National Park Service
U.S. Department of the Interior

Herbert Hoover National Historic Site

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

Approved:

Date: 04/04/2016
Peter S. Swisher , Superintendent

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the Herbert Hoover National Historic Site in West Branch, Iowa. The Superintendent's Compendium does not repeat other regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

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A. INTRODUCTION

1. Superintendent's Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park System.

A copy of Title 36, CFR, can be purchased from the U.S. Government Printing Office at:

Superintendent of Documents
732 North Capitol Street, NW, Washington, DC 20401-0001
202.512.1800

The CFR is also available on the Internet at:

http://www.access.gpo.gov/nara/cfr/waisidx_05/36cfrv1_05.html

2. Laws and Policies Allowing the Superintendent to Develop This Compendium

The National Park Service (NPS) is granted broad statutory authority under 16 United States Code (U.S.C.) Section 1 *et.seq.* (Organic Act of 1916, as amended) to "…regulate the use of the Federal areas known as national parks, monuments, and reservations…by such means and measures as conform to the fundamental purposes of the said parks…which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations" (16 U.S.C. Section 1). In addition, the NPS Organic Act allows the NPS, through the Secretary of the Interior, to "make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service" (16 U.S.C. Section 3).

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970 (16 U.S.C. Sections 1a1-1a8), Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating "Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States."

16 U.S.C. Section 1c defines the National Park System as"…any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes."

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director's Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection, where the Superintendent has a reasonable basis to believe a resource is or would become impaired, than that Superintendent is obliged to place limitations on public use.

3. Consistency of This Compendium with Applicable Federal Law and Requirements

The Superintendent's Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6

and as such, an Environmental Assessment will not be prepared.

4. Development of the Requirements of the Superintendent's Compendium

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is the use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to $5,000 for individuals and $10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

8. Comments on the Compendium

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

Written comments on the Compendium may be submitted to:

Superintendent
Herbert Hoover National Historic Site
P.O. Box 607
West Branch, IA 52358

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of

this document, and remains in effect until revised for a period up to one year.

10. Additional Information

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

11. Availability

Copies of the Compendium are available at the park visitor center located at 110 Parkside Drive, West Branch, IA 52358. It may also be found at http://www.nps.gov/heho.

B. SUPERINTENDENT'S COMPENDIUM

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, owned or administered by; or within the boundaries of **Herbert Hoover National Historic Site**. 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.

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:

MANAGEMENT ZONES:
Herbert Hoover NHS has been subdivided into 7 management zones in order to preserve, protect and maintain the cultural and natural resources of the park, to support the commemoration of Herbert Hoover, to orient park visitors to the site and to allow safe recreational activities that do not conflict with other visitor use activities, or threaten natural or cultural resources. **See attached map for specific locations of the management zones.**

The seven management zones are:

- Commemorative Zone
- Historic Zone (Historic Core Area)
- Recreation Zone
- Maintenance Zone
- Open Space Zone
- Orientation Zone
- Natural

SCHEDULE OF VISITING HOURS

• The grounds of **Herbert Hoover National Historic Site** are open to pedestrians every day of the year 24 hours a day.

• The **Park Visitor Center** is open between 9:00 a.m. and 5:00 p.m. daily. It is closed on Thanksgiving, Christmas, and New Year's Day.

Public Use Limits:

- The Loop Road is closed to vehicular traffic, except for official use from 10 p.m. to 6 a.m. daily.

- The Village Green Parking Area is closed to vehicular traffic, except for official use from 10 p.m. to 6 a.m. daily.

Reason for determination: *Less restrictive measures will not suffice because of the potential threat to natural and cultural resources. This closure protects park resources from physical disturbance, damage and/or removal when park staff is either limited or not present.*

Closures:

- The Historic Zone/Core Area and the area within a circle 500 feet in diameter from the Hoover grave site is closed to the exercise of First Amendment rights. **See attached map for closure boundaries**
- All other areas of the park are open for exercising of First Amendment rights. See **section II, "Activities that require a permit"** for further details on exercising First Amendment rights.

Reason for determination: *Less restrictive measures will not suffice because of the potential threat to irreplaceable cultural resource and the potential to detract from the historic setting of the park, which could result in conflict among visitor use activities, or threaten natural or cultural resources.*

- The Hoover Creek bank areas below ground level including areas beneath all bridges are closed to public use. Walking and climbing on the creek banks is prohibited. The area may be accessed for official purposes and/or subsequent to a permit issued by the Superintendent.

Reason for determination: *Less restrictive measures will not suffice because of the potential threat to natural and cultural resources. This closure protects park resources from physical disturbance, damage and/or removal when park staff is either limited or not present.*

- The Buildings at the Thompson Farm site are closed to public use. The buildings may be accessed for official purposes or subsequent to a permit issued by the Superintendent. The grounds of the Thompson Farm site are open to the public.

