

**OZARK NATIONAL SCENIC RIVERWAYS
MISSOURI**

2004 SUPERINTENDENT'S COMPENDIUM

Under the provisions of Title 16, United States Code (U.S.C.), Section 3, and Title 36, Code of Federal Regulations (CFR), Chapter 1, Parts 1-7, the following Superintendent's Orders (Compendium) are established for the management, protection, and public use of the Ozark National Scenic Riverways (Ozark NSR).

These orders complement and apply in addition to the regulations contained in Parts 1-7 of Title 36 CFR and become effective on May 1, 2004. Until that date, the previous Compendium dated March 29, 2000 remains in effect.

This Compendium in no way restricts or limits the authority of the Superintendent to otherwise place, at any time, further short term restrictions or closures on any use or activity for public and employee safety, natural and cultural resource management and protection, maintenance, or any other administrative activity.

Please send any written comments to: Superintendent, Ozark NSR, P.O. Box 490, Van Buren, Missouri 63965 ATTN: Chief Ranger.

If you would like further information, please contact Chris Ward, Deputy Superintendent at (573) 323-4236, ext. 223 or e-mail: Chris_Ward@nps.gov.

RECOMMENDED: /s/ Lawrence E. Johnson 03/29/2004
Chief Ranger Date

APPROVED: /s/ Noel R. Poe 06/18/2004
Superintendent Date

List of subjects

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INTRODUCTION

A. What is the Superintendent's Compendium?

The Ozark National Scenic Riverways Superintendent's Compendium is the summary of park specific rules implemented under the discretionary authority of the park Superintendent. It serves as public notice with an opportunity for public comment, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on those public use and resource protection regulations that pertain to the specific administration of the park. It does not contain those regulations found in 36 Code of Federal Regulations (CFR) and other United States Codes (U.S.C.) 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. Parts 1 through 6 are general regulations applicable to all areas of the National Park System, 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 this Section, however, requires the Superintendent to comply with the Administrative Procedures Act (5 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 or unoccupied seashells which may be gathered by hand for personal use. 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 36 CFR, Sections 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the National Park System.

A copy of 36 CFR can be purchased from the U.S. Government Printing Office at:

Superintendent of Documents
P.O. Box 371954
Pittsburgh, PA 15250-7954

Or by calling: (202) 512-1800

The Code of Federal Regulations is also available on the Internet at: <http://www.gpoaccess.gov/nara/index.html>.

B. What laws and policies allow the Superintendent to develop this Compendium?

The NPS is granted broad statutory authority in 16 U.S.C. Section 1 *et seq.* (National Park Service Organic Act of 1916, as amended) to . . . regulate the use of the Federal areas known as national parks, monuments, and reservations . . . by such means and measures as conform to the fundamental purposes of the said parks . . . which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations (16 U.S.C. Section 1). In addition, the Organic Act allows the NPS, through the Secretary of the Interior, to make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service (16 U.S.C. Section 3).

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970 (16 U.S.C. Sections 1a1 - 1a8), Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted Systemwide the high standard of protection defined in the original Organic Act by stating (Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States.)

16 U.S.C. Section 1c defines the National Park System as . . . any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes.)

36 CFR Section 1.7(b) requires the Superintendent to compile in writing all the designations, closures, permit requirements, and other restrictions imposed under discretionary authority. This compilation, called the Superintendent's Compendium, shall be updated annually and made available to the public upon request.

In addition to the above statutory authority, the Superintendent is also guided by established NPS policy as found in the *NPS Management Policies* (2001). As stated in this policy document, 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 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. Each park 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 basis to believe a resource is or would become impaired, then that Superintendent is obliged to place limitations on public use.

C. Does this Compendium comply with applicable Federal law 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 does not have a significant economic effect on a number of small entities nor 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.

Nothing in this Compendium requires review as a water resources project in compliance with Section 7 of the Wild and Scenic Rivers Act.

