

# Carlsbad Caverns

National Park Service  
U.S. Department of the Interior

Carlsbad Caverns National Park  
New Mexico



## 2023 Superintendent's Compendium

### of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority.

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations (36 CFR), Chapter 1, Parts 1-7, authorized by Title 54 United States Code Section 100751(a) the following regulatory provisions are established for the proper management, protection, government, and public use of those portions of Carlsbad Caverns National Park under the jurisdiction of the National Park Service. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Approved:

06/29/2023

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Carmen Chapin  
Superintendent

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## 36 CFR §1.5 - Visiting Hours, Public Use Limits, Closures, and Area Designations for Specific Use or Activities

(a)(1) The following visiting hours and public use limits are established for the listed portions of the park, and the following closures are established for the indicated areas and activities:

### **Emergency, Environmental, and Administrative Closures:**

The park may at times need to enact unscheduled closures of the park, or restrict access to areas of the park, for public safety and the protection of park resources. Severe weather, including excessive heat warnings, fire warnings, severe thunderstorms and winter storms, may impact the park and cause flooding or other public safety hazards. Unscheduled closures which do not appear in the annual Superintendent's Compendium, are enacted under the authority of the Superintendent or their designee. Public notice of such closures will be through the use of signage at area access points, press releases, and information posted on the park website.

**Carlsbad Caverns National Park is open to the public every day of the year, 24 hours, with the following visiting hours, public use limits, and closures:**

**The park is closed on Thanksgiving Day, Christmas Day, and New Year's Day.**

### **Carlsbad Cavern Visiting Hours:**

Visitor Center .....	8:00 am - 5:00 pm
Ticket Sales .....	8:00 am - 2:15 pm
Big Room Route Entry .....	8:30 am - 2:30 pm
Natural Entrance Route Entry .....	8:30 am - 2:30 pm
Main Corridor Hike Out to Natural Entrance Entry .....	8:30 am - 3:30 pm
	(Must exit by 4:30 pm)

### **Day Use Areas:**

Walnut Canyon Desert Drive (Loop Road)	Open ½ hour before sunrise Closes ½ hour after sunset
Rattlesnake Springs Day-Use Area	Open ½ hour before sunrise Closes ½ hour after sunset

### **Cavern Entry**

All caves within Carlsbad Caverns National Park are closed areas subject to a cave permit to enter. Self-guided entry tickets serve as entry permits to Carlsbad Cavern. All other cavern entry is restricted to a permit signed by the park Superintendent as specified in 36 CFR § 7.47.

*Closure/Determination Justification: 36 CFR § 7.47(a)(1) & 36 CFR § 7.47(a)(2).*

### **Guided Tour Public Use Limits (excluding tour guides):**

- King's Palace Tour: 40 persons maximum
- Left Hand Tunnel: 10 persons maximum
- Slaughter Canyon Cave: 16 persons maximum
- Lower Cave: 12 persons maximum
- Hall of the White Giant: 8 persons maximum

- Cave Entry Permit: As specified in permit.
- Tours are not available for private groups, unless pre-approved by the Superintendent for scientific purposes.

*Closure/Determination Justification: Group size limits imposed on routes are based upon concerns for preservation and protection of fragile cavern resources as stated in the 2006 Carlsbad Caverns Cave & Karst Management Plan.*

### **Minimum Age Limitations**

- All Cave Areas: Persons under the age of 16 are prohibited from entering any cave except when accompanied by, and under the direct supervision of, a responsible adult 18 years of age or older.
- King's Palace Tour: Minimum age - 6 years.
- Left Hand Tunnel: Minimum age - 10 years.
- Slaughter Canyon Cave: Minimum age - 10 years.
- Lower Cave: Minimum age - 12 years.
- Hall of the White Giant: Minimum age - 14 years.
- Other Park Caves as permitted by Park Superintendent:
  - Caves requiring vertical access - 16 years
  - Caves requiring horizontal access - 12 years.

*Closure/Determination Justification: Age limits imposed on routes are based upon concerns for preservation and protection of fragile cavern resources as stated in the 2006 Carlsbad Caverns Cave & Karst Management Plan.*

## **36 CFR §1.5 - Visiting Hours, Public Use Limits, Closures, and Area Designations for Specific Use or Activities**

- (a)(2) Designate areas for specific use or activity, or impose conditions or restrictions on a use or activity:

### **COVID-19 Mask Requirement**

When the [COVID-19 Community Level](#) is **LOW** or **MEDIUM** in the county or all the counties where the park is located based on data provided by the Centers for Disease Control and Prevention (CDC), individuals are not required to wear masks.

When the [COVID-19 Community Level](#) is **HIGH** in the county or all the counties where the park is located based on data provided by the CDC, all individuals over the age of two must wear masks, regardless of vaccination status, in all common areas and shared workspaces in buildings owned, leased, or otherwise controlled by the National Park Service, including, but not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.

When the [COVID-19 Community Level](#) is **HIGH** in one or more, but not all, of the counties where the park is located based on data provided by the CDC, the superintendent will determine whether

individuals are required to wear masks. The requirement, if any, will apply to all facilities within the park.

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of the [COVID-19 Community Level](#), individuals may wear masks if they choose to do so. Where a state, local, tribal, or territorial government where the park is located imposes more protective mask-wearing requirements than those indicated by the COVID-19 Community Level, individuals must follow those more protective requirements within the park. More protective state, local, tribal, or territorial mask-wearing requirements are hereby adopted as federal requirements in all units of the National Park System located within that state, locality, area subject to a federally recognized Indian tribe's regulatory jurisdiction, or territory, regardless of a particular park's jurisdictional status.

Additionally, all individuals must wear masks in or on public transportation conveyances and transportation hubs/facilities, to the extent required by current orders or directives issued by the CDC, the Transportation Security Administration (TSA), or other federal agencies with jurisdiction over those conveyances or areas. As of March 4, 2022, CDC and TSA orders or directives require all individuals regardless of vaccination status to wear masks in indoor areas of all forms of public transportation conveyances, including busses, trains, and boats/ferries, and in the indoor premises of transportation hubs/facilities. Individuals are not required to wear masks while outdoors on conveyances or while outdoors on the premises of transportation hubs/facilities.

*Closure/Determination Justification: The NPS issued this order for the purposes of maintaining public health and safety during the COVID-19 pandemic. Pursuant to Executive Order 13991 of January 20, 2021, "Protecting the Federal Workforce and Requiring Mask-Wearing," federal agencies follow public health measures recommended by the Centers for Disease Control and Prevention (CDC) and the Safer Federal Workforce Task Force to reduce the spread of COVID-19. This order is consistent with the following federal public health directives:*

- *As stated in E.O. 13991, it is the policy of the Administration to halt the spread of coronavirus disease 2019 (COVID-19) by relying on the best available data and science-based public health measures. Such measures include wearing masks when around others, physical distancing, and other related precautions recommended by the Centers for Disease Control and Prevention (CDC).*
- *On January 24, 2021, the Office of Management and Budget issued [M-21-15, COVID-19 Safe Federal Workplace: Agency Model Safety Principles](#) to provide guidance to federal agencies on implementing E.O. 13991. M-21-15 contains model safety principles that apply CDC guidelines related to mask-wearing and physical distancing to the federal workplace and are designed to be used by federal agencies as a starting point for updating their COVID-19 workplace safety plans. The guidance listed above draws upon these principles to help ensure that visitors to the National Park System do not threaten the health and safety of NPS employees, volunteers, partners and contractors, or other park visitors.*
- *On February 2, 2021, the Acting Secretary of the Interior issued a memorandum entitled*

*Implementing and Enforcing Mask-Wearing Requirements for Park Visitors” and a May 19, 2021, memorandum entitled “Updating Mask-Wearing Requirements.” These memorandums reaffirmed the Administration’s commitment to an urgent, robust, and professional response to the COVID-19 pandemic, and implemented mask-wearing requirements for park visitors and employees using the authority in 36 C.F.R. § 1.5(a)(2).*

