



Colorado National Monument *2023 Compendium of Regulations*





National Park Service
U.S. Department of
the Interior

Colorado National
Monument

1750 Rim Rock Dr
Fruita, CO 81521

(970) 858-3617 phone
(970) 858-0372 fax

Colorado National Monument 2023 Compendium of Regulations

AUTHORITY

Designations, Closures, Permit Requirements, and other Restrictions and/or Specifications Imposed Under the Discretionary Authority of the Superintendent, Title 36, Code of Federal Regulations, Chapter 1.

Under the authority of 54 USC 100751, and Title 36, Code of Federal Regulations (CFR), Chapter 1, Parts 1 to 7, this Compendium of Regulations is established for Colorado National Monument. The regulations listed in this compendium are a requirement in addition to those listed in Parts 1 to 7 of Title 36 unless otherwise noted. The specific authority for this regulatory authority procedure is found in Sections 1.5, 1.6, and 1.7 of Title 36.

In addition to these regulations, the following are also provided:

Written determinations that explain the reasoning behind the Superintendent's use of discretionary authority are required by Section 1.5 (c) and appear in this document as italicized print.

Section 1.6(f) states that a list of those activities that require a permit must be maintained. That list appears in this document under 36 CFR §1.6.

As required by 1.7(b), designations, closures, permit requirements, and other restrictions imposed under discretionary authority shall be updated annually and made available to the public upon request.

Recommended by: Chief Ranger

Date

Approved by: Superintendent

Date

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INTRODUCTION

This document lists the special designations, closures, permit requirements, public use limits, and other restrictions made at the Superintendent's discretion. The compendium is updated annually and augments what is contained in Title 36 of the Code of Federal Regulations (CFR) and other applicable federal statutes and regulations. Each section (§) references the applicable part of the CFR, followed by the line where the authority comes from. The CFR is available online at [E-CFR](#).

36 CFR §1.4 – DEFINITIONS

- (a) The following definitions shall apply in this compendium, unless modified by the definitions for a specific part or regulation:

Developed Area – means roads, parking areas, picnic areas, campgrounds, or other structures, facilities or land located within development and historic zones depicted on park area land management and use map.

Service Animals – are defined in Title 28 CFR 36.104 as any dog or miniature horse that is 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. Service animals are not subject to the park's pet policies and, when accompanying an individual with a disability, they are allowed wherever visitors are allowed.

Unmanned aircraft – is defined as 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.

E-bike - 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.).

36 CFR §1.5 - CLOSURES AND PUBLIC USE LIMITS

(a)(1) Temporary Road Closures

All monument roads are subject to temporary closures as indicated by signs or other means of notification during periods of adverse weather, natural disaster, emergency, other public safety concerns, or implementation of management responsibilities.

Determination: Temporary road closures will reduce hazardous driving conditions and increase safety for visitors and employees.

(a)(1) Temporary Closures of Visitor Use Areas

Closures of visitor use areas (campsites, trails, overlooks, interpretive stops along auto tours, etc.) may occur when necessary by posting appropriate signs to mitigate resource impacts with overuse, misuse, environmental, or health and safety issues.

Determination: These closures may be required for resource or visitor protection. Examples of this type of closure include social trail closures for re-vegetation, building closure due to safety issues, campground or trail closures due to wildlife concerns, closure of a trail due to rock fall hazards, etc.

(a)(1) Service and Administrative Roads

The following administrative roads are closed except for conducting official government business:

- Road leading to the Saddlehorn maintenance area
- Road leading to the Boneyard near the west hill
- Road leading to the East Shop
- Road at Stonehouse and leading to the visitor center
- Road leading off Rim Rock Drive near Artists Point

Closures will be implemented by one or more of the following: signs, gates, barricades, other traffic control devices and/or as directed by authorized personnel.

Invited guests of employees residing in government housing and office space may access the administrative road in the housing area. The administrative road leading to the East Shop is open to those participating in First Amendment activities in the designated public assembly area, or overflow parking.

Determination: Restricting access to administrative roads improves security of government resources and facilities and privacy to employees and residents.

(a)(1) Off-Highway Vehicles (ATVs, UTVs)

The use of all-terrain vehicles (ATVs), off highway vehicles (OHVs), utility terrain vehicles (UTVs), motorized vessels and any other type of motorized conveyance manufactured for recreational, non-highway, off-road or all terrain travel, including those licensed by a state for street use, within monument boundaries is prohibited. The

prohibition includes any vehicles defined by Colorado Revised Statute 33-14.5-101.

***Determination:** The public use of ATVs/UTVs/OHVs and other motorized conveyances manufactured for recreational, non-highway, off road, or all terrain travel within monument boundaries poses a significant risk to visitor safety, park resources and values which cannot be appropriately mitigated and which cannot be sustained without causing unacceptable impacts.*

(a)(1) **Tunnels**

Except for administrative activities, all road culverts, tunnels, and immediate approaches to tunnel portals are closed to pedestrians.

***Determination:** These closures are intended to prevent people from entering unsafe, unlit, and flood-prone areas of confined space that have historically provided cover for illegal activities.*

(a)(1) **Unmanned Aircraft**

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Colorado National Monument is prohibited except as approved in writing by the National Park Service.

