was established; and
- Are inspirational, educational, or healthful, and otherwise appropriate to the park environment; and
- Will foster an understanding of and appreciation for park resources and values, or will promote enjoyment through a direct association with, interaction with, or relation to park resources; and
- Can be sustained without causing unacceptable impacts to park resources or values.” (Management Policies 2006, 8.1.2)

In addition to the laws applicable to NPS areas nationwide, the following specific legislation is applicable to Dinosaur National Monument.

Dinosaur was established by Presidential Proclamation 1313 on October 4, 1915 (39 Stat. 1752), to preserve an “extraordinary deposit of Dinosaurian and other gigantic reptilian remains of the Juratrias period, which are of great scientific interest and value.” In 1938, the monument was enlarged by

Presidential Proclamation 2290 (53 Stat. 2454) to include the “various objects of historic and scientific interest” in the river corridors and adjacent viewsheds for the major canyons of the Green and Yampa rivers.

The General Management Plan for Dinosaur National Monument states that “The protection and preservation of the natural environment to ensure ecosystem integrity while providing for visitor enjoyments would be the principal consideration. Biological, geological, and other natural processes would be permitted to continue with a minimum of human disturbance.”

The affected environment section of many of the monument’s planning documents include discussions of the resources that the National Park Service is mandated to protect and that would be threatened by off-road use by these vehicles.

The adverse impacts of motor vehicle use off of roads have long been a grave concern in NPS areas. As a result, motor vehicle use off of roads is prohibited in national parks and monuments nationwide to protect the natural and cultural resources, and the scenic, scientific, and archeological features of national parks. This is because motor vehicles travelling off of roads disturb the soil and damage vegetation, which leads to soil erosion. They also damage archeological resources by crushing those resources or as a result of soil erosion induced by such travel. They damage and destroy vegetation, which can adversely affect wildlife habitat, and adversely affect the scenic quality of the natural landscape. Research has shown that, once such damage has occurred, it is very difficult or impossible to repair.

The addition of off-road vehicle traffic on park roads will inevitably result in injury and damage to park resources. These specialized vehicles are designed, produced and marketed for the purpose of off-road travel, and they are uniquely capable of easily leaving the road and travelling cross-country. No reasonable level of law enforcement presence would be sufficient to prevent ATV and OHV use off roads. Park rangers will not have the ability to pursue and apprehend vehicle users off-road without adding to the damage they cause to park resources.

Visitor education and civic engagement could reduce the potential for off-road use of these specialized motor vehicles, but could not preclude it. The potential for substantial damage is great, even from a small number of off-road incidents, and is an unacceptable risk.

Fencing park roads could physically prevent off-road vehicle use. However, in addition to being unrealistic due to expense, fencing roads would be contrary to NPS Policies, as it would have unacceptable impacts on natural and cultural resources, on scenery, and on visitor enjoyment. NPS Park Road Standards state that “A park road should be fundamentally designed to maintain an overall continuing sense of intimacy with the countryside or area through which it passes.” NPS Management Policies (2006) address the integration of facilities into the park environment at 9.1.1.2: “Development will not compete with or dominate park features or interfere with natural processes, such as the seasonal migration of wildlife or hydrologic activity associated with wetlands.” Fencing park roads would be inconsistent with NPS purposes and policies; therefore it is not an acceptable alternative.

The use of ATV, OHV, and similar vehicles does not require a park setting. Public lands are currently open to their use on and off roads, so the opportunity for this recreational use is available in other venues. There has been virtually no public demand for their use within the parks and monuments.

Determination:

The use on park roads of off highway vehicles (OHVs), all terrain vehicles (ATVs), and other motorized conveyances manufactured for recreational non-highway, off road, or all terrain travel poses a significant risk to park resources and values which cannot be appropriately mitigated, and

which cannot be sustained without causing unacceptable impacts. The use of such vehicles is, therefore, not consistent with the protection of the parks and monuments.

A clear purpose of such vehicles is to travel off-road. Their capability to readily do so, the resource damage caused by off-road travel, and the lack of effective mitigation measures make their use inappropriate in these national parks and monuments. Prevention of resource damage by off-road vehicle travel is essential, because once resources have been damaged it is difficult, if not impossible, to provide effective restoration.

Title 36 CFR 1.5 provides for the closure of park areas to specific uses or activities when the superintendent determines that a closure is necessary for park purposes. In cases where the closure does not alter the public use pattern of the park area, does not adversely affect park resources, and is not highly controversial, the superintendent may establish the closure through writing a determination and notifying the public.

In emergency situations, even in cases where the closure would alter the public use pattern of the park area, would adversely affect park resources, or would be highly controversial, the closure may be implemented if necessary for park purposes without prior publication as a rulemaking and without preparation of a written determination prior to the action.

OHVs, ATVs, and similar vehicles have long been prohibited within Dinosaur National Monument by assimilation of state law. Maintaining that prohibition by application of 36 CFR 1.5 would not constitute an alteration of a public use pattern of the monument. Maintaining the current prohibition would not adversely affect park or monument resources. It would not be controversial, since it would not be a change and because the public understands the current restriction. On the other hand, terminating the prohibition would be controversial, would constitute an alteration of a public use pattern, and would adversely affect park resources.

In accordance with the provisions of 36 CFR 1.5, and the requirements of the National Park Service Management Policies (2006) Section 1.5, it is my professional judgment that for the protection of environmental and scenic values, for the protection of natural and cultural resources, and for the implementation of management responsibilities, it is necessary to continue the current prohibition against the operation of any off highway vehicle (OHV), all terrain vehicle (ATV) or other motorized conveyance manufactured for recreational non-highway, off road, or all terrain travel (all-terrain type I or type II vehicles, as defined by Utah State Code Annotated 41-22-2) on park roads within Dinosaur National Monument.