Reason for determination: *Less restrictive measures will not suffice because of the potential threat to natural and cultural resources. This closure protects park resources from physical disturbance, damage and/or removal when park staff is either limited or not present.*

- Unless permitted in advance, the Commemorative Zone and the Historic Zone/Core Area within Herbert Hoover National Historic Site are closed to any activity or organized recreational/sporting activities that potentially detract from the quiet reverential setting of a presidential burial site, the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources. Prohibited activities include, but are not limited to the following: all organized sports, racing, organized runs, skateboards, model airplane or model vehicle operation, etc.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

- Firearms in Federal Facilities: Pursuant to 18 U.S.C. 930(a), the National Park Service Visitor Center, Maintenance Complex buildings, US Post Office portion of the Visitor Center building and the following historic buildings used as offices within the boundary of Herbert Hoover National Historic Site are closed to the possession of concealed or openly carried firearms or other weapons at all times: Laben Miles House (Administration), Leech House (Maintenance), Varney House (Ranger Activities), Garvin House (Resource Management) and C.E. Smith House (Office of the Superintendent).
- The following historic buildings are closed to the possession of openly carried or concealed firearms or other weapons during the time they are occupied by National Park Service employees and regularly scheduled guided tours are given through these buildings: Hoover Birthplace Cottage, Friends Meetinghouse, Blacksmith Shop and Schoolhouse. This time period is April 1st through October 31st annually unless otherwise designated by the Superintendent.
- Authorized law enforcement officers in the performance of their official duties are exempt from the closure above.

Reason for determination: Park regulation cannot be less restrictive than United States Code.

- The use of tobacco products are prohibited in all park buildings.
- The use of ENDS (Electronic Nicotine Delivery System) are prohibited in all park buildings per Director Jarvis' memo (15-03)
- Food and drink is prohibited in the following historic buildings: Birthplace Cottage, Friends (Quaker) Meetinghouse, Schoolhouse, Blacksmith Shop.

Reason for determination: *Less restrictive measures will not suffice because of the potential threat to cultural resources. This closure protects park resources from damage when park staff is either limited or not present.*

- Climbing on statues, plaques, fences, historic structures or historic objects is prohibited at all times.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

- The Historic Traces are closed to all vehicular traffic, except for official use.

Reason for determination: *Less restrictive measures will not suffice because of the potential threat to irreplaceable cultural resources. These closures protect park resources and processes from physical disturbance, damage, and/or removal at times when park staff is either limited or absent. They also help prevent accidents that could result in serious personal injury and/or property damage.*

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

Reason for determination: *Less restrictive measures will not suffice because of the potential threat to natural and cultural resources. This closure protects park resources from damage, provides for the safety of visitors/employees, and protects the quiet reflective atmosphere of a presidential burial site.*

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

Picnicking:

- Picnicking using tables, chairs, portable grills, etc., is allowed only in designated picnic areas unless otherwise authorized by the Superintendent.
- The designated picnic areas are located in the **Recreation Zone.** (See map for specific locations)
- The group picnic shelter is available for a fee by reservation, or if not reserved in advance on a first-come, first-served basis. Contact the Special Park Uses coordinator for details on the picnic shelter reservation system and applicable fees (319-643-2541).

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

Camping:

- There is no camping permitted within the boundaries of Herbert Hoover National Historic Site.

Reason for determination: *There are no campgrounds or locations programs or facilities for camping within the park.*

Fires:

Open fires are prohibited in all areas of the park except for the following locations unless authorized by the Superintendent:

- Small portable gas grills and camp stoves are permitted within both picnic shelters and on the Village Green.
- Charcoal and wood fires are permitted within the "Boy Scout" (west) picnic shelter fireplace. Portable charcoal grills may be used in the picnic area and on the Village Green.
- Park residents and guests may use portable gas or charcoal stoves and grills within their residential areas.
- Ashes and coals must be disposed of properly and safely so as not to cause a fire.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

The following restrictions and/or conditions are in effect for the specific uses or activities noted:

Pets:

- Properly restrained pets are permitted in all areas of Herbert Hoover NHS with the exception of public buildings, unless specifically authorized by the Superintendent. Service animals are permitted in all buildings as necessary.
- Pet excrement must be immediately collected by the pet handler and removed from the site or deposited in an appropriate waste container.
- Pets must be restrained on a leash at all times.

Reason for Determination: *Consistent with public health and safety, the protection of natural and cultural resources, and avoidance of conflict among visitor use activities, pets must be restricted. It is recognized that many park visitors have pets and they are permitted where they do not jeopardize basic park values. This does not apply to service animals as covered under the Americans with Disabilities Act.*

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

The superintendent may issue a permit for an otherwise prohibited or restricted activity or to impose a public use limit. For further information on obtaining a park Special Use Permit, or regarding application and use fees, contact the Special Park Uses coordinator at (319) 643-7857 or online at http://www.nps.gov/heho/planyourvisit/permits.htm.

