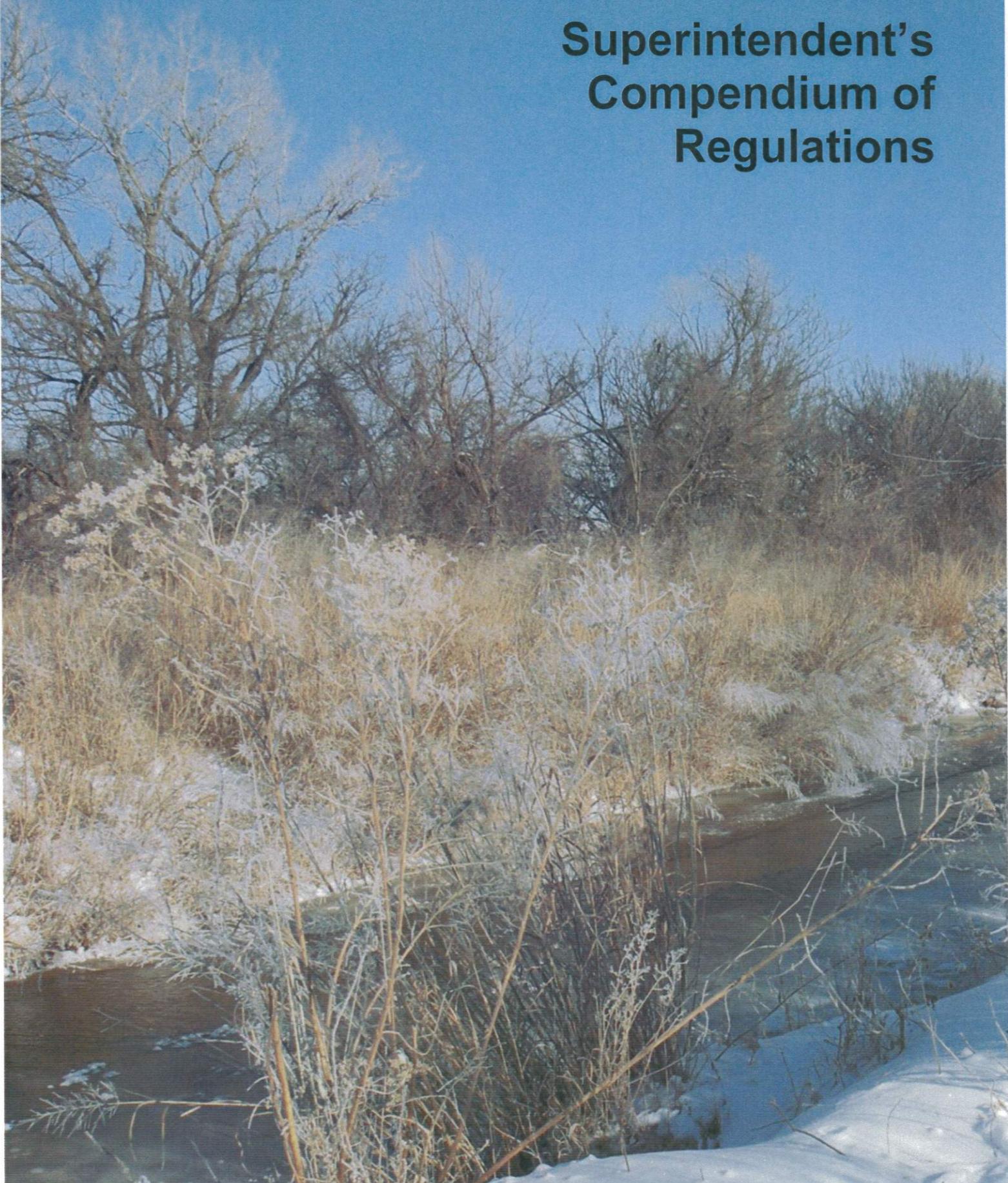


Washita Battlefield

Washita Battlefield National
Historic Site



Superintendent's Compendium of Regulations



WASHITA BATTLEFIELD NATIONAL HISTORIC SITE COMPENDIUM of REGULATIONS

Under the provisions of Title 16, United States Code, Section 3, Title 36 Code of Federal Regulations (CFR), Chapter I, Parts 1 through 5, this Compendium is established for Washita Battlefield National Historic Site. Unless otherwise stated, these regulations apply in addition to the requirements of Parts 1 through 5 of Chapter I, Title 36 CFR, and terms used in these provisions shall have the same meaning as those in Chapter I of Title 36 CFR. This Compendium is a compilation of the designations, closures, permit requirements and other restrictions imposed under the discretionary authority assigned by Chapter I of Title 36 CFR. The portions of this Compendium indicating the General Regulations from Title 36 CFR are applicable to all areas administered by the National Park Service and are printed in italic type for reference. Copies of Chapter I, Title 36 CFR are available for review in the office of the Superintendent of Washita Battlefield National Historic Site or may be purchased from the U.S. Government Printing Office, Superintendent of Documents, Mail stop: SSOP, Washington, DC 20402-9328.

