

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 54, United States Code, 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 240.

APPROVED:

Superintendent

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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 and the Virgin Islands Coral Reef National Monument. 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

Definitions

Beaches - Park and Monument beaches are defined as the area along the water's edge and 50 feet landward or seaward of the water's edge.

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 a cross in it. These areas are designated swim or vessel exclusion areas by the Superintendent.

Cast Netting – the act of throwing a net from a boat or from the shoreline to capture 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, through the campground grounds.

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 or charter vessels or term charter vessels.

Cruz Bay Finger Pier - The pier between the Virgin Islands National Park Visitor Center and the Port Authority small boat mooring area.

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.).

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 boundaries of the Virgin Islands National Park and Virgin Islands Coral Reef National Monument.

PAOT - People At One Time.

Qualified Handicapped Person – with respect to any other program or activity, a handicapped person who meets the essential eligibility requirements for participation in, or receipt of benefits from that particular program.

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

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

Rigid Device- skim board, canoe.

Skim boarding - is 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.

Unmanned Aircraft- 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, drones) that are used for any purpose, including for recreation or commerce.

VIIS — Virgin Islands National Park, including applicable portion of Hassel Island.

VICR – Virgin Islands Coral Reef National 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 for swimming & 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 use the park areas via land. Specifically for walking to park trails, participating in a park program, or for utilizing the NPS Cruz Bay playground or ball field area. Parking is prohibited in this area for marine users. 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 that employees utilize the maintenance lot for long term parking. (Overnight traveling and day trips to surrounding Islands)

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

5. Caneel Bay Area (150 acres) is closed to the public except for the following areas.

- Caneel beach, parking lots, pathways, and entrance road (see map). Dinghies (16 ft or under) may access the beach to drop off and pick up passengers within a 30 foot corridor along east side of the dock.



Determining Factors: Visitor safety. The Caneel Bay area was damaged from hurricanes Maria and Irma in 2017 and cleanup is needed to address safety issues. The majority of the site has been fenced off to provide limited access for the public in areas deemed safe.

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

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, gift shop and homeowners who need to use the road to access their property.

- 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.

- 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 Residences, Lyne House, Trunk Bay House, Cinnamon Bay Residences, Island Fancy, Little Maho, Montague House, Callahan House, Mandahl House, and Lameshur House.

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.

9. The NPS Firearms Range is closed to public use, except that the Superintendent may grant permission for use by local area law enforcement personnel for training purposes, 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.

10. White Cliffs Land Area Temporary Closure to Protect Rare 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.

11. 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 it and die.

12. Eating and drinking are prohibited in the Park's Visitor Center, the Archives Building, the Resource Management Building, public restrooms, and historic structures.

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

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

- At Trunk Bay.
- At 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.
- Annaberg Factory grounds

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

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

- That 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) would be open.
- Denis Bay;
- Jumbie Beach;
- Francis Bay beach;
- Mary's Creek with the exception of authorized SCUBA diving operations.
- 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.

15. Launching, landing, or operating an unmanned aircraft from or on lands and waters within the boundaries of VIIS and VICR is prohibited except as approved by the Superintendent of the Parks.

Determining Factors: The safety of all visitors to VIIS and VICR is of utmost priority. Loss of power to unmanned aircraft can cause the devices to crash in populated areas. Crashes can have an effect on hikers utilizing Park trails and or jeopardize the nesting of birds. The device may also crash in an area not accessible to be retrieved by the operator of such device; which in turn may cause negative impacts to wildlife and their environment.

16. The following off shore cays are closed to foot traffic:

- Cocoloba Cay
- Ramgoat Cay
- Rata Cay
- Trunk Cay

Determining Factors: It is hazardous to humans and illegal to damage coral reef in efforts to climb onto the rocky cays within VIIS. During certain periods of the year, these cays are crucial nesting/resting areas for migrating and non-migrating bird species.

17. 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.

VESSELS & WATER OPERATIONS: Use Limits

18. Vessels anchoring or mooring or as applicable stationary positioning within park waters may not exceed thirty (30) nights in a 12 month period and no more than seven (7) consecutive nights in one bay.

Determining Factors: Visitor use restrictions are necessary to ensure that boaters do not abuse their length of stay and that all prospective visitors have access to space, facilities, and services within the park.

19. **The NPS Cruz Bay Creek Dinghy Area.** This area is for vessels less than or equal to 16 feet in length. Overnight stay of dinghies is prohibited. Vessels left unattended over 24 hours are strictly prohibited, and will be subjected to fines and removal by NPS.