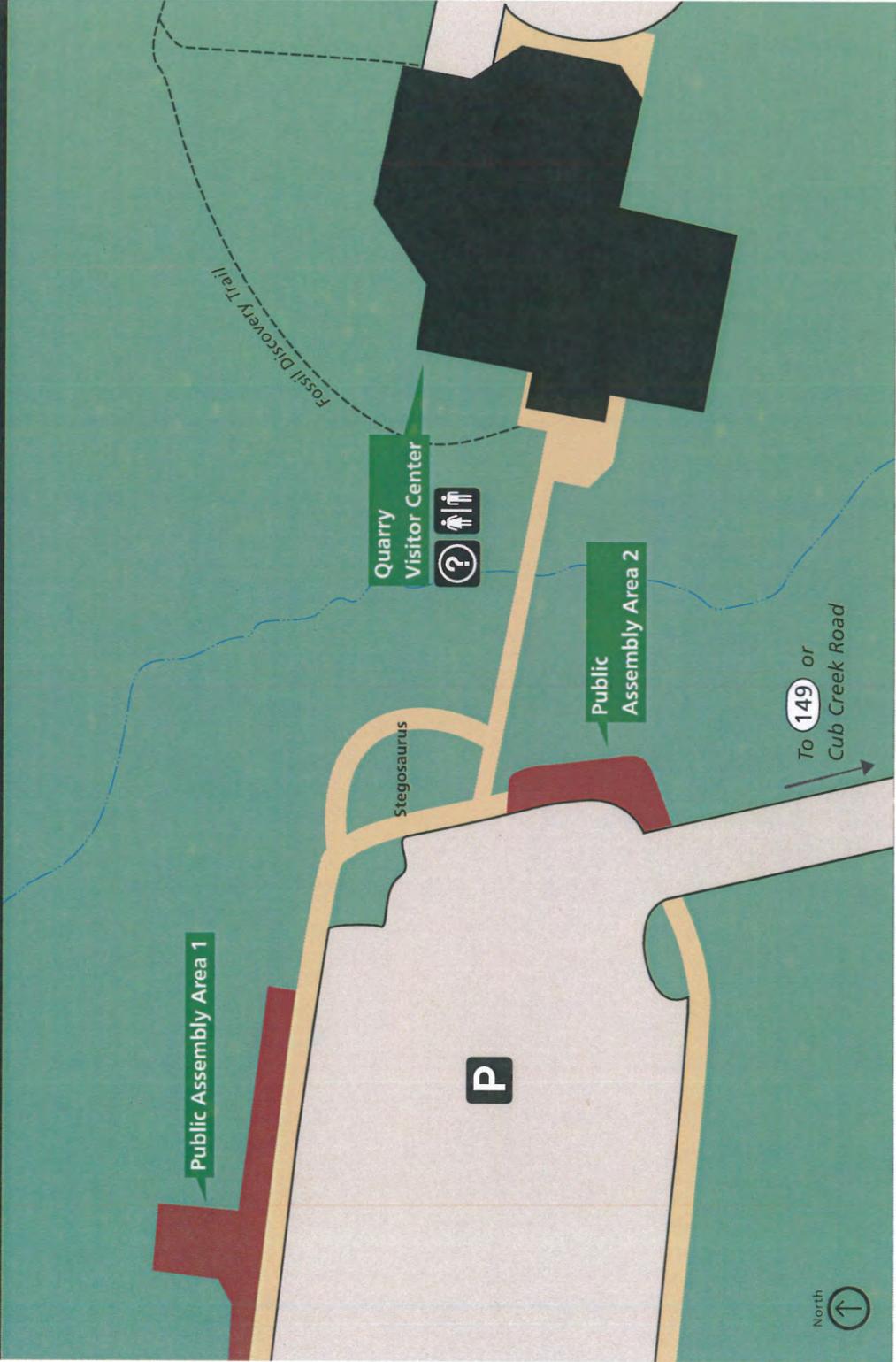
Public notice of this determination will be made in accordance with the provisions of 36 CFR 1.7 (a). As required by 36 CFR 1.7 (b), this closure shall be added to the park compendium, and made available to the public upon request. A file of relevant documents considered in making this determination will also be made available to the public upon request.

This action does not preclude consideration of proposals for the use of ATV, OHV, and similar vehicles on park roads. If proposals are made to allow such vehicles on park roads, they would be considered according to the process described in the National Park Service Management Policies (2006) at 8.1.2.

