



**National Park Service
U.S. Department of the Interior**

**El Portal
Administrative Site**

P.O. Box 577
Yosemite National Park
California 95389

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

209-372-0200 phone

Approved:

S/ Cicely Muldoon
Cicely Muldoon
Superintendent

8/18/2022
Date

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7 and Part 34, authorized by Title 54 United States Code, Section 100751, the following regulatory provisions are established for the proper management, protection, government and public use of those portions of the El Portal Administrative Site under the jurisdiction of the National Park Service. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7 as incorporated in Part 34.

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

PART 1 – GENERAL PROVISIONS

The specific discretionary authority for Park Superintendents to establish reasonable schedules for visiting hours, impose public use limits, and close park areas for all public use or specific use is found in Title 36 Code of Federal Regulations (CFR) §1.5. These park-specific restrictions are also based upon 36 CFR, Chapters 1-7 to protect park resources, visitors and employees. Under CFR §1.7 notice of all restrictions, closures, designations and permit requirements will be made available to the general public by a least one or more of the following methods of notifications: maps, brochures, signs, permits, or other appropriate methods, as well as within this compendium.

Section 1.4 Definitions

An additional listing can be found in the CFR derived under 36 CFR §1.4 or §1.5.

36 CFR § 34.5 (a)(3) 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 El Portal Administrative Site, and the following closures are established for all or a portion of the El Portal Administrative Site, to all public use, or to a certain use or activity:

Visiting Hours

Except for Administrative Activities, Visiting Hours: The El Portal Administrative Site is open 24 hours a day, seven days a week except the following areas as described below are closed:

36 CFR § 34.5(a)(3) 1.5; 36 CFR § 34.5(a)(3) 1.5(f)

- Barium Mines at Rancheria Flat.
- Waste Water Treatment Plant's settling ponds and sludge drying beds.

Construction zones

Areas within the El Portal Administrative Site that are designated as construction and/or demolition zones will be closed to the public. These areas will be identified by signage indicating the closure.

36 CFR § 34.5(a)(3) 1.5; 36 CFR § 34.5(a)(3) 1.5(f)

This closure is in effect to protect the public from the hazards associated with construction/demolition.

Commercial Photography/Filming

The following types of low-impact filming activities may occur in areas of the park open to the public without a permit and without advance notice to the NPS:

- Outdoor filming activities (outside of park 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 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 these 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.

Fixed tensioned ropes (slack lines)

Slack lines must not be left unattended except under the following conditions:

36 CFR § 34.5(a)(3) 1.5(a)(2); 36 CFR § 34.5(a)(3) 1.5(f), 36 CFR § 34.5(b)(14) 2.22(a)(2), 36 CFR § 34.5(e)(8) 5.13

Upon approval by the Superintendent or the Superintendent’s designee, El Portal Administrative Site residents may leave slack lines installed within their housing assignment provided the lines do not create a hazardous condition or interfere with the orderly management of the El Portal Administrative Site.

Fixed Tension Ropes (slacklines) left unattended outside of a specific housing assignment may be removed or impounded.

Slack lines are inherently an attractive hazard and negatively impact the scenic value of the resource; however, the repeated installation of slack lines in the same area may cause more resource damage than lines left in place.

Slack lines must not be attached to oak trees.

36 CFR § 34.5(a)(3) 1.5(a)(2); 36 CFR § 34.5(b)(1) 2.1(a)(1)(ii)

Oaks are declining in parts of California and are not reproducing successfully.

Trees used as slack line anchors must be padded so as to minimize damage to the trees.

36 CFR § 34.5(a)(3) 1.5(a)(2); 36 CFR § 34.5(b)(1) 2.1(a)(1)(ii)

Slack lines have caused significant damage to trees in the El Portal Administrative Site.

Glass containers

Possession of a glass container within 50 feet of any riverbank, on the water, or in a vessel is prohibited.

36 CFR § 34.5(a)(3) 1.5(a)(2); 36 CFR § 34.5(a)(3) 1.5(f)

This restriction is for the protection of natural and cultural resources and public safety.

Road Closures

Except for Administrative Activities or while in possession of a wood permit, the following roads are closed:

36 CFR § 34.5(a)(3); 36 CFR § 34.5(a)(3) 1.5(f)

- Middle Road
- Old Firearms Range Road

These roads are closed as they are for administrative purposes and their closure does not affect public use of the Administrative Site.

