



**National Park Service  
U.S. Department of the Interior**

**San Juan National Historic Site**

**501 Norzagaray Street  
San Juan, Puerto Rico 00901**

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

Approved by: \_\_\_\_\_  
Superintendent

\_\_\_\_\_  
Date

## **A. INTRODUCTION**

### **1. Superintendent's Compendium Described**

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. This authority, however, is limited by 36 CFR 1.5(b), which requires actions that are highly controversial, or that are otherwise significant according to the criteria in 36 CFR 1.5(b), to be published as rulemaking in the Federal Register.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park System.

[A copy of Title 36, CFR, can be purchased](http://www.gpo.gov) from the U.S. Government Printing Office at:  
[www.gpo.gov](http://www.gpo.gov)

OR

Superintendent of Documents  
P.O. Box 371954  
Pittsburgh, PA 15250-7954

[The CFR is also available](http://www.ecfr.gov) on the Internet at: [www.ecfr.gov](http://www.ecfr.gov).

## **2. Laws and Policies Allowing the Superintendent to Develop This Compendium**

The National Park Service (NPS) is granted broad statutory authority under Title 54 United States Code (U.S.C.) §100101(a) (formerly 16 U.S.C. 1a-1, "Organic Act") to "....regulate the use of the National Park System by means and measures that conform to the fundamental purpose of the System units, which purpose is to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wildlife in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." In addition, Title 54 U.S.C. §100751(a) allows the NPS, through the Secretary of the Interior, to "prescribe such regulations as the Secretary considers necessary or proper for the use and management of System units."

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970, Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating "Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States."

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director's Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection, where the Superintendent has a reasonable basis to believe a resource is or would become impaired, the Superintendent is obliged to place limitations on public use.

### **3. Development of the Requirements of the Superintendent's Compendium**

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is the use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

### **4. Applicability of the Compendium**

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present in the areas described in 36 CFR 1.2(a), including on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

### **5. Enforcement of Compendium Requirements**

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

### **6. Penalties for Not Adhering to the Compendium Requirements**

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 1865), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

### **7. Comments on the Compendium**

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

Written comments on the Compendium may be submitted to:

Superintendent  
San Juan National Historic Site  
501 Norzagaray Street  
San Juan, PR 00901

## **8. Effective Date of the Superintendent Compendium**

The Superintendent's Compendium is effective on the approval date listed on the first page of this document and remains in effect until revised for a period up to one year.

## **9. Additional Information**

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

## **10. Availability**

Copies of the Compendium are available at Superintendent, San Juan National Historic Site 501 Norzagaray Street, San Juan, PR 00901. It may also be found at [www.nps.gov/saju](http://www.nps.gov/saju)

## **B. SUPERINTENDENT'S COMPENDIUM**

In accordance with applicable law and policy, and pursuant to the delegated authorities provided in title 36, code of federal regulations, chapter 1 ("36 CFR"), the following compendium actions apply to all lands and waters administered by the National Park Service (NPS) within the boundaries of San Juan National Historic Site. This document is the written compilation of designations, closures, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent, as required by 36 CFR 1.7(b). Violating any provision in this compendium may result in criminal penalties under 36 CFR 1.3.

Regulations in 36 CFR and other CFR titles such as Title 43, which contains regulations that apply on public lands administered by the Department of the Interior. The current version of the CFR can be found at [www.ecfr.gov](http://www.ecfr.gov). Click on "Title 36" and then "Chapter 1" to access 36 CFR.

Statutes codified in US code, in particular provisions in Title 16 and Title 54.

This compendium is organized by the sections in 36 CFR that give the Superintendent discretionary authority to take the compendium action. Written determinations that explain why each compendium action is necessary appear in this document in italicized print.

Please contact the Superintendent if you have any questions or comments about the Superintendent's Compendium.

## **DEFINITIONS**

NPS regulations in 36 CFR 1.4 define certain terms that are used in 36 CFR. Other sections in 36 CFR may define terms that are used in those sections. To the extent any terms defined in

the CFR are used in this compendium, those definitions apply. In addition to terms defined in the CFR, the following terms used in this compendium are defined as follows:

**Federal Facility:** means any building, structure, or fixture or part thereof which is owned by the United States or any Federal agency or which is held by the United States or any Federal agency under a lease-acquisition agreement under which the United States or a Federal agency will receive fee simple title under the terms of such agreement without further negotiation. Such term also applies to facilities related to programs administered by Federal agencies. See 42 USC 8271.

**Service Animal:** NPS policy defines a service animal as a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The tasks performed by the animal must be directly related to the person's disability. "In addition to the provisions about service dogs, ADA regulations have a separate provision about miniature horses that have been individually trained to do work or perform tasks for people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.)" See 28 CFR 35.104.

**Unmanned Aircraft Systems (UAS):** 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). 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. (Also known as Uncrewed Aircraft Systems (UAS)) See [DOI UAS Policy Information webpage](#).

#### I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

##### [36 CFR 1.5](#) - CLOSURES AND PUBLIC USE LIMITS

##### [36 CFR §1.5 \(a\)\(1\)](#) – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

**The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:**

### Visiting Hours

- Public use of the fortifications (San Felipe De El Morro and San Cristobal) is restricted to the hours of 9:00 a.m. through 5:00 p.m. and later during special evening programs, with the exception of the following federal holidays: Thanksgiving, Christmas and New Year's Day.

