



2022 Mesa Verde National Park *Superintendent's Compendium*



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**DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
2018 COMPENDIUM
MESA VERDE NATIONAL PARK
P.O. BOX 8
MESA VERDE, COLORADO 81330**

A. SUPERINTENDENT'S COMPENDIUM DESCRIBED

The Superintendent's Compendium is the summary of park specific rules implemented under Title 36 Code of Federal regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring a Special Use Permit, Commercial Use Authorization, 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. Part 1 through 6 are general regulations applicable to all areas of the National Park Service 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 which may be gathered by hand and 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 of all areas of the National Park Service.

LAWS AND POLICIES ALLOWING THE SUPERINTENDENT TO DEVELOP THIS COMPENDIUM

In 2014, Congress enacted Title 54 of the United States Code (USC) National Park Service and Related Programs to clarify its intent as to the overall mission of the NPS. Title 54 conforms to the understood policy, intent and purpose of Congress in the original enactments or laws governing the National Park Service.

With the signing of Title 54, Congress clarified and reaffirmed the NPS mission and authority in a central location. The National Park Service (NPS) is granted broad statutory authority under Title 54 USC to:

“Promote and regulate the use of the National Park System by which means and measures that conform to the fundamental purpose of the System units, which purpose is to conserve the scenery, natural and historic objects and wild life in the System Units and to provide for the enjoyment of the scenery, natural and historic objects and wildlife in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” (54 USC 100101(a))

In addition 54 USC 100751(a) allows the NPS, through the Secretary of the Interior, to “prescribe such regulations as the Secretary considers necessary or proper for the use and management of System Units.”

54 USC 100101(b) reaffirms the original intent of Congress in the establishment of the National Park Service by recognizing “...these areas, though distinct in character, are united through their interrelated purposes and resources into one National Park System as cumulative expressions of a single national heritage....”

54 USC 100101(2) reaffirms the high standard of protection defined in the original Organic Act by stating “Congress reaffirms, declares and directs that the promotion and regulation of the various System units shall be consistent with and founded in the purpose established by subsection (a) to the common benefit of all the people of the United States. “

54 USC 100501 defined the National Park System as “...any area of land and water administered by the Secretary, acting through the Mesa Verde National Park 2018 Superintendent’s Compendium, for park, monument, historic, parkway, recreational or other purposes.”

In addition to the above statutory authority, the Superintendent is guided by established NPS policy and 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 NPS 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 visitors and other users, as long as the 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.

CONSISTENCY OF THIS COMPENDIUM WITH APPLICABLE FEDERAL LAWS 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 does it 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 in the Superintendent's Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy (NEPA) in the Department of Interior Guidelines 516 DM6, and as such, an Environmental Assessment will not be prepared.

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 the use or activity consistent with Title 54 and NPS Management Policies (2006)?
- 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 conflict with wildlife, vegetation, and environmental protection action 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?

APPLICABILITY OF THE COMPENDIUM

The rules contained in the Superintendent's Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands and waters administered by the National Park Service within the legislative boundaries of the park.

ENFORCEMENT OF COMPENDIUM REQUIREMENTS

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

PENALTIES FOR NOT ADHERING TO THE COMPENDIUM REGULATIONS

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of the Superintendent's 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 proceedings.

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. Written comments on the compendium may be submitted to:

Superintendent
Mesa Verde National Park
P.O. Box 8
Mesa Verde, CO 81330

EFFECTIVE DATE OF THE SUPERINTENDENT'S COMPENDIUM

The Superintendent's Compendium is effective on the approval date listed on the first page of the document and remains in effect until revised.

AUTHORITY

Designations, Closures, Permit Requirements, and other Restrictions and/or Specifications Imposed Under the Discretionary Authority of the Superintendent, Title 36, Code of Federal Regulations, Chapter 1.

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 Mesa Verde National Park. The orders listed in this compendium are a requirement of addition to those listed in Parts 1 or 7 of the Title 54 unless otherwise noted. The Specific authority for these regulatory authority procedures is found in Sections 1.5, 1.6, and 1.7 of Title 54.

