National Park Service
U.S. Department of the Interior

Indiana Dunes National Lakeshore

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Porter, Indiana 46304

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

Approved: 3-13-15
Paul Labovitz, Superintendent Date:

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
P.O. Box 371954
Pittsburgh, PA 15250-7954

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 there 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
Indiana Dunes National Lakeshore
1100 North Mineral Springs Road
Porter, Indiana 46304

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 Indiana Dunes National Lakeshore Headquarters, 1100 North Mineral Springs Road, Porter, Indiana 46304 and Indiana Dunes National Lakeshore Visitor Center at Indiana Highway 49 & Munson Road, Porter, 46304.

It may also be found on the Internet at http://www.nps.gov/indu.

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, within the boundaries of Indiana Dunes National Lakeshore. 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:

Visiting Hours:

- Unless otherwise posted or noted below, all public use areas are open sunrise to 30 minutes after sunset.

- Bailly-Chellberg Contact Station -Open as posted or announced

- Douglas Center for Environmental Education and Parking Lots - Building and main parking lot are open daily from 0900 – 1700, Memorial Day through Labor Day. 0900 – 1600, Monday through Saturday all other times of the year.

- Dunewood Campground - Open daily from the last weekend in April through the third weekend of October.

- Indiana Dunes Environmental Learning Center - The associated parking lots and areas surrounding the Indiana Dunes Environmental Learning Center are open to scheduled groups and by invitation only. The Good Fellow Lodge is closed except by authorization of the Superintendent.

- Lake View Parking area is open to public use from sunrise to 11 p.m., year round, unless otherwise posted or announced.

- Portage Lakefront and Riverwalk – Portage Lakefront and Riverwalk area and associated parking lots are open to the public from 8 am to 30 minutes after sunset daily. The south parking lots are open at all times to fishermen in possession of an after-hours fishing permit and actively engaged in fishing. The riverwalk and breakwater walkway areas are closed to public use from the last Monday of November through March 1st each year, and at other times when ice and snow are present, except by written authorization of the Superintendent.

  Areas adjacent to, or which extend into Lake Michigan create public safety concerns during winter (freeze) months. Public use closure during this time period provides for public safety and decreases the potential for serious injuries and death.

- The following areas are open to public use from 7:00 a.m. until 30 minutes after sunset, year round, unless otherwise posted or announced:

  - Douglas Center gravel parking lot (West of Lake Street and North of the Center)
  - West Beach Parking Lot (Walk-in traffic permitted Sunrise – Sunset)
  - Tolleston Marsh Parking Lot and Tolleston Marsh Overlook
  - NIPSCO Greenbelt and Cowles Bog Parking Lots
  - Bailly Chellberg Parking Lot
  - Porter Beach Parking Lot
  - Horse Trail (Glenwood Dune) Parking Lot
  - Kemil Beach, Dunbar and Mount Baldy Parking Lots

- The following areas are open to public use from 7:00 a.m. until 30 minutes after sunset from April 16 through November 14:

  - Tremont Picnic Area
  - Central Avenue Parking Lot

  Reasonable visitation limitations are set to balance the needs of public access, resource protection, visitor safety, property protection and community concerns.

Public Use Limits:

Safety:

- Public access onto shelf ice and frozen ponds and waterways is prohibited.

  Walking on shelf ice is extremely hazardous. Persons falling through hidden holes and weak spots can quickly disappear from view making rescue difficult. Death is likely. Ponds, creeks and other waterways are not monitored for safe ice conditions. Subsurface water flows can create unseen thin areas making these locations unsafe. Access to frozen ponds places wintering animals under additional human-caused stress.

- Gated parking lots are kept closed until they are plowed when there is more than 4" of snowfall overnight and/or road conditions are deemed hazardous.

  Parking lot closures assist in preventing accidents and damage to visitor vehicles during plowing operations.

Resource Protection:

- Pedestrian traffic is limited to NPS marked trails. Travel off of trails and climbing dunes in these areas is prohibited.
  - Pinhook Bog Unit
  - Cowles Bog Area
  - West Beach Area
  - Portage Lakefront Area
  - Porter Beach Area
  - Central Beach Area
  - Mt. Baldy Area

  Foot traffic off of approved trails harms the delicate natural features of Pinhook Bog and Cowles Bog, both National Natural Landmarks. Climbing dunes will damage sensitive plants and hamper dune restoration efforts.

