National Park Service
U.S. Department of the Interior

Allegheny Portage Railroad National Historic Site

Johnstown Flood National Memorial

110 Federal Park Road
Gallitzin, PA 16641

814-886-6100 phone
814-884-0206 fax

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

Approved:

Date: 01/01/12
Jeff Reinbold General Superintendent

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 Allegheny Portage Railroad National Historic Site (ALPO) and Johnstown Flood National Memorial (JOFL). 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:

- The parks are open daily from sunrise to sunset.
- Visitor centers and public buildings are open as scheduled and posted at the facility and/or through press releases.
- Park visitor centers and other public facilities are closed on the following designated federal holidays: New Years Day (January 1), Martin Luther King's Birthday observed, President's Day observed, Thanksgiving Day, and Christmas Day (December 25).
- The park superintendent may close park facilities due to severe weather on an as needed basis.
- Park Visitor Centers are open daily 9:00 a.m. to 5:00 p.m. unless otherwise posted or closed for holiday observance as noted.

Closures:

- All abandoned surface and underground mine areas.
  This closure is established to protect the health and safety of park visitors, and is the minimum restriction necessary to achieve such protection.

- All construction sites.
  This closure is established to protect the health and safety of park visitors, and is the minimum restriction necessary to achieve such protection.

- Employee residence areas and access roads, maintenance areas and access roads.
  This closure is established to protect the privacy of park residents and the integrity of safe park operations, and is the minimum restriction necessary to achieve such protection.

- All buildings except park visitor centers, park headquarters, public restrooms and at ALPO the entire first floor and the basement restrooms of the Lemon House, the amphitheater and Engine House.
  This closure is established to protect the health and safety of park visitors and the fragile nature of historic structures, and is the minimum restriction necessary to achieve such protection.

- All or portions of the park when it is necessary to protect the public from unsafe conditions or to protect the park resources from irreversible damage. Signs will be posted to announce such temporary closures.
  This closure is established to protect the health and safety of park visitors, and is the minimum restriction necessary to achieve such protection.

- All or portions of any building when needed to protect the building from damage or wear or to protect the public from unsafe conditions. Signs will be posted to announce such temporary closures.
  This closure is established to protect the health and safety of park visitors, and is the minimum restriction necessary to achieve such protection.

- ALPO – The New Portage Railroad from the Muleshoe Bridge to Dry Run Road is closed to vehicles. Except the portion of the New Portage Railroad from the Valley Forge Road to the PA State Game Lands 198 Parking Area which is only open to vehicles during the Pennsylvania fall archery hunting season through the winter muzzleloader hunting season. (National Park Service lands and roads are closed to hunting).
  This closure is established to protect the health and safety of park visitors and the fragile nature of the New Portage Railroad, and is the minimum restriction necessary to achieve such protection.

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

Motor Vehicles:

- All trails, pipelines and transmission line rights-of-way, and non-designated roads are closed to motor vehicle traffic except for park management, maintenance, or law enforcement operations. Operation of a wheeled vehicle used to accommodate handicapped individuals is permitted.
  This restriction is established to protect park resources from unnecessary damage and erosion due to off-road motor vehicle use, and is the minimum restriction necessary to achieve such protection.

Trails:

- All trails, either paved or unimproved, are open to foot traffic only, except for wheeled vehicles used to accommodate handicapped individuals.
  This restriction is established to protect park resources from unnecessary damage and erosion due to off-road motor vehicle use, and is the minimum restriction necessary to achieve such protection.

Bicycles:

- Bicycles use is permitted on established park roads and parking areas open to motor vehicle traffic. Bicycle use is prohibited on all trails in the parks, except the ALPO Staple Bend Tunnel Trail and the bicycle section of the 6-10 Trail.
  This condition is established to protect park resources from unnecessary damage and erosion due to off-road vehicle use, and is the minimum restriction necessary to achieve such protection.

Picnicking:

- Picnicking is allowed only in the following designated sites:
- ALPO - Summit Level Picnic Area.
  Summit Level Visitor Center, west-side lawn.
  Amphitheater.
  Level Number 10 Group Camp Area.
  Staple Bend Tunnel Parking Area at Beech Hill Road.
- JOFL - Picnic Area

This restriction is established to protect park resources from unnecessary damage, and is the minimum restriction necessary to achieve such protection.

Recreational Activities:

- Kite flying, ball playing, Frisbee throwing, or similar recreational activities are not permitted on or within 10 feet of any walkway, trail, parking lot, road, or within 300 feet of park buildings.
  This restriction is established to protect the health and safety of park visitors and to minimize conflict between user groups, and is the minimum restriction necessary to achieve such protection.

