

NATIONAL PARK SERVICE  
U.S. DEPARTMENT OF THE INTERIOR  
CASTILLO DE SAN MARCOS  
NATIONAL MONUMENT



SUPERINTENDENT'S COMPENDIUM  
[36-CFR 1.7\(b\)](#)

February 18, 2024

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Chief Ranger

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Superintendent

This document is available to the public upon request.

In accordance with applicable law and policy, and pursuant to the delegated authorities provided in title 36, code of federal regulations, chapter 1 (“36 CFR”), the following compendium actions apply to all lands and waters administered by the National Park Service (NPS) within the boundaries of Castillo de San Marcos National Monument. This document is the written compilation of designations, closures, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent, as required by [36 CFR 1.7\(b\)](#). Violating any provision in this compendium may result in criminal penalties under [36 CFR 1.3](#).

The compendium actions in this document apply in addition to all other laws that apply to lands and waters administered by the NPS within the boundaries of Castillo de San Marcos National Monument located in the City of St. Augustine, St. Johns County, Florida, USA. These include:

- Regulations in [36 CFR](#) and other CFR titles such as [Title 43](#), which contains regulations that apply on public lands administered by the Department of the Interior. The current version of the CFR can be found at [www.ecfr.gov](http://www.ecfr.gov). Click on “Title 36” and then “Chapter 1” to access 36 CFR.
- Statutes codified in US code, in particular provisions in [Title 16](#) and [Title 54](#).

This compendium is organized by the sections in 36 CFR that give the Superintendent discretionary authority to take the compendium action. Written determinations that explain why each compendium action is necessary appear in this document in italicized print.

Please contact the Superintendent if you have any questions or comments about the Superintendent’s Compendium.

DEFINITIONS - NPS regulations in [36 CFR 1.4](#) define certain terms that are used in 36 CFR's. Other sections in 36 CFR may define terms that are used in those sections. To the extent any terms defined in the CFR are used in this compendium, those definitions apply. In addition to terms defined in the CFR, the following terms used in this compendium are defined as follows:

Federal Facility: means any building, structure, or fixture or part thereof which is owned by the United States or any Federal agency or which is held by the United States or any Federal agency under a lease-acquisition agreement under which the United States or a Federal agency will receive fee simple title under the terms of such agreement without further negotiation. Such term also applies to facilities related to programs administered by Federal agencies. See [42 USC 8271](#).

Seawall: The seawall is defined as that structure, and any appurtenances thereto, situated in the Matanzas River in the harbor of the City of St. Augustine, St. Johns County, Florida beginning at the most northeasterly point of the NPS boundary and running in a southerly direction to the most southeasterly point of the NPS boundary.

Service Animal: [NPS policy](#) defines a service animal as a dog that has been 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. The tasks performed by the animal must be directly related to the person’s disability. "In addition to the provisions about service dogs, ADA regulations have a separate provision about miniature horses that have been individually trained to do work or perform tasks for

people with disabilities. (Miniature horses generally range in height from 24 inches to 34 inches measured to the shoulders and generally weigh between 70 and 100 pounds.)" See [28 CFR 35.104](#).

Unmanned Aircraft Systems (UAS): 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. (Also known as Uncrewed Aircraft Systems (UAS)) See [DOI UAS Policy Information webpage](#).

### [36 CFR 1.5](#) - CLOSURES AND PUBLIC USE LIMITS

[36 CFR 1.5 \(a\)\(1\)](#) - Visiting hours, public use limits and closures.

#### Visiting Hours

- Castillo de San Marcos National Monument fort structure is open from 9:00 AM to 5:15 PM daily. The fort is located at 11 S. Castillo Dr.

*Closing the fort in the evening is necessary because the NPS does not have sufficient staff to manage visitors during those times and to protect park resources when staff is not present.*

- The grounds of the Castillo de San Marcos National Monument are open from 6:00 AM to Midnight daily.