Soaps and other detergents

The use of any soap, detergent, or shampoo (biodegradable or otherwise) is prohibited in all waters of the El Portal Administrative Site.

36 CFR § 34.5 (c)(6) 3.16, 36 CFR § 34.5 (c)(6) 3.16, 36 CFR § 34.5(a)(3) 1.5(f)

The restriction is necessary to provide for the highest water quality standards and ecosystem health. Introduction of man-made products may alter water quality and adversely affect micro- or macro-organisms. 36 CFR 3.21 was amended and

incorporated into 36 CFR 3.16 in 2007. The Superintendent's Compendium reflects the correct citation of 3.16 as an administrative correction.

Unmanned Aircraft

Launching, landing or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of the El Portal Administrative Site is prohibited except as approved in writing by the Superintendent.

36 CFR § 1.5(a)(1), 36 CFR § 1.5(f)

This restriction is to protect the public from hazards and preserve the park's natural, aesthetic, and scenic values. The use of machine airborne or controlled devices, such as Unmanned Aircraft Systems (UAS) or drones, has the potential to interfere with public safety by posing an in-flight hazard to emergency helicopter use in the park. The use of these devices also has the potential to disrupt wildlife by interrupting migration, nesting, mating, and hunting activities to include, but not limited to, protected species such as the Peregrine Falcon. This restriction is in accordance with NPS Management Policy 8.2 which prohibits recreational uses that conflict with the scenic values and view sheds that the park was designated to protect and the associated activities in which individuals seek solitude and tranquility with an expectation of privacy. Furthermore, the use in designated Wilderness Areas violates the Wilderness Act, which prohibits motorized equipment. An interim measure may be put into place at a later date after the park administration evaluates the appropriateness of this new use on a long-term basis.

Wildlife

The entire El Portal Administrative Site is closed to viewing wildlife with an artificial light from a motor vehicle.

36 CFR § 34.5(b)(2) 2.2, 36 CFR § 34.5(b)(2) 2.2(e)

The Superintendent has determined that this closure is necessary to prevent illegal hunting within the boundaries of the El Portal Administrative Site 36 CFR 34.5(b)(2) 2.2(e).

Woodcutting

Wood cutting is permitted in the El Portal wood lot with a permit. The use of a chainsaw in the wood lot is restricted to daylight hours.

- Permits may be obtained by contacting the Yosemite National Park Administrative Support Office in Mariposa, CA: 209-379-2231

This restriction allows for the reduction of fuels within the park, but also limits the sound disturbances that may affect residents.

36 CFR § 34.5 (a)(3) 1.5 (a)(2) The Superintendent has determined that the following activities require conditions and/or restrictions:

See the following sections for conditions and/or restrictions

- 34.5 (a)(3) 1.5 - Closures and public use limits
- 34.5 (a)(4) 1.5 - Permits
- 34.5 (b)(1) 2.1. - Preservation of Natural, Cultural and Archeological Resources
- 34.5 (b)(2) 2.2 - Wildlife
- 34.5 (b)(3) 2.3 (a)(c)(f) - Fishing
- 34.5 (b)(5) 2.5 - Research Specimens
- 34.5 (b)(6) 2.10 - Camping and Food Storage
- 34.5 (b)(8) 2.12 - Audio Disturbances
- 34.5 (b)(9) 2.13 - Fires
- 34.5 (b)(11) 2.15 - Pets
- 34.5 (b)(12) 2.17 - Aircraft and Air Delivery
- 34.5 (b)(13) 2.21 - Smoking
- 34.5 (b)(14) 2.22 - Property
- 34.5 (b)(25) 2.50 - Special Events
- 34.5 (b)(26) 2.51 - Public Assemblies, Meetings
- 34.5 (b)(27) 2.52 - Sale or Distribution of Printed Matter
- 34.5 (b)(29) 2.62 - Memorialization
- 34.5 (c)(6) 3.16 - Swimming and Bathing
- 34.5 (d)(4) 4.11 - Vehicle Load, Weight, and Size Limits
- 34.5 (d)(7) 4.21 - Speed Limits
- 36 CFR § 34.6(b) - Fires
- 36 CFR § 34.8(d) - Wood Gathering

