



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

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

Approved: *Jennifer Pederson Weinberger* Date: 02/07/2011
Jennifer Pederson Weinberger,
Superintendent

**Hopewell Culture
National Historical
Park:**

**High Bank Works
Hopeton Earthworks
Hopewell Mound Group
Mound City Group
Seip Earthworks**

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In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Hopewell Culture National Historical Park. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

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.

I. 36 CFR §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 park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

Visiting Hours:

Visitor use of the park is limited to daylight hours, defined as one half hour before sunrise to one half hour after sunset. Visitation in other than daylight hours is incompatible with the educational and scientific purposes for which the park was established. The Superintendent makes exceptions for evening programs, approved Special Use Permits, or approval on an individual basis. Emergency closures will be posted and/or announced through the media.

The park was established to "permanently preserve and protect" objects "of great historic and scientific interest" and to interpret the prehistoric Hopewell culture to the public. There are no overnight camping facilities in the park, and except for scheduled evening interpretive programs, there is no valid scientific or educational reason to allow visitor use after dark. In addition, there are no park employees on-site after dark and the sites are vulnerable to looting or vandalism if the park remained open to the public. Visiting is therefore limited to daylight hours.

(a)(2) The following areas have been designated for a specific use or activity, under the conditions and/or restrictions as noted:

Recreational activities such as kite flying, frisbee throwing, ball playing, etc. are restricted to the mowed turf area between State Route 104 and the visitor center at Mound City Group. Activities are further restricted, at the discretion of the Superintendent, to those that are low impact and do not result in damage to turf or other resources or cause undue interference with other visitors to the park.

Hopewell Mound Group, Mound City Group, Seip Earthworks, Hopeton Earthworks, and High Bank Works were ceremonial and burial areas for prehistoric cultures of the region. Respect for the prehistoric

builders of the sites and appropriate interpretation and protection of the surviving features requires decorum from visitors. There is no valid educational reason to allow sport-like recreational activities in these areas.

II. 36 CFR §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:

- §2.2(e) Viewing wildlife with artificial light
- §2.5(a) Specimen collection (Taking of plants, fish, wildlife, rocks, or minerals)
- §2.12 Audio disturbances:
 - (a)(2) Operation of a power saw in developed areas
 - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51
- §2.17 Aircraft and air delivery:
 - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter, or other airborne means
 - (c)(1) Removal of a downed aircraft
- §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)
- §2.38 Explosives:
 - (a) Use, possess, store, transport explosives, and/or blasting agents
 - (b) Use or possess fireworks
- §2.50(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events
- §2.51(b) Public assemblies, meetings, gatherings, demonstrations, parades, and other public expressions of views involving 25 persons or more
- §2.52(c) Sale or distribution activities of printed matter that is not solely commercial advertising involving 25 persons or more
- §2.61(a) Residing on federal lands
- §2.62 Memorialization:
 - (a) Erection of monuments (Requires approval from the Director)
 - (b) Scattering ashes from human cremation
- §4.11(a) Vehicles exceeding load, weight, and size limits (See section III, §4.10)
- §5.1 Advertisements including the display, posting, or distribution
- §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)
- §5.5 Commercial photography/filming:

- (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
 - (b) Still photography of vehicles, or other articles of commerce or models, for the purpose of commercial advertising
- §5.6(c) Use of commercial vehicles on park area roads (The Superintendent shall issue a permit to access private lands within or adjacent to the park when access is otherwise not available)
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.

The listed activities may be appropriate in very limited situations or may be compatible with the purposes of the park for specific educational or commemorative events. Some situations may make the park the appropriate space for the exercise of Constitutionally protected rights. Therefore, the listed activities may be permitted with the approval of the Superintendent.

III. GENERAL REGULATIONS

36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL, AND ARCHEOLOGICAL RESOURCES

(a)(5) The following conditions are in effect for walking, climbing, entering, ascending, or traversing the listed archeological or cultural resource, monuments, or statues:

The public is prohibited from walking and climbing on mounds and earthworks because of the possibility of damage from erosion. Areas between the mounds and earthworks are open to foot travel.

Walking on mounds and earthworks causes erosion and there is no valid interpretive or educational reason for walking on the mounds. Native Americans have expressed concerns that walking on the mounds is disrespectful to those that were buried in the mounds. Earthworks and mounds are therefore closed to foot travel.