- The following areas are closed to all public entry during the periods indicated:
  - Mt. Baldy – Entire area closed until further notice
  - Park wide - Piping Plover (potential) nesting areas, areas as marked by fencing and posted, closed year-round.
  - Heron Rookery – Area immediately adjacent to heron sites, as posted, closed year-round. Permit information and applications available from the Chief Ranger's Office during normal business hours. Area to the north of the Little Calumet River to the north boundary of the Rookery closed March 1 through August 31, except by permission of the Superintendent. East parking lot and trails are closed from sunset to sunrise daily. The west parking lot is open from sunrise to sunset from the second Saturday in March until the second Saturday in May only, and is closed the remainder of the year.
  - Pinhook Bog (Parking Lot and Trails) - Visitation is restricted except when accompanied by a National Park Service employee or by permission of the Superintendent. Trained National Park Service docents and Indiana Dunes

Environmental Learning Center staff and interns are permitted to check out a centrally located Pinhook Bog key and lead scheduled groups on Pinhook Bog tours. Walking off the designated trail without a permit is prohibited.

- Area Surrounded by the West Beach Dune Succession Trail - The area surrounding the West Beach Dune Succession trail is closed, except when accompanied by a National Park Service employee or by permission of the Superintendent. Permit information is available from the Resource Management Division Chief's Office during normal business hours.

- Area Surrounding Portage Lakefront and Riverwalk, Tracts 09-113 through 09-117 (all park-owned lands east of the Town of Ogden Dunes, west of Burns Waterway, south of Lake Michigan and north of US 12) - The area surrounding Portage Lakefront and Riverwalk is closed to foot traffic, except on NPS marked designated trails; when accompanied by a National Park Service employee; or with authorization of the Superintendent. Trails are designated by park-supplied trail markers and other appropriate signage.

Due to the fragile nature of these areas, the presence of threatened and endangered plants that will be lost due to unsupervised access and to minimize negative impacts upon these threatened and endangered resources, special closures have been established.

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

- All Beach Areas - Glass containers are prohibited on all beach areas.

Due to hazards presented by broken glass to barefoot walkers, waders and swimmers, glass is prohibited on all beach areas.

- Designated swimming beach. The designated swimming beach is West Beach and is identified by a series of buoys approximately 200 feet from the shoreline. The buoys extend from what would be an extension of Lake/Porter County Line Road to the west to a location immediately north of the water pumping station to the east (near the west edge of the town of Ogden Dunes). The designated swimming beach is identified by buoys ("Swim Area" and/or "No Boats") from May 1 through September 30 (as weather and lake conditions permit) - Motorized watercraft are prohibited from this area. Non-powered vessels are allowed to land inside the buoyed zone through a marked corridor.

- Long Lake and Greenbelt Ponds – All watercraft (motorized, hand or wind propelled) are prohibited. Swimming/wading is prohibited.

The use of watercraft in swimming areas is in direct conflict with the safety of swimmers. Due to shallow water conditions and the presence of sensitive resources, the use of watercraft and/or swimming/wading in Long Lake and all Greenbelt ponds would result in damage to park resource.

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

- Winter Sports - Skiing and snowshoeing are permitted on park trails and at other designated sites, providing there is adequate snow base to prevent trail surface or resource damage. Snowboarding, sledding, inner-tubing, tobogganing, and similar winter

sports are prohibited within the park. Ice skating, ice boating or similar activities are prohibited.

Sledding on dune slopes damages sensitive plants and promotes erosion. Additionally, park dunes contain many natural and man-made hazards that can cause serious injury. Ponds and other waterways are not checked for safe ice conditions to make ice skating and ice boating reasonably safe. Animals living around ponds and other waterways are ill-prepared to endure additional stress placed on them by these activities occurring nearby.

- Firearms – Firearms are prohibited at the Indiana Dunes Environmental Learning Center and the Field Station Cooperative Preschool and its surroundings (trails and parking lots) under Indiana State Law (Indiana Code 35-47-9-2) which prohibits of a firearm on school property.