36 CFR § 34.5 (a)(4) 1.6 – ACTIVITIES THAT REQUIRE A PERMIT

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

- §34.5 (a)(3)1.5(d) The following activities related to Public Use Limits:
- Activities which require NPS supervision or monitoring to help prevent impact to resources or conflict with visitor use.
 - Activities or special events that exceed group size limits.
- §34.5 (b)(1)2.1 Wood cutting in the El Portal Wood Lot (administrative activities exempt)
- §34.5 (b)(5)2.5(a) Research Specimen (taking plant, fish, wildlife, rocks, or minerals)
- §34.5 (b)(6)2.10(a) Camping and Food Storage
- §34.5 (b)(8)2.12 Audio Disturbance
- §34.5 (b)(12)2.17 Aircraft & Air Delivery
- §34.5 (b)(23)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)
- §34.5 (b)(24)2.38 Explosives
- §34.5 (b)(25)2.50(a) Conducting sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events.
- §34.5 (b)(26)2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views.
- §34.5 (b)(27)2.52(a) Sale or distribution of printed matter that is not solely commercial advertising
- §34.5 (b)(28)2.61(a) Residing on federal lands
- §34.5 (b)(29)2.62(b) Memorialization
- §34.5 (d)(4)4.11 Exceeding of established vehicle load, weight, and size limits
- §34.5 (e)(1)5.1 Advertisements - Display, posting, or distribution.
- §34.5 (e)(2)5.2(b) Sale of intoxicants on private land (requires approval of Regional Director)
- §34.5 (e)(3)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).
- §34.5 (e)(4)5.5 Commercial Photography/Filming:
- §34.5 (e)(5)5.7 Construction of buildings, facilities, trails, roads, boat docks, paths, structures, etc.
- §34.6(c) Fires
- §34.8 Preservation of natural, cultural and archeological resources
- §34.10 Saddle and Pack animals

GENERAL REGULATIONS

36 CFR § 34.5 (b)(1) 2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

(a)(4) Dead wood on the ground may be collected for use within the El Portal Administrative Site.

(c)(1), (c)(2) The following fruits, nuts, berries, or unoccupied seashells may be gathered by hand for personal use or consumption at the collection site, in accordance with the noted size, quantity, collection sites and/or use or consumption restrictions.

- Blackberries - 1 pint per person per day, wherever found, for immediate consumption
- Himalayan blackberry-unlimited quantity
- Raspberries - 1 pint per person per day, wherever found, for immediate consumption
- Elderberries - 1 pint per person per day, wherever found, for immediate consumption
- Strawberries - 1 pint per person per day, wherever found, for immediate consumption
- Thimbleberries - 1 pint per person per day, wherever found, for immediate consumption
- Huckleberries - 1 pint per person per day, wherever found, for immediate consumption
- Fungi, Edible - 1 pint per person per day, wherever found, must be cut (not pulled)

The following may be gathered and transported from the collection site for non-commercial use:

- Apples
- Pears
- Grapes

Minor collection of any of these resources does not adversely affect El Portal Administrative Site wildlife.

34.5 (b)(3) 2.3 (a)(c)(f) - Fishing

(a) the State of California fishing regulations found at [[California Freshwater Sport Fishing Regulations \(Extended through 2022\)](#)] apply within the El Portal Administrative Site, except, as set out in 36 CFR 2.3(d) and as set out below:

Except for the designated areas set out below, all waters within El Portal Administrative Site are open to fishing all year.

Fishing from any piers or bridges (vehicle, pedestrian, or stock) is prohibited within the boundaries of the El Portal Administrative Site.

The use of live, dead or scented bait is prohibited within the El Portal Administrative Site; “live, dead or scented bait” is defined as any natural or manufactured product or device that is used to alert and attract fish by sense of taste or smell, including any product or device to which

scents or attraction agents have been added or externally applied. Bait includes but is not limited to: scented and flavored liquid paste or gel, scented natural or artificially manufactured fish eggs, and applies to traditional organic baits including but not limited to all worms, grubs, crickets, leeches, stink baits, insects, crayfish, human food, pet food, fish, fish parts and fish eggs.

Lead weights used on fishing lines shall not exceed ¼ ounce per line.

The transport of live fish any distance is prohibited within the El Portal Administrative Site.

