



National Park Service
U.S. Department of the Interior

Valles Caldera
National Preserve

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

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Approved:


Date: 3/2/15
Colin Campbell, Deputy Regional
Director, Intermountain Region

I. AUTHORITY

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 Valles Caldera National Preserve. 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.

II. TITLE 36 – CODE OF FEDERAL REGULATIONS, GENERAL PROVISIONS

SECTION 1.5 – CLOSURES AND PUBLIC USE LIMITS

(a)(1) Visiting Hours, Public Use Limits and Closures

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:

- From May 15 through September 30: Valle Grande Staging Area is open 8:00 AM to 6:00 PM, seven days per week and Banco Bonito Staging Area is open 9:00 AM to 5:00 PM, Saturdays and Sundays only.
- From October 1 through May 14: Valle Grande Staging Area is open 9:00 AM to 5:00 PM on Fridays, Saturdays and Sundays only.
- Scenic pullouts along Highway 4 are open 24 hours per day, year round.
- The Valle Grande trail and Coyote Call trail are accessible from Highway 4 and are open year round during daylight hours.

Justification: Visiting hours, and hunting seasons, are justified by the fall, winter, spring, and summer seasonal cycle, correlated weather and road conditions, visitation demand, and cost of operations. Decisions to open or close the Valles Caldera National Preserve are also based on resource

protection and preservation, i.e., wildlife nursery areas, sensitive areas of historical or cultural significance, or areas undergoing environmental resource restoration.

PUBLIC USE LIMITS:

- Public vehicle entry points are Banco Bonito Entrance and Valle Grande Main Entrance. All other perimeter vehicle access points are closed except by permit or written authorization.
- Driving beyond the Valle Grande Staging Area is prohibited without a VALL permit or written authorization. Once a permit is acquired, a VALL tag will be issued, and must be displayed from the rear view mirror while driving or parking in any area beyond the Valle Grande Staging Area. Motorized vehicles beyond the Valle Grande Staging Area are limited to designated roads as described in the VALL permit or written authorization.
- Hiking, cross-country skiing, snowshoeing, and other forms of non-motorized/non-mechanized recreation, are limited to areas within the Preserve not identified in the "Closures" section below, except by permit or written authorization.
- Recreational activities involving mechanized forms of transportation are limited to designated roads and trails within the Preserve, except by permit or written authorization.
- Picnicking is allowed at the Valle Grande Staging Area and the Banco Bonito Staging Area only, or in accordance with a VALL permit or other written authorization.

Justification: Limiting points of public access and requiring access permits and/or written authorization are justified all or in part related by the National Park Service Organic Act, National Historic Preservation Act, American Indian Religious Freedom Act, Archeological Resources Protection Act, National Environmental Policy Act, and Executive Order 13007 (Indian Sacred Sites).

CLOSURES:

The following areas within the Preserve are closed to the public except as authorized by VALL special use permit or other written authorization. See Appendix A, Figure 1.1, for a map of geographic closure areas.

- Redondo Peak above 10,000 ft. in elevation
- Santa Clara Pueblo Easement
- Cerro Del Medio, within the area bounded by roads VC-04, VC-0502, VC-05, and VC-02
- Cerro La Jara, southeast quadrant
- Rock shelters found within the Preserve
- Cabin remains within Redondo Meadows (all other areas of Redondo Meadows are open)
- Standing or partially standing historical and non-historical structures
- Known and unknown historical dump sites
- Inside fenced areas used for scientific instruments (e.g. weather stations) and experimental elk/livestock enclosures

Justification: The closures are to protect and preserve natural, cultural, and historic resources within the Preserve. The closed areas have been identified to contain sensitive, sacred, or significant cultural or historic artifacts, which require further documentation as described under the National Historic Preservation Act, the Archeological Resources Act, and the Executive Order 13007 (Indian Sacred sites).

UNMANNED AIRCRAFT:

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, quad copters, and drones) that are used for any purpose, including for recreation or commerce.