  The facilities and grounds associated with the Indiana Dunes Environmental Learning Center and the Field Station Cooperative Preschool meet the criteria of Indiana Code 35-47-9-2, sec. 2(2). As such, under United States Code Title 18, Part 1, Chapter 1, Section 13 Laws of States adopted for areas within Federal jurisdiction, the possession of firearms by anyone other than a bona-fide law enforcement officer is unlawful.

  Possession of firearms in other Federal Facilities is covered under 18 USC, Sec. 930. Possession of firearms and dangerous weapons in Federal facilities is prohibited.

- Alcoholic Beverages - The following public use areas, portions of public use areas, and/or public facilities within the park are closed to possession and/or consumption of all alcoholic beverages.

  - All National Park Service Buildings - All NPS buildings (excluding active Reservation of Use, Special Use Permit properties and NPS dormitory facilities) and the following public use areas, portions of public use areas, and/or public facilities within the park are closed to possession and/or consumption of all alcoholic beverages unless authorized by the Superintendent for Special Events.

    Park buildings are places of business and use and/or possession of alcoholic beverages is deemed inappropriate.

  - Indiana Dunes Environmental Learning Center/Cooperative Field Station Preschool- All buildings and associated grounds, except during public assemblies and meetings as authorized by the Superintendent.

    These park buildings are used primarily by minors and the use and/or possession of alcoholic beverages is deemed inappropriate.

  - Portage Lakefront and Riverwalk – All buildings and associated grounds as well as all park owned lands contained within the area defined on the east by the Burns Waterway, on the north by a line 300 feet north of the shoreline of Lake Michigan, on the west by the limits of the Town of Ogden Dunes and on the south by the edge of privately owned land.

    The primary use of this area is intended for educational activities. As such, the use and/or possession of alcoholic beverages is deemed inappropriate.

- West Beach-The West Beach Unit is defined as the area from Lake/Porter County Line Road, east to the NPS boundary on the west side of Ogden Dunes and from the waters of Lake Michigan, south to Highway 12 (excluding active reservation of use property).

- Dunewood Campground-The Dunewood Campground is defined as the campground, associated public restrooms and shower facilities, registration building, outside theater, and adjoining hiking trails.

  The park has experienced and documented a history of serious incidents and aberrant behavior at West Beach and in the Dunewood Campground related to the consumption of alcoholic beverages of such magnitude that the diligent application of less stringent regulations over a reasonable time period, has not proven to resolve the problem.

- Porter Access Point - Defined as the area between Indiana Dunes State Park and the Town of Dune Acres and from the waters of Lake Michigan south to Roskin Road.

  The possession and consumption of alcoholic beverages is prohibited by adjacent Indiana Dunes State Park (immediately to the east) and the Town of Porter (immediately to the south), therefore the Porter Beach unit, which is located between these areas, is also closed to this use.

- Unmanned Aircraft – launching, landing or operating unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Indiana Dunes National Lakeshore is prohibited except as approved in writing by the superintendent.

  - The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

    This closure is required to maintain public health and safety at Indiana Dunes National Lakeshore as well as park resources and values until the National Park Service can determine whether specific uses of unmanned aircraft on lands and waters within the park are appropriate and will not cause unacceptable impacts.

II. <u>36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT</u>

(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:
- Access to Heron Rookery

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

§2.12 Audio Disturbances:

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

§2.17 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

§2.50(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 25 or more participants require a permit and are limited to one of the designated public demonstration areas. Maps for these areas are located as Appendix A of this document.

Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views involving groups of less than 25 participants does not require a permit. However, the location of these activities is limited to one of the designated public demonstration areas. Maps for these areas are located as Appendix A of this document.

§2.52(c) *Sale or distribution of printed matter that is not solely commercial advertising by groups of 25 or more participants requires a permit and is limited to one of the designated public demonstration areas. Maps for these areas are located as Appendix A of this document.*

Sale or distribution of printed matter that is not solely commercial advertising by groups of less than 25 participants does not require a permit. However, the location of these activities is limited to one of the designated public demonstration areas. Maps for these areas are located as Appendix A of this document.

§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.)