(f) The following is a compilation of those activities for which a permit from the superintendent is required:

- §1.5(d) The following activities related to Public Use Limits:
  - Restricted Use Vehicles
  - Entering a closed area

- §2.4(d) Carry or possess a trap, or net

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

- §2.10(a) The following camping activities:
  - Camping anywhere within Herbert Hoover NHS
    Camping is prohibited without a permit from the Superintendent. Refer to 36 CFR section 2.10

- §2.12 Audio Disturbances:
  - (a)(2) Operating a chain saw in developed areas (except official use)
  - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas (except official use)
  - (a)(4) Operation of a public address system in connection with a public gathering or special event whether or not a permit has been issued pursuant to §2.50 or §2.51

- §2.17 Aircraft & Air Delivery:
  - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
  - (c)(1) Removal of a downed aircraft

- §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)

- §2.38 Explosives:
  - (a) Use, possess, store, transport explosives, blasting agents
  - (b) Use or possess fireworks

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

- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views for groups of 26 or more persons

- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising for groups of 26 or more persons

- §2.60(b) Livestock use

- §2.61(a) Residing on federal lands

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

- §4.11(a) Exceeding of established vehicle load, weight and size limits

- §5.1 Advertisements - (Display, posting or distribution)

- §5.2(b) Sale of intoxicants on private lands

- §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

- §5.6(c) Use of commercial vehicles on park area roads (The superintendent shall issue a permit to access private lands within or adjacent to the park when access is otherwise not available)
  - Commercial vehicles using Parkside Drive, NPS owned portions of Wetherell Street, and deliveries to persons within Herbert Hoover NHS do not require a permit

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

III. GENERAL REGULATIONS

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

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending or traversing the listed archeological or cultural resource, monuments or statues:

- Climbing on statues, plaques, fences, historic structures or historic objects except for official purposes is prohibited at all times.
- Climbing on or standing on the marble headstones of the President and Mrs. Hoover is prohibited at all times.

(a)(7) REMINDER: Possessing or using a mineral or metal detector is prohibited

Reason for Determination: *This prohibition exists because there are numerous statues, monuments, and/or cultural resources throughout the park that may be irrevocably damaged or cause a public safety concern.*

(c)(1), (c)(2) The following fruits, nuts, berries or unoccupied seashells 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:

- One half gallon per-person, per-day for nuts and berries and a bushel per-person per-day for apples, and black walnuts
- Collection by hand only, the use of bush rakes or other harvesting devices is prohibited.
- Picking, gathering or harvesting mushrooms is prohibited.

Reason for Determination: *The allowable quantities will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources. Other fruits, nuts, berries or tree/plant products are not considered to be endangered. The urban, manicured environment of the cultural landscape is not dependent upon individual plant species for self-propagation.*

36 CFR §2.2 - WILDLIFE PROTECTION

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

- Lawfully taken and properly tagged wildlife and wildlife parts may be transported through Herbert Hoover NHS on Parkside Drive. All other park roads are closed to the transportation of lawfully taken wildlife and wildlife parts unless a permit is issued by the Superintendent. Herbert Hoover NHS residents may transport lawfully taken wildlife to/from their place of residence by the shortest park route without a permit.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

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

- All of Herbert Hoover NHS is closed to viewing wildlife with the use of an artificial light including infrared lights/beams. The Superintendent may issue a permit for the use of artificial light for research purposes.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

Firearms:

2.4(h) Notwithstanding any other provision in this Chapter, a person may possess, carry, and transport concealed, loaded, and operable firearms within a national park area in accordance with the laws of the state in which the national park area, or that portion thereof, is located, except as otherwise prohibited by applicable Federal law.

- 2.4(h) Does not extend to Federal facilities within the park (See 18 U.S.C. 930(a)). See the Closure Section of this document for more details.
- Iowa Public Safety website: http://www.dps.state.ia.us/index.shtml

Reason for Determination: *Park regulation cannot be less restrictive than United States Code.*

36 CFR §2.10 – CAMPING and FOOD STORAGE

Camping is prohibited unless authorized in accordance with a Special Use Permit issued by the superintendent.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

36 CFR §2.11 – PICNICKING

Certain areas have been closed to picnicking and are listed in section 1.5(a)(1) “Closures”.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

36 CFR 2.13 – FIRES

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

Designated Areas:

- "Boy Scout" (west) picnic shelter (fireplace)
- In designated recreation areas using charcoal grills or containerized fuels only.

Receptacles Allowed:

- Ashes and coals must be disposed of in such a way so as not to cause a fire.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

36 CFR §2.15 – PETS

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

- All public buildings within Herbert Hoover NHS are closed to the possession of pets.
- Service Animals: Trained/certified dogs (As covered under the ADA) are exempt.

