

§7.72

36 CFR Ch. I (7-1-04 Edition)

Delaware Water Gap National Recreation Area:

- (i) Those operated by businesses based within the recreation area;
- (ii) Those operated by businesses which as of July 30, 1983, operated a commercial vehicular facility in Monroe, Pike, or Northampton Counties, PA, and the vehicle operation originates or terminates at such facility;
- (iii) On a first come-first served basis, up to 125 northbound and up to 125 southbound commercial vehicles per day serving businesses or persons in Orange County, Rockland County, Ulster County or Sullivan County, New York; and
- (iv) Those operated in order to provide services to businesses and persons located in or contiguous to the boundaries of the recreation area.

(2) Contiguous Areas. All land within the exterior boundaries of Lehman, Delaware, Milford, Dingman, Stroud, Westfall, Middle Smithfield, Smithfield and Upper Mount Bethel townships is deemed contiguous to the recreation area.

(e) Commercial vehicle fees—(1) Fee Schedule: Fees are charged for those commercial vehicular uses described in paragraphs (d)(1)(i), (ii) and (iii) of this section based on the number of axles and wheels on a vehicle, regardless of load or weight, as follows:

(i) Two-axle car, van or pickup	\$1
(ii) Two-axle 4-wheel vehicle with trailer	2
(iii) Two-axle 6-wheel vehicle	3
(iv) Three-axle vehicle	4
(v) Four-axle vehicle	6
(vi) Five or more-axle vehicle

The fees charged are for one trip, one way.

(2) Exceptions. The following commercial vehicles are exempt from the commercial fee requirements.

- (i) Vehicles necessary to provide services to businesses or persons within, or contiguous to the recreation area.
- (ii) Any vehicle owned by a Federal, State or municipal agency.
- (iii) Any vehicle owned or operated by a publicly owned utility company.
- (iv) Any vehicle operated by a non-profit or educational organization.
- (v) Any commercially licensed vehicle or vehicle otherwise identified as a commercial vehicle, when at that par-

ticular time it is being used for non-commercial purposes.

(f) Powerless flight. The use of devices designed to carry persons through the air in powerless flight is allowed at times and locations designated by the superintendent, pursuant to the terms and conditions of a permit.

(g) Fishing. Unless otherwise designated, fishing in any manner authorized under applicable State law is allowed.

[34 FR 13595, Aug. 23, 1969, as amended at 47 FR 4256, Jan. 29, 1982; 48 FR 30295, June 30, 1983; 48 FR 46780, 46782, Oct. 14, 1983; 49 FR 9421, Mar. 13, 1984; 49 FR 18451, Apr. 30, 1984; 50 FR 34130, Aug. 23, 1985; 51 FR 40419, Nov. 7, 1986; 52 FR 34777, Sept. 15, 1987]

§7.72 Arkansas Post National Memorial.

(a) Launching, beaching, or landing of vessels. Except in emergencies, no vessel shall be launched, beached, or landed from or on lands within the Arkansas Post National Memorial.

[35 FR 13206, Aug. 19, 1970]

§7.73 Buck Island Reef National Monument.

(a) Extractive uses. All extractive uses are prohibited within the boundaries of the Monument, including but not limited to harvest or collection (on the land or in the water) of fish for any use, marine mammals, coastal migratory pelagic fish, baitfish, lobsters, conch, whelk, hermit crabs (soldier crabs), seashells, corals, dead coral, sea fans, sponges and all associated reef invertebrates, plants, fruits and seeds, firewood, driftwood, rocks, sand, gas, oil, and minerals.

(b) Marine operations. No dredging, excavating or filling operations of any kind are permitted, and no equipment, structures, byproducts or excavated materials associated with such operations may be deposited in or on the waters or ashore within the boundaries of the Monument.

(c) Wrecks. No person shall destroy molest, remove, deface, displace or tamper with wrecked or abandoned waterborne craft of any type or condition, or any cargo pertaining thereto, unless permitted in writing by an authorized official of the National Park Service.