



National Park Service
U.S. Department of the
Interior

Lowell National
Historical Park

Lowell National Historical Park
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Superintendent’s Compendium
 Of Designations, Closures, Permit
 Requirements and Other Restrictions
 Imposed Under Discretionary Authority.

July 26, 2022

Approved:

X

Juliet L Galonska
 Superintendent

A. INTRODUCTION

1. Superintendent’s Compendium Described

The Superintendent’s Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent’s Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts,

berries, or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to understand the regulations governing the use and enjoyment more fully of all the areas of the national Park System.

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

Superintendent of Documents
P.O. Box 371954
Pittsburgh, PA 15250-7954

The CFR is also available on the Internet at:

www.ecfr.gov

2. Laws and Policies Allowing the Superintendent to Develop This Compendium

The National Park Service (NPS) is granted broad statutory authority under 16 United States Code (U.S.C.) Section 1 *et. seq.* (Organic Act of 1916, as amended) to "...regulate the use of the Federal areas known as national parks, monuments, and reservations...by such means and measures as conform to the fundamental purposes of the said parks...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations" (16 U.S.C. Section 1). In addition, the NPS Organic Act allows the NPS, through the Secretary of the Interior, to "make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service" (16 U.S.C. Section 3).

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970 (16 U.S.C. Sections 1a1-1a8), Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating "Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States."

16 U.S.C. Section 1c defines the National Park System as "...any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes."

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director's Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational

experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection, where the Superintendent has a reasonable basis to believe a resource is or would become impaired, then that Superintendent is obliged to place limitations on public use.

3. Consistency of This Compendium with Applicable Federal Law and Requirements

The Superintendent's Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state, or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such, an Environmental Assessment will not be prepared.

4. Development of the Requirements of the Superintendent's Compendium

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18

U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

8. Comments on the Compendium

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of this document and remains in effect until revised for a period up to one year.

10. Additional Information

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

11. Availability

Copies of the Compendium are available at Park Headquarters, 67 Kirk Street, Lowell MA 01852. It may also be found at <https://www.nps.gov/lowe/learn/management/>

B. SUPERINTENDENT'S COMPENDIUM

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 54 United States Code, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Lowell National Historical Park. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

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

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

(a)(1) The following visiting hours and public use limits are established for 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 buildings and facilities are open to the general public with established hours as noted below. Exceptions and seasonal variations do occur between compendium updates, however, and will be posted on each building's public entrance and at <https://www.nps.gov/lowe/planyourvisit/hours.htm>

Visiting Hours:

- Visitor Center
 - May 22 - November 5, 2022
 - Sunday – Saturday 10:00 AM – 5:00 PM
 - November 6, 2022 - Spring 2023
 - Sunday – Saturday 12:00 PM - 5:00 PM

- Boott Cotton Mills Museum
 - May 22 - November 5, 2022
 - Sunday – Saturday 10:00 AM – 5:00 PM
 - November 6, 2022 - Spring 2023
 - Sunday – Saturday 12:00 PM - 5:00 PM

- Mogan Center
 - University of Massachusetts – Lowell Center for Lowell History. By appointment only.
 - Monday – Thursday 9:00 AM – 5:00 PM. Third Saturday of Month 10:00 AM – 3:00 PM.
 - Mill Girl Exhibit
 - Sunday – Saturday 11:00 AM – 4:00 PM.
 - Immigrant Exhibit – Closed for renovation

- Kirk Street Agents House (Park Headquarters)
 - Business offices are open by appointment only. General Hours - Monday through Friday 8:00 AM –4:30 PM. Closed on Federal holidays.

All facilities are closed Thanksgiving Day, December 25, and January 1.

Public Use Limits:

- Private vehicle parking in Boott Mills (NPS) courtyard is prohibited to maintain access for emergency vehicles.
- Private vehicle parking in Market Mills Courtyard is restricted.
 - Determination: *heavy pedestrian use area and historic settings are determined to be inappropriate use for vehicle parking.*
- Parking is prohibited along the Eastern Canal in the area in front of the Boott Mills (NPS) and Boott Mills South (behind Boarding House Park and the Patrick J. Mogan Cultural Center).
- Boarding House Park: Prohibited uses:
 - Boarding House Park is not to be used as a play or recreation area for groups unless under the direct supervision of NPS or UML Tsongas Industrial History Center staff and involved in a specific NPS sponsored program.