- The launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Valles Caldera National Preserve is prohibited except as approved in writing by the Superintendent.

Justification: This closure is necessary to maintain public health and safety in Valles Caldera National Preserve and to protect park resources and values until the NPS can determine whether specific uses of unmanned aircraft on lands and waters administered by the NPS are appropriate and will not cause unacceptable impacts on park resources and values.

Except for the limited existing use of model aircraft in some parks, of which Valles Caldera is not included, unmanned aircraft are a new park use and affect park resources, staff, and visitors in ways that the National Park Service has yet to identify and analyze. It is National Park Service policy to not allow a new park use (Section 1.5 of NPS Management Policies) until a determination has been made that it will not result in unacceptable impacts on park resources and values, and staff and visitor safety.

(a)(2) Designated areas for specific use or activity or conditions

FISHING

- Fishing is permitted, by VALL permit and New Mexico State Fishing License, on the San Antonio Creek, the East Fork of the Jemez River, and the section of Jaramillo Creek below the paddocks to confluence with East Fork of the Jemez River. See Appendix A, Figure 1.3, for map of the fishable area of Jaramillo Creek and East Fork of the Jemez.

Justification: The San Antonio Creek and the East Fork of the Jemez River offer world class trout fly fishing within a protected and remote environment. Through limited access and reserved fishing protocols, the Valles Caldera National Preserve is protecting the fishing resource from overuse while offering an opportunity for anglers to experience a unique and high quality fishing experience.

SPECIAL USE AREAS

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

- Public camping is allowed at the Banco Bonito Staging Area associated with equestrian use, hunting, 3-D archery events, photo adventure events, or by special park use permit.

SECTION 1.6 – ACTIVITIES THAT REQUIRE A PERMIT

(f) The following is a compilation of those activities for which a permit from the superintendent is required:

- §1.5(d) The following activities related to Public Use Limits:
- §2.2(b) Hunting
- §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals)
- §2.12 Audio Disturbances:
 - (a)(2) Operating a chain saw in developed areas
 - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
 - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51
- §2.16(b) The use of horses or pack animal
- §2.17 Aircraft & Air Delivery:
 - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
 - (c)(1) Removal of a downed aircraft
- §2.23(b) The following special recreation activities (per 36 CFR Part 71):
 - Horseback riding
 - Fishing
 - Overnight camping
 - Hunting
 - All travel beyond Valle Grande Staging Area
- §2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52)
- §2.38 Explosives:
 - (a) Use, possess, store, transport explosives, blasting agents
 - (b) Use or possess fireworks
- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views
- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising
- §2.60(b) Livestock grazing
- §2.61(a) Residing on federal lands
- §2.62 Memorialization:

- (a) Erection of monuments (Requires approval from Regional Director)
- (b) Scattering ashes from human cremation
- §4.11(a) Exceeding of established vehicle load, weight and size limits
- §5.1 Advertisements - (Display, posting or distribution)
- §5.2(b) Sale of intoxicants on private lands
- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations)
- §5.4(a) Commercial transportation of passengers by motor vehicles
- §5.5 Commercial Photography/Filming:
 - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
 - (b) Still photography of vehicles, or other articles of commerce or models, for the purpose of commercial advertising
- §5.6(c) Use of commercial vehicles on park area roads (The superintendent shall issue a permit to access private lands within or adjacent to the park when access is otherwise not available)
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.
 - Scientific research projects, deployment of site markers or instruments

SECTION 2.13 – FIRES

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

- Designated Areas:
 - Banco Bonito Staging Area
 - Valle Grande Staging Area
- Receptacles Allowed:
 - NPS-provided fire rings
 - Personally-owned gas or charcoal grills
- Established Conditions for Fires:
 - Campfires and grills may be used during camping at Banco Bonito, and during night events at the Valle Grande Staging Area

(b) Fires must be extinguished according to the following conditions:

- Fires must be extinguished with water
- Fires must be dead out, cool to touch

Under other limited conditions or in other designated areas, fires may be allowed by permit from the superintendent or designee.