*Closing the Park Grounds in the evening is necessary because the NPS does not have sufficient staff to manage visitors during those times and to protect park resources when staff is not present. This is also necessary to reduce vandalism and discourage camping and other illegal activities.*

- Castillo de San Marcos National Monument headquarters buildings, sidewalks, benches, and related structures, including any area within 100 feet of entry doors are closed to the public at all times with the exception of park business hours which are from 8:00 AM to 4:30 PM, Monday through Friday not including Federal Holidays, when the headquarters buildings are officially closed. The headquarters buildings are located at 1 S. Castillo Dr.

*Closing these areas is necessary because the NPS does not have sufficient staff to manage visitors during those times and to protect park resources when staff is not present. Further this is necessary to reduce vandalism, discourage camping and other illegal activities, and provide for a higher degree of employee safety for employees who work during hours other than 8:00 AM to 4:30 PM weekdays.*

- The main visitor parking lot at 11 S. Castillo Dr. will be open 24 hours a day except when special events occur such as parades, races, fireworks or as administrative needs or repairs are necessary.

*Necessary lot closures occur under special circumstances to provide for the safety of the public.*

### Closures

- Castillo de San Marcos National Monument Fort is closed to all visitation on Thanksgiving and Christmas of each year.

*Closing the fort on these holidays is necessary because the NPS does not have staff scheduled to work to manage visitors during those holidays and to protect park resources when staff is not present.*

- During periods of severe weather conditions, all, or portions of, the park may be closed to the public in the interest of safety. The ranking Supervisor on duty is delegated the authority by the Superintendent to determine the need to close areas of the park for this purpose.

*The closure of all or parts of the park during severe weather conditions are necessary for the protection of visitors and employees from injuries or death. Severe and sudden weather conditions can occur with little or no notice. Therefore, delegation for closure is given to the on-site supervisor so as not to needlessly endanger the visiting public from weather hazard.*

- Jumping or diving from the seawall into the bay, the moat, or off the City Gates, Cubo Line and other historic structures is prohibited.

*This closure is necessary the prevent serious bodily injury or death.*

- Mooring or docking of vessels to the seawall is prohibited.

*The docking of a vessel in an undesignated area is a danger to visitors. This activity presents a danger of damaging the historic fabric of the seawall.*

- Organized athletic or recreational activities such as softball, football, soccer, Frisbee matches, and other similar sports are prohibited within the boundaries of the monument. Other sporting or recreational activities, which would present a danger to other visitors, such as golf, archery, or similar activities are prohibited.

*This closure is necessary to maintain the historic scenery and avoid conflict with other visitors. Organized Athletic activities such as football, soccer, baseball, Frisbee, etc. endanger visitors using the same area, who are not participating in the sport activities. Adequate recreational facilities are available with-in one and a half blocks from the*

*monument grounds. Golf, archery, or similar activities' present an obvious danger to the other visitors in a confined and heavily populated area. In addition, these activities disturb the historic atmosphere and can constitute impairment of park values.*

[36 CFR 1.5\(a\)\(2\)](#) – Designated areas, conditions or restrictions on a use or activity.

#### Conditions or Restrictions on a Use or Activity

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

*This restriction is necessary to prevent unacceptable impacts to park resources and values from the use of uncrewed aircraft. Potential impacts include harming visitors, interfering with rescue operations, causing excessive noise, impacting viewsheds, and disturbing wildlife. This restriction is required by [NPS Policy Memorandum 14-05 dated June 19, 2014](#).*

- Shoes or appropriate footwear and shirts must be worn by those visitors entering the fort.

*This condition/restriction is necessary because the uneven floors and coquina shell walls can present tripping hazards and may cause injury.*

- Food and beverages other than water are prohibited inside the fort. Employees and volunteers are permitted to bring in items necessary for meal breaks and these items must be stored in designated areas.

*This condition/restriction is necessary because this is a historic structure, which is sensitive to damage. Additionally, food and trash attract scavengers that subsequently create damage to the site.*

- Vehicles are limited to an overall maximum length of 21 feet, including trailers. This restriction does not apply to buses that park in the designated bus parking area.

