National Park Service
U.S. Department of the Interior

Flight 93
National Memorial

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

Approved:

Date: 01/01/13
Jeffrey P. Reinbold
General Superintendent

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Flight 93 National Memorial (FLNI). Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

Definitions:

- Family member: A verified family member of the passengers or crew of United Flight 93. This verification is established on the FLNI family list located at Headquarters or upon verification from the Superintendent or Chief of Interpretation.
- Authorized personnel: Includes all employees of the National Park Service or those individuals authorized by Park Management.
- Debris Field: Includes the entire fenced area which includes the Crash Site, and Hemlock Grove.
- Crash Site: Includes the fenced in area immediately surrounding the center of impact of Flight 93 up to the Memorial Plaza Walkway.
- Hemlock Grove: Includes the fenced in area behind the Crash Site containing a grove of Hemlock trees and cabins.
- Family Walkway: Includes the walkway that connects the Crash Site Access Road to the Wall of Names.
- Crash Site Access Road: The road that connects the Lower Visitor Center Road to the Crash Site and Family Walkway.
- Memorial Plaza: Includes the Wall of Names, Memorial Plaza Walkway and the Visitor Shelter area.
- Memorial Plaza Walkway: Includes the walkway from the Visitor Shelter to the Wall of Names.

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

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

Visiting Hours:

- The park is open to vehicle traffic daily from 9:00 AM to 7:00 PM April 1 through the second weekend in October, last entry at 6:30 PM and from 9:00 AM to 5:00 PM the Monday following the second weekend in October through March 31, last entry at 4:30 PM. The park will remain open all year to pedestrian traffic from Sunrise to Sunset.
- Visitor centers and public buildings are open as scheduled and posted at the facility and/or through press releases.
- Park visitor centers and other public facilities are closed on the following designated federal holidays: New Year's Day (January 1) and Christmas Day (December 25).
- The park superintendent may close park facilities due to severe weather on an as needed basis.

Closures:

- All acid mine drainage treatment areas.
  This closure is established for the maintenance of public health and safety, and is the minimum restriction necessary to achieve such protection.

- All construction sites.
  This closure is established for the maintenance of public health and safety, and is the minimum restriction necessary to achieve such protection.

- Employee residence areas, Maintenance areas and access roads.
  This closure is established to protect the privacy of park residents and the integrity of safe park operations, and is the minimum restriction necessary to achieve such protection.

- All buildings except park visitor centers/shelters, park headquarters and public restrooms.
  This closure is established for the maintenance of public health and safety, protection of cultural resources, and is the minimum restriction necessary to achieve such protection.

- All or portions of the park or any building when it is necessary to protect the public from unsafe conditions or to protect the park resources from irreversible damage. Signs will be posted to announce such temporary closures.
  This closure is established for the maintenance of public health and safety, protection of natural or cultural resources, and is the minimum restriction necessary to achieve such protection.

- The area designated as the Debris Field of Flight 93, Family Walkway and the Crash Site Access Road.
  Only authorized family members or other authorized personnel may enter these areas.
  This closure is necessary to protect the last resting place of the passengers and crew, protection of cultural resources, implementation of management responsibilities and is the minimum restriction necessary to achieve such protection.

- All waters are closed to swimming or wading.
  This closure is established for the maintenance of public health and safety, protection of natural resources, and is the minimum restriction necessary to achieve such protection.

- All park wetlands are closed to public use.
  This closure is established for the maintenance of public health and safety, protection of natural resources, and is the minimum restriction necessary to achieve such protection.

- All park lands are closed to recreational activities such as kite flying, ball playing, model airplane and model rocket flying, Frisbee throwing, sunbathing, geocaching or similar recreational activities.
  This closure is established for the maintenance of public health and safety, protection of natural or cultural resources, implementation of management responsibilities, avoidance of conflict among visitor use activities, and is the minimum restriction necessary to achieve such protection.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

Motor Vehicles:

- All trails, pipelines and transmission line rights-of-way, and non-designated roads are closed to motor vehicle traffic except for park staff or those individuals authorized by Park Management. Operation of a wheeled vehicle used to accommodate handicapped individuals is permitted.
  This restriction is established to protect park resources from unnecessary damage and erosion due to off-road motor vehicle use, and is the minimum restriction necessary to achieve such protection.

Trails:

- All designated trails, either paved or unimproved, are open to foot traffic only, except for wheeled vehicles used to accommodate handicapped individuals.
  This restriction is established for the protection of natural or cultural resources from unnecessary damage and erosion, and is the minimum restriction necessary to achieve such protection.