Closures:

- Northern Canal Walkway closed to public from School Street Bridge to Pawtucket Street Bridge from October 15th to May 15th, and any day when posted or water flows exceed 3,500 cubic feet per second.

Determination: Current construction repair conditions at Pawtucket Street or unsafe water levels may require closure. Water levels may change suddenly as canal is a hydro-power generation canal causing the potential for water to overflow the walkway and create risk to anyone on the walkway during higher flow rates.

- Boats: Private boats of any type are prohibited in the Lowell Canal System within the jurisdiction of Lowell National Historical Park. This does not include work boats of Boott Hydropower, or other City, State or Federal agencies or their contractors where permission has been granted to be in the canal system for business or public safety emergency purposes. Personal Watercraft are not permitted within Lowell National Historical Park (36 CFR 3.9 (a)).

Determination: The Lowell Canal Systems are not designated as a recreational boating area. Therefore, any recreational boating activities are not permitted within the legislative boundaries of Lowell National Historical Park.

- Canalway from Central Street to the Northwest end of the Trio Condominium building (near the Credit Union Parking Lot area at Market Street) is closed to due to unsafe conditions.

Determination: Maintenance of public health and safety. Due to unsafe conditions of the walkway structure the canalway is closed.

- Ice skating and any presence on any frozen surface of any canal within the legislative boundaries of Lowell National Historical Park, and the Pawtucket Dam on Merrimack River is prohibited.

Determination: Maintenance of public health and safety. Inconsistent ice thickness, moving water underneath the ice, as well as significant water depth create conditions that are too hazardous to allow anyone access to the canals when frozen.

- 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 Lowell National Historical Park is prohibited except as approved in writing by the superintendent.

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.

The areas identified in this closure include areas owned by the Park or where easements are in place including:

Boarding House Park, Mogan Cultural Center at 40 French Street

Boott Cotton Mills Museum, 115 John Street

Market Mills and Courtyard, 246 Market Street

Trolley Tracks and associated land throughout the downtown

Maintenance Facility at 220 Aiken Street

Kirk Street Agents House, 67 Kirk Street

Canal system, gatehouses, canalways, and associated features throughout the city.

Determination: As specified in the June 19, 2014 policy member, subject line “Unmanned Aircraft – Interim Policy”

(a)(2) The following designations, conditions, and/or restrictions are imposed on a specific use or activity:

Mill Girl Exhibit

Due to limited viewing areas within the exhibit, and with the goal of maintaining adequate distance between visitors during the COVID Pandemic, only one (1) household group or group of visitors arriving together may occupy each floor of the exhibit at a time. If an area of the exhibit is occupied by one group, the next group will be asked to wait to enter the next areas until the other group has cleared. NPS staff will monitor the exhibit areas and advise visitor groups when they may proceed to an exhibit area.

Face Covering/Mask Use for Public Health During COVID Pandemic

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

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

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

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

Additionally, all individuals must wear masks in or on public transportation conveyances and transportation hubs/facilities, to the extent required by current orders or directives issued by the CDC, the Transportation Security Administration (TSA), or other federal agencies with jurisdiction over those conveyances or areas. Individuals are not required to wear masks while outdoors on conveyances or while outdoors on the premises of transportation hubs/facilities.

Visitor Use Areas Occupancy Limits

<u>115 John Street-Boott Mill Building</u>	
Weave Room	35
Museum Information Desk/Retail Area	18
Counting House Lobby	14
Museum 2 nd Floor	165
Counting House 2 nd Floor	25
<u>246 Market Street – Visitor Center</u>	
1 st Floor (excluding Theater)	81
Theater	63

660 Suffolk Street- Suffolk Turbine Exhibit	
1 st Floor	54
40 French Street – Mill Girls Exhibit	
1 st Floor	11
2 nd Floor	9

Entering or remaining in any of the indoor locations identified in the table above after being asked not to enter or to leave the location because the maximum occupancy has been reached is prohibited.

Determination: On February 20, 2021 the Department of the Interior issued an updated version of the COVID-19 Workplace Safety Plan. Under Section 5.2.A of the DOI COVID-19 Workplace Safety Plan, “no DOI indoor workplace or visitor experience facility, venue, or other areas where visitors typically congregate in large crowds should operate above 25% of normal occupancy during periods of significant or high community transmission as defined by [the Centers for Disease Control and Prevention] (CDC).” The NPS now has the discretion to waive or modify that requirement in facilities managed directly by the NPS, as well in NPS facilities managed by concessioners, lease holders, commercial use authorization holders, and other partners.

