



National Park Service
U.S. Department of the Interior

Martin Van Buren
National Historic Site

1013 Old Post Road
 Kinderhook, NY 12106

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

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Approved:

Date: 6/29/2015

Justin Monetti, Site Manager

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 Martin Van Buren National Historic Site. 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.

INDEX TO THE COMPENDIUM

	<u>Page</u>
36 CFR 1.5(a) Closures and public use limits	4
36 CFR 1.5(a)(2) Closures and public use limits	5
36 CFR 1.5(d) Closures and public use limits	6
36 CFR 1.6(f) Permits	7
36 CFR 2.1(a)(4) Preservation of natural, cultural and archaeological resources	7
36 CFR 2.1 (c)(1) Preservation of natural, cultural and archaeological resources.	7
36 CFR 2.2(d) Wildlife protection	7
36 CFR 2.2(e) Wildlife protection	7
36 CFR 2.4(d) Weapons, traps and nets	8
36 CFR 2.10(a) Camping and food storage	8
36 CFR 2.10(d) Camping and food storage	8
36 CFR 2.11 Picnicking	8
36 CFR 2.13(a) Fires	8
36 CFR 2.14(a) Sanitation and refuse	8

36 CFR 2.14(b) Sanitation and refuse	8
36 CFR 2.15(a) Pets	9
36 CFR 2.16(g) Horses and pack animals	9
36 CFR 2.18(c) Snowmobiles	9
36 CFR 2.19(a) Winter activities	10
36 CFR 2.19(b) Winter activities	10
36 CFR 2.20 Skating, skateboards, and similar devices	10
36 CFR 2.21(a) Smoking	10
36 CFR 2.22(a) Property	10
36 CFR 2.23(b) Recreation fees established	10
36 CFR 2.35(a) Alcoholic beverages and controlled substances	11
36 CFR 2.38(a) Explosives	11
36 CFR 2.38(b) Explosives	11
36 CFR 2.50(d) Special events	11
36 CFR 2.51(e) Public assemblies, meetings	12
36 CFR 2.51(f) Public assemblies, meetings	12
36 CFR 2.52(e) Sale or distribution of printed matter	13
36 CFR 2.52(f) Sale or distribution of printed matter	13
36 CFR 2.60(a) Livestock use and agriculture	14
36 CFR 2.61(a) Residing on federal lands	14
36 CFR 2.62(b) Memorialization	14
36 CFR 3.3 Permits (vessels)	15
36 CFR 3.23(a) SCUBA and snorkeling	15
36 CFR 4.11(a) Load, weight and size limits	15
36 CFR 4.21(b) Speed limits	15
36 CFR 4.30 Bicycles	15

36 CFR 4.31	Hitchhiking	15
36 CFR 5.1	Advertisement	16
Appendix I	Map of Closed Area	
Appendix II	Designated Permit Areas	

I. **36 CFR 1.5(a)(1)**
Closures and public use limits

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:

SCHEDULE OF VISITING HOURS – *These limitations to visiting hours provide for public safety, protect resources and promote efficient operation of the park.*

1) All park areas, not otherwise closed to public use, will be open to public use according to the following schedule of visiting hours. These hours may be superseded by the superintendent or designee for park sponsored or permitted events:

- A) The park is open from 0700 to sunset, Eastern Standard Time/Eastern Daylight Time, daily.
- B) Park headquarters are open from 8:00am to 4:30pm Monday through Friday, year round. Park headquarters are closed on Federal holidays.
- C) Visitor facilities are open from 9:00am to 4:30pm Sunday through Saturday during the visitor season. The visitor season is established annually and posted in the park's web site at <http://www.nps.gov/mava> no later than April 1 each year.