36 CFR § 1.5 Closures and Public Use Limits

(a) Consistent with applicable legislation and Federal administrative policies, and based upon a determination that such action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, aid to scientific research, implementation of management responsibilities, equitable allocation and use of facilities, or the avoidance of conflict among visitor use activities, the superintendent may:

- (1) Establish, for all or a portion of a park area, a reasonable schedule of visiting hours, impose public use limits, or close all or a portion of a park area to all public use or to a specific use or activity.*
- (2) Designate areas for a specific use or activity, or impose conditions or restrictions on a use or activity.*
- (3) Terminate a restriction, limit, closure, designation, condition, or visiting hour restriction imposed under paragraph (a)(1) or (2) of this section.*

(b) Except in emergency situations, a closure, designation, use or activity restriction or condition, or the termination or relaxation of such, which is of a nature, magnitude and duration that will result in a significant alteration in the public use pattern of the park areas, adversely affect the park's natural, aesthetic, scenic or cultural values, require a long-term or significant modification in the resource management objectives of the unit, or is of a highly controversial nature, shall be published as rulemaking in the Federal Register.

(c) Except in emergency situations, prior to implementing or terminating a restriction, condition, public use limit or closure, the superintendent shall prepare a written determination justifying the action. That determination shall set forth the reason(s) the restriction, condition, public use limit or closure authorized by paragraph (a) has been established, and an explanation of why less restrictive measures will not suffice, or in the case of a termination of a restriction, condition, public use limit or closure previously

established under paragraph (a), a determination as to why the restriction is no longer necessary and a finding that the termination will not adversely impact park resources. This determination shall be available to the public upon request.

(d) To implement a public use limit, the superintendent may establish a permit, registration, or reservation system, Permits shall be issued in accordance with the criteria and procedures of section 1.6 of this chapter.

(e) Except in emergency situations, the public will be informed of closures, designation, and use or activity restrictions or conditions, visiting hours, public use limits, public use limit procedures, and the termination or relaxation of such, in accordance with section 1.7 of this chapter.

(f) Violating a closure, designation, use or activity restriction or condition, schedule of visiting hours, or public use limit is prohibited.

1. The following schedule of visiting hours has been established for the areas and periods indicated:
 - a. The park grounds are open from sunrise to sunset.
 - b. Park headquarters is open from 8:00 a.m. to 4:30 p.m., Monday through Friday.
 - c. The park visitor center is open from 8:00 a.m. to 5:00 p.m., daily except Thanksgiving Day, December 25, and January 1.
2. Smoking within the Headquarters building is prohibited.
3. The possession or use of fireworks, firecrackers or other explosive devices is prohibited within the boundaries of the park. No permits for the use or possession of fireworks, firecrackers explosive devices of any kind will be issued by the Superintendent.
4. The park grounds are closed to sporting events including certain recreational activities. Activities of this type, whether organized or unorganized, whose occurrence would result in the creation of a hazardous condition and/or derogation of the values or purposes for which the park was established or, which interfere with the use of park resources by other visitors are prohibited.
5. Operating an audio device, such as a portable stereo, radio, television set, tape deck or musical instrument within the park boundaries is prohibited. Use of such devices is considered to be incompatible with the park's mission.
6. Activities such as speeches, singing, music, formal ceremonies or other activities that may disrupt the private reflections of other visitors are prohibited. See the following Permits section for information on Special Use Permits issued by the Superintendent.
7. Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Washita Battlefield National Historic Site is prohibited except as approved in writing by the superintendent.

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

links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

36 CFR § 1.6 Permits

(a) When authorized by regulations set forth in this chapter, the superintendent may issue a permit to authorize an otherwise prohibited or restricted activity or impose a public use limit. The activity authorized by a permit shall be consistent with applicable legislation, federal regulations and administrative policies, and based upon a determination that public health and safety, environmental or scenic values, natural or cultural resource, scientific research, implementation of management responsibilities, proper allocation and use of facilities, or the avoidance of conflict among visitor use activities will not be adversely impacted.