*This condition/restriction is necessary to maintain a safe driving lane; to provide access to buses and provide safe loading and unloading of passengers.*

- Buses are prohibited from idling their engines unless loading and unloading passengers. Buses must park in the designated signed area. Buses are limited to 10 minutes for loading or unloading of passengers. Double parking is prohibited.

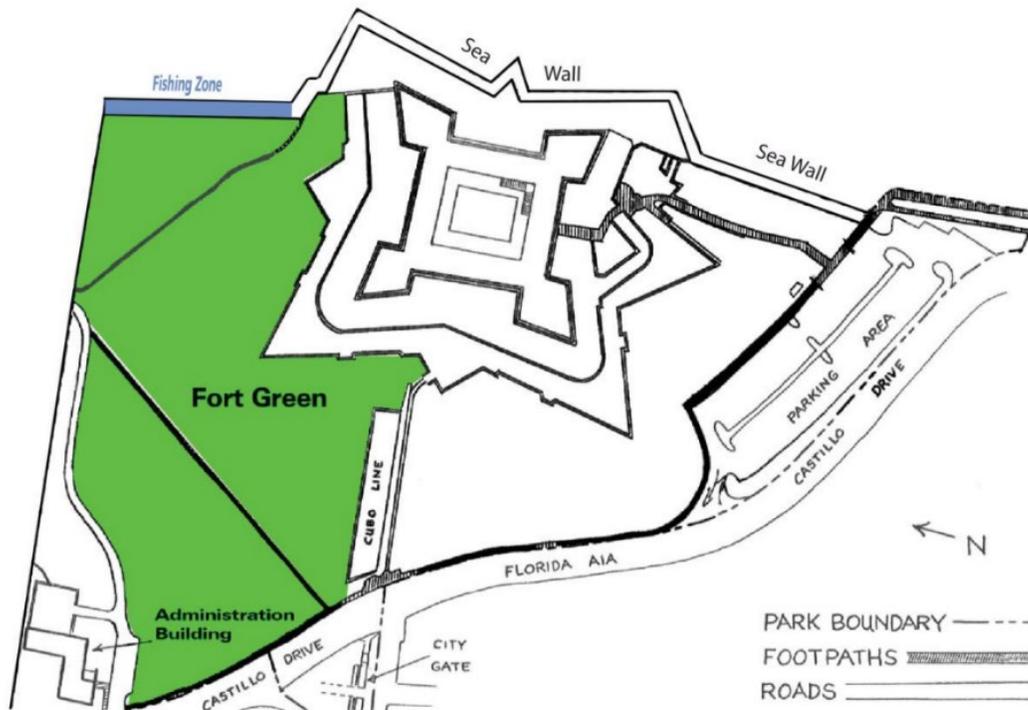
*This condition/restriction is necessary because double parking blocks traffic and idling causes fumes that may harm visitors.*

- Persons 15 and under must be accompanied by an adult while visiting the Fort.

*A minimum age requirement is necessary to ensure that adult authorization is available in case of injury, and to insure proper adult supervision is available to children for their safety and the protection of resources.*

- The following restrictions apply to kite flying:
  - a. Kites may only be flown on the north green of the monument grounds. Launching or flying a kite from any other portion of the monument is prohibited. The designated kite flying zone is highlighted in green in the map below.

*Restrictions on kites are necessary to prevent damage to the historic fabric and to ensure the safety of the other visitors.*



- b. Prohibition of dual control line or “stunt” kites - Only kites controlled by a single control line may be flown in the designated area.

*Dual control line kites move much faster than single line kites and are therefore more dangerous upon descent, in addition to being more difficult to control.*

- c. Prohibition of flying kites and other devices over the Castillo’s structures - never may any kite or unmanned aircraft device be flown so that it is over the Castillo structure, or so that if it were to lose altitude, it would land inside or on the Castillo structure. For purposes of this section, the Castillo structure means the

area within the outer edge of the moat/seawall surrounding the coquina structures.