In addition to these regulations, the following are also provided:

As required by 1.7(b), designations, closures, permit requirements, and other restrictions imposed under discretionary authority shall be updated annually and made available to the public upon request.

Listing of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority.

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 Mesa Verde National Park. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.


Recommended by: Jessie Farias Jr., Chief Ranger

3-8-2022
Date


Approved by: Kayci Cook Collins, Superintendent

3/8/2022
Date

B. 36 CFR PART 1 – GENERAL PROVISIONS SECTION §1.5

GENERAL PROVISIONS:

1. **(a)(1)** Mesa Top Loop Road, Cedar Tree Tower, and Far View Group - The access roads to the Far View Group, Cedar Tree Tower, and Mesa Top Road are closed at sunset daily throughout the year. The sites in these areas are open for visitation between 8:00 a.m. and sunset.
2. **(a)(1)** Wetherill Mesa - Is open to the public during the dates and times as designated by the Superintendent.* Visitation at any other time of the year must be arranged through the Office of the Superintendent. Vehicles exceeding 25 feet in length and/or over 8,000 pounds GVW are prohibited. Due to the steep nature of the road, lack of shoulders, poor condition of the pavement, and storm drains which run parallel to the road, bicycles are prohibited.
3. **(a)(1)** Due to narrow winding roads and lack of adequate parking, trailers or towed vehicles are prohibited on all park roads beyond (south of) Morefield Campground.
4. **(a)(1)** Long House Loop - Public access by this route to the Badger House Community is by bicycle or foot only. Visitation in this area is limited to those dates and times that Wetherill Mesa is open to the public. *Visitation at any other time of the year must be arranged through the Office of the Superintendent.
5. **(a)(1)** Hiking is permitted only on the following designated trails: Prater Ridge Trail, Knife Edge Trail, Spruce Canyon Trail, Point Lookout Trail, Soda Canyon Overlook, Petroglyph Point Trail, Long House Loop, Far View Sites, Farming Terrace and the Wetherill Badger House/Nordenskiöld trails. Visitors using the Spruce Canyon and Petroglyph Point Trails must register at the trailhead. Off-Trail hiking is prohibited.
6. **(a)(1)** All backcountry areas are closed to public use due to the high number of fragile archeological sites throughout the park.
7. **(a)(1)** Visiting of cliff dwellings is prohibited except when persons are accompanied by a park employee.
8. **(a)(1)** Visiting cliff dwellings and other archeological sites for scientific or other park approved purposes is permitted without escort if approved by the Superintendent in writing; however, a backcountry or research permit and backcountry training is also required.
9. **(a)(1)** For public safety, due to a lack of lighting and no walkways, pedestrians are prohibited from using the main road tunnel (mile 5).
10. **(a)(1)** Employees may visit designated backcountry sites after obtaining a backcountry permit and under the conditions indicated on that permit. Designated sites will be determined by the Superintendent.
11. **(a)(1)** No food or drink, except plain water, may be consumed in any archeological site or cliff dwelling.
12. **(a)(1)** Visitors to the Research Center may not go beyond the reception area without approval of the Superintendent, the Chief of Research and Resource Management or the Park Curator. Visitors must be escorted at all times.

13. (a)(1) Visitors to the Research Library (located at the Visitor and Research Center) are not allowed in the historical book depository without approval of the Superintendent, Chief of Research and Resource Management or the Park Librarian. Visitors must be escorted at all times.
14. (a)(1) Government and private housing areas are closed to public access except for residents, guests of residents, or persons engaged in legitimate governmental activities or permitted business activities.
15. (a)(1) Closures of visitor use areas (campsites, trails, overlooks, interpretive stops along auto tours, etc.) may occur when necessary by posting appropriate signs to mitigate resource impacts associated with overuse, misuse, environmental, or health and safety issues.

***Determination:** These closures may be required for resource or visitor protection. Examples of this type of closure include social trail closures for re-vegetation, building closure due to safety issues, closure of a trail due to rock fall hazards, etc.*

16. (a)(1) All terrain vehicles (ATV) and utility terrain vehicles (UTVs), motorized vessels and any other type of motorized conveyance manufactured for recreational, non-highway, off-road or all terrain travel, including those licensed by a state for street use, within park boundaries is prohibited. The prohibition includes any vehicles defined by Colorado revised statues 33-14.5-101.