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

20. Individual commercial vessels providing visitor services within VIIS 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.

21. Use of underwater lights of any kind, including underwater vessel lights, are prohibited in VIIS and VICR waters. Hand held dive lights are excluded.

Determining Factors: Underwater lights cause an unnatural environment and disrupt the natural behavior of marine animals.

22. Use of a stationary positioning system is prohibited in VICR. Use of stationary positioning system is allowed within the Lind Point (limit LOA 125') and Francis Bay (limit LOA 210') 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 larger numbers of visitors to any given area will impact the resources and visitor experience.

Anchoring

23. Three locations are provided as anchorages within VIIS as follows:

- **Cruz Bay 3 Hour Zone** for vessels up to LOA of 60 feet.
- **Lind Point Anchorage** for vessels up to LOA of 125 feet.
- **Francis/Maho Bay Anchorage** for vessels up to LOA of 210 feet.

Determining Factors: Anchoring negatively impacts the seafloor, so to limit those impacts yet allow visitation to VIIS waters these anchorage areas have been designated for use only if moorings are not available for your particular size vessel in those bays.

24. VICR Anchoring Prohibition & Hurricane Hole: Anchoring in VICR is prohibited; however, to assist vessel owners in hurricane season, anchoring is authorized in association with a (free) Hurricane Hole storm berth mooring permit. Annual renewal is required and a limited number of berths are offered in June. Mariners using Hurricane Hole may do so only when the area has been opened by the Park superintendent prior to a storm; and must not secure their vessel, whole or in part, to vegetation, rocks or other features, NPS moorings/hardware or the historic anchor in Otter Creek.

Only mariners with an active berth permit may use the storm chain or component to secure their vessel.

Determining Factors: To reduce anchor damage and protect shoreline mangroves and other vegetation within the four bays of Hurricane Hole, a storm refuge system has been installed for up to 100 vessels with lengths up to 60 feet LOA.

25. **>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.

26. **126'-210' LOA** Private vessels with an LOA between 126 feet and 210 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 east of an

imaginary north/south line from Mary Point to America Point (refer to map). These vessels are prohibited from using NPS moorings. These vessels are able to use their stationary positioning systems in the Francis anchorage.

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

27. **Commercial Vessels >125' LOA** Commercial vessels with an LOA greater than 125 feet are prohibited from anchoring, mooring, or using stationary positioning systems within VIIS/VICR 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.

28. **101-125' LOA** Vessels with an LOA between 101 feet and 125 feet seeking anchorage in VIIS, are restricted to the designated anchorage at Francis/Maho Bay , or the Lind Point 'box' anchorage as plotted below. This size vessel is prohibited from using NPS provided moorings or stationary positioning elsewhere in the VIIS/VICR.

The zone is designated by the following GPS Coordinates:

| | LAT_DMS | LONG_DMS |
|----|----------|-----------|
| 1) | 18 20 23 | -64 47 48 |
| 2) | 18 20 23 | -64 48 08 |
| 3) | 18 20 34 | -64 48 08 |
| 4) | 18 20 34 | -64 47 48 |

Determining Factors: These vessels > 100 feet LOA are not permitted to use NPS moorings and must avoid entanglement with the moorings or striking other vessels on moorings.

29. **61'-100' LOA** Vessels with an LOA greater than 60 feet and less than or equal to 100 feet are prohibited from anchoring and must use established moorings provided for vessels 61'-100' feet LOA, except for in the Lind Point anchorage or Francis/Maho Bay anchorage. "Big boat" moorings have been installed to accommodate this size vessels. These moorings are purple in color, and state a usage size limit between 61-100 LOA. The following number are available at the noted locations:

- (4) Lind Point/ Caneel Bay
- (1) Hawksnest Bay
- (2) Francis Bay
- (2) Maho Bay
- (2) Leinster Bay
- (2) Great Lameshur Bay
- (1) Princess Bay (**Day Use Only**)

Determining Factors: In an effort to allow these size vessels to experience the various bays of VIIS while limiting their negative impacts from anchoring and other factors, VIIS/VICR has installed a few “big boat” moorings throughout VIIS moorings.

30. **60’ or less LOA** Vessels with an LOA of 60 feet or less are prohibited from anchoring and must use established moorings (white with blue stripe). When all of the applicable moorings in Caneel bay or Francis/Maho bay are occupied, this size vessel may utilize the Lind Point or Francis/Maho anchorages. A vacant mooring rated and identified for vessels 61’-100 can be used but must yield use to an appropriately sized larger vessel when safe to do so.