Filming

- The following types of filming activities may occur in areas open to the public without a permit and without advance notice to the NPS:
 - Outdoor filming activities involving five persons or less and equipment that will be carried at all times, except for small tripods used to hold cameras.
- The organizer of any other type of filming activity must provide written notice to the Superintendent at least 10 days prior to the start of the proposed activity. Based upon the information provided, the Superintendent may require the organizer to apply for and obtain a permit if necessary to:
 - maintain public health and safety;
 - protect environmental or scenic values;
 - protect natural or cultural resources;
 - allow for equitable allocation and use of facilities; or
 - avoid conflict among visitor use activities.
- If the Superintendent determines that the terms and conditions of a permit could not mitigate the concerns identified above in an acceptable manner, the Superintendent may deny a filming request without issuing a permit. The Superintendent will provide the basis for denial in writing upon request.
- The NPS will consider requests and process permit applications in a timely manner. Processing times will vary depending on the complexity of the proposed activity. If the organizer provides the required 10-day advance notice to the NPS and has not received a written response from the NPS that a permit is required prior to the first day of production, the proposed filming activities may occur without a permit.
- The following are prohibited:

- Engaging in a filming activity without providing advance notice to the Superintendent when required.
- Engaging in a filming activity without a permit if the Superintendent has notified the organizer in writing that a permit is required.
- Violating a term and condition of a permit issued under this action.
- Violating a term or condition of a permit issued under this action may also result in the suspension and revocation of the permit by the Superintendent.

Passenger-Carrying Buses:

- Engines must be shut down when not underway.
 - The local shuttle bus vehicles are exempt when in service.

Determination: The idling of bus engines adds unnecessary vehicle exhaust in the air and diminishes the enjoyment by visitors of the peace and tranquility of the park. Due to the nature of the service provided by the shuttle busses, they are excluded from the requirement.

CCTV Policy Statement

In accordance with National Park Service Law Enforcement Reference Manual 9 (RM-9), notice is hereby given that Lowell National Historical Park uses Closed Circuit Television (CCTV) security camera monitoring.

The park'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. (RM-9, 26.1)

This policy does not restrict the official use of CCTV in government administrative areas, including administrative buildings, jail holding facilities (RM-9, 26.3.7), revenue collection sites, etc., where the government may record/monitor its facilities. For example, the government may perform unrestricted video/audio recording at revenue collection points (entrance stations, visitor center counters, etc.). This policy does not restrict the use of an Audio/Visual Recording Device (AVRD) in patrol vehicles or officer-worn recording devices used by commissioned rangers. (RM-9, 26.1)

Operation of CCTV cameras, maintenance of recorded images and use of recorded images will be in accordance with NPS and Department policy and applicable laws and regulations. (RM-9, 26.1-26.4) No person will be targeted or monitored merely because of race, religion, gender, sex, disability, national origin, or political affiliation or views. (RM-9, 26.4.2)

Nothing in this policy statement is intended to create any rights, privileges, or benefits not otherwise recognized by law.

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:

- Certain activities related to designated public use limits pursuant to 36 CFR § 1.5(d).

- Certain audio disturbances pursuant to 36 CFR § 2.12:
 - Operation of a public address system pursuant to 36 CFR § 2.12(a)(4)
- Lighting or maintaining a fire pursuant to 36 CFR § 2.13(a)(1).
 - *Open or contained fires are prohibited. Fires used for cooking or ceremonial events need written approval (Special Use Permit) signed by the Superintendent and must be in accordance to the conditions of that permit and applicable Lowell City Fire Department approvals or permits.*
- Soliciting or demanding gifts, money goods or services pursuant to 36 CFR § 2.37
- Using, possessing, storing, or transporting explosives, blasting agents, or explosive materials pursuant to §2.38(a)
- Holding sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events pursuant to 36 CFR § 2.50(a)
- Holding demonstrations with more than 25 people pursuant to 36 CFR § 2.51(b).
- Selling or distributing printed matter by more than 25 people pursuant to 36 CFR § 2.52(b).
- Displaying, posting, or distributing advertisements or commercial notices pursuant to 36 CFR § 5.1.
- Engaging in or soliciting any business in park areas pursuant to 36 CFR § 5.3.
- Special Use – Contact park at 978-275-1700
- Special Events as delineated in 36 CFR 2.50 – Contact park at 978-275-1700
- Public Assemblies and meeting as delineated in 36 CFR 2.51
- Distribution of Printed Material as delineated in 36 CFR 2.52