***Determination:** The public use of all-terrain vehicles (ATVs) and utility terrain vehicles (UTVs) and other motorized conveyances manufactured for recreational, non-highway, off road, or all terrain travel within the park boundaries poses a significant risk to visitor safety, park resources and values which cannot be appropriately mitigated and which cannot be sustained without causing unacceptable impacts. The use of such vehicle is, therefore, not consistent with the protection of the park.*

17. (a)(1) E-Cigarettes or Electronic Nicotine Delivery System (ENDS) are prohibited in all areas that tobacco smoking is not allowed. E-Cigarettes or ENDS will be treated as one in the same and are not allowed to be used in facilities and vehicles owned or leased by the Government and within concession facilities

***Determination:** There is no scientific evidence to conclude that ENDS are safer than smoking. The nicotine used in these devices is a highly addictive drug. Available research on ENDS indicates that vaping liquids and their emissions contain more than just nicotine, including aerosolized flavorings, propylene glycol, formaldehyde (a known carcinogen), and other contaminants. The health effects of ENDS have not been thoroughly studied and are not well understood. The FDA has not approved ENDS as a smoking cessation device.*

18. (a)(2) The Superintendent may temporarily close park roadways, parking areas, facilities, waters, and all or portions of the park when such actions are deemed necessary to ensure public safety, protection of resources, or the avoidance of visitor use conflicts. The posting of signs, maps, media announcements, and the use of barricades and/or gates will identify such closures.

Consistent with applicable legislation and Federal administrative polices, the Superintendent has established the following rules, designations, conditions, and restrictions on the following park activities.

***Determination:** The closure is to provide for visitor and employee safety and preclude interference with emergency and administrative operations by visitors.*

19. (a)(2) Bicycles - Due to the steep nature of the road, lack of shoulders and narrowness of the pavement, limited sight distance, and heavy vehicular traffic, commercial bicycle tours or other organized bicycle groups with over 6 riders are prohibited on all park roads.
20. (a)(2) Commercial buses utilizing internal combustion engines must turn off their engines while parked. This restriction does not apply to vehicles loading and unloading or stopped on roadways in obedience to traffic control devices or orders, or as needed in response to legitimate traffic safety or operating concerns.
21. (a)(2) Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Mesa Verde National Park is prohibited except as approved in writing by the Superintendent.

Definition: Unmanned Aircraft “Unmanned aircraft” is defined as 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, and drones) that are used for any purpose, including for recreation or commerce.

Determination: *The compendium closures required to implement this interim policy are necessary to maintain public health and safety in units of the National Park System and to protect park resources and values until the NPS can determine whether specific uses of unmanned aircraft on lands and waters administered by the NPS are appropriate and will not cause unacceptable impacts on the park resources and values. This closure by the superintendent implements Section 1.5 of NPS Management Policies 2006, which provides that a new form of park use may be allowed within a park only after a determination has been made in the professional judgment of the superintendent that it will not result in unacceptable impacts on park resources and values. When proposed park uses and the protection of the park resources and values come into conflict, the protection of the resources and values must be predominant. Restricting the use of unmanned aircraft is paramount in protecting Mesa Verde's world renowned historic cultural resource. This closure is necessary to maintain public health and safety and to protect park resources including, but not limited to, the protection of wildlife mating, breeding, nesting, and feeding activities, wilderness character, scenic values, and soundscapes.*

22. (a)(2) Pandemic Safety Measures - Mask Wearing & Reduced Building Occupancy

- When the COVID-19 Community Level is LOW or MEDIUM in Montezuma County, 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 Montezuma County Colorado, 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. As of March 4, 2022, CDC and TSA orders or directives require all individuals regardless of vaccination status to wear masks in indoor areas of all forms of public transportation conveyances, including busses, trains, and boats/ferries, and in the indoor premises of transportation hubs/facilities. Individuals are not required to wear masks while outdoors on conveyances or while outdoors on the premises of transportation hubs/facilities.