Determining Factors: Anchoring too close to moorings and regulatory buoys may cause damage to moorings, buoys from vessel anchors and anchor rode. The provision is granted to facilitate a safe and accessible marine operation.

31. **3 Hour Cruz Bay Anchoring** Vessels with an LOA of 60 feet or less are allowed to anchor in Cruz Bay Creek, adjacent to the NPS boat ramp for no longer than three hours. Hours of authorized anchoring are from 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 3 hours has been identified to allow the high influx of boaters to share this area to access Cruz Bay and local public services.

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

Determining Factors: Anchoring in channels creates an obstruction for other boaters in need of access to the beach and violates U.S. Coast Guard regulations.

33. Anchoring in Mary’s Creek, or any VIIS waters, to ride out inclement weather is prohibited.

Determining Factors: Tropical storm/hurricane events are typically known in advance, prudent mariners are advised to plan ahead, especially during the Caribbean hurricane season (June – November 30).

VIIS and VICR moorings are rated for use in wind speeds less than 40 mph, and vessels are prohibited from using them OR anchoring in the Francis Bay and Lind Point designated anchorages. This anchorage prohibition protects the mooring systems from failure, and prevents anchored vessels from dragging anchor and crashing into the island or sinking. (See Item 21 for more information).

Moorings

34. Vessels with an LOA greater than 100' are prohibited from using any NPS mooring.

Only vessels 60' LOA or less may use moorings designated for that vessel length.

Determining Factors: In an effort to protect a fragile marine ecosystem, the use of the moorings is required for all vessels 60 feet in length or less. This management practice maximizes the protection of underwater resources since utilizing mooring buoys dramatically lessens the impact of the anchor tackle.

35. Day-Use-Only Moorings are at the following locations:

- All VICR moorings
- All red SCUBA moorings throughout VIIS waters
- (2) Henley Cay moorings
- (2) Reef Bay moorings
- (2) Ram Head moorings

Determining Factors: Their primary purpose is to provide daytime access to otherwise remote areas with marine resources. Henley and Whistling Cays are small and relatively exposed shore cays, which frequently experience extremely strong currents; hazards associated with this current may be increased when darkness would hamper rescue operations.

36. SCUBA Moorings: Red mooring buoys designated solely for the use of vessels utilizing SCUBA gear are day-use only and prohibited from use by other vessels. All scuba moorings are rated for vessels < 60 feet in length LOA.

Determining Factors: Red moorings have been installed in areas of reef with dive/snorkel opportunity. These areas are typically more exposed to the weather and therefore are not for overnight use. SCUBA moorings tend to be located in relatively exposed locations where sea conditions easily place a greater strain on the anchor system.

37. Blue Commercial Use Authorization (CUA)-Preferred Moorings: Blue moorings with a blue stripe may be used by any vessel less than 60 feet LOA, non-CUA permit holders must relinquish the mooring upon request to a permit-holder between 8:00 am - 5:00 pm. Overnight use period is permitted between 5:00 pm - 8:00 am.

Determining factors: CUA-Preferred moorings 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.

38. Dinghy Tethers at Honeymoon Beach, Hawksnest Bay beach, Trunk Bay beach, Little Cinnamon beach, Maho Bay beach, Little Maho beach, and Waterlemon Cay, are marked with two round green 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 augers of the appropriate size for vessels up to 16' LOA. Larger vessels may place too

much strain on the ground tackle.

39. Setting of anchors is prohibited while on NPS moorings.

Determining Factors: The moorings were installed for to eliminate the use of anchors for the protection of the underwater resources and to prevent damage to the mooring system.

40. Vessels on moorings and utilizing a second vessel greater than 16 feet LOA as a registered tender, the combined LOA of the two vessels must not be greater than the mooring rating, either <60 or <100 feet.

Determining Factors: The moorings were designed to safely hold a 60 or 100' vessel. Rafting of 2 vessels is permitted per mooring, considering they are meeting the LOA of the applicable mooring rating.

41. 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.

42. NPS moorings must be vacated when winds of 40 miles per hour, or greater, are forecasted for the area.

Determining Factors: To protect the mooring system, vessels using the moorings during a tropical storm adds to the weight and pull on the mooring system weakening and/or damaging the mooring.

43. NPS moorings shall not be modified by any user.

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

44. Fishing of any kind while vessels are attached to a park mooring is prohibited.

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

Boat Exclusion Areas

45. **The following are prohibited in Boat Exclusion Areas:**

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

An exception to this regulation is that a motorized vessel, being rowed or paddled, is allowed in a boat exclusion area for the purpose of cast netting for bait fish.