- *On February 25, 2022, the CDC issued updated guidance for making decisions about COVID-19 prevention strategies related to [COVID-19 Community Levels](#), which measure the impact of COVID-19 illness on community health and healthcare systems. COVID-19 Community Levels can be determined by clicking [here](#).*
- *On February 28, 2022, based on this new CDC guidance, the Safer Federal Workforce Task Force issued “[Initial Implementation Guidance for Federal Agencies on COVID-19 Community Levels and Mask-Wearing](#),” which provides federal agencies with guidance they should follow in utilizing the CDC’s COVID-19 Community Levels to determine the appropriate mask-wearing and screening testing requirements for each federal facility at a given time.*

### **Drones, Unmanned Aircraft Systems (UAS), Model Aircraft Use Prohibited**

- 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, and drones) that are used for any purpose, including for recreation or commerce.
- Use of drones or any unmanned aircraft system (UAS) is prohibited within the boundary of Carlsbad Carvers National Park including inside any caves. No UAS may be launched from or fly over the jurisdictional boundary of the park.

*Closure Determination/ Justification: Launching, landing, or operating an unmanned aircraft from or on lands and water under the jurisdiction of the Department of the Interior is prohibited by Secretary of the Interior order 3379 effective January 31, 2020.*

### **Bat Flight/Bat Watch**

- *Cameras/Electronic Devices:* The use (described as powered on) of any device including cameras, video cameras, cell phones, pagers, MP3 players, iPods, iPads, e-readers and any other electronic devices not mentioned herein is prohibited during bat flight/watch programs or during any portion of a bat flight within the Bat Flight Amphitheater and areas described below, unless authorized by a special use permit. These items are required to be completely powered off and put away in the Bat Flight Amphitheater, including the patio to the restrooms, orientation shade structure, bridge, the Nature Trail east of the main parking lot and the trail between the Amphitheater and the Visitor Center.

*Closure/Determination Justification: Scientific observations indicate that the use of cameras and/ or camera strobes in or around an ascending bat flight from a cave are detrimental. Further scientifically valid studies to confirm these observations would be detrimental to the bat population and are not compatible with NPS research guidelines.*

### **Mobility Assistance Devices in Caves**

- *Strollers*: Strollers, baby carriages, and similar devices are prohibited in all caves except as necessary for children with mobility issues, they are allowed within the wheelchair-designated portions of the Big Room of Carlsbad Cavern.
- *Segway*: Segway and similar large mobility devices are prohibited in all caves. Cave conditions pose an unacceptable hazard to the safety of the operators of such devices due to narrow trails, cave ceiling variations, and steep inclines.
- *Wheelchairs / 2 and 4-Leg Walkers / Rollator Walkers (Four-wheeled walkers with resting seat) / Electric Scooters*: Wheelchairs, similar devices, and walkers are prohibited in all caves except that wheelchairs and walkers are allowed within the wheelchair-designated portions of the Big Room of Carlsbad Cavern.
- *Walking Sticks*: The possession and/or use of a walking stick within the cavern is prohibited, except for those individuals with limited mobility. Visitors with walking sticks must only use them on the paved trail and are required to have a rubber or soft tip.

### **Cavern Public Use Limitations**

- *Safety and Resource Protection Orientation*: All visitors are required to attend a safety and resource protection orientation upon their initial entry into tour caves.
- *White Nose Syndrome Prevention*: Possession and/or use of any footwear, clothing, equipment, or any other items that have been present in any cave or mine that has been identified as a potential source for White Nose Syndrome in bats is prohibited in any cave within Carlsbad Caverns National Park. In adherence to the park's White Nose Syndrome mitigation plan, all persons entering caves are required to be screened for WNS and if necessary, to undergo approved cleaning procedures on footwear and equipment before entering any cave, and upon exiting any cave.

### **Food Consumption in Caves**

- The possession or consumption of food (including gum, candy, tobacco products) or drink (except plain, unflavored water) is prohibited in any cave except in the underground lunchroom area (as outlined below) in Carlsbad Cavern or as authorized in cave special use permits. Diabetics and persons with other medical conditions requiring them to consume food and drink while they are in the cave are permitted on a limited basis. Infants under 12 months may nurse or consume formula.
- Food consumption in the underground lunchroom area is limited to only items purchased from the concession operation within the underground lunchroom area, except as described in the circumstances above. The area for food consumption within the underground lunchroom is defined as the tables provided by the concession operation designated for food consumption.

*Closure Determination/Justification: Food use has the potential for cave contamination, increased litter, and increased animal attraction into cave areas not usually frequented by wildlife. Cave survey and restoration projects may involve extensive travel and/or multiple day expeditions and food use will be permitted for the health and safety of cave workers in specific permitted instances. The tables within the underground lunchroom are cleaned twice daily during days of operation by the concession operation to prevent contamination of food consumption areas by bat guano, as well as contamination of the cave by food products.*



### **Backpacks in Caves**

Backpacks are not permitted on off trail tours including:

- Left Hand Tunnel
- Lower Cave
- Hall of the White Giant
- Slaughter Canyon Cave: Backpacks will be allowed for the hike to and from Slaughter Canyon Cave, visitors can leave their backpacks at the entrance within the locked gate.

Fanny packs (and specialized "cave packs"): may be utilized in place of backpacks on Cave Tours at the discretion of the Trip Leader.

*Closure Determination/Justification: Off trail tours have narrow passageways and low ceilings in which backpacks can cause damage to fragile speleothems.*

### **Tripods, Bi-pods and Mono-pods**

- Use of these devices is not allowed on any guided tours.
- Usage in the Big Room or the Main Entrance trail may not block public movement, nor may the legs of these devices be placed upon the walls along the trail or off the trail.

*Closure Determination/ Justification: To maintain traffic flow pattern and prevention of resource damage and congestion.*

### **Closures**

*Area Closures:* The following areas are closed to the public except when access is authorized by the Superintendent:

- **Painted Grottos**

*Closure Determination/Justification: The Upper and Lower Painted Grotto archeological sites are especially sensitive. Any use beyond that which is authorized by the Superintendent holds a strong potential for damage, even inadvertent damage. In authorizing visitation to these sites, the Superintendent will consider the requesting party's/escort's knowledge of appropriate behavior around archeological sites and the purpose for the visit.*

- **All rock art and other archeological sites:** Except those specifically open to the public, are closed to visitation. Permits may be issued at the discretion of the Superintendent (or the cultural resources specialist). Researchers must have an acceptable research plan and approval from the Superintendent. Approval to visit or conduct research at sites will be determined on a case-by-case and a need-to-know basis.

*Closure Determination/ Justification: Cultural resources such as rock art and other archeological sites are non-renewable and irreplaceable. Congress has passed numerous laws to protect these invaluable resources and the park is the steward of these resources. In order to protect these resources, the park has set these guidelines of closure.*

- **Nature Trail, one hour before bat flight or bat flight programs until one hour before sunrise**

*Closure Determination/ Justification: Public use of the Nature Trail has the strong potential to disturb the bat flight and to create an unnecessary public distraction from the events of the flight due to the close proximity of the trail to the typical flight pattern. The trail remains open for use for the majority of the day and an early evening closure will not create an undue impact on visitors' ability to use the trail.*

- **Maintenance yard and employee residence area, excluding invited guests.**

*Closure Determination/Justification: Public entry to the maintenance yard increases the risk of injury to both the public and employees. The need for privacy and security in the employees' residences is not compatible with public use in this area.*

- **Roadway behind Visitor Center is closed to the public.**

*Closure Determination/Justification: Area is restricted to authorized use only. This area is heavily utilized by park employee vehicles and visibility can be restricted. Pedestrian traffic increases risk of injury to both the public and the employees.*

### **Clothing in Public Areas**

- Shirts, trousers, shorts, or a skirt, and footwear are required in public areas including all caves and buildings.