Bag and possession limits: Bag limit 5 per day (all trout species) and possession limit 10 at one time (all trout species) except as set out below.

Specific Rules for Designated Areas

Merced River – from the Yosemite View Lodge downstream to approximately the bridge crossing Incline Road, downstream of the Foresta Road Bridge.

- Open to fishing from the last Saturday in April to November 15.
- Only artificial lures with single barbless hooks may be used.
- Rainbow trout: all catch and release; zero (0) bag and possession limit.
- Brown and Brook Trout: No daily bag limit or possession limits and no minimum size-- brown trout and brook trout must be retained and not released.

These area specific rules – limits on types or lures and prohibition of live bait; bag and possession limits; the requirements for catch and release of native species and not releasing non-native species – are necessary to help sustain native fish populations, including controlling the spread of non-native fish. In 2020 California Department of Fish and Wildlife amended its regulations and lifted many of the area specific limits of the types of amounts of fish that can be taken and possessed. Based on the need to protect native populations, the NPS is maintaining the previous controls and expanding the locations, based on current data, in order to continue to protect those fish populations.

36 CFR § 34.5 (b)(5) RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks, or minerals except in accordance with other regulation of this chapter or pursuant to the terms and conditions of a specimen collection permit, is prohibited.

Qualifying researcher must be in compliance with the General Condition for Scientific Research and Collecting Permit as described under the National Park Service Research Permit and Reporting System.

All environmental compliance issues (e.g., categorical exclusions), and minimum requirement analysis for research conducted in the wilderness, must be resolved prior to commencement of specimen collecting.

36 CFR § 34.5 (b)(6) 2.10 – CAMPING and FOOD STORAGE

(a) There are no designated areas for camping within the El Portal Administrative Site, therefore camping is prohibited.

(d) The following conditions are established to regulate food storage:

When not stored as described below, all food and food containers must be within six feet of an awake person.

- In a properly closed bear resistant portable food container that is allowed for use in the park by the NPS.
- In a properly closed bear resistant dumpster.
- In the interior of a vehicle which is occupied and under the physical control of the operator or occupant; and occupants are not camping, [see 36 CFR 1.4 definition of camping].
- During daylight hours in the interior of a vehicle which has all windows, vents, and doors closed and the food is out of sight.
- From sunset to sunrise food must not be stored in the interior of a vehicle except in any of the following circumstances:
 - The vehicle is an occupied camping unit that is constructed of solid, non-pliable material and food is not visible and not odoriferous from the outside.
 - The vehicle is an unoccupied camping unit that is constructed of solid, non-pliable material with windows, vents, and doors closed, and food is not visible and not odoriferous from the outside.
 - An unoccupied vehicle is parked in an area outside of established lodging and camping facilities and where bear proof food storage lockers are not available, and the food is not visible or odoriferous from the outside.
 - Inside a hard-sided building that is occupied or has windows and doors closed.

36 CFR § 34.5 (b)(7) 2.11 – PICNICKING

The following areas are closed to picnicking:

- Residential areas except by the residents and their guests.
- Food must not be left unattended.

36 CFR § 34.5 (b)(8) 2.12 - AUDIO DISTURBANCES

Use of power equipment or saws in the housing areas within the Administrative Site is restricted to between the hours of 8am and 6pm.

36 CFR § 34.5 (b)(9) 2.13 – FIRES

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

Fires are allowed in the following areas:

- Residential areas
- As a condition of a permit or for administrative activities.
- Designated picnic areas with fire grates.

Fires are allowed under the following conditions:

- Fires may only be lighted in grates, grills, fire rings, cook stoves, or barbecue grills
- These conditions do not apply to wood stove fires used for heating buildings, residences, and for administrative activities.

(b) Fires must be extinguished according to the following conditions:

- All fires should be completely extinguished with no burning material remaining. If a portable barbecue grill is used, all ashes/coals must be thoroughly extinguished and cooled and then removed from the El Portal Administrative Site or placed in a trash receptacle.

36 CFR § 34.5 (b)(11) 2.15 – PETS

(a)(1) The following structures/areas are closed to pets except for service animals:

- Specific areas as posted by signs

(a)(3) Unattended and tied - The California Health and Safety Code section 122335, by reference is made a part of these regulations (see attached document).

(a)(5) Pet excrement must be removed and disposed of in waste receptacles.