*Closing the fortifications in the evening is necessary because the NPS does not have sufficient staff to manage visitors during those times and to protect park resources when staff is not present.*

- Grounds of San Felipe del Morro, sidewalk, historic walls are open daily.

*NPS does not have sufficient staff to close the grounds, areas and to manage visitors during evening hours in order to protect park resources. Necessary closures occur under special circumstances to provide for the safety of the public.*

*The glacis area directly in front of Castillo San Felipe del Morro, is a cultural landscape that supplements interpretive activities inside and outside the fortification, and as a secondary purpose for passive recreation. Preserving the historic setting and resources will take precedence over all other activities. The open spaces within the grounds of Castillo San Felipe del Morro and the Bastions remain open to the public 24 hours per day due to the fact that the placement of physical barriers represents a visual intrusion to the historic setting.*

*Areas within the forts that are secured with metal gates or wooden doors are closed to the general public for safety and security reasons.*

*Historic city walls and adjoining areas are generally available for public enjoyment. The park is not responsible for injury, theft or accidents.*

- **La Rogativa.** The area known as La Rogativa is open 24 hours per day. *On occasion closures may be imposed based on requests by the Puerto Rico Police Department due to its proximity to the Governor's Mansion.*
- **San Juan Gate.** The San Juan Gate remains open 24 hours per day *under normal conditions and closure may be imposed based on weather constraints or requests by the Governor's security due to its proximity to the Governor's Mansion*
- **Walls and Bastions of San Juan.** *The bastions located along the North, South, and West walls within the jurisdiction of the park are open 24 hours per day for passive recreation.*

## **Closures**

- During periods of severe weather conditions, all, or portions of the park may be temporarily closed to the public without prior public notice by the Superintendent or his/her designee in the interest of safety.

*The closure of all or parts of the park during severe weather conditions are necessary for the protection of visitors and employees from injuries or death. Severe and sudden weather conditions can occur with little or no notice. Therefore, delegation for closure without prior notice is given so as not to needlessly endanger the visiting public from weather hazard.*

- Jumping or diving from the historic walls and other historic structures is prohibited.

*This closure is necessary to prevent serious bodily injury or death.*

- Areas of new or ongoing construction, repair, and maintenance within the Park will be closed to public access based on threats to public safety presented by the type of work to be done and equipment in use. Areas closed to all public access will be posted with appropriate signage.

*Areas of new or ongoing construction or rehabilitation may be closed to visitors for safety reasons and to avoid unreasonable conflict with authorized work.*

- San Juan National Historic Site is hereby designated a day use area. The following areas are closed to all public entry except during the periods indicated for the protection of the public and the resources.

*Restricting use and placing time limits will help eliminate illegal or inappropriate use of the park.*

- Park Headquarters (Building 209), Visitor and Resource Protection (Building 208), Cultural Resources Management, Interpretation (including offices in El Morro Bunker) the Facilities/Maintenance Division (including the Santa Elena Guardhouse) offices, and the Park living quarters (210A, 210B, and 211) are not open to the general public but for authorized personnel only.

*Park Headquarters, the Maintenance Facility, the living quarters were not designed for use by the general public and as such there may be safety and security concerns if the general public were to have access to these areas. Restricting these areas is necessary because the NPS does not have sufficient staff to manage visitors during those times and to protect park resources when staff is not present. Further this is necessary to reduce vandalism, discourage illegal activities, and provide for a higher degree of employee safety for employees who work during hours other than 8:00 AM to 4:30 PM weekdays.*

*The Cultural Resources Management Division located at the Visitor Center is for research by appointment only from Monday through Friday from 9 a.m. – 4 p.m. with the exception of holidays. The area houses the park's research program and museum and library collections.*

*Parking areas are restricted to park employees, authorized contractors and authorized personnel only with the required NPS sticker or temporary pass permit.*

- Mercado Bastion at El Morro Fort is closed for use due to the public safety hazard which its steep stairway and ramp represents to the general public.
- The Lighthouse located on the 6th level is part of the active lighthouse system for the U.S. Coast Guard and is closed to the general public for safety and security reasons.

Fort San Juan de la Cruz (El Cañuelo): The grounds around the small fort will follow the opening and closure times determined by Isla de Cabras Park, which is managed by Toa Baja Municipality.

*The fort is monitored by Toa Baja Police Department and U.S. Park Rangers. NPS does not have sufficient staff to manage visitors to the fort nor during evening hours in order to protect park resources when staff is not present.*

- Paseo Del Morro National Recreational Trail and Scenic Trail: The area known as the Paseo del Morro is open to the general public seven days a week, from sunrise to sunset.

*Currently, there is an ongoing project for the replacement of lights for night visibility. The area is closed to motorized vehicles, skating, skateboards and/or bicycles. Fishing is not allowed in the area. Pets must be on a leash at all times.*

- Organized athletic or recreational activities such as softball, football, soccer, Frisbee matches, and other similar sports are prohibited within the boundaries of the Park. Other sporting or recreational activities, which would present a danger to other visitors, such as golf, archery, or similar activities are prohibited.

