



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

**Tule Lake National  
Monument**

P.O. Box 1240  
Tulelake, CA 96134

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

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Approved: \_\_\_/\_\_\_/2022

\_\_\_\_\_  
Chris Mengel, Superintendent

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 54 United States Code, Section 100751, the following regulatory provisions are established for the proper management, protection, government and public use of those portions of Tule Lake National Monument under the jurisdiction of the National Park Service (NPS). 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 –PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES**

**(a)(1) The 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:**

Closures:

- All NPS lands within Tule Lake National Monument, to include the Segregation Center area near Newell, are closed to all public access unless accompanied by an NPS employee. When a visitor contact station at the Segregation Center has been established and is open to the public, visitors may access this building and associated parking area during the hours it is open.

*Determination: Monument facilities have not yet been developed to provide safe access to unaccompanied visitors. This closure is necessary for visitor safety and to protect the sensitive resources located in these areas.*

- The following areas and facilities are closed to public use: Administrative areas, maintenance areas, utility, storage facilities, access and service roads, outbuildings, water treatment facilities, grounds, and other facilities not designated for visitor use. For the purposes of this compendium, administrative areas are defined as government owned buildings (or portions thereof) containing offices, meeting rooms, residences, maintenance equipment, storage space, or other areas not normally open to the public. This closure shall not apply to persons engaged in legitimate government activities, permitted business, or cooperator activities.

*Determination: This determination is necessary for the safety and security of federal employees, as well as the protection of property and sensitive information.*

- Except for facilities designated for visitor use, all buildings are closed to unauthorized entry. This shall not apply to persons who have been granted specific permission by the NPS or another authorized Federal, state, or municipal agency, their representatives, or those who are under escort of park employees acting within the scope of employment.

*Determination: In order to provide security for government facilities and protect vital utility services for which visitors have no need to access, these limits will address vandalism and theft issues.*

- Picnicking is prohibited on all Monument lands.

*Determination: Since Monument facilities have not yet been developed to provide safe access to unaccompanied visitors, this closure is necessary for visitor safety and to protect the sensitive resources located in these areas.*

- No unauthorized person or persons may enter a designated and signed management ignited prescribed fire area for 24 hours preceding, or during active fire operations.

*Determination: This determination is made to protect visitors and staff during periods of active burning.*

- The term “e-bike” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.). E-bikes are allowed in accordance with the provisions of 36 CFR Part 4. E-bikes are allowed on park roads, parking areas, and trails that are open to traditional bicycles. E-bikes are prohibited where traditional bicycles are prohibited under 36 CFR 4.30. 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 Tule Lake National Monument 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.

- Other Power-Driven Mobility Devices (OPDMDs): OPDMDs are defined under the Americans with Disabilities Act as “any mobility device powered by batteries, fuel, or other engines...that is used by individuals with mobility disabilities for the purpose of locomotion...or any mobility device designed to be operated in areas without defined pedestrian routes, but that is not a wheelchair.” 28 CFR §35.104. When used by persons with disabilities, the NPS considers e-bikes to be OPDMDs. Only individuals with disabilities may use OPDMDs in the park.
  - OPDMDs may be used under the following conditions:
    - Operators must be 16 years or older.
    - The OPDMD must be a zero-emissions vehicle.
    - The OPDMD is no greater than 36 inches in width at its widest point.
    - The OPDMD speeds may not exceed 5 mph.
    - The OPDMD users must yield to pedestrians.
  - OPDMDs must be equipped with the following safety mechanisms:
    - Front, rear, and side reflectors
    - A system that enables the operator to bring the device to a controlled stop
    - A lamp emitting a white light that is visible from 300 feet in front of the OPDMD while it is in motion if operating it between half an hour after sunset to half an hour before sunrise
    - A sound emitting device that can be activated by the operator to alert nearby persons, as appropriate.

*Determination: These restrictions are necessary for visitor safety and the safety of those operating OPDMDs. The use of OPDMDs by able bodied persons is prohibited in the park because they meet the definition of a motor vehicle, and off-road travel is prohibited, the only exception being those individuals who meet the criteria of a disabled person as defined by the ADA.*

- Unmanned Aircraft: Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the NPS within the boundaries of Tule Lake National Monument is prohibited except as approved in writing by the superintendent.