Rock climbing:

- Rock climbing, repelling or similar activities are not permitted.
  This restriction is established to protect the health and safety of park visitors, and is the minimum restriction necessary to achieve such protection.

Vehicle Maintenance:

- Washing, waxing, cleaning, or lubricating motor vehicles or repairing or performing any mechanical work upon motor vehicles, except in emergencies, are not permitted.
  This restriction is established to protect the health and safety of park visitors, the fragile nature of the park, and is the minimum restriction necessary to achieve such protection.

Special Activities:

- Activities or temporary structures that detract from the visitor experience and that are not related to park purpose, themes, or co-sponsored by the park are not permitted.
  This restriction is established to protect the health and safety of park visitors, the fragile nature of the park, to minimize conflict between user groups, and is the minimum restriction necessary to achieve such protection.

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

(b) Permit application.

- Permit applications must be filed with the Superintendent at least 14 days before the anticipated activity. Permit applications must be accompanied by a $50 non-refundable Application Fee.

(e) Permit terms and conditions.

- Additional use and monitoring fees may be charged in accordance with established policy and procedure.

(f) The following is a compilation of those activities and/or public uses for which a permit from the superintendent is required:

- §1.5(d) Relating to Public Use Limits:
  - To implement a public use limit, the superintendent may establish a permit, registration, or reservation system. Permits shall be issued in accordance with the criteria and procedures of 36 CFR 1.6.
- §2.2(d) Transporting lawfully taken wildlife across the park.
- §2.4(d) Carry or possess a weapon, trap, or net.
- §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals).
- §2.10(a) The following camping activities:
  - ALPO - Level Number 10 Group Camping Area (refer to Section III, General Regulations of this Compendium for further details).
- §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.
- §2.37 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).
- §2.50(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.
- §2.62 Memorialization:
  - (a) Erection of monuments (Requires approval from Regional Director).
  - (b) Scattering ashes from human cremation.
- §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 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.
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.

Applications for permits for the above-listed activities may be obtained by calling Allegheny Portage Railroad National Historic Site at 814-886-6100.

III. GENERAL REGULATIONS

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

(a)(4) Dead wood on the ground may be collected for use as fuel for campfires within the park in the following areas:

- ALPO - Level Number 10 Group Camping Area

(b) Restricted hiking or pedestrian traffic is listed in Section 1.5 of this document.

(c)(1), (c)(2) The following fruits, nuts and berries 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:

- Berries: 1 gallon per person/group per day.
- Nuts: 1 pound per person/group per day.
- Mushrooms: ½ pound per person/group per day.
- Fruits: ½ bushel per person/group per day.
  This restriction is established to allow for collection of fruits, nuts, berries, and mushrooms by hand and for personal consumption in the quantities outlined above, which will not adversely affect park resources, and is the minimum restriction necessary to achieve such protection.

36 CFR §2.2 - WILDLIFE PROTECTION

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

- Transportation of lawfully taken game is prohibited within the boundaries of the park unless prior notification has been received and approval given by the Superintendent. Approval will be given only if there is no other method or route to transport the wildlife without entering the park. Information must be given as to the circumstances of why it is necessary to enter the park, and a park staff member must be present during the transportation.

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

- All areas of the parks are closed to the viewing of wildlife with an artificial light, including those areas within the parks along township roads and state highway routes.

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

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

- Historic weapons may be carried, possessed or used by appropriate staff members and/or volunteer individuals or groups who are invited and sponsored by the parks to participate in official and regulated historic weapons living history programs.
- Firearms may be possessed within the park by individuals who may legally possess firearms in compliance with applicable federal and state laws. The use of firearms is prohibited. It is the responsibility of visitors to understand and comply with all applicable state and federal firearms laws before entering this park. Federal law also prohibits firearms in certain facilities in this park; those places are marked with signs at all public entrances.

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:

- Group Camping is allowed only at designated sites and with a permit from the Superintendent.
- ALPO - Level Number 10 Group Camping Area.

(d) Conditions for the storage of food are in effect, as noted, for the following areas:

- Food must be stored at designated camping areas to adequately protect it from wildlife.

36 CFR §2.11 – PICNICKING

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

Conditions for Picnicking:

- The use of open fires for food preparation is prohibited.
- The use of park-provided fire grills and portable gas grills are only allowed as part of incidental picnicking at designated picnic areas.

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:

- Fires may be lit only in park provided charcoal grills or visitor provided portable gas grills within the designated picnic area.
- Fires may be lit in the park provided fire pits within the designated group camp areas.
- Other fires may be lit and maintained under the terms of a permit issued pursuant to Sections 2.50 or 2.51, if the special condition terms specifically authorize the fire.