- No kayaks or paddleboards within 200' west side 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.

46. **Beach Access Channels.** Vessels under sail or motor less than 26 feet LOA may access beaches inside Boat Exclusion Areas where channels have been provided. These channels are designated by red and green buoys. 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 beaches that have boat exclusion area buoys to provide beach access to the boater. Vessels greater than 26 feet pose a greater hazard to nearby swimmers.

47. **Honeymoon Beach Access.** Vessels under sail or motor up to 60 feet LOA may access Honeymoon Beach Boat Exclusion Area through the dingy channel provided the following;

- Only one vessel may use the channel at any given time.
- Vessel must leave the beach area immediately following their passengers disembarking.

Determining Factors: Honeymoon beach is a popular stop for day sail boat operators from St. Thomas. By allowing these vessels to access the beach they are able to disembark passengers safely on the shoreline without having to shuttle them back and forth by dinghy or swim long distance from a mooring to the shore.

Other Water Operations

48. Recreational kite surfing is prohibited in boat exclusion areas and mooring areas. Commercial Kite surfing activities are prohibited within VIIS and VICR 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.

49. Operating a vessel in excess of 5 mph or creating a wake in mooring fields or within 200 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 boat wake in the mooring areas disrupts vessels and visitors. And causes potential resource damage to fragile corals near shore. The designated areas are in unique in the diversity of marine life and serve as the nursery

50. Vessels docking at the NPS Cruz Bay finger pier are limited to 15 minutes to load and unload passengers. The NPS Cruz Bay corner bulkhead area is only authorized for ‘pick up and drop off’ of passengers. Vessels may not wait for passengers while tied to the bulkhead. If passengers are not actively loading, vessels must pull away from the bulkhead immediately.

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

51. Vessels docking at Careening Cove or Creque marine railway on Hassel Island are limited to day-use only. Storing of vessels on Hassel Island is prohibited.

Determining Factors: Visitors to Hassel Island have limited places to safely access the shore and hike the island, thus any approved vessel tie offs are to be utilized by daily visitors.

52. Commercial and recreational use of the NPS dock facility at Red Hook is by special use permit only. Only vessels 60 feet LOA or less will be considered for a permit.

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

53. The following commercial vessels are prohibited from transiting through VIIS 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.

- Cruise Ships
- Tug boats
- Barges
- Cargo vessels
- Passenger Ferries
- Yachts greater than 210 feet LOA

Determining Factors: These vessels will require a permit signed by the Superintendent to operate in VIIS 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.

54. Use of underwater (Scuba) dive scooter or dive propulsion vehicle/device is prohibited unless permitted by the Superintendent.

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.

55. Floating pay stations are for the sole purpose of paying fees. All other activities prohibited.

Determining Factors: Other activities interfere with visitors' safe access to pay mooring fees.

Boat Launching

56. The public may use the designated boat-launching ramp in Cruz Bay to launch or retrieve their vessels. Parking of trailers, boats, or vehicles on the ramp or surrounding area is prohibited. The NPS boat ramp will be closed to public use at 5:00 PM daily.

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

57. Fishing is prohibited at the following locations/times:

- Between 6:00 AM and 5:00 PM, at the NPS Red Hook dock, NPS Cruz Bay Bulkhead and NPS Finger Pier.
- Within all designated boat exclusion areas.
- From any VIIS/VICR moorings; except hardnose fishing is permitted in VICR at the yellow fishing mooring buoys at Cabritte Horn Point.

Determining Factors: Fishing would interfere with park operations at the Red Hook and Cruz Bay docks. The boat exclusion areas are resource protection areas and are also used by swimmers/snorkelers. Fishing from a park mooring can result in fishing lines and hooks becoming entangled in the mooring components, producing a safety issue for park employees who maintain moorings. Fishing line may also entangle marine life and birds.

36 CFR Section 1.6 (c) Permits

58. The following activities require permits. An application for a permit should be submitted to the Superintendent during normal business hours.