The term “unmanned Aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as a camera, 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.

*Determination: The use of unmanned aircraft potentially presents unacceptable risks to visitors (collisions between unmanned aircraft and visitors, the uncontrolled fall of unmanned aircraft, contact with spinning propellers or rotors of unmanned aircraft). The use of unmanned aircraft adversely impacts visitor experiences by negatively affecting scenic and natural sound opportunities, and by potentially interfering with wildlife. Additionally, the unregulated use of unmanned aircraft would potentially violate several other regulations in Title 36 of the Code of Federal Regulations, including §2.2 Frightening Wildlife, §2.12 - Creating an Audio disturbance, §2.17 - Delivering or Retrieving an Object by Airborne Means, §2.34 - Making Unreasonable Noise, §2.34 - Creating or Maintaining a Hazardous Condition, and §5.13 - Creating or Maintaining a Nuisance.*

- Filming activities within Tule Lake National Monument will be managed in accordance with the following:
  - The following types of filming activities may occur in areas open to the public without a permit and without advance notice to the NPS:
    - Outdoor filming activities [outside of areas managed as wilderness] involving five persons or less and equipment that will be carried at all times, except for small tripods used to hold cameras.
  - The organizer of any other type of filming activity must provide written notice to the Superintendent at least 10 days prior to the start of the proposed activity. Based upon the information provided, the Superintendent may require the organizer to apply for and obtain a permit if necessary, to:
    - maintain public health and safety;
    - protect environmental or scenic values;
    - protect natural or cultural resources;
    - allow for equitable allocation and use of facilities; or
    - avoid conflict among visitor use activities.
  - If the Superintendent determines that the terms and conditions of a permit could not mitigate the concerns identified above in an acceptable manner, the Superintendent may deny a filming request without issuing a permit. The Superintendent will provide the basis for denial in writing upon request.
  - The NPS will consider requests and process permit applications in a timely manner. Processing times will vary depending on the complexity of the proposed activity. If the organizer provides the required 10-day advance notice to the NPS and has not

received a written response from the NPS that a permit is required prior to the first day of production, the proposed filming activities may occur without a permit.

- The following are prohibited:
  1. Engaging in a filming activity without providing advance notice to the Superintendent when required.
  2. Engaging in a filming activity without a permit if 1) the activity takes place in areas managed as wilderness or 2) if the Superintendent has notified the organizer in writing that a permit is required.
  3. Violating a term or condition of a permit issued under this action.
- Violating a term or condition of a permit issued under this action may also result in the suspension and revocation of the permit by the Superintendent.

*Determination: This section outlines how the park will manage all filming activities (commercial and non-commercial) following the court's decision in Price v. Barr. As recognized in Price, the NPS has a legal obligation to protect the resources within the National Park System and to provide for visitor enjoyment of the same. The authority in 36 CFR 1.5 (a) (2) allows superintendents to restrict filming activities, whether they are commercial or not, by requiring a permit for activities that pose a threat to park resources, values, or the visitor experience. Imposing a permit requirement on filming activities will only be done when necessary to address the NPS's substantial interest in protecting park resources and the visitor experience.*

- When the COVID-19 Community Level is LOW or MEDIUM in the county or all the counties where the park is located based on data provided by the Centers for Disease Control and Prevention (CDC), individuals are not required to wear masks.

When the COVID-19 Community Level is HIGH in the county or all the counties where the park is located based on data provided by the CDC, all individuals over the age of two must wear masks, regardless of vaccination status, in all common areas and shared workspaces in buildings owned, leased, or otherwise controlled by the National Park Service, including, but not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.

When the COVID-19 Community Level is HIGH in one or more, but not all, of the counties where the park is located based on data provided by the CDC, the superintendent will determine whether individuals are required to wear masks. The requirement, if any, will apply to all facilities within the park.

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of the COVID-19 Community Level, individuals may wear masks if they choose to do so. Where a state, local, tribal, or territorial government where the park is located imposes more protective mask-wearing requirements than those indicated by the COVID-19 Community Level, individuals must follow those more protective requirements within the park. More protective state, local, tribal, or territorial mask-wearing requirements are hereby adopted as federal requirements in all units of the National Park System located within that state, locality, area subject to a federally recognized Indian tribe's regulatory jurisdiction, or territory, regardless of a particular park's jurisdictional status.