*Visitors and the historic structure could be at risk of injury or damage if the device was to land inside or on the fort.*

### [36 CFR 1.6](#) – ACTIVITIES THAT REQUIRE A PERMIT

#### [36 CFR 1.6\(f\)](#) – Activities that require a permit.

The following activities are prohibited without a permit. Criteria for approving or denying permits are established by applicable law (statutes and regulations) and policy. Permitted activities are subject to applicable terms and conditions.

- Launching or landing uncrewed aircraft. [36 CFR 1.5](#).
- Specimen collection for research purposes. [36 CFR 2.5](#).
- Gathering of plants or plant parts by Federally recognized Indian tribes. [36 CFR 2.6](#).
- Camping is prohibited. [36 CFR 2.10](#).
- Operating a power saw in developed areas and a motor or engine in undeveloped areas. [36 CFR 2.12](#).
- Operating a public address system [36 CFR 2.12](#).
- Delivery or retrieval of a person or object by parachute, helicopter, or other airborne means. [36 CFR 2.17](#).
- Soliciting or demanding gifts, money goods or services. [36 CFR 2.37](#).
- Using, possessing, storing, or transporting explosives; using or possessing fireworks or firecrackers. [36 CFR 2.38](#).
- Conducting a special event. [36 CFR 2.50](#).
- Conducting a demonstration by groups of more than 25 people. [36 CFR 2.51](#).
- Selling or distributing printed matter and other message-bearing items by groups of more than 25 people. [36 CFR 2.52](#).
- Running-at-large, herding, driving across, allowing on, pasturing, or grazing of livestock, or using the park for agriculture. [36 CFR 2.60](#).
- Residing on federal lands. [36 CFR 2.61](#).
- Scattering of human ashes from cremation. [36 CFR 2.62](#).
- Towing a person using a parasail, hang-glider, or other airborne device [36 CFR 3.12](#).
- Operating a submersible. [36 CFR 3.19](#).
- Displaying, posting, or distributing commercial notices or advertisements. [36 CFR 5.1](#).
- Engaging in or soliciting any business. [36 CFR 5.3](#).
- Some audio recording (if conditions are met). [36 CFR 5.5](#).
- Using commercial vehicles on NPS-administered roads. [35 CFR 5.6](#).

- Constructing or attempting to construct any building, structure, road, trail, path, or utility. [36 CFR 5.7](#).
- Rights-of-way. [36 CFR part 14](#).
- Examining ruins, excavating archeological sites, and gathering of objects of antiquity. [43 CFR part 3](#).
- Commercial filming. [43 CFR 5.2](#).
- Some still photography (if conditions are met). [43 CFR 5.2](#).
- Excavating or removing archaeological resources. [43 CFR part 7](#).
- Collecting paleontological resources. [43 CFR part 49](#).