Reduced Occupancy Limit (See Appendices E)

Determination: On August 16th, 2021, National Park Service Deputy Director for Operations directed park superintendents to amend their compendiums to include the language above. Recognizing that visitors to national parks are coming from locations across the country, if not across the world, and that the majority of the United States is currently in substantial or high transmission categories, the NPS is implementing a service-wide mask requirement to promote the safety of staff and visitors. Visitors, employees, and contractors will be required to wear a mask inside all NPS buildings and in crowded outdoor spaces, regardless of vaccination status or community transmission levels.

23. **(a)(3)(d)** Balcony House - Tours to Balcony House are limited to 50 visitors. Tour dates and times are designated by the Superintendent. * Tickets are required. Balcony House tours are restricted due to the size of the site and for protection of the resources and safety of visitors.
24. **(a)(3)(d)** Cliff Palace - Tours to Cliff Palace are limited to 60 visitors. Tour dates and times are designated by the Superintendent. * Tickets are required. Cliff Palace tours are restricted for the protection of the resources and safety of visitors.
25. **(a)(3)(d)** Long House – Tours to Long House are limited to 30 visitors. Tour dates and times are designated by the Superintendent. * Tickets are required. Long House tours are restricted for the protection of the resources and safety of visitors.

36 CFR §1.6 Activities that Require a Permit

1. The following is a compilation of those activities for which a permit from the superintendent is required:

- Still photography involving the use of a model, set, or prop, or that requires entry into an area that is closed to the public or after hours.
- Weddings
- Commercial Tours
- Religious Services
- Memorial services
- Special assemblies
- First Amendment activities (in certain circumstances)
- Collecting of resource materials

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 [outside of areas managed as wilderness] 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:

- (1) Engaging in a filming activity without providing advance notice to the Superintendent when required.
- (2) Engaging in a filming activity without a permit if [the activity takes place in areas managed as wilderness or if]3 the Superintendent has notified the organizer in writing that a permit is required.
- (3) 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.

***Determination:** On January 22, 2021, the US District Court for the District of Columbia issued a decision in **Price v. Barr** determining the permit and fee requirements applying to commercial filming under 54 USC 100905, 43 CFR Part 5, and 36 CFR Part 5.5 are unconstitutional. The National Park Service is currently determining how this decision will be implemented. Following this recent court decision, the National Park Service will not be implementing or enforcing the commercial filming portions of 43 CFR Part 5 until further notice, including accepting applications, issuing permits, enforcing the terms and conditions of permits, issuing citations related to permits, or collecting cost recovery and location fees for commercial filming activities.*

C. 36 CFR PART 2 – RESOURCE PROTECTION, PUBLIC USE AND RECREATION SECTION § 2.1

1. (a)(4) Gathering wood in the park is prohibited.

Wood from fuel reduction projects may be made available to the public and park employees through a lottery system.

***Determination:** Standing dead, down and live wood provide habitat for cavity-nesting species and insects, which are food for birds and other animals. These resources are protected in all National Park Service units.*

2. (c)(1) The gathering of fruits, berries, and nuts by hand for personal use along roadsides and trails open to the public is allowed for:
 - pinyon nuts (up to 3 pounds)
 - chokecherries (up to 4 pounds)

***Determination:** The unrestricted collection of native fruits, berries, nuts, and fruiting bodies could adversely impact plant propagation and/or wildlife food sources.*

36 CFR Section §2.2 Wildlife protection.

1. (a) Elk bugles, varmint calls, audio attractants, or other artificial or natural means of attracting or disturbing wildlife (including rattling antlers, coyote, turkey and deer calls, or verbal bugling) are prohibited.

Determination: *Intentional disturbing of wildlife may adversely affect wildlife behavior (i.e., breeding and mating rituals, feeding habits, travel patterns/routes) possibly causing stressful and/or disruptive conditions for wildlife. Mesa Verde National Park is mandated to protect and preserve healthy and natural wildlife populations. Intentional disturbance by humans directly conflicts with this mandate and is unnatural. Using calls can cause wildlife to leave foraging and mating areas and attract them to roads where they are more likely to become injured or killed. They may also become unnatural prey if artificially attracted out of cover.*

2. (d) Wildlife taken lawfully outside the Park may be transported through the Park under the following conditions:
 1. Persons transporting will have in their possession a valid State or tribal hunting license.
 2. Animal carcasses will display a valid State or tribal game tag that is properly completed and affixed to the carcass.
 3. Animal carcasses will be subject to inspection at any time by an authorized person.