III. GENERAL REGULATIONS

36 CFR §2.3 – FISHING

(a) Except in designated areas or as provided in this section fishing shall be in accordance with the laws and regulations of the State within whose exterior boundaries a park area or portion thereof is located. Non-conflicting State laws are adopted as a part of these regulations.

Fishing is prohibited as identified by 302 Code of Massachusetts Regulations (CMR) Division of Forests and Parks, Section 12.11 (5), except at the following locations:

Closed to fishing : “All areas of Lowell Heritage State Park with the following exceptions: Merrimack Canal adjacent to Lucy Larcom Park; area along Eastern Canal adjacent to Prescott and Kerouac Parks; Western Canal along Suffolk Street between Fletcher Street, Merrimack Street, and Moody Street; Pawtucket Canal along walkway, not including stairway between Market Street parking lot and Central Street.” Fishing from bridges is also prohibited.

36 CFR §2.10 – CAMPING

There are no public camping areas in Lowell National Historical Park. Public camping is prohibited.

36 CFR §2.11 – PICNICKING

Picnicking is allowed unless otherwise posted.

36 CFR §2.15 – PETS

NOTE: "Pet" means dogs, cats, or any animal that has been domesticated. [36 CFR §1.4]

(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following structures and/or areas is prohibited:

- Boarding House Park

Due to the issues that have occurred at Boarding House Park that have led to conflict and the failure to pick up pet excrement this area has been closed to pets. Service animals are exempt from this regulation.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

No individual will allow a pet under their control to defecate upon sidewalks, streets, beaches, or land owned by the NPS without immediately and permanently removing the excrement.

36 CFR §2.19 – WINTER ACTIVITIES

(a) Skiing, snowshoeing, ice skating, sledding, inner tubing, tobogganing, and similar winter sports are prohibited on park roads and in parking areas open to motor vehicle traffic.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited in the following areas:

- Boott Courtyard (NPS)
- Market Mills Courtyard
- Boarding House Park

Past experience has shown that these activities cause extensive damage to brick, granite and cement found in many cultural resource areas (such as public art or historic features) as well as to steps, sidewalks, railings, and other features creating potential safety problems as well as aesthetic and maintenance issues.

Park roadways and parking lots, except as prohibited above, are designated as open to roller skating, skateboards, roller skis, roller blades, coasting vehicles, or similar devices in accordance with state law and local ordinances. (State law ch. 720 §9.09, allows pedestrians [skates] to proceed "when practicable" on the left side of the roadway on its unfinished shoulder facing traffic).

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, e-cigarettes, personal vaporizers, and all other Electronic Nicotine Delivery Systems (ENDS) as noted:

- Smoking is prohibited in any NPS building, historic structure, trolley, vehicle, or watercraft under NPS administration.
- Smoking is prohibited at Boarding House Park during public events
- Smoking is prohibited within 25 feet of any entrance or exit primarily accessed by the visiting public or 25 feet from any entrance or exit not generally accessed by the public; where smoking would result in smoke traveling through doorways, windows, air ducts,

or other openings.

NOTE: E-Cigarette/ personal vaporizer means a device containing a liquid or other substance that is vaporized and inhaled, typically used to simulate the experience of smoking tobacco, more generally known as Electronic Nicotine Delivery Systems (ENDS) as referred to in Policy Memorandum 15-03.