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

- Pet excrement must be immediately collected by the pet handler and removed from the site or deposited in an appropriate waste container.

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

- Pet owners will comply with all applicable laws and ordinances.
- Pet owners will comply with the Housing Management Plan for Herbert Hoover NHS with regard to pets.

PET REMINDER - while visiting the park: No pet may be tied to any object and left unattended, no pet may be allowed to make unreasonable noise, and pets must be restrained by a leash at all times.

Reason for Determination: Consistent with public health and safety, the protection of natural and cultural resources, and avoidance of conflict among visitor use activities, pets must be restricted. It is recognized that many park visitors have pets and they are permitted where they do not jeopardize basic park values.

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) Herbert Hoover NHS is closed to horses and pack animals except police mounted patrols and special events with the permission of the Superintendent.

Reason for Determination: *The park is highly developed and not meant for routine use of horses or pack animals. This restriction is intended to reduce any possible conflict between users and to protect the cultural landscape.*

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent through written authorization.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

36 CFR §2.18 – SNOWMOBILES

See section 7.60, "Herbert Hoover National Historic Site Special Regulation."
(c) Under special snow conditions (set by the Superintendent), snowmobiles may be operated along the shoulder of Parkside Drive.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

36 CFR §2.19 – WINTER ACTIVITIES

(a) The Park Loop Road, parking areas and trails may be used for cross-country skiing, snowshoeing, and similar winter activities.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

- The use of skateboards, roller skates, roller skis, coasting vehicles or similar devices is prohibited throughout the park.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

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 structures open to the public within Herbert Hoover NHS
- Smoking is prohibited within 10 feet of any structure not built of brick, stone or other non-flammable material
- Smoking is prohibited within 25 feet of the park maintenance area above ground fuel tanks or any portable fuel tank.
- Smoking is prohibited within any Government owned vehicle or within 25 feet of a Government owned vehicle when fueling.
- See section 1.5 for areas closed to ENDS (Electronic Nicotine Delivery Systems)

Reason for determination: *These restrictions are based on a determination that smoking is prohibited to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities.*

36 CFR §2.22 – PROPERTY

(a)(2) Property may not be left unattended for periods longer than 24 hours or in any closed area. Unattended property may be impounded for safekeeping in accordance with NPS and Herbert Hoover NHS policies.

Reason for Determination: *Unattended property is inconsistent with the orderly management of park areas and may present a security or other threat to park resources. Property may not be left unattended in the park for security reasons, for possible health/safety reasons and it is not compatible with the cultural landscape or interpretive value of the park.*

36 CFR §2.23 – RECREATION FEES

(a) Recreation fees have been established under 36 CFR 71.9 for Herbert Hoover NHS. Fees charged and Passes accepted, will comply with the Federal Lands Recreation Enhancement Act of 2004.
(b) The collection of fees may be suspended or reinstated by order of the Superintendent.
(c) Entrance fees are currently suspended by order of the Superintendent.

Reason for determination: *Authority for fee collection is established in 36CFR 71.9*

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains, or in the following designated areas without a permit, and/or according to the following terms and conditions:
• The scattering of human ashes from cremation is prohibited throughout the park.

Reason for Determination: *Herbert Hoover NHS is a highly developed cultural and natural resource within an urban area where concentrations of people gather. Scattering ashes conflicts with the public uses specific to the park.*

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Park roads open for travel by motor vehicles are those indicated below:

- Parkside Drive, Wetherell Street, Library Drive, Loop Road and Second Street
- Service Roads are open only to official use, park residents and guests.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

36 CFR §4.21 – SPEED LIMITS

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

- Within all parking areas the speed limit is 15 mph.
- Within the park owned portion of Parkside Drive the speed limit is 25 mph.
- On Library and Loop Drives the speed limit is 15 mph.

Reason for Determination: *Variations from the speed limit designations in the general regulations have been made where road conditions allow either a higher speed without jeopardizing public safety, or require a lower speed limit for public safety and to prevent road deterioration.*

36 CFR §4.30 – BICYCLES

(a) Paved roads normally open to the public, sidewalks, boardwalks and parking areas are open to bicycle use. All park trails and the Thompson Farm access road are closed to bicycles.

36 CFR §7.60 SPECIAL REGULATIONS

7.60 Herbert Hoover National Historic Site Special Regulation – Limited Snowmobile Use.

7.60(a) After consideration of existing special situations (i.e. depth of snow, and local weather conditions) the Superintendent may permit the use of snowmobiles only on the shoulder of the paved surface of Parkside Drive between Main Street in West Branch and Interstate Highway 80.