Receptacles Allowed:

- Other than park provided charcoal grills or fire pits, fires may be maintained in portable gas grills brought to the parks by visitors. See "Established Conditions" below.

Established Conditions for Fires:

- Portable gas grills must be located on or adjacent to park provided picnic tables in designated picnic areas.
- Constructing a rock ring or lighting a fire in a rock ring is prohibited.
- Fires and the construction of fire receptacles used in conjunction with approved historic demonstrations may be permitted.
- Fires may be lit by park employees or other approved officials in support of resource management activities as outlined by the approved park Fire Management Plan.
- No fire (gas, charcoal, or wood) may be left unattended.

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

- Charcoal and wood fires must be extinguished with water immediately after their use, and any cold ashes or other extinguished materials must placed in proper trash receptacles (not provided by the parks, see "Sanitation and Refuse" below).

36 CFR §2.14 – SANITATION and REFUSE

(a)(2) The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property is prohibited.

- ALPO and JOFL are "trash free" parks.
- Visitors are responsible for their own trash management, collection, and removal from the parks. Disposal of refuse in park restrooms, comfort stations, restroom vaults or port-a-johns is prohibited.

36 CFR §2.15 – PETS

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

- Pets are not allowed in any public building or office except for service animals.
- Pets are permitted in all areas of the parks, provided they are equipped with collars, identification and vaccination tags, and under control on a leash which shall not exceed six feet in length.

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

- Pet excrement must be removed from picnic areas, trails, and areas of heavy public use.

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

- Pets are not allowed in single family government quarters or leased housing except by written permission from the Superintendent.
- Pets are prohibited from government multi-occupancy or dormitory quarters.

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:

- Horses are prohibited in the parks, except in conformance with a permit issued under Sections 1.5 or 2.50.

36 CFR §2.19 – WINTER ACTIVITIES

(a) The following park roads and/or parking areas open to motor vehicle traffic may be used for skiing, snowshoeing, ice skating, innertubing, tobogganing, and similar winter activities under the conditions noted:

- Cross-country skiing and snowshoeing is permitted on designated road/trail crossings and on all park trails.

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 public buildings, park offices, visitor facilities, multi-occupancy or dormitory government quarters and government vehicles.
- During periods of unusually high fire danger, smoking is prohibited in all areas of the park, outside of private vehicles. Signs will be posted along the entrance roads and at the Visitor Center to announce such a temporary restriction.
  This restriction is established to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities, park employees, and residents of government quarters, and is the minimum restriction necessary to achieve such protection.

36 CFR §2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours in the following areas and under the following conditions:

- Unattended property is prohibited in the parks, including that property associated with the activity known as "Geocaching."

36 CFR §2.23 – RECREATION FEES

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

Entrance Fee Areas:

- ALPO and JOFL: Entrance fee is $4.00 per person, excluding those visitors 15 years old or younger, and any pass holder.
- ALPO and JOFL: Interpretive Fee of $2.00 per person is charged during certain Special Events and Living History Programs.
- ALPO and JOFL: Education Fee of $1.00 per student is charged during certain School Programs.

36 CFR §2.35 – ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

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

- All government buildings are closed to the consumption of alcoholic beverages, with the exception of buildings occupied as government quarters or leased housing.
- The possession of an open container or consumption of alcoholic beverages is also prohibited on or within 10 feet of all roads, trails, walkways and parking lots.
- The possession or consumption of alcoholic beverages is also prohibited within 300 feet of visitor centers, headquarters and other visitor use facilities and buildings.
- ALPO - The possession or consumption of alcoholic beverages is prohibited in the picnic area, Level Number 10 Group Camping Area and the Staple Bend Tunnel Unit.
- JOFL - The possession or consumption of alcoholic beverages is prohibited in the picnic area.

  These restrictions are established in order to prevent inappropriate activity considering the other uses of the location and the purpose for which it is maintained or established and are the minimum restrictions necessary to achieve such protection.

36 CFR §2.51 – PUBLIC ASSEMBLIES AND MEETINGS

(e) A permit is required for public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views within the parks and is only permitted at the following designated areas:

- ALPO - Public assemblies/meetings are permitted at the following areas: Primary - the grass area on the left side of the parking lot road before you enter the parking lot; Secondary – the grass area on the right side of the Gallitzin Entrance Road across from the exit from the parking lot (see Exhibit A).
- JOFL - Public assemblies/meetings are permitted at the following areas: Primary - the grass area on the right side of the entrance road to the visitor center parking lot; Secondary – the grass area between the Unger House and the Visitor Center across from the Visitor Center (see Exhibit B).