***Determination:** This closure is necessary to maintain public health and safety and to protect park resources. These include, but are not limited to, the protection of wildlife mating, breeding, nesting, and feeding activities; scenic values; and soundscapes. Less restrictive measures will not suffice as 13,842 acres of the monument is managed as wilderness, and any operation would have an adverse impact on the wilderness character without written authorization in place from the National Park Service to ensure safety precautions and resource protection needs are adequately met.*

(a)(2) **General Use Limits, Conditions, and Restrictions**

Barring emergencies, or unless permitted through a Special Use Permit or other prior approval, the following areas shall be closed 30 minutes after sunset to 30 minutes before sunrise:

- Devils Kitchen Picnic Area and parking lot
- White Rocks formation, as depicted in Appendix B

***Determination:** These resources have long histories of illicit activity and associated impacts. These closures will help minimize after-hours violations that directly impact sensitive resources including historic structures and archeological sites.*

(a)(2) **Commercial Diesel Vehicles**

Drivers of commercial passenger-carrying diesel-fueled motor vehicles are prohibited from idling their engines at overlooks and parking with the following exemptions:

- After long uphill grades, engines may be idled for up to 15 minutes in order to cool;
- Engines may be left running to provide cooling or heating for disabled passengers who have difficulty in disembarking.

***Determination:** The noise and pollution associated with diesel engines left idling or running is unacceptable.*

(a)(2) **Recreational Water Activities**

The following areas are closed to swimming or other water disturbances:

- Any stream, drainage, or ephemeral pool.

***Determination:** Toxins from sunscreen, bug spray, soaps, lotions, and other common products can accumulate in these water features and affect amphibians and plant life. Wildlife rely on these ephemeral water features during summer months for survival. Climate change predicts hotter summers and higher evapotranspiration rates, resulting in ephemeral water features becoming even more important to park flora and fauna.*

(a)(2) **Water Filtration**

Water filtering is prohibited within Colorado National Monument.

***Determination:** Limited water sources need to be conserved for wildlife. The presence of selenium within some sources also presents a potential danger if consumed.*

(a)(2) **Recreational Climbing Activities**

Climbing is allowed in Colorado National Monument; however, the following areas and exposures are closed to recreational rock climbing:

- Any exposure above any tunnel portal, or prehistoric rock-art site.
- The Balanced Rock formation in Fruita Canyon.
- The Mushroom Rock formation below the northwestern rim of Monument Mesa.
- Any area above exposed surfaces to Rim Rock Drive or overlooks.
- Any area which has the potential to disturb wildlife activity, such as, but not limited to, feeding, mating or nesting sites.
- Any areas on or adjacent to archeological sites, historic structures, or paleontological resources.

***Determination:** These closures will protect visitors, wildlife, and vehicles from falling objects; protect sensitive and irreplaceable archeological resources and prevent surface scarring or other disturbances of delicate or highly visible features. They will protect the nesting behavior and reproductive success of Peregrine Falcons, other raptors, and bats.*

The following restrictions also apply to all recreational climbing activities within Colorado National Monument:

- No new permanent climbing hardware may be installed in any location. If an existing bolt or other hardware item is unsafe, it may be replaced with brown or black hardware following consultation with park management. This limits climbing to existing routes or new routes not requiring placement of fixed anchors.
- Power drills, defined as all rotary drills, hammer drills, fastener-guns, and related devices that rely upon batteries, explosive charges or chemical propellants for power, are prohibited unless approved by a permit.
- Hammers may not be used except to replace belay and rappel anchors and bolts on existing routes or for emergency self-rescue.
- Software (webbing, accessory cord, etc.) that is **left in place** shall match the rock surface in color.
- Fixed ropes may not be left in place for more than 24 hours unless approved by the Superintendent. Fixed ropes left more than 24 hours shall be considered “abandoned property” and removed.
- Physically altering of rock faces, i.e. chiseling new holds, is prohibited.
- The intentional removal of lichen or plants from rock is prohibited.
- Camping on the summit of Independence Monument is prohibited.
- Climbing chalk must be of a color that blends in with the native rock.
- Adhesives are prohibited on all rock surfaces.

Determination: These restrictions, provide for quiet and tranquil visits and protect the aesthetic appearance and ecological integrity of mineral and plant resources.

(a)(2) Group Camping

The following restrictions and conditions apply to group camping at Colorado National Monument:

- Groups of 15 or more people may camp only in C Loop of the Saddlehorn Campground and are restricted from making campground reservations on Recreation.gov.
- The maximum size for group camping is 60 people.
- Reservations for group sites will be made prior to arrival at the monument.
- Groups desiring to use facilities around C Loop such as the Saddlehorn Amphitheater must obtain a special use permit.

Determination: Limiting group size prevents one group from monopolizing the facilities. Requiring groups to camp in C Loop allows for the sites in A and B to remain available for others, reduces noise impact to visitors, and keeps children from school groups at safer distance from steep cliffs.

36 CFR §1.6 - PERMITS

(f) The following activities require a permit in Colorado National Monument:

- Specimen collection 2.5(a)
- Developed area camping (Saddlehorn Campground) 2.10(a)
- Backcountry camping 2.10(a)

- Large group activities (over 25 people) 2.11
- Academic Fee Waivers 2.23
- Special events 2.50(a)
- Public assemblies 2.51(a)
- Sale or distribution of printed matter 2.52(a)
- Scattering of human ashes 2.62(b)
- Business operations 5.3
- Commercial photography and some filming 5.5

Permits will be specific in nature to the activity being permitted. For those activities that frequently require a permit, a specific permit form has been designed, such as backcountry permit, camping fee permit, commercial filming permit, etc. In most other cases, a special use permit or letter of authorization that is signed by the Superintendent, or their designee, and identifies the specific conditions under which the permitted activity is authorized will be prepared. In all cases, a permit or letter of authorization must be in the permittee's possession at all times and exhibited to any authorized person upon request.

***Determination:** Permit systems authorized and issued pursuant to specific regulations in this chapter, except in section 1.5, need not be supported by a written determination unless required by the specific authorizing regulation.*

36 CFR §2.1 - PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL FEATURES

- (c)(1) Gathering of edible plants within the monument, including piñon nuts, is prohibited.