### **Groups with Educational Fee Waivers**

- Designated Lunch Area: The designated lunch area for groups with educational fee waivers is the picnic area located at the southeast corner of the east Visitor Center parking lot.

### **Firearms and Dangerous Weapons**

- All Buildings, Facilities and Carlsbad Cavern are considered Federal Facilities and are closed to the possession of firearms and dangerous weapons in accordance with 18 U.S.C. § 930 Possession of firearms and dangerous weapons in Federal facilities, with the exception that Current and Retired Law Enforcement Officers as defined under and who qualify under provisions of the Law Enforcement Officer Safety Act, LEOSA (HR 218, Public Law 108-277) are allowed to possess and carry concealed firearms in accordance with Public Law 108-277 within the Carlsbad Caverns Visitor Center and Carlsbad Cavern. Individuals qualifying under LEOSA are required to check in at the information desk upon arrival within the park for further instructions.
- On duty law enforcement personnel in commission of official duties are exempt from federal facility closures at Carlsbad Caverns National Park per statute (18 U.S.C. § 930 (d) (1-3)) and regulation (36 CFR 2.4(f)).

### **Vehicle Use Restrictions**

The following roads are closed to vehicles exceeding 9 feet wide or 25 feet in total length (combined length including towed vehicles or trailers):

- Walnut Canyon Desert Drive (aka Loop Road, Desert Scenic Loop, Walnut Canyon Loop Desert Drive)
- All backcountry roads
- Rattlesnake Springs past the picnic area

*Closure Determination/ Justification: Roads at Carlsbad Caverns National Park are not engineered to handle traffic from the vehicles specified in this closure. The use of these vehicles will likely result in damage to park resources, to personal property, and pose a risk for personal injury.*

- Lagoon Road closed to all but authorized personnel.
- The park is closed to the operation of All Terrain Vehicles (ATVs) Utility Terrain Vehicles (UTVs) or Off Highway Vehicles (OHVs). Street legal OHVs must be ridden in compliance with New Mexico State Law. <http://www.wildlife.state.nm.us/ohv/> and shall not leave an approved roadway while inside the boundary of Carlsbad Caverns National Park.
- Parking in the Bat Flight Amphitheater parking lot is restricted to 9 handicapped standard parking stalls only. Unloading of buses and other vehicle passengers is permitted in the Bat Flight Amphitheater parking lot.
- Other vehicle-use restrictions may be imposed due to hazardous weather conditions or due to high fire danger.

#### **Passenger-Carrying Buses**

- Buses must shut down their engines when not underway or actively loading/unloading passengers.
- School busses may park adjacent to the picnic area at the southeast corner of the east Visitor Center parking lot to facilitate school group lunch breaks.

#### **Idling Vehicles**

- Vehicles parked behind the Visitor Center are generally prohibited from idling. Exceptions: Fire / Rescue apparatus engaged in fire suppression or rescue activities, or Law Enforcement engaged in an emergency incident.

#### **Wedding Ceremonies**

- Wedding ceremonies are prohibited in all caves.
- Permits are required for wedding ceremonies on the surface.

#### **Technical Climbing**

- Climbing on rock faces is not permitted within view of the park entrance road. The use of bolts, pitons, and other climbing hardware that damages or scars the rock surface in above-ground areas is prohibited. The use of climbing hardware in caves will be in accordance with the permit issued for the trip.

### **36 CFR §1.6 - Activities that Require a Permit**

The following is a compilation of those activities for which a permit from the Superintendent is required:

Backcountry Camping permits may be obtained at the information desk at the Carlsbad Caverns Visitor Center. All other permits must be obtained by filling out a permit application as found at <https://www.nps.gov/cave/planyourvisit/permitsandreservations.htm>

§1.5(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 §1.6 of this chapter.

### Cave Entry Permit

- Use permits may be issued at the discretion of the Superintendent per the regulations established within 36 CFR 7.47 and the guidelines specified within the Carlsbad Caverns National Park Cave and Karst Management Plan.
- Any entrance to any cavern not associated with emergency activities requires a permit. Emergency exemptions include but are not limited to law enforcement operations, search and/or rescue, and emergency medical response.

### Carlsbad Cavern

- Big Room After-Hours Tours: Subject to the terms and conditions of a special use permit.

### Vehicle Use of Signed and/or Gated Park Roads

§2.4(e) - The Superintendent may issue a permit to carry or possess a weapon, trap or net under the following circumstances:

- (1) When necessary to support research, activities conducted in accordance with § 2.5.
- (2) To carry firearms for persons in charge of pack trains or saddle horses for emergency use.
- (3) For employees, agents or cooperating officials in the performance of their official duties.
- (4) To provide access to otherwise inaccessible lands or waters contiguous to a park area when other means of access are otherwise impracticable or impossible.

§2.4(f)- Authorized Federal, State and local law enforcement officers may carry firearms in the performance of their official duties.

§2.5(a) Specimen collection, Scientific Research permits (Take plant, fish, wildlife, rocks or minerals) Scientific collecting is permitted through the Research Permitting and Reporting System (RPRS) at <https://irma.nps.gov/rprs/>

§2.10(a) The following camping activities: Backcountry Camping in all park locations. Refer to section 2.10 for conditions related to camping.

- Permits for backcountry camping may be issued at the discretion of park staff. Permits may only be issued to persons 18 years of age or older.

§2.12 Audio Disturbances: (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

§2.17 Aircraft & Air Delivery. No permits are issued for the delivery or retrieval of persons or objects by parachute, helicopter, or other airborne means, including Unmanned Aircraft

Systems (UAS), Unmanned Aerial Vehicles (UAVs) or “drones”.

§2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52).

§2.50(a) Conducting a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events.

§2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views.

§2.52(c) Sale or distribution of printed matter that is not solely commercial advertising (Groups of 25 persons or less may conduct these activities in designated areas without a permit. See attached map)

§2.6 Gathering of plants or plant parts by federally recognized Indian tribes (pursuant to the terms and conditions of a §1.6) The superintendent may enter into an agreement with federally recognized tribes to authorize traditional gathering and removal of plants and plant parts for traditional purposes. The permit would designate enrolled tribal members who are authorized to gather within the park area.

§2.62 Memorialization: (b) Scattering ashes from human cremation

§5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations)

§5.5 Commercial filming, still photography, and audio recording:

Commercial filming, Still Photography, and Audio Recordings at Carlsbad Caverns National Park are governed by laws found in federal statute ([54 U.S.C. § 100905](#)) and Department and NPS regulations ([43 C.F.R. Part 5](#) and [36 C.F.R. § 5.5](#)).

Commercial filming, still photography, and audio recording permit requests are evaluated individually and required prior to these activities occurring to:

- Maintain public health and safety;
- Protect the park’s environmental or scenic values;
- Protect natural or cultural resources;
- Allow for equitable allocation and use of facilities; and
- Avoid conflict among visitor use activities.

If the Superintendent determines that the terms and conditions of a permit could not mitigate the concerns identified above in an acceptable manner, the Superintendent may deny a permit request without issuing a permit. The Superintendent will provide the basis for denial in writing upon request.

The NPS will consider requests and process permit applications in a timely manner. Processing times will vary depending on the complexity of the proposed activity. **The organizer of any commercial filming, photography, or audio recording activity must**

**provide written notice to the park at least 10 business days (defined as Monday-Friday) prior to the start of the proposed activity.** Applications are available on the [park website](#) and once filled out, should be emailed to [CAVE\\_Fees@nps.gov](mailto:CAVE_Fees@nps.gov) for processing.