Bicycles:

- Bicycle use is prohibited on park roads closed to public travel. Bicycle use is prohibited on all trails in the park.
  This restriction is established to protect park resources from unnecessary damage and erosion, the maintenance of public health and safety and is the minimum restriction necessary to achieve such protection.

Picnicking:

- Picnicking is closed in the following designated areas:
  - Memorial Plaza
  - Memorial Plaza Parking area

  This restriction is established for the protection of cultural resources, implementation of management responsibilities and is the minimum restriction necessary to achieve such protection.

Vehicle Maintenance:

- Washing, waxing, cleaning, or lubricating motor vehicles or repairing or performing any mechanical work upon motor vehicles, except in emergencies, are not permitted.
  This restriction is established for the protection of natural or cultural resources, implementation of management responsibilities and is the minimum restriction necessary to achieve such protection.

Special Activities:

- Activities or temporary structures that detract from the visitor experience and that are not related to park purpose, themes, or co-sponsored by the park are not permitted.
  This restriction is established to protect the health and safety of park visitors, the protection of natural or cultural resources, the implementation of management responsibilities, to minimize conflict between user groups, and is the minimum restriction necessary to achieve such protection.

Wall of Names:

- Rubbings of the names on the Wall of Names, items placed between the panels, writing with chalk or other marker, or applying any substance to the marble is not permitted.
  This restriction is established for the protection of cultural resources and is the minimum restriction necessary to achieve such protection.

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

(b) Permit application.
Permit applications must be filed with the Superintendent at least 10 days before the anticipated activity. Applications are accepted no earlier than one year in advance of the proposed event. Permit applications must be accompanied by a $50 non-refundable Application Fee. When a permit is requested for the exercise of First Amendment rights, including freedom of assembly, speech, religion, and the press, the superintendent will issue the permit without any requirement for fees, cost recovery, bonding, or insurance.

(e) Permit terms and conditions.

- Additional use and monitoring fees may be charged in accordance with established policy and procedure.

(f) The following is a compilation of those activities and/or public uses for which a permit from the superintendent is required:

- §1.5(d) Relating to Public Use Limits:
  - To implement a public use limit, the superintendent may establish a permit, registration, or reservation system. Permits shall be issued in accordance with the criteria and procedures of 36 CFR 1.6.
  - The use of horses requires a permit, see section 2.16.

- §2.2(d) Transporting lawfully taken wildlife across the park.

- §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals).

- §2.12 Audio Disturbances:
  - (a)(2) Operating a chain saw in developed areas.
  - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas.
  - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

- §2.37 Soliciting or demanding gifts, money, goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52).

- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events.

- §2.51(a) Demonstrations by more than 25 people.

- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising by more than 25 people.

- §2.62 Memorialization:
  - (a) Erection of monuments (Requires approval from the Director).
  - (b) Scattering ashes from human cremation.

- §3.3 Boating.
- §5.1 Advertisements - (Display, posting or distribution).

- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).

    - §5.5 Commercial Photography/Filming:
    - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television.
    - (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.

- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.

Applications for permits for the above-listed activities may be obtained by calling Flight 93 National Memorial at 814-893-6322.

III. GENERAL REGULATIONS

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

(b) Restricted hiking or pedestrian traffic is listed in Section 1.5 of this document.

(c)(1), (c) (2) The following fruits, nuts and berries may be gathered by hand for personal use or consumption, in accordance with the noted size, quantity, collection sites and/or use or consumption restrictions:

- Berries: 1 gallon per person/group per day.
- Nuts: 1 pound per person/group per day.
- Mushrooms: ½ pound per person/group per day.
- Fruits: ½ bushel per person/group per day.
  This restriction is established to allow for collection of fruits, nuts, berries, and mushrooms by hand and for personal consumption in the quantities outlined above, which will not adversely affect park resources, and is the minimum restriction necessary to achieve such protection.

36 CFR §2.2 - WILDLIFE PROTECTION

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

- Transportation of lawfully taken game is prohibited within the boundaries of the park unless prior notification has been received and approval given by the Superintendent. Approval will be given only if there is no other method or route to transport the wildlife without entering the park. Information must be given as to the circumstances of why it is necessary to enter the park, and a park staff member must be present during the transportation.

(e) The following areas are closed to the viewing of wildlife with the use of an artificial light:

- All areas of the parks are closed to the viewing of wildlife with an artificial light, including those areas within the parks along township roads and state highway routes.

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

18 U.S.C. § 930 prohibits the possession of firearms in "federal facilities", which are defined as "buildings or parts thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties." These places are marked with signs at public entrances.

(d) The superintendent may issue a permit to carry or possess a weapon, trap or net under the following circumstances:

- (1) When necessary to support research activities
  (3) For employees, agents or cooperating officials in the performance of their official duties.

