



CAPE COD NATIONAL SEASHORE

**SUPERINTENDENT'S**

**COMPENDIUM**

**February 15, 2004**



# CODE OF FEDERAL REGULATIONS

## TITLE 36, CHAPTER 1

Compendium of Designations, Closures, Request  
Requirements and Other Restrictions imposed under  
the discretionary authority of the Superintendent  
for Cape Cod National Seashore

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, authorized by Title 16, United States Code, Section 3, the following regulatory provisions are established for the property management, protection, government and public use of the portions of Cape Cod National Seashore under the jurisdiction of the National Park Service.

Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36CFR, Chapter 1.

\_\_\_\_\_  
Approved By: Superintendent

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Date

\_\_\_\_\_  
Recommended By: Chief Ranger

\_\_\_\_\_  
Date

\_\_\_\_\_  
Updated By: Special Agent

\_\_\_\_\_  
Date

TABLE OF CONTENTS

| <u>CFR SECTION</u>    | <u>TITLE</u>                                      | <u>PAGE</u> |
|-----------------------|---|-------------|
|                       | Introduction                                      | 5           |
| 36 CFR 1.5            | Closures and Public Use Limits                    | 6           |
| 36 CFR 1.6            | Permits   | 7           |
| 36 CFR Part 2         | Resource Protection, Public Use<br>and Recreation | 8           |
| 36 CFR Part 3         | Boating and Water Use                             | 12          |
| 36 CFR Part 4         | Vehicle and Traffic Safety                        | 12          |
| Part 1 Determinations | Appendix A  | 14          |
| Part 2 Determinations | Appendix B  | 15          |
| Part 3 Determinations | Appendix C  | 18          |
| Part 4 Determinations | Appendix D  | 19          |
| Collateral List       | available upon request                            | 20          |

## Introduction

The purpose of this compendium is to provide a concise written document which provides all of the special designations, closures, public use limits, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent. The preparation of a compendium is required under Section 1.7, Title 36, Code of Federal Regulations and shall be made available to the public upon request. The compendium will be reviewed and updated annually to ensure adequate protection of the parks resources, provide for public safety and enjoyment and to meet changes in recreational use patterns.

It is important to utilize this document in conjunction with Title 36, Code of Federal Regulations, since the compendium only addresses restrictions imposed under the discretionary authority of the Superintendent or regulations, which authorize special designations, closures, or other use limits. The use of this compendium in conjunction with park brochures, maps, signs and other media will provide a clear understanding of park rules and regulations for both NPS employees and park visitors. Yours comments and suggestions are welcome.

Send Comments To:

Superintendent  
Cape Cod National Seashore  
99 Marconi Site Road  
Wellfleet, MA 02667

Section 1.5 CLOSURES AND PUBLIC LAND USE LIMITS.

1.5(a)(1)

- During periods of ice, snow and wind storms, high visitation, or special events, roads to park features may be closed temporarily to insure visitor safety and control. Closures will be identified by posting, maps, media notifications, and closing of access routes through barricades and/or gates.

- The following areas are closed to vehicle use/entry during the dates and hours indicated:

Parking Areas:

|   |  |
|---|--|
| Fort Hill   | 12 AM – 6 AM   |
| Salt Pond Visitor Center  | 12 AM – 6 AM   |
| Doane Rock (2 hour limit)   | 12 AM – 6 AM   |
| Coast Guard Beach   | 12 AM – 6 AM   |
| (Private vehicles excluded, except handicapped, last Saturday in June –Labor Day, 9 AM – 5:30 PM) |  |
| Nauset Light Beach  | 12 AM - 6 AM   |
| Great Island  | 12 AM – 6 AM   |
| Marconi Beach   | 12 AM – 6 AM   |
| Marconi Site  | 12 AM – 6 AM   |
| NTAFS ballfield lot   | ½ hour after sunset – 6 AM   |
| Head of the Meadow  | 12 AM – 6 AM   |
| Pilgrim Heights   | 12 AM – 6 AM   |
| High Head (2 hour limit)  | 12 AM – 6 AM   |
| Race Point  | 12 AM – 6 AM   |
| Province Lands Visitor Center   | 12 AM – 6 AM   |
| Herring Cove  | 12 AM – 6 AM   |
| Beech Forest  | 12 AM – 6 AM   |
| Cranberry Lot   | 12 AM - 6 AM   |
| Dike Road lot   | 12 AM - 6 AM   |
| Pamet Cranberry Bog (2 hr. limit)   | 12 AM – 6 AM   |
| Headquarters (North Lot)  | 12 AM – 6 AM   |
| Headquarters (South Lot)  | 12 AM – 6 AM   |
| Maintenance (North)   | 12 AM – 6 AM   |
| Maintenance (South)   | 12 AM – 6 AM   |
| Ponds Parking areas (see below)   | 12 AM – 6 AM   |
| Fire Roads (See Appendix A):  | All Hours  |
| - Eastham   | #510, 520 (open to Nauset Rod & Gun Club),<br>530, 540 (open to Boy Scouts).       |
| - Wellfleet   | #608, 610, 611, 612, 613, 614,<br>620 (seasonal), 677.                             |
| - Truro   | #701 (open to dune tours),<br>719, 731, 733, 735, 736, 737, 738, 753, 785.         |
| - Provincetown  | #801 and 802 (open to dune tours),<br>804, 813, 820, 821, 822, 829, 831, 832, 833. |

- Parking in the ponds area will be limited to designated areas. The maximum capacity of designated parking areas at each pond is:

|                    |   |
|--------------------|---|
| Dyer Pond          | Vehicles Prohibited (Summer Months);<br>3 Vehicles all other months |
| Spectacle Pond     | 10 Vehicles   |
| Horseleech Pond    | 3 Vehicles  |
| Slough Pond        | 10 Vehicles   |
| Herring Pond       | 3 Vehicles  |
| Ryder Pond         | 2 Vehicles  |
| Round Pond (Truro) | Vehicles Prohibited   |

- Hiking and pedestrian use in primary/foredune and beach cliff areas is restricted to designated paths and walkways above the spring high tide driftline from Nauset inlet to Long Point and from Ryder Beach south to Great Island. (SEE 2.1b).

- The following ponds, lakes and streams are closed to gasoline powered, motorized boats/vessels:

|                        |                   |
|------------------------|-------------------|
| Slough Pond            | Grassy Pond       |
| Round Pond (East)      | Great Pond        |
| Round Pond (West)      | Bennett Pond      |
| Horseleech Pond        | Pasture Pond      |
| Ryder Pond             | Clapps Pond       |
| Snow Pond              | Clapps Round Pond |
| Pilgrim Lake           | Duck Pond         |
| Spectacle Pond         | Dyer Pond         |
| Kinnacum Pond          | Long Pond         |
| Great Pond (Wellfleet) | Turtle Pond       |
| Northeast Pond         | Southeast Pond    |
| Gull Pond              | Higgins Pond      |
| Williams Pond          | Herring Pond      |

- The following activities are prohibited at all fresh water ponds:

- Possession of glass containers
- Bathing with or use of soap or detergents
- Fires

- The following activity is prohibited within 500' of posted shorebird nesting areas:

- Kite flying

- The transportation/trailing, launching and landing, of personal watercraft, is prohibited within the boundaries of Cape Cod National Seashore. Personal watercraft are defined as “a small vessel which uses an inboard motor powering a water jet pump as its primary source of motor power and which is designed to be operated by persons sitting, standing or kneeling on the vessel. The term included, but is not limited to a jet ski, wet bike or surf jet, so called.”