***Determination:** Reductions in piñon nuts could adversely impact plant propagation and wildlife food sources. Drought or environmental conditions may create further restrictions. Fruiting bodies of edible mushrooms (fungi) are not fruits, berries, or nuts, and therefore collection cannot be authorized by the Superintendent.*

36 CFR §2.2 - WILDLIFE PROTECTION

- (d)(2) The use of bugles, varmint calls, audio attractants, or other artificial or natural means of attracting or disturbing wildlife (including rattling antlers, coyote, turkey and sage grouse calls, or verbal bugling or howling imitations) is prohibited.

***Determination:** Intentional disturbing of wildlife may adversely affect wildlife behavior (e.g., breeding and mating rituals, feeding habits, travel patterns/routes) possibly causing stressful and/or disruptive conditions for wildlife. Colorado National Monument is mandated to protect and preserve healthy and natural wildlife populations. Using calls can cause wildlife to leave foraging and mating areas and attract them to roads where they are more likely to become injured or killed. They may also become unnatural prey if artificially attracted out of cover.*

- (d) Wildlife taken lawfully outside the legislative jurisdiction of the Monument may be transported non-stop through the Monument under the following conditions:

- Persons transporting will have in their possession a valid State hunting license.

- Animal carcasses will display a valid State game tag that is properly completed.
- Animal carcasses will be subject to inspection at any time by an authorized person.

***Determination:** The monument does not wish to impede those hunting legally nor impede the transportation of legally taken game. Continuing through the monument without stopping and covering carcasses reduces the perception that legally taken wildlife was illegally killed within the boundaries of a protected area, especially on the non-right of way access from DS Road to the West (Fruita) Entrance. Law enforcement park rangers are authorized to check hunters transporting game to ensure wildlife was not taken illegally within the monument boundaries.*

- (e) The monument is closed to viewing wildlife with any artificial light, which includes and is not limited to spotlights and vehicle headlights directed beyond those areas covered in normal highway driving.

***Determination:** The viewing of wildlife at night with the use of artificial lights temporarily blinds animals, which causes them to become unnatural prey for natural predators. Spotlighting animals is an associated behavior with illegal poaching.*

- (f) Hunters must contact the monument immediately if they wound an animal legally outside the monument boundary and it enters the monument. This can be done by calling the Visitor Center and asking to speak to a monument Law Enforcement ranger, or by calling 911.

***Determination:** Law Enforcement park rangers are authorized to check kill sites to ensure the animal was legally taken outside the boundary of the monument before game is retrieved.*

36 CFR §2.5 – RESEARCH SPECIMENS

- (a) Taking of plants, wildlife or wildlife parts, fish, wildlife, rocks, or minerals is prohibited except pursuant to the terms and conditions of a specimen collection permit available from the Chief of Resource Management or designee.

***Determination:** Unrestricted collection of these resources contributes to damaging impacts to sensitive natural areas, as well as altering the natural setting for other park visitors. Permits ensure that individuals have the appropriate training and experience to collect specimens while minimizing damage.*

36 CFR §2.10 - CAMPING AND FOOD STORAGE

- (a) With the exception of backcountry camping as defined below, all camping at Colorado National Monument will be limited to the Saddlehorn campground, and the following rules apply:
- In any calendar year, campers are limited to fourteen overnight stays, whether occurring consecutively or in any combination of separate visits.
 - Unless designated as a group site, up to seven people, three tents, and two vehicles may occupy any given site at one time. Parking may be limited to one

vehicle per site if the associated space cannot accommodate more than one vehicle.

- Camping will be limited to numbered sites in open loops only. Sleeping and food preparation must be conducted within 50 feet of the site's picnic table and grill.
- All motor vehicles, including motorcycles, trailers, and bicycles, must be parked on the paved or designated parking at each site, and must not extend into the roadway.
- Reservations for selected sites may be made through recreation.gov. These reservations are intended for individuals and not groups such as schools, churches, scouting organizations. All other sites not on the reservation system are subject to a first-come occupancy basis including the group camping area.
- It is prohibited to attach any object – for example, hammocks - to existing vegetation and resources including trees, shrubs and rocks to prevent damage to those identified resources.
- The use of generators is prohibited from 8 pm to 8 am and prohibited in Loop C at all times.
- Pets are allowed at campsites and on paved roads but must be leashed and well-behaved at all times. Leaving pets unattended is prohibited.
- There are two accessible campsites available. If no one in your party needs an accessible site, please consider selecting another site if there is one available.
- Proper registration is required for all occupied sites immediately upon occupancy and recreational entrance fees are required for all vehicles. Check-out or re-registration is required by 11:00 am for all sites.
- One or more paved loops within the Saddlehorn Campground may be closed to permit the restoration of vegetation, to consolidate maintenance workload, or for other management purposes. Vehicular access to closed loops will be prevented by locked cable-gates bearing “closed” signs. As deemed necessary, casual pedestrian access may also be discouraged by the posting of additional signs along perimeters of closed areas.

***Determination:** Limiting frontcountry camping to the Saddlehorn Campground minimizes impacts at areas where such occupancy could cause resource damage, overwhelm sanitary facilities or fixtures, threaten public safety, obstruct traffic, interfere with management functions, or conflict with approved patterns of public use. Restricting overnight occupancy to seven people prevents overcrowding. The fourteen overnight stay limitation discourages people from establishing quasi-residence on monument lands and ensures that all visitors enjoy fair and equitable access to, and the use of, developed camping sites.*

(a) **Backcountry Camping**

Backcountry camping is defined as any primitive campsite located ¼ mile or more from any road or developed facility and 100 feet or more from any trail or water source. Backcountry campers should seek a sufficiently remote location where they can neither be seen nor heard. The following rules apply to backcountry camping:

- Campers must obtain a free backcountry permit, either in person, by telephone, or by email, prior to camping. Maximum group size is 7 people.
- In any calendar year, backcountry campers are limited to fourteen overnight stays, whether accrued consecutively or in any combination of separate visits. Single trips are limited to 7 consecutive nights.

