

CODE OF FEDERAL REGULATIONS

TITLE 36, CHAPTER 1

COMPENDIUM

of Designations, Closures,
Permit Requirements and
Other Restrictions
imposed under the discretionary
authority of the Superintendent

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, authorized by Title 54, United States Code, Section 102701, the following regulatory provisions are established for the proper management, protection, government and public use of the **Freedom Riders National Monument** under the jurisdiction of the National Park Service. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR Chapter 1.

Written determinations which include the reasons justifying the Superintendent's use of discretionary authority, as required by 36 CFR, Chapter 1, Part 1, Section 1.5(c), appear in this document in *italicized* print.

Recommended:

Digitally signed by VALERIE SAFERITE

Date: 2020.05.04 13:18:24 -05'00'

Valerie Saferite, Chief Ranger

Date

Little River Canyon National Preserve

Approved:

Digitally signed by KRISTOFER BUTCHER

Date: 2020.05.04 13:39:52 -05'00'

Kristofer Butcher, Superintendent

Date

Freedom Riders National Monument

PART 1—GENERAL PROVISIONS

§ 1.5 Closures and public use limits.

VISITING HOURS

The Burn Site is open from sunrise to sunset.

Visitor services are provided by the Calhoun County Chamber of Commerce. Their hours of operation are:

- Monday – Friday 8:00 a.m. to 5:00 p.m.

Justification: To provide for reasonable and safe public access to the park and to protect resources.

DRONES/UNMANNED AIRCRAFT

(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 the Freedom Riders 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, etc.). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones, etc.) that are used for any purpose, including for recreation or commerce.

Justification: The use of unmanned aircraft has the potential to cause unacceptable impacts such as harming visitors, causing excessive noise, impacting viewsheds, and disturbing wildlife. Management Policies 2006 Section 1.5 requires caution when a park is confronted with a new park use such as unmanned aircraft. Less restrictive approaches are deemed to be insufficient, as this closure is a necessary, interim measure which will allow the NPS to consider how to address this new use on a long-term basis. Allowing the use of unmanned aircraft before the park has properly evaluated whether this use is appropriate could result in unacceptable impacts to park resources, park values, and visitor safety.

AREAS POSTED AS CLOSED

(a)(1) Entering any area of the park which has been posted or signed as closed, or which has been designated as closed by the Superintendent, is prohibited.

Justification: Closures may be necessary for a variety of reasons including site restoration, protection of sensitive or threatened species and to provide for public safety and avoidance of conflicts among visitor use activities.

EMERGENCY CLOSURES

(a)(1) During periods of severe weather conditions, all or portions of the park may be closed to the public in the interest of public safety.

Justification: To provide for public safety and enjoyment.

CONSTRUCTION AREA CLOSURES

(a)(1) Areas of new construction, reconstruction, repair, and maintenance within the monument will be closed to public access based on threats to public safety presented by the type of work to be done and equipment in use. Areas closed to all public access will be posted with appropriate signage.

Justification: To provide for public safety.

CURRENT CLOSURES

(a)(1) The Greyhound Bus Depot is closed to the public until further notice.

Justification: To provide for public safety during planning and initial phases of monument preservation and construction.

ROAD CLOSURES

(a)(1) Designated park roads may be temporarily closed on occasions when a hazardous condition exists or when required by other circumstances to protect the safety of the public. Operating a motor vehicle in violation of such closures is prohibited.

Justification: Examples of circumstances which might lead to such closures include, but are not limited to, ice and snowstorms, road construction and maintenance, vehicular accidents, and hazardous materials spills. Road closures during these types of situations may be necessary for public safety and welfare.

REOPENING OF ROADS, TRAILS, ETC.

(a)(1) The reopening, to any extent, of any roads, trails or routes within the park which have been closed by means of revegetation, fallen trees, or any other means, is prohibited for anyone other than a member of the park's staff or an official park volunteer acting under specific orders from a member of the park's staff. This prohibition does not apply to the reopening of designated park roads and parking areas.