## Section 1.6 PERMITS.

(c) The following permits are required:

|   |            |
|---|------------|
| Oversand Parking (Fishing)  | 1.5        |
| Specimen Collection   | 2.5(a)     |
| Power saw (chain saw)   | 2.12(a)(2) |
| Fire  | 2.13(a)(1) |
| Entrance  | 2.23(b)    |
| Special Events<br>(i.e.: large gatherings, walkathons, bicycle<br>events, parades, ceremonies and similar events) | 2.50       |
| Public Assembly and Meetings  | 2.51       |

|   |            |
|---|------------|
| Sale or Distribution of Printed Matter              | 2.52       |
| Memorialization                                     | 2.62       |
| Business Operations<br>(Incidental Business Permit) | 5.3        |
| Commercial Photography                              | 5.5        |
| Off Road Vehicle Use                                | 7.67(a)(4) |

## Section 2.1 PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES.

(a) Driftwood, flotsam and jetsam are considered hazards to navigation and may be collected from beach below the spring high tide driftline. All archeological resources, cultural resources, and lobster traps are protected by law, and may not be removed except by the authority of the Superintendent.

(b) Hiking and pedestrian use in the following dune or swamp areas is restricted to designated paths and walkways. Beach areas are open to foot travel except as restricted by the posting of signs or fencing.

|  |                          |
|--|--------------------------|
| Coast Guard Beach  | Head of the Meadow Beach |
| Nauset Light Beach   | Race Point Beach         |
| Marconi Beach  | Marconi Site             |
| Atlantic White Cedar Swamp                                   | Herring Cove Beach       |
| Red Maple Swamp  |                          |
| Small's Swamp  |                          |
| Pamet Cranberry Bog  |                          |
| Trails in posted erosion control and plant restoration areas |                          |

(c) The following fruits and berries, may be gathered by hand for personal use or consumption in amounts not to exceed one gallon, per person, per day. Collection is permitted in all park areas except those designated as closed in Section 1.5.

Bayberry (*Myrica pensylvanica*)  
 Beachplum (*Prunus maritima*)  
 Blackberry (*Rubus spp.*)  
 Blueberry (*Vaccinium spp.*)  
 Cranberry (*Vaccinium macrocarpon*)  
 Dewberry (*Rubus spp.*)  
 Grapes (*Vitus spp.*)  
 Huckleberry (*Gaylussacia spp.*)  
 Juneberry (*Amelanchier spp.*)  
 Raspberry (*Rubus occidentalis*)  
 Salt Spray Rose Hips (*Rosa rugosa*)  
 Teaberry (*Gaultheria procombens*)  
 Unoccupied seashells taken from above the water line

(d) Mushrooms (edible species) may be gathered by hand for personal use or consumption in amounts not to exceed five (5) gallons, per person, per day. Collection is permitted in all park areas except those designated as closed in Section 1.5.

## Section 2.2 WILDLIFE PROTECTION.

(b)(2) Hunting

- Hunting is authorized at Cape Cod National Seashore under Section 7.67(f).

- Hunting is permitted in accordance with applicable state and federal hunting laws and regulations, except as further specified in this section or other federal laws or regulations.

- Hunting is prohibited from March 1 through August 31.



- Hunting or the possession of a loaded weapon is prohibited on or within 150 feet of established bicycle trails. Discharge of a weapon across any established bicycle trail is prohibited. These restrictions apply to the following bicycle trails:

- Nauset Bike Trail
- Province Lands Bike Trail
- Head of the Meadow Bike Trail
- Cape Cod Rail Trail

- Hunting or the possession of a loaded weapon is prohibited within 500 feet of any building, except as authorized by the owner or occupant thereof.

- Hunting or the possession of a loaded weapon is prohibited in certain areas of Cape Cod National Seashore pursuant to 36 CFR 1.5 and 36 CFR 7.67(f). These areas include the following:

- |                                  |  |
|----------------------------------|--|
| Fort Hill Area (Eastham)         | Marconi Station/Cedar Swamp Area (Wellfleet) |
| Cedar Banks Area (Eastham)       | Former Ball Trust Land (Truro)               |
| Beech Forest Area (Provincetown) | Pilgrim Heights Area (Truro)                 |

The specific areas which are closed are designated on a map which is available for review in the Chief Ranger's Office at Park Headquarters. This map is included in the "Hunter's Information" brochure which may be obtained upon request from the Chief Ranger's Office, Visitor Centers, and Ranger Stations.