In compliance with Section 7 of the Endangered Species Act, as amended, the NPS has determined that the implementation of this Compendium will not adversely affect any Federally listed threatened or endangered species, or designated critical habitat.

The actions and requirements described in this Compendium are found to be categorically excluded from compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such an Environmental Assessment will not be prepared.

D. How are the requirements of the Superintendent's Compendium developed?

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 for that particular NPS area. The decision criteria used during this process are:

- Is the use or activity consistent with the National Park Service Organic Act and NPS policy?
- 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 or impair the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions 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?

E. Where does this Compendium apply?

The regulations contained in this Compendium apply to all persons entering, using, visiting or otherwise within the boundaries of Federally owned lands and waters administered by the NPS as part of the Ozark National Scenic Riverways. This includes all water subject to the jurisdiction of the United States, including all navigable waters and areas within their ordinary reach (up to the ordinary high water mark) without regard to the ownership of the submerged lands or lowlands.

The Federally managed portion of the Ozark National Scenic Riverways includes the Jacks Fork River and environs from the park boundary upstream from the Highway 17 bridge to the park boundary downstream from Keatons, and downstream from the town of Eminence at the park boundary to its confluence with the Current River at Two Rivers. Also included is the Current River from the park boundary near Montauk State Park downstream to the park boundary two miles above the town of Van Buren; and the park begins again two miles downstream from the town of Van Buren to the park boundary at Gooseneck. You can find this information on the park map, available at any park office or visitor contact station.

F. What regulations apply within the park boundary regardless of land ownership?

The regulations contained in these sections apply, regardless of land ownership, on all lands and waters within Ozark National Scenic Riverways that are under the legislative (concurrent) jurisdiction of the United States.

Section 2.2 Wildlife protection

Section 2.3 Fishing

Section 2.4 Weapons, traps, and nets

Section 2.13 Fires

Section 2.22 Property

Section 2.30 Misappropriation of property and services

Section 2.31 Trespassing, tampering, and vandalism

Section 2.32 Interfering with agency functions

Section 2.34 Disorderly conduct

Section 2.36 Gambling

Section 5.8 Discrimination in employment practices

Section 5.9 Discrimination in furnishing public accommodations and transportation services

G. Who enforces the requirements of this Compendium?

Only NPS Law Enforcement Park Rangers can enforce the requirements of the United States Code, CFR Titles, and this Superintendent's Compendium. However, many Federal laws and regulations have similar statutes found in State and local law. Many of the requirements of this Compendium complement existing State and local law and regulations which are also in effect within the park and enforced by State and local law enforcement officers.

H. Is there a penalty for not adhering to the requirements found in this Compendium?

A person who violates any provision of the regulations found in 36 CFR Parts 1-7, along with this compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

I. How do I provide comment on this Compendium?

The park welcomes comments about its programs and activities at any time. Comments specific to the 2004 Superintendent's Compendium will be accepted until March 17, 2004. Any comments received after March 17, although welcome, will not be used in the final decision-making process for the 2004 Compendium.

Any changes to this Compendium recommended by the public or others, and accepted by the Superintendent, will be incorporated into this compendium without further public comment and review.

Please send any written comments to:

Superintendent
Ozark National Scenic Riverways
P.O. Box 490
Van Buren, MO 63965
ATT: 2004 Superintendent's Compendium

or e-mail your comments to: OZAR_Ranger_Activities@nps.gov. Please title the subject box: 2004 Superintendent's Compendium.

J. When will the 2004 Compendium become effective?

The 2004 Ozark NSR Superintendent's Compendium will become effective on May 1, 2004, and remain in effect until superseded.

K. Is there anything else I need to know about this compendium?

Some of the terms used in this Compendium may be unclear to you. If you are unsure about a specific term please consult 36 CFR 1.4 *Definitions*. Terms that may be unique to this Compendium will be defined.

Where may I find a copy of this Compendium once it is approved?

Copies of the Compendium are available at park Headquarters. Hours of operation vary. Please call ahead of time to ensure the facility is open.