Determination: *The Park does not wish to impede those who have been hunting legally outside of the park nor impede the transportation of legally taken game. The transportation of game through the Park, which is closed to hunting, however, has elicited visitor complaints and could cause confusion with the Park's no-hunting regulation. Law enforcement park rangers are authorized to check hunters transporting game to ensure wildlife was not taken illegally within the Park boundaries.*

3. (e) The Park is closed to viewing wildlife with any artificial light, which includes and is not limited to spotlights and vehicle headlights directed beyond those areas covered in normal highway driving.

Determination: *The viewing of wildlife at night with the use of artificial lights temporarily blinds animals, which causes them to become unnatural prey for natural predators and poachers. Nighttime poaching during the hunting season is a potential problem in the Park.*

36 CFR Section §2.10 Camping.

1. (a) Camping is permitted only in the Morefield Campground and only during dates designated by the Superintendent. A 14-day camping limit is in effect. Camping permits are required. A limited number of group camping sites are available.

In Morefield Campground:

- No more than two tents per campsite are permitted and only if the site can accommodate them.
- No more than two vehicles per campsite are permitted, provided they can be parked at the site without obstructing traffic.
- No more than four motorcycles per campsite are permitted.
- No more than one vehicle/unit may hook up to utilities in a hookup site.
- Quiet hours are between 10 p.m. and 6 a.m.

Determination: Campground permits and the permit system help the park monitor visitor use, provide users important information about park regulations and resource protection and aid rangers conducting emergency operations, such as search and rescue and wildland fire evacuations and visitor emergency notifications.

2. (b) (4) Generator use is permitted only between the hours of:
 - 7:00 am to 9:00 am
 - 12:00 pm to 2:00 pm
 - 5:00 pm to 7:00 pm

Determination: The noise caused by operating a gasoline/propane generator in a campground during other than these hours disturbs campers. Over the years, this generator noise has been a complaint to rangers and management from adjacent campers.

3. (d) Food Storage:

To prevent wildlife from becoming habituated to non-native food or attracted to campgrounds and public areas, food and garbage must be disposed of properly or stored in vehicles or a camping unit that is constructed of solid, non-pliable material. Ice chests/food coolers are not appropriate food storage devices. This restriction does not apply to food that is being transported, consumed, or prepared for consumption.

Determination: Incidents within Mesa Verde National Park with black bears accessing food due to improper storage by campers and day-users have been reported from 2003-2014. Proper food storage will reduce the likelihood of the area being temporarily closed to public use, a negative encounter between the public and a bear, and/or a bear being removed through trapping or euthanasia.

36 CFR Section §2.11 Picnicking

Picnicking is allowed, except in designated areas closed in accordance with § 1.5.

Picnic sites are designated on Mesa Top Loop Road, Chapin Mesa, Wetherill Mesa, and in Morefield Campground.

Picnicking is permitted in Morefield Campground, for no charge, at vacant campsites, between the hours of 10 AM and 3 PM.

Picnicking is prohibited in backcountry areas of the park.

36 CFR Section §2.13 Fires

1. (a) (1) Open wood fires are restricted to permanently installed metal fire rings or grills provided by the Park in Morefield Campground and Chapin Mesa picnic area. Visitors may use portable gas or charcoal grills. Charcoal must be cooled and safely disposed of in a garbage receptacle.

Park residents may have fire in approved fire pits or grills.

2. (c) All or portions of Mesa Verde National Park may be closed to open fires during periods of high fire danger in conjunction with state and local fire bans.

***Determination:** The use of fires in the Park is regulated to protect structures, natural resources and the public. During extreme weather conditions, open fires may be restricted to prevent the accidental ignition of wildfires. Section 2.13(b) does not apply to planned ignitions by park management or wildfires determined by the Superintendent to be allowed to burn for resource benefit.*

36 CFR Section §2.15 Pets

This section does not pertain to specially trained service dogs meeting requirements listed under the Americans with Disabilities Act (ADA) and specially trained cattle dogs under the direct control of ranch hands engaged in approved livestock removal operations.

