

National Park Service U.S. Department of the Interior Appalachian National Scenic Trail

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

Updated and Approved:

Ed W. Clark, Superintendent

Date:

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A. INTRODUCTION

1. Superintendent's Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code 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.

This Compendium should be used in conjunction with Title 36 CFR, Parts 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 Title 36, CFR, can be purchased from the U.S. Government Printing Office at:

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

The CFR is also available on the Internet at: <u>36 CFR Parts 1-199</u>

2. Laws and Policies Allowing the Superintendent to Develop This Compendium

The National Park Service (NPS) is granted broad statutory authority under 54 United States Code (U.S.C.) Section 100101 *et.seq.* (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" (54 U.S.C. Section 100101). In addition, the NPS 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" (54 U.S.C. Section 100751).

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, 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 System-wide 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."

54 U.S.C. Section 100501 defines the National Park System as"...any areas of land and water administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes."

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director's Orders. As stated in the Management Policies, 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 visitor 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. The 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 reasonable basis to believe a resource is or would become impaired, than that Superintendent is obliged to place limitations on public use.

3. Consistency of This Compendium 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 will 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.

The actions and requirements described in this Compendium are found to be categorically excluded from further 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.

4. Development of the Requirements of the Superintendent's Compendium

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. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS 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 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?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers enforce the requirements of the United States Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of 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.

8. Comments on the Compendium

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

Written comments on the Compendium may be submitted to:

Superintendent

Appalachian National Scenic Trail PO Box 50 Harpers Ferry, WV 25425

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of this document, and remains in effect until revised for a period up to one year.

10. Additional Information

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

11. Availability

Copies of the Compendium are available at 252 McDowell Street, Harpers Ferry, WV 25425. It may also be found at <u>https://www.nps.gov/appa/index.htm</u>.

B. SUPERINTENDENT'S COMPENDIUM

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 the Appalachian National Scenic Trail. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7. The Appalachian National Scenic Trail cross 14 states and 6 other National Park Service units. For regulations regarding the following park units please see park specific Superintendent's Compendiums: Great Smoky Mountains National Park, Blue Ridge Parkway, Shenandoah National Park, Harpers Ferry National Historical Park, C&O Canal National Historical Park and Delaware Water Gap National Recreational Area.

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. <u>36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA</u> 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 (see Attachment A of this document for map of closure areas):

- Triple Crown Region VA 624 (Newport Road) to VA 652 (Mountain Pass Road) All National Park Service lands from the Appalachian Trail's junction with VA 311 west to Campbell Shelter, commonly known as McAfee Knob, are closed to the following activities and uses (Segment 476, Tracts 2, 3, 9, 14, 16, 25 and Segment 477, Tracts 2-4, 6-10, 13, 15, 16):
 - The possession and/or consumption of alcohol
 - The possession and/or disposal of glass bottles and containers
 - Camping, except at designated campsites and shelters
 - Open fires, except in designated receptacles

• McAfee Fire Road is closed to vehicle use except for authorized administrative functions.

This area receives high levels of day-use visitation. This area has a long history of illegal camping, open fires and other illegal activity. Please note: These restrictions are in addition to the designated camping and fire restrictions found in Appendix B. The entire section managed by RATC allows for camping and fires at designated areas only (see Appendix B). Road shoulder parking is also prohibited along VA 311 by local regulations.

• McAfee Knob Special Use Closure - The area around McAfee Knob is closed to special events such as sports events, pageants, public spectator attractions, entertainments, ceremonies and similar events that are subject to a permit. This closure includes all N.P.S. lands within one mile of McAfee Knob.

This area experiences very high public visitation. The area around McAfee Knob has very limited space for people to congregate and is not conducive to large groups. Special events of the sort listed above would diminish the experience of other visitors to McAfee Knob.

• McAfee Knob Climbing Closure - The area around McAfee Knob is closed to climbing, rappelling, or any similar activity involving ropes. This closure includes all N.P.S. lands within 1/4 mile of McAfee Knob.

This area experiences very high public visitation. The area around McAfee Knob has very limited space for people to congregate and take pictures. Activity of the sort listed above would diminish the experience of other visitors to McAfee Knob.