- No fires, with the exception of gas or alcohol camp stoves, are permitted in the monument's backcountry. Charcoal fires are not permitted.
- Pets, bicycles, motorized equipment, and other intrusive devices such as radios, generators, etc., are not allowed in the backcountry.
- Camping is not permitted in any stream-bed.
- All items, including trash, must be packed out. Backcountry areas must be left in the natural condition in which they were found.
- Camping on Independence Monument is prohibited.
- Camping on cryptobiotic soil crusts is prohibited.
- Campers must carry out solid human waste in sanitary disposal bags or dispose of it in a hole 6-8 inches deep, and at least 300 feet from any water source. Pack out all toilet paper.

***Determination:** The purpose of these closures is to maintain the integrity of roadside vistas and facilities developed for special uses, to disperse backcountry use beyond the confines of narrow roadway or trail corridors, to promote camper privacy and reduce the potential for conflicts between backcountry and other visitors, to prevent non-compliance in designated fee camping areas, to protect resource values and to discourage camping in areas subject to flash flooding.*

36 CFR §2.11 - PICNICKING

Picnicking by the public is allowed throughout much of the monument and is encouraged in the Saddlehorn and Devils Kitchen Picnic Areas. Picnicking is prohibited in the Saddlehorn Campground, in the amphitheater, in comfort stations, in the visitor center, in maintenance areas, and in staff residential or office areas unless authorized by a special use permit.

***Determination:** These prohibitions are intended to prevent conflicts arising from the use or occupancy in designed fee area campsites by non-camping, day-use visitors, to discourage the preparation or consumption of food in public buildings or areas devoted to special management functions, and to ensure the reasonable rights-of-privacy of employees whose duties require that they reside in the monument.*

36 CFR §2.13 - FIRES

- (a)(1) Wood fires are prohibited in all areas of the monument. Charcoal fires are permitted in the grills provided in the Saddlehorn Complex and at the Devils Kitchen Picnic Area. Properly shielded gas or liquid-fueled portable camp stoves are allowed. Self-contained gas fireplaces are allowed if they are contained in a portable fire pan.

A monument-wide fire ban may be extended at any time at the direction of the park Superintendent or their designee. Public notification of such circumstances will be communicated through posted signs at entrance locations, and through public announcements and press releases.

***Determination:** The prohibition of wood fires is intended to discourage the cutting, gathering, and burning of natural vegetation; and to reduce the potential for human-caused wildfire.*

36 CFR §2.15 - PETS

- (a)(1) Dogs, cats and other pets (excluding service animals accompanying persons with disabilities and/or pack animals) are not permitted on any unpaved trails or in the backcountry, even if the animals are physically restrained. Please reference §2.10 *Camping and Food Storage* for information specific to pets in the campground.
- Service animals are not subject to the park's pet policies and, when accompanying an individual with a disability, they are allowed wherever visitors are allowed. A service animal means any dog or miniature horse that is 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.
 - Dogs, cats and other pets (excluding service animals accompanying persons with disabilities) are not permitted in any structure, building, or facility or on closed sections of Rim Rock Drive, with the exception of employee housing
- (a)(3) There are no designated areas where pets may be left unattended and tied to an object. Pets may not be left unattended in vehicles.
- (a)(5) Pet owners or responsible persons shall promptly collect and properly dispose of pet fecal matter in residential and public use areas. Fecal material should be collected in a plastic bag and disposed of in a garbage can.
- (d) It is strictly prohibited to abandon or release any pet or other animal into Colorado National Monument.

***Determination:** These prohibitions are intended to prevent the inadvertent harassment or injury to wildlife, to protect individuals from the aggressive behavior of other visitors' pets and to shield the pets themselves from injury or loss. Pets in confined buildings or crowded special events present additional concerns for visitor safety, sanitary health, pet welfare, and other nuisances or inconveniences to visitors and staff.*

36 CFR §2.16 - HORSES AND PACK ANIMALS

- (a) Horses, mules, llamas, alpacas, and burros are designated as pack animals.
- (b) The use of horses and pack animals – defined exclusively as horses, mules, llamas, alpacas and burros – is limited to the following areas within Colorado National Monument:
- Lower Monument Canyon Trail to the base of the canyon wall ascent.
 - Upper Liberty Cap Trail on Monument Mesa.
 - All monument land below the Precambrian bench which runs parallel to South Broadway from the White Rocks to South Camp Road.
 - Black Ridge Trail from the upper Liberty Cap Trail parking lot to the park boundary with BLM. (Horses and pack animals are allowed on Rim Rock Drive for accessing the trail at this location only).
 - Old Gordons Trail.

(g) Pack animal users will abide by the following regulations:

- Use of pack animals is permitted only when trail conditions are dry.
- Animals will not be allowed within any recognizable or identified archeological or historic sites.
- Animals will not be tied or tethered in a manner which damages vegetation or which allows grazing on vegetation.
- Horses and pack animals are limited to no more than six in number for any group.
- Animal manure deposited at trailheads and parking areas must be removed immediately.
- Animals must maintain a slow walk when approaching other trail users.
- Pack animals are prohibited in the Saddlehorn Campground, even if in trailer with registered campers.
- When in the backcountry, pack animal owners are to use weed-free hay or pellet feed prior to and during the animal's time in the monument.
- Horses and pack animals are not allowed overnight in the backcountry.