Reason for determination: *Less restrictive measures will not suffice because of the potential to detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources.*

United States Department of the Interior

NATIONAL PARK
SERVICE
HERBERT HOOVER NATIONAL HISTORIC SITE
P.O. BOX 607
WEST BRANCH, IOWA 52358-0607

IN REPLY REFER TO:

June 18, 2014

To: Central Files

From: Superintendent, Hebert Hoover National Historic Site

Subject: Determination of Use, Collection of Edible Fruits, Nuts and Berries

Under the authority of title 36 CFR section 2.1, (c)(1), (c)(2), and in consultation with park resource managers, I have determined that the following fruits, nuts, berries or unoccupied seashells 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:

- One half gallon per-person, per-day for nuts and berries and a bushel per-person per-day for apples and black walnuts
- Hand collection only, the use of rakes or other harvesting devices is prohibited.
- Picking, gathering or harvesting mushrooms is prohibited.

/s/ Peter S. Swisher, Superintendent

United States Department of the Interior

NATIONAL PARK SERVICE

IN REPLY REFER TO:

HERBERT HOOVER NATIONAL HISTORIC SITE
P.O. BOX 607
WEST BRANCH, IOWA 52358-0607

June 25, 2014

To: Central Files

From: Superintendent, Herbert Hoover national Historic Site

Subject: Determination of Use, Unmanned Aircraft

Under authority of Title 36 CFR section 1.5 and in consultation with park managers and pursuant to National Park Service policy memorandum 14-05, I have determined that launching, landing, or operating an unmanned aircraft within the boundaries of Herbert Hoover National Historic Site is prohibited except as approved in writing by the superintendent.

This determination is consistent with National Park Service management policies (Section 1.5) which advises parks to use caution before allowing new park uses such as the operation of unmanned aircraft. This interim closure has been put into place to protect:

- The quiet, reverential atmosphere of a presidential burial site
- The safety of park visitors and employees
- Protection of irreplaceable cultural resources
- Protection of natural resources

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.

/s/ Michael J. Wilson – Superintendent (Acting)

SUPPLEMENTAL INFORMATION ON SPECIAL USE PERMITS
AND FIRST AMENDMENT ACTIVITIES
HEBERT HOOVER NATIONAL HISTORIC SITE

36 CFR §2.51 - PUBLIC ASSEMBLIES
Herbert Hoover NHS will accommodate the use of park land for activities protected under the First Amendment of the U. S. Constitution. Activities include demonstrations, picketing, speechmaking, marching, holding vigils or religious services and all other like forms of conduct which 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. Excluded from this definition is the casual park use by visitors or tourists which is not reasonably likely to attract a crowd of onlookers such as the wearing of baseball caps, T-shirts, or other articles of clothing that convey a message. To ensure public safety and the protection of park resources and values, and to avoid assigning the same location and time to two or more activities, for groups larger than 25 persons, the park will issue permits that specify/organize the time, location, number of participants, use of the facilities, and number and type of equipment used, but not the content of the message presented. Permit applications are available at the park headquarters: 110 Parkside Drive, P.O. Box 607, West Branch, IA 52358; online at: http://www.nps.gov/heho/planyourvisit/permits.htm, or by calling the Special Park Uses coordinator at 319-643-7857.

The Superintendent shall, within ten days, issue a permit upon proper application. No public assembly permit shall be issued for a period in excess of 14 consecutive days, provided that permits may be extended for like periods upon a new application, unless another applicant has requested use of the same location and multiple occupancy at that location is not reasonably possible. The use of message bearing signs may be used in conjunction with public assemblies, vigils, rallies, demonstrations, religious activities and other forms of public expression provided that a Special Use Permit has been issued and approved by the park Superintendent. All such signs are to be attended at all times. “Attended” is defined as an individual being on-site either holding or immediately next to his or her sign. Signs are not permitted in public buildings. Amplified sound systems may be used in conjunction with public assemblies to the extent that they comply with the provisions of **§**2.12(a)(1)(ii), pursuant to a permit issued by the Superintendent.

Demonstrations involving 25 persons or fewer may be held without a permit provided that the other conditions required for the issuance of a permit are met and provided further that the group is not merely an extension of another group already availing itself of the 25-person maximum under this provision or will not unreasonably interfere with other demonstrations or special events. Individuals and small groups who take advantage of the permit exception may make use of hand-carried signs, but not stages, platforms, or structures. While it is not mandatory, the organizer is requested to provide reasonable notice of the proposed event to the park superintendent, including whether there is any reason to believe that there may be an attempt to disrupt, protest, or prevent the activity.

36 CFR §2.52 - SALE and DISTRIBUTION OF PRINTED MATTER
A. Sale of Printed Materials
The sale of printed matter in connection with a public assembly is allowed, subject to a permit for groups over 25 people, and subject to the regulations listed in the Superintendent’s Compendium regarding public assemblies. Printed matter is defined as books, newspapers, leaflets pamphlets, and other items whose primary purpose is the advocacy, definition, or explanation of a group’s or individual’s political, religious, scientific or moral beliefs. Message-bearing merchandise such as t-shirts, posters, patches, hats, flags, records, compact disks and tapes, photographs, mugs and decals may not be sold. The sale of printed materials involving 25 persons or fewer may be engaged in without a permit provided that the other conditions required for the issuance of a permit are met and providing the activity will not unreasonably interfere with other demonstrations or special events.