Additionally, all individuals must wear masks in or on public transportation conveyances and transportation hubs/facilities, to the extent required by current orders or directives issued by the CDC, the Transportation Security Administration (TSA), or other federal agencies with jurisdiction over those conveyances or areas. As of March 4, 2022, CDC and TSA orders or directives

require all individuals regardless of vaccination status to wear masks in indoor areas of all forms of public transportation conveyances, including busses, trains, and boats/ferries, and in the indoor premises of transportation hubs/facilities. Individuals are not required to wear masks while outdoors on conveyances or while outdoors on the premises of transportation hubs/facilities.

*Determination: The purpose for this restriction is to maintain public health and safety during the COVID-19 pandemic emergency.*

- Regardless of vaccination status or local community transmission levels, all individuals over the age of two must wear masks, except when actively eating or drinking, in all common areas and shared workspaces in federally owned buildings administered by the National Park Service and in office space leased by the National Park Service.

Federally owned buildings administered by the National Park Service' include, but are not limited to, visitor centers, administrative offices, maintenance facilities, and shared government quarters; buildings assigned to concessioners or other park partners; and buildings leased for commercial purposes to individuals or entities other than the National Park Service.

All individuals over the age of two, regardless of vaccination status or local community transmission levels, must wear masks in the following outdoor areas when others are present, except when actively eating or drinking, where the superintendent has determined that physical distancing (staying at least six feet apart) cannot reasonably be maintained:

- On the grounds of the Segregation Center when part of an organized tour led by an NPS employee.

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of vaccination status, all individuals must comply with all orders regarding masks issued by the Centers for Disease Control and Prevention.

*Determination: The purpose for this restriction is to maintain public health and safety during the COVID-19 pandemic emergency. On August 16, the NPS Deputy Director for Operations issued a memo replacing previous NPS masking requirements. Recognizing that visitors to national parks are coming from locations across the country, if not across the world, and that the majority of the United States is currently in substantial or high transmission categories, the NPS is implementing a service-wide mask requirement to promote the safety of staff and visitors. Visitors, employees, and contractors will be required to wear a mask inside all NPS buildings and in crowded outdoor spaces, regardless of vaccination status or community transmission levels.*

#### Public Use Limit:

- Leaving property unattended for any period of time requires a permit.

*Determination: Leaving unknown property unattended in the park area threatens public safety, the environmental and scenic values of the park, the natural and cultural resources of the park, and the orderly management of the park. Visitors seeking to leave property unattended within the park must obtain a permit from the Superintendent.*

- Tours of the jail at the Segregation Center will only be given to groups of 10 people or less.

*Determination: The historic building is a small area and allowing more people in the building would threaten public safety, the historic and cultural resources of the park, and the orderly management of the park.*

- Tours at Camp Tulelake will only be given to groups of 20 people or less.

*Determination: This limit is in place to ensure public safety and the orderly management of the park in addition to protecting the historic and cultural resources of the park.*

Conditions and Restrictions on Specific Uses or Activities:

- Hiking and Pedestrian Use: Hiking and pedestrian use within the Segregation Center is restricted to the pathways identified by signs or by an NPS employee. Leaving these pathways or identified routes is prohibited.

*Determination: Restricting hikers and pedestrians to the identified pathways is necessary to limit impact to natural, historical, and other significant resources in these areas, to minimize development of social trails, and for visitor and employee safety.*

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

**(f) The following activities are prohibited except under the terms of a valid permit from the Superintendent. Permits must be obtained in advance and in writing from Monument Headquarters during regular business hours or via mail addressed to Superintendent, Tule Lake National Monument, P.O. Box 1240, Tulelake, CA 96134-8216.**

