

# **GILA CLIFF DWELLINGS NATIONAL MONUMENT**

**2024 Compendium**



United States Department of the Interior

NATIONAL PARK SERVICE

GILA CLIFF DWELLINGS NATIONAL MONUMENT



26 Jim Bradford Trail  
Mimbres, New Mexico 88049

## AUTHORITY

Designations, closures, permit requirements and other restrictions and/or specifications imposed under the discretionary authority of the superintendent, Code of Federal Regulations Chapter 1.

In accordance with the delegated authority contained within the regulations in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, as authorized by Title 16, United States Code, Sections 1 and 3, the following regulatory provisions are established for Gila Cliff Dwellings National Monument (hereinafter 'Park').

The following provisions apply to all lands and waters administered by the National Park Service (hereinafter 'NPS'), with the boundaries of the Park or through agreement with the Gila National Forest. Unless otherwise stated, these regulatory provisions are enforceable and apply in addition to the requirements contained in 36 CFR, Chapter I.

In addition to these regulations, written determinations that explain the reasoning behind the Superintendents discretionary authority are required by Title 36 CFR, Section 1.5 (c) and appear in this document after each regulation.

Visitors may obtain additional information or permit applications by contact the Office of the Superintendent, Gila Cliff Dwellings National Monument, 26 Jim Bradford Trail, Mimbres, New Mexico 88049. Information is also available at the park website: [www.nps.gov/gicl](http://www.nps.gov/gicl)

Submitted and Approved By:

Fermin Salas, Superintendent

\_\_\_\_\_  
Date

## **INTRODUCTION:**

The Superintendent's Compendium is the summary of specific rules implemented under the discretionary authority of the Park Superintendent. It serves as public notice with an opportunity for public comment, identifies areas closed for public use, provides a list of activities requiring a special use permit or authorization, and elaborates on those public use and resource protection regulations that pertain to the specific administration of the park. Regulations found in 36 CFR and other USC and CFR titles are enforced in the Park without further elaboration at the Park level.

A copy of 36 CFR can be purchased from the U.S. Government Printing Office at: Superintendent of Documents

P.O. Box 371954 Pittsburgh, PA 15250-7954

Or by calling: (202) 512-1800

The CFR is also available on the internet at: <https://www.ecfr.gov>.

NPS Law Enforcement Park Rangers can enforce the requirements of the USC, CFR Titles, and this Superintendent's compendium. However, many federal laws and regulations have similar statutes found in state and local law. The Park is working under Concurrent Legislative Jurisdiction and therefore, both federal and state/local law enforcement can enforce regulations within the Park.

Many of the requirements of this compendium complement existing state/local law and other regulations that are in effect within the park and are enforced by state and local law enforcement officers. If a state or local law is recently enacted, this compendium does not replace or repeal that law.

A person who violates any provision of the regulations found in 36 CFR Parts 1-7, along with this compendium, is subject to a fine as provided by law (18 USC 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 USC 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings.

The compendium is reviewed annually, and the park welcomes comments about its programs and activities at any time. Comments specific to the Superintendent's compendium will be accepted any time. Any changes to this compendium recommended by the public or others and accepted by the Superintendent will be incorporated into the compendium without further public comment and review and will be included in the next year's compendium. Comments can be directed to the Superintendent's Office at:

Gila Cliff Dwellings National Monument

26 Jim Bradford Trail

Mimbres, New Mexico 88049

Specific terms in this document can be found at: [https://www.ecfr.gov/cgi-bin/text-idx?SID=778ec46ab93d1f372c77edb8dbc5dcdbd&mc=true&node=se36.1.1\\_14&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=778ec46ab93d1f372c77edb8dbc5dcdbd&mc=true&node=se36.1.1_14&rgn=div8)

Compendium copies are available at:

<https://www.nps.gov/cavo/learn/management/lawsandpolicies.htm>

Hard copies are also available in the Superintendent's Office at 26 Jim Bradford Trail, Mimbres, New Mexico 88049.

## **36 CFR §1.5 – Closures and Public Use Limits**

(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:

**Public Access and Visiting Hours:**

- Public areas of the Park are limited to the Cliff Dwellings, parking lots, Visitor Center, Trailhead Contact Station, designated hiking trails and picnic areas.
- The Gila Cliff Dwellings National Monument is open every day, except for Thanksgiving, Christmas Day, and New Years Day.
  - Spring/Summer Hours; March 1 to October 31, 9 am to 4 pm
  - Fall/Winter Hours; November 1 to February 27, 9 am to 4 pm
- The area behind the Contact Station is a designated Picnic Area only
- Any road, parking area, trail or facility, which is posted as closed by barricades, closed gates or signs are closed to public access.
- Any portion of the Park may be temporarily closed to public access upon determination by the Superintendent that significant hazards to visitor safety may be present. Examples may include, but are not limited to, the presence of severe weather, environmental hazards (e.g., landslides, animals or toxic materials); or road damage caused by natural events. These temporary closures could happen at any time; and will be resolved by park staff as soon as safely possible.
- Public access to all other portions of the Park may be provided at designated times by ranger guided tours or programs, special use permits, or upon specific authorization of the Superintendent.