The following are prohibited:

1. Engaging in commercial filming or photography activities without providing advance notice to the Superintendent when required.
2. Engaging in a commercial filming or photography activities without a permit if the activity takes place in [areas managed as wilderness](#) or if the Superintendent has notified the organizer in writing that a permit is required.
3. Violating a term and condition of a permit issued under this action. Violating a term or condition of a permit issued under to this action may also result in the suspension and revocation of the permit by the Superintendent.

Violating a term or condition of a permit issued under to this action may also result in the suspension and revocation of the permit by the Superintendent.

Visitors do not require a permit for still photography or filming activities unless the commercial in nature as defined in [§43 CFR 5.12](#).

*Determination/Justifications:* [54 U.S.C. § 100905](#), [43 C.F.R. Part 5, Subpart A](#), [36 C.F.R. § 5.5](#), and [16 U.S.C. § 1133](#).

### **36 CFR §2.1 - Preservation of Natural, Cultural and Archeological Resources**

- (a) Except as otherwise provided in this chapter, the following is prohibited:
  - (1) Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state:
    - (iv) A mineral resource or cave formation or the parts thereof.
  - (2) Tossing, throwing or rolling rocks or other items inside caves or caverns, into valleys, canyons, or caverns, down hillsides or mountainsides, or into thermal features.
- (b) Hiking or pedestrian use is restricted to the trail tread, walkway, or designated pathways and routes in all developed caves. Leaving a trail or walkway to shortcut between portions of the same trail or walkway, or to shortcut to an adjacent trail or walkway in violation of designated restrictions is prohibited.
- (c) The Superintendent may designate:
  - (1) The collection of nuts, prickly pear cactus fruits and fruits from the historic Rattlesnake Springs orchard trees will be allowed with the following restrictions:
  - (2)(i) Fruits/nuts may be collected from cactus within 100 feet of the Walnut Canyon

- Road and the Scenic Loop Drive and from orchard trees at Rattlesnake Springs.
- (ii) No more than one gallon of fruits/nuts may be collected per person, per day.

### **36 CFR §2.2 - Wildlife Protection**

- (a) The transporting of lawfully taken wildlife through the park is permitted under the following conditions and procedures:
- Wildlife legally taken on lands outside the park may be transported through Carlsbad Caverns National Park if the game is properly tagged as required by state law, if it is transported out of view of park visitors, and when the only practical means of egress is taking a road that crosses through Carlsbad Caverns National Park.
- (b) The following areas are closed to the viewing of wildlife with the use of an artificial light:
- All lands within Carlsbad Caverns National Park.
- (c) The use of any audio or mechanical device to attract or disturb wildlife is prohibited.

*Closure Determination/ Justification: The use of audio devices to attract wildlife, such as the audio playback of bird songs, has the potential to cause bodily injury, energy loss, a decrease in food intake, habitat avoidance and abandonment, and reproductive losses. The use of audio devices for other purposes may disturb wildlife with impacts as described above.*

### **36 CFR §2.3 - Fishing**

- (a) The following areas are closed to fishing:
- *Rattlesnake Springs*: pond, flumes, and other open water.
  - *Other*: All springs, seeps, and other natural pools and water sources.

### **36 CFR §2.10 - Camping**

- (a) Backcountry camping is allowed only west of Rattlesnake Canyon trailhead off the Desert Scenic Drive (Loop Road) and south of the Guadalupe Ridge Trail to the park boundary for approximately two miles after which camping is allowed both north and south of the trail. (see [Appendix C](#))
- Campsites must be located at least 100 feet off established trails, 300 feet from any water source or cave entrance and 1/2 mile or 2,600 feet from any road or parking lot.
  - Backcountry camping groups are limited to ten (10) persons. Larger groups must hike and camp at least 1/4 mile apart in separate areas.
  - The permit holder must be eighteen (18) years of age or older.
  - The maximum stay is seven (7) consecutive nights.
  - Vehicle or RV camping is prohibited. Camping is not allowed in any other area, including along any roads, at any parking lot or at any trailhead.

- The Superintendent may authorize camping in special circumstances in other areas when it is determined there is no impact to cultural or natural resources.

### **36 CFR §2.12(a)(1)– Audio Disturbances**

- (a) The following is prohibited inside Carlsbad Cavern:
- The playing of any musical instrument
  - Talking loudly or yelling in a manner that disturbs other people or wildlife or to intentionally create echoes.

*Closure Determination/ Justification: Sound inside the Carlsbad Cavern can carry for long distances. Elevated noise levels can disturb visitors as well as wildlife.*

### **36 CFR 2.13 - Fires**

- (a)(1) The lighting or maintaining of fires is generally prohibited, except as provided for in the following designated areas or receptacles, and under the conditions noted:
- Charcoal fires are allowed in grills at the Rattlesnake Springs Picnic Area.
  - The use of camp stoves (liquid or gas fuel) is permitted in picnic areas and in backcountry camp sites.
  - The use of portable grills (charcoal or gas) is permitted at Rattlesnake Springs Picnic Area and the picnic area located at the southeast corner of the east Visitor Center parking lot.

#### **High fire danger closures will be in effect as noted:**

A prolonged forecast of very high to extreme fire danger, decreased fire suppression staffing levels, national or local preparedness levels 4 or 5, a high local call volume, implementation of fire restrictions on adjoining federal lands, and/or other factors leading to a high risk of unwanted fire spread will prompt the following standard fire restrictions:

- Smoking permitted only inside vehicles or on paved parking areas where smoking is otherwise permitted.
- No open flame.
- No cook stoves.
- No use of grills in picnic areas.
- No flame-emitting device.

*Closure Determination/Justification: These protective measures will help to reduce the potential of unwanted fire spread in the park and onto surrounding public and private lands.*

### **36 CFR §2.14 - Sanitation and Refuse**

- (b) Conditions for the disposal, containerization, or carryout of human body waste have been established for the following:



- Caves: All solid and liquid waste must be carried out of caves. Waste containers may not be left along the trail/route to be picked up later. Other sanitation and refuse disposal conditions may be specified in cave use permits.
- Surface areas: (such as in backcountry camping) Solid human waste should be placed in a shallow hole away from water sources and trails. Toilet paper must be packed out.
- Spitting in any cavern or cave pool is prohibited.

## 36 CFR §2.15 - Pets

(a) The following are prohibited:

(1) Areas Closed to Pets:

All surface and cave areas including the Natural Entrance trail within Carlsbad Caverns National Park are closed to pets except for the following:

- On and within 30 feet of paved pullouts and paved parking areas on the surface.
- Along the non-paved Walnut Canyon Desert Drive (Loop Road).
- The NPS employee housing area.
- Permian Drive and Reef Top Circle.
- All paved nature trails.
- Bat Draw Road and parking area.
- Rattlesnake Springs picnic area and roadways.

(3) Unattended Pets in Parking Areas

- Pets shall not be left unattended in vehicles. Unattended pets may be removed from vehicles at the discretion of law enforcement if animal is showing signs of distress. The animal(s) will be impounded at the owner's expense.
- Stock shall not be left in trailers when forecasted high is greater than 70 degrees Fahrenheit, or lower than 20 degrees Fahrenheit.
- Penning of stock animals is prohibited at the Visitor Center parking lots.

*Closure/Determination Justification: On warm days temperatures in closed motor vehicles can rise quickly to levels dangerous to the life and health of animals. These unattended animals can cause public nuisance and alarm when noticed by concerned passersby.*

(5) Pet Excrement Disposal

- All solid waste must be picked up and disposed of immediately in outdoor trash receptacles.
- A waste collection station is located at the back of the west parking lot near the kennel.

