



**National Park Service
U.S. Department of the Interior**

**Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other
Restrictions Imposed Under
Discretionary Authority**

Fort Davis National Historic Site
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Approved:

/s/ John R. Morlock
John R. Morlock
Superintendent

8/2014
Date

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 16 United States Code, Section 3, the following regulatory provisions are established for the proper management, protection, and public use of those portions of Fort Davis National Historic Site 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.

I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USES OR ACTIVITIES

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

Visiting Hours: The park is open for visitation every day of the year, with the exception of posted holiday closures. Hours for visitation are 8:00 AM to 5:00 PM Central Time, unless otherwise posted.

Closures: Technical rock climbing or rappelling anywhere within the park is prohibited. *(The park was set aside to preserve a nationally significant historic landscape, and this type of recreational activity would not be compatible. Opportunities for this type of recreational activity exist locally.)*

The entire park is closed to public use outside of established visiting hours, unless exempted by a permit in accordance with §1.6. *(This closure is necessary to protect the nationally significant cultural resources.)*

Hiking or pedestrian traffic may only enter or exit the park via established trails, roads, or access points. Climbing over boundary fence is prohibited. *(This closure is necessary to protect nationally significant cultural resources.)*

The entire park is closed to camping. *(Limited acreage does not allow for camping facilities that would not impair the cultural landscape. Opportunities for camping exist locally.)*

The entire area east of the park entrance road, including the historic cottonwood trees, is closed to entry where posted. *(These historic trees are very old and are exhibiting signs of structural decay. Closure is necessary for public safety.)*

Definition:

The term “unmanned aircraft” means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

Closure Language:

Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Fort Davis National Historic Site is prohibited except as approved in writing by the superintendent. *(This closure is necessary to maintain public health and safety, protect nationally significant cultural resources, protect wildlife, implement management responsibilities and avoid conflict among visitor use activities until the NPS can determine whether specific uses of unmanned aircraft on lands administered by the NPS are appropriate and will not cause unacceptable impacts on park resources and values. This closure is a necessary, interim measure until the NPS considers how to address this new use on a long-term basis and that allowing the use of unmanned aircraft before the park has properly evaluated whether this use is appropriate could result in unacceptable impacts to park resources, park values, and visitor safety.)*

(a)(2) The following restrictions and/or conditions are in effect for the specific uses or activities noted:

All motor vehicles must shut down their vehicle engines when not underway. *(The idling of vehicle engines adds unnecessary exhaust fumes to the air and diminishes visitor enjoyment of the peace and tranquility of the park.)*

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

(f) The following is a compilation of those activities for which a permit from the superintendent is required:

- §2.4(a)(1)(i) Possess a weapon*, trap, or net
(* see 36 CFR §2.4 – WEAPONS, TRAPS, AND NETS)
- §2.4(a)(1)(ii) & (iii) Carry or use a weapon*, trap, or net
(*see 36 CFR §2.4 – WEAPONS*, TRAPS, AND NETS)
- §2.5(a) Specimen collection (Taking plants, fish, wildlife, rocks or minerals)
- §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
- §2.37 Soliciting or demanding gifts, money, goods or services
- §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
- §2.62(b) Memorialization - (Scattering ashes from human cremation)
- §5.1 Advertisements - (Display, posting or distribution)
- §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(a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
- §5.5 (b) Still photography of vehicles or other articles of commerce or models for the purpose of commercial advertising
- §5.7 Construction of buildings, facilities, trails, roads, utility, path, structure, etc.

III. GENERAL REGULATIONS

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending or traversing the listed archeological or cultural resource:

- All historic buildings are open for visitation during normal business hours, unless posted otherwise or physically restricted. Visitation is only permitted

via established access/egress points. Walking on ruins or foundations is prohibited.

- The consumption of any food or beverage (except water) within a historic structure, with the exception of administrative offices, is prohibited.

(b) Hiking or pedestrian traffic may only enter or exit the park via established trails, roads, or access points. Climbing over boundary fence is prohibited.

36 CFR §2.2 - WILDLIFE PROTECTION

(e) The viewing of wildlife with an artificial light is prohibited except when conducting research with an approved permit.

36 CFR §2.4 – WEAPONS*, TRAPS, AND NETS

(d) Only persons engaged in authorized living history programs for the park may carry and demonstrate approved firearms in accordance with DO-6, NPS historic weapons guidelines.