### [36 CFR 2.1](#) – PRESERVATION OF NATURAL, CULTURAL & ARCHEOLOGICAL RECOURCES

#### [36 CFR 2.1\(a\)\(1\)](#)

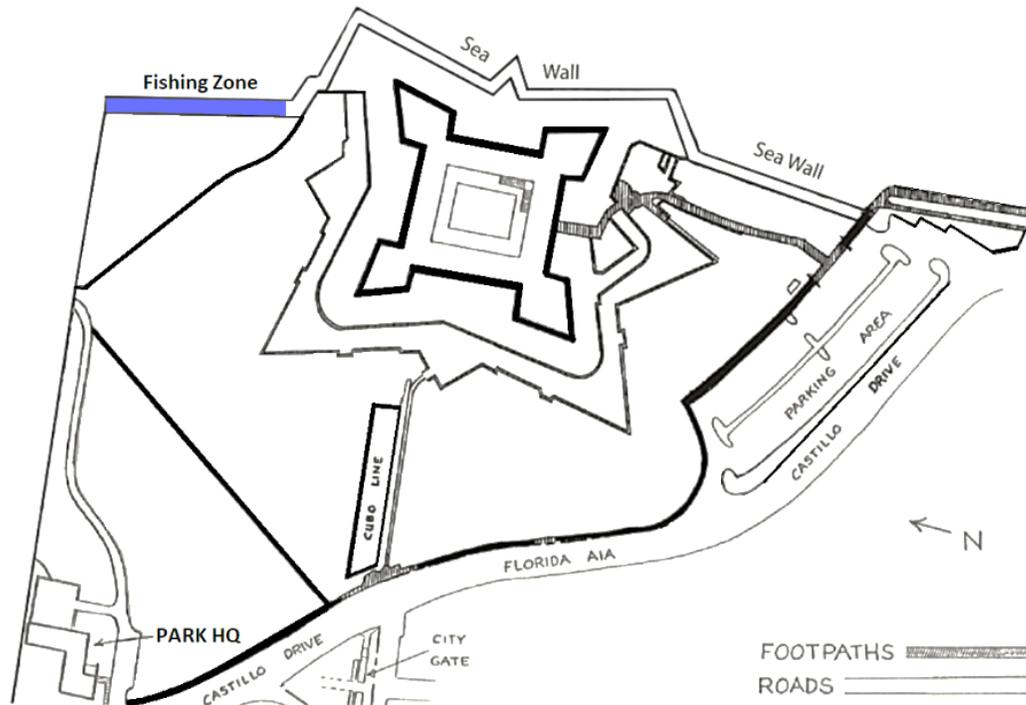
- Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state: Plans or the parts or products thereof. Tying, stringing, chaining, or locking bicycles, mopeds, motorcycles, hammocks, slacklines, clotheslines, anchor lines or tarps to trees is prohibited.

*These closures are necessary to protect fragile natural resources, habitats, and environments and to provide for a safe and memorable visitor experience.*

#### [36 CFR 2.3](#) – FISHING

- Fishing is only permitted along the north green from north of the boardwalk to the end of the monument property. The designated fishing zone is highlighted in blue in the map below.

*Fishing is not allowed along other areas of the sea wall or from the boardwalk due to the congestion of visitors to the park and to keep visitors safe from the possibility of casting hooks and other debris. This restriction is consistent with City of St. Augustine (COSA) regulations that prohibit fishing along the seawall walkways. See [COSA Code Sec. 7-2. - Fishing from seawall prohibited](#).*



### 36 CFR 2.4 – WEAPONS

- It is prohibited to carry openly or concealed any weapon to include clubs, edged weapons, firearms, or facsimile thereof inside any federal facility. The headquarters buildings, fee booth entrance station, the fort beginning at the drawbridge entry gate, and everything contained therein is considered a federal facility. Authorized Federal, State, and local law enforcement officers may carry firearms in the performance of their official duties. The carrying or possessing of a weapon, trap, or net in violation of applicable Federal and State laws is prohibited. See [Florida State Statute Chapter 790](#) and [18 USC 930](#).

*Re-enactors and other costumed individuals frequently carry weapons and replicas that could create a hazardous condition. NPS trained individuals involved in or conducting living history programs are exempt from this prohibition while conducting official business for the NPS.*

### 36 CFR 2.10 – CAMPING

- Camping is prohibited within the monument boundaries. Castillo de San Marcos National Monument does not have any designated camping areas.

*This closure is necessary because recreational camping is not consistent with the Monument's historical significance and limited size. This prohibition is also consistent with city ordinances. See [COSA Sec. 22-12. - Sleeping, camping, habitation or leaving human waste in public places prohibited.](#)*

### [36 CFR 2.13](#) – FIRES

- Fires, other than for park administrative purposes, are prohibited within the monument boundaries.

*There are no areas designated as fire sites in the interest of fire safety and prevention, and to keep grounds maintenance costs to a minimum.*

### [36 CFR 2.15](#) – PETS

#### [36 CFR 2.15\(a\)\(1\)](#)

- Pets are prohibited within the monument fort structure and headquarters buildings. Service animals and dogs used by authorized Federal, State, and local law enforcement officers in the performance of their official duties are not pets.

