

CODE OF FEDERAL REGULATIONS
TITLE 36, CHAPTER 1

COMPENDIUM
OF

Designations, Closures, Request
Requirements and Other Restrictions Imposed Under
the Discretionary Authority of the Superintendent

Virgin Islands National Park/ Virgin Islands Coral Reef National Monument

In accordance with the regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter I, and Parts I through 7 as authorized by Title 16, United States Code, Section 3, the following regulatory provisions are established for the Virgin Islands National Park and the Virgin Islands Coral Reef National Monument, and the lands and waters under its administration. These provisions are determined to be necessary to ensure the maintenance of public health and safety: protection of scenic, natural and cultural resources: the appropriate pursuit of scientific research; the equitable allocation and use of public facilities: and the avoidance of visitor/user conflicts.

Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in Chapter 1, Title 36, and Code of Federal Regulations. Additional information may be obtained by contacting the Superintendent, Virgin Islands National Park, 1300 Cruz Bay Creek, St. John, VI 00830 or by calling (340) 776-6201, extension 242.

APPROVED:

Superintendent Mary M Anderson Date: 2-20-2013

Table of Contents

INTRODUCTION TO THE COMPENDIUM	3
36 CFR PART 1.4 DEFINITIONS	4
36 CFR Section 1.5 Closures & Public Use Limits - General	6
Vessels & Water Operations (see Appendix B for chart)	10
Use Limits	10
Anchoring & Mooring	10
Boat Exclusion Areas	17
Other Water Operations	18
Fishing	19
36 CFR Section 1.6 (c) Permits	20
36 CFR PART 2 - RESOURCE PROTECTION, PUBLIC USE AND RECREATION	20
36 CFR Section 2.1 Preservation of Natural, Cultural and Archeological Resources	20
36 CFR Section 2.10 Camping and Food Storage	21
36 CFR Section 2.13 Fires	22
36 CFR Section 2.14 Sanitation	22
36 CFR Section 2.15 Pets	22
36 CFR Section 2.21 Smoking	23
36 CFR Section 2.23 Recreation Fees	24
36 CFR Section 2.51 Public Assemblies, Meetings	24
36 CFR Section 2.52 Sale or Distribution of Printed Matter	25
36 CFR PART 3 - WATER USE ACTIVITIES	25
36 CFR Section 3.17 Prohibited Operations	25
36 CFR Section 3.17 Swimming and Bathing	25
36 CFR Section 3.23 SCUBA Diving and Snorkeling	25
36 CFR PART 4 - VEHICLES & TRAFFIC SAFETY	26
36 CFR Section 4.30 Bicycles	26
36 CFR PART 5 - BUSINESS OPERATIONS	26
36 CFR Section 5.3 Business Operations	26
Appendix A	27
Designated Areas for Public Assemblies and Meetings	27
Designated Areas for the Sale and Distribution of Printed Matter	27
Appendix B Water Operations Chart	28

INTRODUCTION TO THE COMPENDIUM

The purpose of the compendium is to provide the public and park employees with a document that lists the special designations, closures, public use limits, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent. The Superintendent's authority to implement these provisions is found in Title 36, Code of Federal Regulations (CFR), Section 1.5(a). The compendium is available to the public upon request. The compendium will be reviewed and updated annually to ensure adequate protection of the park's resources, provide for public safety and enjoyment and to address changes in public use patterns.

The provisions found in this compendium constitute only one of many tools designed to manage and protect the Virgin Islands National Park. It is important to utilize this document in conjunction with Title 36, Code of Federal Regulations, which includes the full text of National Park Service regulations, including those authorizing the provisions outlined in this compendium. Chapter I, Parts 1-7, of Title 36, include sections addressing resource protection, public use, recreation, boating, vehicles and traffic safety, commercial operations, and special regulations. These regulations are applicable on all federally owned lands and waters within the boundaries of Virgin Islands National Park, Virgin Islands Coral Reef National Monument, and on lands and waters under the administrative control of the National Park Service. In addition, certain regulations found within Title 36 are applicable on non-federally owned lands under the legislative jurisdiction of the United States. Interested parties may also wish to review the Virgin Islands National Park planning documents including the General Management Plan (1983), Resource Management Plan (1999), and Commercial Services Plan (2001).

It is the intent of this compendium, in conjunction with park brochures, maps, signs and other media, to help provide the public and park employees with a clearer understanding of park rules and regulations.

Any questions or requests for additional information should be addressed to any ranger or to the Superintendent's Office. We also welcome your comments and suggestions.

Send Comments to:
Superintendent
Virgin Islands National Park
1300 Cruz Bay Creek
St. John, VI 00830

36 CFR PART 1.4 DEFINITIONS

Boat Exclusion Area - Area designated with white oblong buoys marked with "NO BOATS" and/or the international "boats keep out" symbol - an orange diamond with an 'X' inside. These areas are designated swim or vessel exclusion areas by the Superintendent.

Beaches – Park and Monument beaches are defined as the area along the waters edge and 50 feet landward *or* seaward of the waters edge.

Cast Netting - for bait fish.

CFR - Code of Federal Regulations.

Cinnamon Bay Beach Administrative Access Road - The road that runs from Route 20, North Shore Road to Cinnamon Bay beach, archeology lab and water sports concession.

Commercial Group - Any for-fee tour group of 12 or more persons (including tour guide/operator).

Commercial Services - Activities or services conducted within the park or monument by private parties for which a fee is charged.

Commercial Vessel - Includes both "six-pack" and multi-passenger day use sailboats and powerboats, company dive vessels, company kayaks, crewed charter sailboats and powerboats, and vessels associated with water sports operations. Excluded are bareboat (non-crewed) rentals, charter vessels or term charter vessels.

NPS Cruz Bay Finger Pier - The pier between the Virgin Islands National Park Visitor Center and the Port Authority bulkhead.