Section 2.13(b) does not apply to ignitions planned and carried out by park management or unplanned ignitions being managed for resource benefit.

Justification: The use of fires in the Preserve is regulated to protect structures, natural resources, and the public. During extreme weather conditions, additional restrictions may be implemented to prevent the accidental ignition of wildfires.

SECTION 2.14 - SANITATION AND REFUSE

(b) All visitors, scientists, contractors and volunteers must use provided porta potties or available pit toilets within the Preserve, OR users must bury solid human waste at least 100 feet away from any water source or trail.

- When the ground is not frozen, human feces must be either packed out or deposited in a "cat hole" dug 6-8 inches deep in soil at least 100 feet from any water source, shoreline, campsite or trail.
- When the ground is frozen, human feces must be disposed over at least 100 feet from any water source and covered with snow or packed out. Tissue paper and sanitary items should be packed out.

Justification: Disposal of solid waste as required above is necessary to protect human health and the environment, including water quality.

SECTION 2.15 – PETS

(a)(1) With the exception of specially trained service dogs meeting requirements listed under the Americans With Disabilities Act (ADA), or specially trained ranch dogs under the direct control of permittees engaged in approved livestock grazing operations, pets are not permitted in any backcountry area or on any trail within Valles Caldera National Preserve, except the Valle Grande trail, Coyote Call trail, and the La Jara trail.

- With the exception of specially trained service dogs meeting ADA requirements, pets may be kept overnight only in designated camping areas at Banco Bonito.
- With the exception of specially trained service dogs meeting ADA requirements, pets may not be taken more than 100 feet from developed areas, such as parking lots at the Valle Grande Staging Area.

(a)(3) There are no designated areas where pets may be left unattended and tied to an object.

(a)(5) Pet owners or responsible persons shall promptly collect and properly dispose of pet fecal matter in residential and public use areas. Fecal material should be collected in a plastic bag and disposed of in a garbage can.

(d) The owners or responsible persons of pets running-at-large will be charged for kennel or boarding costs, in addition to veterinarian, transportation, and other fees and fines.

(f) Pets are prohibited from entering any structure or facility within the Valles Caldera National Preserve.

Justification: These regulations are not intended to restrict pets from the Preserve, but rather to enhance the natural experience of all visitors. Pets are natural predators and their scent alone may

scare wild animals into hiding places. Pet excrement contributes to sanitation problems in visitor use areas.

Keeping a pet in an unattended vehicle during high temperatures can result in the death of the animal. Specially trained service dogs fall under provisions of the Americans with Disabilities Act (ADA) and are permitted to accompany people with disabilities in all areas where members of the public are allowed to go.

SECTION 2.16 – HORSES AND PACK ANIMALS

(a) Horses, mules, burros, llamas, and alpacas are designated as pack animals.

(g) Only certified weed-free pellets and cubes, but no hay, may be taken into and used in any area of the Preserve. It is recommended that horses and pack animals be fed weed-free feed for 48 hours in advance of entering the Preserve.

Justification: Archaeological and historical sites are easily damaged by livestock and require special protection. The requirement that only processed feed be carried into the backcountry is intended to prevent the introduction or spread of non-native vegetation. The requirement to tether or picket stock is to prevent damage to live trees or shrubs and is intended to protect root systems, bark, and foliage from excessive damage that can occur if stock is left restrained in one area for an extended period. Animal stock use limits are implemented to protect park resources.

SECTION 2.19 – WINTER ACTIVITIES

(a) The following Preserve roads and/or parking areas open to motor vehicle traffic may be used for skiing, snowshoeing, ice skating, inner tubing, tobogganing, and similar winter activities under the conditions noted:

- Cross country skiing and snowshoeing are allowed on roads in the Valle Grande district, on the Valle Grande trail and Coyote Call trail, and other approved areas pursuant to a VALL permit or other written authorization.
- Three pedestrian remote access points are available to enter the Preserve for the purpose of cross country skiing and snowshoeing, including two along State Highway 4 (at mile markers 38.6 and 41) and on the eastern boundary of the Preserve at the VC-09 gate.