36 CFR §2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

(e) A permit is required for the sale or distribution of printed matter, and provided further that the printed matter is not solely commercial advertising, within the parks and is only permitted at the following designated areas:

- ALPO - The sale or distribution of printed materials is permitted in the following areas: Primary - the grass area on the left side of the parking lot road before you enter the parking lot; Secondary – the grass area on the right side of the Gallitzin Entrance Road across from the exit from the parking lot (see Exhibit A).

- JOFL - The sale or distribution of printed materials is permitted at the following areas: Primary - the grass area on the right side of the entrance road to the visitor center parking lot; Secondary – the grass area between the Unger House and the Visitor Center across from the Visitor Center (see Exhibit B).

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains, in accordance with the following terms and conditions:

- The remains to be scattered must have been cremated and pulverized.

36 CFR §4.21 – SPEED LIMITS

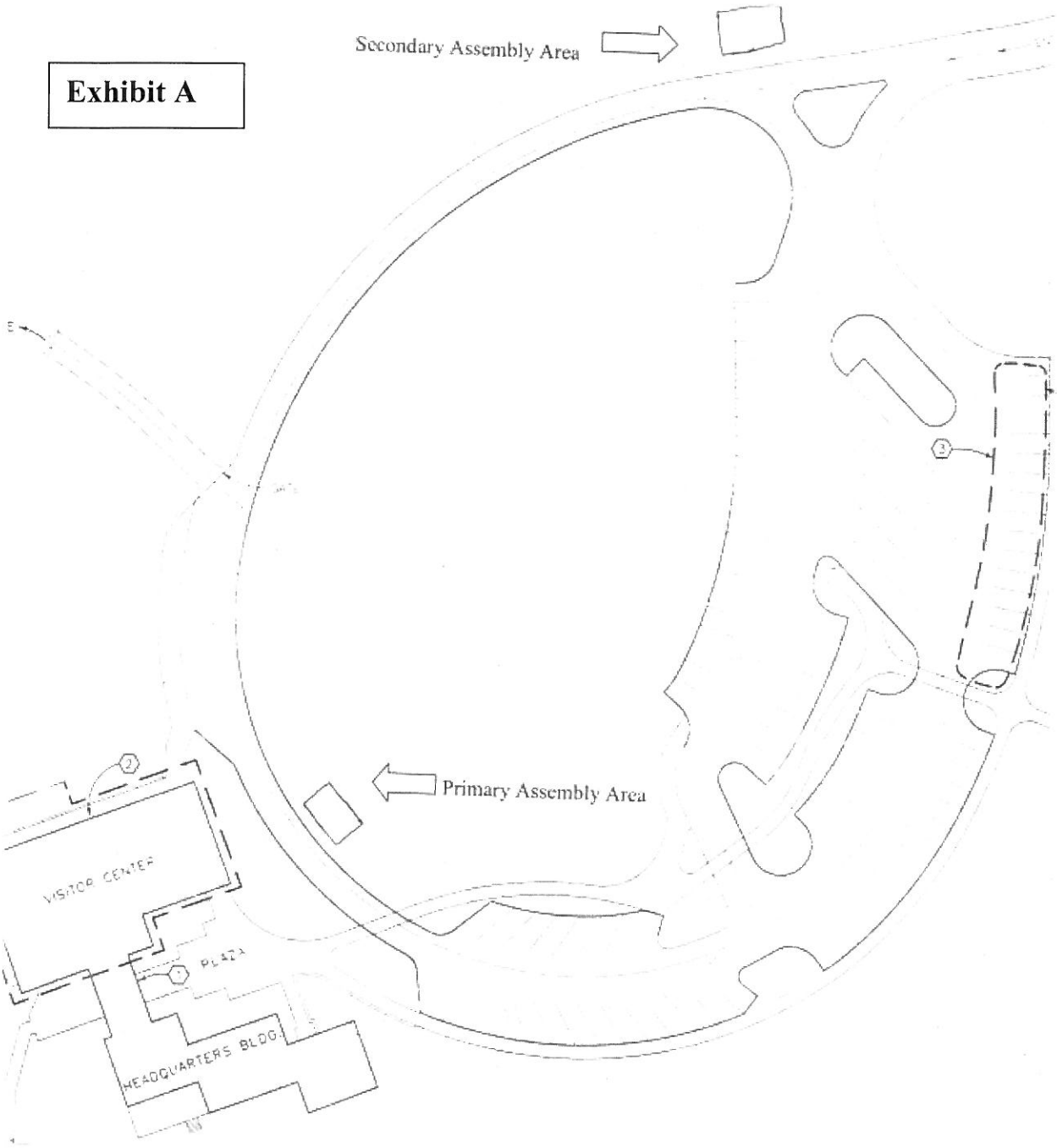
(b) The following speed limits are established for the routes/roads indicated:

- ALPO -The speed limit on all park maintained public roads is 15 miles per hour.
- JOFL -The speed limit on all park maintained public roads is 15 miles per hour.

