

Blue Basin is one of the areas of highest paleontological concentrations in JODA and also one of the most accessible. Fossil material, particularly the bones of small species, is very difficult to see in the surface of the clay. Once near or exposed at the surface, the material is extremely fragile. A misplaced footstep can destroy such specimens. Material can also be dislodged from their places of burial, thereby significantly reducing their scientific integrity and value.

Two trails (Island in Time Trail and the Overlook Trail) provide visitors the opportunity to walk among the formations and to observe the fossil bed layers up close. Other opportunities for viewing fossils are provided in excursions led by Park staff. The travel paths for these excursions follow specific routes that have been surveyed to assure no fossils occur which might be damaged by foot traffic.

There are other areas of JODA with concentrations of paleontological material or fragile conditions where future closures will be considered.

- ❖ **Rock climbing, including both “free-climbing” (without mechanical aids) and “aid climbing” (with mechanical aids) is prohibited on the Clarno Unit rock formations.**

JUSTIFICATION

The Clarno Unit rock formations consist of rock that is of poor climbing quality thus increasing the likelihood of climbing accidents and injuries. Access to medical treatment for such injuries would be difficult and slow.

The Clarno Unit rock formations known as “The Palisades” are highly visible to the majority of visitors enjoying the Clarno Unit. Climbers would be easily seen by many visitors and would disrupt the park value of natural scenery for a significant portion of those visitors.

The Palisades are ancient lahars and some layers contain fossils that could be damaged by climbing activity.

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

- Camping:
 - “Please refer to §2.10 of this compendium for specific camping area designations.”
- Boat Launching Sites:
 - “Please refer to §3.6 of this compendium for specific boat launching site designations.”
- Technical Rock Climbing Routes:
 - “Please refer to §1.5(a)(1) of this compendium for specific climbing route restrictions.”

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

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

- ❖ §2.4(a)(1)(i) Possession of weapon (other than a legal firearm), trap, or net
- ❖ §2.4(a)(1)(iii) Using a weapon, trap, or net

- ❖ §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals)
- ❖ §2.10(a) The following camping activities:
 - any camping within the Monument (see also §2.10 of this Compendium)
- ❖ §2.12(a)(2) Operating a chain saw in developed areas
- ❖ § 2.12(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(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
- ❖ §2.38(a) Use, possess, store, transport explosives, blasting agents
- ❖ §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
- ❖ §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising
- ❖ §2.60(b) Livestock use
- ❖ §2.61(a) Residing on federal lands
- ❖ §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(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)
- ❖ §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.
- ❖ §5.10(a) Operation of eating, drinking, or lodging establishments in certain park areas (see chapter for detail)

- ❖ §6.9(a) Operation of a solid waste disposal site
- ❖ Part 11 Use of Arrowhead and Parkscape Symbols
- ❖ Part 14 Rights-Of-Way
- ❖ Part 18 Leases and Exchanges of Historic Property

III. GENERAL REGULATIONS

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

(b) Hiking or pedestrian traffic is restricted to the trail tread or walkway on the following trails/walkways:

- ❖ Foot travel in the area identified as *Blue Basin* is restricted to two delineated and maintained trails (Island in Time Trail and the Blue Basin Overlook Trail), unless a uniformed National Park Service employee accompanies person(s). *Blue Basin* is identified on all National Park Service maps of JODA, including the official free park brochure entitled “John Day Fossil Beds.” The Superintendent may issue a letter of authorization for a person(s) engaged in non-resource damaging activities to be off the delineated trails in this area without escort.

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Two trails (Island in Time Trail and the Overlook Trail) provide visitors the opportunity to walk among the formations and to observe the fossil bed layers up close. Other opportunities for viewing fossils are provided in excursions led by Park staff. The travel paths for these excursions follow specific routes that have been surveyed to assure no fossils occur which might be damaged by foot traffic.

(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:

- ❖ Apples, cherries, apricots, peaches, plums, and pears may be gathered by hand for personal use or consumption from fruit trees within the James Cant Ranch Historic District. Climbing of fruit trees within the James Cant Ranch Historic District is prohibited.