Appendix C – Green River Public Assembly Area

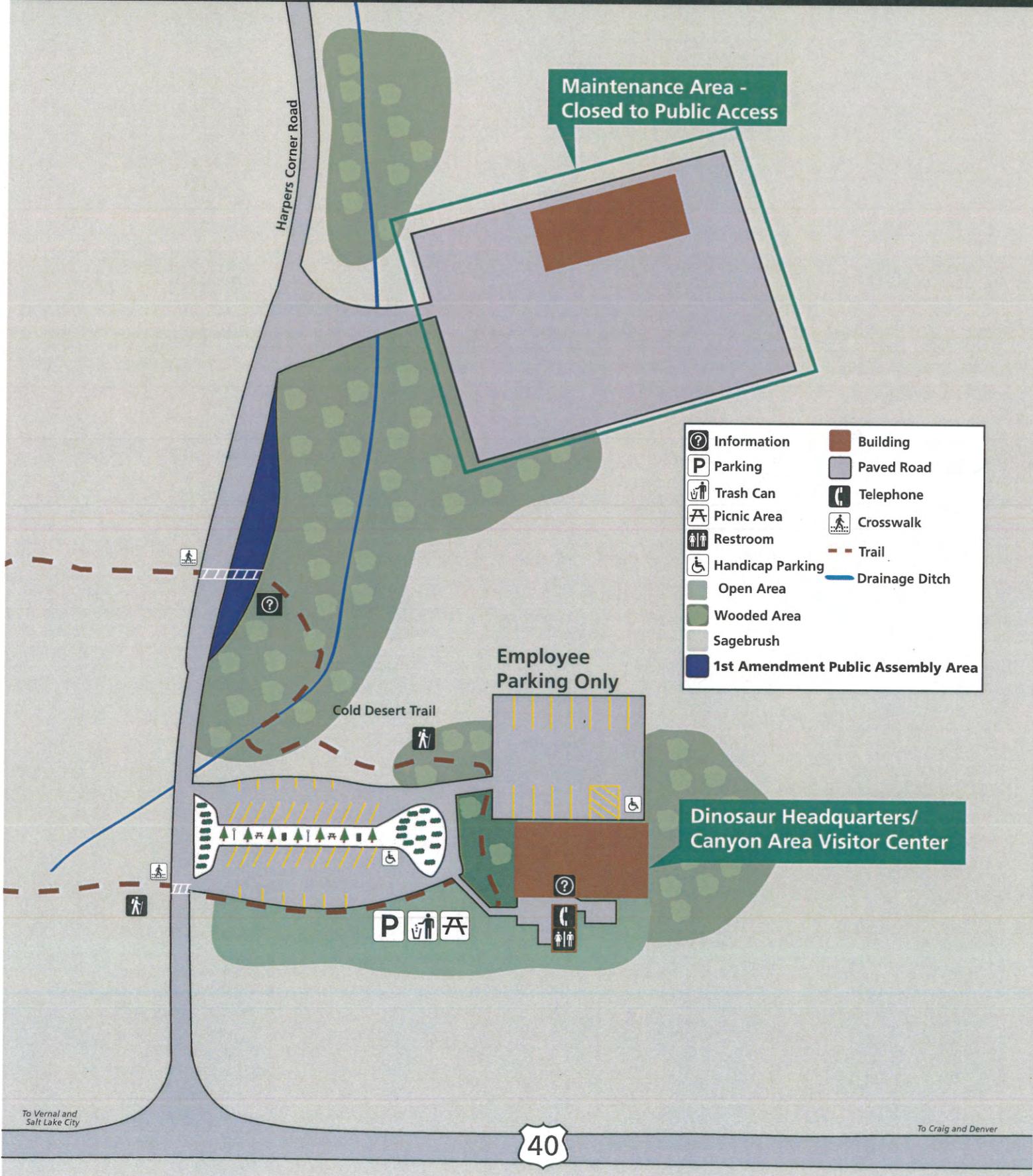
Quarry Visitor Center Public Assembly Area

Dinosaur National Monument
National Park Service
U.S. Department of the Interior



Appendix D – HQ Public Assembly Area

Headquarters Public Assembly Area



	Information		Building
	Parking		Paved Road
	Trash Can		Telephone
	Picnic Area		Crosswalk
	Restroom		Trail
	Handicap Parking		Drainage Ditch
	Open Area		
	Wooded Area		
	Sagebrush		
	1st Amendment Public Assembly Area		

To Vernal and Salt Lake City



To Craig and Denver

Appendix E – 2016 Multi-Day River Permit Terms and Conditions

Dinosaur National Monument River Trips

Trips may be delayed or permits invalidated if conditions in these stipulations are not met. Failure to comply with stipulations or launching without a permit may result in penalties under Federal or Utah or Colorado law and regulations. Penalties may include criminal action, civil action, and denial of future permits.

- Non-commercial boating permits will be allocated to individuals whose proposed trip meets the following criteria:
 - There is a bona fide sharing of cost where no part of the fees are:
 - collected in excess of actual costs of the trip.
 - for salary or financial gain in any manner for any of the group, its leaders, or sponsors.
 - for capital increase of the major equipment or facilities used on the trip.
- Boatmen and other crew may not be paid in ANY manner. Any or all goods, activities, services, agreements, or anything offered to park visitors and /or the general public for recreational purposes, which uses park resources, is undertaken for or results in compensation, monetary gain, benefit, or profit to an individual, organization, or corporation is considered a commercial enterprise.
- There is no media or direct mail advertising or soliciting for trip participants

Requirements and Regulations

Boating within Dinosaur National Monument is by Permit Only.

All individuals wishing to boat within Dinosaur National Monument must possess a permit issued by the Recreation.gov. Permits are non-transferable and are for one launch only.

Individuals can have only one application in the high use lottery system and can be listed no more than once within each lottery

Having more than one application in the Lottery System will result in any trip acquired through that lottery being forfeited.

Individuals Can Have Only One Permit at a Time

Permit holders must launch their trips on the date and at the location listed on their permit. Likewise, they may only take out on the date and at the location listed on their permit. Permit holders may change the launch date ONE TIME if the request is made more than two weeks prior to the originally scheduled launch date and another date is available.