36 CFR §4.30 – BICYCLES

(a) Park areas that are closed to bicycle use are listed in section 1.5 of this document.

Exhibit A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HEADQUARTERS BLDG.
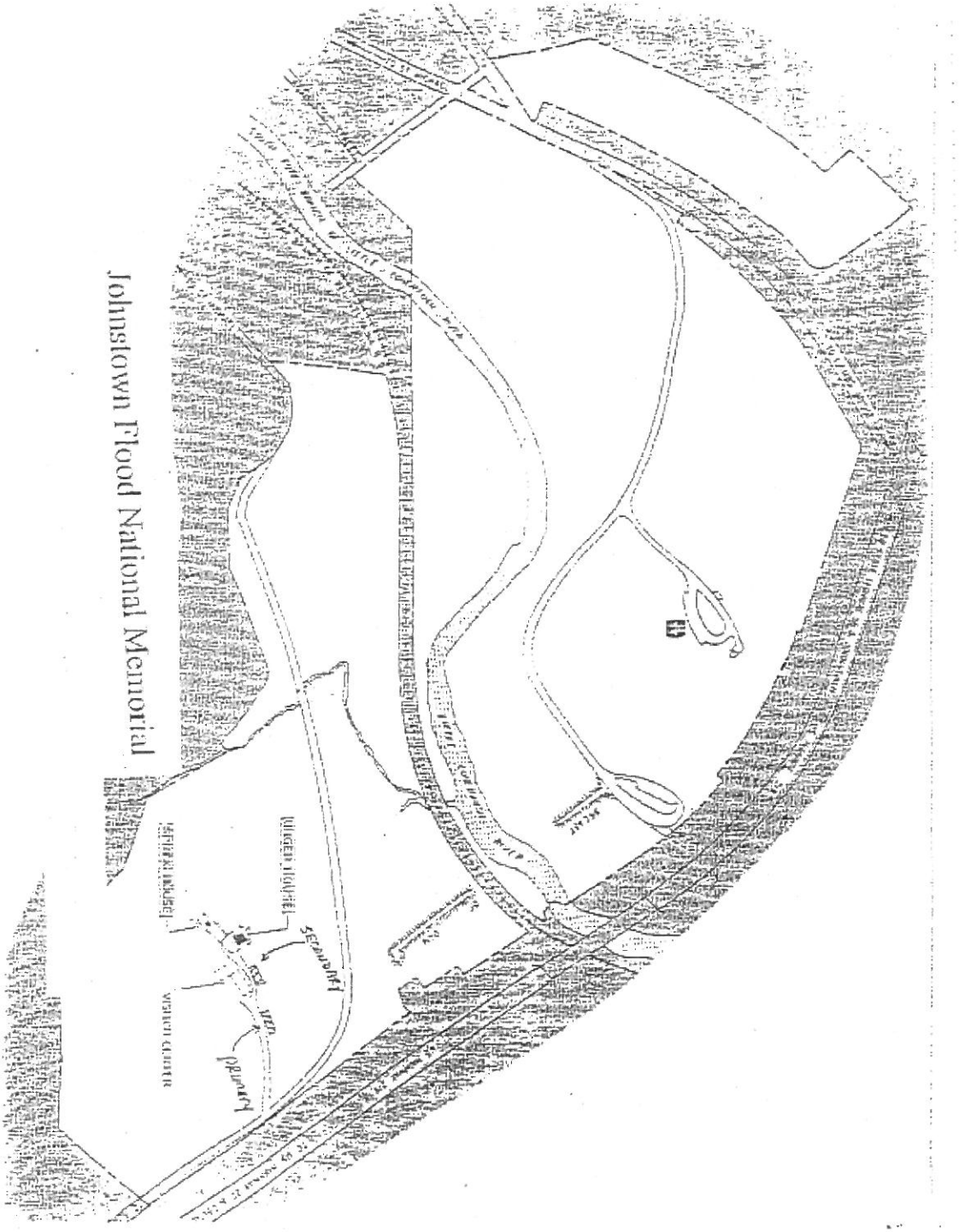
Exhibit B