*Pets can pose a danger and inconvenience to other visitors, while trained service animals provide protection and assistance.*

#### [36 CFR 2.15\(a\)\(5\)](#)

- Any person or legal entity, who owns, is in charge of, responsible for or in control of any pet must, when within the monument grounds, collect and remove to a proper waste receptacle any excrement left by the pet.

*Owners are required to clean up pet excrement and dispose of the excrement in a suitable trash receptacle. This is required due to the possibility of pet to human disease transmission.*

### [36 CFR 2.20](#) - SKATING, SKATEBOARDS, ROLLER BLADES, AND SIMILAR DEVICES

- The use of skates, skateboards, roller blades, or similar devices is prohibited within the monument boundaries.

*Operation of skates, skateboards, roller blades, or similar devices on the grounds of the monument can cause safety hazards for both participants and visitors.*

### [36 CFR 2.21](#) – SMOKING

- Smoking, including the use of E-cigarettes or similar devices is prohibited inside all park facilities. This includes the interior of the fort structure beginning at the drawbridge entrance gate. Additionally, smoking is prohibited within 25 feet of main entrances, exits and operable windows.

*Smoking is prohibited to prevent the danger of fire, prevent conflicts among visitor use activities and to comply with government smoking regulations.*

### [36 CFR 2.35](#) – ALCOHOLIC BEVERAGES

- The use, sale, distribution, consumption, or possession of an open container of an alcoholic beverage, in any form, is prohibited within the park boundaries.

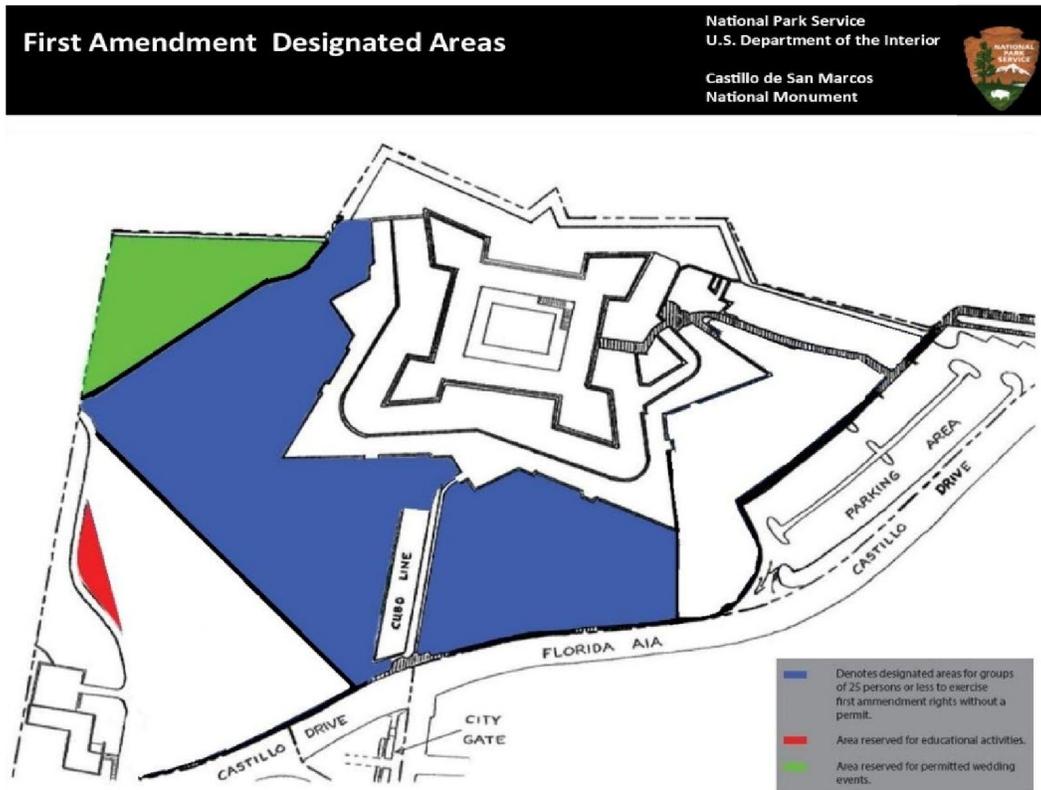
*The consumption of an alcoholic beverage or the possession of an open container of an alcoholic beverage is inappropriate considering other uses of the location and the purpose for which it is maintained or established. This prohibition is also consistent with city ordinances. See [COSA Code Sec. 4-5. - Drinking in public.](#)*