Justification: The Valles Caldera National Preserve, because of its wide open high elevation grasslands and extraordinary scenic beauty, is appropriately suited to offer winter activities, consistent with section 8.2 of the National Park Service Management Policy regarding visitor use (to provide opportunities for forms of enjoyment that are uniquely suited and appropriate to the superlative natural and cultural resources found in parks).

SECTION 2.2 - WILDLIFE PROTECTION

(b) Turkey and elk hunting are allowed within the boundaries of the Preserve. The following conditions apply:

- A valid New Mexico state hunting permit and a VALL entry permit are required for hunting within the Preserve. New Mexico state laws apply to all hunting.
- Hunters must attend a mandatory orientation. Scouting is allowed after the mandatory orientation.

- Hunters are permitted one vehicle per license, except the Youth Mentor Hunt, where two (2) licenses are issued and one vehicle is allowed. Vehicles are limited to open roads identified on the hunt map.
- Hunting is allowed by horseback. A VALL permit is required for the transporting, parking and storing of horses. Hunters must provide USDA certified weed-free pelleted feed while on the Preserve to prevent the spread of noxious weeds.
- All private vehicles used by hunters must possess and display a VALL tag on the vehicle's rearview mirror while on the Preserve.

Justification: Hunting is allowed on the Preserve, as provided for by the legislation establishing the Valles Caldera National Preserve as a unit of the National Park System. Bag limits and general hunting seasons are regulated in collaboration with the New Mexico Department of Game and Fish. The Preserve, in collaboration with the New Mexico Department of Game and Fish, may regulate and adjust areas open to hunting within the Preserve and specify special season dates.

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

- Lawfully-taken wildlife may be transported through the park.

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

- Night lighting of all wildlife within the boundaries of VALL is prohibited except for guided wildlife tours provided by VALL staff or authorized agreement.

Justification: Restrictions on spot lighting wild animals within the Preserve are justified by general National Park Service principles of preservation and protection of natural resources contained within park boundaries. Spot lighting wild animals may have a detrimental effect on reproduction, and feeding, and is prohibited by state and federal wildlife protection agencies.

SECTION 2.3 – FISHING

Fishing is allowed at VALL in accordance with New Mexico Department of Game and Fish regulations. The following conditions apply:

- Fishing is permitted on the San Antonio Creek, the East Fork of the Jemez River, and the section of Jaramillo Creek below the paddocks to confluence with East Fork of the Jemez River. See Appendix A, Figure 1.3, for map of the fishable area of Jaramillo Creek and East Fork of the Jemez.
- Anglers must check in and check out from the Visitor Information Center at the Valle Grande Staging Area.
- All anglers must have in their possession a valid New Mexico Department of Game and Fish fishing license and VALL permit/authorization.
- Creel limits follow New Mexico Department of Game and Fish regulations.
- Waders are prohibited to reduce the chance of spreading Whirling Disease to trout populations on the Preserve and to protect the streambed and its aquatic life.

Justification: NPS Management Policy 8.2.2.5 states: "Recreational fishing will be allowed in parks when it is authorized or not specifically prohibited by federal law provided that it has been determined to be an appropriate use per section 8.1 of these policies." The Valles Caldera National Preserve in

conjunction and collaboration with New Mexico Department of Game and Fish offers opportunities for the enjoyment of fishing within the Preserve.

SECTION 2.51 - PUBLIC ASSEMBLIES

(c)(2) Subject to the traditional cultural and customary uses authorized by the Preserve's enabling legislation, the following area may be used for public demonstrations, picketing, speech making, marching, holding vigils or religious services and all other like forms of conduct that involve the communication or expression of views or grievances, engaged in by one or more persons, the conduct of which is reasonably likely to draw a crowd or on-lookers:

- The area north and west of the Valle Grande Staging Area Information/Visitor Center as generally described in the map shown in Appendix A, Fig. 1.2

Maps are available at the Administrative office in Jemez Springs and/or at the Valle Grande Staging Area.