(f) A compilation of those activities requiring a permit shall be maintained by the superintendent and available to the public upon request.

Special Use Permits issued by the office of the Superintendent are required for:

1. Special Events.
2. Public assemblies, meetings, gatherings, demonstrations, parades, and other public expressions of views.
3. Sale or distribution of printed matter.
4. Commercial uses.
5. Scattering of human ashes.
6. Residing on Federal Lands.
7. Aircraft landing and delivery.
8. Public address system or use of audio device.
9. Carrying/possessing firearms.
10. Research specimen collection.

36 CFR § 2.1 Preservation of natural, cultural, and archeological resources

(c)(1) The Superintendent may designate certain fruits, berries, nuts, or unoccupied seashells which may be gathered by hand for personal use or consumption upon a written determination that the gathering or consumption will not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

1. Reasonable quantities of cherries and plums may be gathered for personal use or consumption. Limited consumption of these resources does not adversely affect the reproduction of plants or wildlife's food source.

36 CFR 2.2 Wildlife Protection

(e) The Superintendent may designate all or portions of a park area as closed to the viewing of wildlife with an artificial light. Use of an artificial light for purposes of viewing wildlife in closed areas is prohibited.

1. The park is closed to the use of an artificial light for purposes of viewing wildlife. This restriction does not apply to authorized Federal, State, or local agency employees engaged in official duties.

36 CFR § 2.11 Picnicking

Picnicking is allowed, except in designated areas closed in accordance with § 1.5. The superintendent may establish conditions for picnicking in areas where picnicking is allowed. Picnicking in violation of established conditions is prohibited.

1. Picnicking is prohibited in all areas of the park except within the fenced area of the Overlook.
2. Organized picnicking, cookouts, barbecues, or picnicking activities by groups of 15 persons or more, including children, is prohibited on the grounds of the park unless authorized by special use permit issued by the office of the Superintendent.

36 CFR § 2.15 Pets

§ 1.4 Definitions: Pet means a dog, cat or any animal that has been domesticated.

(a) The following are prohibited:

(1) Possessing a pet in a public transportation vehicle, or location designated as a swimming beach, or any structure or area closed to the possession of pets by the Superintendent. This subparagraph shall not apply to guide dogs accompanying visually-impaired persons or hearing ear dogs accompanying hearing-impaired persons.

(4) Failing to comply with pet excrement disposal conditions which may be established by the Superintendent.

(f) This section does not apply to dogs used by authorized Federal, State, and local law enforcement officers in the performance of their official duties.

1. Pets are prohibited in the following areas:
 - a. Headquarters building
 - b. Park trails and grounds, except within the parking areas.
2. Pets within the parking areas must be on a leash that is no longer than 6 feet in length.
3. This restriction is intended to reduce possible conflict between users, protect the Natural and cultural resources, and to address public health concerns. An exception to this rule is granted for service dogs accompanying persons with disabilities, regardless of the disability requiring the use of a service dog.
4. Visitors are responsible for the proper disposal and/or removal of their pets' excrement. This requirement also applies to horses and pack animals.

36 CFR § 2.16 Horses and Pack Animals

The following are prohibited:

(b) The use of horses or pack animals outside of trails, routes or areas designated for their use.

1. Horses or pack animals are prohibited on the park grounds, except within the parking areas.
2. This restriction is intended to reduce possible conflicts between users, protect the natural and cultural resources, and to address public health concerns.

This restriction does not apply to horses used by authorized Federal, State, and local officials in the performance of their duties.

36 CFR § 2.21 Smoking

The superintendent may designate a portion of a park area, or all or a portion of a building, structure or facility as closed to smoking when necessary to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities. Smoking in an area or location so designated is prohibited.

Executive Order 13058 - Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace - Prohibits, with limited exceptions, the smoking of tobacco products in all interior space owned, rented, or leased by the Executive branch of the Federal Government, and in any outdoor areas under Executive branch control in front of air intake ducts.

1. Smoking is prohibited inside all park structures with the exception of areas, if any, posted as designated smoking areas.
2. Smoking in front of the air intake ducts of the building is prohibited.
3. These restrictions are intended to reduce any possible conflict between users and the harmful effects of second hand smoke.