LOA - Length Overall, as defined in 50CFR 679.2 is the centerline longitudinal distance, rounded to the nearest foot, measured between:

- (1) The outside foremost part of the vessel visible above the waterline, including bulwarks, but excluding bowsprits and similar fittings or attachments, and
- (2) The outside aftermost part of the vessel visible above the waterline, including bulwarks, but excluding rudders, outboard motor brackets, and similar fittings or attachments

Bulwark means a section of a vessel's side continuing above the main deck.

North Side of St. John - Includes area between Cruz Bay and Haulover North.

NPS - National Park Service.

Pack Animals – Horses, mules, burros, any animal from the cameloid family, or other hoofed mammals when designated as pack animals by the Superintendent.

Park Waters - All waters and submerged lands within the exterior boundaries of the Virgin Islands National Park.

PAOT - People At One Time.

Rafting- Two vessels tied off to one mooring. If one of the vessels is 16' LOA or less it is not considered rafting.

Red Hook Wharf - The L-shaped docking area on the south side of Red Hook Bay adjacent to National Park Service property.

Rigid Device- Examples include: skim boards, canoes, etc.

Skim boarding - A board sport which involves riding a rigid board on or near the beach.

South Side of St. John - Includes area from Cocoloba Point to Nanny Point.

Handicapped person - Any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment

VIIS — Virgin Islands National Park or Park, including the applicable portion of Hassel Island, Red Hook, Wintberg and all property administered by VIIS.

VICR – Virgin Islands Coral Reef National Monument or Monument.

Additional definitions and terms applicable to restrictions, prohibitions, and conditions are found in Section 1.4, Title 36 of the Code of Federal Regulations and in approved planning- documents, e.g. Commercial Services Plan.

36 CFR Section 1.5 Closures and Public Use Limit-General

1) The Superintendent may temporarily close park roadways, parking areas, facilities, waters, and all or portions of the park when such actions are deemed necessary to ensure public safety, protection of resources, or the avoidance of visitor use conflicts. The posting of signs, maps, media announcements, and the use of barricades and/or gates will identify such closures.

Determining Factors: For public safety, protection of resources, and or the avoidance of visitor use conflicts.

2) The Superintendent may temporarily prohibit swimming and snorkeling at designated locations when conditions make such activities unsafe for the public or when such activities would threaten park resources.

Determining Factors: Weather conditions, water conditions, environmental impacts and other conditions may require certain locations to be closed & snorkeling for safety precautions.

3) Motorized vehicles may not enter the Red Hook Entrance Road except during normal business hours from 6:00 AM to 5:00 PM. A barrier gate will secure the roadway from 5:00 PM until 6:00 AM daily. The Superintendent may grant permission for use of the road at times other than normal business hours.

Determining Factors: The Red Hook area does not provide park visitors any services after 5:00 P.M, and there are no personnel to monitor the grounds after 5:00 P.M.

4) Visitor and employee parking areas at park headquarters and the visitor center are identified by signage. Visitors shall park only in the designated visitor parking areas no longer than 1 hour and for day use when issued a temporary permit to participate on the Reef Bay Hike. Park Employees shall only park in designated employee parking areas during duty hours and display a parking permit. While off duty, employees can park in these areas for a limited time. It is recommended employees utilize the maintenance lot for long term parking (overnight, traveling, and day trips to surrounding islands, etc)

Determining Factors: There are no designated parking areas beyond the Trunk Bay Parking lot. The administrative access road is for government vehicles conducting business, delivery vehicles for the snack bar and gift shop and homeowners who need to use the road to access their property.

5) Trunk Bay / Cinnamon Bay administrative access roads are closed to public vehicular traffic.

Determining Factors: Visitor and employee parking have been identified by signage to provide for adequate space for park visitors and employees.

6) Entry to Cinnamon Bay Campground campsites and roads, except for the main Cinnamon Bay beach administrative access road, is allowed only for registered campground guests and those persons authorized by the Superintendent and/or campground management.

Determining Factors: This closure is to prevent disturbance of registered campers.

7) The following facilities are closed to the general public:

- Cinnamon Bay reverse osmosis plant
- Cinnamon Bay sewage treatment plant
- Trunk Bay reverse osmosis plant
- Cruz Bay Maintenance Yard
- Inside Fee Collection Booths

Employee housing areas including:

- Lind Point,
- Lyne House,
- Trunk Bay House,
- Cinnamon Bay Residence,
- Island Fancy,
- Lille Maho,
- Montague House,
- Callahan House and
- Lameshur Residence.

Determining Factors: These areas are not visitor use areas. They include work locations that contain secure information, heavy and dangerous equipment and employee housing areas that have a right to privacy.

8) The NPS Firearms Range is closed to public use, except that the Superintendent may grant permission for use by non-NPS law enforcement personnel in accordance with the park's Firearms Range Use policy.

Determining Factors: This area is not a visitor use area. This area is used by law enforcement officers to qualify with their firearms. Public safety will be top priority.

9) White Cliffs land area temporary closure is to protect rare, endemic and territorially endangered plant *Eugenia earhartii*.

Location: The designated temporary closure is delineated as follows:

- South of Lameshur Bay Trail
- West of Europa Bay Trail
- East of Reef Bay Trail/Reef Bay Sugar Mill
- Shoreline connecting Reef Bay Trail to Europa Bay Trail.