Ozark National Scenic Riverways
404 Watercress
P.O. Box 490
Van Buren, MO 63965
(573) 323-4236

The Ozark National Scenic Riverways Superintendent's Compendium may also be found on the Riverway Website at: www.nps.gov/ozar/. Look under Management Documents.

PART 1 - GENERAL PROVISIONS

Are there any closures or public use limits imposed within the Ozark National Scenic Riverways?

Section 1.5 - Closures and Public Use Limits

Section 1.5(a)(1) General Public Use

All public use in any area closed by the Superintendent and identified with an official sign is prohibited. This includes all park maintenance facility compounds. These compounds and facilities, found on Highway 103 south of Van Buren in the Big Spring area of the park, Shawnee Shop located near Highway 106 east of Eminence, Alley Spring Shop located near Highway 106 west of Eminence, and Round Spring Shop located near Highway 19 north of Eminence are for official business only.

In addition, areas may be temporarily closed for a variety of reasons including site restoration, protection of at risk endangered or threatened animal and plant species, and protection of fragile cultural and historic sites.

Floating

Rivers are closed to floating during times of flooding (two feet and rising) and/or other times deemed unsafe by the District Ranger.

Caves

The following unsafe caves are closed to public access year around:

- Welch Spring Cave (gated)
- Mose Prater Chimney Cave (gated)
- Devils Well (gated)
- Wallace Cave
- Polygonal Pit (gated)
- Big Spring Well Cave (gated)
- Sluiceway Cave
- Fire Hydrant Collapse

The following caves are closed to public access year around to protect significant species of bats:

- Bald Eagle Cave
- Nill Cave
- Jacks Fork Bat Cave
- Coalbank Cave

Hunting

Hunting and trapping are prohibited within 300 yards of any building, administrative compound, or public use facility administered by the Riverways, within 100 feet of any designated campsite, or within 50 feet of any road. This includes discharging a firearm, shooting an arrow from a bow, or shooting a bolt from a crossbow towards any building, administrative compound, public use facility, or designated campsite or across any road. Shooting towards or across any major public hiking trail is also prohibited.

In addition hunting is prohibited in the following areas:

- Big Spring developed area
- Alley Spring developed area

- Round Spring developed area

All areas closed to hunting will be posted.

Glass food or beverage containers

The possession or use of glass food or beverage containers in caves, on trails or waterways, or within 50 feet of any river or stream in the park is prohibited for public safety and sanitation, except in campgrounds or picnic sites, or in vehicles on roads and parking areas.

Geocaching

Geocaching anywhere within the park boundary is prohibited.

Paint-balling

The possession and/or use of a paint-ball gun, or similar device, is prohibited.

Technical Climbing

The following areas are closed to technical climbing:

- Areas within the park that are designated as state natural areas, rock faces above caves, springs, and spring branches

The installation and/or use of any permanent bolt, anchor, or chipped rock hold is prohibited throughout the Riverways.

Do I need a permit to participate in certain activities?

Section 1.6 - Permits

Section 1.6(f)

The following activities originating and/or terminating within the park boundary require a written permit:

Special Use Permits

- Research specimen collection - 36 CFR 2.5(a)
- Special events including all sporting events/races, pageants, contests, auto shows and boat regattas/races, organized group picnics, ceremonies of any kind or size, partisan political events and other similar activities - 36 CFR 2.50(a)
- Public assemblies and meetings - 36 CFR 2.51(a)
- Sale and distribution of printed materials - 36 CFR 2.52(a)
- Grazing and agricultural use - 36 CFR 2.60(b)
- Residing on park lands - 36 CFR 2.61(a)
- Memorialization and scattering of human ashes - 36 CFR 2.62(b)

Commercial Permits

- Advertisements - 36 CFR 5.1
- Business operations ñ 36 CFR 5.3 (effective 01/01/2004)
- Commercial filming - 36 CFR 5.5(a)
- Commercial photography - 36 CFR 5.5(b)
- Construction activities including buildings, docks, roads, trails, paths, other ways, telephone lines, power lines, and other public and private utilities - 36 CFR 5.7

- Horse and/or pack animal outfitter use

Cave Entry Permits

- Entry into Lost Man Cave

Engaging in any of the above activities without a permit is prohibited.