Service Animals: Service Animals, as defined by the ADA, are *not* pets and are allowed on all paved trails of the cavern. They are not allowed on the off-trail cave tours due to the close

proximity of the safety caution tape on trails that are marking deep drop-offs and to protect cave resources. Service dogs must be harnessed, leashed, or tethered, unless (1) these devices interfere with the service animal's work, or (2) the individual's disability prevents them from using these devices. In those cases, the individual must maintain control of the animal through voice, signal, or other effective means.

**Service Animals are NOT allowed to be off leash within any cave due to the fragile nature of the cave environment as well as the safety of the service animal.**

Service dogs are allowed any place pets are allowed and must meet all the other requirements in §2.15. Contact the park at 575-785-2232 for more information.

For additional questions about Service Animals, please refer to Appendix D

### **36 CFR §2.16 - Horses and Pack Animals**

(a) The following animals are designated as pack animals:

- Horses
- Burros
- Mules
- Llamas
- Alpacas

(b) The use of horses or pack animals is permitted on the following trails, routes or areas:

- Guadalupe Ridge Trail (EXCEPT: Old Guano Road Trail portion)

(g) Other conditions concerning the use of horses or pack animals:

- Horse and pack animal handlers must provide their own feed and water for their animals.
- Animals may not be tied to native vegetation or features.
- Feed carried into designated pack animal use areas must be certified as weed-free.

### **36 CFR §2.17 - Aircraft and Air Delivery**

(c)(1) The removal of a downed aircraft, components, or parts thereof is allowed, subject to a written authorization from the Superintendent. The Superintendent will establish, on a case-by-case basis, the following terms and conditions for aircraft removal:

- Timeframe for removal.
- Times and means of access to the site.
- Manner or method of removal.

### **36 CFR §2.20 - Skating, skateboards, and similar devices**

Using roller skates, skateboards, roller skis, coasting vehicles or similar devices is prohibited, except in designated area. No areas are designated for this activity.

### 36 CFR §2.21 - Smoking

(a) 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.

Closed to smoking:

- All Government-owned buildings and structures, including all restrooms, except permanent employees' residences with the consent of the residents.
- Smoking within 25 feet of all entrances and exits to government buildings or caves.
- Within 50 feet of gasoline pumps and flammable substance storage areas.
- Bat Flight Amphitheater seating, adjacent patio area, and Natural Entrance trail (surface)
- Other areas as posted and as designated during high fire danger.
- All Electronic cigarettes are prohibited **as if they are tobacco products** to comply with the December 2010; US Court of Appeals for the D.C. Circuit ruling in *Sottera, Inc., v. Food and Drug Administration*.

(b) Smoking is prohibited within all caves and caverns.

*Closure Determination/ Justification: This prohibition protects the park structures and ensures that visitors and employees are not involuntarily exposed to harmful cigarette smoke while at work or entering and leaving government buildings. Caves are environments with limited airflow and smoking within a cavern environment is damaging to fragile speleothems.*

### 36 CFR §2.22 - Property

(a)(2) The following describes areas where property may be left unattended for periods longer than 24 hours, and the conditions under which property may be left:

- Vehicles may be left unattended for more than 24 hours at established trailheads, including Yucca, Slaughter, Guadalupe Ridge, and Rattlesnake Canyons and the west parking lot when the driver is on a backcountry camping trip, with the required permit, and intends to return to the vehicle immediately after the trip.
- Visitors utilizing designated caching boxes on the Guadalupe Ridge Trail as necessary re-supply points.

### 36 CFR §2.23 - Recreation Fees

(a) Recreation fees, are established for the following use/entrance fee areas:

Entrance Fee Areas	Adult	Child*	Senior/Access Pass**	National Parks Pass**
General Entrance	\$15.00	Free <age 15	Free	Free
King's Palace	\$8.00	\$4.00	\$4.00	\$8.00

Left Hand Tunnel	\$7.00	\$3.50	\$3.50	\$7.00
Slaughter Canyon Cave	\$15.00	\$7.50	\$7.50	\$15.00
Lower Cave	\$20.00	\$10.00	\$10.00	\$20.00
Hall of the White Giant	\$20.00	\$10.00	\$10.00	\$20.00

\*Child entry on guided tours is subject to the age limits specified within 36 CFR 1.5 in this document.

\*\*Holder of National Parks and Federal Recreational Lands Pass, Annual Military Pass, Lifetime Military Pass, 4<sup>th</sup> Grade Pass, Senior Pass (formerly Golden Age Passport), and Access Pass (formerly Golden Access Passport) plus three individuals are entitled to free general entrance. Only the holders of a Senior Pass or Access Pass receive one-half off the fee for guided trips.

*Note:* A general entrance permit is required in addition to designated fees for guided and off-trail entry in Carlsbad Cavern.

- (c) The collection of recreation fees may be suspended during the following periods:
- Days as directed by the NPS Washington DC office and as allowed per DO/RM-22.

### **36 CFR §2.35 - Alcoholic Beverages and Controlled Substances**

- (a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:
- All public buildings.
  - Bat Flight Amphitheater and associated patio areas.
  - All caves.
  - All paved surface trails.

*Closure Determination/Justification: The consumption of alcoholic beverages in the specified locations is contrary to the purpose for which they were established and maintained and is contrary to the interest of public safety for the visiting and traveling public.*

**36 CFR §2.51 – Public Assemblies, Demonstrations & Meetings:** Demonstrations, public assemblies, meetings, etc., are limited to areas designated in [Appendix A](#) or other areas designated by written permit.

### **36 CFR §2.62 - Memorialization**

- (b) The scattering of human ashes from cremation is prohibited, except pursuant to the

terms and conditions of a permit, or in designated areas according to conditions which may be established by the Superintendent.

- The remains to be scattered must have been cremated and pulverized.
- The scattering of remains by persons on the ground must be performed at least 100 yards from any trail, road, developed facility, or cave.
- The scattering of remains from the air must be performed at a minimum altitude of 2,000 feet above the ground.
- No scattering of remains from the air may be performed over developed areas, facilities, or caves subject to regular or permitted public access.
- No scattering of remains may occur in any cave.

### **36 CFR § 3.16 Swimming and Bathing**

(a) The following areas are closed to swimming and bathing:

- Rattlesnake Springs pond, flumes, and other open water.
- All springs, seeps, and other natural pools and water sources.
- Cave pools.

### **36 CFR §4.10 - Travel on Park Roads and Routes**

(a) Park roads open for travel by motor vehicle are those indicated on the park's website road map.

- Driving on backcountry roads is limited to those roads indicated as "Approved Road" or "AR" with the designated number following.

### **36 CFR §4.21 - Speed Limits**

(b) The following speed limits are established for the routes/roads indicated:

- 40 mph day/30 mph night for Walnut Canyon Road (park entrance road) from Mile Post (MP) 0 to MP 6.0 unless otherwise posted.
- 35 mph for Walnut Canyon Road from MP 6.0 to MP 6.6.
- 25 mph for Walnut Canyon Road from MP 6.6 to MP 6.8.
- 15 mph for Rattlesnake Springs Road, and other unimproved or dirt roads unless otherwise posted.
- 15 mph for Walnut Canyon Desert Drive (Loop Road).
- 15 mph, 10 mph, or 5 mph for congested and/or parking areas, as posted.

*Determination/Justification: The speed limits for the roads/road sections indicated have been set lower than the standards established in 36 CFR §4.21 due to the high potential for injury to animals and people along the main park road and within parking areas, especially at night. The design of Walnut Canyon Road makes higher speeds unsafe.*

### **36 CFR §4.30 – Bicycles**

(a) Bicycle use is permitted on park roads, parking areas, and on the following designated routes:

- Park roads open for travel by motor vehicle.
- Roads indicated as an "Approved Road."

The following route is closed to bicycle use:

- All trails, including Guadalupe Ridge Road/Trail.