Upland game as used in 36 CFR 7.67 includes the following species:

- Crow, Ruffed Grouse, Quail, English Sparrow, Starling.
- Cottontail Rabbit, Snowshoe Hare, Opossum, Raccoon, Fox, Coyote, Gray Squirrel, Red Squirrel, Chipmunk, Weasel, Skunk, Woodchuck.

The disposal/dumping of animal carcasses is prohibited.

### Section 2.3(d)(8) FISHING.

Fishing is authorized from designated swimming beaches from 6pm-8am.

### Section 2.10 CAMPING.

Camping is authorized in designated areas only.

(a) Camping in self-contained vehicles is permitted in the designated Race Point North and Race Point South Self-Contained Areas in accordance with requirements enumerated in 7.67(a)(5).

### Section 2.13 FIRES.

(a)(1) Small fires are allowed by permit on designated salt-water beaches (except for protected or posted beach areas). Fires may only be located below the spring high tide line. The Superintendent may restrict the number of permits issued according to the visitor use and resource conditions in the area. Designated beaches are:

- |   |                    |
|---|--------------------|
| Coast Guard   | Nauset Light       |
| Marconi   | Head of the Meadow |
| Herring Cove  |                    |
| Race Point (includes oversand route from Hatches Harbor to High Head) |                    |

Fires are also allowed in the two oversand route self-contained vehicle areas, and will not require a permit.

Contained charcoal grill or gas grill fires are allowed (without permit) at all beaches and the following designated picnic areas:

|              |  |
|--------------|--|
| Doane Rock   | Pilgrim Heights  |
| Beech Forest | Self Contained Vehicle Areas                             |
| Marconi Site | Marconi Beach (Picnic Site)                              |
| Great Island | Outer Beach (except for protected or posted beach areas) |

## Section 2.15 PETS.

(a)(1) Pets are prohibited on the following trails:

|                            |                     |
|----------------------------|---------------------|
| Atlantic White Cedar Swamp | Nauset Marsh        |
| Beech Forest               | Pamet Cranberry Bog |
| Buttonbush                 | Pilgrim Spring      |
| Nauset Bicycle             | Fort Hill           |
| Province Lands Bicycle     | Red Maple Swamp     |
| Great Island               | Small Swamp         |
| (south of the gut)         | Sunset              |
| Herring Cove               | West                |
| Head of Meadow Bicycle     |                     |

(a)(1) Pets are prohibited from the following areas:

- Freshwater pond beaches and water: May 15 – October 15.
- Lifeguard protected beaches (may pass through).
- Posted shorebird nesting areas.

(a)(1) Pets may be left unattended and tied to an object only in employee housing areas.

(a)(5) Pet excrement - No individual shall permit a pet under their control to defecate upon sidewalks, beaches, or land owned by the NPS without immediately and permanently removing the excrement there from.

(b) Dogs may be used while hunting in accordance with state laws, with the exception that only six (6) dogs per group are allowed when hunting on Seashore lands. The training of dogs is prohibited except during the established hunting season for rabbits, and prescribed waterfowl seasons.

(e) Persons residing in government quarters may keep pets in accordance with the Cape Cod National Seashore Housing Management Plan.

## Section 2.16 HORSES AND PACK ANIMALS.

(b) Trail riding and horse use is permitted only in the following locations:

- Province Lands
- Sunset Trail
- West Trail
- Herring Cove Trail (Beach route north to Hatches Harbor Oct. 15 – May 15)
- Park fire and dirt roads (except ORV routes and those designated as interpretive trails.)
- On all saltwater beaches (Oct. 15 – May 15)
- Beside Cape Cod Rail Trail

## Section 2.17 AIRCRAFT AND AIR DELIVERY.

(a)(1) Land based aircraft may be landed at Provincetown Airport as authorized in 7.67(b).

## Section 2.20 SKATING, SKATEBOARDS, AND SIMILAR DEVICES.

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

Only roller skates and in-line skates are allowed on Race Point and Provincelands Road. Individuals are prohibited from using skateboards, roller skis, coasting vehicles, and any other similar devices on these two roads, and all other areas posted as closed to this activity.

## Section 2.21 SMOKING.

Smoking is prohibited within the interior portions of all NPS buildings, other than residences.

## Section 2.23 RECREATION FEES.

Recreation fees will be collected at the following designated areas (ref. Part 71.3).

Designated Entrance Fee areas:

|                                  |                          |
|----------------------------------|--------------------------|
| Coast Guard Beach (Little Creek) | Head of the Meadow Beach |
| Nauset Light Beach               | Herring Cove Beach       |
| Marconi Beach                    |                          |
| Race Point Beach                 |                          |

Designated Recreation Use Facility:

Salt Pond canoe trip  
Old Harbor B.A.D.

## Section 2.35 ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES.

(a)(3)(i) The possession or consumption of an alcoholic beverage and/or possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which has been partially removed, is prohibited within all ranger stations, visitor centers, amphitheaters and government buildings except government owned housing, unless specifically allowed as part of official duty or as part of a special event authorized by the Superintendent.

## Section 2.51 PUBLIC ASSEMBLIES, MEETINGS.

(e) Designated public use areas of the Seashore are available by permit for public assemblies and gatherings. These areas are outlined on maps located in Appendix B. All other areas including historic and natural areas are unavailable as such functions would unreasonably impair the atmosphere of peace, and tranquility or historic integrity maintained in these zones.

## Section 2.52 SALE OR DISTRIBUTION OF PRINTED MATTER.

(e) Designated public use areas of the Seashore are available by permit for the sale or distribution of printed matter. These areas are outlined on maps located in Appendix B. All other areas including historic and natural areas are unavailable as such functions would unreasonably impair the atmosphere of peace, and tranquility or historic integrity maintained in these zones.

### Section 3.6 BOATING AND WATER USE (PROHIBITED OPERATIONS).

(e) The following areas are designated as swimming beaches from June 15 – Labor Day: (Ref. sec. 2.3(d)(8), 3.21(b), 3.22, 7.67(a)(5)(v)).

Posted areas located at:

|                    |                                     |
|--------------------|-------------------------------------|
| Coast Guard Beach  | Head of the Meadow Beach            |
| Nauset Light Beach | Race Point Beach (May 15 - Oct. 15) |
| Marconi Beach      | Herring Cove Beach                  |

(h) Designated Launch Sites:

- Open ORV routes
- Chequeussett Neck Landing

### Section 3.21 SWIMMING AND BATHING.

(b) Swimming is permitted within the boundaries of Cape Cod National Seashore, except where designated as closed by the posting of signs.

The following are prohibited on lifeguard protected beaches:

- Use of flotation devices and scuba gear
- Glass containers
- Sporting events (except as authorized by Special Use Permit)
- Kite Flying
- Surfboards

### Section 4.10 TRAVEL ON ROADS AND DESIGNATED ROUTES.

(b) Designated oversand vehicle routes for Cape Cod National Seashore are promulgated as Special Regulations in Section 7.67(a)(1).

### Section 4.21 SPEED LIMITS.

(b) Maximum safe limits have been designated for the following roads and areas:

Eastham:

- A. Cable Road –  
30 MPH from Nauset Road to Ocean View Drive
- B. Doane Road –  
25 MPH from Nauset Road to Coast Guard Beach
- C. Nauset Road –  
25 MPH from Route 6 (by SPVC) to Park Boundary; 20 MPH through curves

Wellfleet:

- A. Marconi Beach Road –  
30 MPH from Route 6 to 100' east of gate  
30 MPH from 100' east of gate to Marconi Beach parking lot  
15 MPH from parking lot to bathhouse
- B. Marconi Site Road –  
30 MPH from Marconi Beach Road to Marconi Site

Provincetown:

- A. North and South Oversand Routes – 15 MPH
- B. Self-Contained Areas – 5 MPH
- C. Shorebird Nesting Areas – 5 MPH
- D. Race Point Road –  
30 MPH from Race Point Beach to Park boundary
- E. Province Lands Road –  
40 MPH from Route 6 to Race Point Road

### Section 4.30 BICYCLES.

(a) Bicycles are permitted on park roads and parking areas. The following routes are designated for bicycle use:

|                               |                     |
|-------------------------------|---------------------|
| Nauset Bike Trail             | Park Fire Roads     |
| Head of the Meadow Bike Trail | Cape Cod Rail Trail |
| Province Lands Bike Trail     |                     |

## COMPENDIUM APPENDIX A

### 36 CFR Part 1, General Provisions, Determinations

#### Section 1.5 – Closures and Public Use Limits.

**Vehicles:** Vehicle restrictions exist at parking lots, fire roads, and pond areas to limit environmental damage to sensitive dune, woodland and pond environments, along with the protection of nearby public use facilities and private property.

**Foredune/beachcliff areas:** Hiking and pedestrian use in primary/foredunes and beach cliff areas is restricted to limit environmental damage to sensitive dune vegetation and stability, which if damaged would contribute to severe erosion. These areas are also restricted to maintain public safety, as dune heights may reach up to 150’.

**Motorized vessels:** Ponds on Cape Cod and particularly kettle ponds within Cape Cod National Seashore, are unique and sensitive resources with significant ecological, aesthetic and recreational value. Pond systems are directly connected to the groundwater aquifer and are one of the most fragile environments administered by the National Park Service and the Commonwealth of Massachusetts. Petrochemical releases into these systems would severely denigrate the quality of the water system.

**Fresh water pond activities:** The possession of glass containers and building of fires are concerns which threaten the safety and well being of individuals walking barefoot in these areas. The use of soaps and detergents would have a negative affect on freshwater pond quality and environments.

**Kite flying:** The use of kites near shorebird nesting areas simulates the flight of birds of prey. This activity has adverse affects on the nesting and feeding behavior of endangered shorebirds.

Woods Roads Maps of Cape Cod National Seashore - Reference 36 CFR Sect. 1.5C

#### 1.6 - Permit Determinations

**Fishing permit (Parking):** The Cape Cod National Seashore recognizes the long-standing activity of surf fishing along the beach areas within the seashore. The 1998 General Management Plan states that “vehicular or walk-in surf fishing access opportunities will continue to be provided at existing beaches and access points, and along approved ORV corridors.” The seashore understands that vehicles are utilized to transport poles, bait and additional gear to the beach, and hopefully, fish on the return back home. It is also recognized that surf fishing is an activity that is historically based around weather, lunar and tidal cycles, which constantly change. In many instances, the optimum time to fish will occur between the hours of 12 midnight and 6 AM, which coincidentally is the same period that our parking areas are closed to the general public in accordance with 36 CFR 1.5. In order to permit this activity (night fishing) a permit to park in closed (midnight to 6 AM) beach parking lots is authorized. Conditions specified in the permit will ensure public health and safety, environmental values, natural resources and visitor use facilities will not be adversely impacted.

## OMPENDIUM APPENDIX B

### 36 CFR Part 2, Resource Protection, Public Use and Recreation Determinations

#### Section 2.1 Preservation of Natural, Cultural and Archeological Resources

Driftwood: The collection of driftwood, flotsam and jetsam is determined not to be detrimental to the protection of the beach environment or in conflict with public use activities.

Hiking: Visitor use areas which exist within dune or swamp areas require the limitation of foot travel to designated walkways in order to protect fragile dune and swamp flora and fauna from damaging foot traffic.

#### The Gathering of Fruits, Berries, Nuts or Unoccupied Seashells:

Based on information from individuals knowledgeable in the field of park resources, and the habitat of Cape Cod National Seashore, the Superintendent has determined that the gathering, use, or consumption of the following natural products at the indicated quantity will not adversely affect park wildlife, the reproduction potential of a plant species, or otherwise adversely affect park resources:

1. All designated fruits and berries  
Limit one (1) gallon per person per day.
2. All Edible mushrooms.  
Limit five (5) gallons per person per day.
3. All unoccupied seashells.  
Limit one (1) gallon container per person per day.
4. Bayberry berries.  
Limit one (1) gallon container per person per day.

#### Section 2.2 Hunting

Hunting is a permitted activity as written in PL 86-127 the enabling legislation of Cape Cod National Seashore. Hunting restrictions are established to protect private property, park structures, and public use areas where high concentrations of public activity would result in safety and user conflicts.

The hunting of pheasants within Cape Cod National Seashore has historically been an activity which involved the release, by the Commonwealth of Massachusetts, of exotic Ring-necked Pheasants onto National Park Service lands within the boundaries of the seashore. This activity is presently prohibited by the order of the United States District Judge Patti B. Sarris, dated September 26, 2003. The order states in regard to the pheasant hunting program, the the NPS “has never issued a public EA or a FONSI as it is required to do under the NEPA regulations. Nor has it involved the public by permitting the comments on a draft EA.” The order further states that “The court orders...National Park Service to prepare an environmental assessment for its general hunting program.” Finally, the court states that it “enjoins the pheasant hunting program until an environmental assessment is prepared.”

#### Section 2.3 Fishing

Fishing from designated swimming beaches from 6 p.m. – 8 am is allowed due to an absence of safety and visitor conflict concerns.

## Section 2.10 Camping

Designated camping areas along the oversand route are established with time, place, vehicle and number conditions which protect the beach environment and limit public use conflicts.

## Section 2.12 Fires

Designated locations for fires and charcoal and gas grills are established in areas, which provide for adequate supervision, and in concert with a permit system, protect beach and upland environments and limit public use conflicts.

## Section 2.15 Pets

Trails: The presence of dogs and other pets along designated nature trails is determined to result in user conflicts and health and safety concerns. Pet excrement along trails is walked on, which disrupts nature trail observations and appreciation of the Cape Cod environment. Pets, which are uncontrolled and/or unfriendly, result in safety concerns for wildlife and both adults and children.

Ponds: Restriction of Dogs at Fresh Water Ponds.

Fresh water ponds, and in particular, kettle ponds within Cape Cod National Seashore (CACO), are a unique and sensitive resource with significant ecological, aesthetic and recreation value. They support a myriad and diverse aquatic fauna from leaches to dragonflies and also contain many rare species. Essentially oligotrophic and naturally acidic, many of the kettle ponds are extremely clear, biologically unproductive and are very susceptible to changes in water quality due to increased sedimentation and nutrient loading. Next to the ocean and bay beaches, freshwater ponds are probably the most visited natural area within the Seashore, particularly during summer, when public recreational use is very intense. While ponds are an important source of recreation for the public, they also represent one of the most fragile environments administered by the National Park Service.

For the last 25 years the presence of dogs at many CACO ponds has been a major concern to park management (see Oritz, et al 1978; Freshwater Ponds Management Subcommittee, CACO Advisory Commission 1977; Soukup 1997; Mitchell and Soukup 1981; Flasher 1990). Most dogs encountered at the ponds are not physically restrained nor is their fecal matter removed from the area. Dogs can add phosphorous, nitrogenous compounds and bacterial and possibly viral organisms to the water column by urination and defecation along the pond shoreline. Because of the great number of dogs present at ponds throughout the summer season, these inputs may be significant and could, with other anthropogenic nutrient sources, contribute to a degradation of pond water quality. Most ponds within CACO have no outlets other than with ground water resulting in a long residency time for nutrients and pathogens. Eutrophication caused by nutrient inputs may also potentially impact some of the state listed rare species found in and along the shorelines of the ponds.

Dogs also disturb wildlife, through direct harassment, noise and the scents they leave. Given that the pond environment supports a diversity of animals, impacts from dogs may be of some consequence.

The presence of dogs at ponds can also create visitor conflicts. Not all people visiting a pond “like” dogs and many do not want dogs, even those on leashes, approaching and sniffing (or worse, jumping on) them or their children. Nor is the possession of a dog central to a visitor’s enjoyment of the pond for swimming, fishing, sunbathing or nature watching. During the visitor season, upwards of 60 or more people can be clustered in a relatively small beach area on the pond shoreline. Given this density of people, dogs brought to the pond by people are likely to be a disturbance to some other pond visitors. This concentration of people and dogs also increases the probability that someone will step on dog excrement.

Because of ecological considerations, aesthetics and visitor conflicts, this action to restrict dogs at ponds within CACO between 5/15 and 10/15 is being taken. No other less restrictive measures to control dogs would result in the protection of pond water quality, reduce visitor-dog conflicts and eliminate public safety concerns during the peak visitor season. Since the vast majority of all visitor use at the pond occurs between late spring and early fall (and therefore when most dogs are likely brought there), we are initially restricting dogs from ponds only during this period. If, however, dogs are a problem at other times of the year, this action may be extended to cover those periods as well.

Beaches: Due to the cliffs along the outer beach, and the resulting limited access, pets have been required to pass through lifeguard protected areas in order to each areas where they are allowed. Pets generally have not adversely impacted on the beach environments, or created user conflicts or health and safety concerns.

Nesting Areas: Pets inside posted shorebird nesting areas are determined to disrupt nesting activity and damage nest sites.



Hunting: The use of hunting dogs in park areas open to hunting activity and in accordance with established state law and hunting seasons is determined to be appropriate. The limit of 6 dogs per hunting group is established to provide greater control of the animals. The Training of dogs is limited to established hunting seasons to reduce user conflicts, protect park resources and be in compliance with 36 CFR regulations.

#### Section 2.16 Horse and Pack Animals

Times and location of designated horse trails are established to limit user conflicts and protect fragile park environments.

#### Section 2.35 Use of Alcoholic Beverages

It is determined that the possession and/or consumption of alcoholic beverages within the areas designated by this compendium in Section 2.35 are inappropriate considering the uses of these areas for educational, administrative and interpretive activities.

#### Section 2.51 Public Assemblies; Section 2.52 Sale and Distribution of Printed Matter

The areas designated as unavailable for public assemblies and the sale or distribution of printed matter are identified as historic and/or natural areas where these activities would unreasonably impair the atmosphere of peace, and tranquility or historic integrity. (See attached maps).

Public Assembly/Sale, Distribution of Printed Matter Maps  
Reference 36 CFR Section 2.51 and 2.52

(Activity allowed in hash marked areas)

## COMPENDIUM APPENDIX C

### 36 CFR Part 3, Boating and Water Use Activities, Determinations

#### Section 3.6 Boating and Water Use (Prohibited Operations)

Swimming Beaches: Designated swimming beaches are identified due to the increased level of water activities associated with these areas.

Launch Sites: Launch sites are identified due to the ability to access this area by trailered vessels.

#### Section 3.21 Swimming and Bathing

The identified activities are determined to threaten public health and safety and cause user conflicts.

## COMPENDIUM APPENDIX D

### 36 CFR Part 4, Vehicles and Traffic Safety, Determinations

#### Section 4.21 Speed Limits

The speed limits established are determined to be appropriate for the conditions, design and associated public use activities of the roads and areas they serve.

#### Section 4.30 Designation of Bicycle Routes

As identified in the Master Plan of 1970 and the Parkwide Bicycle Trail Study/Traffic Safety Study/Environmental Assessment of 1987, bicycle use is an integral part of the management plan of Cape Cod National Seashore. As determined from these documents, the use of the designated bicycle routes is consistent with the Park's management objectives and the Park's natural scenic and aesthetic values. The routes also provide safe transportation alternatives to visitor use areas. The routes do not disturb wildlife or park resources.

## COLLATERAL LIST

Cape Cod National Seashore has a “Forfeiture of Collateral” list approved by the Federal District Court for the District of Massachusetts. The listing applies to all NPS areas within the Commonwealth of Massachusetts. At CCNS, Rangers have the discretionary authority to assign a collateral amount to a violation or to require a mandatory appearance if extenuating circumstances exist. The present list issued by the court is available by request.