PART 2 - RESOURCE PROTECTION, PUBLIC USE AND RECREATION

May I collect and keep natural, cultural and/or archeological resources found in the park?

Section 2.1 - Preservation of natural, cultural and archeological resources

Section 2.1(a)(1)(ii) - Swimming, boating, and tubing are prohibited in all springs and spring branches.

Section 2.1(a)(4) - Firewood

Dead and down wood, including driftwood, may be collected for personal use in the park by park visitors as campfire fuel below the normal high water mark. Firewood may not be gathered from developed areas including campgrounds.

Owners of lands within the park covered by a scenic easement may collect dead and down wood from their land in sufficient quantities for their use as a heating fuel. Such wood may not be sold or removed from the park without written agreement of the Superintendent.

Cutting live or dead standing trees is prohibited except by written agreement of the Superintendent under the terms of a scenic easement.

Section 2.1(c)(1) - Collection and use of fruits, berries, nuts, or unoccupied mussel shells

The gathering by hand of edible fruits, berries and nuts for personal use or consumption on site is permitted. This includes the gathering of edible mushrooms or morels, but does not include the tapping of maple trees, or any other tree species, for sap.

apples (1 bushel)	mushrooms (1/2 bushel)
blackberries (4 gal)	pawpaw fruit (1/2 bushel)
black cherries (4 gal)	pears (1 bushel)
butternuts (1/2 bushel)	peaches (1 bushel)
deerberries (4 gal)	persimmons (1/2 bushel)
dewberries (4 gal)	plums (1/2 bushel)
elderberries (4 gal)	prickly pear fruit (1/2 bushel)
gooseberries (4 gal)	raspberries (4 gal)
grapes (1 bushel)	red mulberries (4 gal)
hackberries (4 gal)	rose hips (4 gal)
hazel nuts (1/2 bushel)	serviceberries (4 gal)
hickory nuts (1 bushel)	strawberries (4 gal)
horse chestnuts (1 bushel)	sumac berries (4 gal)
black walnuts (1 bushel)	

The collection of wildflowers is prohibited.

May I hunt and/or trap in the park?

Section 2.2 - Wildlife Protection

Section 2.2(b)(1) - Hunting and Trapping

Hunting and trapping in the park is allowed in accordance with applicable Federal and State laws and regulations, with the following special conditions:

Hunting and trapping are prohibited within 300 yards of any building, administrative compound, or public use facility administered by the Riverways, within 100 feet of any designated campsite, or within 50 feet of any road. This includes discharging a firearm, shooting an arrow from a bow, or shooting a bolt from a crossbow towards any building, administrative compound, public use facility, or designated campsite or across any road. Shooting towards or across any major public use hiking trail is also prohibited. Building or hunting from a tree stand or other elevated device which is affixed to a tree by nails, spikes, lag-bolts, screws, or similar device is prohibited. The use of screw-in ladder steps is also prohibited.

Construction of a permanent hunting stand is prohibited. Temporary stands are allowed as long as they cause no damage to vegetation and are removed each day at the close of hunting hours.

Clearing vegetation or brush for a shooting lane is prohibited.

Section 2.2(e) - Shining

Wildlife viewing or hunting with any type of artificial light is prohibited in the park, except while shooting raccoon, fox or an unprotected species at the point of kill while hunting on foot in accordance with applicable state laws.

May I fish in the park?

Section 2.3 - Fishing

Fishing in the park is allowed in accordance with applicable Federal and state laws and regulations, with the following special conditions:

Section 2.3(d)(8) - Fishing from bridges

Fishing from any bridge is prohibited.

Section 7.83 - Fishing is prohibited in springs and spring branches.