Justification: The natural closing of such roads is one of the most efficient ways to curtail the operation of motor vehicles in unauthorized areas. The reopening and use of such roads lead to negative impacts on park resources.

IDLING DIESEL-FUELED VEHICLES

(a)(1) Operators of diesel-fueled vehicles are prohibited from idling their engines within the park.

Justification: The noise and fumes caused by these engines disturbs other park visitors and wildlife.

SEARCHING OF TRASH RECEPTACLES

(a)(1) The searching of park trash receptacles, refuse containers, dumpsters and recycling bins is prohibited, as is the removal of items from such containers.

Justification: The searching of trash receptacles presents a health hazard and leads to littering and interferes with the enjoyment of other park visitors.

GLASS CONTAINERS

(a)(1) The possession or use of glass containers is prohibited.

Justification: To provide for public safety and enjoyment.

PHYSICAL BARRIERS

(a)(1) Climbing over, under, or around railings, gates, doors, stanchions and lines, barricades or other physical barriers used to control public access is prohibited.

Justification: To provide for public safety and enjoyment.

SCHOOL AND YOUTH GROUPS

(a)(1) All school or youth groups, excluding college groups, shall be accompanied by a minimum of **one chaperon for every 10 students** during the groups visit of elementary students: Junior and High school students 30. Chaperons must be a minimum eighteen (18) years of age and designated by the school or sponsoring organization.

Justification: To provide for public/visitor safety and enjoyment.

STACKING ROCKS OR SIMILAR ACTIVITIES

(a)(1) Stacking rocks for any purpose or using rocks to create any sort of rock structure is prohibited. This provision does not apply to the use of rocks to create temporary fire rings as further described in Section 2.13 of this Superintendent's Compendium. Such temporary fire rings must be less than 6 feet in diameter along their outer edge and less than 12 inches in height. Rocks used for the construction of such fire rings must be collected from the surface of the ground only. Rocks which are partially or fully buried may not be disturbed.

Justification: The use of rocks to construct cairns, chairs, benches, and other rock structures alters the landscape from its natural condition and in many cases detracts from the scenic beauty of the park. Disturbing rocks from their natural state can also alter or destroy habitat for a wide range of plant and animal species.

GEOCACHING AND SIMILAR ACTIVITIES

(a)(2) Any activity (for example, the activity known as "geocaching"), which involves hiding or otherwise placing an item or items within the park or physically marking a location within the park, and which is done with the intent that such items or locations will be searched for or sought out by others, must be conducted pursuant to a permit issued by the Superintendent.

Justification: Physically placing geocaches in the park without consulting with park management leads to the risk that sensitive or threatened resources may be damaged either by the individuals placing the geocache or by individuals seeking the geocache.

VIRTUAL GEOCACHING AND SIMILAR ACTIVITIES

(a)(2) Any activity (for example, the activity known as "virtual geocaching"), in which a location is marked or specified by means of Global Positioning System (GPS), map or any means other than a physical marking or object placed at the site of the location, and which is done with the intent that such locations will be

searched for or sought out by others, must be conducted pursuant to a permit issued by the Superintendent.

Justification: Activities such as “virtual geocaching,” as compared to traditional geocaching activities, are generally less likely to have negative effects on park resources, in that they do not involve the burying or concealment of objects within the park. However, as in the case of traditional geocaching, such activities have the potential to attract large numbers of visitors to areas or locations which are not otherwise subject to significant public impact, and which may be unusually fragile or sensitive. The requirement of a permit allows park staff to ensure that such locations are situated in areas that are not likely to be negatively affected by increased public visitation.

ADVENTURE RACES AND SIMILAR ACTIVITIES

(a)(2) Any activity in which persons compete with one another by traveling along a course within the park, including, but not limited to, triathlons, adventure races, eco-challenges, iron man competitions, hash house harrier games (also known as “hashing”), and other races or competitions of any sort, must be conducted pursuant to a permit issued by the Superintendent.

Justification: Activities such as adventure races can significantly interfere with the use and enjoyment of other park visitors. The requirement of a permit allows park staff to mitigate the impact of such activities on other visitors. The requirement also allows park staff to limit any off-trail portions of such activities to areas where sensitive natural and cultural resources will not be negatively affected.