1. (a) The following is prohibited:

(1) Pets are prohibited on trails leading to Balcony House, Cliff Palace, Spruce Tree House, Step House, Long House, and Far View Sites. Pets are prohibited in site shelters and cliff dwellings except for the Badger House Community and Mesa Top Loop.

Pets are prohibited in the park's backcountry including, but not limited to, the following: Petroglyph Point Trail, Spruce Canyon Trail, Farming Terraces Trail, Soda Canyon Overlook Trail, Knife Edge Trail, Point Lookout Trail and Prater Ridge Trail.

Cross country skiing and snowshoeing is permitted on designated routes in Morefield and Prater Canyon. When the Cliff Palace Loop Road is closed due to snow, cross country skiing and snowshoeing is permitted. Pets are prohibited on groomed ski/snowshoeing routes.

It is unlawful to leave a domestic animal unattended in a vehicle when the conditions in that vehicle would constitute a health hazard to the animal. Appropriate ventilation and water for the animal must be present during days that reach 65 degrees Fahrenheit or higher.

(2) Failing to cage, crate, restrain on a leash, which shall not exceed six feet in length, or otherwise under physical restraint at all times.

(3) Leaving a pet unattended and/or tied to an object.

(4) Allowing a pet to make noise that is unreasonable considering location, time of day or night, impact on the park users, and other relevant factors, or that frightens wildlife by barking, howling, or making other noise.

(5) Pet owners or responsible persons shall promptly collect and properly dispose of pet fecal matter in residential and public use areas. Fecal material should be collected in a plastic bag and disposed of in a garbage can.

2. (e) Park residents may keep pets in accordance with the Mesa Verde National Park Housing Pet Policy and in full compliance with applicable regulations.

36 CFR Section §2.16 Horses and pack animals

1. (g) The use of horses or pack animals in the park for private use or the keeping of horses in the campground is prohibited.
2. (g) Private livestock may be used in the park when used for official park operations or approved events and with the approval of National Park Service personnel. For example: private stock can be used to provide the NPS assistance in resource projects (horse counts, fencing resupply projects, resource protection patrols, wildlife surveys, etc.)
3. (g) Only certified weed-free pellets, cubes, or hay can be fed to private livestock that are used in the park for official business or approved events. It is recommended that pack animals be fed weed-free feed for 48 hours in advance of entering the Park.
4. (g) If a private horse or pack animal dies within the Park, it will be the owner or responsible person's responsibility to remove the carcass from the park or arrange for its proper disposal as soon as possible.

***Determination:** Most of Mesa Verde National Park is closed to private horse or pack animal use. With this said, horses, mules, and burros are common livestock traditionally used for transportation, trail rides, and packing in the park. Archeological and historical sites are easily damaged by livestock and require special protection. The requirement that only weed-free feed be used by private horse and pack animal providers is intended to prevent the introduction or spread of non-native vegetation. It has been determined that the use of approved private livestock can be beneficial to the park to complete designated projects and official duties that otherwise could not be completed.*

36 CFR Section §2.18 Snowmobiles

(c) Snowmobile operations/use is prohibited anywhere in the park except for administrative/emergency use and only when their use is consistent with the park's natural, cultural, scenic and aesthetic values, safety considerations, park management objectives, and will not disturb wildlife or damage park resources.

36 CFR Section §2.19 Winter Activities

(a) Skiing and snowshoeing will be allowed on the Cliff Palace and Morefield Campground loops and the Prater Canyon and Wetherill Road areas once the roads are closed to traffic for winter and appropriate snow levels are present on the roads.

Pets are prohibited on groomed ski/snowshoeing routes.

