



**National Park Service
U.S. Department of the Interior**

**Fort Stanwix National
Monument**

112 East Park St.
Rome, NY 13440

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

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Approved:


Loren Goering

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Date

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 Fort Stanwix National Monument (FOST). 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.

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

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

Visiting Hours:

- Park Visitor Center is open to the public daily from 9:00 am to 5:00 pm year around except, Thanksgiving Day, December 25 and January 1.
- Park grounds outside the Palisade Fence are open to the public 24 hours a day, 365 days a year (See Appendix A – Map of park highlighting park grounds outside of Palisade Fence).
- Park grounds within the Palisade Fence are generally open to the public daily from 9:15 am to 4:45 pm seven days a week from April 1st through December 1st, except Thanksgiving Day and Christmas Day.
- Park hours of operation may be adjusted at the discretion of the Superintendent for various reasons including but not limited to operational needs and requirements, visitor and employee safety, and special events and/or permits. Extended hours will only occur with approval by the Superintendent.

These visiting hours were determined to be in the best interests of the park and are necessary for the proper management of the park.

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

- The occupancy limit for the Fort Stanwix visitor information area (Gregg Barracks) is set at 125 people: 50 people in the theatre and 75 people in the remainder of the building.
- The occupancy limit for the Willet Center is set at 200 people: 100 in the front lobby and 100 in the exhibit and staff support areas.

Space is limited in these areas and the occupancy limits are necessary to ensure public safety, preserve the historic and cultural resources of the park, and promote the orderly management of the park.

Closures:

- Park grounds within the Palisade Fence are closed to the public (except during ranger lead tours) between January 1st and March 31st. From April 1st to December 1st, the park grounds within the Palisade Fence are closed from 4:45 pm and 9:15 am daily and on Thanksgiving Day and Christmas Day.
- Areas on top of fort casemates, curtain walls and fraise, and inside embrasures are closed to the public.
- Park grounds, roads, and bridges are closed to motor vehicles, except for emergency vehicles, National Park Service vehicles, and vehicles to assist the physically disabled.
- The park grounds within the Palisade Fence are closed to:
 - Picnicking, unless part of an interpretive program. See also 36 CFR § 2.11 of this document.
 - Recreational sports and similar activities, including but not limited to, Frisbee, kite flying, and ball playing
 - Bicycle riding. See also 36 CFR § 4.30 of this document.
- These closures are subject to exception by permit and/or as part of an interpretive program

These closures were determined to be in the best interests of the park and are necessary for visitor safety and the proper management of the park. During the winter months, snow loads are often too great for safe movement within the park.

Unmanned Aircraft

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Fort Stanwix NM is prohibited except as approved in writing by the superintendent.

Definition: 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.

Determination: Until the NPS can determine whether specific uses of unmanned aircraft are appropriate and will not cause unacceptable impacts on park resources and values, Fort Stanwix is closed to the use of these devices.

The use of unmanned aircraft within the boundaries of Fort Stanwix has the potential to harm visitors, disturb wildlife, impact viewsheds, cause excessive noise, and interfere with other visitors' enjoyment of the area. This closure is being implemented as an interim measure while this new use can be properly evaluated. A less restrictive approach is not appropriate at this time due to the impacts the devices could potentially present to visitor safety, park values, and to park resources. The interim closure will safeguard these values while the NPS considers how to address this new use on a long-term basis.

NPS Management Policies (1.5) require Park Superintendents to use caution when a park is confronted with a new park use such as unmanned aircraft. This type of activity is completely foreign to the historic nature that the park tries to present in order to interpret the historic setting of this park. Less restrictive measures will not suffice due to the historically inaccurate presence of motorized flying objects in the vicinity of the fort and the noise that they may produce.

This closure will prevent conflict among visitor use activities while maintaining the primary purpose of the park: to preserve the location, resources, and stories associated with the military, political, and cultural events that occurred at and around the site of Fort Stanwix and to provide opportunities for visitor understanding, appreciation and stewardship.

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

- N/A

36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Activities requiring a permit are listed above under **Public Use Limits** and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit.

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

(a)(4) Using or possessing wood gathered from within the park area is prohibited, except:

- As part of an interpretive program

(a)(6) Possessing, destroying, injuring, defacing, removing, digging, or disturbing a structure or its furnishing or fixtures, or other cultural or archeological resources is prohibited.

- Except by Archeological Resource Preservation Act permit and Antiquities Act permit.

36 CFR §2.4 – WEAPONS, TRAPS AND NETS

(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:

- Firearms are prohibited in federal facilities pursuant to 18 U.S.C. §930. A “federal facility” which is defined as a “building or part thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties.”
- Park visitors who can legally possess and carry rifles, shotguns, and handguns are allowed to carry them on park grounds outside the Palisade Fence. However, weapons cannot be used in the park except by employees, agents or cooperating officials in the performance of their official duties.
- Traps and nets are not permitted in the park because the park is closed to hunting.
- Historic weapons and/or period reproduction weapons, traps and nets may be carried, possessed and/or used by appropriate staff members and/or volunteer individuals or groups who are invited and sponsored by the Park to participate in official and regulated historic weapons living history programs. Such activities require prior approval from the Superintendent pursuant to § 2.5(d) and may require supervision or arrangements with the Park Black Powder Safety Officer.