*** Firearms in Parks**

Federal law, (P.L. 111-24, Section 512) makes national park firearms rules consistent with those of the states and communities where parks are located. Texas law allows for the carry of concealed loaded handguns on the person by permit.

The federal law has no effect on existing laws and regulations regarding the use of firearms in national parks or hunting. Hunting still is not allowed in Fort Davis NHS. Federal law continues to prohibit firearms in certain facilities, such as park visitor centers; these facilities are posted with appropriate notices at public entrances.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) Camping is prohibited.

36 CFR §2.11 – PICNICKING

Areas Closed to Picnicking: Picnicking is prohibited within the Historic Core ROA except in the Oak Grove and on picnic tables around the visitor's main parking lot. *(This restriction is necessary to maintain the historic scene.)*

Conditions for Picnicking: Open wood and ground fires are prohibited. Charcoal fires in a suitable container or a portable stove are allowed while picnicking. *(See restrictions on fires in 36 CFR 2.13.)*

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: Open wood and ground fires are prohibited. Charcoal fires in a suitable container or a portable stove are allowed while picnicking, provided no violation of county burn bans. Charcoal fire containers in use must not scorch the ground. Employees and resident volunteers may have wood and charcoal fires in suitable containers within the employee housing area, provided no violation of county burn bans.

(b) Fires must be extinguished according to the following conditions: Fire residue must be thoroughly extinguished and must be disposed of in metal trash receptacles or removed from the park.

36 CFR §2.14 – SANITATION and REFUSE

(a)(2) Using government refuse receptacles for dumping household, commercial, or industrial refuse, brought as such from private or municipal property, is prohibited.

(b) The disposal of human body waste is prohibited except in designated restrooms.

36 CFR §2.15 – PETS

(a)(1) Pets are not permitted in public buildings or historic structures.

(e) Employees residing in park residences may keep pets in accordance with the park Pet Policy.

36 CFR §2.16 – HORSES and PACK ANIMALS

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

- Persons engaged in authorized living history programs for the park may use horses or pack animals within the Historic Core ROA. Public use of horses or pack animals is prohibited anywhere in the park.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

Employees residing in park residences may use roller skates, skateboards, roller skis, coasting vehicles, or similar devices within the residential areas only.

36 CFR §2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking:

- Smoking is prohibited in all park structures except employee residences.
- Smoking is prohibited in all government-owned vehicles.
- During periods of extremely high fire danger, the superintendent may prohibit smoking on trails and grounds.

36 CFR §2.23 – RECREATION FEES

(b) Recreation fees, in accordance with 36 CFR Part 71, are established as follows: Absence a Federal Recreation Passport/Pass, fee waiver, or fee exemption, payment of the following entrance fee is required within Fort Davis National Historic Site:

INDIVIDUAL FEE.....\$ 3.00

- (c) The collection of recreation fees may be suspended during the following periods:
- Founders Day, Public Lands Day or other designated days.
 - The Friends of Fort Davis National Historic Site events or similar activity.

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The possession or consumption of an alcoholic beverage within any historic structure is prohibited. *(This restriction is necessary to protect nationally significant cultural resources.)*

The possession or consumption of an alcoholic beverage while in or operating the park electric cart is prohibited, in accordance with 36 CFR §4.14.

The possession or consumption of an alcoholic beverage by persons engaged in authorized living history programs for the park is prohibited. This prohibition applies to overnight camps while on park grounds. *(The consumption of an alcoholic beverage would be inappropriate and a safety concern considering the purpose of living history programs.)*

36 CFR §2.38 – EXPLOSIVES

(a) Park residents are permitted to keep explosive powder for reloading purposes, provided that these activities conform to applicable state and federal regulations.

36 CFR §2.51 – PUBLIC ASSEMBLIES, MEETINGS

- (e) The following locations are the only areas designated for public assemblies:
- Within the Foreground ROA, excluding historic resources and the entrance road itself
 - On the island in the paved parking lot

36 CFR §2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

(e) The following locations are the only areas designated for the sale or distribution of printed matter:

- Within the Foreground ROA, excluding historic resources and the entrance road itself
- On the island in the paved parking lot

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Public vehicles are restricted to paved roads, unless directed otherwise by a park employee.

36 CFR §4.21 – SPEED LIMITS

(b) The following speed limits are established for the routes/roads indicated:
The speed limit on all paved park roads is 20 MPH. Non-paved road speed limit is 10 MPH

36 CFR §4.30 – BICYCLES

(a) Bicycles are restricted to paved roads.