***Determination:** The use of horse and pack animals impacts public safety, trail maintenance, and resource protection. The size and weight of horses on narrow and often steep trails present greater likelihood of inconvenient and unsafe encounters with hikers, runners, school groups, and others. Greater wear and tear on the trails, especially historic trail sections, presents elevated problems in trail base maintenance and preservation.*

Cross-country use above the Precambrian bench is prohibited in order to reduce adverse impacts from grazing, soil and vegetation disturbances from hooves, and introduction of exotic plants through animal waste. Natural ecosystems are compromised by the spread of exotic plant species when seeds are deposited through animal feces. As with other grazing animals, horses often indiscriminately feed on native vegetation. It is also unknown how these animals affect the behavioral patterns of natural predators or other wildlife.

36 CFR §2.20 – WINTER ACTIVITIES

(a) Winter activities including cross-country skiing, snowshoeing, sledding and similar activities are prohibited on Rim Rock Drive, except in cases when the Superintendent or their designee specifically authorizes the use.

***Determination:** These activities would conflict with the safe flow of traffic and snow removal operations, which usually occur within 12 hours of each winter weather event.*

36 CFR §2.21 - SMOKING

(a) Smoking is prohibited in all public use and administrative buildings and facilities, as well as within 25 feet of a public building entrance. This includes smoking in the oil house, chlorinator room, in lift stations, and within ten feet of any fuel source or propane tank.

Except in enclosed personally-owned vehicles, smoking is prohibited during temporary conditions of extreme fire danger. Visitors and employees will be notified of these circumstances through multiple avenues.

***Determination:** It is NPS policy that public use and administrative facilities be smoke-free. There are no designated employee smoking areas within NPS facilities. During dry periods when national weather standards define conditions as “Red Flag” in nature, existing extreme danger for wildland fires mandates that heightened fire preventative measures be taken.*

36 CFR §2.22 - PROPERTY

- (a)(2) Vehicles or other personal property may be left unattended overnight when associated with a valid backcountry camping permit. Such vehicles and property must be removed prior to expiration of the permit. The National Park Service will not be held responsible for loss of property due to theft or accident.

***Determination:** Persons camping in the monument may need to leave a vehicle or other property at a trailhead, parking area, or similar location for longer than the length of backcountry camping permit. This order is required to authorize such activities.*

36 CFR §2.35 – ALCOHOLIC BEVERAGES

- (a) The consumption of alcoholic beverages is prohibited along the Rim Rock Drive road corridor, including all pull-outs and overlooks. The consumption of alcoholic beverages is prohibited at all trailheads and on all trails. Alcoholic beverages are allowed in the Saddlehorn Campground and Picnic Area, backcountry campsites, Devils Kitchen Picnic Area, staff living quarters, and during special events or occasions granted by the Superintendent or their designee.

***Determination:** These restrictions discourage irresponsible or unsafe drinking behaviors while still allowing for legal, responsible use of alcoholic beverages.*

36 CFR §2.50 – SPECIAL EVENTS

- (a) Most special events, including weddings and group gatherings, require a special use permit. Although the special use permit allows the event to occur, it does not prohibit public access to the event or event location. A permit will be denied if it unreasonably interferes with ongoing NPS park programming, presents a clear and present danger to public health and safety, negatively prevents or limits access for visitors or causes injury or damage to park resources. There must be a meaningful association between the event and the monument which contributes to visitor understanding of the park significance. The following terms apply to special events:

- Weddings are allowed in the following designated areas: Bookcliffs View, Bookcliffs View Shelter, Devils Kitchen Picnic Area, Saddlehorn Amphitheater, Saddlehorn Picnic Area and Saddlehorn parking lot.
- Easter Sunrise Services and other group gatherings with large attendance are permitted for Saddlehorn Amphitheater, Saddlehorn Picnic Area and

Saddlehorn parking lot. Permits will be provided on a first-come, first-served basis.

- Occupancy limits for special events have been established to be 25 people for Bookcliffs View and 15 people for Bookcliffs Shelter. Devils Kitchen Picnic Area, Saddlehorn Amphitheater, Saddlehorn Picnic Area and Saddlehorn Parking Lot may have capacity limits in excess of 100 people, but will be addressed on a case-by-case basis.
- Special use permit applications may be submitted within 365 days (or one calendar year) in advance of the event.
- Special use permits will be reviewed and approved in the order they are received. The timeframe for decisions on such permits will range from 10 business days to four weeks or longer for complex requests.
- Special use requests for recurring events will be evaluated separately and are not guaranteed for approval.

***Determination:** Special events provide a benefit for one group of people and not necessarily for all visitors to Colorado National Monument. In establishing designated areas and occupancy limits, Colorado National Monument will attempt to create minimal impact to park visitors, provide a safe environment for participants, and protect park resources.*

The promotion of National Parks during national park week and fee free days encourages visitation and recreational opportunities; therefore, allowing special events during these time periods will adversely impact the visiting public's experience.

36 CFR §2.51 - PUBLIC ASSEMBLIES

- (e) Demonstrations involving twenty-size or more individuals must have a permit issued by the Superintendent or their designee, through the Special Park Use office. The following areas (also designated on Appendix A 1) are open to public assemblies, meetings, gatherings, or demonstrations protected under the First Amendment by groups involving 25 or fewer persons without a permit:

- Black Ridge Trailhead/administrative access road directly opposite the Visitor Center on Rim Rock Drive
- Overflow parking area near the East Entrance Station.
- Devils Kitchen Picnic Area (backup if overflow parking is administratively closed).

Permit requests may be made for all other areas of the monument. Requests are subject to denial based on consideration from the Superintendent, or their designee, on a case-by-case basis.