One High-Use Trip Per Year

All noncommercial participants are limited to a maximum of one high-use trip per year through any portion of the multi-day section of the Green or Yampa Rivers within Dinosaur National Monument. Participation by the trip leader/permittee or any other planned member of a group on any prior noncommercial river trip within the same year will result in that person's disqualification from holding a permit in the Monument for the rest of that year and the subsequent year. This rule may be waived by the National Park Service (NPS) in cases where the high-use trip was picked up as a cancellation less than two weeks prior to the launch date. **If the original permittee is disqualified from the trip or cannot go on the trip for any other reason, the noncommercial trip will be cancelled.** This rule may be waived by the NPS in cases where documentation is provided for death or serious medical cases only. The NPS will make its decision on a case-by-case basis.

Wearing Personal Flotation Devices (PFDs)

Every person on board any vessel shall wear a PFD at all times, except PFDs may be loosened or removed by persons 13 years of age or older, between Cove Campsite and Rainbow Park boat ramp.

Permit Violations and Penalties

Permit holders who violate the terms and conditions of their permit may receive a fine and/or have their privileges to hold a permit in the park revoked. Violations of the permit fall under 36 CFR and the Superintendent's Compendium. Maximum fine can be up to \$5,000 and/or up to six months in prison.

Trip Leader/Qualifying Boatman Experience

The trip leader and boatmen must have a working knowledge of whitewater safety, general first aid, river equipment repair, and the techniques of white water navigation. The trip leader must be at least 18 years of age. Experience on the Green and Yampa Rivers in Dinosaur National Monument or on other comparable class III or higher whitewater rivers is mandatory (such as the Rogue, Selway, North Platte, Grand Canyon, Westwater, and others). It is preferable that the trip leader or another member of the party be familiar with the rivers within Dinosaur National Monument.

Age Requirement for Lottery and Potential Trip Leaders

Lottery applicants, permit holders, and trip leaders must be 18 years or older by any requested launch date.

Trip Size

Noncommercial river trips shall include no more than 25 persons (total includes the trip leader/permittee and all passengers) at any point on the trip. People traveling under one permit must travel and camp together and occupy only one campsite.

Trip Lengths

During high-use, the normal trip length on the Green River is four days and on the Yampa River it is five days. If the permit holder requests and is granted an over-length trip, the number of days can be extended to five days on the Green, and six days on the Yampa River. During low-use season the maximum trip length for the Green River is six days, and seven days for the Yampa River. Trips may never exceed the trip lengths listed on the permit. The length of the permit cannot be changed after the permit has been issued.

Permits are Not Transferable

Noncommercial permits are *not transferable*. The permittee must accompany the entire river trip.

Passenger Lists

An accurate passenger list must be completed prior to launch. Additions or substitutions to the passenger list will not be allowed at the launch site.

Trip Checkout Form and Required Identification/Documentation

All permit holders must present a valid, unaltered photo identification (i.e., driver's license, state issued identification or passport) to the ranger during the check-in inspection. The permit holder must also present their permit, **which they are required to have on them for the duration of the trip**. If a ranger is not available at your permit launch point, the permit holder must complete a trip checkout form found near the kiosk at the boat ramp before departing. In addition to the permit, the permit holder is required to have a copy of their 2014 Boater's Information Booklet and a copy of their passenger list. **When the permit holder has neither photo identification nor proper documentation, the trip will NOT be allowed to launch.**

Permit Holder and Member Responsibility

The permit holder must comply with all portions of the permit application procedure and is directly responsible for the actions of his/her party. Failure by the permit holder or any member of the group to adhere to any of these noncommercial regulations may result in revocation of the permit, citation of the permit holder and/or members, and possible administrative decision that may affect future use on the Green and Yampa Rivers within Dinosaur National Monument.

Generator Use

Because the river corridors are recommended wilderness, generators may only be used on boat ramps at the launch and take-out points.

Pets

Pets are not permitted on river trips.

Echo Park

Due to high use at Echo Park, please tie boats as closely together as possible.

Ranger River Patrols

A NPS ranger may, on occasion, travel with or inspect noncommercial parties to ensure compliance with permit conditions and to provide additional safety through major rapids. Rangers carry radios and satellite phones and are able to call in additional resources if there is an emergency.

Resource Protection

Natural or historical features such as rocks, old mining artifacts, fossils, flowers, antlers or Indian artifacts, may not be removed or disturbed. Removing, disturbing or defacing natural, historic, cultural or archeological features is prohibited. Shooting, trapping, molesting or feeding wildlife is prohibited. Please report wildlife observations (date, locations and time) on the back of the river permit. Picking or gathering of plants is prohibited.

Fishing

Fishing is permitted, subject to all state regulations and licenses of the state in which the person is fishing. Anyone fishing must have a valid Colorado and/or Utah fishing license, depending upon the state in which they fish.

Abandonment of Property

Property left more than 24 hours or that interferes with visitor safety may be impounded by the Superintendent at any time. The owner of record or the permit holder may be liable for any charges associated with removal of property.

Lunch Spots

Please be aware of others' needs if you stop for lunch at campsite landings as the campsite may be assigned to the group behind you for the evening. If you stop for lunch at high-use trailheads or scouting locations, please ensure that others can still use these locations.

Firearms and Other Weapons

The possession of firearms must comply with state law; however, the use of firearms is prohibited. The possession or use of other weapons, explosives and fireworks is prohibited.

Alcohol and Other Controlled Substances

Boating under the influence of alcohol or a controlled substance to a degree that may endanger oneself or others, damage property or park resources is prohibited. All underage drinking is prohibited.

