FORT MATANZAS
NATIONAL MONUMENT

COMPENDIUM
36-CFR 1.7 (b)

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2015

Submitted by: _____ Date: 1/8/15
Chief Ranger

Approved by: _____ Date: 1/12/2015
Superintendent

FORT MATANZAS NATIONAL MONUMENT
PARK COMPENDIUM - 36 CFR 1.7 (b)

Under the provisions of 16 U.S.C., Section 3, and Title 36 C.F.R., Chapter 1, Parts 1-7, the following Superintendent's Orders are established for this unit of the U.S. National Park Service. Unless otherwise noted, these orders apply in addition to the provisions contained in Parts 1-7 of Title 36 C.F.R.

1.5 Closure and public use limits.

(f) The National Monument visitor center grounds including the nature trail, parking lot and Matanzas River beach north of the Visitor Center dock and 1000 feet south of the dock are closed from 5:30 p.m. to 9:00 a.m. daily. This area is closed all day on Thanksgiving and Christmas of each year. *(Justification: Limits access to these areas when sufficient employees are not present)*

Other Monument parking lots, boardwalk trails and the Matanzas River beach are closed to public access from 10:00 p.m. until 5:00 a.m. The Beach Ramp parking lot does not close. *(Justification: Closure is to protect resources, to prevent criminal activity and to promote visitor safety.)*

Parking of horse trailers is prohibited in any of the Monument parking lots. *(Justification: This is necessary to comply with the St. Johns County ordinance which designates specific county parking lots for horse trailer parking; and because horse use is prohibited in the Monument.)*

Launching, landing or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Fort Matanzas National Monument is prohibited except as approved in writing by the superintendent. The term unmanned aircraft means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce. (*Justification: Restrictions on unmanned aircraft are necessary to prevent damage to the historic fabric and to ensure the safety of the other visitors. Unmanned aircraft operation is prohibited under Policy Memorandum 14-05 until further guidance is issued by the agency.)*

The Fort structure on Rattlesnake lsland, the grounds immediately surrounding it and the Rattlesnake Island dock are open for visitation to park service led groups as scheduled by the National Park Service. Only visitors arriving as part of a park service led group may visit the fort. At all other times, this area is closed to public entry unless the Superintendent has granted specific,

written permission. *(Justification: This is necessary for the protection of the historic resources of the fort and for the safety of the public.)*

During periods of severe weather conditions or other circumstances, all or portions of Fort Matanzas National Monument may be closed to the public in the interest of public safety. The Site Supervisor or person designated to act on his/her behalf is delegated the authority by the Superintendent to determine the need to close areas of the Monument for this purpose. *(Justification: The immediate closure of all or parts of the park during severe weather or other circumstances may be necessary for the protection of visitors and employees to prevent injury or death. Severe and sudden weather conditions or other circumstances can occur without advance notice. Therefore, closure authority is delegated to the on-site supervisor, so as not to needlessly endanger the visiting public during these times.)*

Private vessels are prohibited from using the shoreline above mean high tide within 200' of the fort and fort dock and within 50'of the visitor center dock as a place to beach or pull up on shore. Docking at, tying to, boarding passengers from, or disembarking passengers to either of the park docks are prohibited at all times without written authorization from the park superintendent. *(Justification: Beaching boats is prohibited to preserve shoreline vegetation, which is critical for shoreline stabilization. Private vessels are prohibited from using the Monument's docks due to the small size of the docks, and the fact that the operation of private vessels in the vicinity of the docks could place passengers on the NPS ferry in danger due to collision.)*

Fishing is prohibited from the Monument's docks and from shoreline above mean high tide within 50 feet of the docks. (*Justification: Casting of weights and hooks is a safety hazard to visitors using the docks, is a visual intrusion, interferes with the operation of the NPS ferry boat and can cause damage to government property.){Use 36 CFR 2.3(8)}*

Jumping, diving, snorkeling or swimming from the Monument's docks is prohibited. *(Justification: Recreational use of the docks would interfere with loading and unloading passengers on the ferryboat. The docks and the shore area surrounding them contain shells and other submerged objects that could cause injury or death.)*

Entrance into the dune area on foot or by vehicle east and west of highway A1A is prohibited except when on designated trails and boardwalks. *(Justification: Fragile plants and several endangered species inhabit this ecosystem, unrestricted access would subject the system to excessive damage and deterioration.)*

Sporting or recreational activities, which could present a danger to other visitors, including but not limited to golf, archery, kite boarding and other activities, are prohibited. *(Justification: This is necessary to reduce likelihood of injury to park visitors.)*

Persons under the age of 16, riding the ferryboat and visiting the fort structure must be accompanied by an adult. *(Justification: Minimum age requirement is necessary to ensure those individuals riding on the NPS ferryboat and visiting the fort comply with safety regulations.)*

All visitors to the fort and visitor center must be wearing footwear of a type that covers, at a minimum, the entire sole of the wearer's foot and provides some measure of protection against cuts and puncture wounds. *(Justification: Adequate footwear is necessary to protect the wearer from rough surfaces on the shell footpath and the fort decks).*