Justification: This action is necessary to comply with 36 CFR 2.51 to provide a map showing locations available for public assembly activities. The areas provided should not unreasonably interfere with visitor services and should provide adequate public recognition for any public assembly activity.

SECTION 2.21 – SMOKING

(a) The following portions of the Preserve, or all or portions of buildings, structures or facilities are closed to smoking as noted:

- Smoking is prohibited except within a motor vehicle.
- Electronic cigarettes are considered cigarettes.

Justification: It is NPS policy that public use and administrative facilities be smoke-free. There are no designated employee smoking areas within NPS facilities.

SECTION 2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours in the following areas and under the following conditions:

- Motor vehicles may be left in designated parking areas, lodging facilities, or at trailhead parking areas where the vehicle does not interfere with the flow of traffic for more than 24 hours when the vehicle operator has been issued or is with a group that has been issued a valid permit by the Preserve.
- Motor vehicles not normally left overnight in a visitor center parking lot or other areas within the Preserve must provide prior notification to a park ranger or the superintendent.
- Hunters with a valid VALL permit may park trailers and other vehicles at the staging areas or at hunt headquarters for the duration of the hunt.
- Broken down vehicles must be reported to a park ranger if they can't be fixed and must be left overnight.

Justification: Motor vehicles are prohibited from using visitor center parking lots without a parking permit due to security and safety concerns.