USE OF ELECTRONIC PERSONAL ASSISTANCE MOBILITY DEVICES

(a)(2) The use of electronic personal assistance mobility devices (for example, the device marketed under the brand name "Segway") by persons with a disability will be allowed in the park, provided that such devices display a valid, government issued placard indicating that the user has a disability, under the following conditions:

- Operators must be 16 years or older
- Maximum speed while operating an electronic personal assistance mobility device cannot exceed 5 mph
- The electronic personal assistance mobility device utilized must not create emissions (must be a zero-emission vehicle)
- The electronic personal assistance mobility device must be no greater than 36 inches in width at its widest point
- A person riding any mobility assisted device upon and along a sidewalk, while crossing a roadway in a crosswalk or on any other surface shall have all the rights

and duties applicable to a pedestrian under the same circumstances, except that the mobility assistive device operator must always yield to pedestrians.

Justification: To provide for public safety and enjoyment

USE OF ELECTRONIC BICYCLES

(a)(2) The term “e-bike” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.). E-bikes are allowed in the park where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5). Except as specified in this Compendium, the use of an e-bike within the park is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

Justification: National Park Service policy provides that electronic bicycles meeting the requirements outlined above and traditional bicycles will be generally regulated in the same manner. The park allows bicycles only on park roads and parking areas and has no trails where bicycles of any sort are permitted.

§ 1.6 Permits.

(f) Pursuant to the provisions of 36 CFR 1.6(f), the following is a compilation of the activities for which a permit is required. Not all the activities/permits listed below are relevant to the Freedom Riders National Monument.

<u>Activity Requiring Permit</u>	<u>Relevant Section of 36 CFR</u>
Entry of Closed Areas	1.5(d)
Adventure Races and Similar Activities	1.5(d)
Geocaching and Similar Activities	1.5(d)
Virtual Geocaching and Similar Activities	1.5(d)
Group Climbing/Rappelling Permit	1.5(d)
Replacement of Existing Fixed Climbing Anchors	1.5(d)
Hunting Hogs	2.2(b)(2)
Possession of an Otherwise Prohibited Weapon, Trap or Net	2.4(d)
Collection of Research Specimens	2.5
Rock Creek Campground Self-Registration	2.10(a)
Exceeding Maximum Occupancy of Backcountry Campsites	2.10(a)
Exceeding Maximum Length of Stay at Backcountry Campsites	2.10(a)
Operating a Power Saw or Portable Motor/Other Audio Disturbances	2.12(a)(2),(3)&(4)
Possession of a Pet by a Park Resident	2.15(e)
Use of Aircraft/Air Delivery	2.17(a)(3)
Removal of Downed Aircraft	2.17(c)(1)
Entrance and Recreational Fees	2.23(b)
Soliciting of Gifts, Money, Goods or Services	2.37
Explosives	2.38(a)
Fireworks	2.38(b)
Special Events (including sports events, pageants, weddings, public spectator attractions, entertainments, ceremonies and similar events)	2.50(a)
Demonstrations	2.51(a)
Sale or Distribution of Printed Matter	2.52(a)
Livestock Use and Agriculture	2.60(b)
Residing on Park Lands	2.61(a)
Scattering of Human Ashes	2.62(b)
Use of a Vessel	3.3
Vehicles Exceeding Designated Load, Weight and Size Limits	4.11(a)
Displaying, Posting or Distributing Advertisements and Commercial Notices	5.1
Engaging in or Soliciting Any Business	5.3
Filming of Motion Pictures or Television Productions	5.5(a)
Taking of Still Photographs for the Purpose of Commercial Advertising	5.5(b)
Use of Government Roads by Commercial Vehicles	5.6(c)
Constructing or Attempting to Construct Buildings, Structures, Boat Docks, Roads, Trails, Paths, Ways, Telephone Lines, Telegraph Lines, Power Lines, or Any Other Private or Public Utilities	5.7
Operation of a Solid Waste Disposal Site	6.9(a)
Single Visit Entrance Permits	71.7(a)
Special Recreation Permit	71.10(a)
Waiver of Federal Recreation Fees	71.13(d)

Permits will be specific in nature to the activity being permitted. In most other cases, a special use permit or letter of authorization will be prepared describing the specific conditions under which the permitted activity is authorized. In all cases, a permit or letter of authorization must always be in the permittee's possession and must be shown to any authorized person upon request.