Buses are prohibited from idling their engines while parked at the visitor center parking lot except when loading or unloading passengers. *(Justification: Idling bus engines produce excessive noise and fumes which detract from the natural setting of the park and negatively affect the visitor experience; in addition the park's air quality is negatively impacted.)*

Camping within the monument grounds is prohibited. *(Justification: Camping is prohibited due to the fragile environment, lack of facilities and the purpose for which the monument was set aside.)*

The use, sale, distribution, possession of an open container, or consumption of alcoholic beverages in any form within the boundaries of Fort Matanzas National Monument is prohibited. *(Justification: To reduce the opportunity for conflict among park visitors, to preserve a peaceful atmosphere at the park and to maintain consistent safe beach management policies and practices with the neighboring jurisdiction of St. Johns County, Florida.){See 36 CFR 2.35 (3)}*

All activity within the Conservation Zone is prohibited except at vehicle approaches, and pedestrian walkways and walkovers. The Conservation Zone is the area not less than 15 feet seaward from the seaward toe of the most seaward dune, dune scarp, sea wall or line of permanent vegetation, or one-half the distance to mean high-water level, whichever is the lesser. *(Justification: To protect endangered sea turtles during nesting season and be consistent with St. Johns County ordinances and the St. Johns County Habitat Conservation Plan).*

2.1 Preservation of natural, cultural and archeological resources.

(7)(b) Visitors are restricted to the maintained portions of trails and boardwalks. Travel off the designated path is prohibited. *(Justification: The formation of secondary trails off the main path would lead to the deterioration of the surrounding natural resources.)*

2.11 Picnicking.

Picnicking is allowed on the beach areas east and west of highway A1A and in the picnic area located in the grassy central area of the Visitor Center parking lot. It is prohibited in all other areas, including all trails and boardwalks. *(Justification: Picnicking in areas other than designated picnic areas detracts from the natural and historical setting of the park. Also, litter generated by picnicking is more easily controlled in designated areas.)*

2.13 Fires.

(a)(1) Contained fires used for cooking are permitted on the beach when contained in devices specifically designed for that purpose. Open fires, other than for park administrative purposes, are prohibited within the Monument boundaries. Cooking, and the use of grills, stoves and other devices used for cooking is prohibited at the visitor center picnic area. *(Justification: Only fires contained in grills are allowed on the beach to reduce litter and minimize risk of burns to visitors.*

Cooking and the use of grills and fires are prohibited at the visitor center picnic area to minimize the burn hazard to visitors, and to prevent wildfires.)

2.15 Pets

(a)(1) Pets are prohibited on the passenger ferry and at the fort. This section does not apply to animals specially trained and certified for use as "service animals". Service animals are defined as "a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability. The rule states that other animals, whether wild or domestic, do not qualify as service animals. Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotional support, are not service animals." *(Justification: Pets are prohibited at the fort and aboard the tour boat for safety reasons and to reduce the opportunity for conflict due to human & pet interactions.)*

(a)(5) Any person or legal entity, who owns, is in charge of, responsible for or in control of any pet must, when within the Monument grounds, collect and remove to a proper waste receptacle any excrement left by the pet. *(Justification: Owners are required to clean up pet excrement and dispose of the excrement in a suitable trash receptacle. This is required due to the high percentage of bare foot visitors in the park and beach area and the possibility of pet to human disease transmission through failure to remove the excrement.)*

2.21 Smoking.

(a) Smoking, including the use of E-cigarettes or similar devices is prohibited in all public park buildings, aboard the tour boat, on the grounds immediately surrounding the fort and inside Fort Matanzas. *(Justification: Smoking is prohibited to prevent the danger of fire and to comply with government smoking regulations.)*

2.62 Memorialization

(a) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit, or in designated areas according to conditions which may be established by the Superintendent. *(Justification: A permit is required to conduct this activity in accordance with 36 CFR 2.62(b) and to control and regulate the scattering of ashes.)*

3.21 Swimming and bathing.

(a) Glass containers of any type are prohibited on the designated swimming beach areas east and west of highway A1A, including Rattlesnake Island. *(Justification: Glass containers are prohibited on the designated beaches due to the hazard broken glass represents to beach visitors.)*

First Amendment Events

Freedom of speech, press, religion and assembly are Constitutional rights. However, the courts have recognized that activities associated with the exercise of these rights may be reasonably regulated to protect legitimate government interests, such as park resources and values. Therefore, in order to protect these resources, the National Park Service may regulate certain aspects of First Amendment activities, such as the time, the place, and the manner in which they are conducted. It is the conduct associated with the exercise of these rights that is regulated, not the content of the message.

Permits associated with First Amendment activities are necessitated by the group size. A small group is defined as "25 people or less" and is not required to obtain a permit, as long as the small group is located within areas designated by the park. The small group is further restricted in the sale or distribution of "printed matter". "Printed matter" is defined as "message-bearing textual printed material such as books, pamphlets, magazines, and leaflets, provided that it is not solely commercial advertising". The **free distribution** of message-bearing items to the public other than printed matter, such as CDs, DVDs, and other readable electronic media, will be allowed so long as the activity occurs within the First Amendment areas designated by the park and so long as the items are distributed free of charge, and individuals may not ask or demand payment or request a donation in exchange for the item.