36 CFR § 34.5 (b)(12) 2.17 – AIRCRAFT and AIR DELIVERY

The following is prohibited:

- Jumping from a cliff or other fixed object with a parachute or similar device.
- Landing with a parachute or other device after jumping.

This prohibition conforms to NPS regulations.

(c)(1) The removal of a downed aircraft, components, or parts thereof is allowed, subject to written authorizations from the Superintendent, under the following terms and conditions:

- A permit is required for the removal of any downed aircraft

36 CFR § 34.5 (b)(13) 2.21 – SMOKING/VAPING

(a) The following portions of the El Portal Administrative Site, or all or portions of buildings, structures or facilities are closed to smoking of cigarettes, cigars, use of e-cigarettes and similar devices are prohibited:

- All public buildings and public areas of concession buildings (including restrooms).
- Within 25 feet of any building, except those used as a single-family residence.
- Other areas as posted.
- Smoking while traveling on trails is prohibited. Persons who wish to smoke must stop and remain in one location until they have extinguished their smoking material.

36 CFR § 34.5 (b)(14) 2.22 – PROPERTY

(a)(2) The following describes areas where property may be left unattended for periods longer than 24 hours, and the conditions under which property may be left:

- Any motor vehicle which is immobile because it is not capable of moving under its own power due to mechanical malfunction or any vehicle which is inoperable because it cannot be operated legally on public roads because it is unlicensed or unregistered may be impounded by the Superintendent through the following process:
 - The owner of the vehicle will be notified of pending impoundment. Leaving a notice on or in the vehicle, at the owner's residence, or issuing a notice directly to the owner fulfills the notification process. Thirty (30) days after notification the vehicle may be impounded.
- Unattended property or vehicles which contain improperly stored food or food containers located in any public area may be impounded at the owner's expense.
- Individuals leaving pets unattended or in violation of California Penal Code 597.7(a) are subject to immediate impoundment of their property/pet.

36 CFR § 34.5 (b)(21) 2.35 – ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a)(3)(i) The Superintendent reserves the authority to limit and/or prohibit the sales and/or consumption of alcoholic beverages at specific sites or throughout the entire Administrative Site during emergency situations such as natural or human caused disasters or disturbances.

36 CFR § 34.5 (b)(25) 2.50 – SPECIAL EVENTS

Permits are required for any special event utilizing El Portal Administrative Site areas.

Written application for a permit is requested 30 days, but cannot be made less than 72 hours, prior to the date desired for the event. Consideration will be given only to those activities where there is a meaningful association between the El Portal Administrative Site area and the event, and the observance contributes to visitor understanding of the significance of the El Portal Administrative Site area.

The permittee must abide by all conditions and amendments to the permit.

Solicitation activities (per 36 CFR § 2.37) are prohibited except subject to a permit with the approval of the Superintendent.

36 CFR § 34.5 (b)(26) 2.51 – PUBLIC ASSEMBLIES, MEETINGS

(a) Permits are required for any public assembly, meeting, gathering, parade, or other public expression of views within El Portal Administrative Site areas.

Written applications for permits are requested 30 days prior to the desired event date.

The permittee must abide by all conditions and amendments to the permit.

The activity must not conflict with any scheduled NPS function/program.

Solicitation activities (per 36 CFR § 2.37) are prohibited except subject to a permit with the approval of the Superintendent.

(b)(1) Permits are not required for groups with 25 or less people if the following conditions are met:

- The group must not merely be an extension of another group availing itself of the 25-person maximum.
- The activity must not unreasonably interfere with other demonstrations, special events or NPS program activities.
- The activities may include the use of hand-carried signs, but not stages, platforms or structures. In those situations, the NPS will continue to require a permit.
- If two or more groups taking advantage of the small group exception seek the same designated area at the same time, and the area cannot reasonably accommodate both groups, the park will, whenever possible, direct the later arriving group to relocate to another nearby available designated area.

(c) The Superintendent shall issue a permit within ten days of receipt of a fully executed application that includes all the requested information and is submitted within one year of the proposed event.

(e) The Superintendent has designated the following locations for public assembly:

- The parking lot at the El Portal Community Center
- The gravel parking lot west of the warehouse complex on Foresta Rd.

(g) No permit shall be issued for a period in excess of 14 consecutive days, provided that permits may be extended for like periods, upon a new application, unless another applicant has requested the use of the same location and multiple occupancy of that location is not reasonably possible.