*Determination/Justification: Bicycle use on these routes is consistent with the protection of the park area's natural, scenic and aesthetic values, safety considerations and management objectives and will not disturb wildlife or park resources.*

**Electric Bicycles (E-bikes):** The Term "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.).

E-Bikes are allowed in Carlsbad Caverns National Park 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 Carlsbad Caverns National Park is governed by State law, which is adopted and made part of this Compendium. Any violation of State Law adopted by this paragraph is prohibited.

Carlsbad Caverns National Park is wholly within the territorial boundary of the State of New Mexico. Under the current State law, *"riders do not need a license to ride motor-driven bicycles, nor do you need to register your motorized bike. When on the road, you are required to follow the same rules as regular cyclists in New Mexico. Requirements may be stricter based on the:*

- *Size of the motor.*
- *Speed of the vehicle.*
- *City or county you're riding in."*

(SOURCE): <https://www.dmv.org/nm-new-mexico/other-types.php>. For further questions regarding e-bikes check with your local MVD office or call the New Mexico Motor Vehicle Division's main office at (888) 683-4636 if you are unsure whether your vehicle qualifies as a motorized bicycle. (e-bike).

## **36 CFR § 7.47 Carlsbad Caverns National Park**

(a) Cave entry.

- (1) With the exception of the regular trips into Carlsbad Caverns under the guidance or supervision of employees of the National Park Service, no person shall enter any cave or undeveloped part or passage of any cave without a permit.

- (2) Permits. The Superintendent may issue written permits for cave entry without escort only to persons engaged in scientific or educational investigations. The Superintendent shall approve issuance of a permit provided:
- (i) That the investigation planned will have demonstrable value to the National Park Service in its management or understanding of park resources, and
  - (ii) That the permit applicant is adequately equipped and experienced to ensure the protection and preservation of park resources.
- (3) Solo exploration. Solo exploration or investigation is not permitted in any cave or undeveloped part or passageway of any cave within the park.

## APPENDIX A

### Designated Areas for Public Assemblies/Meetings and Sale/Distribution of Printed Matter

- Map identifying locations approved for public assemblies/meetings and the sale/distribution of printed matter is attached.
- Park Visitor Center area: The east Visitor Center parking lot picnic area.
- The Bat Flight restroom patio area.