*This closure is necessary to maintain the historic scenery and avoid conflict with other visitors. Organized Athletic activities such as football, soccer, baseball, Frisbee, etc. endanger visitors using the same area, who are not participating in the sport activities. Golf, archery, or similar activities' present an obvious danger to the other visitors in a confined and heavily populated area. In addition, these activities disturb the historic atmosphere and can constitute impairment of park values.*

- Hunting and trapping are prohibited within park boundaries unless authorized by the Superintendent for research, academic or scientific purposes, or to remove invasive species.

*Closure of hunting and trapping is for the protection of the visitor and wildlife, and in keeping with the legislated purpose of the park.*

- Bicycles are permitted only on the park's paved roadways and parking areas in accordance per Puerto Rico State Law # 22.

**36 CFR 4.30 prohibits the use of bicycles except on park roads, in parking areas, and on routes designated for bicycle use. The riding of a bicycle on park trails, sidewalks, grounds (green grassy areas), and unpaved roads is prohibited. The bicycle may be pushed/walked (not ridden) in these areas. Bicycles should be parked in the bicycle racks at each entrance area. Speed should not exceed 5 MPH at El Morro service road. Bicycles and electric bikes are prohibited at El Paseo del Morro.**

*The trails and Paseo Del Morro were designed for foot travel only and for access to interpretive areas. Bicycles or other wheeled, recreational traffic on foot trails poses a serious threat to the safety of walkers. The slopes, narrow trail sections and curves are especially hazardous.*

*Unless operated by a person with a disability, motorized personal mobility devices such as electric scooters, are prohibited on sidewalks, grounds and/or parking areas.*

*San Juan sidewalks are narrow and can pose a serious threat to the safety of pedestrians. They create a safety hazard for both vehicle traffic as well as pedestrians. They would also detract from the historical integrity of the park.*

- Living History Demonstration areas are closed to the public except for participation in park programs and special events.

*Restricting use and placing limits will help protect demonstration tools, supplies, firewood and interpretive props and eliminate illegal or inappropriate use of the park.*

- All park areas are closed to swimming and bathing.

*Park areas, waters and/or shore have been determined to be unsuitable and unsafe for swimming or bathing. No suitable beaches are provided, water quality is unknown, and numerous underwater hazards exist. Swimming is not compatible with the aesthetic character of the Park waters that is a vital part of the visitor's experience.*

- Other Areas Closed to the General Public.

*These areas are identified by symbolic signs, barriers and/or locks.*

[36 CFR 1.5\(a\)\(2\)](#) – Designated areas, conditions or restrictions on a use or activity.

#### Conditions or Restrictions on a Use or Activity

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of the San Juan National Historic Site is prohibited except as approved in writing by the superintendent.

*This restriction is necessary to prevent unacceptable impacts to park resources and values from the use of uncrewed aircraft. Potential impacts include harming visitors, interfering with rescue operations, causing excessive noise, impacting viewsheds, and disturbing wildlife. This restriction is required by [NPS Policy Memorandum 14-05 dated June 19, 2014](#).*

- Shoes or appropriate footwear and shirts must be worn by those visitors entering the fort.

*This condition/restriction is necessary because the uneven floors can present tripping hazards and may cause injury.*

- Food and beverages other than water are prohibited inside the fort. Employees and volunteers are permitted to bring in items necessary for meal breaks and these items must be stored in designated areas.

*This condition/restriction is necessary because this is a historic structure, which is sensitive to damage. Additionally, food and trash attract scavengers that subsequently create damage to the site.*

- Vehicles are limited to an overall maximum length of 32 feet, including trailers. This restriction does not apply to busses that park in the designated bus parking area.

*This condition/restriction is necessary to maintain a safe driving lane; to provide access to busses and provide safe loading and unloading of passengers.*

- Busses are prohibited from idling their engines unless loading and unloading passengers. Busses must park in the designated signed area. Busses are limited to 10 minutes for loading or unloading of passengers. Double parking is prohibited.

*This condition/restriction is necessary because double parking blocks traffic and idling causes fumes that may harm visitors.*

#### **Park Roads**

- Vehicles, other than busses located in designated areas are limited to an overall maximum length of 32 feet, including trailers.

*This driving restriction is necessary to maintain a safe driving lane; to provide access to busses and provide safe loading and unloading of passengers). The speed limit will be posted.*

- Private vehicles are not allowed at El Morro Road unless authorized by the Superintendent or designee.
- El Morro service road is designated for contractual services, administrative and law enforcement purposes, park-sponsored special programs or volunteer events and activities authorized by special use permit. Visitors must keep their vehicles on the improved park access roads within the city.

*Unless operated by a person with a disability, motorized personal mobility devices such as electric scooters, are prohibited on sidewalks, grounds and/or parking areas.*

#### **Public Use Limits:**

All areas of San Juan National Historic Site, not otherwise closed to public use, will be open to public use with the following limits:

- Persons 15 years old and under must be accompanied by an adult while visiting the Park.