Page 2:

B. Distribution of Printed Material
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B. Distribution of Printed Material
Distribution of printed matter is allowed pursuant to the regulations listed in the Superintendent's Compendium regarding public assemblies, provided that, for groups over 25, a permit to do so has been issued by the Superintendent and provided further that the printed matter is not solely commercial advertising. Printed material is defined as message-bearing textual printed material such as books, pamphlets, magazines, and leaflets whose primary purpose is the advocacy, definition, or explanation of a group's or individual's political, religious, scientific, or moral beliefs. The distribution of printed materials involving 25 persons or fewer may be engaged in without a permit provided that the other conditions required for the issuance of a permit are met and providing the activity will not unreasonably interfere with other demonstrations or special events.

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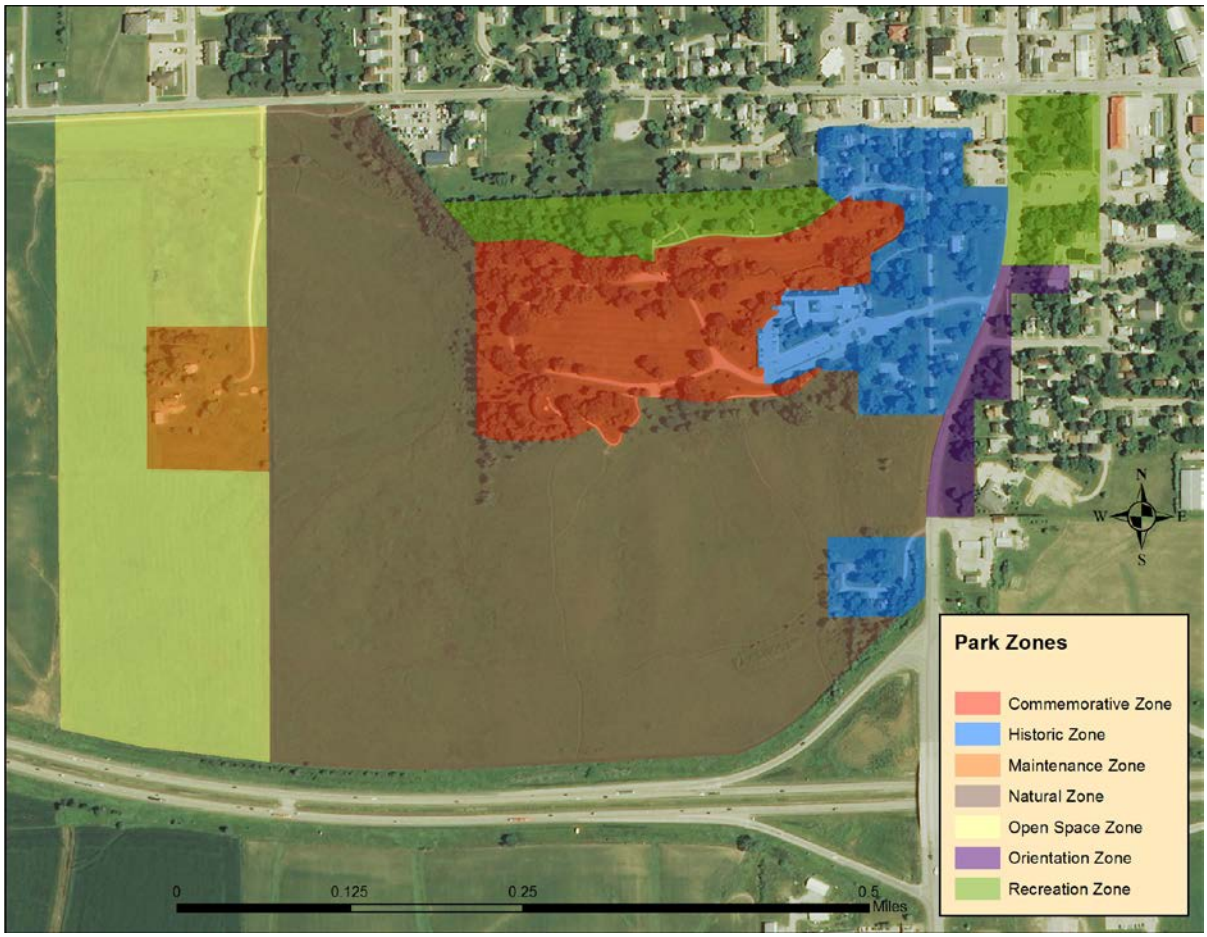
AREAS CLOSED TO THE EXERCISE OF FIRST AMENDMENT RIGHTS

HERBERT HOOVER NHS MANAGEMENT ZONE MAP



36 CFR § 1.4 DEFINITIONS – WHAT TERMS DO I NEED TO KNOW?

(a) The following definitions shall apply to this chapter, unless modified by the definitions for a specific part or regulation:

Abandonment means the voluntary relinquishment of property with no intent to retain possession.