- Closed area use (36 CFR 1.5)
- Specimen collecting (36 CFR 2.5a)

- Special events (36 CFR 2.50)
- Public assemblies and meetings (36 CFR 2.51)
- Sale or distribution of printed matter (36 CFR 2.52)
- Commercial services authorized by the Commercial Services Plan
- 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).
- Permits usually are required for product advertising or when the permitted is using models, crews, or requires special accommodation or use of park facilities/areas. [36 CFR 5.5(a) (b)]
- Memorialization (36 CFR 2.62)
- Recreation Fee Areas (36 CFR 2.23)
- Exceeding vehicle load, weight, and size limits (federal regulations adopt Territory traffic laws)
- Vessels carrying passengers for hire within park waters (36 CFR 5.3).
- Vehicles carrying passengers for hire within the park (36 CFR 5.3).
- Taking or harvesting of downed wood products to be used other than for fires in a grill
- Commercial use of the NPS Red Hook Dock
- Scientific research permits and or specimen collections
- 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 Section 2.1 Preservation of Natural, Cultural, and Archeological Resources

59. 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.

60. The gathering by hand for personal use or consumption of the following natural products is permitted.

- Coconuts
- Limes
- Mammey Apples
- Soursop
- Hog Plums
- Papayas
- Mangoes
- Genips
- Guavas
- Sweet Limes
- Sugar Apples

- Seagrapes
- Plant seeds (for non-Federally listed species)
- Guavaberries
- Salt
- Hoop vine and Wisp vine

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

61. 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. Use of tools to cut vegetation in making your way through the forest 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

62. Camping is permitted only in established and marked campsites within the Cinnamon Bay Campground area, and only during campground operational periods.

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

63. The Cinnamon Bay Campground length of stay limit is fourteen (14) days from December 1st 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.

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

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

65. 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

66. 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 2.13(a)(1) Conditions on Lighting or Maintaining a Fire

67. A fire may be ignited and maintained only by using fuel sources designed and commonly used for warmth or the preparation of food, such as charcoal briquettes or natural firewood. Lighting or maintaining a fire with other materials including, but not limited to, flammable liquids, garbage, fireworks, plastics, aerosol canisters, batteries, or other manufactured or synthetic materials, is prohibited.

Determining Factors: This action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, and the implementation of management responsibilities. Materials other than approved combustibles – especially fire accelerants and substances prone to wind transport or explosion – creates serious risks when used to light or maintain fires. These combustibles can ignite or spread wildfires that directly threaten people and valuable resources and assets. The burning of manufactured or synthetic materials can contribute to air pollution, contaminate soil and water, and be toxic to humans and the environment. Less restrictive measures, such as an education campaign informing visitors of the risks of using certain materials to light or maintain a fire, would not be commensurate with the substantial risks associated with those activities and could lead to adverse outcomes that might be prevented by establishing an enforceable condition.

36 CFR Section 2.14 Sanitation

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

69. Pets are 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.

70. 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.

71. 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

72. Smoking (including e-cigarettes and vaping devices) is prohibited as follows:

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

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.

73. 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 wildland fires and to protect park resources.

36 CFR Section 2.23 Recreation Fees

74. Special amenity 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 to provide increased visitor services such as potable water, bathroom facilities, and showers.

75. All vessels must pay an overnight fee when mooring or anchoring in the park between 5:00 P.M. and 7:00 A.M. This includes overnight use of stationary positioning systems within designated anchorage areas of Lind Point and Francis/Maho Bay. Fees must be paid before vessel departs VIIS waters.

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

36 CFR Section 2.35 Alcoholic Beverages

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

- Within NPS visitor centers.
- 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

77. 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.

78. 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 parks.

36 CFR Section 2.52 Sale or Distribution of Printed Matter

79. 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 parks.

36 CFR Section 3.17 (b) Prohibited Operations

80. 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 (c) Swimming and Bathing

81. Glass bottles or glass containers are prohibited on all VIIS beaches.

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

82. Nudity is prohibited on all VIIS beaches.

Determining Factors: Public Nudity is not conducive to the varying ages of our Park visitors and cultural norms of the island.

36 CFR Section 3.23 SCUBA Diving and Snorkeling

83. 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.

84. SCUBA diving is prohibited inside Trunk Bay boat exclusion area.

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.

85. 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 park visitors.

36 CFR Section 4.30 Bicycles

86. Bicycles and E-bikes are permitted only on established roadways (paved surfaces and dirt). Bicycles are prohibited on all park trails.

E-bikes are allowed in VIIS where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5).

Except as specified in this Compendium, the use of an e-bike within VIIS is governed by Territorial law, which is adopted and made a part of this Compendium. Any violation of Territorial law adopted by this paragraph is prohibited.”

Determining Factors: Bicycles on trails would negatively impact hikers, native flora and fauna, and will increase erosion and unnecessarily widen the trails.

Appendix A

Designated Areas for Public Assemblies/Meetings and 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

VIIS/VICR Map