36 CFR Section §2.20 Skating, Skateboard, and Similar Device

Using roller skates, roller blades, skateboards, roller skis, coasting vehicles or similar devices is prohibited except in the following street and driveway areas. This pertains to park residents or their guests only:

- Chapin Mesa “Stone House” Residential Area
- Hogan Loop Road
- White House Loop Road
- Farview Residential Area (road in front of NPS resident housing only)
- Morefield Residential Area (road in front of NPS resident housing and Navajo Loop
- Building 41, Entrance Residential Area, parking area

***Determination:** The residential areas, housing for NPS employees, provide the principal areas for play and activity by children of residents. Skating and using skateboards are activities one can expect children to enjoy. These areas do not have any conflicting uses involving visitor recreation and they are areas in which traffic hazards should be minimized*

36 CFR Section §2.21 Smoking

1. (a) Smoking is prohibited in all government facilities including the park's museum, visitor center and within cliff dwellings and archeological sites, as well as within 25 feet of a public building entrance.
2. (a) The Superintendent may designate a portion of a park area as closed to smoking when necessary to protect park resources, reduce the risk of fire, or prevent conflicts among visitor use activities. Smoking in an area or location so designated is prohibited.

***Determination:** It is NPS policy that public use and administrative facilities be smoke-free. There are no designated employee smoking areas within NPS facilities.*

36 CFR Section §2.23 Recreation Fees

(a) The following areas within Mesa Verde National Park are designated recreation fee Areas:

- Entrance Station – Entrance Fee
- Visitor Research Center – Entrance Fee (Winter)

(b) The superintendent may, when in the public interest, prescribe periods during which the collection of recreation fees shall be suspended.

36 CFR Section §2.35 Alcoholic Beverages

(a) (3) (i) The following public use areas, portions of public use areas, and/or public facilities within the park are the only designated areas where alcoholic beverages may be consumed:

- Restaurants
- Cafes
- Hotels
- Designated Picnic Areas

The superintendent may authorize the possession and consumption of alcoholic beverages as part of a special use event.

***Determination:** Allowing these areas for the consumption of alcoholic beverages is for public safety concerns and the orderly management of the facilities.*

36 CFR Section §2.36 Gambling

(a) The general prohibition against any form of gambling or the operation of gambling devices includes the prohibition against the sale of State of Colorado lottery tickets and maintaining or operating of coin operated electronic gambling devices that pay the winner additional turns.

36 CFR Section §2.51 First Amendment Demonstrations

(e) All areas are designated as open to public demonstrations that involve 25 or fewer persons without a permit. Demonstrations involving 26 or more individuals must have a permit issued by the Superintendent and designated to specific demonstration sites.

Designated Demonstration Sites:

- Chapin Mesa Amphitheater
- Farview: Farview Terrace Parking Lot
- Morefield Campground Amphitheater: Entrance to Campground Amphitheater Trail.
- Visitor and Research Center: Entrance to Welcome Plaza nearest the Handicap Parking Area.

More information can be obtained from the park's Special Use Permit Coordinator.

36 CFR Section §2.52 Designated areas for sale and distribution of printed matter for First Amendment purposes

(b) The following areas are designated as open to the sale or distribution of printed matter. Printed matter is limited to message-bearing textual printed material such as books, pamphlets, magazines, and leaflets, provided that it is not solely commercial advertising.

Designated Demonstration Sites:

- Chapin Mesa Amphitheater
- Farview: Farview Terrace Parking Lot
- Morefield Campground Amphitheater: Entrance to Campground Amphitheater Trail.
- Visitor and Research Center: Entrance to Welcome Plaza nearest the Handicap Parking Area.

The Superintendent will allow free distribution of message-bearing items to the public. Examples of message-bearing items that may be distributed for free include CDs, DVDs and other readable electronic media. The sale or distribution will not unreasonably interfere with other permitted demonstrations and special events, or program activities.

Designated Demonstration Sites:

- Chapin Mesa Amphitheater
- Farview: Farview Terrace Parking Lot
- Morefield Campground Amphitheater: Entrance to Campground Amphitheater Trail.
- Visitor and Research Center: Entrance to Welcome Plaza nearest the Handicap Parking Area.

36 CFR Section §2.62 Memorialization

(b) The scattering of human ashes is not allowed in Mesa Verde National Park.

D. 36 CFR PART 4 – VEHICLES AND TRAFFIC SAFETY SECTION §4.30

36 CFR Section §4.30 Bicycles

(a) Bicycle use within Mesa Verde National Park is permitted only on routes open to public motor vehicles, except the Wetherill Mesa Road.