PUBLIC USE LIMITS - *These public use limitations provide for public safety, protect resources and promote efficient operation of the park.*

1) All areas of the park, not otherwise closed to public use, will be open to public use with the following limits:

- A) Any or all areas may be closed to public use or a permit issued may be canceled at the discretion of the Superintendent or designee when an emergency or potentially hazardous condition exists.
- B) The maximum park capacity shall not exceed 500 visitors at any one time.
- C) All school groups consisting of 12 or more students who are under the age of eighteen shall be accompanied by a minimum of one chaperon for every 12 students during the groups visit. Chaperons must be a minimum of eighteen years of age. Students found without their chaperon may be removed from the park.
- D) Disorderly persons or groups consisting of disorderly persons may be removed from the park and prevented from returning to the park on the day they are removed.
- E) It is prohibited to sit or stand upon any railing, stairway, fence, viewpoint, or museum exhibit.
- F) Climbing over, under, or around railings, gates, doors, stanchions and lines, barricades, or other physical barriers used to control public access is prohibited.
- G) It is prohibited to sit, stand upon, or climb any ledge, wall, refuse receptacle, tree, exhibit or statue.
- H) Touching the furnishings or objects in the mansion is prohibited.
- I) Persons and packages are subject to searches at any time for public safety. Failure to allow an authorized person to perform a search is prohibited.

J) It is prohibited to consume food or drink inside any structure in the park except for the headquarters and maintenance lunch tables and headquarters conference room.

K) It is prohibited to chew gum in the mansion or in any visitor facility.

PARK AREA CLOSURES - *These closures provide for public safety, protect resources and promote efficient operation of the park.*

1) The following areas of the park shall be closed to all public use:

A) The maintenance building.

B) The museum storage building.

C) Any maintenance storage shed.

D) All areas designated for parking government vehicles may only be used for that purpose except that government employees in the performance of their duties may be allowed to temporarily park private vehicles in those areas to facilitate park operation.

Access to any of the above areas is permitted only with the permission of the Superintendent or designee.

36 CFR 1.5(a)(2)

Closures and public use limits.

DESIGNATED AREAS FOR SPECIFIC USE OR ACTIVITY

1) The front lawn, the north field, the south lawn and either side of Old Post Road adjacent to park property have been designated for the following activities that have been issued a permit from the Superintendent or designee: special events, public assemblies and meetings, sale or distribution of printed matter, incidental business permits and memorialization. See attached maps.

CONDITIONS OR RESTRICTIONS ON A USE OR ACTIVITY

1) Fishing is prohibited.

2) The landing of fixed wing or rotary aircraft, except in emergencies involving public safety or serious property loss, is prohibited.

3) The delivery or retrieval of a person or object by airborne means, except in emergencies involving public safety or serious property loss or under conditions of an incidental business permit is prohibited.

4) The use of tripods inside any structure during times open to public use, except under the provisions of a permit, is prohibited. Tripods used exterior to any structure may not obstruct public use or pedestrian flow. Tripods used anywhere in the park may not present a safety hazard at any time.

5) The flying of kites, model airplanes, or similar objects is prohibited. The playing of baseball, football, soccer, Frisbee, hackysack, catch, or similar recreation activities on the front lawn or on the south lawn is prohibited.

7) Public parking for the purpose of visiting park facilities or using park resources or for individuals conducting business with the park is permitted in the parking lot located on the easterly side of Old Post Road, west of New York Route 9H.

8) Employees, agents and contractors of the park must park private vehicles in the parking lot located on the easterly side of Old Post Road, west of New York Route 9H except as provided in 36 CFR 1.5(a)(1) Park Area Closures above.

9.) Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Martin Van Buren National Historical Park is prohibited except as approved in writing by the superintendent or his/her designee.

Definition: 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 operation elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

II. **36 CFR 1.6(f)**
Permits.

COMPILATION OF ACTIVITIES REQUIRING A PERMIT

1) The following activities require a permit from the Superintendent or designee:

- A) Carrying or possessing a weapon, trap, or net - 36 CFR 2.4(d)
- B) Explosives - 36 CFR 2.38(a)
- C) Special events - 36 CFR 2.50(a)
- D) Public assemblies and meetings - 36 CFR 2.51(a)
- E) Sale or distribution of printed matter - 36 CFR 2.52(a)
- F) Residing on federal lands - 36 CFR 2.61(a)
- G) Memorialization - 36 CFR 2.62(b)
- H) Commercial photography - 36 CFR 5.5(a) & (b)
- I) Construction of buildings or other facilities - 36 CFR 5.7
- J) All groups consisting of ten or more shall be required to make a reservation with the Superintendent or designee prior to beginning any visitor activity - 36 CFR 1.5(d)

Permits may be obtained by contacting the Superintendent at:

Superintendent
Martin Van Buren National Historic Site
1013 Old Post Road
Kinderhook, NY 12106-3605

518-758-9689
MAVA_info@nps.gov

36 CFR 2.1(a)(4)

Preservation of natural, cultural and archaeological resources.