PART 2—RESOURCE PROTECTION, PUBLIC USE AND RECREATION

§ 2.1 Preservation of natural, cultural, and archeological resources.

METAL DETECTORS

(a)(7) The possession or use of metal detectors is prohibited.

Justification: To provide for public safety and enjoyment.

HIKING AND PEDESTRIAN TRAFFIC

(b) Hiking or pedestrian traffic is restricted to the established trails or walkways. Pedestrians are permitted to be off trails and pavement in mowed lawn areas only.

Justification: Requiring all pedestrian traffic to remain on designated trails will protect the natural resources from their impacts, protect archeological resources, ensure historical integrity throughout the park, and protect visitors from environmental dangers (such as red fire ants) common in the park.

§ 2.2 Wildlife protection.

HUNTING OR TRAPPING

(a)(1) Hunting and trapping are prohibited within park boundaries unless authorized by the Superintendent for research, academic or scientific purposes, or to remove invasive species.

Justification: Closure of hunting and trapping is for the protection of visitor and wildlife, and in keeping with the legislated purpose of the park.

§ 2.4 Weapons, Traps, and Nets.

POSSESSION OF FIREARMS

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

- Visitors may possess firearms within a national park unit provided they comply with federal, state, and local laws.
- Federal law prohibits firearms in certain park facilities and buildings. These places are marked with signs at public entrances.
- Possession of traps and nets pursuant to hunting activities is prohibited.

Justification: The use of native minnows and other bait species does not pose a risk to park resources. However, the use of non-native species as bait risks the introduction of invasive species to park waters.

§ 2.13 Fires.

FIRES ARE PROHIBITED

(a)(1) Lighting or maintaining a fire within the park is prohibited.

Justification: To provide for public safety and enjoyment.

§ 2.14 Sanitation and refuse.

DISPOSAL OF HUMAN BODY WASTE

(b) Human body waste must be appropriately disposed of in restroom facilities.

Justification: Improper disposal of human waste is a potential health hazard.

§ 2.15 Pets.

AREAS CLOSED TO PETS

(a)(1) Pets are not permitted in public buildings other than the use of service animals

(a)(2) Pets must be restrained on a leash with a maximum length of six (6) feet while on park property.

Justification: To provide for public safety and visitor enjoyment.

LEAVING PETS UNATTENDED

(a)(3) Leaving a pet unattended and tied to an object is prohibited. Pets found unattended will be subject to confinement by local animal control/shelter.

(a)(3) Leaving a pet unattended and confined in a motor vehicle and physical injury to or death of the animal is likely to result is prohibited. Pets found unattended will be subject to confinement by local animal control/shelter.

Justification: To prevent serious injury or death to an animal and to provide for public safety and visitor enjoyment.

DISPOSAL OF PET EXCREMENT

(a)(5) Pet excrement must be immediately collected and containerized by the pet handler or owner. Such container must be placed in a refuse receptacle or removed from the park for other proper disposal.

Justification: Improper disposal of pet waste is a potential health hazard.

§ 2.20 Skating, Skateboards, and Similar Devices.

The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices is not allowed.

Justification: The use of skating, skateboards, and similar devices creates a safety hazard for both vehicle traffic as well as pedestrians. These devices would also detract from the historical integrity of the park.

§ 2.21 Smoking.

- (a) Smoking, including the carrying of lighted cigarettes, cigars, pipes and electronic nicotine delivery systems is prohibited in the park's visitor center and all government facilities. Electronic nicotine delivery system means an electronic device, such as an electronic cigarette, that a person uses to simulate smoking by inhaling vapor from the device.
- No smoking within 50 feet of any building entrance, monument, exhibit, demonstration area or hazardous material storage areas.
 - Cigarette butts or other tobacco products must be disposed of properly – extinguished and put into appropriate receptacles.