- 2.4(e) Carry or possess a weapon, trap, or net (excluding firearms carried in accordance with Federal or California State Law)
- 2.5(a) Specimen collection (Take plant, fish, wildlife, rocks, or minerals) – [Research Permit required]
- 2.12(a)(2) Operating a power saw in developed areas
- 2.12 (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas.
- 2.12(a)(4) Operation of a public address system in connection with a public gathering or special event
- 2.17(a)(3) Delivery/retrieval of a person/object by parachute, helicopter, or other airborne means
- 2.17(c)(1) Removal of a downed aircraft
- 2.37 Soliciting or demanding gifts, money goods or services
- 2.38(a) Use, possession, storage, or transportation of explosives or blasting agents
- 2.38(b) Use or possession of fireworks
- 2.50(a) Conducting a sports event, pageant, public spectator attraction, entertainment, ceremony, and similar events
- 2.51(b) Public assemblies, meetings, gatherings, demonstrations, parades, and other public expressions of views for groups of more than 25 people.
- 2.52 Sale or distribution of printed matter that is not solely commercial advertising
- 2.60(b) Livestock use
- 2.61(a) Residing on federal lands
- 2.62(a) Installing a monument or other commemorative installation
- 2.62(b) Scattering ashes from human cremation
- 3.12(b) Towing a person using a parasail, hang glider, or other airborne device
- 3.14(a) Removing a sunken, grounded, or disabled vessels
- 3.19 Operating a submersible
- 5.1 Display, posting or distribution of advertisements
- 5.3 Engaging in or soliciting any business
- 5.5 Commercial photography or filming
- 5.7 Construction of buildings, facilities, trails, roads, etc.
- 6.9(a) Operation of a solid waste disposal site

## **GENERAL REGULATIONS**

### **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, except that dead wood on the ground may be collected for use as fuel for campfires within the park in the following areas:**

- No areas designated.

*Determination: Given that there are no areas within the park where visitors can have a campfire, no wood may be collected.*

**(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statute is prohibited, except in the following areas and/or under the following conditions:**

- No areas designated.

*Determination: This restriction is necessary to protect the sensitive cultural and historical resources within the park.*

**(b) Hiking or pedestrian traffic is restricted to the trail(s) or walkway(s) listed in 36 CFR §1.5 of this document.**

**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:**

- No fruits, nuts, berries, or unoccupied seashells may be gathered.

*Determination: No fruits, nuts, berries, or unoccupied seashells are found on lands within the Tule Lake National Monument.*

### **36 CFR §2.2 - WILDLIFE PROTECTION**

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

- Legally taken wildlife may be transported through the Monument. The game must be properly tagged and fully compliant with all state game regulations.

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

- Use of artificial light for locating or viewing wildlife in the Monument is prohibited.

*Determination: This closure is to prevent impact to wildlife in its natural settings. Night vision devices are not artificial lights; however, infrared lighting/beams are considered artificial lights and are included in the prohibition.*

### **36 CFR §2.4 – WEAPONS, TRAPS, AND NETS**

**(b)(2)(ii) No facilities or locations are designated for target practice. Target shooting remains prohibited throughout Tule Lake National Monument.**

*Determination: No locations appropriate for target shooting have been established.*

### **36 CFR §2.10 – CAMPING AND FOOD STORAGE**

**(a) The sites and areas listed below have been designated for camping activities. A permit system has been established for camping activities, and conditions for camping and camping activities are in effect as noted:**

- Camping is not permitted within the Monument.

*Determination: No areas or facilities exist for camping within the Monument. This restriction is necessary for the health and safety of visitors, protection of the environmental and scenic values, protection of natural resources, and equitable use of facilities and avoidance of conflict among visitor use activities.*

### **36 CFR §2.11 – PICNICKING**

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

### **36 CFR §2.13 – FIRES**

**(a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas or receptacles, and under the conditions noted:**

Designated Areas:

- No areas designated.

*Determination: The lighting or maintaining of fires is prohibited on all Monument lands to reduce the chance of wildland fire, which can quickly spread to contiguous state and private lands. They also serve to protect the natural and cultural resources of the park.*

### **36 CFR §2.15 – PETS**

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

- Pets are prohibited within all structures and any fenced areas of the Monument, except for properly restrained pets within the designated parking areas at the Segregation Center.

*Determination: These restrictions are necessary to ensure pets do not harass wildlife or disturb park visitors and for the protection of sensitive cultural and historical resources located in these areas.*

**(a)(3) Pets may be left tied to an object under the following conditions:**

- Pets may not be left unattended and tied to an object anywhere within the Monument.

