

Approved by:

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Compendium of Regulatory Provisions Wolf Trap National Park for the Performing Arts

The primary mission of Wolf Trap National Park is performing arts. The enabling legislation states that the park is established *for the performing arts and related educational programs, and for recreation use in connection therewith.* (P.L. 89-671, October 15, 1966). The park's General Management Plan elaborates in the statements on the park's purpose and significance, including the very first statement of significance "Wolf Trap is a unit of the national park system that has, as its primary resource, the presentation of the performing arts." Performing arts uses, and ancillary uses associated with patrons attending a performance (such as parking and pre-performance parties and events) are therefore given priority when there is a possible conflict between uses.

However, the park also has significant environmental and scenic values that contribute to this primary mission. The park's General Management Plan states that "One of the factors important to the success of Wolf Trap Farm Park¹ is its setting...there are natural and topographic features that provide scenic views and qualities that are reminiscent of the historic countryside." The Plan goes on to say that "With the urbanization of northern Virginia, Wolf Trap provides a natural enclave and scenic landscape in the midst of development. This atmosphere must be maintained and cultivated to preserve the presence and purpose of Wolf Trap Farm Park." The Plan includes similar language in its statement of the park's purpose: "Wolf Trap's informal country setting provides an important aspect of the character of the Wolf Trap performing arts experience and offers secondary interpretive opportunities that contribute to the primary purpose." Finally, the Plan includes in its statement of significance "Wolf Trap provides a distinctive informal pastoral setting in which to enjoy the performing arts."

The determinations and decisions of the park Director documented in this compendium are based on these primary and secondary uses, values, and significance, as well as related issues of health, safety, and the values and policies of the National Park System as a whole.

¹ At the time the General Management Plan was written the park's name was "Wolf Trap Farm Park for the Performing Arts." It has since been changed to "Wolf Trap National Park for the Performing Arts."

Definitions

1. **Filene Center House** means all areas of the Theater for which a ticket is required and includes the Plaza, Lawn and Covered Seating area.
2. **Filene Center Lawn** means the uncovered grass audience areas of the Filene Center House.
3. **Filene Center Covered Seating** means the fixed seats and areas under roof, including the loge, box, front orchestra, rear orchestra and pit seating areas.
4. **Filene Center Plaza** means the paved area of the Filene Center House which provides access to and from the lawn areas, concessions, main gate, dinner gate, press gate and restrooms.
5. **Performance Season** means the weeks during the spring and summer during which the Filene Center and other park areas are used almost daily for performances, as well as occasional performance uses at other times. It also includes time in spring (usually several weeks) required to prepare the Filene Center for performances, and time in the fall to shut it down and winterize it. Unless otherwise declared by the park Director, the season begins May 1 and runs through September 30.
6. **The Meadow** refers to the large grassy area north of the Filene Center, and adjacent to Wolf Trap Creek.
7. **Third Party Areas** are those areas rented or operated by the Wolf Trap Foundation during the performing season in furtherance of their fund-raising mission. These include the Associates Deck, Terrace Deck, Meadow Pavilion, Ovations Restaurant with its associated deck and the Encore Lounge.
8. **Director** as used in this document refers to the superintendent of Wolf Trap National Park, as "Director" is the superintendent's traditional title.

Notes: Definitions 1-4 have been in use unchanged since first Compendium, March 1993. Definitions 5-8 were added in 2002.

Park Hours

Outside of the performance season, the park is open to the public from 7:00 a.m. to dusk every day with the exception of New Years Day, Thanksgiving Day and Christmas Day when the park is closed. During the performance season, the park is closed to public visitation which is not performance related during park festivals and Filene

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Center performances to avoid conflict among visitor use activities. This restriction begins two hours prior to show times and ends one hour after performances have completed. The park is closed from dusk to 7:00 a.m. except to patrons and authorized participants attending authorized events.

Public Use Limits

1. Open fires and/or cooking devices are not permitted within the park at any time.
2. "Tenting", i.e., the pitching of any kind of tents for shelter, including large event tents, is not permitted except by written permission of the Director.
3. Organized sports (baseball, soccer, football, croquet, etc.) are not permitted at any time, nor are the erection of sports equipment such as nets, goals, etc. Informal games, such as catch, Frisbee, etc., are permitted in the Meadow area.
4. Flying model powered airplanes or model rockets are prohibited. Further, the launching, landing, or operating an unmanned aircraft system (UAS) from or on lands and waters administered by the National Park Service within the boundaries of Wolf Trap National Park for the Performing Arts 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 operation 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.)

This restriction covers all areas within Wolf Trap National Park for the Performing Arts. UAS use is further restricted by Federal rules which prohibit any aircraft from operating in the 30 mile Flight Restricted Zone around our nation's capital without specific FAA approval, which includes all unmanned aircraft.

The National Park Service has not had sufficient time to adequately determine the effect and impact of this use of unmanned aircraft in Wolf Trap National Park for the Performing Arts on the performances at the venues in the park; the pastoral setting; the safety of visitors walking, bicycling and driving in and through the park; the expression of 1st Amendment views; the impact on wildlife and the safety and security of official aircraft that operate over and in the park.

The launching and retrieval of unmanned aircraft, is a new use and subject to the requirements of the National Park Service Management Policies 2006, Sections 1.5 and 8.1, "Appropriate Use." Before a new use can be allowed, it must be assessed to determine if it is "(1) appropriate to the purpose for which the park was established, and

(2) can be sustained without causing unacceptable impacts.”

(Management Policies 2006, Section 8.1.1) Since that required assessment and evaluation has not yet been done, less restrictive methods involving the launching and retrieval of unmanned aircraft are not appropriate.

Notice of this temporary and partial closure and public use limitation will be made through media advisories, maps and posting at conspicuous locations in the affected park areas as required by 36 CFR 1.7. This determination is available to the public upon request.

5. Items such as signs, decorations, and balloons are not to be attached to any park structures or natural features except the third party deck areas. Balloons are permitted as part of pre-performance picnics and events, provided that these events occur outside the Filene Center House. Helium balloons may not be released at any time.
6. Skating, rollerblading, and skateboarding are permitted on the paved parking lots when not in conflict with other park activities. They are prohibited elsewhere in the park, including park roads, paths, the Filene Center, and Plaza areas.
7. Bicycles are permitted on park roads and on the paved parking lots when not in conflict with other park activities. They are prohibited in all other areas of the park, including trails, grassy and forested areas.
8. Cross-country skiing, snowboarding, and snowshoeing are permitted in the park on established trails and grassy areas. Sledding is permitted on grassy areas only. No winter activities of any kind are permitted in the Filene Center House or Plaza areas, or on park roads.
9. Ice skating is prohibited for safety reasons.
10. Smoking, including e-cigarettes or 'vaping', is prohibited in all areas of the Filene Center. Smoking is also prohibited in box office and theater entrance lines, within 25 feet of theater entrances, in rest-rooms and at the Theatre-in-the-Woods. Smoking is allowed in parking lots and in park areas outside of the areas where it is prohibited.
11. Pets, except for service animals, are prohibited in the Filene Center House, at the Theatre-in-the-Woods, in picnic areas, and in any area of the park being utilized for an authorized event. Where pets are permitted, they must be restrained on a leash of no more than six feet in length. Pet owners/handlers are responsible for removing pet excrement.
12. Swimming, bathing or wading in the park is prohibited, due to safety considerations.

13. Camping or overnight park use is prohibited, except by written permission of the Director.

14. Small scale activities by park patrons, such as birthday parties and other celebrations, are allowed on park grounds provided that the Director is notified in advance, that the activities do not conflict with primary park uses, and that the activities comply with all other items in this compendium. Small scale activities are private activities not associated with commercial or non-profit organizations that do not greatly impact park facilities and/or operations, or are within the general range of gatherings typical of picnics and similar uses. Generally, small scale activities have 25 or fewer attendees. Users are expected to provide their own clean-up and carry out all trash, and park in the paved public parking lots. Amplified sound is not permitted. Advance notification allows the park staff to ensure that appropriate restrooms are unlocked and other preparations made for visitor safety and assistance. It also ensures that the proposed area for use for the event will not be in use or conflict with another event. (Note: The use of the Filene Center and Meadow Pavilion performance areas, and the terraces and decks are reserved through the Wolf Trap Foundation.

15. Large scale activities that are held in one of the third party use areas require the advance notification and approval of the Director. Large scale activities that do not use one of the third party areas must have a special use permit. Large scale activities are those that generally have more than 25 attendees or the conduct which has the effect, intent, or propensity to draw a crowd or onlookers, or all large scale activities must be held in conjunction with a theater performance

16. The public use of unlicensed motor vehicles is prohibited in the park, with the exception of motorized wheelchairs or other mobility assistance devices used by mobility impaired persons.

17. People who can legally possess firearms under applicable federal, state, and local laws can legally possess firearms in this park. Federal law prohibits firearms in designated federal facilities, including the Filene Center.

18. Fishing with a rod or line is permitted in the park's Farm Pond. All fishing is "Catch and Release" and all persons fishing must possess a valid Virginia State Fishing License. Fishing is not permitted in Wolf Trap Creek.

19. Food and drink may be brought into the Filene Center. For the safety of the public, however, all coolers and picnic baskets to be allowed in are limited to a maximum size of 15" x 15" x 22" or smaller (48-quart capacity cooler/63-can capacity) and other containers such as bags, backpacks, carts, purses are restricted to a size no larger than 14" x 13" x 10". To facilitate visitor safety, all such coolers, baskets and

other such containers will also be subject to security inspection for explosives, weapons, firearms and ammunition. This public use limitation and security inspection will apply only to patrons who wish to enter the Filene Center and will not affect patrons who picnic and/or recreate outside the gates of the Filene Center. Record of Determination found in Appendix A.

Filene Center House Rules

1. All patrons for performances and festivals, regardless of age, must have a ticket.
2. Patrons must sit in the seats for which they have tickets.
3. Resale of tickets within the park is strictly prohibited by Federal regulations and by Wolf Trap Foundation policy.
4. Eating and drinking (except water) are not permitted in the covered seating area.
5. The Filene Center is a smoke-free facility, to include ENDS (Electronic Nicotine Delivery Systems) commonly known as E-cigarettes or 'vaping'. Smoking is permitted in designated areas outside of the gates.
6. The use of recording equipment and cameras (with or without flash) during performances is prohibited unless authorized by the artists. Please consult the usher staff for photography restrictions in effect for the performance.
7. Shirts and shoes are required and must be worn at all times.
8. Late seating is normally done between movements, acts, or numbers at the request of the artist(s).
9. With the exception of service animals assisting disabled patrons, pets are not permitted.
10. Patrons may not block aisles, stairways, or sightlines at any time during performances.
11. Disturbing fellow patrons by loud conversation or otherwise inappropriate behavior is not permitted and may result in removal from the event without a refund.
12. Lawn chairs are not permitted below the signs on the lawn seating area.
13. Open fires, candles, and cooking devices are not permitted.

14. Bags, backpacks, packages, containers, and coolers, and other containers are subject to inspection and size limitations.
15. Firearms are prohibited by Federal law within the Filene Center.
16. All cell phones, pagers and similar electronic devices must be silenced during performances.
17. Violation of House Rules or park regulations may result in removal from the event without a refund and/or result in prosecution.

Permits

Park permits are required for the following activities under the Code of Federal Regulations (exact regulatory sections in parenthesis):

- Collection of plants, rocks or minerals (36 C.F.R. 2.1).
- Collection of wildlife (36 C.F.R. 2.2).
- Collection of fish (36 C.F.R. 2.3).
- The scattering of human ashes (36 C.F.R. 2.62).
- Commercial filming, photography and recording (36. C.F.R. 5.5. *Note: The Wolf Trap Foundation controls recording and photography rights for performances within the Filene Center and for park festivals in the performance season*).
- First Amendment demonstrations (see next section).

Demonstrations And First Amendment Events

1. The following areas have been designated as First Amendment areas under federal regulation 36 CFR 7.96 (g) (2):
 - Walkway south of the west-end of Barn Road (approximately 64 square feet).
 - The southwest corner of the intersection of the Encore Circle walkway and the east-end of Barn Road (approximately 64 square feet).
 - These areas are sited to allow for maximum interaction with the visiting public, and to ensure public safety. Permits are generally required for demonstrations and First Amendment gatherings. See 36 CFR 7.96 (g) (2) for procedures.
2. Solicitation is allowed if under a permit and if it occurs within the confines of the permit area as part of an ongoing demonstration or special event activity. All currency must be maintained and stored out of public view at all times. Exacting a payment, or requesting a donation in exchange for merchandise, constitutes a sale and is not allowed unless it complies with NPS special sales regulations found at 36 CFR 7.96(k).
3. No sales shall be made, and no article may be exposed for sale without a permit as described in section 36 CFR 7.96(k)(2).