*A minimum age requirement is necessary to ensure that adult authorization is available in case of injury, and to insure proper adult supervision is available to*

*children for their safety and the protection of resources.*

- All school or youth groups, excluding college groups, shall be accompanied by a minimum of one chaperone for every ten students during the group's visit. Chaperones must be a minimum of eighteen years of age and designated by the school or sponsoring organization. Students found without their chaperone may be removed from the site.
- Disorderly persons or groups may be removed from park sites or prevented from returning to any park site on the day they are removed.
- Public Nudity and Disorderly Conduct:

Public nudity and any behavior that interferes with or causes a disturbance to park operations are prohibited in accordance with 36 CFR §§ 2.34 and 2.35.

These sections prohibit obscene acts or gestures, threatening or intimidating

behavior, physical altercations, and disorderly conduct—including acts committed while under the influence of alcohol or drugs—that disturb other visitors or interfere with the orderly operation of the park.

- It is prohibited to sit or stand upon the railings of any walkway, stairway, escalator, seawall and historic wall, embrasure, dock, viewpoint or museum area.
- Climbing over, under, or around railings, gates, doors, stanchions and lines, barricades or other physical barriers used to control public access is prohibited.

It is prohibited to sit, stand upon, or climb any ledge, wall, refuse receptacle, tree, exhibit, statue and/or flagpole.

- Touching, damaging, defacing original historic graffiti is prohibited.
- It is prohibited for pets to drink water from park sources. This prohibition is codified in municipal ordinances.
- It is prohibited for animals and people to obstruct park benches, including sleeping (laying down). This prohibition is codified in municipal ordinances.
- It is prohibited to consume food or drink inside any structure open for the general public unless authorized by the Superintendent or designee.
- Public nudity and any behavior that interferes with or causes a disturbance to park operations are prohibited in accordance with 36 CFR §§ 2.34 and 2.35.
- Helium-Filled Balloons or Wish lanterns pose a danger to the health and safety of marine wildlife and creates a litter problem. Therefore, no releases of helium-filled balloons into the atmosphere will be authorized, except for research or planning purposes.
- Glass is prohibited unless authorized by the Superintendent or designee. The use of glass in public is prohibited within the boundaries of the city of San Juan.
- Sale of any merchandise, whether it contains a message or not, is prohibited.
- Stunts and special effects may only be allowed under a Special Park Use permit.
- Utilities: the use of the park's utility systems by the general public is

prohibited, other than water outlets used at restrooms in accordance with sanitary procedures.

- Vehicles: the use of government vehicles for anything other than official NPS business is prohibited.
- Pyrotechnics, Fireworks, Lasers and Projected Lights. All personal displays such as pyrotechnics, fireworks, lasers and projected lights, are prohibited except pursuant to the terms and conditions of a permit or in designated areas under such conditions as the superintendent may establish, and in accordance with applicable State law.
- Visitors with Disabilities. Any park visitor with a disability is permitted to use a motorized personal mobility device throughout available safe areas and sidewalks when such devices are used for the sole purpose of mobility assistance and shall have all the rights and duties applicable to a pedestrian. The Fortifications have limited access to these devices due to historic fabric and construction. A person shall operate any motorized personal mobility device in a safe and non-hazardous manner so not to endanger oneself or any other person. The maximum speed of the motorized personal mobility device will not exceed more than 5 M.P.H.
- **Kite Flying Restrictions (§1.5(a))**

The following restrictions apply to kite flying within San Juan National Historic Site. These closures and conditions are established under 36 CFR §1.5(a)(1) to protect park resources and ensure visitor safety. The Superintendent has made the determination required by 36 CFR §1.5(c).

1. **Designated Area**

Kites may only be flown on the grassy areas of the El Morro Esplanade. Launching or flying a kite from any other portion of the park is prohibited. All kites must be reeled in after use; releasing kites into the ocean or park grounds is not allowed.

2. **Prohibited Kite Types**

Only single-line kites may be flown. Dual-line or “stunt” kites are prohibited due to their high speed, erratic movement, and potential danger upon descent.

3. **No Overflight of Fortifications**

Kites or other devices (including unmanned aircraft) may never be flown over or inside the Castillo structures. This includes any flight path where a loss of control could cause the device to descend onto or into historic structures. For this purpose, “Castillo structures” refer to all areas within the outer edge of the moat, seawall, or historic masonry walls.

*These restrictions are necessary to prevent damage to historic resources and minimize risks to visitor safety from falling objects.*

**1. Direct Supervision Required**

Each kite must remain under the constant control of its operator. Kites may not be tied to trees, poles, stakes, or other stationary objects. Unattended kites pose hazards to visitors and natural resources.

- The park is closed to the use of motorized, remote/radio-controlled gliders or model vehicles. The park is closed to aircraft of any type. Parachute landing is not permitted.

*The prohibited use of motorized, remote/radio-controlled devices is for the safety of all visitors and wildlife 36 CFR 2.17. Parachute landing creates a hazard safety condition.*

**Filming, Still Photography, and Audio Recording**

*(EXPLORE Act Compliance – per ADVRP Memo, March 14, 2025)*

In accordance with Section 125 of the EXPLORE Act (Public Law 118-234) and NPS Policy Memorandum 15-02 (July 2, 2025), the National Park Service no longer distinguishes between commercial, non-commercial, and news-related filming. A permit may be required for filming, still photography, or audio recording activities under the following conditions:

- The activity takes place in an area closed to the public;
- It requires exclusive use of a location;
- It involves more than eight individuals;
- It uses equipment other than handheld devices (e.g., tripods, monopods, dollies, lighting stands, track, or other gear not carried by hand).