COLLECTION OF DEAD WOOD

1) No areas are designated where the collection of dead wood is permitted.

36 CFR 2.1 (a)(5)

Preservation of natural, cultural and archaeological resources.

DESIGNATED AREAS FOR WALKING ON, CLIMBING, ENTERING, ASCENDING, DESCENDING, OR TRAVERSING A CULTURAL RESOURCE, MONUMENT, OR STATUE

1) The Superintendent designates the following:

- A) All visitor movements within the mansion or south gatehouse are restricted to public walkways, hallways, stairways, landings and observation areas.

36 CFR 2.1(c)(1)

Preservation of natural, cultural and archaeological resources.

GATHERING FRUITS, BERRIES, NUTS, OR SHELLS

1) It is prohibited to gather any fruits, berries, nuts, or unoccupied shells.

36 CFR 2.2(d)

Wildlife protection.

TRANSPORTING WILDLIFE

- 1) It is prohibited to transport lawfully taken wildlife through the park.

36 CFR 2.2(e)

Wildlife protection.

VIEWING OF WILDLIFE WITH AN ARTIFICIAL LIGHT

- 1) The entire park shall be closed to the viewing of wildlife with an artificial light.

36 CFR 2.4(d)

Weapons, traps and nets.

CARRYING OR POSSESSING A WEAPON, TRAP, OR NET

- 1) A permit is required from the Superintendent or designee to carry or possess a weapon, trap, or net.
- 2) Authorized Federal, State, local, and Armor Car Company officers in the performance of their official duties may carry or possess a weapon without obtaining a permit.

36 CFR 2.10(a)

Camping and food storage.

PERMITS AND CONDITIONS FOR CAMPING

- 1) The park is closed to camping except as part of a park sponsored interpretive program.

36 CFR 2.10(d)

Camping and food storage.

FOOD STORAGE

- 1) No areas are designated where food storage regulations apply.

36 CFR 2.11

Picnicking.

LOCATION AND CONDITIONS FOR PICNICKING

- 1) Picnicking is prohibited in any areas other than public use areas on grass or at picnic tables.
- 2) It is prohibited to leave picnicking items unattended at any time.

36 CFR 2.13(a)(1)

Fires.

LIGHTING OR MAINTAINING A FIRE

- 1) No areas or receptacles are designated where a fire may be lighted or maintained.

36 CFR 2.14(a)(2)

Sanitation and refuse.

DUMPING OF NON-GOVERNMENT REFUSE IN GOVERNMENT REFUSE RECEPTACLES

- 1) No conditions are established concerning the dumping of refuse brought from private or municipal property into government refuse receptacles.

36 CFR 2.14(b)

Sanitation and refuse.

HUMAN BODY WASTE

- 1) No conditions are designated concerning the disposal of human body waste.

36 CFR 2.15(a)(1)

Pets.

AREAS CLOSED TO PETS

- 1) All structures are closed to pets with the exception of service dogs accompanying impaired persons, or dogs used by authorized Federal, State, and local law enforcement officers in the performance of their official duties.

36 CFR 2.15 (a)(2)

Pets.

LEASHES REQUIRED

- 1) All pets in public use areas must be restrained on a leash which shall not exceed six feet in length or physically restrained or otherwise physically confined at all times.

36 CFR 2.15(a)(3)

Pets.

LEAVING PETS UNATTENDED

- 1) It is prohibited to leave pets unattended at any time.

36 CFR 2.15(a)(5)

Pets.

PET EXCREMENT DISPOSAL CONDITIONS

- 1) Pet excrement must be collected by the pet's owner and placed in trash receptacles.

36 CFR 2.16(g)

Horses and pack animals.

HORSE USE CONDITIONS

- 1) All areas are closed to horses and pack animals with the exception of horses used by authorized Federal, State, and local law enforcement officers in the performance of their official duties or for authorized interpretive programs.