Section 7.83(d)(2) - Worm digging is permitted throughout the Riverways, except in developed areas. All holes shall be filled in upon collection of the bait and the ground returned to its original contour.

May I camp in the park?

Section 2.10 - Camping and food storage

Camping is allowed at designated campgrounds in the park in accordance with the regulations found in 36 CFR 2.10 *Camping and food storage*, with the following special conditions:

Section 2.10(a) - Conditions

Backcountry camping is permitted at designated primitive camping sites and on gravel bars.

Camping inside caves or within 50 feet of the mouth of caves or within 50 feet of river accesses/landings is prohibited.

Camping stays are limited to 14 days in any thirty (30) day period on any area, said period to commence the date the site is occupied. All camping equipment, including vehicles, must be removed from the area at the end of such fourteen (14) day period.

Individual campsites are to be occupied by no more than 6 persons, 2 tents, and 2 vehicles; exception only by permission of the District Ranger.

May I picnic in the park?

Section 2.11 - Picnicking

Picnicking is allowed anywhere in the park except:

- In areas closed to the public and posted in accordance with 36 CFR 1.5(a)(1).
- Inside and within 50 feet of the mouth of caves and at river access/landings.
- The following picnic shelters can be reserved ten days in advance: Big Spring, Peavine in the Big Spring area, Alley Spring, Burr Oak at Alley, and Round Spring. Otherwise, if the shelter is not reserved for the day, it is available on a first-come first-served basis.

May I use an audio device, power saws, portable motors, generators, or other portable motor, engine or powered devices in the park?

Section 2.12 - Audio disturbances

Section 2.12(a)(1) - Audio devices

Radios, televisions, tape decks and other similar audio devices may be operated within the park as long as they meet standards listed in 36 CFR 2.12(a)(1) and do not interfere with the use of the area by other individuals. Excessive loudness is prohibited. These devices may not be operated during quiet hours, 10:00 p.m. - 6:00 a.m. at a level that can be heard at an adjacent campsite.

Section 2.12 - Power saws, generators

Operation of a chain saw, portable motor, generator or similar device within the park is prohibited:

- During Quiet Hours between the hours of 10:00 p.m. and 6:00 a.m.
- Except during gigging season in boats in compliance with State law

May I have a fire in the park?

Section 2.13 - Fires

Section 2.13(a)(1) - Conditions

Campfires are permitted at designated campsites and must be contained in the provided fire ring. Cook-fires are permitted in designated picnic areas and must be contained in the provided grills, or in a portable grill or stove brought to the park by an individual.

The burning of tires or other petroleum based products is prohibited.

Fires are prohibited in caves and within 50 feet of the mouth of caves.

Fires are prohibited within 50 feet of river accesses/landings above the normal high water mark.

Section 2.13(b) - Unattended fires

No fire shall be left unattended. All campfires and cook-fires will be out and cold before any site is permanently vacated or simply left for the day.

Section 2.13(c) - Fire closures

During periods of elevated fire danger open fires will be prohibited in accordance with appropriate State and local fire bans. Notice of any fire restriction will be posted at all visitor contact stations, landings, and other major public use facilities. Smoking will not be allowed in the backcountry during posted fire bans.

What do I do with my trash after I visit or use the park?

Section 2.14 - Sanitation and refuse

Section 2.14(a)(9) - Disposal of human waste

Disposal of human waste where a pit toilet is not provided or available must be buried at least 6 inches under ground and a minimum of 100 feet from any water source, high water mark, trail or other developed facility.

May I have pets in the park?

Section 2.15 - Pets

Section 2.15(a)(1) - Pets are not allowed in any public building or office except for service animals.

Pets must be under the control of the owner.

Leaving pets in closed up vehicles during hot weather in such manner as may cause death or overheating is prohibited.

Section 2.15(e) - Pets are allowed in government quarters in compliance with the government quarters pet policy.

May I ride a horse in the park?

Section 2.16 - Horse and pack animals

Section 2.16(b) - Horse use is permitted on all unpaved roads and traces within the park except where posted.