(e) Authorized Federal, State, and local law enforcement officers may carry firearms in the performance of their official duties.

(h) Notwithstanding any other provision in 36 CFR §2.4, a person may possess, carry, and transport concealed, loaded, and operable firearms within the park in accordance with the laws of the state of Pennsylvania, except as otherwise prohibited by applicable Federal law. The role of the responsible gun owner is to know and obey the federal, state, and local laws appropriate to the park they are visiting.

36 CFR §2.11 – PICNICKING

- Certain areas have been closed to picnicking and are listed in section 1.5(a)(2) Closures.

Conditions for Picnicking:

- The use of open fires for food preparation is prohibited except for receptacles allowed in section 2.13 Fires.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining a fire is prohibited, except in designated areas or receptacles and under the conditions that may be established by the superintendent.

Designated Areas:

- Fires may be lit and maintained under the terms of a permit issued pursuant to Sections 2.50 or 2.51, if the special condition terms specifically authorize the fire.

Receptacles Allowed:

- Fires may be maintained only in portable gas grills brought to the park by visitors. See "Established Conditions" below.

Established Conditions for Fires:

- Fires may be lit by park employees or other approved officials under conditions that may be established by the Superintendent.
- No fire may be left unattended.

36 CFR §2.14 – SANITATION and REFUSE

(a)(2) The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property is prohibited.

- FLNI is a "trash free" park.
- Visitors are responsible for their own trash management, collection, and removal from the park. Disposal of refuse in park restrooms, comfort stations, restroom vaults or port-a-johns is prohibited.

36CFR §2.15 – Pets

(a)(1) The following structures and/or areas are closed to the possession of pets:

- Pets are not allowed in any public building or office except for service animals.
- Pets are permitted in areas not designated closed to pets provided they are restrained on a leash which shall not exceed six feet in length or otherwise physically confine a pet at all times.
- Pets are not permitted in the following designated areas:
  Debris field, Family Walkway, Crash Site Access Road and Memorial Plaza

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

- Pet excrement must be removed from picnic areas, trails, and areas of heavy public use.

(e) Pets may be kept by park residents under the following conditions:

- Pets are not allowed in single family government quarters or leased housing except by permission from the Superintendent.

36 CFR §2.16 – HORSES and PACK ANIMALS

(b) The use of horses or pack animals outside of trails, routes or areas designated for their use is prohibited:

- No areas have been designated open to the use of horses or pack animals.
- Horses are allowed with a permit issued under sections 1.6 or 2.50.

36 CFR §2.21 – SMOKING

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

- Smoking is prohibited within all public buildings, park offices, visitor facilities, multi-occupancy or dormitory government quarters, government vehicles and areas signed closed to smoking.
- During periods of unusually high fire danger, smoking is prohibited in all areas of the park, outside of private vehicles. Signs will be posted along the entrance roads and at the Visitor Shelter to announce such a temporary restriction.
  This restriction is established to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities, park employees, and residents of government quarters, and is the minimum restriction necessary to achieve such protection.

36 CFR §2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours in the following areas and under the following conditions:

- Unattended property is prohibited in the parks, including that property associated with the activity known as "Geocaching."
- The leaving of tributes is permitted in designated areas.
- Tributes of small size and weight and do not contain Hemlock, including but not limited to such items as artwork, plaques, ball caps, patches, flags, flowers, painted rocks, crosses, hand-written messages may be left: in the niches of the Memorial Plaza and in front of the Wall of Names. The National Park Service retains the right to relocate or remove items.

36 CFR §2.35 – ALCOHOLIC BEVERAGES

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

- Within all public use buildings.
- On or within 100 feet of all roads, trails, walkways and parking lots.
- Within 300 feet of public use buildings and facilities.
  This closure is established because such activity would be inappropriate considering other uses of the location and the purpose for which it is maintained or established and are the minimum restrictions necessary to achieve such protection.

36 CFR §2.51 – DEMONSTRATIONS

(b) Demonstrations of more than 25 people are allowed within park areas designated as available under paragraph (c)(2) when the superintendent has issued a permit for the activity.

(b)(1) Demonstrations involving 25 persons or fewer may be held without a permit in designated park areas, provided that the requirements in §2.51(b) are met. The 25 person maximum for the small group permit exception may be reduced pursuant to §2.51(b)(3).

(c)(2) The following locations are designated as available for demonstrations:

- Primary - the area designated as the grassy area behind the interpretive panels adjacent to the Visitor Shelter (see Exhibit A).
- Secondary – the temporary gravel parking lot located at the future Visitor Center area (see Exhibit B).

36 CFR §2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

(b) The sale or distribution of printed matter by more than 25 people is allowed within park areas designated as available under § 2.51(c)(2) (see above) when the superintendent has issued a permit for the activity.