Required Equipment Checklist

Adult Personal Flotation Devices (PFDs)

Type I, Type III or Type V Coast Guard approved life jackets must be properly worn by each participant while on any craft in the river (except from Cove Campsite to Rainbow Park boat ramp on the Green River). Type III and Type V life jackets must be approved for whitewater activities (rafting, paddling, etc.), must have a static shell with a minimum inherent buoyancy of 15.5 lbs (for adults), must be appropriate for size and weight of the user, and must be in good condition. PFDs showing excessive signs of wear will not be approved for use. Horse-collar type life jackets and ski and fishing vests are not acceptable.

Child PFDs

Children must properly wear an appropriately sized Type III or V PFD rated for their weight with a static shell and a minimum inherent buoyancy of 11 lbs at all times. Horse-collar type life jackets and ski and fishing vests are not acceptable. You must bring a spare child-size PFD for all trips with children.

Spare PFDs

One spare Type I, Type III, or Type V Coast Guard approved life jacket must be carried in each raft, dory, or paddleboat. Spare life jackets must be an appropriate for size and weight of the potential users, including spare PFDs for children. **One spare Type I, Type III, or Type V life jacket must be carried for every three canoes, kayaks, and standup paddlers.** If there is only one small craft, one spare must be carried.

Spare Oars/Paddles

One spare oar for each raft or dory, one spare paddle for every paddle raft, and one spare paddle for every three kayaks, canoes, or standup paddlers must be carried. Paddles designed to be strapped to or worn on the hands meet this requirement. If there are fewer than three kayaks or canoes as part of the trip, one extra paddle is required. Spare paddles and life jackets for canoes, kayaks, and standup paddlers may be carried on a support boat.

First Aid Kits

One major first aid kit for the entire group and one basic first aid kit for each boat on the trip must be carried.

Toilet Containers

Each group must carry and use at least one container toilet system that is washable, reusable, and will not leak when inverted to carry out human waste on multi-day trips. It must be accessible for use during the day. **Bag systems (such as wag bags or PET systems) are not permitted.** Toilet systems are strongly recommended, but not required on 1-day trips.

Spray Skirts and Flotation

Water-tight spray skirts and flotation for each hard shelled kayak and/or decked canoe are required.

Air Pump

An air pump is required in each group with inflatable boats.

Boat Repair Kits

Repair kits suitable for each type of boat on the trip are required.

Strainer

A mesh strainer for dishwater and ashes is required for multi-day trips, but not on 1-day trips.

Fire Pan

Fire pans must be elevated a minimum of four inches off the ground. Fire pans must be a minimum size of 100 square inches with at least a 3-inch rim. Kayaks or canoes without raft support may substitute a gas stove. All trips are only required to have a fire pan and fire blanket if building a fire.

Fire Blanket

A fireproof tarp, blanket, or welder's cloth must be carried and placed under the fire pan. It must be of sufficient size to catch coals and ashes around the fire pan. All trips are only required to have a fire pan and fire blanket if building a fire.

Bailing Device

Each boat with a non-self-bailing floor must carry a bailing device.

Flotation for Open Dories and Whitewater Canoes

Open dories and whitewater canoes must have securely attached flotation equal to two-thirds of volume or eight cubic feet. **Decked Dories**

Closed or decked dories must have leak-proof, sealed chambers.

Helmets

Helmets are required for all canoeists, kayakers (including inflatable kayaks) and standup paddlers and must be worn in all named rapids, including: Teepee, Little Joe, Five Springs, Big Joe, Warm Springs, Winnie's Rapid, Disaster Falls, Harp Falls, Triplet, Hell's Half Mile, Greasy Pliers, Moonshine, SOB, Schoolboy and Inglesby. Bike helmets are

not appropriate. You should carry one spare helmet for every three craft.

Rescue Kit

One rescue kit (also known as a sweep kit or z-drag kit) containing adequate gear to rescue a trapped boat for each group is required. Participants should have knowledge of river rescue techniques.

Type IV Device

One throwable Type IV device, seat cushion, or throw bag per boat is required.

Paperwork

A current copy of the Boater's Information Booklet, an accurate passenger list that matches the one on file with the Dinosaur National Monument River Office, and a permit for launch from the Dinosaur National Monument River Office are required to be readily available at all times.

Kitchen Floor Tarp

A kitchen floor tarp to be placed under the food preparation and serving tables.

Camping Regulations

During high-use season (from the second Monday in May until the second Friday in September), camp only in campsites assigned by the Dinosaur National Monument River Office. During low-use season, boaters may choose which designated campsites they wish to stay at; sites are available first-come, first-serve. Additional camping regulations include:

- Campsites must be packed up, and boats loaded and moved out of landings by noon to allow the next group to occupy the site. Adhere to Leave-No-Trace principles, and leave your campsite as you found it or better.
- If not assigned a campsite at Jones Hole, use the day-use area between Jones Hole campsites #3 and #4 for short stops. If not assigned a campsite at Rippling Brook, use the day use area between the two campsites.
- During a river trip, camping is not permitted at Echo Park, Rainbow Park or in the Split Mountain Gorge.
- Do not expand trails, enlarge camping areas, or trench camp or tent sites
- The use of kitchen ground tarps to minimize and concentrate impacts and collect food crumbs is highly recommended.
- Fire residue must be strained before being deposited in the main river current. All floatable and strained fire residues must be carried out.
- Human waste must be carried down river in an approved container
- Pack out all trash along the river and at Deerlodge, Lodore and Echo Park.
- Only one permitted group per campsite. A maximum of 25 river trip participants per site is allowed on private trips
- When you are in an area with multiple campsites, remember to respect your neighbors. Quiet hours are between 10:00 p.m. and 6:00 a.m. Each group must remember to stay within their assigned, designated site; do not spill over to the next site.
- The Superintendent may close campsites for resource management or safety concerns (such as bighorn sheep lambing season, bear activity, or wildland fires).

