

# CODE OF FEDERAL REGULATIONS

## TITLE 36, CHAPTER 1

### COMPENDIUM

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

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

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

#### Recommended:

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**Chief Ranger**

Little River Canyon National Preserve

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**Date**

#### Approved:

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**Acting Superintendent**

Little River Canyon National Preserve

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**Date**

## PART 1—GENERAL PROVISIONS

### § 1.5 Closures and public use limits.

#### *VISITING HOURS*

- Little River Falls parking lot is closed at dark and opened at 7 a.m.
- Little River Canyon National Preserve's none gated parking lots, overlooks and backcountry roads are closed during the hours of darkness. Darkness is defined as 30 minutes before sunrise and 30 minutes after sunset.
- Exceptions:
  - The Little River Wildlife Management Area is open for those with a hunting permit and hunting for raccoon, opossum and fox in accordance with state law
  - Little river is open for fishing in accordance with state law
- Canyon Mouth Park area will be open from 8:00 a.m. to the posted closing time. The times will be posted on the sign located at the entrance/exit gate and fee booth area

*Justification: To provide for reasonable and safe public access to the overlooks, trails and to protect cultural and natural resources. To reduce vandalism, and other illegal activities. To provide for public safety and enjoyment.*

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#### *LITTLE FALLS GRAVEL PARKING LOT/GRAVEL EMERGENCY ROAD*

(a)(1) The Little Falls gravel parking lot and gravel emergency road located on Alabama Highway 35 is closed to the public permanently. This area is closed to both vehicle traffic and foot traffic. This area will be used for NPS personnel and emergency personnel only.

*Justification: This area has limited visibility during ingress and egress. To provide for reasonable and safe public access to the Little Falls area, parking for this area has been moved to the Main Falls parking lot. To reduce vandalism, and other illegal activities. To provide for public safety and enjoyment.*

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#### *BLUE HOLE PARKING LOT*

(a)(1) The Blue Hole parking lot is restricted to Blue Hole visitors only. Visitors who park in this area must remain in this area.

*Justification: This area was used as overflow parking by visitors for the Little Falls area which created safety issues with visitors walking across the state highway. It prevented visitors from accessing and using the Blue Hole area. To provide for public safety and enjoyment.*

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#### **DRONES/UNMANNED AIRCRAFT**

(a)(1) Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of the Little River Canyon National Preserve is prohibited except as approved in writing by the Superintendent. The term “unmanned aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links, etc.). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones, etc.) that are used for any purpose, including for recreation or commerce.

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

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#### **REMOTE CONTROL VEHICLES**

(a)(1) Operating a remote-controlled vehicle within the preserve is prohibited.

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

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#### **AREAS POSTED AS CLOSED**

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

*Justification: Closures may be necessary for a variety of reasons including site restoration, protection of sensitive or threatened species and protection of visitor safety.*

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## *MOTORIZED VESSELS*

(a)(1) Motorized vessels are not permitted on the river or streams within the park.

*Justification: Gasoline, electric and non-electric powered motors have the potential to leak gas, oil and other harmful substances into the park's streams and are incompatible with the park's mission to protect the park's resources and to preserve water quality. To protect visitor safety during swimming activities. The river is rocky and usually not deep enough for boats to safely pass.*

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## *ROAD CLOSURES*

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

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

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## *OFF-ROAD VEHICLES IN LITTLE RIVER WILDLIFE MANAGEMENT AREA*

(a)(1) The operation of off-road vehicles and other similar vehicles, including all vehicles which are not permitted on public highways and all vehicles which are not licensed for use on public highways, is prohibited in the Little River Wildlife Management Area.

*Justification: The operation of off-road vehicles leads to significant damage to park resources, disturbance of wildlife and interference with the enjoyment of other park visitors.*

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## *REOPENING OF ROADS, TRAILS, ETC.*

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

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

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#### ***IDLING DIESEL-FUELED VEHICLES***

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

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

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#### ***SEARCHING OF TRASH RECEPTACLES***

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

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

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#### ***ROPE SWINGS, DIVING BOARDS, LADDERS AND SIMILAR ITEMS***

(a)(1) Attaching or otherwise affixing a rope swing, diving board, ladder, slide or other such item to the shore of any stream within the park, to an object or to vegetation alongside such stream, or to an object or vegetation within the stream itself, is prohibited.