Access to the closed area is prohibited along the shoreline between Reef and Europa Bays. The southern boundary will be closed to all terrestrial and marine access, including climbing or rock climbing, and while the actual shoreline remains open no landward access is permitted

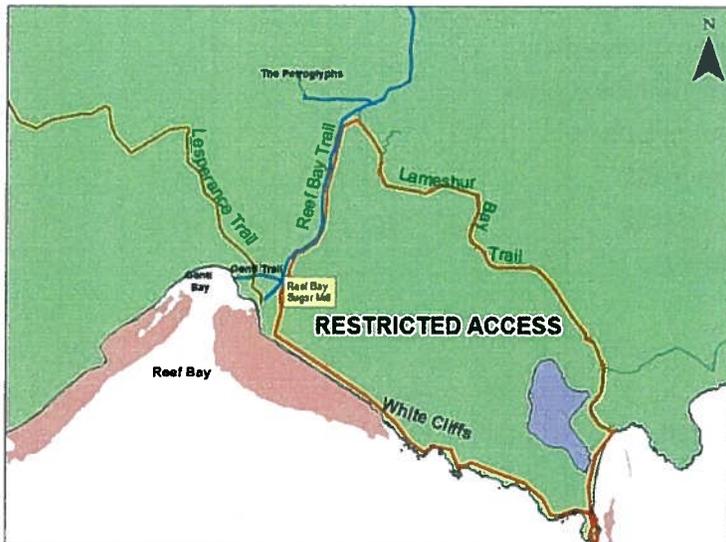


Figure 1 White Cliffs

Determining Factors: The temporary closure is necessary to protect a Territorially Endangered endemic rare plant whose global range consists of a few hundred individuals within VIIS. Repeated unauthorized trail making within this area resulted in the cutting of this and other rare plants, some of which grow less than one-half millimeter per year; some individuals are over 500 years old. Illegal trail making also facilitates corridors for the movement of exotic wildlife, leads to unwanted dispersal of non-native seeds and increases sedimentation onto adjacent wetlands, which occur on the east and west sides of the closed area. No designated NPS trails are within this closed area.

10) Balloons are not permitted in the park.

Determining Factors: Balloons when not properly discarded become a significant threat to turtles. Turtles may mistake deflated balloons or pieces of balloons as jellyfish and attempt to eat them and will die of starvation after ingesting.

11) Eating and drinking are prohibited in the Visitor Center, Archives Building, Resource Management Bally Building, public restrooms, and historic structures

Determining Factors: These are not appropriate areas for food and drink. Picnic areas are provided outside these areas.

12) Land-based commercial groups are restricted to the following locations, unless specifically authorized by permit:

Trunk Bay;

Cinnamon Bay, in the restaurant area including the store, restrooms, and reception area. Campground facilities within the campground and the beach are closed to commercial tour groups; and the Annaberg Historic Site.

Determining Factors: The Commercial Services Plan has identified these locations due to the facilities and services for land-based commercial groups.

13) The following areas are closed to Commercial Group access from any type of commercial vessel:

The portion of Hawksnest Bay off the NPS beach, other portions of the bay to the west (Caneel/Hawksnest area) and to the east (Gibney/Oppenheimer beach area) are open;

Denis Bay;

Jumbie Bay;

Francis Bay beach;

Mary's Creek, with the exception of authorized SCUBA diving operations, is closed including mooring of vessels during hurricane or tropical storm events or warnings;

Brown Bay;

NPS portion of Haulover Bay, except for authorized SCUBA diving operations;

All bays on the south shore without moorings.

Determining Factors: These areas are closed to group access from any type of commercial vessel due to the sensitive natural resources and/or infrastructure to support such groups and activities. Mary's Creek is filled with seagrass and three sides contain extensive mangrove habitat; therefore it is not possible to secure a vessel in advance of a severe storm event without damaging these federally or territorially protected habitats.

VESSELS & WATER OPERATIONS (see Appendix B for chart)

Use Limits

14) **Length of Stay** Vessels anchoring, mooring or as applicable using stationary positioning within park waters may not exceed thirty (30) nights in a calendar year and no more than seven (7) consecutive nights in one bay. Abandoned vessels are strictly prohibited, and will be subjected to fines and removal by NPS.

Determining Factors: Visitor use restrictions are to ensure that boaters do not abuse their length of stay and that all prospective visitors have access to necessary space, facilities, and services within the park. Abandoning properties for longer than a 24 hour period may also interfere with the safe management of the Park.

15) Individual commercial vessels providing visitor services within Park waters shall not exceed a capacity of 50 passengers.

Determining Factors: The limitation of one cruise ship visitor transport vessel assigned to Trunk Bay and the maximum capacity of 50 passengers for commercial vessels is based upon the severity of potential resource damage associated with larger vessels, a lack of supportive infrastructure, and conflicts between the nature of such use and a national park setting and its values.

16) Use of underwater lights of any kind, other than hand held dive lights are prohibited in Park and Monument waters.

Determining Factors: Underwater lights cause an unnatural environment and disrupt the natural behavior of marine species. Use of underwater or bright deck lights serve as an attractant for many species of marine life, including large predatory fish and endangered hatchling sea turtles making their way to the open ocean from the beaches where they hatch. The concentration of predators and prey can result in over predation of some species of fish, thus creating an imbalance in the marine ecosystem.

Anchoring & Mooring

On the south shore of the park all vessels >100 feet in length overall (LOA) are restricted from anchoring or mooring and must be making way. On the north and northeast shores of the park all vessels > 100 feet LOA must be making way, except as provided by designated anchorages at Lind Point and Francis Bay and described below. Anchoring is prohibited in VIIS except in designated anchorages at Lind Point, Frances Bay, and Cruz Bay. Vessels anchoring overnight or using stationary positioning must pay an overnight anchorage fee of \$15 per night.

17) **Stationary Positioning** Use of stationary positioning systems is prohibited in VICR. Use of stationary positioning systems is allowed within the Lind Point and Francis Bay anchorages by vessels that meet the vessel length restrictions for those areas.