Permits are issued under the Superintendent's discretionary authority pursuant to 36 CFR § 1.5(a)(2) and are subject to reasonable terms and conditions designed to protect park resources, visitor experience, and operational integrity. Conducting activities without a permit when one is required is prohibited and may result in enforcement actions, including citation under 36 CFR § 1.3 or revocation of future filming privileges.

Filming, still photography, or audio recording does not require a permit or fee when:

- The group consists of eight or fewer people;
- The activity is conducted in areas open to the public;
- No resource damage, visitor interference, or administrative burden is anticipated;
- All equipment is handheld;
- No exclusive use of an area is requested or implied.

Additionally, filming incidental to other permitted activities (e.g., weddings, demonstrations, memorials) generally does not require a separate permit.

Outdated references to Director's Order #53 (pre-2025) and Reference Manual 53 (RM-53) are no longer valid. For up-to-date guidance and criteria, consult Policy Memorandum 15-02 and the NPS Special Park Uses Office.

This compendium section is compliant with the March 14, 2025 memorandum issued by the Associate Director, Visitor and Resource Protection (ADVRP) implementing filming guidance under the EXPLORE Act.

#### Illegal Structures on Park Jurisdiction:

- Portions of the San Miguel sector within the community of La Perla lie within the boundaries of the park, in federal ownership. Several structures are entirely or partially within federal jurisdiction. As stated in the 2017 Briefing Statement: "San Juan NHS is strongly committed to working with the community and its partners to remove these structures from the park boundary. Currently the park policy is to allow these structures to stand and as they become vacant, they are condemned and removed." This continues to be the park policy. No construction or repairs are allowed on existing structures. In very unique situations, emergency repairs to structures that have been occupied throughout the years will be considered for approval by the Superintendent.

*The removal of structures is necessary to preserve the integrity of the historic site and for improved safety of the area.*

#### **36 CFR 1.6 – ACTIVITIES THAT REQUIRE A PERMIT**

The following activities are prohibited without a permit. Criteria for approving or denying permits are established by applicable law (statutes and regulations) and policy. Permitted activities are subject to applicable terms and conditions.

- Launching or landing uncrewed aircraft. [36 CFR 1.5](#).
- Specimen collection for research purposes. [36 CFR 2.5](#).
- Gathering of plants or plant parts by Federally recognized Indian tribes. [36 CFR 2.6](#).
- Camping is prohibited. [36 CFR 2.10](#).
- Operating a power saw in developed areas and a motor or engine in undeveloped areas. [36 CFR 2.12](#).
- Operating a public address system [36 CFR 2.12](#).
- Delivery or retrieval of a person or object by parachute, helicopter, or other airborne means. [36 CFR 2.17](#).
- Soliciting or demanding gifts, money goods or services. [36 CFR 2.37](#).
- Using, possessing, storing, or transporting explosives; using or possessing fireworks or firecrackers. [36 CFR 2.38](#).
- Conducting a special event. [36 CFR 2.50](#).

- Conducting a demonstration by groups of more than 25 people. [36 CFR 2.51](#).
- Selling or distributing printed matter and other message-bearing items by groups of more than 25 people. [36 CFR 2.52](#).
- Running-at-large, herding, driving across, allowing on, pasturing, or grazing of livestock, or using the park for agriculture. [36 CFR 2.60](#).
- Residing on federal lands. [36 CFR 2.61](#).
- Scattering of human ashes from cremation. [36 CFR 2.62](#).
- Towing a person using a parasail, hang-glider, or other airborne device [36 CFR 3.12](#).
- Operating a submersible. [36 CFR 3.19](#).
- Displaying, posting, or distributing commercial notices or advertisements. [36 CFR 5.1](#).
- Engaging in or soliciting any business. [36 CFR 5.3](#).
- Some audio recording (if conditions are met). [36 CFR 5.5](#).
- Using commercial vehicles on NPS-administered roads. [35 CFR 5.6](#).
- Constructing or attempting to construct any building, structure, road, trail, path, or utility. [36 CFR 5.7](#).
- Rights-of-way. [36 CFR part 14](#).
- Examining ruins, excavating archeological sites, and gathering of objects of antiquity. [43 CFR part 3](#).
- Excavating or removing archaeological resources. [43 CFR part 7](#).
- Collecting paleontological resources. [43 CFR part 49](#).

#### [36 CFR 2.1](#) – PRESERVATION OF NATURAL, CULTURAL & ARCHEOLOGICAL RESOURCES

##### [36 CFR 2.1\(a\)\(1\)](#)

- Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state: Plants or the parts or products thereof. Tying, stringing, chaining, or locking bicycles, mopeds, motorcycles, hammocks, slacklines, clotheslines, anchor lines or tarps to trees is prohibited.