36 CFR § 2.35 Alcoholic Beverages and Controlled Substances

(a)(3)(i) The superintendent may close all or a portion of a public use area or public facility within a park area to the consumption of alcoholic beverages and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed. Provided however, that such a closure may only be implemented following a determination made by the superintendent that:

A. The consumption of an alcoholic beverage or the possession of an open container of an alcoholic beverage would be inappropriate considering other uses of the location and the purpose for which it is maintained or established; or

1. The possession or consumption of a bottle, can, or other receptacle containing an alcoholic beverage which has been opened, a seal broken, or the contents of which have been partially removed, within the boundaries of the park is prohibited except under the conditions of a special use permit issued by the office of the Superintendent. This restriction is intended to reduce any possible conflict between users and to remain true to the purpose of the park.

36 CFR §2.50 Special Events

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed: Provided, however, there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefore has been issued by the Superintendent. A permit shall be denied if such activities would:

- (1) *Cause injury or damage to park resources; or*

- (2) *Unreasonably impair the atmosphere of peace and tranquility maintained in wilderness, natural, historic or commemorative zones; or*
- (3) *Unreasonably interfere with interpretive, visitor service, or other program activities, or with the administrative activities of the National Park Service; or*
- (4) *Substantially impair the operation of public use facilities or services of National Park Service concessionaires or contractors; or*
- (5) *Present a clear and present danger to the public health and safety.*
- (6) *Result in significant conflict with other existing uses.*

1. The park is closed to sporting events including certain recreational activities. Activities of this type, whether organized or unorganized, whose occurrence would result in the creation of a hazardous condition and/or derogation of the values or purposes for which the park was established or, which interfere with the use of park resources by other visitors are prohibited.

36 CFR § 2.51 Public Assemblies and Meetings

(e) The Superintendent shall designate on a map that shall be available in the office of the Superintendent the locations available for public assemblies. Locations may be designated as not available only if such activities would:

- (1) *Cause injury or damage to park resources; or*
- (2) *Unreasonably impair the atmosphere of peace and tranquility maintained in wilderness, natural, historic or commemorative zones; or*
- (3) *Unreasonably interfere with interpretive, visitor service, or other program activities, or with the administrative activities of the National Park Service; or*
- (4) *Substantially impair the operation of public use facilities or services of National Park Service concessionaires or contractors; or*
- (5) *Present a clear and present danger to the public health and safety.*

1. Public assemblies and meetings are allowed by permit only in the two areas designated within the fenced Overlook area. These areas are designated on the attached map (Exhibit 1).

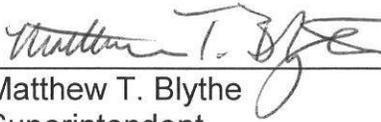
36 CFR § 2.51 Sale or Distribution of Printed Matter

(e) The Superintendent shall designate on a map that shall be available in the office of the Superintendent the locations available for the sale or distribution of printed matter. Locations may be designated as not available only if the sale or distribution of printed matter would:

- (1) *Cause injury or damage to park resources; or*
- (2) *Unreasonably impair the atmosphere of peace and tranquility maintained in wilderness, natural, historic or commemorative zones; or*
- (3) *Unreasonably interfere with interpretive; visitor service, or other program activities, or with the administrative activities of the National Park Service; or*
- (4) *Substantially impair the operation of public use facilities or services of National Park Service concessionaires or contractors; or*
- (5) *Present a clear and present danger to the public health and safety.*

1. Sale or distribution of printed materials is allowed by permit only in the two areas designated within the fenced Overlook area. These areas are designated on the attached map (Exhibit 1).

APPROVED BY:



Matthew T. Blythe
Superintendent

8-14-14

Date

EXHIBIT 1

Designation of Areas Available for First Amendment Activities

The exercise of first amendment activities by any individual, group, or organization within the area administered by the National Park Service shall be in compliance with the provisions of 36 CFR §§ 2.51 and/or 2.52. Such activities shall also be subject to and in compliance with other laws and regulations applicable to the area administered by the National Park Service. In accord with and consistent with 36 CFR §§ 2.51 and 2.52, the Superintendent will issue permits for the exercise of first amendment activities in the following designated areas:

In the two grass areas adjacent to the parking areas within the fenced Overlook. The Overlook area is fenced and readily recognizable.

The parking areas are public access areas and their entrances, visitors, and/or park employees must not be obstructed in any way and public access and egress from the park must not be compromised.

Due to the solemn nature and purpose of the park, sound amplification is prohibited without a permit.