Appendix F: 2016 Terms and Conditions of River Play Permits

National Park Service
U.S. Department of the Interior



Dinosaur National Monument

Boating Play Permits



A boater enjoys a flat water section of the Yampa River.

A permit is required to boat into the monument from above Gates of Lodore or Deerlodge. Play permits for launches for these locations are only issued by the River Office. This permit allows groups to launch upstream of Dinosaur National Monument to begin their multi-day trip through the monument. One play permit each day will be issued for groups who wish to take out at Lodore or Deerlodge after 2:00 PM.

A play permit is also required for boating the Green River below the Split Mountain boat ramp. Play permits for rafting below Split Mountain are free and are issued by the River Office or at the Quarry Visitor Center. Advanced reservations are not necessary. Each play permit is good for groups as large as 25 people. Much of the land downstream of the monument boundary is private land; boaters are responsible for knowing local rules and regulations for take-out points outside the monument.

A play permit is required to boat across the rivers. Contact the River Office (970) 374-2468 for details.

I agree to the terms and conditions of the permit described on the back of this card.

signature

date

For your safety and the protection of monument resources, these terms and conditions are required:

- Each group must have a signed Play Permit.
- Rafts & motorized vessels may not launch at Placer Point.
- Rafts launching at Split Mt must exit downstream of the monument boundary.
- Canoes and kayaks may launch or exit at Split Mt, Placer Point or downstream of monument boundary.
- Play permits are not required for launching at Placer Point as this section of river is outside the monument boundary.
- Each person must wear an appropriately sized USCG approved lifejacket (PFD).
- Each group must carry one extra PFD.
- Each raft must carry an extra paddle or oar.
- Canoes/kayaks must have one extra paddle per every three watercraft.
- Inflatable vessels must carry a patch kit and pump.
- Each group must have a First aid kit.
- Each vessel over 16 feet in length must have a throw bag or TYPE IV throwable device.
- Each group must have a secure means of carrying out garbage and human waste.
- A valid state fishing license for the appropriate location is required.

Prohibited Activities:

- Using air mattresses or inner tubes, conventional rowboats, swimming pool type rafts, toys or other craft not meant for swift water.
- Overloading of vessels.
- Groups larger than 25 persons.
- Camping, fires, fireworks, or bringing pets.
- Possession of weapons, explosives, and traps
- Possession of firearms is subject to state law.
- Unauthorized commercial use.
- Use of a boat motor inside the monument.
- Disturbing or collecting any natural or historical feature or objects.
- Disturbing wildlife.
- Trespassing on any private lands.
- Launching or recovering outside designated locations.

Remember to bring a map, extra water, food and sunscreen.

Backcountry Regulations

You are responsible for protecting the resources of your park; these regulations are enforced.

1. Picking a Backcountry Campsite:

Most of the park is open to dispersed backcountry camping except private property inholdings, within 1 mile of developed areas, within 1/4 mile of the Zenobia Peak and Round Top fire towers or any road; within 100 feet of archeological/paleontological sites, historic structures, or any water sources; along Jones Hole Creek (except the two reservation-only sites at Ely Creek); within Hog and Box Canyons; along the Green or Yampa rivers during high-use season; or along the Sound of Silence/Desert Voices trails.

2. Backcountry Fires, Firewood Collection/Charcoal:

Rangers recommend using portable gas grills for cooking. Small campfires are allowed in most of the Monument backcountry except when there is a "No open flames" fire ban.

Fires are PROHIBITED in the following areas:

Jones Hole Creek Canyon, Overlooks on the Yampa Bench Road, Outside the Echo Park Campground, Upper Pool Creek Canyon, Lower Sand Canyon, Pat's Draw, and the inner canyons of the Green and Yampa Rivers not part of designated river campsites.

Fire bans will be posted. Charcoal must be contained in a grill and the cold wet ashes disposed in a trash receptacle. Charcoal is subject to fire bans. Fires along the river during the non-peak season must be in a fire pan with a three inch rim above a fire blanket large enough to capture coals, and elevated three inches above the ground.

Only dead and down wood may be collected in the monument for fires. Only rafting groups may collect driftwood for fires. No driftwood may be collected along the Green River from the park boundary downstream to Jones Hole Creek. Dead and down wood may not be collected around any developed campground in the Monument.

3. Pets

Pets can only go where cars go, which is along roadways or in a campsite. They are not allowed in buildings, on trails, in the backcountry, or left enclosed in cars for long periods of time.

4. Bicycles:

Bicycles can only go where cars go, which is along roadways or in a campsite. They can not be used on trails.

5. Do Not Disturb Wildlife. The Collection or Disturbance of any Natural or Historical Feature or Object is Prohibited

The exception is the collection of dead and down firewood where allowed or small personal use collecting of nuts and berries. Animals may not be artificially illuminated at night.

6. Pack out everything you bring with you including trash. Bury human waste.

This is not a complete list of Monument regulations, just those rules most commonly violated.

National Park Service
U.S. Department of the Interior



Dinosaur National Monument

Safety Tips

You are responsible for your safety

1. BRING ADEQUATE DRINKING WATER AND SALTY SNACKS

People have died here. Carry and drink water—at least 1 gallon per person per day. Eat salty snacks as well as regular meals. As you exercise, you lose salt and water. You need both to survive. Consider the weather forecast, the length and difficulty of your hike, the high elevation here (5000' to over 8000'), and your physical condition, so your recreation visit doesn't turn into a life threatening situation.