Determining Factors: Use of these systems prevent the need to drop anchor, however, impacts from potentially large numbers of passengers may overwhelm the area resources and affect visitor experience; potential vessel effluent including sewage, grey and freshwater systems may impact the fragile marine resources. Accommodation is provided at designated locations: Lind Point for private vessels up to 125 feet LOA and Francis Bay for private vessels up to 210 feet LOA, to partially mitigate any potential impacts. Vessels over 210 feet have the potential to cause substantial damage to the park's underwater resources.

18) **Vessels >210' LOA** Vessels with a length overall (LOA) greater than 210 feet are prohibited from anchoring or mooring within park waters. These vessels must be making way (moving) and not just under way (engine running non-moving).

Determining Factors: The Park does not have the facilities or services available to accommodate vessels of this size. Vessels over 210 feet have the potential to cause substantial damage to the park's underwater resources.

19) **Vessels 126'-210' LOA.** Private vessels with an LOA between 126 feet and 190 feet are allowed to anchor in Francis Bay, in sand seaward of mooring areas and at depths greater than 50 feet, and more than 300 feet from any park buoy, and shoreward of a line from Mary Point to America Point. These vessels are prohibited from using NPS provided moorings.

The designated anchorage at Francis Bay is East (Landward) of the line formed between the following two GPS coordinates.

ID	Longitude	Latitude
1	64° 45' 5"	18° 22' 0"
2	64° 45' 3"	18° 21' 36"

Determining Factors: Due to vessel size, these areas have been identified as areas where they will do the least amount of resource damage.

20) **Commercial Vessels >125' LOA.** Commercial vessels with an LOA greater than 125 feet are prohibited from anchoring or mooring within park waters.

Determining Factors: The Park does not have the facilities or services available to accommodate commercial vessels of this size and their guests. Commercial vessels over 125 feet and their number of guests have the potential to cause enormous damage to park underwater resources.

21) **Vessels 101 - 125 LOA** Vessels with an LOA between 101 and 125 feet seeking anchorage in the park, are restricted to the designated anchoring zone at Francis Bay as provided in 19 above, or Lind Point as described below. Vessels are prohibited from using NPS provided moorings or stationary positioning elsewhere in the park. (See attached chart at end of document).

The designated anchorage at Lind Point is within the following GPS coordinates:

ID	Longitude	Latitude
1	64° 48' 8"	18° 20' 22"
2	64° 47' 48"	18° 20' 34"
3	64° 48' 8"	18° 20' 34"
4	64° 47' 51"	18° 20' 22"

Determining Factors: Vessels > 101 feet LOA are not permitted to use NPS moorings and must avoid entanglement with the moorings or striking other vessels on moorings.

22) **Vessels 61' – 100' LOA.** Vessels with an LOA between 61 and 100 feet are prohibited from anchoring and must use established moorings provided for vessels 61' – 100' feet LOA, except as provided in Item 21 for Lind Point or Item 19 for Francis Bay. The 'big boat' mooring buoys are marked and state a usage size limit between 61 – 100 feet LOA and the following number are installed at the noted location:

4-Lind Point / Caneel Bay	(North-NW shore of Park)
1-Hawksnest Bay	(North shore of Park)
2-Francis Bay	(North shore of Park)
2-Little Maho Bay	(North shore of Park)
2-Leinster Bay	(North-NE Shore of Park)
2-Great Lameshur Bay	(South Shore of Park)
1-Princess Bay	(Hurricane Hole, Monument)

Determining Factors: Thirteen 'big boat' moorings were installed throughout the park to facilitate access of larger vessels to park resources and beaches. Seaward anchoring from these mooring fields or elsewhere is prohibited, unless as specified herein, to protect marine resources and to limit the number of marine visitors. The capacity to accommodate more marine-based visitation exceeds the existing infrastructure. Vessels of this size may anchor in designated Lind Point and Francis Bay anchorages as appropriate.

23) **Vessels 60' or less LOA.** Vessels with an LOA 60 feet or less are prohibited from anchoring and must use established moorings provided for vessels 60' LOA or less; or when all the moorings in that specific bay are fully occupied, may occupy a vacant mooring rated and identified for vessels 61' – 100' LOA, but must yield use to an appropriately sized larger vessel when safe to do so.

Determining Factors: Almost 200 moorings have been installed throughout the park, a majority of them are located on the north side of St. John, where the majority of vessel use has historically been concentrated. Anchoring is prohibited seaward of mooring areas, or elsewhere unless as specified herein, to protect the benthic marine resources and to limit the number of marine visitors. The capacity to accommodate more marine-based visitation exceeds the existing infrastructure. Vessels of this size may anchor in designated Cruz Bay, Lind Point and Francis Bay anchorages as appropriate.

24) **Little Maho Bay.** Day Use Vessels up to 16' LOA may anchor off beach in pure sand areas.

Determining Factors: The provision is granted to facilitate a safe and accessible marine operation.

25) **Three Hour Cruz Bay Anchoring.** Vessels with an LOA of 60' or less are allowed to anchor in (the NPS portion of) Cruz Bay, adjacent to the NPS boat ramp, for no longer than three hours (former sea plane ramp area). Hours of anchoring are 6:00 AM to 6:00 PM. Overnight anchoring in this area is prohibited.

Determining Factors: Due to limited space and water depth, this area is restricted to vessels 60 feet or less. A maximum stay of three hours has been identified to allow the high influx of boaters to share this area to access Cruz Bay, customs, and local public services.

26) **NPS Cruz Bay Creek Dinghy Area.** The NPS Cruz Bay Creek dinghy area is for vessels less than or equal to 16 feet in length, to tie up. A NPS-provided dinghy area to tie up and come ashore is a privilege. No abandoned dinghies or vessels are allowed in the park under any circumstances. Any equipment left in the park for over a 24 hour period is considered abandoned and will be removed at the owner's expense.