### [36 CFR 2.51](#) – DEMONSTRATIONS AND DESIGNATED AVAILABLE PARK AREAS

#### [36 CFR 2.51\(c\)\(2\)](#) – Designated Location

The following location upon the grounds of the Castillo de San Marcos is designated as available for demonstrations. A permit is not required for a demonstration in the designated location if it involves 25 persons or fewer and does not involve structures. Those groups or individuals using park land for activities protected under the First Amendment of the U.S. Constitution are subject to all applicable local, state, and federal laws.

- The lawn north and south of the Cubo Line bordered by sidewalks and the Covered Way wall shown in blue in the map below.



*The designated location is in a prominent area that will allow individuals and groups to conduct demonstrations in a manner that will allow for effective communication of speech and other protected activities. Freedom of speech, press, religion, and assembly are constitutional rights. However, the courts have recognized that activities associated with the exercise of these rights may be reasonably regulated to protect legitimate government interests such as: the protection of park resources. Therefore, in order to protect these resources, the NPS may regulate certain aspects of First Amendment activities, such as the time, the place, and the manner in which they are conducted. It is*

*the conduct associated with the exercise of these rights that is regulated and not the content of the message.*

### **36 CFR 2.52 – SALE OF PRINTED MATTER AND THE DISTRIBUTION OF PRINTED MATTER AND OTHER MESSAGE-BEARING ITEMS**

The following location upon the grounds of the Castillo de San Marcos is designated as available for the sale or distribution of printed matter, and the free distribution of other message bearing items. A permit is not required for these activities in the designated location if they involve 25 persons or fewer and do not involve structures. Those groups or individuals using park land for activities protected under the First Amendment of the U.S. Constitution are subject to all applicable local, state, and federal laws.

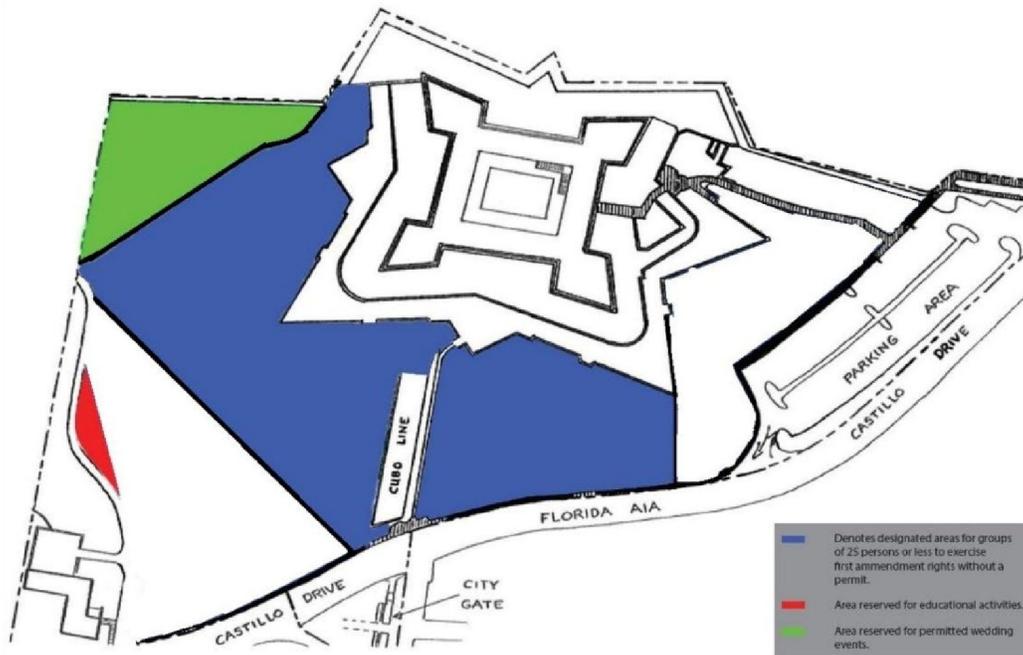
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## First Amendment Designated Areas