*These closures are necessary to protect fragile natural resources, habitats, and environments and to provide for a safe and memorable visitor experience.*

#### [36 CFR §2.2](#) - WILDLIFE PROTECTION.

*(b) Hunting and trapping is prohibited on San Juan National Historic Site unless authorized by the Superintendent for research, academic or scientific purposes, or to remove invasive species.*

#### [36 CFR 2.3](#) – FISHING

- *Fishing is not allowed along other areas of the sea wall or from the National Recreation Trail due to the congestion of visitors to the park and to keep visitors safe from the possibility of casting hooks and other debris.*

### 36 CFR 2.4 – WEAPONS

- It is prohibited to carry openly or concealed any weapon to include clubs, edged weapons, firearms, or facsimile thereof inside any federal facility. The headquarters buildings, fee booth entrance station, the forts beginning at the entry gate, and everything contained therein is considered a federal facility. Authorized Federal, State, and local law enforcement officers may carry firearms in the performance of their official duties. The carrying or possessing of a weapon, trap, or net in violation of applicable Federal and State laws is prohibited. See [18 USC 930](#).

*Re-enactors and other costumed individuals frequently carry weapons and replicas that could create a hazardous condition. NPS trained individuals involved in or conducting living history programs are exempt from this prohibition while conducting official business for the NPS.*

### 36 CFR 2.10 – CAMPING

- Camping is prohibited within park boundaries. San Juan National Historic Site does not have any designated camping areas.

*This closure is necessary because recreational camping is not consistent with the Park's historical significance and limited size. This prohibition is also consistent with City ordinances.*

### 36 CFR §2.11 – PICNICKING (36 CFR §§ 1.5(a)(1) and 2.11)

Picnicking within San Juan National Historic Site is regulated under **36 CFR § 1.5(a)(1)** (closures) and **36 CFR § 2.11** (picnicking). These restrictions are necessary to protect the park's cultural landscape, historic resources, visual integrity, and overall visitor experience.

#### **Prohibited Locations:**

Picnicking is not permitted in the following areas:

- Inside **Castillo San Felipe del Morro** and **Castillo San Cristóbal**, including all rooms, walls, and gun positions.
- In **parking lots, administrative buildings, residences**, and within the **San Juan Gate**.
- In any area designated as "Closed" in this Compendium, unless specifically authorized by the Superintendent.

#### **Permitted Areas and Conditions:**

Picnicking is allowed only in designated open areas, subject to the following conditions:

- **El Morro Esplanade:** Incidental picnicking is allowed in conjunction with a park visit.

- **Organized picnics or group events** require a valid **Special Use Permit** pursuant to **36 CFR §§ 2.50 or 2.51**.
- **Park Residents:** May picnic within the confines of their assigned residential yards.

**Use Limitations and Equipment Restrictions:**

- All garbage must be removed after use. **Littering and dumping are prohibited.**
- The use of **tables, amplified music devices, loudspeakers, or large furnishings** is prohibited without a permit.
  - **Portable beach chairs** are allowed.
- **Shade structures** (e.g., pop-up tents) must:
  - Be no larger than **12 feet by 12 feet**,
  - Be **personal in nature**, and
  - Be secured with **sandbags or weights**. **Stakes are prohibited.**
- The use of **barbecues, charcoal grills, propane stoves, boiling devices, or other solid-fuel burners** is prohibited unless specifically authorized by the Superintendent.
  - Park residents may use these devices within their yards, subject to fire safety regulations.

**Note:** Large shelters, group tents, and similar structures detract from the historic and scenic character of the park and may interfere with visitor experience. Their use is restricted unless explicitly permitted.

[36 CFR 2.12](#)- AUDIO DISTURBANCES. As per regulation.

(a) The following are prohibited:

(1) Operating motorized equipment or machinery such as an electric generating plant, motor vehicle, motorized toy, or an audio device, such as a radio, television set, tape deck or musical instrument, in a manner:

- (i) That exceeds a noise level of 60 decibels measured on the A-weighted scale at 50 feet; or
- (ii) If below that level, nonetheless 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 on park users, and other factors that would govern the conduct of a reasonably prudent person under the circumstances.

(2) Operating a power saw in developed areas between 10:00 p.m. and 6:00 a.m., except in emergencies.

(3) Operating any type of portable motor or engine, including electric generators, in a developed area in a manner that exceeds a noise level of 60 decibels at 50 feet, except in emergencies.

(4) Operating a public address system, whether fixed or portable, in connection with any public event or demonstration, except pursuant to a permit issued under § 2.50 or § 2.51.

[36 CFR 2.13](#) – FIRES

- Fires, other than for park administrative purposes, are prohibited within park boundaries.

*There are no areas designated as fire sites in the interest of fire safety and prevention, and to keep grounds maintenance costs to a minimum.*

[36 CFR §2.14](#) – SANITATION and REFUSE. As per regulation.

[36 CFR 2.15](#) – PETS

[36 CFR 2.15\(a\)\(1\)](#)

- Pets are prohibited within the forts and headquarters buildings. Service animals and dogs used by authorized Federal, State, and local law enforcement officers in the performance of their official duties are not considered pets.

*Pets can pose a danger and inconvenience to other visitors, while trained service animals provide protection and assistance.*

[36 CFR 2.15\(a\)\(5\)](#)

- Any person or legal entity who owns, is in charge of, responsible for or in control of any pet, must, when within park grounds, collect and remove to a proper waste receptacle any excrement left by the pet.