Justification: Second-hand smoke has negative health consequences for other visitors and park staff.

§ 2.35 Alcoholic beverages and controlled substances.

(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 that has been opened, or whose seal is broken or the contents of which have been partially removed, is prohibited in the following areas:

- The consumption of alcoholic beverages, in any form, is prohibited within the boundaries of Freedom Riders National Monument.
- Alabama Title 28-4-20, Simple possession of prohibited liquors and beverages – The possession of alcoholic beverage in public areas is prohibited by state law.

Justification: To provide for visitor safety and enjoyment. The possession of alcoholic beverages in public areas is prohibited by state law and to be consistent with local laws and regulations.

§ 2.37 Noncommercial Soliciting.

The solicitation or collection of donations is prohibited on park property. Fundraising events may be approved provided that the collection of pledges and donations takes place off-site.

§ 2.50 Special Events.

Special events may be permitted provided there is a meaningful association between the park area and the events, the observance contributes to visitor understanding of the significance of the park area, and a permit has been issued by the Superintendent. AA special event may be permitted only if the activity has been judged by the Superintendent not to cause any derogation of the values and purposes for which the park was established, unless directly and specifically authorized by Federal law.

Contact park headquarters to obtain additional guidance on special park uses and to obtain a Special Use Permit application.

§ 2.51 Demonstrations.

Demonstrations as defined in 36 CFR 2.51 and subject to the requirements contained therein, are allowed. Location where demonstrations can be held has yet to be determined (*once designated will be in Appendix A*), contact the Superintendent for further guidance.

§ 2.52 Sale or distribution of printed matter.

See Appendix A for a map of locations where the sale and distribution of printed material, as defined in 36 CFR 2.52 and subject to the requirements contained therein, are allowed.

PART 4—VEHICLES AND TRAFFIC SAFETY

§ 4.30 Bicycles.

Bicycles are permitted on public roads (in accordance with state and local law) and paved parking areas only within Freedom Riders National Monument.

Justification: To provide for visitor and public safety and to protect the resources located within the park boundaries.

PART 5—COMMERICAL AND PRIVATE OPERATIONS

§ 5.1 Advertisements.

Commercial notices or advertisements are prohibited within Freedom Riders National Monument.

Justification: To provide for visitor enjoyment and to protect the resources located within the park boundaries.

§ 5.3 Business Operations.

Engaging in or soliciting any business is prohibited except by a Commercial Use Authorization or written agreement with the National Park Service (United States).

- All commercial tour operators are required to obtain a Commercial Use Authorization and wear approved identification badge while on park property.
- Commercial tour operators are prohibited from providing interpretive services to visitors inside the park's buildings.
- Soliciting personal information such as names, addresses, telephone numbers, zip codes, etc., or any other such information which may be used for future solicitation or marketing purposes, is strictly prohibited.

Justification: To provide for visitor and public safety and enjoyment and to protect the resources located within the park boundaries.

§ 5.5 Commercial filming, still photography, and audio recordings.

Commercial filming and still photography activities are subject to the provisions of 43 CFR part 5, subpart A.

- Commercial filming permit is required. Contact park headquarters for additional guidance and to obtain a Commercial Filming permit application.
- Still photography may require a permit (see 43 CFR § 5.2). Contact park headquarters for additional guidance and to obtain a permit application.

Justification: To provide for public safety and visitor enjoyment and to protect the resources located within the park boundaries.

APPENDIX A
DESIGNATED LOCATIONS FOR DEMONSTRATIONS AND FOR THE SALE
OR DISTRIBUTION OF PRINTED MATTER

As provided in Sections 2.51 and 2.52 of this Superintendent's Compendium, demonstrations as defined in 36 CFR 2.51 and the sale and distribution of printed matter as defined in 36 CFR 2.52 are allowed in the areas described below, as provided therein.