*Justification: Rope swings and other similar items pose significant hazards to those that use them and result in resource damage.*

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#### ***HUNTING STANDS***

(a)(1) The construction of a permanent hunting stand of any sort and the construction or placement of any hunting stand that harms any vegetation or other park resource in any way is prohibited. Temporary hunting stands are permitted only if they cause no damage to any trees, vegetation, or other park resource, and will not be left unattended for over 24 hours. Stands must be removed when not in use. Stands must be marked with the hunter's Alabama Department of Natural Resource Conservation identification number or the hunter's name, address and phone number.

*Justification: Permanent and temporary hunting stands have the potential to damage trees and other vegetation.*

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## DISPOSING OF DEAD ANIMALS

(a)(1) Disposing of dead animals, including lawfully taken game, is prohibited.

*Justification: The disposal of dead animals within the park detracts from the experience of other visitors and can cause public health issues.*

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## MINNOW SEINE

(a)(1) The use of a minnow seine is prohibited within Little River Canyon National Preserve.

*Justification: The park's streams provide habitat for rare and sensitive species, including federally listed threatened species*

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## GLASS CONTAINERS

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

*Justification: To provide for public safety and enjoyment. Broken glass presents a serious safety risk.*

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## BALLOONS

(a)(1) The possession or use of balloons within the preserve is prohibited.

*Justification: To protect wildlife.*

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## LITTLE RIVER FALLS

(a)(1) Walking, climbing, jumping, diving or being within 50 feet of the edge of Little River Falls, except on designated walkways, is prohibited.

Exception: Kayakers and canoeists traversing the falls area.

*Justification: To provide for reasonable and safe public access to view the falls and enjoy the falls area while providing for public safety.*

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## STACKING ROCKS OR SIMILAR ACTIVITIES

(a)(1) Stacking rocks for any purpose or using rocks to create any sort of rock structure is prohibited.

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

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#### **ZIPLINES, SLACKLINES AND ROPE BRIDGES**

(a)(1) The installation or use of ziplines, slacklines, rope bridges and similar devices that are affixed between two objects for the purpose of being traversed either by hand or foot or via a pulley, carabineer or other device is prohibited.

*Justification: Ziplines, rope bridges and similar devices can damage vegetation and geologic resources and can present a hazard to the general public.*

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#### **CLIMBING, RAPPELLING AND RELATED ACTIVITIES**

(a)(1) The placement of new fixed climbing anchors is prohibited, except as authorized by a permit from the Superintendent.

*Justification: The placement of fixed anchors leads to a high concentration of visitor use in specific areas. However, allowing bolted anchors on traditional routes protects sensitive park resources located along the tops of cliffs.*

(a)(1) The placement or use of pitons and other such items of climbing protection which are hammered or driven into place using an implement or object other than the human hand is prohibited.

*Justification: The use of these items of climbing protection causes damage to the cliff face and negatively affects the scenic and natural quality of the area.*

(a)(1) The reinforcement, improvement, creation or alteration of handholds or footholds with glue, epoxy, cement, or any other substance is prohibited. The practices of “chipping” and “filing,” and all other practices involving the use of any tools or other implements to reinforce, improve, create or alter any handhold or foothold is prohibited.

*Justification: The altering of the cliff face for the establishment of handholds and footholds has adverse impacts on the scenic and natural quality of the cliff face.*

(a)(1) Accessing climbing anchors or routes from the top of the cliff face or from the top of the route is prohibited. All climbs must begin and end at the bottom of the route and at the base of the cliff. The upper portion of any climb must terminate below the top of the cliff and must not extend to the horizontal surface at the top of the cliff. Climbing above the upper edge of the vertical portion of the

cliff—i.e., “topping out”—is prohibited. The provisions of this paragraph do not apply to individuals engaged in climbing “traditional” or “mixed” routes, or to the style of unroped climbing known as “bouldering”. Additionally, nothing in this paragraph shall be interpreted as prohibiting an individual from climbing to and then advancing above a horizontal ledge or shelf which lies directly beneath another vertical cliff face, or from belaying another climber from such a ledge or shelf. “Traditional” or “mixed” climbing routes are defined as those that require climbers to place their own protection as they ascend and on which permanent, fixed anchors are primarily absent. “Traditional” and “mixed” climbing does not include the specific form of rock climbing known as “toproping” in which a tree or other natural feature at the top of the route is used as the climber’s primary form of protection.

*Justification: The area above the edge of the cliff is particularly sensitive to human impact. Restricting the majority of climbing to the vertical portion of the cliff below the cliff top is an important measure in limiting this impact.*

(a)(1) Specific climbing routes or climbing areas may be closed to all climbing or rappelling of any sort, upon a finding by the park that sensitive natural or cultural resources are being negatively affected or threatened by such climbing routes or climbing areas. Climbing or rappelling on such closed routes or in such closed areas is prohibited.