Horse use is permitted on the following designated trails:

- Two Rivers Loop
- Jerktail Loop
- Shawnee Loop
- Broadfoot Loop

Rivers may be crossed with horses only at designated horse trail crossings. Bathing or lingering horses in waters of the park is prohibited.

Tying horses directly to trees is prohibited. Cross tying is permitted.

Horse camping is permitted at the following areas:

- Horse Camp
- Shawnee
- Bay Creek
- Broadfoot
- Jerktail

May I smoke in the park?

Section 2.21 - Smoking

Smoking in any park owned or leased building, vehicle, vessel or shared government residence is prohibited.

Smoking is prohibited in the backcountry during posted fire bans.

May I park my car in the park for more than 24 hours?

Section 2.22 - Property

Section 2.22(a)(2) -Visitors are authorized to leave vehicles unattended, in excess of 24 hours, in designated parking areas while engaged in park activities. Parking is limited to seven days.

May I consume alcoholic beverages in the park?

Section 2.35 - Alcoholic Beverages

Section 2.35(a)(3) - Prohibited areas

The consumption of alcoholic beverages in Alley Mill and Storys Creek School House is prohibited.

The consumption of alcoholic beverages in any park owned or leased building, vehicle, or vessel is prohibited except with permission from the Superintendent.

Are public assemblies, including demonstrations and other expressions of First Amendment rights allowed in the park?

Section 2.51 - Public Assemblies

Section 2.51(e) - Locations and conditions

The following areas have been designated as available for public assemblies, pursuant to a permit: Alley Spring Picnic Area, Big Spring Picnic Area, and Round Spring Picnic Area (maps attached). Public assemblies and meetings are generally prohibited in all other areas of the park.

May I sell or distribute in the park printed materials in association with public assemblies and other First Amendment activities?

Section 2.52 - Sale and distribution of printed materials

Section 2.52(e) - Locations and conditions

The following areas have been designated for the sale or distribution of printed materials in association with public assemblies and other First Amendment activities, pursuant to a permit: Alley Spring Picnic Area, Big Spring Picnic Area, and Round Spring Picnic Area (maps attached). The sale or distribution of printed materials in all other areas of the park is prohibited.

May I scatter human ashes in the park?

Section 2.62 - Memorialization

Section 2.62(b) - Conditions

The scattering of human ashes is permitted within the park under the terms and conditions of a special use permit. No ashes will be scattered from an airplane flying less than 2,000 feet above the park. No teeth or identifiable human bones shall be included in the ashes.

PART 3 - BOATING AND WATER USE ACTIVITIES

Do I need a park permit to boat in the park?

No. Boats must be in compliance with State law.

Section 3.6(a) - The practice of lashing or tying together of two or more canoes or tubes (except cooler tubes) while underway on the Current River and tributaries thereof and the Jacks Fork River, within the boundaries of Ozark National Scenic Riverways is prohibited.

May I swim in the Riverways?

Section 3.21 - Swimming and bathing

Section 3.21(a)(1) - Designated areas as closed to swimming

Swimming, bathing, and wading in springs and spring branches are prohibited.

PART 4 - VEHICLES AND TRAFFIC SAFETY

May I ride my All Terrain Vehicle (ATV) in the park?

Section 4.10

ATVs are permitted only in compliance with state law M.R.S. 304.103 on county roads if that county has a permit system.

PART 7 - SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

Are there any special regulations pertaining specifically to the Ozark National Scenic Riverways that I need to be aware of?

Regulations specific to any particular National Park System area are found in 36 CFR Part 7. The Ozark National Scenic Riverways has five specific regulations found in 36 CFR Part 7, Section 7.83. These regulations deal with restrictions for motorized vessels - 7.83(a), SCUBA diving - 7.83(b), Commercial Activities 7.83(c), fishing - 7.83(d), and frogs, turtles, and crayfish - 7.83(e). Specific conditions and requirements associated with these activities are outlined here and in other sections described above.

