National Park Service
U.S. Department of the Interior

San Juan Island
National Historical
Park

P.O. Box 429
Friday Harbor, WA. 98250

360-378-2240 Phone
360-378-2615 Fax

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

Lee Taylor 6/26/13

Lee Taylor, Date
Superintendent

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 provisions apply to all lands and waters administered by the National Park Service, within the boundaries of San Juan Island National Historical Park. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

The following actions are necessary to maintain public health and safety; protect natural or cultural resources or scenic values; aid scientific research; implement management responsibilities; equitably allocate use of facilities, or avoid conflict among visitors.

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

The compendium is reviewed annually and revised as necessary.

The Superintendent welcomes comments regarding the compendium at any time. Written comments may be sent to the address above or emailed to SAJH_superintendent@nps.gov.

This compendium uses the same definitions as articulated in 36 CFR § 1.4.

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:

Visiting Hours:

1. The Park is open daily from dawn to 11:00 p.m. Thus, the Park is closed from 11:00 p.m. until dawn except for authorized personnel and for public use along Cattle Point Road.
   Determination: Because the Park does not have established campgrounds or the resources to manage overnight use and seeks consistent regulations at both units, the Park is only open for day use activities from dawn to 11:00 p.m. Additionally, the Park owns a portion of Cattle Point Road, also known as the American Camp Bypass Road, and exempts public use on or along that road from this closure.

Public Use Limits:

2. Groups of 20 or more people are required to obtain a special use permit. There is a maximum limit of 75 people per group unless specifically authorized by the Superintendent. Groups are required to haul out all refuse (trash and recycle) generated from the permitted activity. See www.nps.gov/sajh/planyourvisit/permits.htm for more details. Permitted groups may not occupy more than half the official capacity of any parking lot:

Parking Lot	Total Capacity	Permitee Limit
English Camp	33	16
American Cam Visitor Center	12	6
Redoubt	9	4
Jakle's Lagoon	7	3
4th of July	20	10
South Beach	31	15

   Determination: Groups are managed to minimize visitor conflicts and resource damage. Group events are limited by parking, facility capacity, and the nature of the location. Parking limits are described more fully on pages 68-69 of the 2008 General Management Plan. Generally, only one group permit will be issued per area per day (i.e., South Beach, 4th of July Picnic Area, and the English Camp Parade Grounds).

3. Visitors that engage in horse use, or more generally pack animal use, are required to obtain a special use permit for riding within the park. See www.nps.gov/sajh/planyourvisit/permits.htm for a map and specific permit terms. Pack animal use permits are available free of charge.
   Determination: Pack animal use can damage sensitive Park resources, like island marble butterflies and their habitat, and conflict with other visitor use and access. A permit allows the Superintendent to orient pack animal users to Park resources, and to maximize safety, especially in areas with high concentrations of rabbit warrens.

Fees for Permits:

4. The following activities require a permit, which is available with no application fee:
    - Groups with 20 or more people;
    - Use of pack animals;
    - First Amendment activities described in 36 CFR § 2.51, but groups with 25 persons or fewer do not usually require a permit;
    - Scattering ashes from human remains;
    - Research or scientific activities;

    Unless described above, the following activities require a permit and $100 application fee:
    - Commercial filming;
    - Commercial still photography using models or props. 16 U.S.C § 460*l*-6*d;* or
    - Businesses seeking to conduct commercial activities in the Park.

    A cost recovery fee of $50 per hour may also be assessed for monitoring any permit (1) if during the permitted activity, resource or visitor impact concerns require a park ranger's presence; or (2) if the permittee requests a park ranger.

    More specific information regarding permits, permit terms, and fees is available at the Park's website, http://www.nps.gov/sajh/planyourvisit/permits.htm.

    Determination: The Superintendent seeks to balance the imposition of fees and permits for those activities that benefit an individual or group rather than the public at large. The permit process enables the Superintendent to protect Park resources for those activities that would otherwise adversely impact Park resources or other visitor uses. For those activities in which a fee is charged, the fee is a cost recovery device to recoup public expenditures incurred in managing that special use.