*Justification: It may be necessary to close certain climbing routes or areas upon discovery of sensitive or threatened resources to prevent resource damage.*

(a)(1) All types of climbing (including sport climbing, traditional climbing, bouldering and scrambling) and all types of rappelling are prohibited in the following locations:

- underneath or within 25 feet of any bridge;
- in any location or manner where such climbing results in damage to any natural, geological or cultural resource.

*Justification: Certain areas are more sensitive and more likely to be impacted by activities such as climbing.*

(a)(2) Organized groups (for example, schools and other educational institutions, clubs, nonprofit groups and associations, etc.) wishing to bring a group of more than 8 persons to the park for the purposes of climbing and/or rappelling must first obtain a permit from the Superintendent.

*Justification: The use of the park climbing areas by large, organized groups results in significant impact to park resources and often interferes with the use and enjoyment of other visitors, including other climbers. The park has a history of*



*heavy impact and damage to park resources resulting from the high intensity use of such groups. The requirement of a permit allows park staff to inform group leaders about park rules and regulations and about ways to mitigate impacts to park resources and visitors.*

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***FILMING, STILL PHOTOGRAPHY, AND AUDIO RECORDING ACTIVITY MAY REQUIRE A PERMIT CONSISTENT WITH 54 U.S.C. 100905***

(a)(2) Designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity.

Filming, still photography, and audio recording activity that occurs in closed areas, requires exclusive use of a site or area, or involves a set or staging equipment other than handheld equipment (such as a tripod, monopod, and handheld lighting equipment) requires a permit, unless the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.

Filming, still photography, and audio recording that involves more than eight individuals requires a permit, unless the NPS has specifically notified an individual or group that a permit is not required, or if the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.

If a permit is required for the reasons stated above, or if the NPS otherwise determines and then notifies an individual or group that a permit is required for a filming, still photography, or audio recording activity, then engaging in that activity without a permit is prohibited. Violating a term or condition of a permit issued by the NPS for a filming, still photography, or audio recording activity is prohibited, and may result in the suspension or revocation of the permit, in addition to any penalties that may apply under 36 CFR 1.3.

*Federal law at 54 U.S.C. 100905 states that permits and fees are not required for filming, still photography, or audio recording in park areas if certain requirements are met. These requirements address various topics, including, but not limited to, group size, location, equipment, potential impacts to resources and visitors, and the likelihood that the NPS will incur related administrative costs. If any of these requirements are not met, the law allows the Secretary of the Interior, acting through the NPS, to require a permit for the subject activity. Permit requirements are imposed by the superintendent under discretionary authority provided by 36 CFR 1.5 (a)(2), which allows the superintendent to impose conditions or restriction on a use or activity, consistent with applicable legislation, to implement management responsibilities. The general regulations for permits in 36 CFR 1.6 do*

*not apply to permits issued for filming, still photography, and audio recording, which instead are governed by the statutory provisions in 54 U.S.C. 100905. The imposition of permit requirements, on a case-by-case basis, for filming, still photography, or audio recording does not require rulemaking under 36 CFR 1.5(b). Requiring a permit with reasonable terms and conditions in accordance with statutory requirements at 54 U.S.C. 100905 is not highly controversial, will not result in a significant alteration in the public use pattern of the System unit, will not adversely affect the System unit's natural, aesthetic, scenic or cultural values, or require a long-term or significant modification in the resource management objectives of the System unit, because the permit requirement is limited in time and scope to the specific activities authorized by the permit, which contain terms and conditions that protect the values, resources, and visitors of the System unit, and implements federal law.*

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

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#### **GEOCACHING AND SIMILAR ACTIVITIES**

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

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

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#### **VIRTUAL GEOCACHING AND SIMILAR ACTIVITIES**

(a)(2) Any activity (for example, the activity known as “virtual geocaching”), in which a location is marked or specified by means of Global Positioning System (GPS), map or any means other than a physical marking or object placed at the site of the location, and which is done with the intent that such locations will be searched for or sought out by others, must be conducted pursuant to a permit issued by the Superintendent.

*Justification: Activities such as “virtual geocaching,” as compared to traditional geocaching activities, are generally less likely to have negative effects on park resources, in that they do not involve the burying or concealment of objects within the park. However, as in the case of traditional geocaching, such activities have the potential to attract large numbers of visitors to areas or locations which are not*

*otherwise subject to significant public impact, and which may be unusually fragile or sensitive. The requirement of a permit allows park staff to ensure that such locations are situated in areas that are not likely to be negatively affected by increased public visitation.*

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#### **ADVENTURE RACES AND SIMILAR ACTIVITIES**

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

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

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#### **OFF-TRAIL ACTIVITIES INVOLVING MORE THAN 10 PERSONS**

(a)(2) Any land-based activity in which members of a group of more than 10 persons depart from an established road, trail or parking area must be conducted pursuant to a permit issued by the Superintendent.

*Justification: The use of off-trail areas by large groups results in significant impacts to park resources. The requirement of a permit allows park staff to work with the group to mitigate those impacts.*

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#### **GROUP EVENTS INVOLVING MORE THAN 5 VEHICLES IN LITTLE RIVER WILDLIFE MANAGEMENT AREA (BACKCOUNTRY)**

(a)(2) Any activity in which members of a group of more than 5 vehicles enter the Little River Wildlife Management Area (WMA) must be conducted pursuant to a permit issued by the Superintendent. Issued permits will be limited to no more than 10 vehicles and no more than one permit allowed in a three (3) hour period.

*Justification: The use of WMA roads by large groups results in significant impacts to park resources and often interferes with the use and enjoyment of other visitors, including horseback riders and hunters. The park has a history of heavy impact and damage to park resources resulting from the high intensity use of such groups. This is multiplied by wet weather events and road conditions. Large groups of vehicles pose a safety issue to visitors and impedes emergency responders. The narrow single lanes and no passing areas of the WMA roads delay emergency*

*vehicles response time both inside and outside the WMA. This can be critical and/or life threatening to visitors. The requirement of a permit allows park staff to inform group leaders about park rules and regulations and about ways to mitigate those impacts to park resources and visitors. This requirement also provides park management an opportunity to manage one or more events occurring at the same time.*

*(36 CFR 2.50(a)(1), 36 CFR 2.50(a)(2), 36 CFR 2.50(a)(3), 36 CFR 2.50(a)(5), and 36 CFR 2.50(a)(6)*

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#### ***GROUP EVENTS INVOLVING MORE THAN 25 VEHICLES IN LITTLE RIVER NATIONAL PRESERVE (FRONT COUNTRY)***

(a)(2) Any activity in which members of a group of more than 25 vehicles gather within the Little River Canyon National Preserve must be conducted pursuant to a permit issued by the Superintendent.

*Justification: The parking lots (paved and gravel) located within the front country area of the Preserve are generally small and have limited capacity. Large group gatherings can result in significant impacts to park resources when vehicles exceed the size of the parking lots. This can also impact other visitors and user groups. The requirement of a permit allows park staff to inform group leaders about park rules and regulations and about ways to mitigate those impacts to park resources and other visitors.*

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#### ***USE OF ELECTRONIC PERSONAL ASSISTANCE MOBILITY DEVICES***

(a)(2) The use of electronic personal assistance mobility devices (for example, the device marketed under the brand name "Segway") by persons with a disability will be allowed in all of the park's paved parking areas, on the board walks at the main falls area and at the Falls Overlook, provided that such devices display a valid, government issued placard indicating that the user has a disability. The use of such devices is prohibited elsewhere in the park.

*Justification: Electronic personal assistance mobility devices such as the Segway are not suited to the other trails found within the park. All other trails in the park contain sections that are either too steep, rocky or narrow to permit their negotiation by such devices.*

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#### ***USE OF ELECTRONIC BICYCLES***

The term "e-bike" means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.). E-bikes are allowed in the park

where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

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

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

## § 1.6 Permits.

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

<u>Activity Requiring Permit</u>	<u>Relevant Section of 36 CFR</u>
Entry of Closed Areas	1.5(d)
Adventure Races and Similar Activities	1.5(d)
Geocaching and Similar Activities	1.5(d)
Virtual Geocaching and Similar Activities	1.5(d)
Group Climbing/Rappelling Permit	1.5(d)
Group Events in WMA (backcountry) involving more than 5 vehicles	1.5(d)
Group Events in Front country involving more than 25 vehicles	1.5(d)
Placement/Replacement of Existing Fixed Climbing Anchors	1.5(d)
Possession of an Otherwise Prohibited Weapon, Trap or Net	2.4(d)
Collection of Research Specimens	2.5
Operating a Power Saw or Portable Motor/Other Audio Disturbances	2.12(a)(2),(3)&(4)
Use of Aircraft/Air Delivery	2.17(a)(3)
Removal of Downed Aircraft	2.17(c)(1)
Entrance and Recreational Fees	2.23(b)
Soliciting of Gifts, Money, Goods or Services	2.37
Explosives	2.38(a)
Fireworks	2.38(b)
Special Events (including sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, birthday parties, weddings and similar events)	2.50(a)
Demonstrations	2.51(a)
Sale or Distribution of Printed Matter	2.52(a)
Livestock Use and Agriculture	2.60(b)
Scattering of Human Ashes	2.62(b)
Use of a Vessel	3.3
Vehicles Exceeding Designated Load, Weight and Size Limits	4.11(a)
Displaying, Posting or Distributing Advertisements and Commercial Notices	5.1
Engaging in or Soliciting Any Business	5.3