2. WILDFIRES ARE A RISK WHEN IT IS DRY. Have an escape plan. This is also why the park requires you to identify the location you plan to camp so that rangers will be able to find you in the event of a fire.

3. TECHNICAL CLIMBING IS DANGEROUS.

Most rock in the Monument is unstable and poor for climbing. Rock climbing is subject to additional rules.

4. BACKCOUNTRY PARK ROADS

Some of the park's backcountry roads are infrequently traveled and may be in poor condition. Make sure your vehicle and tires are in good working order. These roads are dangerous when wet because of clay, steep grades, and dropoffs.

5. ATTEMPT NO CROSS-COUNTRY TRAVEL WITHOUT AN EXPERIENCED LEADER. Maps, good boots, first aid kit, survival kit, and plenty of water are necessary.

6. BE ALERT FOR POISONOUS SNAKES AND INSECTS.

Place your hands and feet carefully; be prepared to cope with bites and stings.

7. LEARN HOW TO PREVENT HAZARDOUS ENCOUNTERS WITH ANIMALS

Animals are a natural part of the environment; be prepared for the possibility of an encounter. Report lion or bear sightings to a ranger. Cattle are also unpredictable and dangerous.

9. LOCK VEHICLES; SAFEGUARD VALUABLES.

Theft of property from unoccupied vehicles and campsites may be a problem in remote parts of the park. Keep these items out of sight.

10. SWIMMING OR WADING IN THE GREEN AND YAMPA RIVERS IS NOT RECOMMENDED. Sudden dropoffs and unpredictable currents make these rivers potentially hazardous.

11. BRING YOUR OWN WATER. WATER FROM STREAMS/SPRINGS/PONDS MUST BE TREATED.

12. MOBILE PHONES:

These phones do not work in many places in the monument.

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Updated 2012

Appendix H: Commercial Filming and Still Photography Regulations

•AUTHORITY: 5 U.S.C. 301; 16 U.S.C. 1-3, 3a, 668dd-ee, 715i, 460/-6d; 25 U.S.C. 2; 31 U.S.C. 9701; 43 U.S.C. 1701, 1732-1734, 1740.

•SOURCE: 78 FR 52095, Aug. 22, 2013, unless otherwise noted.

•Subpart A—Areas Administered by the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service

•§5.1 What does this subpart cover?

•This subpart covers commercial filming and still photography activities on lands and waters administered by the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service.

•§5.2 When do I need a permit for commercial filming or still photography?

- (a) All commercial filming requires a permit.
- (b) Still photography does not require a permit unless:
 - (1) It uses a model, set, or prop as defined in §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.
- (c) Visitors do not require a permit for filming or still photography activities unless the filming is commercial filming as defined in §5.12 or the still photography activity involves one of the criteria listed in §5.2 (b).

•§5.3 How do I apply for a permit?

•For information on application procedures and to obtain a permit application, contact the site manager at the location at which you seek to conduct commercial filming or still photography activities.

•§5.4 When is a permit required for news-gathering activities?

- (a) *Permit requirements.* News-gathering activities involving filming, videography, or still photography do not require a permit unless:
 - (1) We determine a permit is necessary to protect natural and cultural resources, to avoid visitor use conflicts, to ensure public safety or authorize entrance into a closed area; and
 - (2) Obtaining a permit will not interfere with the ability to gather the news.
- (b) *Terms and conditions.* All permits issued under this section will include only terms and conditions necessary to maintain order, ensure the safety of the public and the media, and protect natural and cultural resources.
- (c) *Exemptions.* A permit issued for news-gathering activities is not subject to location fees or cost recovery charges.

•§5.5 When will an agency deny a permit for commercial filming or still photography?

- We will deny a permit authorizing commercial filming or still photography if we determine that it is likely that the activity would:

- (a) Cause resource damage;
- (b) Unreasonably disrupt or conflict with the public's use and enjoyment of the site;
- (c) Pose health or safety risks to the public;
- (d) Result in unacceptable impacts or impairment to National Park Service resources or values;
- (e) Be inappropriate or incompatible with the purpose of the Fish and Wildlife Service refuge;
- (f) Cause unnecessary or undue degradation of Bureau of Land Management lands; or
- (g) Violate the Wilderness Act (16 U.S.C. 1131-1136) or any other applicable Federal, State, or local law or regulation.

•§5.6 What type of permit conditions may the agency impose?

- (a) We may impose permit conditions including, but not limited to, conditions intended to:
 - (1) Protect the site's values, purposes, and resources, and public health and safety; and
 - (2) Prevent unreasonable disruption of the public's use and enjoyment.
- (b) We may revoke your permit if you violate a permit condition.

•§5.7 What are my liability and bonding requirements as a permit holder?

- (a) *Liability.* In accepting a permit, you agree to be fully liable for any damage or injury incurred in connection with the permitted activity, and to indemnify and hold harmless the United States of America as a result of your actions. We may require you to obtain property damage, personal injury, commercial liability or public liability insurance in an amount sufficient to protect the United States from liability or other claims arising from activities under the permit. The insurance policy must name the United States of America as an additional insured.
- (b) *Bond.* You are responsible for all response, repair and restoration if your activity causes damage to an area. We may also require you to provide a bond or other security sufficient to secure any obligations you may have under the permit and applicable laws and regulations, including the cost of repair, reclamation, or restoration of the area. The amount of the bond or security must be in an amount sufficient to provide full payment for the costs of response and restoration, reclamation, or rehabilitation of the lands in the event that you fail to adequately repair, reclaim, or restore the area as directed by the agency. If the amount of the bond or other security is inadequate to cover cost of the repair, reclamation, or restoration of the damaged lands or resources you will also be responsible for the additional amount.