Determining Factors: Due to limited space and water depth, and high public demand, this area is restricted to small vessels and relatively short stays.

27) Anchoring is prohibited within beach access channels marked by red and green buoys.

Determining Factors: Anchoring in channels create an obstruction for other boaters needing access to the beach and it's a violation of U.S. Coast Guard regulations.

28) **South Side Anchoring is Prohibited.** Anchoring in park waters on the South Side of St. John is prohibited. All mooring guidelines in the south side are consistent with those of the north side. The south side does not have a designated boat anchorage area.

Determining Factors: In an effort to protect a fragile marine ecosystem, use of the moorings is required for all vessels 100 feet in length or less. This management practice maximizes the protection of underwater resources since utilizing mooring buoys eliminates anchoring thus the impacts from an anchor or anchor tackle. All of the south side moorings, including the Scuba moorings in the park and the yellow fishing moorings in the monument, are rated for vessels 60 feet or less LOA. Two moorings in Great Lameshur Bay are rated and marked for vessels up to 100 feet LOA.

29) **Vessels up to 100' LOA** Vessels up to 100 feet LOA are prohibited from anchoring and must use NPS moorings provided and appropriate for their vessel length. Only vessels 60 feet LOA or less may use moorings designated for vessels of this length.

Determining Factors: In an effort to protect a fragile marine ecosystem, the use of moorings is required for all vessels 100 feet in length or less. This management practice maximizes the protection of underwater resources since utilizing mooring buoys prevent the damage caused by anchors and anchor chains to the reef and seagrass habitats. Access to the sensitive areas is achieved through the use of moorings. Rated mooring vessel sizes must be consistent with mooring use.

30) **Scuba & Day-Use-Only Moorings.** Red mooring buoys designated for Scuba or moorings identified as day-use-only are prohibited from use overnight. Vessels using the Scuba moorings should be engaging in diving or snorkeling activities.

Determining Factors: Red mooring buoys have been installed in areas of reef with good dive or snorkel opportunity. These areas are typically more exposed to the weather and therefore are not suitable for overnight use. Scuba and day-use-only moorings tend to be located in relatively exposed locations where sea conditions easily place a greater strain on the anchor system. Their primary purpose is to provide daytime access to otherwise remote areas with marine resources nearby. Scuba moorings were installed in specific areas for diving and snorkeling opportunities; if these are not being done then the vessel should depart and allow other vessels to access the resource.

31) **Moorings in VICR** All moorings in Virgin Islands Coral Reef National Monument (VICR) are day-use-only.

Determining Factors: The day-use-only moorings in VICR are in four small bays within Hurricane Hole, with limited currents to remove or diffuse effluent; a prohibition of overnight use of moorings reduces and limits potential effluent from vessel toilets, sinks, showers etc.

- 32) **Henley Cay** Both moorings at Henley Cay are day-use-only.

Determining factor: Henley cay is a small relatively exposed off shore cay which frequently experiences extremely strong currents; hazards associated with this current may be increased when darkness hampers rescue operations.

- 33) **Dinghy Tethers** Dinghy Tethers at Trunk Bay and Waterlemon Cay are marked with two orange buoys joined by a floating line. Only use by vessels 16' LOA or less is authorized.

Determining Factors: Dinghy tethers are attached to the bottom with sand screws of the appropriate size for vessels up to 16' LOA. Larger vessels may place too much strain on the ground tackle.

- 34) **Blue Moorings With Red Strip – Caneel & Maho Bays** Blue moorings with a red stripe are individually assigned to the Caneel Bay Resort and Maho Bay Campground. Their use is limited to those specific operations.

Determining Factor: Commercial moorings at Caneel and Maho Bays are necessary to provide visitor services and recreational opportunities. The moorings must be available when designated vessels return late in the day.

- 35) **Blue Commercial Use Authorization (CUA) Moorings.** Use of blue CUA moorings throughout the North Shore are assigned to NPS-permitted commercial use operators, and use by other vessels is prohibited between 8:00 AM - 5:00 PM. Overnight use is permitted between 5:00 PM - 8:00 AM.

Determining Factors: Blue moorings in bays other than Caneel and Maho Bays are placed such that commercial day sail operators may have more convenient and safe access to the underwater features for their guests. As these commercial operators are day use, these moorings are available for overnight use by other vessels between 5:00 PM - 8:00AM.

36) **No Anchor Use with Moorings.** Setting of anchors is prohibited while on NPS provided moorings. Vessels using NPS moorings may not use additional ground tackle.

Determining Factors: The moorings were installed for the purpose of eliminating the use of anchors for the protection of the underwater resources. Also, the use of additional ground tackle damages the mooring system.

37) Vessels on moorings and utilizing a second vessel greater than 16' LOA as a registered tender, the combined LOA of the two vessels must not be greater than the mooring (length) rating, either < 61' or < 101'.

Determining Factors: The moorings were designed to safely hold a 60' or 100' foot vessel, respectively.

38) Securing vessels to moorings using stern cleats is prohibited.

Determining Factors: Securing a vessel to a mooring using the stern cleat increases the weight; pulling on the mooring system weakening and/or damaging the mooring.

39) NPS moorings shall be vacated when tropical storm warnings are forecast for the area.

Determining Factors: This is to protect the mooring system. Vessels using the moorings during a tropical storm add to the weight and pull on the mooring system weakening and/or damaging the mooring.

40) NPS moorings shall not be modified by any user unless under the terms of a written NPS permit.

Determining Factors: The moorings were installed for the purpose of eliminating the use of anchors for the protection of the underwater resources.

41) **Fishing From Moorings** Fishing of any kind while vessels are attached to an NPS mooring is prohibited; with the exception of the yellow fishing moorings in the monument, where fishing is permitted for hardnose only.