(See DO 50 D which cites Executive Order 13058: "Protecting Federal Employees and the Public from Exposure to Tobacco Smoke in the Federal Workplace." and Policy Memorandum 15-03, "Use of Electronic Nicotine Delivery Systems")

36 CFR §2.23 – RECREATION FEES

(b) Recreational Fees, and/or a permit, in accordance with 36 CFR part 71, are established for the following entrance fee areas, and/or for the use of the following specialized sites, facilities, equipment or services, or for participation in the following group activity, recreation events or specialized recreation uses:

Daily Site Use Fee Areas:

- **Boott Cotton Mills Museum:** Adults \$6.00, Youth (6-16) \$3.00, Students with ID \$3.00, Seniors \$4.00, Kids 5 and under free.
- **Canal Tours:** Adults \$12.00, Seniors \$10.00, Students with ID or Youth (6-16) \$8.00, Children 5 and under free.
- **Boott Cotton Mills Museum and Canal Tour Combination:** Adults \$16.00, Seniors \$12.00, Students with ID or Youth (6-16) \$9.00. Children 5 and under free.

All bookings made via recreation.gov will incur a \$1.00 convenience fee

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can, or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

The consumption of alcoholic beverages, or possession of an open container of alcoholic beverage, is prohibited where there is no special use permit in effect authorizing this use.

In order to ensure that alcohol consumption is consistent with City ordinances and generally approved social norms and public safety, guidelines for serving alcohol at Park functions or special events under the use of a special use permit have been established and can be obtained from the park 978-275-1700. The Superintendent may impose further restrictions or conditions as required to assure public safety and guard against immoderate or inappropriate consumption.

36 CFR § 2.50 – SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the Park area and the events, and the observance contributes to visitor understanding of the significance of the Park area, and a permit has been issued by the Superintendent authorizing this use.

36 CFR § 2.51 -- DEMONSTRATIONS

(b) Demonstrations are allowed within park areas designated as available under paragraph (c)(2) of this section, when the superintendent has issued a permit for the activity, except that:

(b)(1) Demonstrations involving 25 persons or fewer may be held without a permit within designated park areas, provided that: (ii) The group is not merely an extension of another group already availing itself of the small group permit exceptions under this provision; (iii) They will not unreasonably interfere with other permitted demonstrations and special events, or park program activities; and (iv) Hand carried signs may be used, but stages, platforms, or structures may not be used.

(b)(2) While it is not mandatory, the organizer is requested to provide reasonable notice of the proposed event to the park superintendent, including whether there is any reason to believe that they may be an attempt to disrupt, protest, or prevent the activity.

(b)(4) In the event that two or more groups taking advantage of the small group permit exceptions seek to use the same designated area at the same time, and the area cannot reasonably accommodate multiple occupancy, the superintendent will, whenever possible, direct the later-arriving group to relocate to another nearby designated available area.

(c)(2) The following locations are designated as available for demonstrations:

Area 1

- *The area located immediately in front of to the Patrick J. Mogan Cultural Center (40 French Street). This area is described as the brick and stone surfaced plaza measuring 28.75 feet out from the front façade and 36.5 feet from the Cotton Storehouse side façade. The brick walkway leading to the front door of the building and the cement public sidewalk are not within the designated demonstration area and shall remain open and unobstructed at all times.*

Area 2

- *The area located at the Visitors Center Courtyard and is described as the “recessed” area on the North side of the courtyard, as you are walking into the courtyard from Market St., after walking under the archways, to your left. Reasonable accommodations can be made for a group if the area is not useable at the time due to scheduling conflicts or environmental conditions. Authorization may be obtained from a Ranger from the Protection Division or a special events staff employee for a venue change.*

For Maps See Appendix 1

36 CFR § 2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER

(b)

The sale or distribution of printed matter by 25 people or less is allowed within the park areas designated as available under §2.51(c)(2) (see above) or when the superintendent has issued a permit.

36 CFR §2.61 – RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.

36 CFR §3.9 – PERSONAL WATERCRAFT (PWC)

Personal watercraft operations are not authorized in the Lowell Canal System within the legislative boundaries of Lowell National Historical Park.

Lowell National Historical Park is not identified as one of the National Park Service units that may authorize the use of personal watercraft.

36 CFR §3.16 – SWIMMING AND WADING

Swimming is prohibited in any canal within the legislative boundaries of Lowell National Historical Park and the Pawtucket Dam on the Merrimack River.

Due to hazards caused by manipulation of water levels and unseen hazards that exist in the Lowell Canal System, swimming is prohibited.

36 CFR §4.21 – SPEED LIMITS

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

- Boott Courtyard: 5 miles per hour
- Boot Courtyard entrance way: 5 miles per hour
- Maintenance Yard: 5 miles per hour
- Maintenance Yard Driveways: 10 miles per hour

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

36 CFR §5.4 – COMMERCIAL PASSENGER-CARRYING MOTOR VEHICLES

(a) The commercial transportation of passengers by motor vehicle except as authorized under a contract or permit from the Secretary or his authorized representative is prohibited in certain parks. See §5.4(a) for more information.