Use of Government Roads by Commercial Vehicles	5.6(c)
Constructing or Attempting to Construct Buildings, Structures, Boat Docks, Roads, Trails, Paths, Ways, Telephone Lines, Telegraph Lines, Power Lines, or Any Other Private or Public Utilities	5.7
Operation of a Solid Waste Disposal Site	6.9(a)
Single Visit Entrance Permits	71.7(a)
Special Recreation Permit	71.10(a)
Waiver of Federal Recreation Fees	71.13(d)

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

## **PART 2—RESOURCE PROTECTION, PUBLIC USE AND RECREATION**

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

#### *USE OF DEAD WOOD*

(a)(4) Dead wood that has fallen and that is on the ground may be collected for use in the campfire rings or standing grills in the designated picnic areas only.

*Justification: Downed, dead wood is generally plentiful within the park and assist with clearing the park of potential fire hazards; however, standing dead trees provide important habitat for a variety of species.*

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#### *TRAIL USE REQUIRED*

(b) Where established trails and walkways exist, walking, running and hiking is restricted to those trails and walkways.

*Justification: To provide for public safety and enjoyment, to protect natural, cultural and archeological resources.*

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#### *GATHERING OF FRUITS, BERRIES AND NUTS*

(c)(1) The following fruits (including the fruiting bodies of certain mushrooms), berries and nuts may be gathered by hand for personal consumption or use:

- blackberries,
- blueberries,
- grapes,
- muscadines,
- persimmons,
- walnuts,
- hickory nuts,
- beech nuts and
- acorns.

*Justification: It has been determined that the gathering and/or consumption of the above in the quantities described below will not adversely affect park wildlife, the reproductive potential of individual plant species, or otherwise adversely affect park resources.*

(c)(2)(i) The quantity of berries and nuts collected under the provisions of Section 2.1(c)(1) will not exceed 1 gallon per family or group per day for each species.

*Justification: The unrestricted collection of fruits, berries and nuts could have an adverse impact on plant propagation and/or wildlife food sources.*

(c)(2)(ii) Persons gathering the species of fruits, berries and nuts listed in Section 2.1(c)(1) of this Superintendent's Compendium are prohibited from climbing trees or other vegetation, and from using stools or ladders. All such fruits, berries or nuts must be collected while standing on the ground. The gathering of such fruits, berries or nuts is also prohibited within 200 feet of scientific research plots or areas.

*Justification: The use of collection methods such as ladders and tree climbing is prohibited in order to protect trees and vegetation from damage and to allow sufficient food supplies for wildlife. Gathering such items in research areas is prohibited in order to protect the integrity and reliability of research activities.*

## **§ 2.2 Wildlife protection.**

### ***TRANSPORTING LAWFULLY TAKEN WILDLIFE***

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

- During authorized hunting and trapping seasons within that portion of the preserve identified by the State of Alabama as the Little River Wildlife Management Area.

- During authorized bow hunting seasons in the Beaver Pond Trail area of the Little River Canyon National Preserve in accordance with state laws and regulations.

*Justification: To provide for public safety and enjoyment in accordance with the park's enabling legislation.*

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#### *VIEWING OF WILDLIFE WITH AN ARTIFICIAL LIGHT*

(e) The entire park is closed to the viewing of wildlife with an artificial light (including headlights).

*Justification: The prohibition of viewing wildlife with an artificial light is necessary to protect wildlife against nighttime poaching and is consistent with applicable state hunting regulations.*

### **§ 2.3 Fishing.**

#### *STATE FISHING REGULATIONS*

(a) Alabama Fishing Regulations are assimilated within Little River Canyon National Preserve.

- Hoop net, fyke net, gill net, trammel net or seine are prohibited (per state law).
- Minnow seine is prohibited (see 1/5(f) Closure Violations).

*Justification: To provide for public safety and enjoyment in accordance with the park's enabling legislation.*

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#### *FISHING EQUIPMENT*

(d)(1) Hook and line only, with rod or line being closely attended.

*Justification: To provide for public safety and enjoyment and to protect the aquatic resources within the preserve.*

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#### *POSSESSION AND USE OF BAIT*

(d)(2) Live or dead bait fish, amphibians, non-preserved fish eggs or fish roe are prohibited.

*Justification: The use of live bait cannot be monitored to ensure non-native species are not introduced. To protect the aquatic resources of the preserve.*



## § 2.4 Weapons, traps, and nets.

### *WEAPONS*

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

- During authorized hunting and trapping seasons within that portion of the preserve identified by the State of Alabama as the Little River Canyon Wildlife Management Area.
- During authorized bow hunting seasons in the Beaver Pond Trail area of the Little River Canyon National Preserve in accordance with state laws and regulations.
- Under federal law (February 22, 2010), individuals who can legally possess firearms according to state and local laws, may possess firearms in the park but not in federal buildings.

*Justification: To provide for public safety and enjoyment in accordance with the park's enabling legislation. To comply with the Credit Card Accountability Responsibility and Disclosure Act of 2009, Section 512, Protecting Americans from Violent Crimes.*

## § 2.5 Research specimens.

### *SCIENTIFIC RESEARCH AND COLLECTION PERMITS*

Pursuant to the authority found in 36 CFR 2.5, the Superintendent may issue permits for the collection of plants, fish, wildlife, rocks and minerals for research purposes subject to the conditions established by the National Park Service for scientific research and collection permits. These conditions, in part, are found online at <http://science.nature.nps.gov/research> and are subject to periodic revision. The guidelines and requirements contained at the above website are hereby adopted and made part of this Superintendent's Compendium. The violation of any applicable condition, guideline or requirement is prohibited.

*Justification: Conditions on research performed pursuant to permits are necessary to protect park resources from negative impacts and to ensure compliance with permitting procedures.*

## § 2.10 Camping and food storage.

### *CAMPING*

(a) Camping is prohibited within the Little River Canyon National Preserve.

*Justification: To protect the visitors and the resources within the preserve.*

## **§ 2.13 Fires.**

### ***CONDITIONS ON LIGHTING OR MAINTAINING A FIRE***

A fire may be ignited and maintained only by using fuel sources designed and commonly used for warmth or the preparation of food, such as charcoal briquettes or natural firewood. Lighting or maintaining a fire with other materials including, but not limited to, flammable liquids, garbage, fireworks, plastics, aerosol canisters, batteries, or other manufactured or synthetic materials, is prohibited.

*Justification: This action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, and the implementation of management responsibilities. Materials other than approved combustibles – especially fire accelerants and substances prone to wind transport or explosion – creates serious risks when used to light or maintain fires. These combustibles can ignite or spread wildfires that directly threaten people and valuable resources and assets. The burning of manufactured or synthetic materials can contribute to air pollution, contaminate soil and water, and be toxic to humans and the environment. Less restrictive measures, such as an education campaign informing visitors of the risks of using certain materials to light or maintain a fire, would not be commensurate with the substantial risks associated with those activities and could lead to adverse outcomes that might be prevented by establishing an enforceable condition.*

### ***LOCATIONS WHERE FIRES ARE PERMITTED***

(a)(1) Lighting or maintaining a fire within the preserve is permitted in park established grills and park established fire rings only in the following areas:

- Canyon Mouth Park area
- Eberhart Point picnic area
- Little River Falls picnic area

*Justification: Lighting or maintaining fires, in the locations described above, is not likely to lead to significant resource damage. There are no receptacles available to dump hot coals into; therefore, portable charcoal grills could pose significant fire danger for the preserve.*

## § 2.14 Sanitation and refuse.

### *DISPOSAL OF HUMAN BODY WASTE*

(b) Within a distance of one-quarter of a mile from a restroom or pit toilet facility, human body waste must be appropriately disposed of in such facilities. Beyond a distance of one-quarter of a mile from such facilities, human body waste must either be containerized and carried out or it must be buried at a depth of 4 to 6 inches in organic matter and at a location not frequented by the public. Human waste may not be buried within 100 feet or in sight of any trail, road, parking lot, developed area, campsite, cliff or rock formation, climbing route or climbing area, water source or the high water mark of any stream, whether intermittent or not.

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

## § 2.15 Pets.

### *UNATTENDED PET*

(a)(3) Leaving a pet unattended and tied to an object, except in designated areas or under conditions which may be established by the superintendent.

- Leaving a pet unattended in a vehicle: Unattended and confined in a motor vehicle and physical injury to or death of the animal is likely to result is prohibited. The pet will be removed from the vehicle by whatever means necessary to prevent injury or death to the pet.

*Justification: To prevent serious injury or death to an animal.*

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### *DISPOSAL OF PET EXCREMENT*

(a)(5) Within 100 feet of any parking lot, road or other developed area or within 10 feet of any trail, pet excrement must be immediately collected and containerized by the pet handler or owner. Such container must be placed in a refuse receptacle or removed from the park for other proper disposal.

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

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### *HUNTING DOGS*

(b) Dogs being used in support of authorized hunting activities must be crated, caged or restrained on a leash not to exceed 6 feet in length when within a developed area or a designated safety zone.

*Justification: In accordance with state law, dogs may be used to hunt certain species. However, for visitor safety and to preserve the quality of the visitor experience, such dogs must be appropriate restrained.*

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## **§ 2.16 Horses and pack animals.**

(b) The use of horses or pack animals outside of designated routes (Wildlife Management Area roads) are prohibited.

(c) The Wildlife Management Area roads are designated for use by horses and pack animals.

*Justification: To provide for public safety and visitor enjoyment and to protect natural resources.*

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## **§ 2.21 Smoking.**

- (a) Smoking, including the carrying of lighted cigarettes, cigars, pipes and electronic nicotine delivery systems is prohibited in the park comfort stations. Electronic nicotine delivery system means an electronic device, such as an electronic cigarette, that a person uses to simulate smoking by inhaling vapor from the device.

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

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## **§ 2.23 Recreation fees.**

### ***FEE AREAS***

- (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:

- Day Use Fee Areas: There is a \$15.00 daily fee (valid for 7 days) or a \$35.00 annual pass fee for the Canyon Mouth Park area of Little River Canyon National Preserve.

*Justification: To protect natural, cultural and archeological resources but provide for public enjoyment.*

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## **§ 2.35 Alcoholic beverages and controlled substances.**

(a)(3)(i) The consumption of alcoholic beverages and/or the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed, is prohibited in the following areas:

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

*Justification: In the locations listed above, the consumption of alcoholic beverages and the possession of open containers of alcoholic beverages is inappropriate considering the other uses of those locations and the purposes for which they were established and are maintained. Additionally, over the history of the park incidents of aberrant behavior at the above locations relating to the consumption of alcoholic beverages have been of such a magnitude that the diligent application of the other provisions of 36 CFR 2.35 and the provisions of 36 CFR 1.5 and 2.34 have not alleviated problems related to the consumption of alcohol. Possession is prohibited by state law.*

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## **§ 2.51 Demonstrations.**

See Appendix A for a map of locations where demonstrations, as defined in 36 CFR 2.51 and subject to the requirements contained therein, are allowed.

## **§ 2.52 Sale or distribution of printed matter.**

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

# **PART 4—VEHICLES AND TRAFFIC SAFETY**

## **§ 4.10 Travel on park roads and routes.**

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

- Wildlife Management Area Road 01
- Wildlife Management Area Road 02
- Wildlife Management Area Road 03
- Wildlife Management Area Road 04
- Wildlife Management Area Road 05
- Wildlife Management Area Road 07
- Wildlife Management Area Road 08
- Wildlife Management Area Road 09
- Wildlife Management Area Road 10
- Wildlife Management Area Road 11

*Justification: To provide for visitor enjoyment in accordance to the park's enabling legislation.*

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#### **§ 4.15 Seat belts required.**

(a) Each operator and passenger occupying any seating position of a motor vehicle in a park area will have the safety belt or child restraint system properly fastened at all times when the vehicle is in motion.

(a) No person under the age of 15 may ride in the back of a pick-up or flat-bed truck.

*Justification: To provide for public safety and be consistent with Alabama State Law – Section 32-5-222: Requirements for Child Passenger Restraints (4) Seat belts until 15 years of age.*

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#### **§ 4.21 Speed limits.**

(b) A maximum speed limit of 11 miles per hour is established for the following routes and areas within the park:

- All roads within the Wildlife Management Area.

(b) A maximum speed limit of 15 miles per hour is established for the following routes and areas within the park:

- The park owned portion of Cherokee Road 861.

*Justification: To provide for public safety and visitor enjoyment in areas where traveling at a higher rate of speed increases the likelihood of injury.*

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## **§ 4.22 Unsafe operation.**

(b)(4)(ii) Persons above the age of 15 must be seated on the truck bed floor and may not ride on or in any item in the rear of the vehicle. These items include but are not limited to coolers, lawn chairs, tubes, rafts, or furniture. The driver of the vehicle may not exceed 35 mph.

*Justification: To provide for public safety.*

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## **§ 4.31 Hitchhiking.**

Hitchhiking is permitted only under exigent circumstances when the health or safety of the person or persons hitchhiking is in jeopardy, or to obtain assistance for a disabled motor vehicle.