§5.3 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 any type with the exception of news gathering
(b) Still photography utilizing models, sets or props
(c) At the discretion of the park to protect public safety or park resources

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

Part 7 Special Regulations

Special Reg. 7.88 Indiana Dunes National Lakeshore – Powerless Flight Hang-Gliding/Para-Gliding: Hang-gliding/Para-gliding permit information is available at the Visitor Center during normal business hours (not available on holidays) or through the mail

All other permit information is available at the Chief Ranger's Office during business hours. Special regulations, restrictions and fees may apply. Permits may be denied/terminated based on 36CFR.6(a),(d),(e),(g)(1),(g)(2),(h)

Federal law and agency policy require that certain activities that fall outside the scope of normal visitation be managed through the issuance of a permit. Permits may only be issued if the activity is in keeping with the purpose of the park and will not result in damage to the resource of conflict with other users.

III. GENERAL REGULATIONS

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

(b) Hiking or pedestrian traffic is restricted to the trail or walkway as listed in Section 1.5 of this document.

(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:

- All personal consumption quantities of fruits, nuts and berries excluding:
  - The prickly pear cactus

    A locally threatened plant - collection of the fruit would negatively affect their ability to reproduce

  - Mushrooms

    Not considered fruit but are actually an independent organism, therefore collection of mushrooms is prohibited.

36 CFR §2.2 - WILDLIFE PROTECTION

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

- Parkwide - The unauthorized use of artificial light for the purpose of viewing wildlife is prohibited in all areas of the park.

  The use of artificial lights to view wildlife creates unnecessary man-caused stress upon the animals, causing them to change their behavior patterns. The light also can disturb park neighbors, pose a hazard to vehicular traffic and can be a precursor to poaching activities.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) The sites and areas listed below have been designated for camping activities as noted. A permit system has been established for certain campgrounds or camping activities, and conditions for camping and camping activities are in effect as noted:

- Overnight parking or camping is prohibited, except in designated areas of the Dunewood Campground, or other areas designated by the Superintendent.

In addition to the specific regulations in Title 36 Code of Federal Regulations, the following conditions apply to camping activities:

- Dunewood Campground
  - Registration is restricted to those eighteen years of age or older. The person registering for the site must be an occupant on the site during the stay.

    The park has experienced and documented a history of serious incidents and aberrant behavior at Dunewood Campground related to unsupervised juvenile of such magnitude that the diligent application of less stringent regulations over a reasonable time period has not proven to resolve the problem.

  - Each camping group must register and pay the fee at the registration station. Checkout time is 12 noon. The registration receipt must be displayed on the campsite post.
  - Camping groups must register before occupying the selected campsite. Site registration must be done at 0900.
  - Maximum campsite occupancy is eight persons at all times. Dwellings are limited to two tents or one tent and one RV (camper, motorhome, etc.).
  - All tents must remain on the camping pad. Trailers and other vehicles must remain on the pavement. Bicycles may be walked to the walk-in campsites.
  - Quiet hours are from 10 pm to 6 am.
  - Persons visiting campers (those not staying overnight) may not exceed the eight person occupancy limit and must leave the campground by 10 pm. Vehicles driven by these individuals may not exceed the established occupancy limit.
  - Camping occupancy is limited to 14 days in any 30 day period during the camping season.
  - Livestock are prohibited in the campground.

    Because the majority of the park is in close proximity to residential areas, public camping is limited to the developed campground only. Policies related to registration times and camping limitations are established to avoid conflicts between visitors, to provide for protection of the resource and compatible use.

  - Bailly Homestead - camping is permitted, in association with scheduled events at Bailly Homestead, with the approval of the Superintendent.

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:

- Cooking/Warming Fires - Cooking and warming fires are allowed during smelt season, by permit, in the areas and under the conditions listed below:
    - Miller Woods beach west of Lake Street (Gary, Indiana)
    - Ogden Dunes Beach
    - Bailly Beach
    - Porter Beach
    - NPS beach areas from Kemil Beach, east to Lake Shore County Road

    Smelting and the associated small warming and cooking fire are a historic and traditional use of park resources. This use can be managed without a negative impact under a permit system.

- Cooking Fires
    - West Beach Picnic Shelters
    - Bailly-Chellberg Picnic Shelters
    - Tremont Picnic Shelters
    - Ly-co-ki-we/Glenwood Dune Picnic Shelters
    - Dunewood Campground sites
    - Lake View Picnic Shelters

- Reservation of Use and Special Use Permit residences

Receptacles Allowed:

- Cooking/Warming fires are permitted in NPS provided grills or approved grills (noncombustible container with a minimum container depth of 2", enclosed sides, and a bottom)

- Residential burning of leaves or wood products is prohibited parkwide. In rare situations, the Fire Management Officer may approve and issue a Burning Permit for Reservation of Use and Special Use Permit residences at no charge when an appropriate container cannot be utilized or removal of debris is impractical. Only leaves or wood may be burned. Burning of garbage or other materials is prohibited.