***Determination:** This action is necessary to comply with 36 CFR 2.51, which requires National Park Service sites to provide a map showing locations available for public assembly activities. The areas provided should not unreasonably interfere with visitor services and should provide adequate public recognition for any public assembly activity.*

36 CFR §2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

- (e) Printed matter is limited to message-bearing textual material such as books, pamphlets, magazines, and leaflets, provided that it is not solely commercial advertising. Distribution involving twenty-six or more individuals must have a permit issued by the Superintendent, through the Chief Ranger. The following areas (also designated on Appendix A) are open to the sale or distribution of printed matter protected under the First Amendment by groups involving 25 or fewer persons without a permit:

- Black Ridge Trailhead/administrative access road directly opposite the Visitor Center on Rim Rock Drive
- Overflow parking area near the East Entrance Station.

Other areas are potentially available for sale or distribution of printed material. The Superintendent will consider requests for permits on a case-by-case basis.

Determination: These areas provide for First Amendment activities that are visible to the public while allowing for other visitor activities to proceed without disruption.

36 CFR §2.62 – MEMORIALIZATION

- (c) All undeveloped areas are open to the scattering of human ashes from cremation, pursuant to conditions of a special use permit issued by the Superintendent, with the exception of archeological sites, streams and standing pools of water. The scattering of ashes will be discreet and not made near or in the presence of park visitors.

Determination: The resource concerns for this type of activity are minimal. Such activity can occur without undue negative impacts to the resources of the area.

36 CFR §4.11 – LOAD, WEIGHT, AND SIZE LIMITS

- (a) The transportation of hay (defined here as any vegetation or plant material not native or grown from within the monument's boundaries) will be allowed under the following conditions:
- All vehicles transporting hay, grains or other agriculture products that contain or may contain viable seeds will be in compliance with state and local laws including height and weight restrictions. The monument recommends hay loads be covered to limit the spread of non-native seeds and to reduce the chance of spilling the load.
 - Spills of agricultural products that contain or may contain viable seeds must be reported to rangers immediately. Individuals responsible for spills are required to remain on scene (unless doing so presents a traffic hazard), and to immediately clean up the spill.

Determination: It has generally been established that hay bales, including those labeled "weed free," contain certain amounts of exotic or noxious weed seeds. When released into the monument, these unwanted species can establish themselves and spread. The National Park Service is mandated by policy to prevent the establishment of exotic plant species on National Park lands.

NPS rangers are bound by law to enforce state and local traffic laws which include regulations on height, weight, and size limits of vehicles using public roadways. Improperly loaded hay on vehicles can pose serious safety hazards. As most of these vehicles are traveling to and from Glade Park, it is desirable that for the safety and convenience of others, all hay trucks will use the east hill public right-of-way as stipulated in 1986 Wilkinson v. US Department of Interior.

36 CFR §4.22 – UNSAFE OPERATION

(b)(1) Motor vehicles shall always display headlights while in tunnels.

Determination: This requirement ensures that motorists have sufficient illumination in the tunnels, even during daylight hours, to discern hazards or obstructions on the roadway, to render reflective centerline and edge-of-pavement delineators, and to make themselves visible to others.

36 CFR §4.10 - VEHICLES AND TRAFFIC SAFETY

(a) Electronic Personal Assistive Mobility Device (EPAMD), motorized scooters and similar devices, as defined under 36 CFR 1.4 are motor vehicles. The monument has imposed a restriction on the use of EPAMDs, motorized scooters and similar devices from all park areas including roads, sidewalks and trails.

However, any visitor or employee with a disability is permitted to use an EPAMD, motorized scooter, motorized wheelchair or similar device in park buildings and developed areas, such as campgrounds and parking lots, when the sole purpose for use of the device is mobility assistance. For safety reasons, EPAMDs, motorized scooters and similar devices may not be used on any unpaved park road or trail, with the exception of the ADA-accessible Alcove Nature Trail.

Individuals with disabilities who operate one of the above-described devices must operate the device in a safe and responsible manner so as not to endanger one's self or other park visitors. The maximum speed for such devices is 8 mph. The operator of an assistive mobility device will have the same rights applicable to a pedestrian under the same circumstances, except the operator must yield to other pedestrians.

Wheelchairs (either manual or motorized) are not considered motor vehicles or mechanized vehicles and are allowed on park trails, although this is not recommended.

Determination: The monument wishes to provide as much access as possible to visitors with disabilities while maintaining an environment that is safe for all visitors and protects monument resources.

36 CFR §4.30 – BICYCLES AND E-BIKES

(a) Bicycle and e-bike use within Colorado National Monument is permitted only on routes open to public motor vehicle use. They are prohibited on administrative roads and all

trails. Monument staff are authorized to use bicycles on administrative roads approved by the Superintendent or their designee.

E-bikes are allowed in Colorado National Monument where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Use of the electric motor alone without pedaling is permitted only on roadways where vehicles are allowed.

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 Colorado National Monument is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

***Determination:** Bicycle use including e-bikes is permitted on all roads open to public motor vehicle use. They are not permitted on trails or roads closed to the public. Much of the monument is recommended wilderness where wheeled vehicles are prohibited.*

When riding through any tunnel within Colorado National Monument, or when riding after sunset, bicycles and e-bikes must be equipped with a white light visible from at least 500 feet to the front and a red light visible from at least 200 feet to the rear. Lights must be affixed to the bicycle in a manner that allows the operator to keep both hands on the handlebars of the bicycle.

Operating bicycles abreast of each other is prohibited for the entirety of the Rim Rock Drive.