National Park Service  
U.S. Department of the Interior

Castillo de San Marcos  
National Monument



### [36 CFR 4.2](#) – STATE LAW APPLICABLE (Unofficial reserving of parking spaces is prohibited)

- Unless specifically addressed by 36 CFR or other regulations, traffic, and the use of vehicles within a park area are governed by State law. State law that is now or may later be in effect is adopted and made a part of the regulations in this part. Violating a provision of State traffic law is prohibited. Unofficial reserving of parking spaces is prohibited.
- [FS 316.130\(3\)](#) Where sidewalks are provided, no pedestrian shall, unless required by other circumstances, walk along and upon the portion of a roadway paved for vehicular traffic.
- [FS 316.130\(6\)](#) No Person shall stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.
- [FS 316.130\(10\)](#) Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall yield the right-of-way to all vehicles upon the roadway.

*The acts associated with saving a parking space can cause a hazard to the pedestrian and local traffic. Parking spaces are available on a first come first served basis.*

### [36 CFR 4.10](#) - TRAVEL ON PARK ROADS AND DESIGNATED ROUTES

- Operating a vehicle such as the Segway Human Transporter or Hover board inside the Castillo or on the property is prohibited. Segway's are allowed on the sidewalk adjacent to

A1A and the visitor parking lot for transport through the park. Additionally, driving, parking, or stopping on any portion of the City Gates is prohibited.

*These vehicles can travel at a high rate of speed and in a small, confined space like the Castillo and its walkways, which have a high density of visitors of all ages and mobility limitations as well as high numbers of school-age children that sometimes run unsupervised, there is great potential for injury or harm to other visitors as well as operators. In addition, the presence of a mechanical device constitutes an impairment of the visual enjoyment of the character defining features of the National Monument. The use of motorized vehicles, other than those utilized for official government business, present a safety hazard to the fragile coquina City Gates.*

### 36 CFR 4.30 – BICYCLES

- Bicycles are prohibited inside the interior of the Castillo. Bicycles and “e-bikes” are permitted on all park roads and sidewalks in accordance with the regulations set forth in [36 CFR. 4.30](#) as well as applicable state law. (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 HP)).
- E-bikes are allowed in Castillo de San Marcos National Monument where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited. A person operating an e-bike is subject to the following sections of [36 CFR part 4](#) that apply to the use of traditional bicycles: sections [4.12](#), [4.13](#), [4.20](#), [4.21](#), [4.22](#), [4.23](#), and [4.30\(h\)\(2\)-\(5\)](#).
- Except as specified in this Compendium, the use of an e-bike within the Castillo de San Marcos National Monument is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

*The use of a bicycle or e-bike inside the Castillo presents a significant safety hazard to park visitors and the resource. See [COSA Sec. 24-106. - Use of sidewalks and certain other rights-of-way](#). See [Florida State Statute 316.2065 Bicycle regulations](#).*

## CCTV USE POLICY ([DOI DM-444](#), NPS RM-9)

The National Park Service'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; help facilitate the protection of the innocent and the apprehension and prosecution of criminals.

This policy does not restrict the official use of CCTV in government administrative areas including administrative buildings, 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.).

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).

*Security measures in place provide for the protection of facilities, people, and irreplaceable objects held in national trust. Utilizing guidance from the Department of the Interior for the safety and security of a location and information provided by other agencies charged with the protection of valuable resources and people, the National Park Service provides these security measures to repel potential threats and present an educational and enjoyable opportunity for all that visit.*