A small group would require a permit if they wanted to conduct any of the following activities during their demonstration:

1. Demonstrate or distribute or sell "printed matter" outside of the park-designated First Amendment areas.
2. Requests to use equipment such as tables, banners, platforms/stages, etc., even if within the park-designated First Amendment areas.
3. Is an extension of another group that has already reached the 25 person maximum for the small group permit exception.
4. Would like to guarantee priority use of the park-designated First Amendment areas.

A large group is defined as "more than 25 people" and is required to obtain a First Amendment Permit, even if they are utilizing the First Amendment areas designated by the park.

There are no park-charged fees associated with First Amendment permits.

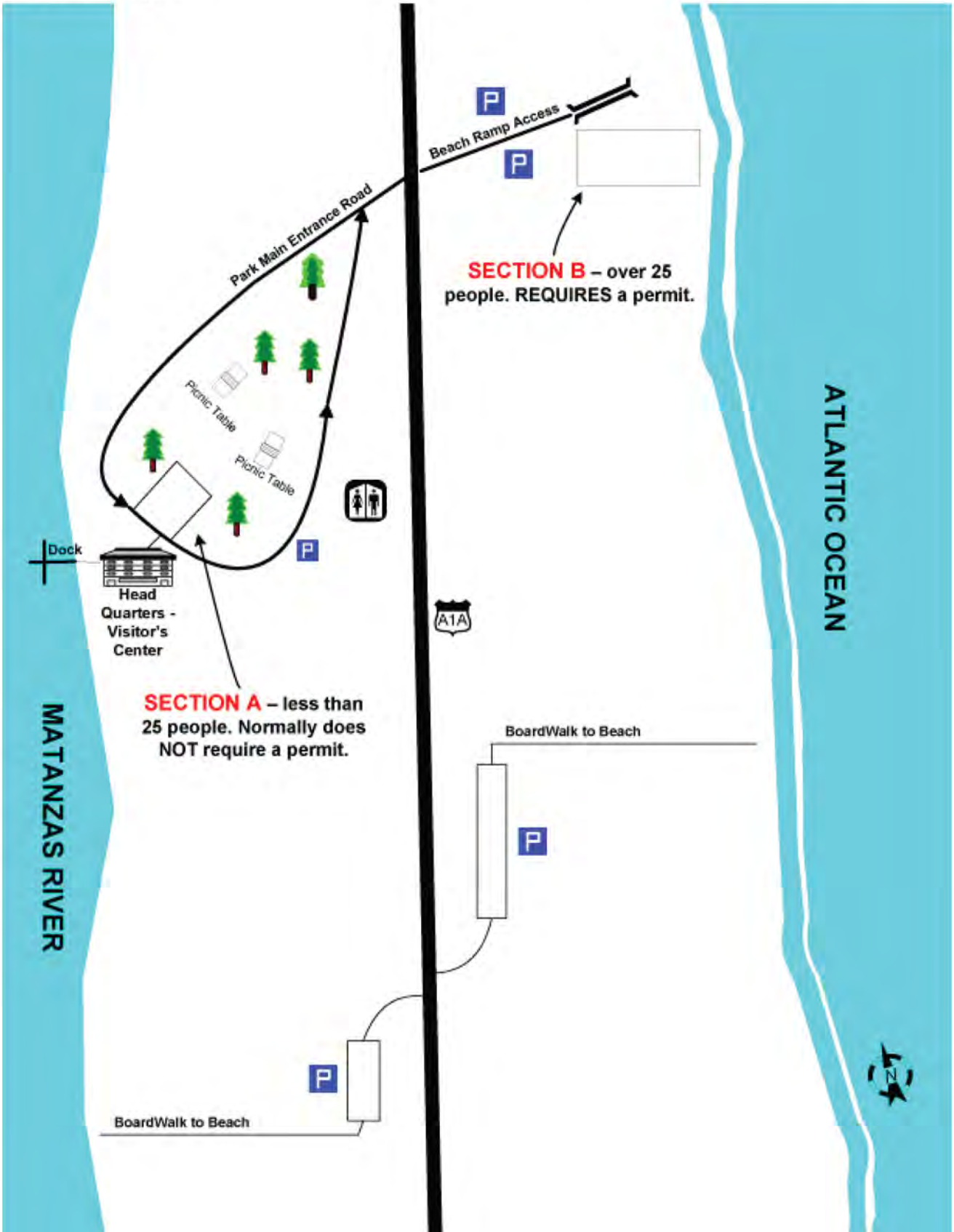
No public assembly permits shall be issued for a period in excess of seven days.

Please refer to the following attached map for the First Amendment areas designated by the park. Contact the Special Park Uses Coordinator if you require additional information.

FIRST AMENDMENT USE MAP

National Park Service
U.S. Department of the Interior

Fort Matanzas National Monument

The Shaded portion indicates the area of the lawn open to First Amendment events

NOTE: Demonstrations must not interfere with use of walkways, stairs, and roadways.