36 CFR § 34.5 (b)(27) 2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

(a) Permits are required for the sale or distribution of printed matter within El Portal Administrative Site areas.

Written application for a permit is requested 30 days prior to the desired event date. The permittee must abide by all conditions and amendments to the permit.

The printed matter may not be solely commercial advertising.

Solicitation activities (per 36 CFR § 2.37) are prohibited except subject to a permit with the approval of the Superintendent.

(b)(1) Permits are not required for groups with 25 or less people if the following conditions are met:

- The group must not merely be an extension of another group availing itself of the 25-person maximum.
- The activity must not unreasonably interfere with other demonstrations, special events or NPS program activities.
- The activities may include the use of hand-carried signs, but not stages, platforms or structures. In those situations, the NPS will continue to require a permit.
- If two or more groups taking advantage of the small group exception seek the same designated area at the same time, and the area cannot reasonably accommodate both groups, the park will, whenever possible, direct the later arriving group to relocate to another nearby available designated area.

(c) The Superintendent shall issue a permit within ten days of receipt of a fully executed application that includes all the requested information and is submitted within one year of the proposed event.

(e) The Superintendent has designated the following locations for public assembly:

- The parking lot at the El Portal Community Center
- The gravel parking lot west of the warehouse complex on Foresta Rd.

36 CFR § 34.5 (b)(29) 2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains in the following areas, and/or according to the following terms and conditions.

- The remains to be scattered must have been processed by pulverization after cremation.
- The scattering of human ashes by persons on the ground is to be performed out of sight of El Portal Administrative Site visitors and at least 100 yards from any trail, road, walkway, developed facility, watercourse, or body of water.

- The scattering of cremated remains from the air is prohibited.
- Ashes must be scattered over an area large enough so that they will not accumulate in one place.
- No marker of any kind may be left to commemorate the event.
- No publicity is to be given to this activity.
- The use of a commercial, for-profit venture to distribute cremated remains in the El Portal Administrative Site is prohibited.
- Except for the authorization to scatter cremated human remains, nothing in this permit shall be construed as authorizing an entry or activity otherwise prohibited or restricted by law or regulation.

36 CFR § 34.5 (c)(6) 3.16 – SWIMMING AND BATHING

The following restrictions apply to all swimming and bathing activities:

The use of any soap, detergent, or shampoo (biodegradable or otherwise) is prohibited in all waters of the El Portal Administrative Site.

36 CFR § 3.16; CFR § 1.5(f)

The restriction is necessary to provide for the highest water quality standards and ecosystem health. Introduction of man-made products may alter water quality and adversely affect micro- or macro-organisms. 36 CFR 3.21 was amended and incorporated into 36 CFR 3.16 in 2007. The Superintendent's Compendium reflects the correct citation of 3.16 as an administrative correction.

36 CFR § 34.5(d)(4) 4.11 – VEHICLE LOAD, WEIGHT, AND SIZE LIMITS

(a) The following load, weight, and size limits, which are more restrictive than state law, apply to the roads indicated under the terms and conditions, and/or under permit as noted:

- In addition to the following; load, weight, and size limits listed in the other sections of this document are made a part of 36 CFR § 4.11.
- All highways that enter the El Portal Administrative Site fall into the California legal size restrictions.
 - California legal trucks must be no taller than 14 feet high, 102 inches wide, and 40 feet long if a single vehicle, and 65 feet long if a combination vehicle. An overall length exception to 75 feet is given for a truck, tractor, semi-trailer, trailer combinations (doubles) if each trailer is no more than 28 feet six inches long.
 - California legal truck with single trailer:
 - Semi-trailer = no limit
 - KPRA = 40 feet maximum (if two axles in rear)
 - KPRA = 38 feet maximum (if one axle in rear)
 - Combination length = 65 feet maximum
 - California legal truck with double trailer:

- Semi trailer = 28 feet 6 inches maximum
- Trailer = 28 feet 6 inches maximum
- KPRA = no limit
- Combination length = 75 feet maximum

-or-

- Either trailer or semi trailer = 28 feet 6 inches maximum; the other trailer has no limit.
- KPRA = no limit
- Combination length = 65 feet maximum

The following kingpin-to-rear-axle (KPRA) distance are established for El Portal Administrative Site roads:

- The El Portal Road has a KPRA of 32 feet.