Closures:

5. Guss Island is closed in its entirety to public use.

    Determination: Guss Island is a sacred site.

6. The tidelands at English Camp bound by the dinghy dock to the north, Guss Island to the west, and the Park boundary to the south and all NPS tidelands that were acquired with the 2013 purchase of the Westcott Bay property are closed to shellfish harvesting, boat anchoring, and any other activity that disturbs the tidelands or submerged land.

    Determination: Closure protects submerged cultural resources, reduces conflicts, and preserves the historic scene.

7. Docking is prohibited at the English Camp dinghy dock outside of park hours, dawn to 11:00 p.m.

    Determination: Closure conforms to established Park hours, lack of overnight camping resources, and protects the tidelands.

8. The land along the bluffs and overlooking South Beach that lies within the posted "closed" signs and the split rail fences that run perpendicular to Cattle Point Road are closed to public access. Specifically, the closure starts along Cattle Point Road approximately 1.3 miles east of the Pickett's lane intersection and extends to approximately 1.5 miles.
   Determination: Closure protects the eroding soil supporting the Cattle Point Road.

9. Use of a radio-controlled aircraft is prohibited in the Park.
   Determination: Restriction protects the historic scene, protects eagle and other wildlife habitat, and prevents airspace conflicts with low level aircraft landing in Friday Harbor.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

1. Driftwood may be collected only at South Beach and only used as fuel for campfires constructed within a designated fire ring at South Beach.
   Determination: Winter storms deposit large quantities of driftwood onto South Beach. Historical collection and burning has not negatively impacted the resource or the historic scene.

2. Vessels docking at the English Camp dinghy dock must be less than 20 feet in length.
   Determination: Limited docking space and the lightweight dinghy dock construction does not accommodate larger boats. The dock is situated in shallow tidal waters where a larger vessel would become beached and recovery activities could damage submerged cultural resources.

3. Sport activities that use objects that are tossed, kicked, or hit like bocce ball, soccer, baseball, croquet, Frisbee, or badminton, are prohibited in the following locations:
   - English Camp
     - Within 50 feet of a structure, or
     - On the parade grounds and south of the seasonal creek that bisects the historic area.
   - American Camp
     - Within 50 feet of a structure,
     - Within the parade grounds, or
     - Within the maintained Redoubt area

   Determination: Restrictions protect Park resources, reduce user conflicts, and preserve the historic scene.

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

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

Permit information and applications are available at http://www.nps.gov/sajh/planyourvisit/permits.htm or by contacting the Chief Ranger via email at SAJH_Ranger_Activities@nps.gov, by phone at 360-378-2240 ext. 2225, or in writing to San Juan Island National Historical Park, P.O. Box 429, Friday Harbor, WA 98250.

- §2.4(d) Carry or possess a trap or net
- §2.5(a) Specimen collection (plant, fish, wildlife, rocks or minerals)
- §2.12 Audio Disturbances:
  - §2.12 (a)(2) Operating a chain saw
  - §2.12 (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
  - §2.12 (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued
- §2.17 Aircraft and air delivery
  - §2.17 (a)(3) Delivery/retrieval of a person/object by parachute, helicopter or other airborne means
  - §2.17 (c)(1) Removal of a downed aircraft
- §2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52)
- §2.38 Explosives:
  - §2.38 (a) Use, possess, store, transport explosives, blasting agents
  - §2.38 (b) Use or possess fireworks
- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, or similar events
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views
  - Locations for public assemblies have been established as:
    - American Camp—the yard immediately east of the Visitor Center
    - English Camp—the picnic grounds in the main parking area
- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising
- §2.62 Memorialization: Erection of monuments or scattering cremated ashes
- §4.11(a) Exceeding of established vehicle load, weight and size limits
- §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 Commercial Photography/Filming:
  - See 16 U.S.C § 460*l*-6*d* for more details.
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc
- Any other permits required by state, county or other federal agencies (inquire at the Superintendent's Office)

III. GENERAL REGULATIONS

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

(c)(1) and (c)(2) The Superintendent has designated the following as natural resources that may be gathered by hand for personal use or personal consumption

- Berries –
  Determination: Exotic blackberries are abundant and provide more fruit than the public can harvest. Berry collection does not negatively impact native plants or other Park resources. If future monitoring indicates that such gathering or consumption is likely to cause adverse effects to Park resources, then the authorization of this consumptive use may be terminated.