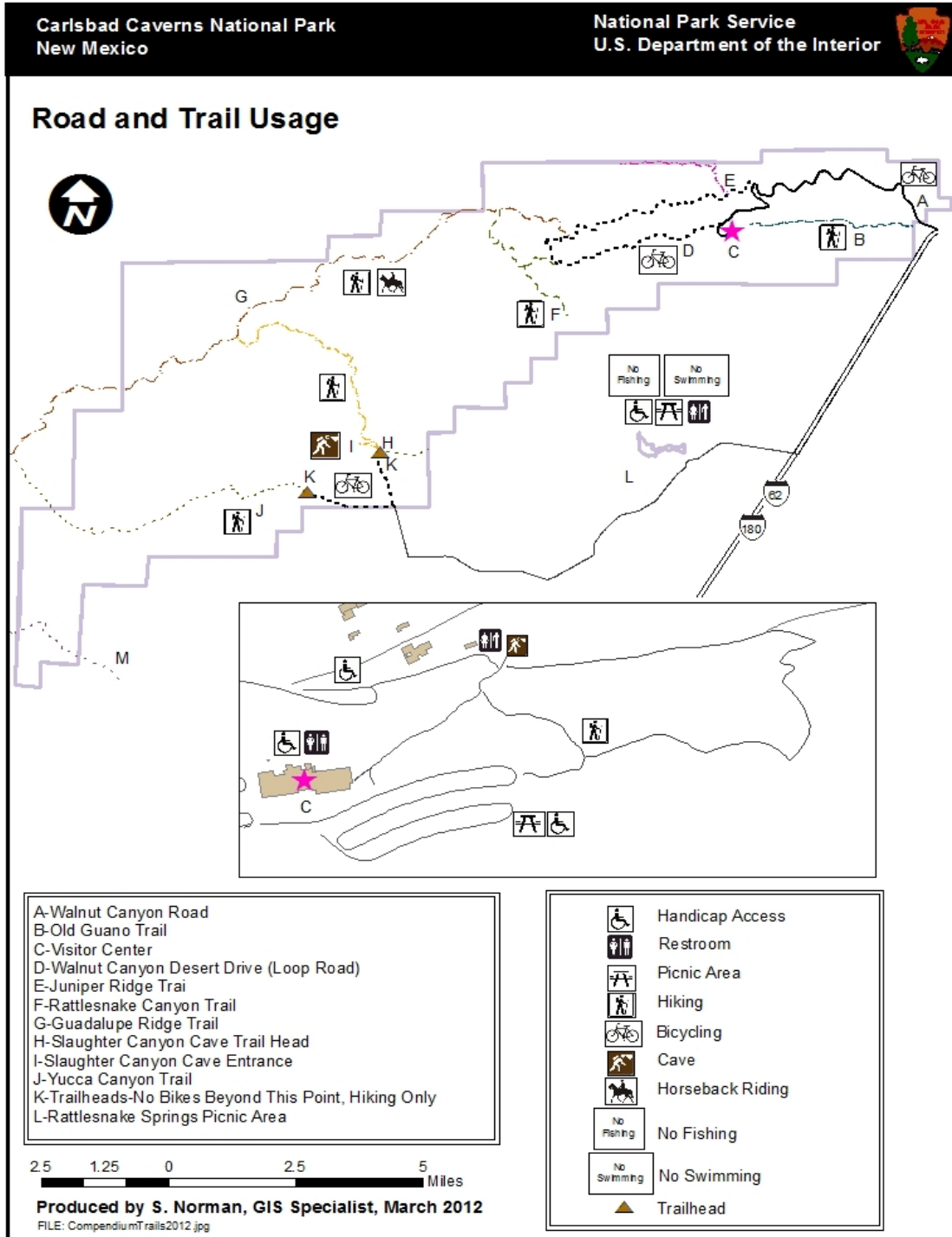




## APPENDIX B

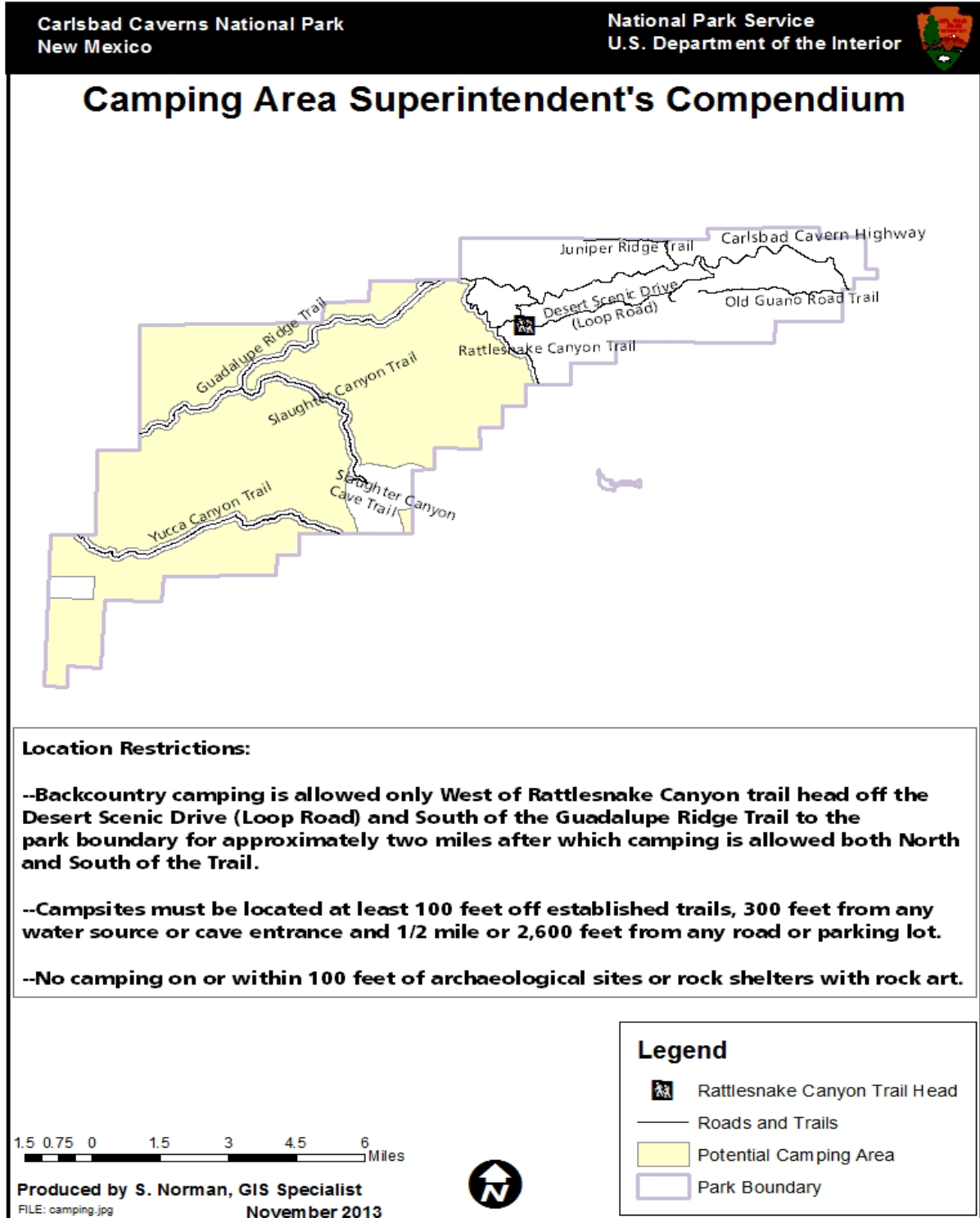
### Road and Trail Usage

A map identifying locations approved for biking, hiking, backcountry camping, pets is attached.



## APPENDIX C Camping Areas

A map identifying locations approved for camping including restrictions.



## **APPEXDIX D** **Service Animals**

### **Frequently Asked Questions about Service Animals.**

#### **Question (Q). Why is it important to know about service animals?**

Answer (A). Generally, the use of a service animal by an individual with a disability must be permitted. Individuals with disabilities who use service animals have a right to be accompanied by their animals at all times. Denying access to an individual with a service animal is considered discriminatory and makes the NPS vulnerable to civil rights complaints and lawsuits, as well as negative public perception.

#### **Q. Why are service animals protected by law?**

A. Individuals with disabilities rely on their service animals to remain independent and safe. Service animals are NOT pets. For many individuals with disabilities, separation from a service animal has the same effect as having a wheelchair or communication device taken away. For others, separation from a service animal can put the individual in danger.

#### **Q. Do NPS employees with service animals have the same rights and protections as visitors with service animals?**

A. Generally, all service animal users have the same protections. However, this FAQ is intended to address park visitors and not employees. Questions about employees or volunteers with service animals should be addressed to the Equal Opportunity Program.

#### **Q. How should NPS staff members respond if a visitor with a service animal wants to complain about being denied access due to his or her service animal?**

A. In many cases, resolving a complaint can be done at the local level by following the park's process for handling complaints. However, an individual who believes they have been illegally denied access or service because of a service animal must be informed they also have the right to file a complaint with the Equal Opportunity Program or the Department of the Interior's Office of Civil Rights. Individuals also have the right to file a private lawsuit in federal court. Defining Service Animals

#### **Q. What is the definition of a service animal?**

A. NPS policy defines a service animal as a dog that has been individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The task(s) performed by the animal must be directly related to the person's disability.

#### **Q. Are dogs the only type of service animal?**

A. The definition of service animal only refers to a dog, but the NPS must make reasonable modifications to policies, practices or procedures to permit the use of a miniature horse by a person with a disability if the miniature horse has been individually trained to do work or perform tasks directly related to the person's disability. Miniature horses are the only animal for which this modification is required. For more information about miniature horses, send questions to: [accessibility@nps.gov](mailto:accessibility@nps.gov)

#### **Q. What does "do work or perform tasks for the benefit of an individual with a disability" mean?**

A. The animal must be trained to take a specific action when needed to assist the person with a disability. There is no prescribed list of work or tasks as these are individualized based on a person's disability, so the work or tasks are not limited. Many people are familiar with how dogs assist individuals who are blind to navigate or assist a wheelchair user to open doors, but there are many service dogs trained to perform other tasks for other disabilities. For example, a person with diabetes may have a dog that is trained to

alert when an individual's blood sugar reaches high or low levels. A person with depression may have a dog that is trained to remind the individual to take medication. Additionally, a person who has epilepsy may have a dog that is trained to detect the onset of a seizure and help the person remain safe during the seizure. Because of the variation in tasks and work being performed, the size and breed of dogs that are service animals also vary.

**Q. Are service animals required to be professionally trained or certified?**

A. No. People with disabilities have the right to train the animal themselves and are not required to use a professional service animal training program. The NPS cannot require documentation (such as proof that the animal is certified, trained or licensed as a service animal) as a condition for entry into park units.

**Q. Are emotional support, therapy, comfort or companion animals considered service animals?**

A. No. Provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of what is defined as a service animal in the NPS policy. Emotional support, therapy, comfort or companion animals can be any animal, not just a dog. The presence of these animals provides a calming effect for many people, but they do not qualify as service animals because they have not been trained to perform a specific job or task.

Therefore, a park can treat an emotional support animal as a pet in accordance with its pet policy.

**Q. Does a dog qualify as a “service animal” or an “emotional support animal” when it helps an individual cope with mental illness?**

A. It depends. It is not a service animal if the dog's mere presence provides comfort. However, it would qualify as a service animal if a dog has the ability to sense the onset of a psychiatric episode and is trained to take a specific action to help avoid or lessen the impact of that episode. For example, some dogs have been trained to sense anxiety attacks and to take a specific action to avert or reduce the attack.

**Q. Is a personal protection or crime deterrent dog considered a service animal?**

A. No. Crime deterrence, guarding or personal protection does not constitute work or tasks for the purpose of defining a service animal in NPS policy.

**Q. Are service-animals-in-training considered service animals?**

A. No. Under the NPS policy, the dog is not considered a service animal until it has already been trained. A park can treat a service-animal-in-training as a pet in accordance with its pet policy. Parks can allow service-animals-in-training to be trained in park units, however.

**ALLOWING SERVICE DOGS IN THE PARK**

**Q. Where are service dogs allowed to go?**

A. Service dogs are legally permitted anywhere that visitors can go and must be allowed wherever visitors are allowed. As explained under “General Knowledge,” service animal users rely on their animals to remain independent and safe. For many individuals with disabilities, separation from a service animal has the same effect as having a wheelchair or communication device taken away. For others, separation from a service animal can put the individual in danger.

**Q. Can a service dog be prohibited from an area because staff or visitors have a fear of or are allergic to dogs?**

A. No. Service animals cannot be denied because someone else has either allergies or a fear of dogs. Staff need to find a way to accommodate both parties.

**Q. Are there any circumstances under which service dogs can be denied access to part of a park?**

A. Yes. However, access can only be denied when:

- Access requires a fundamental alteration to the nature of the goods, services, programs or activities provided to the public in the area; or a dog raises legitimate safety concerns for the public, the service dog, other native animals or other park resources. Note: "Legitimate safety concerns" are those that are based on fact rather than speculation or fear.
- The dog is not housebroken or it is out of control and the handler does not take effective action to control it.

Contact [accessibility@nps.gov](mailto:accessibility@nps.gov) for assistance with identifying legitimate safety concerns or situations resulting in fundamental alterations.