Administrative activities means those activities conducted under the authority of the National Park Service for the purpose of safeguarding persons or property, implementing management plans and policies developed in accordance and consistent with the regulations in this chapter, or repairing or maintaining government facilities.

Airboat means a vessel that is supported by the buoyancy of its hull and powered by a propeller or fan above the waterline. This definition should not be construed to mean a hovercraft, that is supported by a fan-generated air cushion.

Aircraft means a device that is used or intended to be used for human flight in the air, including powerless flight. (Also see "Unmanned Aircraft")

Archeological resource means material remains of past human life or activities that are of archeological interest and are at least 50 years of age. This term includes, but shall not be limited to, objects made or used by humans, such as pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, or any portion or piece of the foregoing items, and the physical site, location or context in which they are found, or human skeletal materials or graves.

Authorized emergency vehicle means a vehicle in official use for emergency purposes by a Federal agency or an emergency vehicle as defined by State law.

Authorized person means an employee or agent of the National Park Service with delegated authority to enforce the provisions of this chapter.

Bicycle means every device propelled solely by human power upon which a person or persons may ride on land, having one, two, or more wheels, except a manual wheelchair.

Boundary means the limits of lands or waters administered by the National Park Service as specified by Congress, or denoted by presidential proclamation, or recorded in the records of a state or political subdivision in accordance with applicable law, or published pursuant to law, or otherwise published or posted by the National Park Service.
Camping means the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home or trailer, or mooring of a vessel for the apparent purpose of overnight occupancy.

Carry means to wear, bear, or have on or about the person.

Controlled substance means a drug or other substance, or immediate precursor, included in schedules I, II, III, IV, or V of part B of the Controlled Substance Act (21 U.S.C. 812) or a drug or substance added to these schedules pursuant to the terms of the Act.

Cultural resource means material remains of past human life or activities that are of significant cultural interest and are less than 50 years of age. This term includes, but shall not be limited to, objects made or used by humans, such as pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, or any portion or piece of the foregoing items, and the physical site, location, or context in which they are found, or human skeletal materials or graves.

Developed area means roads, parking areas, picnic areas, campgrounds, or other structures, facilities or lands located within development and historic zones depicted on the park area land management and use map.

Director means the Director of the National Park Service.

Downed aircraft means an aircraft that cannot become airborne as a result of mechanical failure, fire, or accident.

Firearm means a loaded or unloaded pistol, rifle, shotgun or other weapon which is designed to, or may be readily converted to, expel a projectile by the ignition of a propellant.

Fish means any member of the subclasses Agnatha, Chondrichthyes, or Osteichthyes, or any mollusk or crustacean found in salt water.

Fishing means taking or attempting to take fish.

Hunting means taking or attempting to take wildlife, except trapping.

Legislative jurisdiction means lands and waters under the exclusive or concurrent jurisdiction of the United States.

Manual wheelchair means a device that is propelled by human power, designed for and used by a mobility-impaired person.

Motorcycle means every motor vehicle having a seat for the use of the rider and designed to travel on not more that three wheels in contact with the ground, but excluding a tractor.

Motorized wheelchair means a self-propelled wheeled device, designed solely for and used by a mobility-impaired person for locomotion, that is both capable of and suitable for use in indoor pedestrian areas.

Motor vehicle means every vehicle that is self-propelled and every vehicle that is propelled by electric power, but not operated on rails or upon water, except a snowmobile and a motorized wheelchair.

National Park System (Park area) means any area of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes.

Net means a seine, weir, net wire, fish trap, or other implement designed to entrap fish, except a hand-held landing net used to retrieve fish taken by hook and line.

Nondeveloped area means all lands and waters within park areas other than developed areas.

Operator means a person who operates, drives, controls, otherwise has charge of or is in actual physical control of a mechanical mode of transportation or any other mechanical equipment.

Other Federal reservations in the environs of the District of Columbia means Federal areas, which are not under the administrative jurisdiction of the National Park Service, located in Arlington, Fairfax, Loudoun, Prince William, and Stafford Counties and the City of Alexandria in Virginia and Prince Georges, Charles, Anne Arundel, and Montgomery Counties in Maryland, exclusive of military reservations, unless the policing of military reservations by the U.S. Park Police is specifically requested by the Secretary of Defense or a designee thereof.