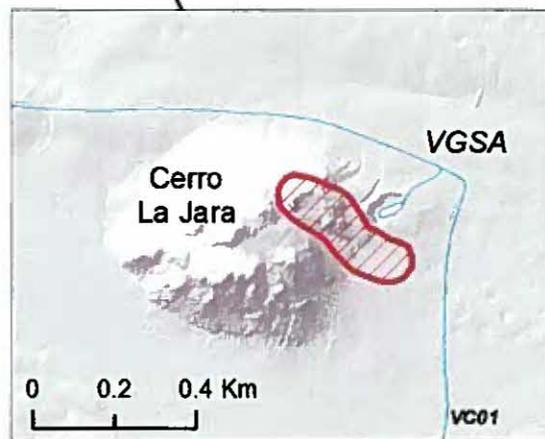
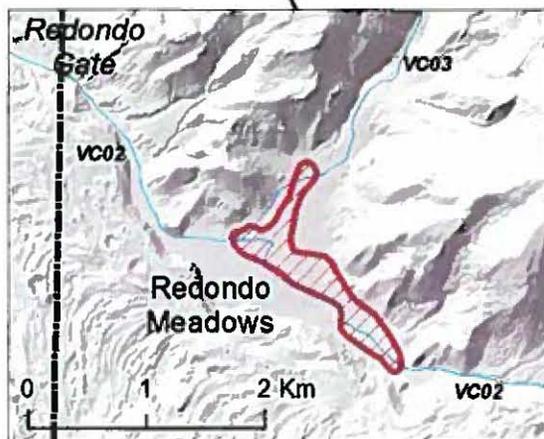
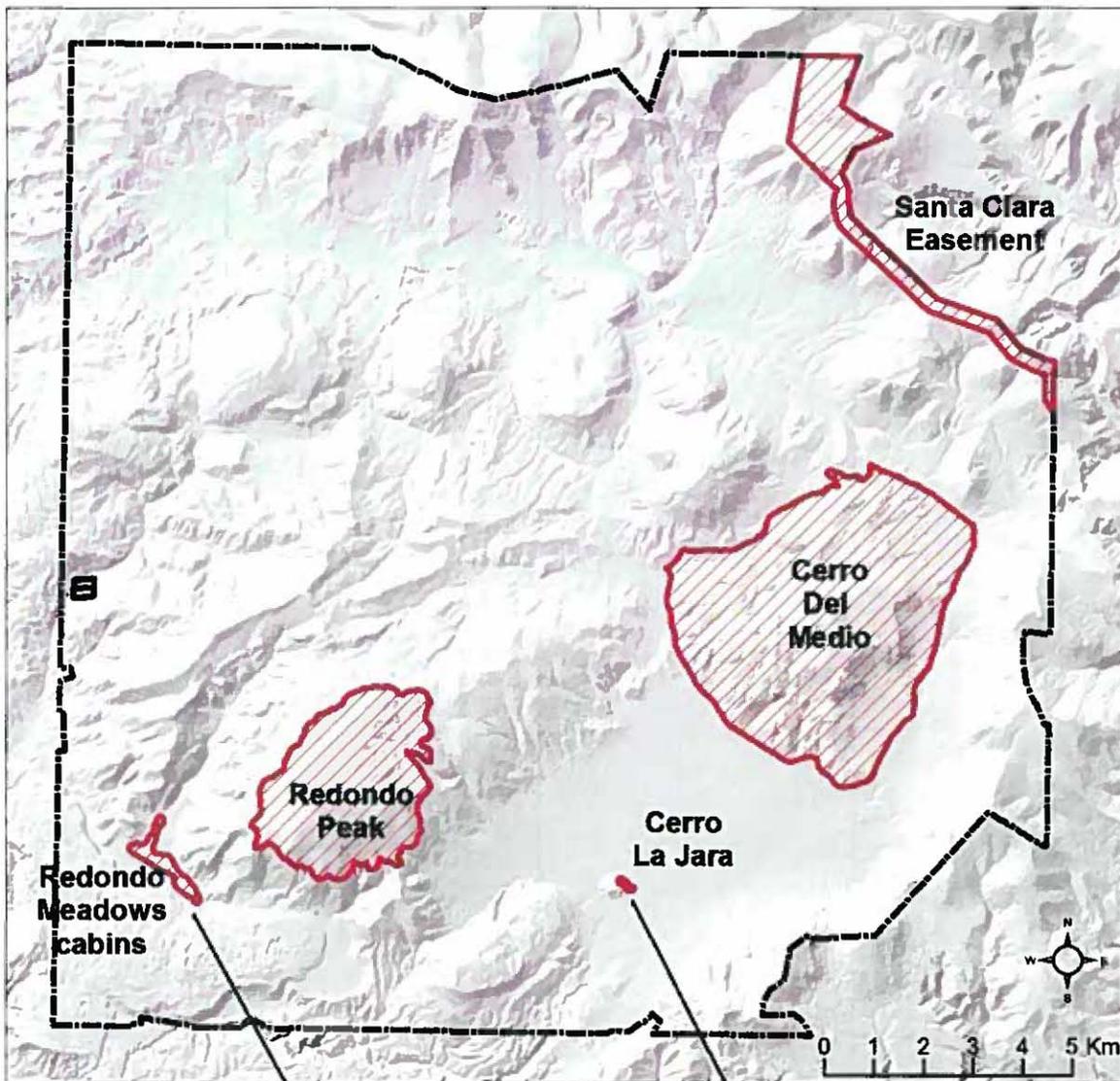
SECTION 4.10 – TRAVEL ON PARK ROADS AND ROUTES