Established Conditions for Fires:

- Only wood or charcoal may be burned in cooking or warming fires.

- Warming fires shall not be placed within ten feet of flammable materials.

- Fires shall be attended at all times until completely extinguished. If fires create an air pollution problem, a nuisance, or a fire hazard, they shall be extinguished. Permit information and applications are available for Fire/Burning Permits from the Fire Management Office.

The above noted limitations on fires are in place to protect park visitors, neighbors and resources from wildfire.

- Smelt Season - Warming/Cooking fire while in possession of a fire permit and by permit under the following conditions:
    - NPS beach areas from Kemil Beach, east to Lake Shore County Road and associated NPS parking lots are open during smelt season, while in possession of a fire permit. Closure hours are waived only for those actively engaged in smelt fishing.
    - Vehicles must be parked in designated areas only.
    - Wood gathering is prohibited.
    - Warming and cooking fires are permitted on the beach between the lake and the toe of the first dune only and are required to be in "approved containers" [see Section 2.13 (a)(1) for description]. No ground fires are permitted.
    - All trash, fire remains, and entrails are carried out.
    - A Smelt Season Fire Permit must be in the subject's possession while smelt fishing.
    - All State fishing laws are applicable.

Smelting and the associated small warming and cooking fire are a historic and traditional use of park resources. This use is managed without a negative impact under a permit system.

(b) Fires must be extinguished according to the following conditions:

- Charcoal and other fire remains from all fires must be cooled and safely disposed of in a noncombustible container or removed from the area.

<u>36 CFR §2.15 – PETS</u>

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

With the exception of assistance animals, the possession of pets is prohibited in the following areas:

- Porter Beach Unit -Defined as the area west from the State Park boundary to Wabash Street and from Lake Michigan south to Roskin Road (excluding active Reservation of Use and Special Use Permit properties).
- The West Beach Unit Beaches - West Beach is defined as the area from Lake/Porter County Line Road, east to the NPS boundary on the west side of Ogden Dunes and from Lake Michigan, south to Highway 12 (excluding active Reservation of Use and Special Use Permit properties). All West Beach Unit beaches are closed to pets; however, pets are permitted on trails and in parking areas.

- Portage Lakefront and Riverwalk – Pets are not permitted on the beach from the east boundary of the West Beach Unit Beaches to the Burns Waterway. Pets, except for service animals, are not permitted inside the building. Pets are permitted on the paved trail, breakwater, fishing platform, Riverwalk and parking areas.

- Glenwood Dune Trail

- Great Marsh Trail (Beverly Shores)

- Nature Play Area – The area is located on the east side of the Douglas Center main parking lot and is delineated by NPS supplied fencing.

Pet restrictions and closures are in place to allow for compatible use of areas, threats to wildlife, damage to sensitive plants and to cooperate with local and state regulations.

36 CFR §2.16 – HORSES and PACK ANIMALS

(b) The use of horses or pack animals is allowed on the following trails, routes or areas:

- Glenwood Dune Trail and parking lot from March 16 through December 14. However, if there is sufficient snow cover for cross-country skiing (3 inches or more) before December 15 or after March 15, the trail will remain closed to horseback riding.

Glenwood Dune Trail is a one-way trail for horseback riding and cross-country skiing.

- No horses are permitted west of the Ly-co-ki-we Trail (as posted) or west of Hadenfeldt Road.

- Horseback riding is prohibited on all other roads and areas in the park.

The riding of horses within the park is limited by available parking that is suitable to horse trailers. Additionally, limitations are in place to avoid conflicts between riders and other trail users and to protect sensitive areas from damage.

(g) Other conditions concerning the use of horses or pack animals:

- In the Glenwood Dune Trail, parking lot parking lot and picnic area, all horse excrement must be bagged, removed from the area, and disposed of appropriately.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

(a) The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices are allowed only in the following areas:

- Using roller skates, skateboards, roller skis, coasting vehicles or any similar device is prohibited parkwide

Park sidewalks, roads and parking areas are not suitable for the use of skates, skateboards and similar devices. Crowded and congested walks and drives and uneven and cracked paved surfaces within the park are a hazard to those using these devices.