*Owners are required to clean up pet excrement and dispose of the excrement in a suitable trash receptacle. This is required due to the possibility of pet to human disease transmission.*

[36 CFR 2.20](#) - SKATING, SKATEBOARDS, ROLLER BLADES, AND SIMILAR DEVICES

- The use of skates, skateboards, roller blades, or similar devices is prohibited within park boundaries.

*Operation of skates, skateboards, roller blades, or similar devices on the grounds of the park can cause safety hazards for both participants and visitors.*

[36 CFR 2.21](#) – SMOKING

- Smoking, including the use of E-cigarettes or similar devices is prohibited inside all

park facilities. This includes the interior of the fort structures beginning at the drawbridge entrance gate. Additionally, smoking is prohibited within 25 feet of main entrances, exits and operable windows.

*Smoking is prohibited to prevent the danger of fire, prevent conflicts among visitor use activities and to comply with government smoking regulations.*

[36 CFR 2.22](#) – PROPERTY. As per regulation.

[36 CFR 2.23](#) – RECREATION FEES. As per regulation.

[36 CFR 2.35](#) – ALCOHOLIC BEVERAGES

- The use, sale, distribution, consumption, or possession of an open container of an alcoholic beverage, in any form, is prohibited within park boundaries.

*The consumption of an alcoholic beverage or the possession of an open container of an alcoholic beverage is inappropriate considering other uses of the location and the purpose for which it is maintained or established. This prohibition is also consistent with city ordinances.*

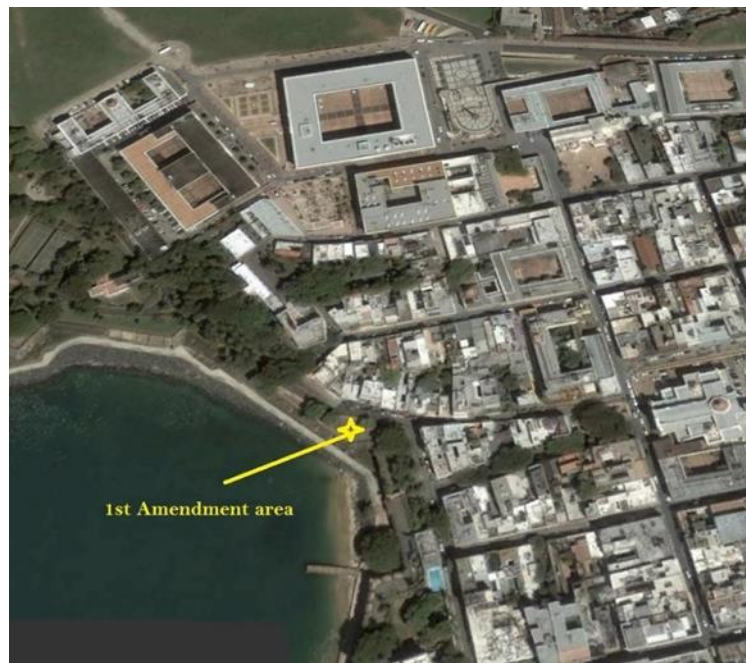
[36 CFR 2.51](#) – DEMONSTRATIONS AND DESIGNATED AVAILABLE PARK AREAS

[36 CFR 2.51\(c\)\(2\)](#) – Designated Location

The following location upon the grounds of the Castillo de San Felipe Del Morro is designated as available for demonstrations. A secondary location is located at La Rogativa plaza near San Juan Gate. A permit is not required for a demonstration in the designated location if it involves 25 persons or fewer and does not involve structures. Those groups or individuals using park land for activities protected under the First Amendment of the U.S. Constitution re



subject to all applicable local, state, and federal laws.



*First Amendment Areas (Maps) -These areas have been set aside for individuals or groups exercising their constitutional first amendment rights. The National Park Service neither encourages nor discourages or otherwise endorses these activities and receives no funds in relation to these activities.*

The designated location is in a prominent area that will allow individuals and groups to conduct demonstrations in a manner that will allow for effective communication of speech and other protected activities. Freedom of speech, press, religion, and assembly are constitutional rights. However, the courts have recognized that activities associated with the exercise of these rights may be reasonably regulated to protect legitimate government interests such as: the protection of park resources. Therefore, in order to protect these resources, the NPS may regulate certain aspects of First Amendment activities, such as the time, the place, and the manner in which they are conducted.

*It is the conduct associated with the exercise of these rights that is regulated and not the content of the message.*

**36 CFR 2.52 – Sale of printed matter and the distribution of printed matter and other message-bearing items. As per regulation.**

**36 CFR 2.61 – Residing on Federal lands. As per regulation.**

[36 CFR 4.2](#) – STATE LAW APPLICABLE. As per regulation.

**[36 CFR 4.10](#) - TRAVEL ON PARK ROADS AND DESIGNATED ROUTES. As per regulation.**

Operating a vehicle such as the Segway Human Transporter or Hover board inside the fortifications, sidewalks, grounds, or historic property is prohibited.