**Determination Statement:** *It is necessary to establish conditions on public access and visiting hours in order to protect the natural and cultural resources from resource damage, theft, vandalism and inappropriate group activities. It is also necessary for visitor safety since some of these areas can present hazardous conditions, which become extreme during seasonal variations of weather and daylight. Limited staffing may control the hours and days of operation; and work schedules are set to take advantage of Park visitor use patterns.*

**Public Use Limits:**

- Motor Vehicle Access and Engine Idling
- Motor vehicle access within the Park is limited to designated parking areas and roadways.
- All motor vehicles (commercial and private), on all monument roads and parking areas within the Park must shut down their engines when not underway.
- **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 horsepower).

- E-bikes are allowed within the same areas of the Park as traditional bicycles. E-bikes are not allowed where traditional bicycles are not allowed. Bicycles and e-bikes are only allowed on paved road surfaces within the Park.
- 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, State law that is adopted and made a part of this document will also govern e-bike use within the Park. Any violation of State law adopted by this paragraph is prohibited.

**Determination Statement:** *Consistent with Policy Memorandum 19-01 reference e-bike use; the park does not have paved roads where traditional bicycles would be allowed and therefore closed to use on all Monument trails.*

- **Unmanned Aircraft**

The term “unmanned aircraft” is defined as meaning 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 control or operate 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, etc.) that are used for any purpose, including for recreation or commerce. Launching, landing or operating an unmanned aircraft from or on lands and waters administered by the Park is prohibited except as approved in writing by the Superintendent.

**Determination Statement:** *Consistent with 36 CFR 1.5 (a), it is necessary to establish this public closure to protect natural and cultural resources from resource damage and to protect visitors and NPS employees. In addition, these types of modern activities in the Park are considered inappropriate and inconsistent with the historic, cultural and natural values protected by the NPS and the purposes for which the Park was intended. This restriction will help to reduce user conflicts; and maintain an environment safe for wildlife, visitors and employees.*

- **Service Animals**

Per Policy Memorandum 18-02, 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.

Persons with disabilities have the right to train the service animal themselves and are not required to use a professional training program. Service animals-in-training are not considered service animals.

- The work or tasks performed by a service animal must be directly related to the individual’s

disability. Some of the many examples of work or tasks performed may include:

- assisting individuals who are blind with navigation and other tasks
- alerting individuals who are deaf to the presence of people or sounds
- pulling a wheelchair
- alerting individuals to the presence of allergens or the onset of a seizure retrieving items
- providing physical support and assistance to individuals with mobility disabilities helping persons manage psychiatric and neurological disabilities.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Service animals must be allowed wherever visitors are allowed when accompanying an individual with a disability, subject to the requirements for using service animals as stated herein. A service animal 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.

NPS staff may require an individual with a disability to remove a service animal from a facility, service, program, or activity if:

- the animal is out of control (see 28 CFR 35.136 (b) (1) and 28 CFR 36.302(c) (2) (i) in addition, the animal's handler does not take effective action to control it.
- the animal is not housebroken

If a service animal is excluded for these reasons, the individual with the disability must have the opportunity to participate in the service, program or activity without the service animal.

The Park can prohibit service animals from areas in which visitors are allowed if their presence would necessitate a fundamental alteration in the Park's programs, services or activities.

**Determination Statement:** *Policy Memorandum 18-02 as stated above is the most recent guidance on the definition of service animals and the implementation of policies and procedures regarding service animals in NPS areas.*

- **Recreational Activities:** The Park is closed to public use activities involving sports or other recreational activities not related to the historical themes of the Park unless under a special use permit.

**Determination Statement:** *It is necessary to establish this public use limit to protect the natural and cultural resources from resource damage and to maintain public safety. In addition, most recreational activities are considered inappropriate to the historic and cultural nature of the Park and the purposes for which the Park was intended.*

- **Streams and water impoundments:** The Cliff Dweller Canyon Stream is closed to crossing, wading or other recreational activity.