JUSTIFICATION

Fruit trees within the James Cant Ranch Historic District are non-native to the area and are maintained for cultural landscape reasons. JODA staff manages park wildlife to survive under native conditions. For this reason the gathering or consumption of apples and pears within the Cant Ranch Historic District will not adversely impact park wildlife or otherwise adversely affect park resources.

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 wildlife may be transported through the Monument by vehicle on those Monument roads within Federal jurisdiction. Such transportation through the Monument must utilize the shortest possible direct route and shortest possible amount of time between where the vehicle first entered the Monument to the logical exit from Monument roads within Federal jurisdiction to the destination of the transporter. This means that only through roads can be utilized for this purpose. Roads or parking areas that end within the Monument's boundaries are prohibited from being utilized to transport lawfully taken wildlife.
- ❖ Lawfully taken wildlife may be carried through the monument by a person, in a backpack or hunting vest, or on a pack animal under a permit or letter of authorization by the superintendent. This includes all roads or parking areas that end within the Monument's boundaries.

JUSTIFICATION

Federal jurisdiction does not apply to U.S. Highway 26, Oregon Highway 19, or Oregon Highway 218 within Monument boundaries, and therefore this regulation is not applicable to them. However, the Painted Hills Road, the Bear Creek Road, and three "Administrative Use Roads" do apply to transportation of lawfully taken wildlife. The Painted Hills Road and the Bear Creek Road are both open to the general public and provide the only access to some parcels of Bureau of Land Management administered lands open to public hunting. The three "Administrative Use Roads" are open to those issued a permit under 36 CFR § 2.4(d) of this Compendium. In other cases, walking across monument lands provides the only reasonable access to other public lands open to hunting. In these cases the superintendent will permit such access across park lands on a case by case basis.

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

- ❖ all of JODA

JUSTIFICATION

JODA has a history of wildlife being illegally taken adjacent to roads. The Monument has lost a significant gene pool with these takings. Taking these animals with the aid of the use of artificial light is one method suspected by Monument staff. Preventing this method of viewing wildlife makes detecting wildlife violations easier, it makes criminal cases stronger in court, and it prevents wildlife disturbance while feeding, mating, and other activities that are necessary for them to survive.

36 CFR §2.3 – FISHING

(a) State fishing law and/or regulation do not apply in the following areas:

Oregon State fishing law permits the taking off bullfrogs and crayfish. The taking of bullfrogs and crayfish is prohibited within JODA.

JUSTIFICATION

These State laws are conflicting with 36 CFR and are therefore, not adopted as part of 36 CFR § 2.3(a).

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(d) The superintendent may issue a permit to carry or possess a weapon, trap, or net under the following circumstances:

- (1) When necessary to support approved/permitted research activities.**
- (2) To persons in charge of pack trains or saddle horses for emergency use.**
- (3) For employees, agents or cooperating officials – for official duty.**
- (4) To provide access to otherwise inaccessible lands or waters that are contiguous to the park when other means of access are impractical or impossible.**

A permit from the Superintendent or his officially delegated representative is required for a person(s) to carry or possess a weapon (other than a firearm), trap or net who is accessing otherwise inaccessible lands or waters contiguous to JODA when other means of access are otherwise impracticable or impossible.

JUSTIFICATION

Reasonable ability to access contiguous lands open to hunting and trapping fosters community support for JODA management and other Federal regulations. When done legally this activity has no documented negative impacts on JODA resources.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) Camping is prohibited throughout the Monument except when in possession of a permit from the Superintendent for areas designated by the Superintendent.

JUSTIFICATION

Sufficient public lands exist outside park boundaries for camping. Camping in certain areas may damage paleontological and other resources.

36 CFR §2.15 – PETS

(a)(1) Structures or areas closed to the possession of pets by the Superintendent:

- ❖ Possessing a pet(s) is prohibited in non-developed areas other than on designated trails or under a permit or letter of authorization by the superintendent. This section does not apply to guide dogs accompanying visually impaired persons, hearing ear dogs accompanying hearing impaired persons, or dogs used by authorized Federal, State and local law enforcement officers in the performance of their official duties.

JUSTIFICATION

Pets often kill or injure wildlife due to their predatory instincts. Wildlife is more frequently found in JODA's non-developed areas. Prohibiting pets in non-developed areas protects wildlife.