(b)(1) The sale or distribution activity provided that it is not solely commercial advertising by 25 persons or fewer may be conducted without a permit within designated park areas, provided that the requirements in §2.52(b) are met. The 25 person maximum for the small group permit exception may be reduced pursuant to §2.52(b)(3).

The following locations are designated under §2.51(c)(2) as available for the sale or distribution of printed matter:

- Primary - the area designated as the grassy area behind the interpretive panels adjacent to the Visitor Shelter (see Exhibit A).
- Secondary – the temporary gravel parking lot located at the future Visitor Center area (see Exhibit B).

36 CFR §2.62 – MEMORIALIZATION

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

- Monuments intended to be gifted to the park shall be communicated to the Curator no less than 30 days prior to delivery. The National Park Service retains the right to remove any such monument for inclusion in the park's curatorial archive collection.

(b) A permit is required for the scattering of ashes from cremated human remains, in accordance with the following terms and conditions:

- The remains to be scattered must have been cremated and pulverized.

36 CFR §3.3 – BOATING and WATER USE ACTIVITIES

- Boating is allowed with a permit issued under section 1.6.

36 CFR §3.16 – SWIMMING and WADING

- Swimming and wading are prohibited in all park waters as per 1.5 Closures.

36 CFR §4.21 – SPEED LIMITS

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

- The speed limit on the Approach Road is 35 miles per hour.
- The speed limit on the Ring Road, Skyline and Headquarters Road is 25 miles per hour.
- The speed limit on the Lower Visitor Center Road and the Crash Site Access Road is 25 miles per hour.

These speed limits have been designated because a determination has been made that greater speeds are unreasonable, unsafe, inconsistent with the purposes for which the park was established, and due to road characteristics and multi- use of vehicles and pedestrian travel.

36 CFR §4.30 – BICYCLES

(a) Park areas that are closed to bicycle use are listed in section 1.5 of this document.

Exhibit A
First Amendment Area - Primary

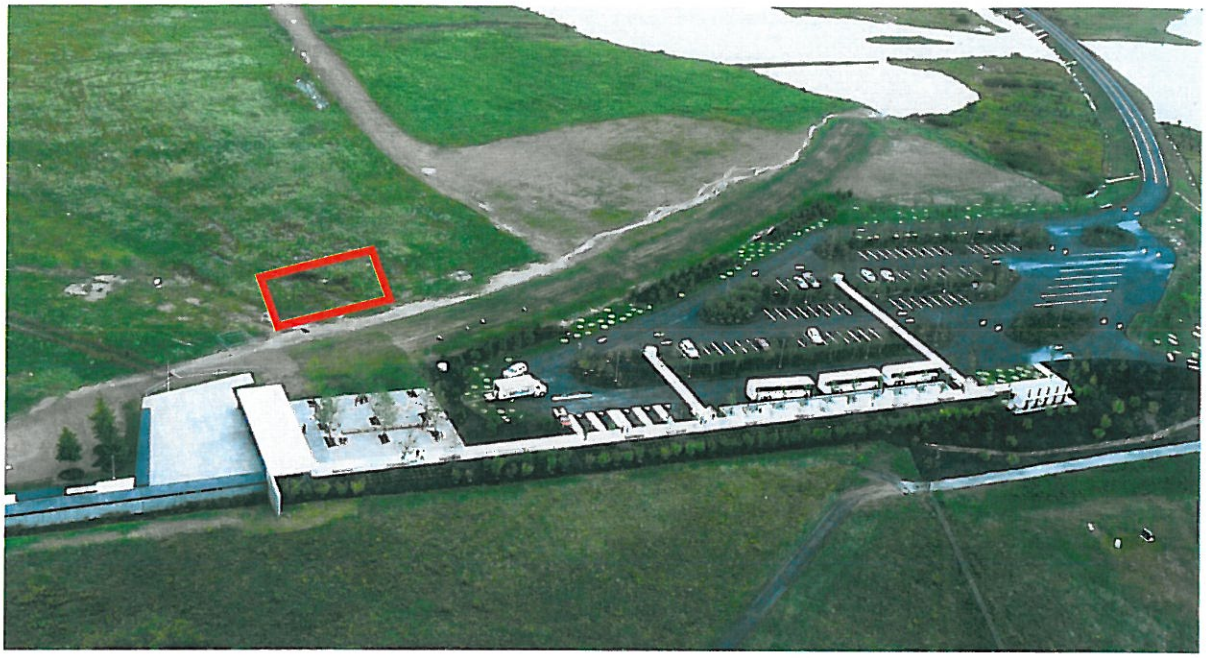

Exhibit B
First Amendment Area - Secondary