- The use of sand boards, inner tubes and other types of devices used to slide or roll on sand

dunes and other geologic features is prohibited.

Using items like those described above on dune slopes damages sensitive plants and promotes erosion. Additionally, park dunes contain many natural and man-made hazards that can cause serious injury.

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:

- all government buildings are closed to smoking

Smoking is prohibited in Government buildings by Presidential order

3.8(a)(2) – LAUNCHING AND RECOVERING VESSELS (BOATS)

- The launching of machinery-powered vessels of any type from lands within the national lakeshore is prohibited. This prohibition may be waived for response to emergencies, with the approval of the on-site National Park Service official or for official park business with the written approval of the Superintendent.

- With the exception of the majority of West Beach, the park beach is a designated launch site for non-powered vessels (canoes, kayaks, sailboats, etc.). All launching and recovery must be accomplished without the use of motorized equipment or vehicles. Boats are limited in size to what can be carried by one or two persons (such as kayaks and canoes). Non-powered vessels may be launched and recovered at West Beach through the swim area, through a corridor identified by specifically marked buoys.

- Vessels carried onto the beach from adjacent parking areas or similar may be of a single hull design only and no longer than eighteen feet in length. Boats must be carried on designated, government provided walkways and stairs. Vessels may not be dragged over any dunes. Loading and unloading may not take place along any roadway.

The park beach does not have any areas that are appropriate for launching powerboats. There are no paved access points that would allow for this use without creating significant resource damage and visitor use conflicts. Personal Watercraft are already prohibited by 36 CFR 3.9. Dragging large boats from parking lots onto the beach creates significant hazards to public safety and resource protection.

36 CFR §3.16 – SWIMMING

36 CFR §3.18 – SCUBA AND SNORKELING

(a) SCUBA diving and snorkeling is permitted in the following swimming, docking, and mooring areas under the terms and conditions noted:

- SCUBA diving is permitted in Lake Michigan, excluding the designated swimming areas at West Beach, Long Lake and the Greenbelt Ponds. Snorkeling is permitted in all park administered areas of Lake Michigan provided there is no interference with swimmers. Snorkeling is prohibited in Long Lake and the Greenbelt Ponds.

Due to limited visibility near shore, the potential for SCUBA divers to inadvertently injure swimmers in the water is high. SCUBA diving and snorkeling is inappropriate due to the shallow water conditions and presence of sensitive resources at Long Lake and the Greenbelt Ponds.

36 CFR §4.11 – VEHICLE LOAD, WEIGHT AND SIZE LIMITS

(a) The following load, weight and size limits, which are more restrictive than State law, apply to the roads indicated under the terms and conditions, and/or under permit as noted:

- Inland Marsh Trail Parking Lot, Inland Marsh Overlook Parking Lot, and Tremont Picnic Area - The maximum weight limit for vehicles using these parking areas will not exceed 32,000 GVW (excluding school buses).

36 CFR §4.21 – SPEED LIMITS

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

- The maximum speed limits on all park roads are as posted.

36 CFR §4.30 – BICYCLES

(a) Park roads and parking areas are open to bicycle use. Bicycles are prohibited on all lands and trails except as follows:

- West Beach Trail between Ogden Dunes and West Beach.
- Marquette Trail
- Porter Brickyard Trail
- Calumet Trail

Bicycle use may be allowed in developed areas so long as it is consistent with park values. The listed trails are in developed areas and riding bicycles on these trails is consistent with park values. No other trails in the park meet this regulatory standard. Bicycle use on natural resources and areas not specifically designated for them promotes erosion and destruction of that resource.

36 CFR §7.88 SPECIAL REGULATION – POWERLESS FLIGHT

(b) Powerless Flight. The use of devices to carry persons through the air in powerless flight is allowed at times and locations designated by the Superintendent pursuant to the terms and conditions of a permit.

SPECIAL NOTE - Mt. Baldy is undergoing restoration. Permits for powerless flight are not available. When the site has sufficiently recovered to sustain the activity, the permit process will be reinstated.