Determining Factors: Fishing while on a park mooring can result in fishing lines and hooks becoming entangled in the mooring, producing a safety hazard for park employees while cleaning and maintaining the moorings.

42) **Deck and Underwater Lights** Use of bright deck lights or any underwater lights from boats to attract fish, or other purposes, is prohibited in Park or Monument waters.

Determining Factors: Use of underwater or bright deck lights serve as an attractant for many species of marine life, including large predatory fish and endangered hatchling sea turtles making their way to the open ocean from the beaches where they hatch. The concentration of predators and prey can result in over predation of some species of fish, thus creating an imbalance in the marine ecosystem.

Boat Exclusion Areas

43) **The following are prohibited in Boat Exclusion Areas:**

- a. Motorized vessels or operating a motorized vessel;
- b. Operating a vessel under sail, including windsurfers;
- c. Surfing or skim boarding; and
- d. Fishing with hook and line.

An exception to #43a is that a motorized vessel, being rowed or paddled, is allowed in a boat exclusion area while being used for cast netting for bait fish.

Determining Factors: These areas are restricted to boaters, surfing, skim boarders and fishing in an effort to protect underwater resources and swimmers. Surfing and skim boarding in the surf zone can be extremely dangerous and result in an injury, including paralysis.

44) No kayaks within 200' west of Trunk Cay, to avoid the underwater snorkel trail.

Determining Factors: These areas are restricted to boaters in an effort to protect underwater resources and swimmers.

45) **Beach Access Channels.** Vessels under sail or motor less than 26 feet LOA may access beaches inside Boat Exclusion Areas where beach access channels have been provided. These channels are designated by a red and green buoy. Vessels under sail or motor must stay inside these channels. Vessels that can be pulled completely out of the water may be kept on the beach while the occupants are using the beach, all other vessels must immediately leave the boat exclusion area after picking up or dropping off passengers.

Determining Factors: Channels have been positioned at most beaches with boat exclusion areas to provide safe beach access to the boater. Vessels greater than 26 feet pose a greater hazard to nearby swimmers when using the access channel.

Other Water Operations

46) Recreational kite surfing is prohibited in boat exclusion areas and mooring areas. Commercial kite surfing activities are prohibited within park waters.

Determining Factors: This activity enhances safety concerns and potential conflicts with other park uses that are similar to those associated with water-skiing and parasailing. This activity is not necessary for public use and enjoyment of the park.

47) Operating a vessel in excess of 5 mph or creating a wake in mooring fields or within 500 feet of a mooring field is prohibited.

Determining Factors: Excessive speed in mooring areas increases the dangers of collision with other vessels and people in the water. Creating a wake in the mooring areas disrupts vessels and visitors and causes potential resource damage to fragile corals near shore.

48) NPS Cruz Bay Creek Finger Pier Vessels docking at the NPS Cruz Bay finger pier are limited to (15) minutes to load and unload passengers.

Determining Factors: Fifteen-minute limits provide for visitors to pick-up or drop-off passengers and visit the Visitor Center to retrieve information.

49) Commercial and recreational use of the NPS dock facility at Red Hook is by special use permit only. Only vessels 60 feet or less will be considered for a permit. Vessel inspections require a minimum one week notification prior to inspection taking place at the NPS Red Hook dock.

Determining Factors: This area is closed to commercial and recreational uses except by permit due to safety reasons and lack of on-site security.

50) The following commercial vessels are prohibited from transiting through National Park waters without a permit except for that area between Lovango Cay and Rata Cay. Vessels must transit west of NPS boundary buoy B at Lind Point, north of Rata Cay, north of Johnson's Reef, and north of Whistling Cay:

- a. Cruise Ships;
- b. Tug boats;
- c. Barges;
- d. Cargo vessels;
- e. Passenger Ferries; or
- f. Large Yachts.

Determining Factors: These vessels require a permit signed by the Superintendent to operate in National Park waters. These vessels pose a serious hazard to the park's

natural and cultural resources if they were involved in a collision, grounding and/or sinking.

- 51) Use of underwater diver's scooter or dive propulsion vehicles is prohibited.

Determining Factors: Underwater dive propulsion vehicles cause disturbance to marine life such as sea turtles and fish, particularly baitfish schools that support seabird and fish populations in the park.

- 52) Floating pay stations are for the sole purpose of paying fees. All other activities are prohibited. No Swimming. No fishing.

Determining Factors: Other activities interfere with visitors being able to pay their mooring fees.

Boat Launching

- 53) The public may use the designated boat-launching ramp in Cruz Bay to launch or retrieve their vessels. However parking of trailers, boats and vehicles on the ramp or surrounding area is PROHIBITED. The NPS boat ramp will be closed at 5:00 PM.

Determining Factors: The public will continue to be permitted to use the ramp for launching and retrieving vessel between the hours of 0800-1700. However due to park operations and limited storage space for government property, personal property will not be permitted to be stored at the boat ramp. To help maintain and enforce NPS properties, the gate closing is essential.

Fishing

- 54) Fishing is prohibited at the following locations/times:
NPS Red Hook dock Between 6:00 AM and 5:00 PM; NPS Cruz Bay Dock and NPS Finger Pier; Within all designated boat exclusion areas; While using any NPS mooring, except the yellow fishing moorings in VICR for hardnose only. Cast netting for bait fish is allowed in VICR. All other fishing is prohibited in VICR

Determining Factors: Fishing would interfere with park operations at the Red Hook dock and the Cruz Bay docks. The boat exclusion areas are resource protected areas and protected areas for swimmers. Fishing from moorings causes significant fouling of gear and presents hazards for maintenance operations. Fishing is prohibited for the enabling legislation within VICR except as provided herein.