**Determination Statement:** *The existing streams and water impoundments in the Park are*

*restricted to preserve and protect the sensitive riparian habitat, cultural resources, and to provide for public safety.*

### **36 CFR §1.6 – Permits**

(f)(1) The following is a compilation of those activities requiring a permit from the Superintendent. This list is not all-inclusive:

- **36 CFR §1.5(d)** For any exceptions to Closures and Public Use Limits as stated in this document.
- **36 CFR §2.1 (c) (1)** Collection of plants, fruits, berries, nuts or other similar natural resource products by tribal or non-tribal entities.
- **36 CFR §2.5 Research Permits** (including any scientific research and specimen collection)
- **36 CFR §2.12 Audio Disturbances** (use of chain saws, public address systems, portable motors/engine, or device powered by a portable motor/engine)
- **36 CFR §2.17 Aircraft & Air Delivery** (delivery or retrieval of a person or object by air, removal of a downed aircraft, landing of an aircraft)
- **36 CFR §2.37 Soliciting or Demanding Gifts, Money Goods or Services**
- **36 CFR §2.38 (b) Use or possession of explosive and/or fireworks.**
- **36 CFR §2.50 (a) Conducting a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony and/or similar events.**

- **36 CFR §2.51 (a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views** (for groups of 26 or more individuals).
- **36 CFR §2.52 (b) Sale or distribution of printed matter**
- **36 CFR §2.60 (b) Livestock use**
- **36 CFR §2.61 (a) Residing on federal (Park) lands**
- **36 CFR §2.62 Memorialization:**
  - Installation of monuments or memorials requires approval from NPS Director
  - The scattering of human ashes from cremation is prohibited:  
The scattering of human remains or ashes can conflict with the spiritual or cultural practices of indigenous people traditionally associated with the Monument. In addition, the presence of modern remains could affect the National Park Service's ability to preserve and protect human remains that are themselves cultural resources.
- **36 CFR §5.1 Displaying, posting or distributing commercial notices or advertisements**
- **36 CFR §5.3 Engaging in or soliciting any business**
- **36 CFR §5.5 Commercial Photography:**
  - Still photography of vehicles, or other articles of commerce or models for commercial advertising.
- **36 CFR §5.6 (c) Use of commercial vehicles on monument roads to access adjacent private lands**
- **36 CFR §5.7 Constructing or attempting to construct any building, structure, dock, road, trail, path or public/private utility upon, across, over, through or under any Park area.**

For more information on permit requirements or application procedures, contact: Superintendent's Office at 26 Jim Bradford Trail, Mimbres, New Mexico 88049 or call 575-536-9461.

## **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, monuments or statues:

Pedestrian use of any archeological or cultural resource within the Park is restricted to designated hiking trails, established roadways and/or parking lots unless authorized by an approved permit or on an authorized ranger guided tour.

(b) Hiking or pedestrian traffic is restricted to designated trails, roads, parking areas or walkways as listed in Section 1.5 of this document.

**Determination:** *These are areas of high cultural and natural sensitivity and these restrictions are required for protection of park resources, re-vegetation of landscapes, erosion-control efforts, reduction of un-authorized paths; and to maintain an organized and sustainable system of trails.*



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

(e) Use of an artificial light for purposes of viewing wildlife in the Park is prohibited.

**Determination:** *This Park is open for day use only unless authorized by special use permit or a Park-sanctioned activity. Night viewing of wildlife with artificial lights has no place within the enabling legislation of the Park and the protection of its resources.*

- **36 CFR §2.10 – Camping and Food Storage**

- (a) Designated Camping Areas:
  - Lower Scorpions Campground-Tents only
    - Three Recreational Vehicles in Parking Area
  - Upper Scorpions Campground-Tents Only
    - Three Recreational Vehicles in Parking Area

**Determination:** *Camping is restricted to established campsites only in designated camping areas. All campgrounds will have tables and toilet facilities.*

- (b)(4) Quiet hours in the Campgrounds are from 10:00 pm to 6:00 am
- (b)(9) Camping is limited to 14 days per calendar year per person.
- (b)(10) Overnight camping in parking areas, including the Upper and Lower Scorpions Campgrounds are prohibited.

**Determination:** *There are 40 campgrounds within the Gila National Forest, and dispersed camping is allowed in the forest. A 14-day camping limit is consistent with the Gila National Forest 36 CFR. There is not adequate facilities to accommodate Recreational or Hard sided camping vehicles.*

- (d) All food and coolers must be kept in vehicle overnight, or where available, in park-provided bear-proof storage boxes, when not in use.

**Determination:** *Animals are attracted to food and other scented items that are not secured. Securing these items minimizes human versus wildlife conflicts and protects wildlife. Bear-proof storage boxes are provided at some park campgrounds for visitor use.*

- **36 CFR §2.11 – Picnicking**

The Park is closed to picnicking except in the designated picnic area behind the Trailhead Museum, the Upper and Lower Scorpions Campground, and the Visitor Center.

**Determination:** *Picnicking in the designated areas of the Park will lessen trash accumulation in other areas and provide the proper infrastructure and facilities to accommodate this activity.*

- **36 CFR §2.13 – Fires**

- (a)(1) Lighting or maintaining an open fire in the Park, except in designated fire rings, is prohibited.
- (a)(2) Use of grills, stoves or lanterns with containerized fuels at designated picnic areas is allowed.