*Determination: These requirements are intended to ensure pets do not harass wildlife or disturb park visitors and to ensure pets are properly cared for in the park.*

**(a)(5) Pet waste must be immediately picked up and properly disposed of in a waste container by the person responsible for the pet.**

*Determination: Excrement must be removed to prevent health hazards and to lessen negative impacts on wildlife.*

### **36 CFR §2.16 – HORSES AND PACK ANIMALS**

**(a) The use of animals other than those designated as “pack animals” for purposes of transporting equipment is prohibited. The following animals are designated as pack animals for purposes of transporting equipment:**

- No animals designated.

**(b) The use of horses or pack animals is permitted on the following trails, routes, or areas:**

- Horses or pack animals are not permitted on lands within the Monument.

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

- No conditions identified.

*Determination: These restrictions are necessary for the protection of the health and safety of visitors, the environmental and scenic values for which the area was established, and the natural and historical resources found within the Monument. In addition, given the small area of land Monument encompasses, it is necessary to ensure the equitable use of facilities and avoidance of conflict among visitor use activities.*

### **36 CFR §2.18 – SNOWMOBILES**

There are no designated routes.

### **36 CFR §2.19 – WINTER ACTIVITIES**

There are no special designations. Winter activities as listed in this section remain prohibited on all park roads and parking areas open to motor vehicle traffic.

### **36 CFR §2.20 – SKATING, SKATEBOARDS AND SIMILAR DEVICES**

**The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited, except in the following designated areas:**

- No areas designated.

*Determination: Given the limited area that potentially will be open to visitor access, use of these devices are not practical.*

### **36 CFR §2.21 – SMOKING**

**(a) Smoking is prohibited:**

- Within all government owned, leased, or administered buildings or vehicles.
- Within 25 feet of an exit, entrance, or operable window of a government owned, leased, or administered building.

Additional smoking restrictions may apply during periods of very high or extreme fire danger as defined in the Monument’s Fire Management Plan.

*Determination: The purpose of these restrictions is to protect park resources, reduce the risk of fire, and prevent conflicts among visitor use activities. Electronic cigarettes, or e-cigs, are included in the above restrictions.*

### **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:**

- No conditions identified. Property may not be left unattended for any period of time.

*Determination: Unattended property is inconsistent with the orderly management of park areas and may present a threat to resources and the safety of visitors.*

### **36 CFR §2.23 – RECREATION FEES**

**(b) Recreation fees and/or permits, in accordance with 36 CFR part 71, are established for the following 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:**

- No entrance fees, daily site use fee, or special recreation permit are established.

### **36 CFR §2.35 –ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES**

**(a)(3)(i) The consumption of alcoholic beverages, and possession of open alcoholic beverage containers is prohibited within all government-owned buildings unless specifically authorized.**

*Determination: The consumption of alcoholic beverages in the specified locations is contrary to the purpose for which they were established and maintained and is contrary to the interest of public safety for the visiting and traveling public.*

### **36 CFR §2.38 – EXPLOSIVES**

**(b) Using, or possessing fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a permit or in designated areas under the following conditions:**

- No areas designated.

*Determination: No areas were designated in order to protect the sensitive cultural and historical resources and ensure visitor safety.*

### **36 CFR §2.51 DEMONSTRATIONS**

**(b)(1) Demonstrations involving 25 persons or fewer may be held without a permit in the following designated park areas within the provisions of 36CFR §2.51.**

- Northwest corner of the Lava Bed National Monument visitor center parking lot. (See attached map)

### **36 CFR §2.52 SALE OR DISTRIBUTION OF PRINTED MATTER**

**(b)(1) Sale or distribution activity involving 25 persons or fewer may be conducted without a permit in the following designated park areas within the provisions of 36CFR §2.52.**

- Northwest corner of the Lava Beds National Monument visitor center parking lot. (See attached map)

**36 CFR §2.62 – MEMORIALIZATION**

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes is prohibited except pursuant to the terms and conditions of a permit, or in areas designated by the Superintendent.

- No areas designated

**36 CFR §4.10 – ROUTES OR AREAS DESIGNATED FOR OFF ROAD MOTOR VEHICLE USE**

(a) No routes or areas designated.

**36 CFR §4.30 – BICYCLE USE**

(a) The use of a bicycle is prohibited except on park roads and in parking areas open to the public.