Buses, vehicles over 35 feet, and vehicles pulling trailers are prohibited on Chapel Road and Foresta Road, east of the Eagle Peak Road junction.

Additional vehicle load, weight, and size limits can be found in 36 CFR § 1.5 Visiting Hours, Public Use Limits, Closures, and Area Designations for Specific Use of Activities.

36 CFR § 34.5(d)(7) 4.21 – SPEED LIMITS

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

- The maximum speed on El Portal Administrative Site roads is 35 mph unless posted otherwise.

The roads in Yosemite are steep, narrow, and winding; vehicles cannot safely negotiate turns at higher speeds. The lower speed limits are necessary to reduce risk of personal injury and damage to the property and the natural resource.

36 CFR § 34.5(e)(3) 5.3 – BUSINESS OPERATIONS

As a condition of a valid permit, authorized businesses must also acquire county business licenses as are applicable to the specific business operation. No permit shall be issued for any activity that violates county, state, or federal law.

36 CFR § 34.5(e)(5) 5.7 – CONSTRUCTION OF BUILDINGS AND OTHER FACILITIES

As a condition of a valid permit:

- A Mariposa County building permit is required for all construction by private individuals within the Administrative Site.
- A Mariposa County building permit may be required for construction activities by commercial entities within the Administrative Site.

- Construction activities must comply with permit requirements and county building codes.
- Applicable California Fire Safety Regulations (California Public Resources Code, Section 4290) are adopted as part of the permit.

Granting of permits is limited to resident employees, concessions, or contractors performing work deemed consistent with the developmental goals of the general management plan, other El Portal Administrative Site plans, and regular El Portal Administrative Site maintenance.

36 CFR § 34.6(b) – FIRES

Non-conflicting provisions of the California State Forest and Fire Laws and Regulations (superseded by Public Resources Code Part 2, Protection of Forest, Range, and Forage Lands Chapter 6 Prohibited Activities Section 4421-4446) are incorporated.

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

Established Conditions for Fires:

- Residential areas
- As a condition of a permit or for administrative activities.
- Designated picnic areas with fire grates.

Fires are allowed under the following conditions:

- Fires may only be lighted in grates, grills, fire rings, cook stoves, or barbecue grills
- These conditions do not apply to wood stove fires used for heating buildings, residences, and for administrative activities.

(b) Fires must be extinguished according to the following conditions:

All fires should be completely extinguished with no burning material remaining.

- If a portable barbecue grill is used, all ashes/coals must be thoroughly extinguished and cooled and then removed from the El Portal Administrative Site or placed in a trash receptacle.

Residential Pile Burning:

- The burning of leaves, tree needles, conifer cones, and wet or green wood is prohibited except in residential areas for the purpose of clearing for a defensible space against wildfire.
- Burning must be in compliance with local county residential burning regulations.
- Burning is not permitted during the fire season (fire season starts and ends as declared by the Fire Management Officer and posted on the Yosemite National Park website).

- Burning is allowed only on permissive days as established by Mariposa County and the Air Resources Board. Call the Mariposa County burn day information line to check burn day status prior to burning.
- The individual or homeowner must notify park dispatch to include the start and end times and location of activity.
- Maximum pile size is 4 feet in diameter.
- Clear all flammable material and vegetation within 10 feet of the outer edge of burn pile.
- An adult must remain in attendance with a shovel until the fire is dead out.
- Keep 5 gallons water supply or a charged hose at the burning site.
- No burning shall be undertaken unless weather conditions (particularly wind) are such that burning can be considered safe. No burning shall be undertaken when wind speeds or gusts in excess of 5 MPH are present or forecast.
- Burn vegetation debris only

At the discretion of the Superintendent, fires may be prohibited during some periods and at specified locations during extreme fire conditions or when poor air quality conditions exist.

These restrictions are necessary to provide for the orderly management of the park. Administrative functions are exempt from this restriction.

36 CFR § 34.8 – WOOD GATHERING

- (a) Cutting or removal of any tree, plant or shrub on non-leased land.
- (b) Cutting or removing any vegetation exceeding six inches in diameter on leased lands.
- (d) Dead wood lying on the ground may be collected without a permit for use in the Administrative Site.