- Permit Conditions include:
  - No flight shall take place without a permit, obtained in advance.
  - Launch may only be accomplished from one designated area on the western Mount Baldy ridge.
  - All pilots must have a copy of the permit, personal identification and proof of United States Hang Gliding Paragliding Association (USHPA) rating available for inspection

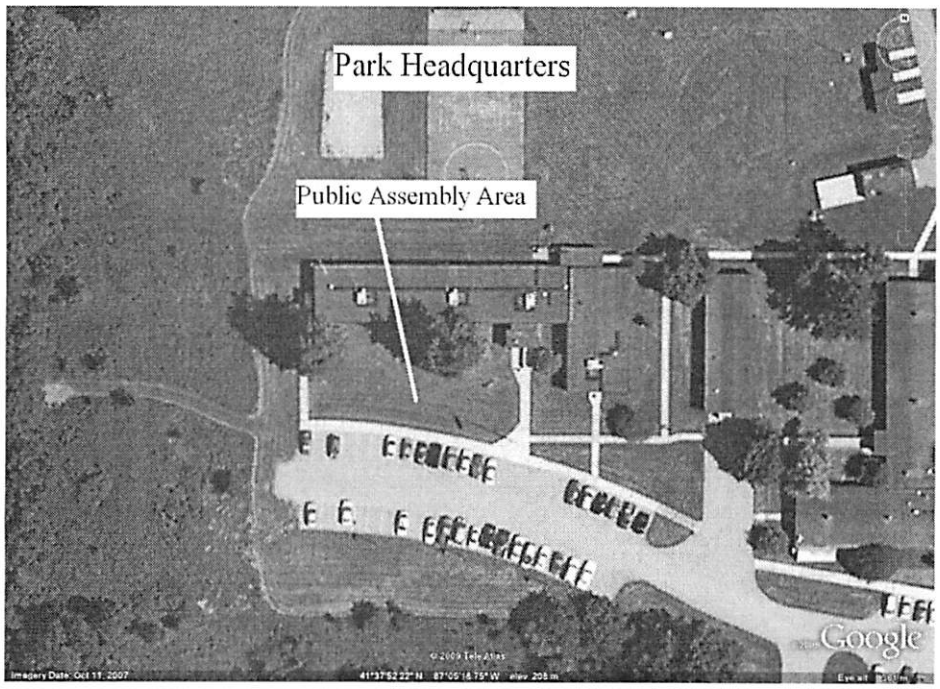
by park personnel at the launching site.