Section 7.83(a) - Restrictions for Motorized Vessels

(1) On waters situated within the boundaries of Ozark National Scenic Riverways, the use of a motorized vessel is limited to a vessel equipped with an outboard motor only.

(2) For the purposes of this section, horsepower ratings on a particular motor will be based upon the prevailing industry standard of power output at the propeller shaft as established by the manufacturer.

(3) The use of a motorized vessel is allowed as follows:

(i) Above the Big Spring landing on the Current River and below Alley Spring on the Jacks Fork River with an outboard motor not to exceed 40 horsepower.

(ii) Above Round Spring on the Current River and above Alley Spring on the Jacks Fork River with an outboard motor not to exceed 25 horsepower.

(iii) Above Akers Ferry on the Current River from May 1 to September 15 with an outboard motor not to exceed 10 horsepower.

(iv) Above Bay Creek on the Jacks Fork River from March 1 to the Saturday before Memorial Day with an outboard motor not to exceed 10 horsepower.

(4) Operating a motorized vessel other than as allowed in Section 7.83(a) is prohibited.

Section 7.83(b) - SCUBA Diving

(1) SCUBA diving is prohibited within all springs and spring branches on Federally owned land within the boundaries of Ozark National Scenic Riverways without a written permit from the Superintendent.

(2) Permits. The Superintendent may issue written permits for SCUBA diving in springs within the boundaries of Ozark National Scenic Riverways; *provided*,

(i) that the permit applicant will be engaged in scientific or educational investigations which will have demonstrable value to the National Park Service in its management or understanding of riverways resources.

Section 7.83(c) - Commercial Activities

The activities listed herein constitute commercial activities which are prohibited within the boundaries of Ozark National Scenic Riverways, except in accordance with the provisions of a permit, contract, or other written agreement with the United States. The National Park Service reserves the right to limit the number of such permits, contracts, or other written agreements, when, in the judgment of the NPS, such limitation is necessary in the interest of visitor enjoyment, public safety, or preservation or protection of the resources or values of the Riverways.

(1) The sale or rental of any goods or equipment to a member or members of the public which is undertaken in the course of an ongoing or regular commercial enterprise.

(2) The performance of any service or activity for a member or members of the public in exchange for monetary or other valuable consideration.

(3) The delivery or retrieval within the boundaries of Ozark National Scenic Riverways of watercraft or associated boating equipment which has been rented to a member or members of the public at a location not within the Riverways, when such delivery or retrieval is performed by a principal, employee or agent of the commercial enterprise offering the equipment for rental and when these services are performed as an integral part, necessary complement, or routine adjunct of or to the rental transaction, whether or not any charge, either separately or in combination with any other charge, is made for these services.

(4) The performance, by a principal, employee, or agent of a commercial enterprise, within the boundaries of Ozark National Scenic Riverways of any other service or activity for which a fee, charge or other compensation is not collected, but which is an integral part, necessary complement, or routine adjunct of or to any commercial transaction undertaken by that enterprise for which monetary or other valuable consideration is charged or collected, even though such transaction is initiated, performed, or concluded outside the boundaries of the Riverways.

(5) The solicitation of any business, employment, occupation, profession, trade, work or undertaking, which is engaged in with some continuity, regularity or permanency for any livelihood, gain, benefit, advantage, or profit.

7.83(d) - Fishing

(1) Unless otherwise designated, fishing in a manner authorized under applicable State law is allowed.

(2) The Superintendent may designate times and locations and establish conditions under which the digging of bait for personal use is allowed.

7.83(e) - Frogs, turtles, and crayfish

(1) The Superintendent may designate times and locations and establish conditions governing the taking of frogs, turtles, and/or crayfish upon a written determination that the taking of frogs, turtles, and/or crayfish:

- (i) Is consistent with the purposes for which the area was established; and
- (ii) Will not be detrimental to other park wildlife or the reproductive potential of the species to be taken; and
- (iii) Will not have an adverse effect on the ecosystem.

(2) Violation of established conditions or designations is prohibited.