36 CFR 2.18(c)
Snowmobiles.

SNOWMOBILE ROUTES AND CONDITIONS

- 1) The use of snowmobiles is restricted to routes designated with markers as being snowmobile routes. The routes are: From the southern boundary of the park to the south carriage path for a width of 15 feet west from the south gatehouse. The length of the west side of Old Post Road from the south carriage path to a point 15 feet from the northern edge of the north field westerly the length of the north field to the western boundary of the park. See attached maps.
- 2) The use of snowmobiles is prohibited when there is less than 6 inches of snow on the ground as measured at the park flagpole.
- 3) Snowmobiles may not operate in excess of 20 miles per hour.

36 CFR 2.19(a)
Winter activities.

ACTIVITIES ALLOWED

- 1) Nordic skiing and snowshoeing are allowed in all public use areas of the park except on designated snowmobile routes.

36 CFR 2.19(b)
Winter activities.

TOWING CONDITIONS

- 1) The towing of persons on skis, sleds or other sliding devices is prohibited. This paragraph does not apply to sleds designed to be towed behind snowmobiles and joined to the snowmobile with a rigid hitching mechanism.

36 CFR 2.20
Skating, skateboards, and similar devices.

AREAS FOR SKATING, SKATEBOARDS, AND SIMILAR DEVICES

- 1) No areas are designated where roller skates, skateboards, roller skis, coasting vehicles, or similar devices may be used during public use hours.

36 CFR 2.21(a)
Smoking.

SMOKING RESTRICTIONS - *This restriction is promotes the protection of resources.*

- 1) Smoking is prohibited in the interior of all structures.
- 2) Smoking is prohibited in the interior of all government vehicles and vessels operated by Martin Van Buren National Historic Site.

36 CFR 2.21(c)(1), (c)(2)
Gathering fruits, nuts, berries or unoccupied seashells.

GATHERING RESTRICTIONS - *This restriction is promotes the protection of resources.*

No fruits, nuts, berries or unoccupied seashells may be gathered for any personal use or consumption.

36 CFR 2.22(a)(2)
Property.

CONDITIONS FOR LEAVING PROPERTY UNATTENDED

1) It is prohibited to leave property unattended anywhere anytime other than vehicles parked in designated parking areas.

36 CFR 2.23(b)
Recreation Fees.

RECREATION FEES ESTABLISHED

1) A fee is established and will be collected for entrance to President Van Buren's home during the visitor season in conformance with 36 CFR Part 71.

ENTRANCE FEE \$5.00

- Per person, for entrance to park.
- Entrance pass is valid for seven days.
- 15 and under admitted free.

FAMILY ENTRANCE FEE \$12.00

- Valid for up to four adults and accompanying children.
- Entrance pass is valid for seven days.

36 CFR 2.35(a)(3)(i)
Alcoholic beverages and controlled substances.

ALCOHOLIC BEVERAGE RESTRICTIONS – *This restriction promotes the protection of resources and worker safety.*

1) 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 within any structure is prohibited except for park sponsored or permitted events or activities at park headquarters.

36 CFR 2.38(a)
Explosives.

PERMIT CONDITIONS FOR USING, POSSESSING, STORING, OR TRANSPORTING EXPLOSIVES, BLASTING AGENTS, OR EXPLOSIVE MATERIALS

1) All requests for the use, possession, storing, or transporting of explosives, blasting agents, or explosive materials permits must be made a minimum of 72 hours in advance and in writing on the approved form to the Superintendent or designee.

2) The storing of explosives, blasting agents, or explosive materials inside any structure is prohibited.

3) The location of the explosives storage area shall be specified on the permit and may not be changed without the approval of the Superintendent or designee.

- 4) Any or all areas of the park may be closed to public use or a permit issued may be cancelled at the discretion of the Superintendent or designee when an emergency or potentially hazardous condition exists.
- 5) All cost incurred by Martin Van Buren National Historic Site as a result of a use, possession, storing, or transporting of explosives, blasting agents, or explosive materials permit from the Superintendent or designee shall be recovered from the permit holder.
- 6) The storage or transportation of explosives, blasting agents, or explosive materials shall not interfere with normal public use or pedestrian flow.
- 7) The permit holder of an explosives permit requiring power, equipment, furniture, or other items must provide their own materials. Approval from the Superintendent or designee must be obtained to use any of these items in advance.
- 8) The permit holder is responsible for cleaning the storage area upon the completion of the use.