36 CFR Section 1.6 (c) Permits

- 55) The following activities require permits. An application for a permit must be submitted to the Superintendent during normal business hours:
- a) Closed area use (36 CFR 1.5);
 - b) Specimen collecting (36 CFR 2.5a);
 - c) Special events (36 CFR 2.50);
 - d) Public assemblies and meetings (36 CFR 2.51);
 - e) Sale or distribution of printed matter (36 CFR 2.52);
 - f) Commercial services authorized by the Commercial Services Plan;
 - g) Commercial photography may require a permit depending on the scope and extent of the activity; (SEE NPS FILM GUIDELINES, DIRECTORS ORDER 51, SPECIAL PARK USES);
 - h) Permits usually are required for product advertising or when the permittee is using models, crews, and requires special accommodation or use of park facilities/areas. [36 CFR 5.5(a) (b)];
 - i) Memorialization (36 CFR 2.62);
 - j) Recreation Fee Areas (36 CFR 2.23);
 - k) Exceeding vehicle load, weight, and size limits (federal regulations adopt Territory traffic laws);
 - l) Vessels carrying passengers for hire within park waters (36 CFR 5.3);
 - m) Vehicles carrying passengers for hire within the park (36 CFR 5.3);
 - n) Taking or harvesting of downed wood products to be used other than for fires in a grill;
 - o) Taking or harvesting of hoop and twist vines;
 - p) Commercial use of the NPS Red Book Dock; or for
 - q) All commercial activity.

Determining Factors: The superintendent may issue a permit to authorize an otherwise prohibited or restricted activity or impose a public use limit.

36 CFR Part 2 – Resource Protection, Public Use and Recreation

36 CFR Section 2.1 Preservation of Natural, Cultural and Archeological Resources

54. The gathering of dead wood on the ground may be collected for use as fuel in NPS provided grills or portable grills used within the park.

Determining Factors: Collecting only dead and down wood is specified so that living materials are not unnecessarily destroyed.

55. The stapling, nailing, tying, or attaching any material to any vegetation, living or dead, or to utility poles and sign posts is prohibited.

Determining Factors: Stapling, nailing, tying or attaching anything to trees and vegetation living or dead is harmful to the resource and the wildlife that use that resource.

56. The gathering by hand for personal use or consumption of the following fruits and plant products is permitted.

- a. Coconuts
- b. Limes
- c. Mammey apples
- d. Soursop
- e. Hogplums
- f. Papayas
- g. Mangoes
- h. Genips
- i. Guavas
- j. Sweet Limes
- k. Sugar apples
- l. Seagrapes
- m. Plant seeds
- n. Guavaberries
- o. Calabash

Determining Factors: Most of these species are exotic to the island and are very prolific and collection will not impact the populations.

57. Hikers must stay on designated trails or walkways when such trails or walkways are provided for access and public use. Leaving a trail or walkway to shortcut between portions of the same trail or walkway, or to shortcut to an adjacent trail or walkway is prohibited.

Determining Factors: This regulation minimizes the potential impact on natural and cultural resources and provides for the safety of the hiker.

36 CFR Section 2.10 Camping and Food Storage

58. Camping is permitted only in designated sites at the Cinnamon Bay Campground.

Determining Factors: Cinnamon Bay Campground is the only designated location for camping.

59. The Cinnamon Bay Campground length of stay limit is fourteen (14) days from December 1s through April 15. The Superintendent may modify the length of stay limits and dates based on seasonal demand and occupancy levels.

Determining Factors: Length of stay limits prevents campers from abusing their stay in the campground and ensures opportunities for other prospective camping visitors.

60. Motorized generators may not be operated in the campground.

Determining Factors: Generator noise is counter to the semi-wilderness atmosphere sought by many campers.

61. Food storage regulations as specified in 36 CFR 2.10(d) applies in park campgrounds, picnic areas, and parking lots.

Determining Factors: Food scents attract animals. Animals, which gain access to human food sources tend to return to those sources and may cause property damage or injury. Subsequent behavior problems often necessitate the removal or destruction of an animal.

36 CFR Section 2.13 Fires

62. Fires may only be built in NPS provided grills or in portable grills designed to contain combustible material. Ground fires are prohibited.

Determining Factors: The use of open fires in the park is regulated to protect human life, structures and natural resources.

36 CFR Section 2.14 Sanitation

63. Trash being disposed of from vessels may not exceed two 10-gallon bags and must fit inside NPS trash containers identified for vessel trash in Cruz Bay, Francis Bay, Leinster Bay, Salt Pond and Little Lameshur Bay.

Determining Factors: Refuse receptacles are available at many beach locations. Boaters are requested to use these receptacles in a conservative manner.

36 CFR Section 2.15 Pets

64. Pets are specifically prohibited off all NPS-approved roads, parking lots and trails in accordance with 36 CFR 2.15. Pets are also prohibited on park beaches.

Determining Factors: These regulations are not intended to restrict pets from the Park but rather to enhance the natural experience of all visitors. Pets are natural predators and their scent will scare wild animals into hiding places.

65. Park residents may keep pets in accordance with the park housing policy and 36 CFR 2.15.

Determining Factors: Park tenants are required to adhere to the park housing policy.

66. Pet handlers are responsible for immediately picking up, removing, and disposing of all pet excrement in developed areas.

Determining Factors: These regulations are not intended to restrict pets from the Park but rather to enhance the natural experience of all visitors. Pets are natural predators and their scent will scare wild animals into hiding places.

36 CFR Section 2.21 Smoking

67. Smoking is prohibited as follows:

- a) Within the interior portions or 50 feet of any NPS building.
- b) On beaches, or within 50 feet of pavilions, picnic tables or restrooms.
- c) Within 50 feet of a gas pump or flammable materials storage area.
- d) At locations posted as no smoking areas.

Park and Monument beaches are defined as the area between the waters edge and 50 feet landward *or* seaward of the waters edge.