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

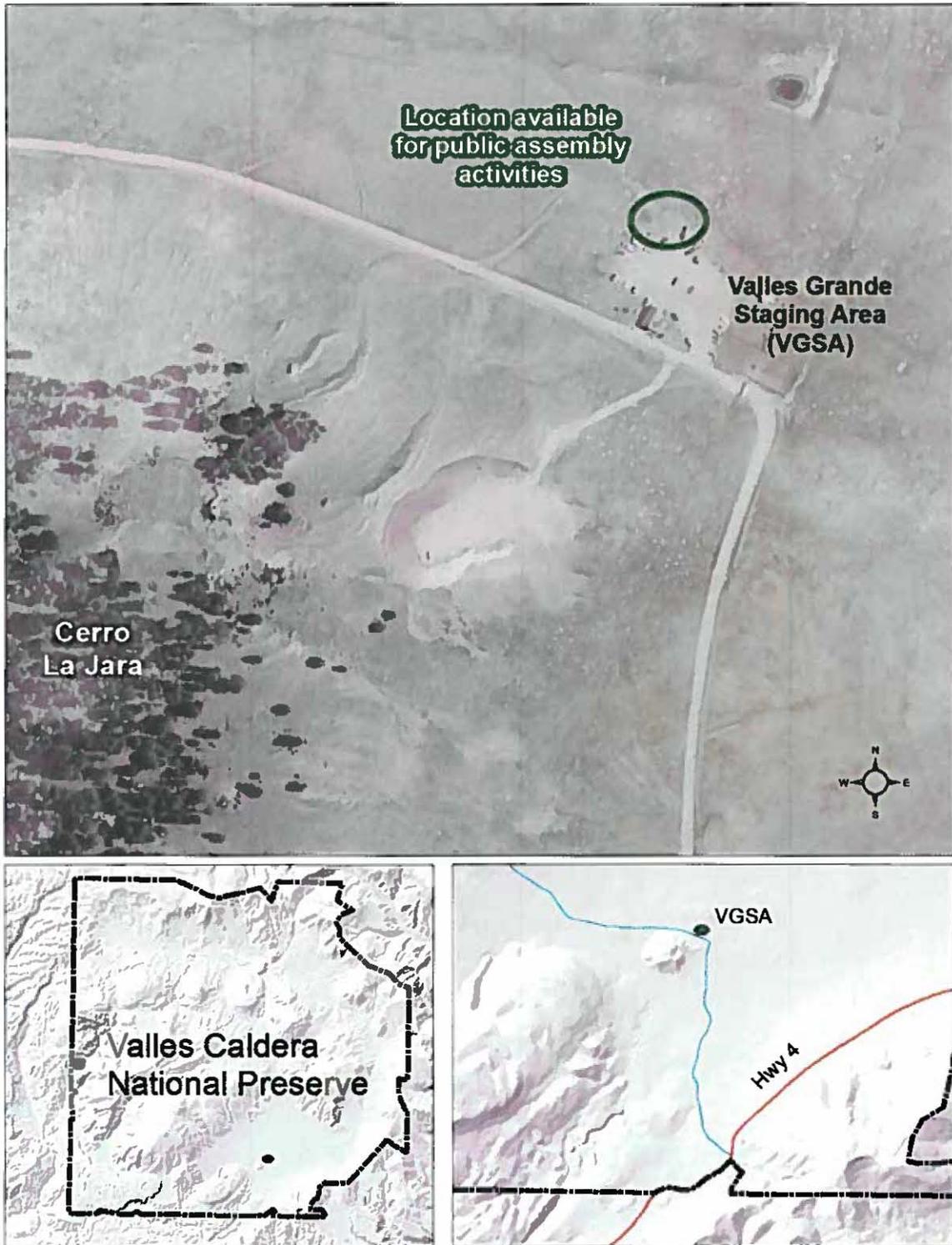
- Public vehicles are allowed in the Banco Bonito staging area and on the road (VC-01) leading to the Valle Grande Staging Area designated parking area.
- All other routes are open only by permit or other written authorization.

Justification: Preserve roads are single lane (with turnouts), unimproved dirt/gravel roads. In some areas, the roads are steep, or drivers may encounter washouts and areas where 4-wheel drive and high clearance vehicles are required. In an effort to provide for public health, welfare and safety, the Valles Caldera National Preserve offers driving access beyond the Valle Grande Staging Area only by permit or written authorization.

Appendix A. Figure 1.1. Closure area map



Appendix A. Figure 1.2. Location available for public assembly activities



Appendix A. Figure 1.3. Permitted fishable area of Jaramillo Creek and East Fork of the Jemez River.