- Keys Gap (VA Route 9) Area closed to Camping All National Park Service lands from 0.5 mile south of Keys Gap (VA Route 9) to the powerline 1.5 miles north of Keys Gap, are closed to the following activities and uses (Segment 410. Tracts 01, 02, 05, 06, 10, 16, 17, 20, 21, 25, 26, 28, 29, and Segment 411, Tract 14):
 - Camping
 - Open fires

This area receives high levels of day-use visitation. This area has a long history of illegal camping, open fires and other illegal activity.

- White Rocks All National Park Service lands fronting Kuhn Road and the White Rocks trail corridor, west to the junction with the Appalachian National Scenic Trail, commonly known as White Rocks, are closed to the following uses (Segment 367, Tracts 4-13, 26, 28-32, 43, 44 and the eastern half of Tract 16):
 - Open fires
 - The possession and/or consumption of alcohol
 - o The possession and/or disposal of glass bottles and containers

This area has a long history of illegal camping, open fires and other illegal activity. Escaped ground fires have resulted in emergency fire response and damaged resources. Local ordinance

by the area fire marshal also prohibits ground fires. This parking closure does not prohibit overnight parking by backpackers. Road shoulder parking is prohibited from sunset to sunrise along Kuhn Road by local regulations.

- Scott Farm National Park Service land south of Bernheisel Bridge Road and west of Conodoguinet Creek, commonly known as the Scott Farm, including all mowed or otherwise maintained lands, private buildings and associated structures, is designated for the following specific uses (Segment 364, Tract 17):
 - Overnight parking is authorized via a self-registration system
 - The transportation of lawfully harvested game and fish is allowed across parklands along the corridor bound by the Conodoguinet Creek boat launch to the east and the designated parking area to the west. The harvesting and transportation of game and fish is subject to local and state hunting and fishing laws.
 - The transportation of all watercraft across park land must be achieved by hand and without the use of wheeled or motorized equipment
 - o Boats must be launched from designated Conodoguinet Creek boat launch

The Scott Farm is a multi-use area owned by the NPS and used by multiple management partners. Due to the unique management issues of the area, these closures are needed to prevent misuse of park resources. This parking closure does not prohibit overnight parking by backpackers.

• Lehigh Gap - The trailhead parking lot on the old railroad bed at Lehigh Gap, PA and off PA Route 248 is open for public use only during daylight hours. (Segment 333, parts of Tracts 5 and 6)

This parking area has a history of vandalism. This parking closure does not prohibit overnight parking by backpackers. These closures are intended to protect visitors and their property and to assist local law enforcement.

- **Nuclear Lake** The public parking area located off of Old NY 55 is open for public use only during daylight hours. The entire tract is closed to the following activities and uses (Segment 269, Tract 18):
 - The possession and/or consumption of alcohol
 - The possession and/or disposal of glass bottles and containers
 - Camping
 - Open fires
 - o Bicycles and other mechanized devices and vehicles

This area has a long history of illegal camping, open fires and other illegal activity. Escaped open fires have resulted in emergency fire response and damaged resources.

- **Bull's Bridge West** All National Park Service lands west of the Housatonic River and south from the Bull's Bridge Road to Ten Mile River, including the river front Blue Blaze Trail are closed to the following activities and uses (Segment 286: Tracts 04 and 27):
 - The possession and/or consumption of alcohol
 - The possession and/or disposal of glass bottles and containers

- Camping
- Open fires/Barbecues/Grills
- All swimming and wading, except for fishermen compliant with state licensing and equipment laws
- The collection of any and all plant life

This area receives high levels of day-use visitation. Misuse within the area has resulted in damage to the natural resources, visitor use conflicts, and the accumulation of trash.

• **Bull's Bridge East** - All National Park Service lands east of the Housatonic River, in the area commonly known as Bull's Bridge, are closed to all public access and use. (Segment 286, Tracts 25 and 32)

The area surrounding this NPS land is private and closed to the public. This closure is intended to protect security interests, park resources and visitors.

- **River Road (North of St Johns Ledges Parking Area)** All National Park Service lands along River Road north of the St. Johns Ledges Parking Area, are closed to the following activities (Segment 262, parts of Tract 02 and Segment 263, parts of Tract 01):
 - The possession and/or consumption of alcohol
 - The possession and/or disposal of glass bottles and containers
 - Camping
 - Open fires/Barbecues/Grills
 - All swimming and wading, except for fishermen compliant with state licensing and equipment laws
 - The collection of any and all plant life

This area receives high levels of day-use visitation. Misuse within the area has resulted in damage to the natural resources, visitor use conflicts, and the accumulation of trash.