***Determination:** Tunnels within Colorado National Monument are not illuminated, and sudden entry into a dark tunnel from bright sunlight can reduce vision of drivers and cyclists. There is not a bicycle lane or shoulder, making it critically important that cyclist and drivers can see one another. Therefore, requiring both motorists and cyclists to use lights in tunnels and between sunrise and sunset is necessary for public safety. Lights must be affixed to the bicycle or e-bike in order to allow the operator to maintain control.*

Cyclists riding abreast on monument roads is prohibited under federal law. Strict enforcement of this regulation reduces unsafe passing maneuvers by motorists and helps protect cyclist safety.

APPENDIX A – VISITOR CENTER PUBLIC ASSEMBLY AREA

Visitor Center Public Assembly Area



APPENDIX B – EAST ENTRANCE PUBLIC ASSEMBLY AREA

East Entrance Public Assembly Area A



After entering the park, turn left into the overflow parking area. Do not obstruct traffic. Occasionally this gate may be closed for administrative purposes. In that event, proceed to Public Assembly Area B, the Devils Kitchen Picnic Area.

East Entrance Public Assembly Area B



After entering the park, proceed approximately ¼ mile and turn right into the Devils Kitchen Picnic Area. Do not obstruct traffic. Do not obstruct restroom or picnic area access.

APPENDIX C – WHITE ROCKS NIGHT-TIME CLOSURE AREA



This closure order applies to the area immediately around the White Rocks formation and archaeological site, as delineated above.

APPENDIX D – COMMERCIAL FILMING AND STILL PHOTOGRAPHY REGULATIONS

Authority: 5 U.S.C. 301; 16 U.S.C. 1-3, 3a, 668dd-ee, 715i, 460l-6d; 25 U.S.C. 2; 31 U.S.C. 9701; 43 U.S.C. 1701, 1732-1734, 1740.

Source: 78 FR 52095, Aug. 22, 2013, unless otherwise noted.

Subpart A - Areas Administered by the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service

§5.1 What does this subpart cover?

This subpart covers commercial filming and still photography activities on lands and waters administered by the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service.

§5.2 When do I need a permit for commercial filming or still photography?

(a) All commercial filming requires a permit.

(b) Still photography does not require a permit unless:

(1) It uses a model, set, or prop as defined in §5.12; or

(2) The agency determines a permit is necessary because:

(i) It takes place at a location where or when members of the public are not allowed;
or

(ii) The agency would incur costs for providing on-site management and oversight to protect agency resources or minimize visitor use conflicts.

(c) Visitors do not require a permit for filming or still photography activities unless the filming is commercial filming as defined in §5.12 or the still photography activity involves one of the criteria listed in §5.2 (b).

§5.3 How do I apply for a permit?

For information on application procedures and to obtain a permit application, contact the site manager at the location at which you seek to conduct commercial filming or still photography activities.

§5.4 When is a permit required for news-gathering activities?

(a) Permit requirements. News-gathering activities involving filming, videography, or still photography do not require a permit unless:

(1) We determine a permit is necessary to protect natural and cultural resources, to avoid visitor use conflicts, to ensure public safety or authorize entrance into a closed area; and

(2) Obtaining a permit will not interfere with the ability to gather the news.

(b) Terms and conditions. All permits issued under this section will include only terms and conditions necessary to maintain order, ensure the safety of the public and the media, and protect natural and cultural resources.

(c) Exemptions. A permit issued for news-gathering activities is not subject to location fees or cost recovery charges.

§5.5 When will an agency deny a permit for commercial filming or still photography?

We will deny a permit authorizing commercial filming or still photography if we determine that it is likely that the activity would:

(a) Cause resource damage;

(b) Unreasonably disrupt or conflict with the public's use and enjoyment of the site;

(c) Pose health or safety risks to the public;

(d) Result in unacceptable impacts or impairment to National Park Service resources or values;

(e) Be inappropriate or incompatible with the purpose of the Fish and Wildlife Service refuge;

(f) Cause unnecessary or undue degradation of Bureau of Land Management lands; or

(g) Violate the Wilderness Act (16 U.S.C. 1131-1136) or any other applicable Federal, State, or local law or regulation.

§5.6 What type of permit conditions may the agency impose?

(a) We may impose permit conditions including, but not limited to, conditions intended to:

(1) Protect the site's values, purposes, and resources, and public health and safety; and

(2) Prevent unreasonable disruption of the public's use and enjoyment.

(b) We may revoke your permit if you violate a permit condition.

§5.7 What are my liability and bonding requirements as a permit holder?

(a) **Liability.** In accepting a permit, you agree to be fully liable for any damage or injury incurred in connection with the permitted activity, and to indemnify and hold harmless the United States of America as a result of your actions. We may require you to obtain property damage, personal injury, commercial liability or public liability insurance in an amount sufficient to protect the United States from liability or other claims arising from activities under the permit. The insurance policy must name the United States of America as an additional insured.

(b) **Bond.** You are responsible for all response, repair and restoration if your activity causes damage to an area. We may also require you to provide a bond or other security sufficient to secure any obligations you may have under the permit and applicable laws and regulations, including the cost of repair, reclamation, or restoration of the area. The amount of the bond or security must be in an amount sufficient to provide full payment for the costs of response and restoration, reclamation, or rehabilitation of the lands in the event that you fail to adequately repair, reclaim, or restore the area as directed by the agency. If the amount of the bond or other security is inadequate to cover cost of the repair, reclamation, or restoration of the damaged lands or resources you will also be responsible for the additional amount.

§5.8 What expenses will I incur?

You must pay us a location fee and reimburse us for expenses that we incur, as required in this section.

(a) **Location fee.**

(1) For commercial filming and still photography permits, we will require a reasonable location fee that provides a fair return to the United States.