*These vehicles can travel at a high rate of speed and in a small, confined space like the fortifications and its walkways, which have a high density of visitors of all ages and mobility limitations as well as high numbers of school-age children that sometimes run unsupervised, there is great potential for injury or harm to other visitors as well as operators. In addition, the presence of a mechanical device constitutes an impairment of the visual enjoyment of the character defining features of the National Historic Site. The use of motorized vehicles, other than those utilized for official government business, present a safety hazard to the park.*

**[36 CFR §4.11](#) – VEHICLE LOAD, WEIGHT AND SIZE LIMITS LOAD, WEIGHT, AND SIZE RESTRICTIONS:**

- 1) The limit on weight of vehicles operating on sidewalks and the inside of the fortifications shall not exceed 5,120 pounds.
- 2) The limit on weight of vehicles for any park road is 7.25 tons.
- 3) The maximum width of any vehicle should not exceed 90 inches.
- 4) The maximum length of any vehicle should not exceed 32 feet.
- 5) A permit is required for vehicles exceeding designated load, weight and size limits.
- 6) All requests for a vehicle exceeding designated load, weight and size limits permit must be made a minimum of 5 days in advance and in writing to the Superintendent or designee. This **5-day** period may be waived by the Superintendent or designee if the size and nature of the activity will not reasonably require the commitment of park resources or personnel in excess of that which are normally available or which can reasonably be made available within the necessary time period.
- 7) All costs incurred by the San Juan National Historic Site as a result of a vehicles exceeding designated load, weight and size limits permit from the Superintendent or designee may be recovered from the permit holder.
- 8) A permit may contain additional reasonable conditions and additional time limitations, consistent with this section, in the interest of protecting park resources, the use of nearby areas by other persons, and other legitimate park value concerns.

**SPECIAL NOTE:** Vehicles need to comply with State and Municipality laws, rules & regulations. A Special permit is required by the San Juan Municipality for large vehicles to enter the city of Old San Juan. *Limits are essential in order to protect the motor road and appurtenances, to protect resources, and for reasons of visitor safety.*

### [36 CFR §4.21](#) – SPEED LIMITS.

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

- The speed limit on all service roads and in parking areas is a maximum of 5 miles per hour or otherwise posted.
- Speed limits may be changed on a temporary basis during periods of construction or other similar activities.

*The designed speed and established speed limit for the park's motor road is 5 miles per hour, except where a lower speed limit is recommended due to weather or for other safety considerations. Speeds greater than 5 miles per hour would not be reasonable or safe, given the nature of the roadway, intersecting roads, and/or pedestrian use.*

### [36 CFR 4.30](#) – BICYCLES

- Bicycles are prohibited inside of the fortifications and cannot be ridden on grassy areas. Bicycles and "e-bikes" are permitted on park roads in accordance with the regulations set forth in [36 CFR. 4.30](#) as well as applicable state law. (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 HP)).
- E-bikes are allowed in San Juan National Historic Site 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 San Juan National Historic Site 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.

*The use of a bicycle or e-bike inside the Fortifications presents a significant safety hazard to park visitors and the resource. 36 CFR 4.30 prohibits the use of bicycles except on park roads, in parking areas, and on routes designated for bicycle use. The riding of a bicycle on park trails, sidewalks, grounds (green grassy areas), and unpaved roads is prohibited. The bicycle may be pushed/walked (not ridden) in these areas. Bicycles should be parked in the bicycle racks at each entrance area. Speed should not exceed 5 MPH at El Morro service road. Bicycles and electric bikes are prohibited at El Paseo del Morro. Bicycles are permitted only on the park's paved roadways and parking areas in accordance with Puerto Rico State Law # 22.*

*The trails and Paseo Del Morro were designed for foot travel only and for access to interpretive areas. Bicycles or other wheeled, recreational traffic on foot trails poses a serious threat to the*

*safety of walkers. The slopes, narrow trail sections and curves are especially hazardous.*

*Unless operated by a person with a disability, motorized personal mobility devices such as electric scooters, are prohibited on sidewalks, grounds and/or parking areas.*

*San Juan sidewalks are narrow and can pose a serious threat to the safety of pedestrians. They create a safety hazard for both vehicle traffic as well as pedestrians. They would also detract from the historical integrity of the park.*

#### CCTV USE POLICY ([DOI DM-444](#), NPS RM-9)

The National Park Service's use of Closed-Circuit Television (CCTV) for law enforcement and security purposes will only be to visually monitor public park areas and public activities where no constitutionally protected reasonable expectation of privacy exists. Such CCTV use which will have adequate privacy and First Amendment safeguards - will be to help ensure public safety and security; facilitate the detection, investigation, prevention and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; help facilitate the protection of the innocent and the apprehension and prosecution of criminals.

This policy does not restrict the official use of CCTV in government administrative areas including administrative buildings, revenue collection sites, etc., where the government may record/monitor its facilities. For example, the government may perform unrestricted video/audio recording at revenue collection points (entrance stations, visitor center counters, etc.).

No person will be targeted or monitored merely because of race, religion, gender, sex, disability, national origin, or political affiliation or views (RM-9, 26.4.2).

*Security measures in place provide for the protection of facilities, people, and irreplaceable objects held in national trust. Utilizing guidance from the Department of the Interior for the safety and security of a location and information provided by other agencies charged with the protection of valuable resources and people, the National Park Service provides these security measures to repel potential threats and present an educational and enjoyable opportunity for all that visit.*