(a)(2) - Designate Areas for a specific use or activity or impose conditions or restrictions on a use or activity.

- Groups shall not exceed ten persons for overnight trips and twenty-five persons for day hikes. A permit is required for larger groups (contact Chief Ranger).
- Filming, still photography, and audio recording activity may require a permit, consistent with 54 U.S.C. 100905.
 - Filming, still photography, and audio recording activity that occurs in closed areas, requires exclusive use of a site or area, or involves a set or staging equipment other than handheld equipment (such as a tripod, monopod, and handheld lighting equipment) requires a permit, unless the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.
 - Filming, still photography, and audio recording that involves more than eight individuals requires a permit, unless the NPS has specifically notified an individual or group that a permit is not required, or if the activity is affiliated with an activity or event that has been allowed under a written authorization, such as a special use permit.

 If a permit is required for the reasons stated above, or if the NPS otherwise determines and then notifies an individual or group that a permit is required for a filming, still photography, or audio recording activity, then engaging in that activity without a permit is prohibited. Violating a term or condition of a permit issued by the NPS for a filming, still photography, or audio recording activity is prohibited, and may result in the suspension or revocation of the permit, in addition to any penalties that may apply under 36 CFR 1.3.

Federal law at 54 U.S.C. 100905 states that permits and fees are not required for filming, still photography, or audio recording in park areas if certain requirements are met. These requirements address various topics, including, but not limited to, group size, location, equipment, potential impacts to resources and visitors, and the likelihood that the NPS will incur related administrative costs. If any of these requirements are not met, the law allows the Secretary of the Interior, acting through the NPS, to require a permit for the subject activity. Permit requirements are imposed by the superintendent under discretionary authority provided by 36 CFR 1.5(a)(2), which allows the superintendent to impose conditions or restrictions on a use or activity, consistent with applicable legislation, to implement management responsibilities. The general regulations for permits in 36 CFR 1.6 do not apply to permits issued for filming, still photography, and audio recording, which instead are governed by the statutory provisions in 54 U.S.C. 100905. The imposition of permit requirements, on a caseby-case basis, for filming, still photography, or audio recording does not require rulemaking under 36 CFR 1.5(b). Requiring a permit with reasonable terms and conditions in accordance with statutory requirements at 54 U.S.C. 100905 is not highly controversial, will not result in a significant alteration in the public use pattern of the System unit, will not adversely affect the System unit's natural, aesthetic, scenic or cultural values, or require a long-term or significant modification in the resource management objectives of the System unit, because the permit requirement is limited in time and scope to the specific activities authorized by the permit, which contain terms and conditions that protect the values, resources, and visitors of the System unit, and implements federal law.

• <u>Unmanned Aircraft.</u> Launching, landing, or operating an uncrewed or remotely pilot aircraft from or on lands and waters administered by the National Park Service within the boundaries of the Appalachian National Scenic Trail is prohibited except as approved in writing by the Superintendent."

This restriction does not affect the primary jurisdiction of the Federal Aviation Administration over the National Airspace System.

The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, and drones) that are used for any purpose, including for recreation or commerce.

The use of unmanned aircraft could disrupt the desired visitor experience, scenic values and potentially damage the historic and cultural resources. This activity could interfere with the management of this jurisdictionally complex, lineal resource.

• Geocaching, letterboxing and all GPS-based activities that involves leaving property or equipment on federal lands is prohibited. The use of GPS equipment is permitted for navigation purposes while hiking or backpacking.

II. <u>36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT</u>

(f) The following is a compilation of those activities for which a permit from the Superintendent is required, listed according to the section of 36 C.F.R. that prohibits the activity absent a permit, or, alternatively, grants the discretion, exercised herein, to the Superintendent to require a permit: *Unless otherwise indicated contact the Chief Ranger for permit information.