(a)(3) Pets may be left tied to an object under the following conditions:

- ❖ Pets may be left tied to trees or picnic tables at the Cant Ranch Visitor Center, the Painted Hills Picnic Area, or the Clarno Picnic Area while their owner(s) are inside the structures associated with these areas. Such pets must be tied with a leash that shall not exceed six feet in length. Such pets will not be allowed to make unreasonable noise as described in 36 CFR §2.15(a)(4).

JUSTIFICATION

Visitors wish to enter the listed structures to gain information, learn about the Monument, or meet sanitary needs. All of these purposes either enhance or are neutral to the park's mission and significance. Outside temperatures are often too high for such visitors to safely leave a pet inside their vehicle.

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

- ❖ Pets kept by Monument residents at Government residences may only allow such pets to be unrestrained within the residence or yard associated with the residence.
- ❖ Cost for the repair of damage caused by pets to Government residences, other than normal wear-and-tear, will be borne by the assigned Monument employee residing in the residence.

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) The following animals are designated as pack animals:

- ❖ horses
- ❖ burros
- ❖ mules

(b) The use of horses or pack animals within JODA is prohibited on Federally owned lands in all developed areas except for loading and unloading, and in the non-developed areas listed below:

- ❖ Sheep Rock Unit:
 1. Areas of exposed geological formations noted by prominent volcanic ash deposits or “badlands and lahar” type topography.
 2. All maintained foot trails.
 3. Areas generally known as “*Blue Basin*” and “*Cathedral Rock*.”
- ❖ Clarno and Painted Hills Units:
 1. Areas of exposed geological formations noted by prominent volcanic ash deposits or “badlands and lahar” type topography.
 2. All maintained foot trails.

JUSTIFICATION

Use of horses and pack animals in non-developed areas of JODA has not proven to significantly impact park resources or values, except in those “exposed areas” noted above as closed to the use of horses and pack animals.

36 CFR §2.21 – SMOKING

(a) The following portions of the Monument, or all or portions of buildings, structures or facilities are closed to smoking:

- ❖ Smoking is prohibited within all structures located in JODA.
- ❖ Smoking is also prohibited:
 1. outside of the Cant Ranch Barn within 25 feet of the structure.
 2. within 25 feet of the Maintenance Area above ground fuel tanks or portable fuel tanks.
 3. within any Government vehicle or within 25 feet of any Government vehicle while fueling.

JUSTIFICATION

Prohibiting smoking within and near structures protects employees, visitors, and the structures themselves from potential fire and smoke hazards. Prohibiting smoking within Government vehicles protects employees, visitors, and the vehicles themselves from potential fire and smoke hazards. Prohibiting smoking near fuel and fuel containers protects employees, visitors, and Government property from potential fire and smoke hazards.

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains in the following areas, and/or according to the following terms and conditions:

- ❖ The scattering of human ashes from cremation is permitted in any undeveloped area of the park in reasonable quantities.

JUSTIFICATION

The four numbered agricultural fields that are part of the James Cant Ranch Historic District are tilled for hay & alfalfa production. Because these soils are disturbed routinely and contained introduced herbicides and fertilizers, human ashes will not derogate JODA resources or values in these specific areas.

36 CFR §3.6 – BOATING OPERATIONS

(i) The following areas/sites are designated for the launching of vessels propelled by machinery:

- ❖ Three signed “River Access” parking areas on the John Day River in the vicinity of the James Cant Ranch Historic District in the Sheep Rock Unit of JODA.

36 CFR §3.21 – SWIMMING AND BATHING

(a)(2) The following restrictions apply to all swimming and bathing activities:

- ❖ In all locations within JODA in the John Day River, Rock Creek, and Bridge Creek bathing with soap, detergent, or other cleaning type products is prohibited.

JUSTIFICATION

Restricting bathing with soap, detergent, or other cleaning type products prevents water pollution and derogation of natural resources (water quality, fish, wildlife, riparian vegetation, fresh water dependent vertebrates and invertebrates).

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Park roads, open for travel by motor vehicle are those indicated in the following publication:

- ❖ “John Day Fossil Beds” National Monument Unigrid Brochure