- Fruit from orchard trees–
  Determination: Currently, harvesting the fruit trees does not adversely impact other Park resources, and this consumptive use is consistent with the purpose of the orchards.

- Mushrooms –
  Determination: Current Park mushroom harvesting levels are low, and until a further determination is made, mushroom gathering is allowed. Mushroom gathering does not negatively impact other Park resources. If future monitoring indicates that such gathering or consumption is likely to cause adverse effects to Park resources, then the authorization of this consumptive use will be terminated.

- Unoccupied seashells –
  Determination: Limited gathering of this resource does not adversely affect the resource. If future monitoring indicates that such gathering or consumption is likely to cause adverse effects to Park resources, then the authorization of this consumptive use will be terminated.

- Beach glass— collected below the extreme high tide line
  Determination: Beach glass accumulates from trash washed ashore. Historic glass and ceramics are not located below the extreme high tide line. If future monitoring indicates that such gathering or consumption is likely to cause adverse effects to Park resources, then the authorization of this consumptive use will be terminated.

36 CFR §2.2 – WILDLIFE PROTECTION

(e) The following areas are closed to the viewing of wildlife at night with the use of an artificial light:

- All areas of San Juan Island National Historical Park

  Determination: Closure is consistent with established Park hours and protects the wildlife.

36 CFR §2.13 – FIRES

(a)(1) The lighting or maintaining of fires is prohibited, except as provided for in the following designated areas and/or receptacles, and under the conditions noted:

- American Camp
  - South Beach Area: fires are only allowed within the designated fire rings.
  - Administrative camping areas: authorized personnel may have fires but only in fire rings.
- English Camp
  - Administrative camping areas: authorized personnel may have fires but only in fire rings.

    Determination: Other than in those areas listed above, the risk of fire damaging resources or escaping from an undesignated location is too high, and those designated areas are maintained to minimize any risk of escape.

(c) The Superintendent may close all or a portion of a Park area to the lighting and maintaining of fires.

- During periods of high fire danger, or other periods that the state or Park has placed a burn ban in effect, all outdoor burning, use of woodstoves, fireplaces, or smoking, may be restricted or prohibited.

  Determination: Due to the presence of highly burnable natural resources in and adjacent to the Park, limited resources to manage an uncontrolled fire during a high fire danger period, and the remote setting, restricting the lighting or maintaining of a fire is necessary to protect the Park, the visitors, and the surrounding property.

36 CFR §2.15 – PETS

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

- Pet feces must be disposed in a trash bin or removed from the Park by the person responsible for the pet. Leaving, bagged or unbagged, pet feces to be collected at a later time is prohibited.

  Determination: Excrement must be removed to prevent health hazards to people and to lessen negative impact on wildlife from potential disease transmission.

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 as noted:

- Smoking is prohibited in or within 25 feet of all Park facilities.

  Determination: These restrictions are intended to reduce any possible conflict between users and the harmful effects of second hand smoke, to protect Park resources, to reduce the risk of fire, and to prevent conflicts among visitor use activities.

36 CFR §4.30 – BICYCLES

(a) The use of a bicycle is prohibited except on or along (1) park roads and parking areas, (2) the decommissioned road connecting the American Camp Visitor Center parking area to the Redoubt parking area; or (3) in the Mitchell Hill area of English Camp.

Determination: Closure prevents resource damage and avoids conflicts with the pedestrian public that frequently use the trails. Historically, this decommissioned road and the Mitchell Hill area was open to vehicle traffic; the use of bicycles does not impact the natural, scenic or aesthetic values of the Park; and their use by bicyclists is consistent with the park's goals and objectives for visitor enjoyment and resource protection as described in the 2008 General Management Plan.