**Q. What do I do if a visitor insists an emotional support animal is needed in order to participate in activities in the park?**

A. While emotional support animals are not service animals and can be treated like pets, there is no requirement to treat them like pets nor is there a requirement to ban emotional support dogs. A park can have a policy that allows emotional support dogs if the park believes the emotional support dog will improve the experience for visitors. However, this policy should be applied consistently and clearly articulated to all park staff, volunteers and concessioners.

**Q. If an NPS facility does not allow pets, what type of sign should be used to indicate that service dogs are allowed?**

A. A simple but direct statement is all that is necessary, such as "No Pets Allowed, Service Animals Only."

**Q. Can a park require a visitor with a disability to register a service dog to use it in any part of the park?**

A. No. Mandatory or voluntary registration of service dogs is prohibited by law.

**Q. Can a park require a visitor to seek a permit for the use of a service animal?**

A. No. The use of service dogs is already permitted by law as a reasonable modification to pet policies.

**Q. Can proof of vaccination or other proof that a service dog is free of disease be required?**

A. Yes. Service dogs are subject to the same vaccination rules that are applied to all dogs. However, an individual should not be required to provide proof of vaccination unless the park has established a specific threat posed by the presence of a canine disease. Visitors should be given advanced notice of this requirement on the park website and through other means of communication to inform the public of rules and restrictions at the park.

**Q. Can individuals with disabilities be refused access to a facility based on the type of or breed of their service dog?**

A. No. A service dog may not be excluded based on assumptions or stereotypes about the dog's breed or how the animal might behave.

**Q. Can a service dog be brought into food operations, such as snack bars and restaurants,**

**including self-service facilities such as buffets and salad bars?**

A. Yes. Service dogs must be allowed to accompany their handlers to and through food service facilities such as restaurants, bars and lounges and snack bars including self-service food lines.

**Q. Are restaurants, bars and other concessioner places that serve food or drink required to allow service dogs to be seated on chairs or allow the animal to be fed at the table?**

A. No. Seating, food and drink are provided for customer use only. The NPS policy gives a person with a disability the right to be accompanied by their service animal, but the parks and concessioners are not required to allow an animal to sit on or be fed at the table.

**Q. Can a service animal be removed from a facility that serves food, if the service animal is poorly groomed, such as it is dirty or has a bad odor?**

A. Yes. If a service animal were in such an unsanitary state that would result in a fundamental alteration of the nature of the services that are being provided (e.g., the stench of the animal would deter other customers from ordering food), the animal could be excluded from the food service facility.

**Q. Can hotels, lodges and campgrounds designate limited rooms or areas for guests with service dogs?**

A. No. A guest with a disability who uses a service dog must be provided the same opportunity to reserve any available room or area at the hotel, lodge or campground as other guests without disabilities. They may not be restricted to “pet-friendly” rooms/areas.

**Q. Are guests allowed to leave their service animals in their hotel room, lodge room or camp site when they leave the hotel, lodge or campground?**

A. No, the service dog must be under the handler’s control at all times.

**Q. Can hotels or lodges charge a cleaning fee for guests who have service dogs?**

A. No. Hotels are not permitted to charge guests for cleaning the hair or dander shed by a service dog. However, if a guest’s service dog causes damage to a guest room, a hotel is permitted to charge the same fee for damages as charged to other guests.

**Q. Are sites that have swimming pools required to allow a service dog in the pool with its handler?**

A. No. NPS policy does not override public health rules that prohibit dogs in swimming pools. However, service animal must be allowed on the pool deck and in other areas where the public is allowed to go.

**Q. Are concession stores and gift shops required to allow service animals to be placed in a shopping cart?**

A. No. Service dogs should be on the floor or the person can carry the animal.

**Q. If a visitor is transported from a park to a medical facility, must a service animal be allowed to ride in an ambulance with its handler?**

A. Yes, unless the dog's presence would interfere with the medical personnel’s ability to perform their tasks. In which case, park staff should make other arrangements to have the dog transported to the hospital. Identifying Service Animals

**Q. What questions can NPS employees ask to determine if a dog is a service animal?**

A. When it is not obvious that a dog is a service animal, staff may ask:

1. Is the service dog required because of a disability?
2. What work or task has the dog been trained to perform?

**Staff cannot:**

- Inquire about the nature or extent of the person's disability, including any questions about the person's capabilities that relate to their disability;
- Require a person to show medical documentation or other proof of disability;
- Request any documentation or certification for the animal;
- Require or request that the animal demonstrate its task, work or anything that it is trained to perform that relates to the visitor's disability.

**Q. What if a visitor is carrying a dog rather than walking the dog on a leash?**

A. Service dogs can be on the floor or the person can carry the animal. There are many tasks that a service dog can be trained to do that require it to be carried. For example, if a person with diabetes has a glucose alert dog, the individual may carry the dog in a chest pack so it can be close to the face to allow the dog to smell the individual's breathe to alert of a change in glucose levels.

**Q. What if there is a group of visitors, one of whom has a disability, but that individual is not the one with the dog?**

A. In most instances, the handler will be the individual with a disability, but it is possible for a service dog to be handled by another party (such as a parent, guardian or teacher) who accompanies the individual with a disability because of the age or needs of the individual with a disability. Similarly, a visitor's companion is allowed to take a service dog out to be exercised or use a relief area without the individual with a disability.

**Q. Can people bring more than one service dog into a park?**

A. Yes. Some people with disabilities may use more than one service animal to perform different tasks. For example, a person who has a visual disability and a seizure disorder may use one service animal to assist with navigation and another that is trained as a seizure alert dog. Other people may need two service animals for the same task, such as a person who needs two dogs to assist the individual with stability when walking. If both dogs can be accommodated, both must be allowed to accompany the individual with a disability. In some circumstances; however, it may not be possible to accommodate more than one service animal. For example, in a crowded small restaurant, only one dog may be able to fit under the table.

**OBLIGATIONS OF THE SERVICE DOG USER**

**Q. Do service animals have to be on a leash?**

A. The service animal must be under the control of its handler. This means that the service animal must be harnessed, leashed or tethered unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal or other effective means to maintain control of the animal. For example, a person who uses a wheelchair may use a long, retractable leash to enable the service animal to pick up or retrieve items. The handler cannot allow the dog to wander away and must maintain control of the dog, even if it is retrieving an item at a distance. Another example is a visitor who has post-traumatic stress disorder and has great difficulty entering unfamiliar spaces. They may have a dog that is trained to enter a space; check to see that there are no threats and come back and signal that it is safe to enter. The dog must be off leash to do its job,

but must return to be leashed when it has completed its job or task.

**Q. Are service dogs required to behave?**

A. Yes. The animal's handler must take effective action to control the animal, so that a service animal is not barking repeatedly in areas such as theaters/amphitheaters, museums/visitor centers, campgrounds, walks, talks, tours or other quiet places. However, if a dog barks just once, or barks because someone has provoked it, this would not mean the dog is out of control. Additionally, growling or snarling is considered threatening behavior and is considered to be out of control if the handler does not correct the behavior of the dog.

**Q. Are service dogs required to be housebroken?**

A. Yes, service dogs must be housebroken.

**Q. What can NPS staff do when a service animal is being disruptive or is not housebroken?**

A. Staff can request removal of the dog from the program or area if it is not housebroken or it is out of control and the handler does not take effective action to control it. If a service dog is removed, the individual with the disability must have the opportunity to participate in the service, program or activity without the dog.

**Q. Can a dog be removed if it becomes distracting, bothersome or seeks attention from other visitors?**

A. Yes, a service dog can be removed from a program or area if it's behavior is distracting or bothering other visitors and the handler does not correct the behavior. If a dog is removed, the individual with the disability must have the opportunity to participate in the service, program or activity without the dog.