36 CFR §5.5 – COMMERCIAL STILL PHOTOGRAPHY AND AUDIO RECORDING

(a) Commercial ... still photography activities are subject to the provisions of 43 CFR part 5, subpart A. Failure to comply with any provision of 43 CFR part 5 is a violation of this section. (See below)

(b) Audio recording does not require a permit unless:

- (1) It takes place at location(s) where or when members of the public are generally not allowed;
- (2) It uses equipment that requires mechanical transport;
- (3) It uses equipment that requires an external power source other than a battery pack; or
- (4) The agency would incur additional administrative costs to provide management and oversight of the permitted activity to:

(i) Avoid unacceptable impacts and impairment to resources or values; or

(ii) Minimize health or safety risks to the visiting public.

(c) Cost recovery charges associated with processing the permit request and monitoring the permitted activity will be collected.

(d) The location fee schedule for still photography conducted under a permit issued under 43 CFR part 5 applies to audio recording permits issued under this part.

43 CFR 5 Subpart A

§5.2

(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).

§5.12

Model means a person or object that serves as the subject for commercial ... 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.

36 CFR §5.6 – COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited and requires permission or a permit from the Superintendent.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

Such activities are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

36 CFR §5.1 – EATING, DRINKING, OR LODGING ESTABLISHMENTS

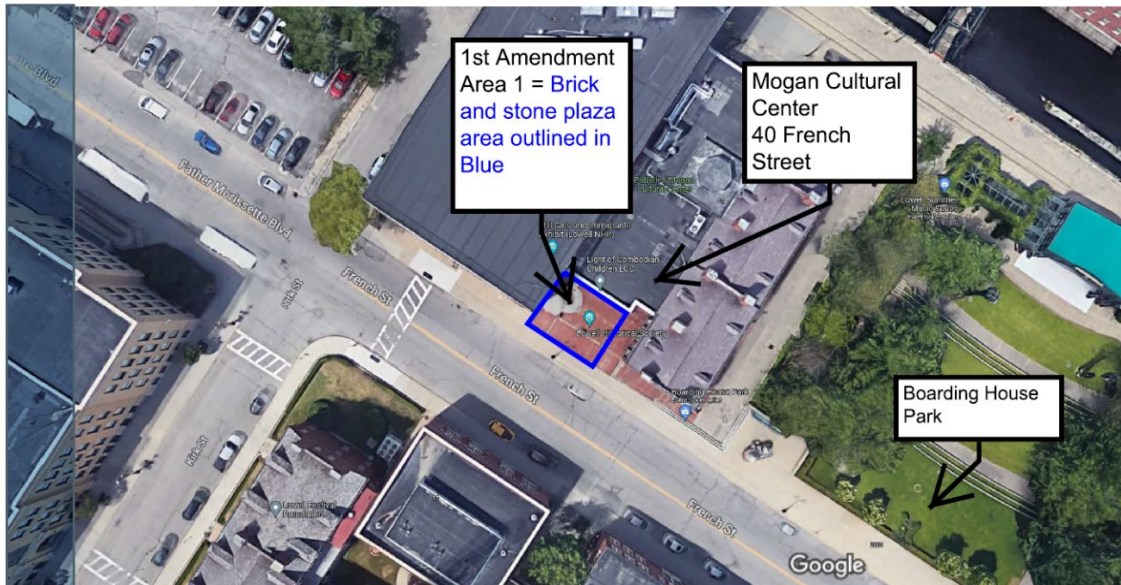
(a) In certain parks, establishments offering food, drink, or lodging for sale on privately owned lands may only be operated with a permit from the Superintendent. See §5.10 for more information.

36 CFR §§6.4, 6.5, 6.8, 6.9 – WASTE DISPOSAL SITES

A person proposing to operate a solid waste disposal site must submit a request for a permit to the proper Superintendent for review by the Regional Director.

Appendix 1 Demonstration Area-1:

Google Maps 40 French St



Imagery ©2022 Google, Map data ©2022, Map data ©2022 Google 20 ft

Appendix 1 Area-2:

