National Park Service
U.S. Department of the Interior

Marsh-Billings-Rockefeller
National Historical Park

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

Approved:

6/27/16

Rick Kendall, Superintendent Date

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 Marsh-Billings-Rockefeller National Historical Park. 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.

36 CFR §1.5 - VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) **The following visiting hours, public use limits, and closures are established:**

Visiting Hours: All Park areas, not otherwise closed to public use, will be open to public use according to a schedule of visiting hours which *vary* seasonally, as follows:

- The Park's Carriage Roads and Trails are open from sunrise to sunset every day.
- The Carriage Barn Visitor Center is open from 10:00 AM to 5:00 PM *seven* days per week during the visitor season. The visitor season is Memorial Day weekend through October 31 each year.
- Guided tours of the Marsh-Billings-Rockefeller Mansion are offered from 10:00 AM - 4:00 PM seven days per week during the visitor season based on a schedule posted daily.
- Administrative/Headquarters offices are open from 8:30 AM to 5:00 PM, Monday through Friday, year round. Administration offices are CLOSED on federal holidays.

These visiting hours were determined to be in the best interests of the park and are necessary for the proper management of the park.

Public Use Limits: All areas of the Park, not otherwise closed to public use, will be open to public use with the following limits:

- The Mansion, Belvedere, and Bungalow is available by guided tour only. Guided tours are limited to 12 people.

• All school groups consisting of fifteen or more students who are under the age of eighteen shall be accompanied by a minimum of one chaperone for *every* 15 students during the group visit. Chaperones must be a minimum of eighteen years of age. Students found without their chaperone may be removed from the Park.
• Disorderly persons or groups may be removed from the Park and prevented from returning to the Park on the day they are removed.
• Climbing over, under or around railings, gates, doors, stanchions, and lines, barricades or other physical barriers used to control public access is prohibited.
• Marking trees, benches or structures by inscribing with a sharp instrument or by drawing with ink or paint is prohibited. See also 36 CFR § 2.1 (a)(1)(ii).
• Touching the furnishings or objects in the Marsh-Billings-Rockefeller Mansion or any other historic building is prohibited.
• Persons and packages are subject to searches. Failure to allow an authorized person to perform a search will be cause for removal from the Park.
• It is prohibited to consume food or drink inside any structure in the park except for the Forest Center, Carriage Barn, and designated staff dining areas in the Mansion.
• Picnicking is prohibited on the porch of the Marsh-Billings-Rockefeller Mansion.

These public use limits are deemed necessary for the safety and security of park visitors and staff and the preservation of the parks natural, historic, and cultural resources. Space in the historic home is limited and contains original furnishings and museum collections. Visitor numbers are limited in order to preserve and protect the structure and its contents.

Closures:

- Any or all areas may be closed to public use, or a special use permit may be cancelled, at the discretion of the Superintendent or his/her designee when an emergency or potentially hazardous condition exists. Potentially hazardous conditions may include, but are not limited to, *severe* weather *events,* forest management activities, and road maintenance.
- Additionally, the following areas of the Park shall be closed to all public use. Access to any of the above areas is permitted only with the permission of the Superintendent or his/her designee.

    - The Park residential areas
    - The Park maintenance areas
    - Administrative/Headquarters offices in the Carriage Barn Visitor Center and Marsh-Billings-Rockefeller Mansion.
    - The carriage storage area and area beneath the Wood Barn

Visitor and staff safety are paramount. In the event of any unsafe conditions that may jeopardize the safety of people, park facilities may be closed if it is determined that specific course of action will mitigate the unsafe condition(s).

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

Handicap parking areas have been designated behind the Mansion and at the Forest Center. An additional handicap drop-off area is available at the public entrance to the Carriage Barn Visitor Center. All other public parking is on the Billings Farm & Museum property as designated.

The Forest Center and Pony Shed have been designated for special uses that the Superintendent or his/her designee has permitted in advance. The Pony Pasture has been designated for special events that have been issued a Special Use Permit from the Superintendent or his/her designee.

The Woodstock Resort Corporation holds an easement on the carriage roads, ski trails, and Prosper Parking lot for the purposes of using these roads and trails for passive recreational activities consistent with the purposes of the legislation establishing Marsh-Billings-Rockefeller NHP. During winter,the Woodstock Resort Corporation has the exclusive use to manage these areas for passive winter activities (including cross-country skiing and snowshoeing), at their discretion, and may charge a fee for use per the conditions of the easement.

The designated area for First Amendment demonstrations is the lawn southeast of the main entrance road (Estate Road) opposite the Carriage Barn Visitor Center. Groups of more than 25 people may use and demonstrate in this area when the superintendent has issued a permit. Demonstrations involving 25 persons or fewer may generally be held without a permit within designated park areas. Applications for permits should be submitted to the Superintendent's Office.

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

The landing of fixed or rotary-winged aircraft, and/or hot air balloons except in emergencies involving public safety or serious property loss, is prohibited. See also 36 CFR § 2.17.

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Marsh-Billings-Rockefeller National Historical Park is prohibited except as approved in writing by the Superintendent. *This provision is inserted per Policy Memorandum 14-05 entitled Unmanned Aircraft – Interim Policy*

When exercising their easement rights, the Woodstock Resort Corporation may limit or exclude pedestrians and dogs from using trails groomed for skiing or snowshoeing during the winter months, at their discretion.

The use of motorized vehicles and/or bicycles on the carriage roads is prohibited. *The Donative Deed transferring the property to the United States of America prohibits the non-administrative use* of *motorized vehicles.*

Swimming, wading, fishing, camping, and fires are prohibited in the Park. *The Donative Deed transferring the property to the United States of America prohibits the use* of *bicycling, swimming, hunting, fishing, camping, and campfires.*

The Pogue is closed to swimming, bathing, scuba diving, fishing and boating. *The Donative Deed transferring the property to the United States* of *America prohibits swimming. Additionally, boating is not appropriate in the Pogue because* of *its limited size, significance* as a *cultural resource, lack* of *appropriate access areas, and risk* of *introduction* of *aquatic invasives.*

Use of the lawn and gardens adjacent to the Carriage Barn Visitor Center and Marsh-Billings-Rockefeller Mansion is closed to recreational and sporting activities that potentially detract from the historic setting of the park, result in conflict among visitor use activities, or threaten natural or cultural resources. Passive recreational activities that do not hinder tours or visitor experiences (e.g. self-guided tours, nature observation and photography, plein air painting and sketching) are permitted. .
The primary mission of the park is to interpret the life and achievements of three generations of American conservationists, which is accomplished in a museum setting. Activities that are incompatible with the operation of a museum are not permitted.

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:

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 CFR Section that authorizes or requires the issuance of a permit.

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

(a)(4) Using or possessing wood gathered from within the park area is prohibited.

- Collection of any wood anywhere in the park is prohibited, except under activities intended to manage the cultural landscape as provided for by the park's forest management plan and EA Also, campfires are not permitted within the park. See 36 CFR §§ 1.5 and 2.1 3.

(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statute is prohibited.

- All visitor access within the Marsh-Billings-Rockefeller Mansion, Belvedere, Wood Barn, and Carriage Barn Visitor Center is restricted to designated walkways.

Under, §2.1 (a) collecting natural materials from the park is generally prohibited. However, pursuant to §2.1 (c), 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 possession and consumption restrictions:

- Cones, fruits, nuts, and mushrooms may be gathered by hand for non-commercial, personal use or consumption in amounts not to exceed two gallons, per person, per day. *The gathering or consumption of these materials will not adversely affect park wildlife, the reproductive potential of a plant species, 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 :

- It is prohibited to transport any lawfully or unlawfully taken wildlife through the Park.

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

- Viewing of wildlife with an artificial light is prohibited in all areas of the Park.

36 CFR §2.3 – FISHING

(a) The following State fishing laws and/or regulations as noted, do not apply in the listed areas:

- All forms of fishing are prohibited in the Park. As such, Vermont state fishing laws are not applicable in any area of the Park. See also §1.5.

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:

- Park visitors who can legally possess and carry firearms in Vermont are allowed to carry them in the park pursuant to P.L. 111 24 § 512. Weapons cannot be used in the park except by authorized federal, state, or local law enforcement officers in the performance of their official duties.
- Firearms are prohibited in federal facilities pursuant to 18 U.S.C. §930. A federal facility is any "building or part thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties."
- Traps and nets are only allowed in park with a permit from the Superintendent.

36 CFR §2.5 - RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.

36 CFR §2.1 0 - 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:

Camping and food storage in any area of the Park are prohibited.

(a) Camping is allowed in the following designated sites or areas and is subject to the following established conditions:

- Camping in any area of the Park is prohibited.

36 CFR §2.11 – PICNICKING

Certain areas *have* been closed to picnicking and are listed in 36 CFR § 1.5(a)(1) "Public Use Limits" of this document.

<u>Conditions for Picnicking:</u>

- It is prohibited to leave picnicking items unattended at any time.

- The use of stoves, barbeques, or other cooking fires is prohibited in all areas of the Park.
- Picnic waste shall be disposed of in available refuse containers or removed from the Park.

36 CFR §2.12 - AUDIO DISTURBANCES
(a)(1) Operating motorized equipment' or machinery in a manner: (i) That exceeds a noise level of 60 decibels measured on the A-weighted scale at 50 feet; or, if below that level, nevertheless; (ii) makes noise which is unreasonable, considering the nature and purpose of the actor's conduct, location, time of day or night, purpose for which the area was established, impact 011 park users, and other factors that would govern the conduct of a reasonably prudent person under the circumstances is prohibited.

(a)(2) Operating a power saw in developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(3) Operating any type of portable motor or engine, or device powered by a portable motor or engine in nondeveloped areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(4) Operating a public address system is prohibited, except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

36 CFR 2.13 - FIRES

(a)(1) The lighting or maintaining of fires is prohibited.

No areas or receptacles are designated for lighting or maintaining fires.

(a)(2) The following restrictions are in effect for the use of stoves or lanterns:
- The use of stoves or lanterns is prohibited in all areas of the Park.

36 CFR §2.14 - SANITATION and REFUSE

(a)(2) Using park refuse receptacles or facilities for dumping household, commercial or industrial refuse is prohibited.
Under no conditions is the dumping of refuse brought from private or municipal property into government refuse sites permitted.

36 CFR §2.15 - PETS
(a)(1) The following structures and/or areas are closed to the possession of pets:
- Public areas in the Marsh-Billings-Rockefeller Mansion and Belvedere are closed to pets. Service animals providing a service to the person with a disability are permitted in public areas. Animals used by authorized Federal, State and local law enforcement officers in the performance of their official duties are permitted.

(a)(3) Leaving a pet unattended and tied to an object is prohibited:
- Pets may not be left unattended in any area of the Park, and they may not be tied to objects or restrained or contained unattended within vehicles.

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

- Pet excrement in garden and lawn areas must be collected by the pet's owner. Pet excrement collected anywhere in the park must be removed from the Park.

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

- Park residents may keep pets in accordance with the Parks Housing Management Policy.

36 CFR §2.16 - HORSES AND PACK ANIMALS

(a) The following animals are designated as pack animals for purposes of transporting equipment:

- "Pack animal" means horses, burros, mules or other hoofed mammals used for the purpose of carrying or pulling equipment or logs.

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

- Horses are permitted in parking areas and on carriage roads and trails except when the roads and trails are groomed for cross-country skiing.
- Pack (draft) animals may be used in forestry operations as approved by the Superintendent or his/her designee.

(d) Free-trailing or loose-herding on trails is prohibited.

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

- Carriage roads, trails, parking lots, and other areas may be temporarily closed to horses and pack animals by the Superintendent or his/her designee to facilitate safe forestry work, log landing and trucking , repairs and preservation maintenance, or as warranted by safety concerns determined by the Superintendent or his/her designee.

36 CFR §2.18 – SNOWMOBILES

(c) The use of snowmobiles is prohibited.

Use of snowmobiles by park visitors is prohibited. Snowmobiles may be used by emergency personnel and for maintenance of the trail easement by the Woodstock Resort Corporation.

36 ,CFR §2.19 - WINTER ACTIVITIES

(a) Skiing, snowshoeing, ice skating, innertubing, tobogganing, sledding and similar winter sports are prohibited on park roads and in parking areas open to motorized vehicle traffic, except under the conditions below:

- A recreation easement on the Prosper parking lot and the carriage roads and ski trails is owned by the Woodstock Resort Corporation. These areas may be used for skiing and snowshoeing as regulated by the Woodstock Resort Corporation.

(b) The towing of persons on skis, sleds, or other sliding devices by motorized vehicle or snowmobile is prohibited unless for emergency rescues or recoveries.

36 CFR §2.20- SKATING, SKATEBOARDS and SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting motorized and non-motorized vehicles, or similar devices is prohibited.

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 in the interior and at the entrances of all structures.
- Smoking is prohibited in the interior of all government vehicles owned or leased by the Park.

This designation is *based on Executive Order 13058, published in the August* 13, 1997 *Federal Register. It* is *also designed to protect park resources and reduce the risk* of *fire.*

36 CFR §2.22 – PROPERTY

(a)(2) Leaving property unattended for longer than 24 hours is prohibited, except in the following locations or under the following conditions:

- It is prohibited to leave property unattended anywhere, anytime other than vehicles parked in designated parking areas, or in properly secured lock boxes at the Carriage Barn Visitor Center.
- Vehicles left unattended when the Park is closed may be impounded.

36 CFR §2.23 - RECREATION FEES

(b) Recreation fees, *andlor* 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:

Entrance to park property does not require a Fee.

Daily Site Use Fee Areas:

There is an Expanded amenity fee for guided tour programs that involve park staff and entrance into some park buildings. Guided tour fees are $8 for adults ages 16 to 61. Age 15 and younger is free. Visitors age 62 and over are given a $4 discount. Commercial bus groups are $8/person regardless of age. Visitors presenting certain valid, federally issued passes will be given a $4 discount. Fees may be waived at the discretion of the Superintendent and/or Chief of Visitor Services/Intepretation. Fee prices may vary from year to year.

Special Recreation Permit Fee (Such as but not limited to, group activities, recreation events, and the use of motorized recreation vehicles):

The Special Park Uses Program includes all activities for which regulations at 36CFR Parts 1-7 and Part 14 specify that a permit is required. Special use permits are required for special events, First Amendment

rallies, filming, telecommunications, and right-of-way permits for utilities and roads, as well as for other non-visitor activities occurring on park land.

36 CFR §2.35 -ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES
(a)(3)(i) The following areas and 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 public use areas within the Park are closed to the consumption or possession of 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, except for the immediate housing areas by tenants. Alcoholic beverages can be served at Park sponsored events with the permission of the Superintendent or his/her designee.

The park is closed to alcohol consumption because such activity is inappropriate considering the other uses of the park and the purpose for which the park was established and is maintained. The park was established and is maintained to serve as *an educational resource and to interpret the history and evolution* of *conservation stewardship in America. The consumption of alcohol is therefore an inappropriate activity that could negatively impact the purposes of the park.*

36 CFR §2.37 - NONCOMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR §2.38 – EXPLOSIVES

(a) & (b) Using possessing, storing or transporting explosives, blasting agents, explosive materials, fireworks, or firecrackers is prohibited.

36 CFR §2.50 - SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attraction s, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the superintendent.

36 CFR §2.51 – DEMONSTRATIONS

(b) Demonstrations of 25 people or less are allowed within the park areas designated as available under paragraph (c)(2). Demonstrations of more than 25 people are allowed within designated park areas when the superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- Lawn area southeast of the Estate Road directly opposite of the Carriage Barn Visitor Center

36 CFR §2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER

(b) The sale or distribution of printed matter by more than 25 persons is allowed within park areas designated as available under §2.51 (c)(2) (see above) when the superintendent has issued a permit.

36 CFR §2.60 - LIVESTOCK USE AND AGRICULTURE

(a) Livestock are generally prohibited in any park area. They are only permitted in park areas pursuant to the exceptions provided for in §2.60(a) and only pursuant to the terms and conditions of a license, permit, or lease.

36 CFR §2.61 - RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains.

36 CFR §3.3 - VESSEL PERMITS

Permits to operate vessels will not be issued as the Pogue is not opened to public boating. See 36 CFR § 1.5 of this document.

36 CFR §3.8 - BOATING OPERATIONS

Launching or operating a vessel within the park is prohibited.

36 CFR §3.16 - SWIMMING AND WADING

Swimming or wading is prohibited in park waters pursuant to § 1.5 of this document.

36 CFR §3.18 - SCUBA AND SNORKELING

(a) Snorkeling and underwater diving is prohibited in park waters pursuant to § 1.5 of this document.

36 CFR §4.10 - TRAVEL ON PARK ROADS AND ROUTES

(a) & (b) Operating a motor vehicle is prohibited except on park roads by authorized vehicles only. See also § 1.5 Closures of this document.

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:

There is no additional load weight or size limits for vehicles on Park roads open to the public.

36 CFR §4.21 - SPEED LIMITS

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

The designated maximum safe speed limit for all roads/parking areas in the Park is 10 mph.

36 CFR §4.30 – BICYCLES

(a) The use of a bicycle is prohibited except on park roads, in parking areas, and on routes designated for bicycle use. The carriage roads and trails are closed to bicycle use as listed in §1.5 of this document.

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.3 - BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a Special Use permit, contract, and/or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

36 CFR §5.4 - COMMERCIAL PASSENGER-CARRYING MOTORIZED VEHICLES

(a) The commercial transportation of passengers by motor vehicle except as authorized under a contract or permit from the Secretary or his authorized representative is prohibited in certain parks. See §5.4(a) for more information.

36 CFR §5.5 - COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission through an authorized Filming Permit must first be obtained from the Superintendent.

(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.

36 CFR §5.6 - COMMERCIAL VEHICLES
(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited, and requires permission or a Special Use permit from the Superintendent or his/her designee.