(2) The location fee charged is in lieu of any entrance or other special use fees. However, the location fee is in addition to any cost recovery amount assessed in

paragraph (b) of this section and represents a fee for the use of Federal lands and facilities and does not include any cost recovery.

(3) We will assess location fees in accordance with a fee schedule, which we will publish in the Federal Register and also make available on the internet and at agency field offices. The location fee does not include any cost recovery.

(b) Cost recovery. You must reimburse us for actual costs incurred in processing your request and administering your permit. We will base cost recovery charges upon our direct and indirect expenses including, but not limited to, administrative costs for application processing, preproduction meetings and other activities, on-site monitoring of permitted activities, and any site restoration.

§5.9 How long will it take to process my request?

We will process applications for commercial filming and still photography permits in a timely manner. Processing times will vary depending on the complexity of the proposed activity. A pre-application meeting with agency personnel is encouraged and may assist us in processing your request for a permit more quickly. For information on application procedures contact the appropriate agency field office.

§5.10 Can I appeal a decision not to issue a permit?

Yes. If your request for a permit is denied, the site manager issuing the denial will inform you of how and where to appeal.

§5.11 Information collection

The information collection requirements contained in this subpart have been approved by the Office of Management and Budget (OMB) under 44 U.S.C. 3501 et seq., and assigned the following OMB clearance numbers: 1024-0026 for the National Park Service, 1004-0009 for the Bureau of Land Management and 1018-0102 for the Fish and Wildlife Service. This information is being collected to provide land managers data necessary to issue permits for commercial filming or still photography permits on Federal lands. This information will be used to grant administrative benefits. The obligation to respond is required in order to obtain a benefit. You may send comments on this information collection requirement to the Departmental Information Collection Clearance Officer, U.S. Department of the Interior, 1849 C Street NW., MS3530, Washington, DC 20240.

§5.12 How are terms defined in this subpart?

The following definitions apply to this subpart:

Agency, we, our, or us means the National Park Service, the Bureau of Land Management, and the U.S. Fish and Wildlife Service, as appropriate.

Commercial filming means the film, electronic, magnetic, digital, or other recording of a moving image by a person, business, or other entity for a market audience with the intent of generating income. Examples include, but are not limited to, feature film, videography, television broadcast, or documentary, or other similar projects. Commercial filming activities may include the advertisement of a product or service, or the use of actors, models, sets, or props.

Cost recovery means the money that an agency collects as reimbursement for actual costs it incurred to permit a particular activity, including but not limited to, accepting and processing a permit application and monitoring the permitted commercial filming or still photography activity.

Location fee means a land or facility use fee similar to rent that provides a fair return to the United States for the use of Federal lands or facilities when used for:

- (1) Commercial filming activities or similar projects; and
- (2) Still photography activities where a permit is required.

Model means a person or object that serves as the subject for commercial filming or still photography for the purpose of promoting the sale or use of a product or service. Models include, but are not limited to, individuals, animals, or inanimate objects, such as vehicles, boats, articles of clothing, and food and beverage products, placed on agency lands so that they may be filmed or photographed to promote the sale or use of a product or service. For the purposes of this part, portrait subjects such as wedding parties and high school graduates are not considered models, if the image will not be used to promote or sell a product or service.

News means information that is about current events or that would be of current interest to the public, gathered by news-media entities for dissemination to the public. Examples of news-media entities include, but are not limited to, television or radio stations broadcasting to the general public and publishers of periodicals (but only if such entities qualify as disseminators of “news”) who make their products available for purchase by or subscription by or free distribution to the general public.

- (1) As methods of news delivery evolve (for example, the adoption of the electronic dissemination of newspapers through telecommunications services), these alternative media will be considered to be news-media entities.
- (2) A freelance journalist is regarded as working for a news-media entity if the journalist can demonstrate a solid basis for expecting publication through that entity, even if the journalist is not actually employed by the entity. A contract would present a solid basis for such an expectation; we may also consider the past publication record of the requester in making such a determination.

News-gathering activities means filming, videography, and still photography activities carried out by a representative of the news media.

Permit means a written authorization to engage in uses or activities that are otherwise prohibited or restricted.

Representative of the news media means any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience.

Resource damage means harm to the land or its natural or cultural resources that cannot reasonably be mitigated or reclaimed.

Sets and props means items constructed or placed on agency lands to facilitate commercial filming or still photography including, but not limited to, backdrops, generators, microphones,

stages, lighting banks, camera tracks, vehicles specifically designed to accommodate camera or recording equipment, rope and pulley systems, and rigging for climbers and structures. Sets and props also include trained animals and inanimate objects, such as camping equipment, campfires, wagons, and so forth, when used to stage a specific scene. The use of a camera on a tripod, without the use of any other equipment, is not considered a prop.

Still photography means the capturing of a still image on film or in a digital format.

Videography means the process of capturing moving images on electronic media, e.g., video tape, hard disk or solid state storage.

APPENDIX E – CLOSED-CIRCUIT TELEVISION MONITORING

Authority: 54 U.S.C 102701(a); NPS Management Policies (2006, Chapter 8.3.1); Reference Manual 9 (Chapter 26)

Colorado National Monument may utilize video recording in public and administrative spaces, including but not limited to: the entrance stations, the Visitor Center, and administrative offices.

The NPS's use of Closed Circuit Television (CCTV) for law enforcement and security purposes will only be to visually monitor public park areas and public activities where no constitutionally protected reasonable expectation of privacy exists. Such CCTV use – which will have adequate privacy and First Amendment safeguards – will be to help ensure public safety and security; facilitate the detection, investigation, prevention, and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; and help facilitate the protection of the innocent and the apprehension and prosecution of criminals.