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

Blackberry	One cup per visit for personal use or consumption only
Raspberry	One cup per visit for personal use or consumption only
Mulberry	One cup per visit for personal use or consumption only
Walnuts	One pint per visit for personal use or consumption only
Buckeyes (Yellow, Ohio)	One pint per visit for personal use only
Morel Mushrooms	No more than 12 mushrooms per visit for personal use or consumption

Generally, collection and removal of natural resources from any unit of the National Park System is prohibited. The resources listed have been collected for many years and there has been no observable harm to other natural resources or the abundance of listed plants.

36 CFR §2.11 – PICNICKING

Picnicking is permitted only in designated picnic areas. These areas are identified by the presence of picnic tables and/or trash cans.

All units of the park contain sensitive archeological features. Appropriate scientific and educational activities of these features would be adversely impacted by allowing picnicking throughout the grounds. The park provides picnic tables and other facilities at designated areas to limit impacts from erosion, burrowing animals, insects, and interference with educational activities.

36 CFR 2.13 – FIRES

(a)(1) The lighting or maintaining of fires is prohibited in the park except that the Superintendent may permit the use of fires for educational or interpretive purposes.

Fire is a potential hazard to park resources and facilities and to neighboring properties. No fires shall be set for the purposes of camping activities or food preparation by visitors.

36 CFR §2.15 – PETS

(a)(1) The following structures and/or areas are closed to the possession of pets:

Pets are not allowed in buildings or structures except service animals.

To prevent conflicts with other visitors and staff, animals are not allowed in park buildings with the exception of service animals.

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

Pet excrement is to be removed from trails, walkways, lawns, and other developed areas by the person responsible for the pet.

Pet owners are responsible for their animals, including cleaning up after their animals. The developed units of the park are commemorative spaces which should be treated with respect and decorum.

36 CFR §2.16 – HORSES AND PACK ANIMALS

(b) The use of horses or pack animals is allowed on the following trails, routes, or areas:

The use of horses or pack animals is only allowed on the Tri-County Triangle Trail that runs through Hopewell Mound Group. Horses and pack-animals are prohibited in all other areas.

Horses and other livestock cause erosion of slopes and earthworks. Only the Tri-County Triangle Trail is hardened to prevent erosion. To protect the prehistoric earthworks which are the primary resource of the park and to protect the public's investment in park trails, horses and pack animals are limited to the Tri-County Triangle Trail. The potential introduction of invasive plants is a second concern.

36 CFR §2.20 – SKATING, SKATEBOARDS, AND SIMILAR DEVICES

The use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices are allowed only in the following areas:

The Tri-County Triangle Trail that runs through Hopewell Mound Group is the only trail that is open for the use of roller skates, skateboards, roller skis, coasting vehicles, or similar devices.

Hopewell Mound Group, Mound City Group, and Seip Earthworks were ceremonial and burial areas for prehistoric cultures of the region. Hopeton Earthworks and High Bank Works were large ceremonial areas. Respect for the prehistoric builders of the sites and appropriate interpretation and protection of the surviving features requires decorum from visitors. There is no valid educational reason to allow sport-like recreational activities in these areas. The Tri-County Triangle Trail at Hopewell Mound Group is exempted from this restriction since it is appropriately designed for these uses.

36 CFR §2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures, or facilities are closed to smoking as noted:

Smoking is not allowed in park buildings. Smoking on trails and other outside areas of the park may be prohibited during periods of high fire danger.

Government-wide regulations prohibit smoking in Federal buildings.

36 CFR §2.35 – ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to the use or possession of alcoholic beverages and controlled substances:

Alcoholic beverages are permitted only in designated picnic areas. Consumption of alcoholic beverages in other areas of the park is prohibited as it is inappropriate to the educational and interpretive activities that occur in these areas.

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36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(d) A person may possess, carry, and transport concealed, loaded, and operable firearms within a national park area in accordance with the laws of the state in which the national park area, or that portion thereof, is located, except as otherwise prohibited by applicable Federal law.

This authority does not extend to Federal facilities within the park (18 U.S.C. 930(a)). Federal facilities include the Visitor Center, Administrative Building, Resource Management Building, Collections Storage Building, and Maintenance facilities.

Park regulation cannot be less restrictive than United States Code.

36 CFR §4.21 – SPEED LIMITS

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

The legal speed limit on all park roads shall be 15 miles per hour.

The park-wide speed limit on park-maintained roads is 15 miles per hour. This section of the Code of Federal Regulations provides for a specified speed limit of 15 mph for parking areas, camp grounds, and other congested areas, such as parking lots, driveways, and service roads. This entry does not apply to State, county, or township-maintained roads.