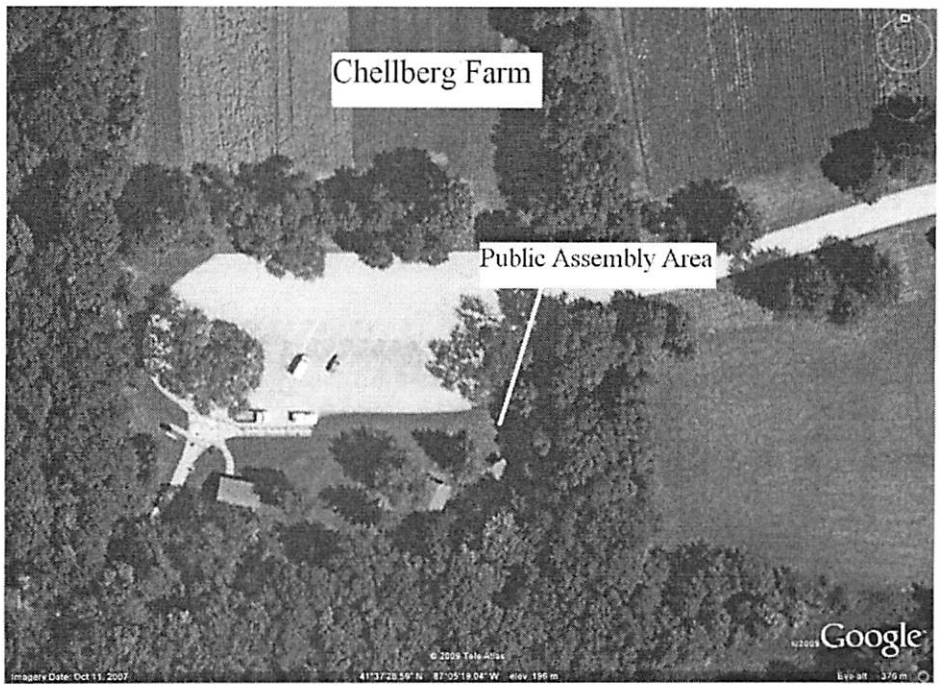
- Annual permits will be issued, expiring December 31st of the year issued.
- All pilots must be rated by the USHPA and proof of the USHPA rating must be presented to obtain permits.
- Permits/flight activities will be restricted as follows:
    - To provide for safe glider operations and prevent injuries to other beach users, hang gliding is permitted from the second Saturday in September through April 30 only.
    - All pilots must wear safety helmets and will abide by the standards and pilot operating limits established by the USHPA, as well as all applicable laws and regulations imposed by Federal and other governmental agencies. These may be found at: www.ushpa.org
    - Landing is restricted to the immediate vicinity of the launch site itself, to the beach area in front of the launch site, westward to Central Avenue.
    - Access to the launch site will be by the designated marked trail only. Launching must be to the northeast, north and northwest only.
    - No competitive or spectator events or meets will be permitted. No commercial events or activities will be permitted.
    - No stunt flying is permitted. Wings must be folded as soon as possible after landing and utmost care must be exercised to avoid injury, inconvenience, or undue distraction to other park visitors.
    - Permittee must sign an affidavit, acknowledging that such flights may present a serious hazard to their personal safety, certifying that their equipment is in safe operating condition, and stating that they are in good physical condition.
    - Permittees in violation of any of the conditions of their permit or of this policy are subject to revocation of the permit. Additionally, violators may also be issued violation notices with associated fines and penalties.
    - The Superintendent or his authorized representative may withhold permits, close all or part of the area to powerless flight and otherwise limit or restrict powerless flight activities on a permanent or temporary basis if potentially hazardous conditions exist, to prevent adverse impact to the natural resources, or to prevent conflict with other uses of the area.

The Mount Baldy site has been determined to be appropriate for this type of activity during the dates specified without interfering with or creating a safety hazard with other park recreational activities.

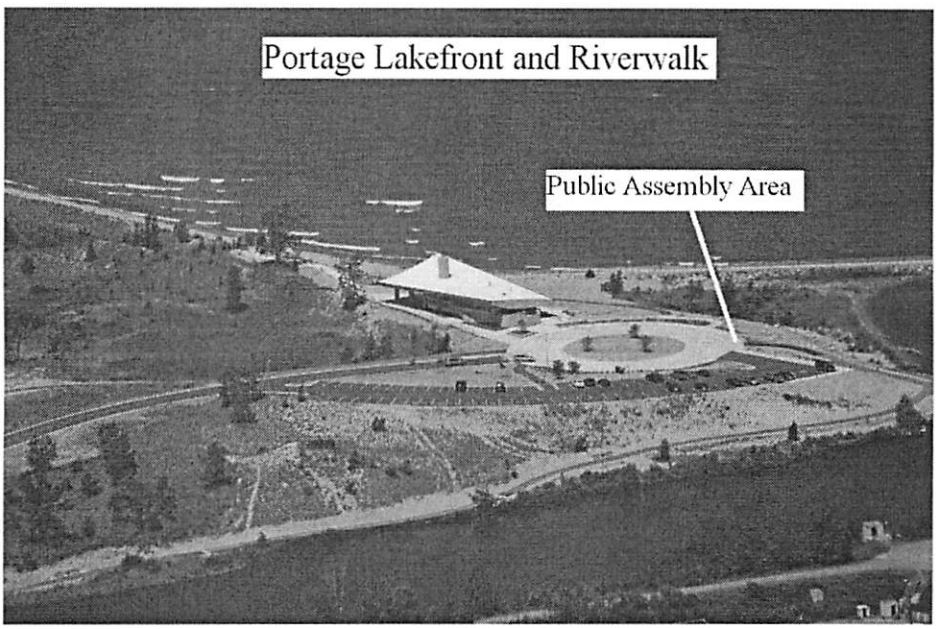
Appendix 1

Approved Public Assembly Area Maps





Mount Baldy
Public Assembly Area
Google


Portage Lakefront and Riverwalk
Public Assembly Area