*Justification: At times visitor safety may necessitate attempting to obtain a ride from strangers in order to reach safety, shelter or means to contact an acquaintance.*

## APPENDIX A

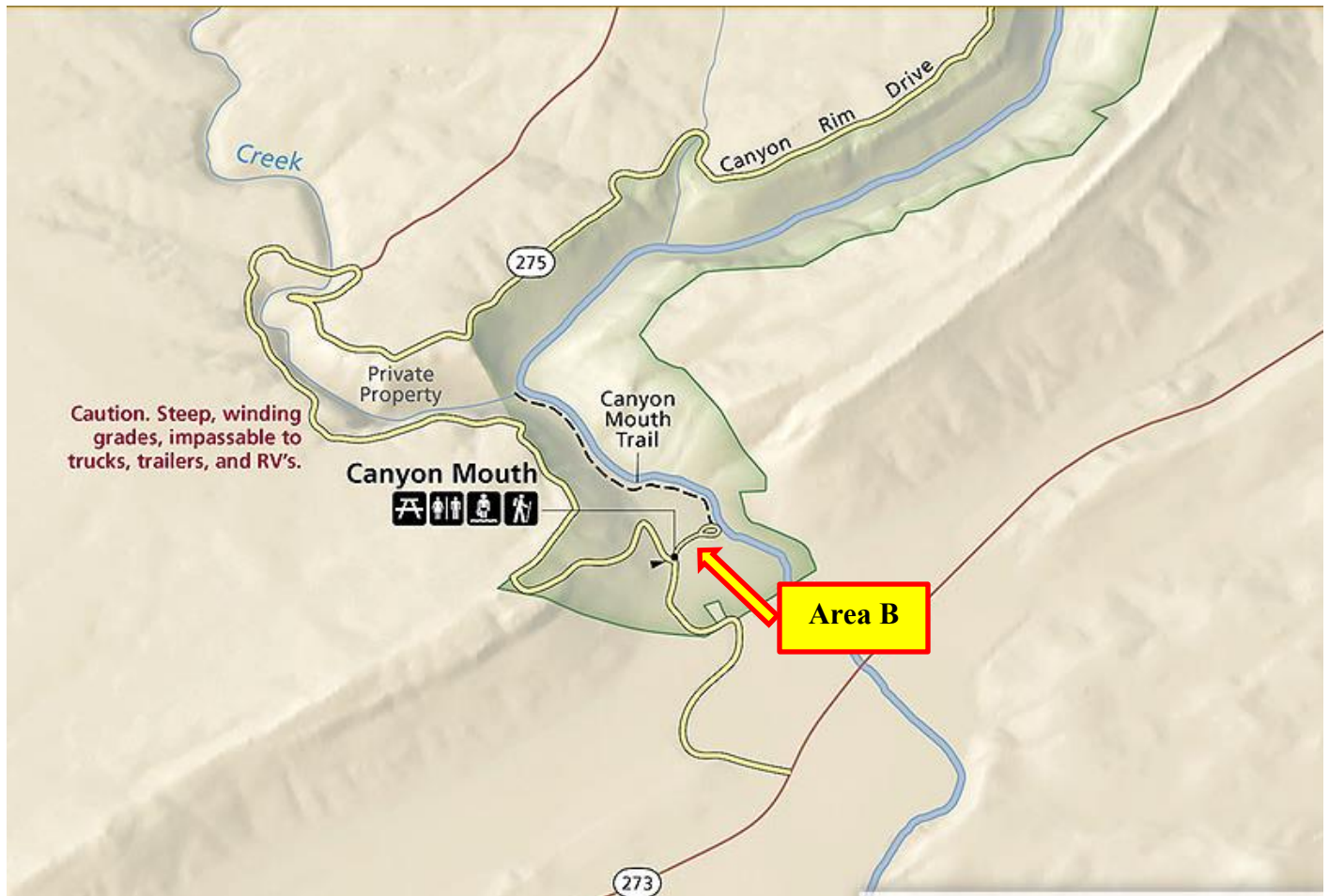
### DESIGNATED LOCATIONS FOR DEMONSTRATIONS AND FOR THE SALE OR DISTRIBUTION OF PRINTED MATTER

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



**AREA A:** Area A is located at the Little River Canyon National Preserve Main Falls parking area at 14025 Alabama Highway 35, Gaylesville, Alabama. The designated area consists of the area of grass at the southeast corner of the parking lot, between the main parking lot and the new addition.





AREA B: Area B is located at Canyon Mouth Park Area at 1200 County Road 275, Cedar Bluff, Alabama. The designated area consists of the area of grass and dirt to the right of the entrance road, directly across from the comfort station pavilion.