•§5.8 What expenses will I incur?

- You must pay us a location fee and reimburse us for expenses that we incur, as required in this section.
- (a) *Location fee.* (1) For commercial filming and still photography permits, we will require a reasonable location fee that provides a fair return to the United States.
 - (2) The location fee charged is in lieu of any entrance or other special use fees. However, the location fee is in addition to any cost recovery amount assessed in paragraph (b) of this section and represents a fee for the use of Federal lands and facilities and does not include any cost recovery.

- (3) We will assess location fees in accordance with a fee schedule, which we will publish in the FEDERAL REGISTER and also make available on the internet and at agency field offices. The location fee does not include any cost recovery.

- (b) *Cost recovery*. You must reimburse us for actual costs incurred in processing your request and administering your permit. We will base cost recovery charges upon our direct and indirect expenses including, but not limited to, administrative costs for application processing, preproduction meetings and other activities, on-site monitoring of permitted activities, and any site restoration.

- §5.9 How long will it take to process my request?**

- We will process applications for commercial filming and still photography permits in a timely manner. Processing times will vary depending on the complexity of the proposed activity. A pre-application meeting with agency personnel is encouraged and may assist us in processing your request for a permit more quickly. For information on application procedures contact the appropriate agency field office.

- §5.10 Can I appeal a decision not to issue a permit?**

- Yes. If your request for a permit is denied, the site manager issuing the denial will inform you of how and where to appeal.

- §5.11 Information collection.**

- The information collection requirements contained in this subpart have been approved by the Office of Management and Budget (OMB) under 44 U.S.C. 3501 *et seq.*, and assigned the following OMB clearance numbers: 1024-0026 for the National Park Service, 1004-0009 for the Bureau of Land Management and 1018-0102 for the Fish and Wildlife Service. This information is being collected to provide land managers data necessary to issue permits for commercial filming or still photography permits on Federal lands. This information will be used to grant administrative benefits. The obligation to respond is required in order to obtain a benefit. You may send comments on this information collection requirement to the Departmental Information Collection Clearance Officer, U.S. Department of the Interior, 1849 C Street NW., MS3530, Washington, DC 20240.

- §5.12 How are terms defined in this subpart?**

- The following definitions apply to this subpart:

- Agency, we, our, or us* means the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service, as appropriate.

- Commercial filming* means the film, electronic, magnetic, digital, or other recording of a moving image by a person, business, or other entity for a market audience with the intent of generating income. Examples include, but are not limited to, feature film, videography, television broadcast, or documentary, or other similar projects. Commercial filming activities may include the advertisement of a product or service, or the use of actors, models, sets, or props.

- Cost recovery* means the money that an agency collects as reimbursement for actual costs it incurred to permit a particular activity, including but not limited to, accepting and processing a permit application and monitoring the permitted commercial filming or still photography activity.

•*Location fee* means a land or facility use fee similar to rent that provides a fair return to the United States for the use of Federal lands or facilities when used for:

- (1) Commercial filming activities or similar projects; and
- (2) Still photography activities where a permit is required.

•*Model* means a person or object that serves as the subject for commercial filming or still photography for the purpose of promoting the sale or use of a product or service. Models include, but are not limited to, individuals, animals, or inanimate objects, such as vehicles, boats, articles of clothing, and food and beverage products, placed on agency lands so that they may be filmed or photographed to promote the sale or use of a product or service. For the purposes of this part, portrait subjects such as wedding parties and high school graduates are not considered models, if the image will not be used to promote or sell a product or service.

•*News* means information that is about current events or that would be of current interest to the public, gathered by news-media entities for dissemination to the public. Examples of news-media entities include, but are not limited to, television or radio stations broadcasting to the general public and publishers of periodicals (but only if such entities qualify as disseminators of “news”) who make their products available for purchase by or subscription by or free distribution to the general public.

•(1) As methods of news delivery evolve (for example, the adoption of the electronic dissemination of newspapers through telecommunications services), these alternative media will be considered to be news-media entities.

•(2) A freelance journalist is regarded as working for a news-media entity if the journalist can demonstrate a solid basis for expecting publication through that entity, even if the journalist is not actually employed by the entity. A contract would present a solid basis for such an expectation; we may also consider the past publication record of the requester in making such a determination.

•*News-gathering activities* means filming, videography, and still photography activities carried out by a representative of the news media.

•*Permit* means a written authorization to engage in uses or activities that are otherwise prohibited or restricted.

•*Representative of the news media* means any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.

•*Resource damage* means harm to the land or its natural or cultural resources that cannot reasonably be mitigated or reclaimed.

•*Sets and props* means items constructed or placed on agency lands to facilitate commercial filming or still photography including, but not limited to, backdrops, generators, microphones, stages, lighting banks, camera tracks, vehicles specifically designed to accommodate camera or recording equipment, rope and pulley systems, and rigging for climbers and structures. Sets and props also include trained animals and inanimate objects, such as camping equipment, campfires, wagons, and so forth, when used to stage a specific scene. The use of a camera on a tripod, without the use of any other equipment, is not considered a prop.

•*Still photography* means the capturing of a still image on film or in a digital format.

•*Videography* means the process of capturing moving images on electronic media, e.g., video tape, hard disk or solid state storage.