36 CFR 2.38(b)
Explosives.

LOCATIONS AND PERMIT CONDITIONS FOR FIREWORKS AND FIRECRACKERS

- 1) No terms or conditions are established, nor areas designated for the use or possession of fireworks and firecrackers.

36 CFR 2.50(d)
Special events.

PERMIT CONDITIONS FOR SPECIAL EVENTS

- 1) All requests for public assembly permits must be made a minimum of 72 hours in advance and in writing on the approved form to the Superintendent or designee.
- 2) The front lawn, the north field, the south lawn and either side of Old Post Road adjacent to park property have been designated for special events. See attached maps.
- 3) No more than two special event permits will be issued for any one day.
- 4) Any or all areas of the park may be closed to public use or a permit issued may be canceled at the discretion of the Superintendent or designee when an emergency or potentially hazardous condition exists.
- 5) All cost incurred by the Martin Van Buren National Historic Site as a result of a special event that has been issued a permit from the Superintendent or designee shall be recovered from the permit holder.
- 6) Noise levels must not exceed the limits established in 36 CFR 2.12, Audio disturbances.
- 7) Special Events shall not interfere with normal public use or pedestrian flow.
- 8) The permit holder of a special event permit requiring power, equipment, furniture, or other items must provide their own materials and transportation for those materials. No structures may be constructed. Approval from the Superintendent or designee must be obtained to use any of these items in advance.

10) The permit holder is responsible for cleaning the special event area upon the completion of the event.

36 CFR 2.51(e)

Public assemblies, meetings.

LOCATIONS FOR PUBLIC ASSEMBLIES

1) The front lawn, north field, south lawn and either side of Old Post Road adjacent to park property have been designated for public assemblies. See attached maps.

36 CFR 2.51(f)

Public assemblies, meetings.

PERMIT CONDITIONS FOR PUBLIC ASSEMBLIES

1) In addition to public assemblies and meetings, gatherings, parades, demonstrations, or other public expressions of views are subject to the conditions of this regulation.

2) All requests for public assembly permits must be made a minimum of 72 hours in advance and in writing on the approved form to the Superintendent or designee.

3) No more than two public assembly permits will be issued for any one day.

4) Public assemblies may only take place during hours when the park is open to public use, or after hours subject to recovery of all cost associated with after hours operation by Martin Van Buren National Historic Site.

5) The maximum number of participants in a public assembly is 500.

6) Public assemblies shall not exceed two hours in duration.

7) Any or all areas in the park may be closed to public use or a permit issued may be canceled at the discretion of the Superintendent or designee when an emergency or potentially hazardous condition exists.

8) All costs incurred by Martin Van Buren National Historic Site as a result of a public assembly permit from the Superintendent or designee may be recovered from the permit holder.

9) Noise levels must not exceed the limits established in 36 CFR 2.12, Audio disturbances.

10) Public assemblies shall not interfere with normal public use or pedestrian flow.

11) The permit holder of a public assembly permit requiring power, equipment, furniture, or other items must provide their own materials and transportation of those materials. No structures may be constructed. Approval from the Superintendent or designee must be obtained to use any of these items in advance.

12) The permit holder is responsible for cleaning the public assembly area upon the completion of the event.

36 CFR 2.52(e)

Sale or distribution of printed matter.

LOCATIONS FOR THE SALE OR DISTRIBUTION OF PRINTED MATTER

1) The flagpole area of the park is designated for the sale or distribution of printed matter. See attached maps.

36 CFR 2.52(f)

Sale or distribution of printed matter.