Bicycle use is permitted in the Wetherill Mesa Area:

- Wetherill Mesa - Long House Loop and other marked trails, including the Badger House Community trail. Bikes are not allowed within the archeological site shelters. Specified trails are open for bicycles, while others are for pedestrians only. Confirm at trail head signs before taking a bicycle on any trail. Bike racks are provided throughout Wetherill Mesa, and at all trailheads.

(h) Off-trail riding or riding a bicycle off a permitted trail, and entering closed areas is prohibited.

(i) 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 hp).

E-bikes are allowed in Mesa Verde National Park 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 Mesa Verde National Park 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."

Determination: Bicycle use is permitted on all roads open to public motor vehicle use. They are not permitted on trails or roads closed to the public.

36 CFR Section §4.31 Hitchhiking

- (a) The solicitation of rides by pedestrians or hitchhiking along any roadway within Mesa Verde National Park is prohibited.

E. APPENDICES

1. Marijuana on Federal Lands

With the legalization of recreational marijuana in the State of Colorado January 1, 2014, Mesa Verde National Park would like to provide clarification regarding the use of and possession of marijuana on Federal lands. The approved Colorado state law which allows for limited recreational marijuana use under specific conditions, as well as the previous state law that legalized marijuana for medicinal purposes, has no bearing on Federal laws and regulations which continue to identify marijuana as a Schedule I illegal drug and prohibit its use.

Possession of marijuana or use of any amount of marijuana is prohibited in Mesa Verde National Park, its facilities, concessions, and campgrounds. Violations are punishable by a fine of not more than \$5,000.00 for an individual or \$10,000 for an organization or imprisonment for not more than six months, or both (18 U.S.C. 3559 and 3571).

*These schedules shall be publicized in accordance with 36 CFR § 1.7 Public Notices.

2. Pandemic Safety Measures - Reduced Building Occupancy Limit

The number of visitors in the following indoor locations may not exceed the maximum occupancy identified for each location (based on accessible building area and 6-foot physical distancing limits).

Far View Lodge	Square Feet	Occupancy	25%	6 Feet Socially Distanced
Lobby & Seating	460	13	3	4
Registration Area (not behind desk)	210	6	2	2
Gift Shop	275	8	2	2
Dining Area (Total)	2,705	74 (seats)	19	24
Upper Dining Area	625	17	4	6
Alcove Dining Area	484	13	3	4
Lower Dining Window Area	756	21	5	7
Radius Dining Area	840	23	6	7

Far View Lodge Basement (Closed)	Square Feet	Occupancy	25%	6 Feet Socially Distanced
Game Room	360	10	3	3
Weight Room	240	7	2	2
Meeting Area	600	17	4	5
Reading Room	240	7	2	2
Business Center Area	144	4	1	1
Far View Lodge Lounge (Closed)	Square Feet	Occupancy	25%	6 Feet Socially Distanced
Bar & Fireplace Area	345	10	3	3
Dining Area	506	14	4	4
Far View Terrace	Square Feet	Occupancy	25%	6 Feet Socially Distanced
Main Dining	1500	42	11	13
Dining (where curtains were installed)	480	13	3	4
Tour Sales Area	720	20	5	6
Double Door Entry	432	12	3	4
Food Area	1,440	40	10	13
Morefield Store	Square Feet	Occupancy	25%	6 Feet Socially Distanced
Grocery Side	1,296	36	9	11
Retail Side	864	24	6	8
Check-In Area	672	19	5	6
Bathroom	36	1	1	1

Morefield Laundry	Square Feet	Occupancy	25%	6 Feet Socially Distanced
Laundry Area	1,020	28	7	9
Restroom	136	4	1	1
Morefield Comfort Station	Square Feet	Occupancy	25%	6 Feet Socially Distanced
Women's/Men's Side	99	3	1	1
Group Sites	160	4	1	1
Morefield Kennel	1,296	36	9	11
Mesa Verde Visitor and Research Center	Square Feet	Occupancy	25%	6 Feet Socially Distanced
Information Desk / Exhibit Area	2300	153	30	30
Museum Association Book Store Area	600	40	10	10

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.