Determining Factors: This regulation provides for a smoke free environment inside and near NPS buildings and facilities and provides for visitor safety and resource protection. Tobacco prohibition on park beaches protects all visitors and the marine environment. Smoking and smoking debris pose a second hand smoke hazard to park visitors and poses a safety and sanitation hazard, especially to small children playing on the beach. The accumulation of toxic cigarette butts and other tobacco byproducts directly onto Park beaches is a preventable hazard to park marine life. Birds and marine animals can ingest cigarette butts leading to choking, poisoning, and or death. The plastic and toxic chemicals found in cigarette butts leach into the marine environment within one hour of contact with water.

68. The Superintendent may restrict smoking and/or any exposed flame in all or any portion of the park during periods of high fire danger.

Determining Factors: The superintendent may restrict smoking in the park to prevent wild land fires and to protect park resources.

36 CFR Section 2.23 Recreation Fees

69. Recreation fees are collected at Trunk Bay. Entering this area by land or water without paying the required fee is prohibited except during periods when the fee collection facility is closed.

Determining Factors: Fees are collected at these sites to provide increased visitor services such as bathroom facilities, showers, and cultural demonstrations.

70. All vessels are required to pay an overnight fee of \$15.00 per night when mooring or anchoring in the park between 5:00 P.M. and 7:00 A.M. including overnight use of stationary positioning systems within designated 'big boat' anchorage areas of Lind Point and Francis Bay. Fees must be paid before vessel departs mooring or anchorage as applicable.

Determining Factors: Overnight mooring, anchoring and as applicable vessels using stationary positioning devices must pay a fee. Fees are collected to provide mooring maintenance, increase visitor services, and support resource protection studies and programs.

36 CFR Section 2.35 Alcoholic Beverages

71. Consumption of alcoholic beverages or the possession of an open alcoholic beverage container is prohibited as follows:

- a) Within NPS visitor centers.
- b) While participating in an interpretive activity such as a guided hike or interpretive program.

Determining Factors: The possession and use of an alcoholic beverage at these locations and activities would be inappropriate.

36 CFR Section 2.51 Public Assemblies, Meetings

72. Public assemblies and meetings are allowed in accordance with the terms and conditions of a permit issued by the Superintendent.

Determining Factors: The use of these areas minimizes impacts to the natural and cultural resources, and activities and public enjoyment of the park.

73. Public assemblies and meetings are only permitted in designated locations specified on a map located in the Office of the Superintendent. SEE APPENDIX "A".

Determining Factors: The use of these areas minimizes impacts to the natural and cultural resources, and activities and public enjoyment of the park.

36 CFR Section 2.52 Sale or Distribution of Printed Matter

74. The sale or distribution of printed matter is allowed only in designated locations specified on a map located in the Office of the Superintendent. See Appendix A.

Determining Factors: The use of these areas minimizes impacts to the natural and cultural resources, and activities and public enjoyment of the park.

36 CFR Part 3-Water Use Activities

36 CFR Section 3.17 Prohibited Operations

75. Surfing with any rigid device (surf board, skim board, kayak, canoe etc.) within a boat exclusion area is prohibited.

Determining Factors: This regulation provides for a safe visitor experience and minimizes the risk of injury.

36 CFR Section 3.17 Swimming and Bathing

76. Glass bottles or glass containers are prohibited on all beaches. Nudity is prohibited on all NPS Beaches.

Determining Factors: This regulation provides for a safe visitor experience and minimizes the risk of injury.

36 CFR Section 3.23 SCUBA Diving and Snorkeling

77. SCUBA diving and snorkeling is permitted in areas adjacent to beaches and inside boat exclusion areas. SCUBA diving and snorkeling is prohibited in designated boat channels, shipping lanes, and dock areas.

Determining Factors: This regulation provides for a safe visitor experience and minimizes the risk of injury.

78. SCUBA diving is prohibited at Trunk Bay beach.

Determining Factors: Due to the high number of visitors at Trunk Bay who are there to snorkel, SCUBA diving activities would interfere with visitor safety.

79. Hookah underwater breathing systems which are powered by internal combustion compressors are prohibited.

Determining Factors: The internal combustion compressors used by many Hookah underwater breathing systems produce exhaust products and unacceptable sound levels for a National Park. These emissions are disruptive to both wildlife and visitors to the park.

36 CFR Part 4- Vehicles & Traffic Safety

36 CFR Section 4.30 Bicycles

80. Bicycles are permitted only on established roadways (paved surfaces and dirt). Bicycles are prohibited on ALL PARK TRAILS!

Determining Factors: Bicycles on trails would negatively impact hikers and increase erosion.

36 CFR Part 5 - Business Operations

36 CFR Section 5.3 BUSINESS OPERATIONS

81. **Business Transactions in Park & Monument Are Prohibited** Engaging in or soliciting any business transaction within Park areas, except in accordance with the provision of a permit, contract, or written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a Park area, is prohibited.

Determining Factors: Numerous business transactions are permitted in VIIS and VICR; all such transactions must comply with federal guidelines and permitting procedures within the NPS. All inquiries for this purpose should be addressed to the superintendent for consideration.

Appendix A

Designated Areas for Public Assemblies and Meetings

The designated area for public assemblies and meetings is the area delineated by the southern fence line of the ball field, which is adjacent to Virgin Islands National Park Visitor Center; and the concrete culvert east of the brown bollards. This area is open to public assemblies and meetings of groups of 19 or less and groups of 20 or more may convene in the ball field.

Designated Areas for the Sale and Distribution of Printed Matter

The ball field adjacent to Virgin Islands National Park Visitor Center and the concrete culvert east of the brown bollards are open to public assemblies and meetings of groups of 19 or less and groups of 20 or more may convene in the ball field. Sale and distribution of printed matter is allowed with a permit only.



Appendix B Water Operations Chart