PERMIT CONDITIONS FOR THE SALE OR DISTRIBUTION OF PRINTED MATTER

- 1) All requests for the sale or distribution of printed matter permits must be made a minimum of 72 hours in advance and in writing on the approved form to the Superintendent or designee. A copy of the printed matter for sale or distribution must be attached to the permit application.
- 2) No more than two sale or distribution of printed matter permits will be issued for any one day.
- 3) The sale or distribution of printed matter may only take place during hours when the park is open to public use.
- 4) The maximum number of participants in the sale or distribution of printed matter is 5.
- 5) The sale or distribution of printed matter shall not exceed two hours in duration.
- 6) Any or all areas of the park may be closed to public use or a permit issued may be cancelled at the discretion of the Superintendent or designee when an emergency or potentially hazardous condition exists.
- 7) All costs incurred by Martin Van Buren National Historic Site as a result of a sale or distribution of printed matter permit from the Superintendent or designee may be recovered from the permit holder.
- 8) The commercial sale of items other than the printed matter approved for sale with a permit is prohibited.
- 9) Noise levels must not exceed the limits established in 36 CFR 2.12, Audio disturbances.
- 10) The sale or distribution of printed matter shall not interfere with normal public use or pedestrian flow.
- 11) The permit holder of a sale or distribution of printed matter permit requiring power, equipment, furniture, or other items must provide their own materials and transportation of those materials. No structures may be constructed. Approval from the Superintendent or designee must be obtained to use any of these items in advance.
- 12) The permit holder is responsible for cleaning the sale or distribution of printed matter area upon the completion of the event.

36 CFR 2.60(a)(3)

Livestock use and agriculture.

No areas are designated for livestock or agricultural use, except as part of park interpretive programs, lease agreements or during special uses.

36 CFR 2.61(a)

Residing on federal lands.

Residing in the park is prohibited.

36 CFR 2.62(b)

Memorialization.

LOCATION AND PERMIT CONDITIONS FOR THE SCATTERING OF HUMAN ASHES

- 1) The north field of the park has been designated for the scattering of human ashes. See attached maps.
- 2) All requests for the scattering of human ashes permits must be made a minimum of 72 hours in advance and in writing on the approved form to the Superintendent or designee.
- 3) No more than two scattering of human ashes permits will be issued for any one day.
- 4) The scattering of human ashes may only take place during hours when the park is open to public use.
- 5) The maximum number of participants in the scattering of human ashes is 200.
- 6) The scattering of human ashes shall not exceed one hour in duration.
- 7) Any or all areas of the park may be closed to public use or a permit issued may be cancelled at the discretion of the Superintendent or designee when an emergency or potentially hazardous condition exists.
- 8) All costs incurred by Martin Van Buren National Historic Site as a result of a scattering of human ashes permit from the Superintendent or designee may be recovered from the permit holder.
- 9) Noise levels must not exceed the limits established in 36 CFR 2.12, Audio disturbances.
- 10) The scattering of human ashes shall not interfere with normal public use or pedestrian flow.
- 11) The permit holder of a scattering of human ashes permit requiring power, equipment, furniture, or other items must provide their own materials and transportation of those materials. No structures may be constructed. Approval from the Superintendent or designee must be obtained to use any of these items in advance.
- 12) The permit holder is responsible for cleaning the scattering of human ashes area upon the completion of the event.

36 CFR 3.3

Permits.

VESSEL PERMIT REQUIREMENTS

- 1) Permits to operate vessels will not be issued for any farm pond or in the Kinderhook Creek within the boundary of the park

36 CFR 3.17(a)

Swimming areas and beaches.

SWIMMING AREAS

- 1) No areas are designated as swimming areas or swimming beaches.

36 CFR 3.18(a)

SCUBA and snorkeling.

CONDITIONS FOR SCUBA DIVING AND SNORKELING

1) It is prohibited to SCUBA dive or snorkel in any farm pond or in the Kinderhook Creek within the boundary of the park with the exception of authorized Federal, State, and local law enforcement officers and search and rescue teams in the performance of their official duties or as authorized by the Superintendent or designee.

36 CFR 4.11(a)

Load, weight and size limits.

LOAD, WEIGHT, AND SIZE RESTRICTIONS

1) No limits on load and size of vehicles are designated.

36 CFR 4.21(b)

Speed limits.

RESTRICTIONS ON SPEED LIMITS

- 1) The speed limit on paved and gravel roadways in the park is 15 miles per hour.
- 2) The speed limit on woods paths and grass areas in the park is 5 miles per hour.

36 CFR 4.30(a)

Bicycles.

RESTRICTIONS ON BICYCLES

- 1) Bicycles are only permitted on Old Post Road.
- 2) Bicycles must be parked in the bike rack in the main parking lot.

36 CFR 4.31

Hitchhiking.

RESTRICTIONS ON HITCHHIKING

- 1) No areas are designated where hitchhiking or soliciting transportation is permitted.

36 CFR 5.1

Advertisement.

Commercial notices and advertisements are prohibited in the park.