36 CFR §2.10 – CAMPING AND FOOD STORAGE

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

- Camping is not permitted. The exception to this regulation would be for interpretive programs sponsored by the park.

36 CFR §2.11 – PICNICKING

Certain areas have been closed to picnicking and are listed in §1. 36 CFR 1.5(a)(1) Closures of this document.

Conditions for Picnicking:

- Picnicking is prohibited within the Palisade Fence, except by permit or as part of an interpretive program.
- Cooking and the use of fires are prohibited, except as part of an interpretive program. See also 36 CFR § 2.13 of this document

36 CFR §2.12 – AUDIO DISTURBANCES

(a)(2) Operating a power saw in developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(4) Operating a public address system is prohibited, except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

36 CFR 2.13 – FIRES

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

Established Conditions, Areas and Receptacles for Fires:

- Fires are only allowed as part of an interpretive program. Fires can only be started and maintained in encampment fire circles, sand platforms, or in fire places.

36 CFR §2.15 – PETS

(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following structures and/or areas is prohibited:

- Pets are prohibited on park grounds within Palisade Fence. Pets are permitted on park grounds outside the Palisade Fence pursuant to 36 CFR § 2.15(a)(2).

36 CFR §2.16 – HORSES AND PACK ANIMALS

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

- Horses and pack animals are prohibited from all park grounds, except when used as part of law enforcement or an interpretive program. In these exceptions, the animals must remain outside the fort's Curtain Wall.

36 CFR §2.17 – AIRCRAFT AND AIR DELIVERY

(a)(1) Operating or using aircraft on park lands is prohibited, except for emergency response.

36 CFR §2.18 – SNOWMOBILES

(c) The use of snowmobiles is prohibited.

36 CFR §2.19 – WINTER ACTIVITIES

(a) Skiing, snowshoeing, ice skating, sledding, innertubing, tobogganing, and similar winter sports are prohibited on park roads and in parking areas open to motor vehicle traffic, except as designated below:

- Skiing, sledding, innertubing, and tobogganing down Glacis slope is prohibited.

36 CFR §2.20 – SKATING, SKATEBOARDS AND SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited.

36 CFR §2.21 – SMOKING

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

- All park buildings are designated closed to smoking. Smoking is not permitted within the Palisade fence.

This designation is based on Executive Order 13058, published in the August 13, 1997 Federal Register. It is also designed to protect park resources and reduce the risk of fire.

36 CFR §2.22 – PROPERTY

(a)(2) Leaving property unattended for longer than 24 hours is prohibited. Lost and found property under this section shall be handled by park policy.

36 CFR §2.23 – RECREATION FEES

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

- Entrance and recreation fees are not required for entrance into the park.

36 CFR §2.35 – ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

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

- The consumption of alcoholic beverages is prohibited in all areas of the park, except by permit.

The park is closed to alcohol consumption because such activity is inappropriate considering the other uses of the park and the purpose for which the park was established and is maintained. The park was established to preserve and commemorate the historic events that took place at the Fort both prior, during and after the American Revolution and provide opportunities for visitor understanding and appreciation of these events. Any activity that negatively impacts the park's natural and cultural resources is not permitted. The park's grounds are part of a significant historical and cultural landscape and are therefore inappropriate places for the consumption of alcohol.

36 CFR §2.38 – EXPLOSIVES

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

36 CFR §2.50 – SPECIAL EVENTS

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

Groups or individuals must apply for a Special Use Permit in advance of the event (See Appendix D). Section 2.50 of 36 CFR, outlines permitting criteria.

36 CFR §2.51 -- DEMONSTRATIONS

(b) Demonstrations involving 25 persons or fewer may be held without a permit in designated areas as available under paragraph (c)(2) provided that the requirements in 36 CFR § 2.51(b) are met. Demonstrations of more than 25 people are allowed when the superintendent has issued a permit for the activity.

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

- The west lawn of the fort have been designated as the areas for First Amendment rights demonstrations and activities. (See Appendix C)
- The entire park may be considered for demonstrations and activities, however the criteria in 36 CFR § 2.51(c) must be met.

Groups or individuals must apply for a Special Use Permit in advance of the event.

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

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

36 CFR §2.60 – LIVESTOCK USE AND AGRICULTURE

(a) Livestock are generally prohibited in any park area. They are only permitted in park areas pursuant to the exceptions provided for in §2.60(a) and only pursuant to the terms and conditions of a license, permit, or lease.

- Livestock are only permitted as part of an interpretive program. Livestock are not permitted with the Curtain Wall.

36 CFR §2.61 – RESIDING ON FEDERAL LANDS

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

36 CFR §2.62 – MEMORIALIZATION

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

36 CFR §4.30 – BICYCLES

(a) The use of a bicycle is prohibited except on park roads, in parking areas, and on routes designated for bicycle use. Park roads and parking areas that are closed to bicycle use are listed in §1.5 of this document.

- Bicycles are permitted to be ridden on park trails outside the Palisade Fence. Bicycles are prohibited from being ridden within the Palisade Fence or on the Glacis of the fort. See also 36 CFR §1.5 Closures of this document.

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.3 – BUSINESS OPERATIONS

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

36 CFR §5.4 – COMMERCIAL PASSENGER-CARRYING MOTOR VEHICLES

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

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.

36 CFR §5.6 – COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited, and requires permission or a permit from the Superintendent.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

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