**Determination:** *It is unnecessary to have an open fire in the Park, as there is no overnight camping*

allowed. Open fires are dangerous to the park resources and to the public if they become uncontrolled. The provisions of (a) (2) allow for limited use of fire in the designated picnic areas.

- **36 CFR §2.15 – Pets**

(a)(1) All Park areas are closed to pets and other domestic animals with the exception of the designated picnic areas, parking lots and around the exterior of the visitor center.

Service animals are exempt from this restriction (see service animal section at 36 CFR §1.5 Closures and Public Use Limits)

(a)(2) Failing to crate, cage, restrain on a leash, which shall not exceed six feet in length, or otherwise physically confine a pet at all times while in all areas of the Park is prohibited. Pets are permitted to use the Park supplied Kennels located at the Trailhead Contact Station.

(a)(3) Pets are not allowed to be unattended and/or tied to an object unless it is due to a serious incident or emergency.

(a)(4) Pet excrement must be immediately collected and removed from the Park by the pet owner or responsible person.

**Determination:** *These restrictions are necessary to provide for the protection of Park resources, wildlife and public safety. While visiting the Park with pets can be a positive pet owner experience, pets have been shown to have negative impacts on Park resources, wildlife and visitors. These impacts include noise, pursuit and harassment of wildlife, defecation, scent marking of wildlife habitat and aggressive, violent behavior. These restrictions are also necessary to keep pets safe from Park wildlife, such as rattlesnakes and coyotes.*

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

(a) Horses and other designated pack animals are prohibited in the Park unless authorized through a special use permit or for administrative use.

**Determination:** *Presidential Proclamation 3467, “any lands reserved for such national monument which lie within 150 feet by horizontal measurement, of the center of the West Fork of the Gila River shall be available to the Secretary of Agriculture as a route of ingress to or egress from the Gila National Forest and he may permit such use thereof as he may find desirable or necessary for administration and protection of the national forest and utilization of the resources thereof, including use by the general public for passage and transportation of property for use on national forest lands”.*

- **36 CFR §2.21 – Smoking**

The following portions of the Park, or all or portions of buildings, structures or facilities are closed to smoking as noted:

- All government (Park) owned buildings
- Within 25 feet of any government (Park) owned structure.
- In or within 25 feet of any government-owned vehicle.

- Other public Park areas with the exception of the nature trail north of the visitor center, designated picnic areas and paved parking areas.

During periods of extreme fire danger or at Superintendent discretion, smoking may be prohibited in all areas of the Park except within an enclosed private vehicle.

**Determination:** *Smoking is prohibited as stated above to protect park resources, reduce the risk of fire, and for public health and safety.*

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

(a)(3)(i) The following areas and 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.

- The entire park is closed to the possession and consumption of alcoholic beverages, except pursuant to a special permit.
- Government owned residences occupied by park staff are exempt.

**Determination:** *The consumption of alcoholic beverages within areas other than the designated government housing picnic areas or the government-owned residences of the park staff would be inappropriate considering the purpose for the creation of the Park. The use and consumption of alcoholic beverages in the other areas of the Park would be a public safety and resource concern.*

- **36 CFR §2.51(e) –Demonstrations**

The designated area for First Amendment is the grassy area west of the Visitor Center and Handicapped parking area.

Other areas may be designated on a case-by-case basis by the Superintendent or his designate, if the primary location is being used. Other location considerations are listed in 36 CFR §2.51(c).

**Determination:** *A first amendment location has been designated in the Park per regulation. Other locations may be available if primary location is being used dependent on nature of event and in an effort to accommodate these activities if possible.*

- **CFR §2.52(e) –Sale or Distribution of Printed Matter**

The designated area for Sale and/or Distribution of printed matter is the grassy area west of the Visitor Center and Handicapped parking area.

**Determination:** *A Sale and/or Distribution of printed matter location has been designated in the Park per regulation. Other locations may be available if primary location is being used dependent on nature of event and in an effort to accommodate these activities if possible.*

- **36 CFR §4.30 Bicycles (e-bikes)**

E-Bikes are prohibited to park trails

**Determination Statement:** *Consistent with Policy Memorandum 19-01 reference e-bike use; the park does not have paved roads where traditional bicycles would be allowed and therefore closed to use on Cliff Dweller and Grudgens trails.*

**APPENDIX 1  
LOCATION AVAILABLE FOR:**

**PUBLIC ASSEMBLIES AND  
SALE AND/OR DISTRIBUTION OF PRINTED MATTER**

The designated area for First Amendment, Sale and/or Distribution of printed matter is the grassy area west of the Visitor Center and Handicapped parking area.