- Some filming, still photography, and audio recording (depends upon the facts and circumstances; contact the park for more information). 36 CFR 1.5(a)(2) and 54 U.S.C. 100905.
- §2.4(d) Use of weapons, traps, or nets as part of authorized research activity *Contact Integrated Resources Manager for permit*
- §2.5(a) Specimen collection (take plant, fish, wildlife, rocks or minerals) Contact Integrated Resources Manager for permit
- §2.10(a) Camping:
 - Backcountry camping within specific park units (see 2.10(a))
- §2.12 Audio Disturbances (does not apply to administrative use):
 - (a)(2) Operating a chain saw in developed areas
 - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-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 & 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
- §2.38 Explosives:
 - (a) Use, possession, storing, or transporting explosives, blasting agents
 - (b) Use or possession of fireworks
- §2.50(a) Conducting a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views
- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising
- §2.60(b) Livestock use Contact Integrated Resources Manager for permit
- §2.61(a) Residing on federal lands
- §5.1 Advertisements Display, posting or distribution
- §5.3 Engaging in or soliciting any business
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc. *Contact Environmental Protection Specialist for permit*

III. <u>GENERAL</u>

<u>36 CFR §2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL</u> <u>RESOURCES</u>

(a)(4) Using or possessing wood gathered from within the park area is prohibited, except that dead wood on the ground may be collected for use as fuel for campfires within the park in the following areas:

• At those campsites or shelters specified in the applicable local management plan (Appendix B). All wood collected for use as fuel must be broken by hand and without the use of power tools.

(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statute is prohibited:

• In addition, jumping from or swinging by rope or other means from trees, bridges or historic structures is prohibited.

(c)(1) The commercial collection of fruits, berries, nuts and fungi is prohibited. The following fruits, berries, nuts and above ground fruiting bodies of certain fungi may be gathered by hand for personal use or consumption:

- Blueberries (Vaccinium spp.)
- Strawberries (Fragaria virginiana)
- Blackberries (Rubus spp.)
- Grapes (Vitis spp.)
- Elderberries (Sambucus pubens)
- Gooseberries/Currants (Ribes spp.)
- Black raspberries (Rubus occidentalis)
- Huckleberries (Gaylussacia spp.)
- Cherries (Prunus spp.)
- Serviceberries (Amelanchier laevis)
- Persimmons (Diospyros virginiana)
- Black walnuts (Juglans nigra)
- Hickory Nuts (Carva spp.)
- American hazelnuts (Corvlus americana)
- Apples (Malus domestica)
- Pears (Pyrus spp.)
- Peaches (Prunus persica)
- Pawpaws (Asimina triloba)
- Red Mulberries (M. rubra L.)
- Mushrooms are the fruiting bodies of fungi, and may be collected under the following conditions:
 - At least 200 feet from the trail
 - Edible species only
 - May only be the fruiting bodies above ground level
 - Are limited to 1 pound per person per day for all fungal species combined

It is prohibited to collect fungal fruiting bodies from trees that are standing, including dead standing trees, or where fruiting bodies are underground.

(c)(2)(i) The amount of fruits, berries, nuts and fruiting bodies of mushrooms that are authorized for collection shall not exceed 1 pound per person per day for each species. The collection of ramps and ginseng is not allowed under 36 CFR or 16 USC.

The unrestricted collection of native fruits, berries, nuts and fruiting bodies could adversely impact plant propagation and/or wildlife food sources. The collection of plants like ramps and ginseng results in the destruction of plant populations and must therefore be more strictly limited.

36 CFR §2.2 - WILDLIFE PROTECTION

(d) The transporting of lawfully taken wildlife through the park is permitted under the following conditions and procedures:

- The retrieval of any wildlife lawfully shot, which subsequently and under its own power entered park lands is prohibited without the notification of and approval by the Chief Ranger
- Wildlife lawfully harvested outside of the park, may be transported through the park only when approved by the Chief Ranger
- Persons transporting will have in their possession a valid State/Tribal hunting license
- Animal carcasses will display a valid State/Tribal game tag
- Animal carcasses will be subject to inspection at any time by an authorized official

The park does not wish to impede those hunting in jurisdictions outside the park, nor the transportation of legally taken game. However, the transportation of game through the park, an area closed to hunting, has elicited visitor complaints and could cause confusion with the park's hunting regulations if not managed in this manner.