Pack animal means horses, burros, mules or other hoofed mammals when designated as pack animals by the superintendent.

Park area. See the definition for National Park System in this section.

Park road means the main-traveled surface of a roadway open to motor vehicles, owned, controlled or otherwise administered by the National Park Service.

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

Person means an individual, firm, corporation, society, association, partnership, or private or public body.

Personal watercraft refers to a vessel, usually less than 16 feet in length, which uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion. The vessel is intended to be operated by a person or persons sitting, standing or kneeling on the vessel, rather than within the confines of the hull. The length is measured from end to end over the deck excluding sheer, meaning a straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bow sprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments, are not included in the measurement. Length is stated in feet and inches.

Pet means a dog, cat or any animal that has been domesticated.

Possession means exercising direct physical control or dominion, with or without ownership, over property, or archeological, cultural or natural resources.

Practitioner means a physician, dentist, veterinarian, scientific investigator, pharmacy, hospital or other person licensed, registered or otherwise permitted by the United States or the jurisdiction in which such person practices to distribute or possess a controlled substance in the course of professional practice.

Public use limit means the number of persons; number and type of animals; amount, size and type of equipment, vessels, mechanical modes of conveyance, or food/beverage containers allowed to enter, be brought into, remain in, or be used within a designated geographic area or facility; or the length of time a designated geographic area or facility may be occupied.

Refuse means trash, garbage, rubbish, waste papers, bottles or cans, debris, litter, oil, solvents, liquid waste, or other discarded materials.

Regional Director means the official in charge of a geographic area of the National Park Service.

Secretary means the Secretary of the Interior.

Services means, but is not limited to, meals and lodging, labor, professional services, transportation, admission to exhibits, use of telephone or other utilities, or any act for which payment is customarily received.

Smoking means the carrying of lighted cigarettes, cigars or pipes, or the intentional and direct inhalation of smoke from these objects.

Snowmobile means a self-propelled vehicle intended for travel primarily on snow, having a curb weight of not more than 1000 pounds (450 kg), driven by a track or tracks in contact with the snow, and steered by ski or skis in contact with the snow.

State means a State, territory, or possession of the United States.

State law means the applicable and nonconflicting laws, statutes, regulations, ordinances, infractions and codes of the State(s) and political subdivision(s) within whose exterior boundaries a park area or a portion thereof is located.

Superintendent means the official in charge of a park area or an authorized representative thereof.

Take or taking means to pursue, hunt, harass, harm, shoot, trap, net, capture, collect, kill, wound, or attempt to do any of the above.

Traffic means pedestrians, ridden or herded animals, vehicles, and other conveyances, either singly or together while using any road, trail, street or other thoroughfare for purpose of travel.
Traffic control device means a sign, signal, marking or other device placed or erected by, or with the concurrence of, the Superintendent for the purpose of regulating, warning, guiding or otherwise controlling traffic or regulating the parking of vehicles.

Trap means a snare, trap, mesh, wire or other implement, object or mechanical device designed to entrap or kill animals other than fish.

Trapping means taking or attempting to take wildlife with a trap.

Underway means when a vessel is not at anchor, moored, made fast to the shore or docking facility, or aground.

Unloaded, as applied to weapons and firearms, means that: (1) There is no unexpended shell, cartridge, or projectile in any chamber or cylinder of a firearm or in a clip or magazine inserted in or attached to a firearm; (2) A muzzle-loading weapon does not contain gun powder in the pan, or the percussion cap is not in place; and (3) Bows, crossbows, spear guns or any implement capable of discharging a missile or similar device by means of a loading or discharging mechanism, when that loading or discharging mechanism is not charged or drawn.

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.

Vehicle means every device in, upon, or by which a person or property is or may be transported or drawn on land, except snowmobiles and devices moved by human power or used exclusively upon stationary rails or track.

Vessel means every type or description of craft, other than a seaplane on the water, used or capable of being used as a means of transportation on water, including a buoyant device permitting or capable of free flotation.

Weapon means a firearm, compressed gas or spring-powered pistol or rifle, bow and arrow, crossbow, blowgun, speargun, hand-thrown spear, slingshot, irritant gas device, explosive device, or any other implement designed to discharge missiles, and includes a weapon the possession of which is prohibited under the laws of the State in which the park area or portion thereof is located.

Wildlife means any member of the animal kingdom and includes a part, product, egg or offspring thereof, or the dead body or part thereof, except fish.

(b) In addition to the definitions in paragraph (a), for the purpose of the regulations contained in parts 3 and 7 of this chapter, the definitions pertaining to navigation, navigable waters and shipping enumerated in title 14 United States Code, title 33 Code of Federal Regulations, title 46 Code of Federal Regulations, title 49 Code of Federal Regulations, the Federal Boating Safety Act of 1971, and the Inland Navigational Rules Act of 1980, shall apply for boating and water activities.