<u>36 CFR §2.4 – WEAPONS, TRAPS, AND NETS</u>

(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:

Anyone who can legally possess a firearm under federal and state laws outside of a national park can possess that firearm in the park under the same terms. It is the responsibility of every visitor to fully understand the applicable firearms laws of the state(s).

https://www.nps.gov/appa/learn/management/firearms-information.htm

Hunting is *permitted* along approximately 1,250 miles of the A.T. through national forest lands, national recreation areas, and on state forests and game lands.

Hunting is *prohibited* along approximately 900 miles of the Trail through national parks (like Shenandoah and the Great Smoky Mountains), most state parks, and on lands acquired by the National Park Service exclusively for the Trail and still under National Park Service administration, including the areas noted by A.T. corridor boundary signs.

<u>36 CFR §2.10 – CAMPING and FOOD STORAGE</u>

(a) Camping is allowed in the following designated sites or areas and is subject to the following established conditions:

- Unless otherwise specified by localized regulations established in Attachment B of this document, overnight use of camping and/or shelter sites shall be limited to two nights
- Unless otherwise specified by localized regulations established in Attachment B of this document, *dispersed* camping is permitted on park lands pursuant to conditions set forth on 36 C.F.R..

On most sections of the A.T., there are two potential choices for camping: staying in a shelter or pitching a tent. Backcountry camping is available at approximately 227 approved/designated campsites and is also allowed in the immediate vicinity of most of the 272 shelters along the Trail.

Although Trail shelters are on a first come first serve basis, they are not designed or intended for organized overnight groups. These groups should be prepared to tent at established/designated tent sites.

In some areas you can choose your own campsite (called dispersed camping), but hikers are always encouraged to use designated sites. Using designated campsites means you will have fewer impacts on vegetation and wildlife habitat.

These localized regulations are outlined in each maintaining club's Local Management Plan and reviewed by park staff before being adopted into the Superintendent's Compendium.

- Camping is prohibited in areas being restored or revegetated and so posted pursuant to 1.7(a)
- Camping in any historic structure or building is prohibited, except those structures officially designated as <u>trail shelters</u>.

There are 272 backcountry shelters located along the Appalachian Trail (A.T.) for backpackers. Not only are they the best places to stay dry, but they reduce hikers' impact on the Trail environment. Historic structures are fragile and need protection from any activity that could adversely impact the structure or degrade the historic scene.

- Permits for camping required at the following locations:
 - Great Smoky Mountains National Park (Tennessee/North Carolina) To qualify for an AT Thru-Hiker Permit, you must begin and end your hike at least 50 miles outside Great Smoky Mountains National Park and only travel on the AT in the park. You can apply up to 30 days in advance of the day you anticipate arriving in Great Smoky Mountains National Park. Your permit is valid for 38 days from the date the permit is issued. Thru-Hikers have 8 days to get through the Smokies. There is a cost of \$40.00 per permit. The cost of the permit is non-refundable. Hikers not meeting this definition should apply for a general permit. For more information, please visit <u>https://smokiespermits.nps.gov/</u>
 - Shenandoah National Park (Virginia) Visitors who wish to overnight in Shenandoah's backcountry must purchase a permit through Recreation.gov or by calling 877-444-6777. Backcountry campers can now get permits for up to 14 nights, with a group size capped at 10. Permits can be reserved up to 90 days in advance of your trip. Permits may also be booked the same day your trip begins. Backcountry camping within Shenandoah National Park is dispersed. Camping at the A.T. shelters and associated campsites also requires a backcountry permit and is first-come, first-served. The fee is \$9 per person plus a \$6 permit reservation fee. For example, the total permit cost for a group of 2 campers will be \$24. The fee is not dependent on how many nights you camp (maximum 14 nights). For more information, visit https://www.nps.gov/shen/planyourvisit/backcountry-regulations.htm

 Backcountry Accommodations - Two types of structures are near the A.T. - dayuse shelters and overnight-use huts. Camping at or near day-use shelters is prohibited. Huts are available to long-distance hikers (those spending at least three consecutive nights in SNP) as space is available.

 Green Mountain National Forest/Green Mountain Club (Vermont) - The Green Mountain Club (GMC) maintains the A.T. from the Vermont/Massachusetts state line to Vermont/New Hampshire state line at the Connecticut River with shelters that can be used by hikers. All shelters and overnight sites on the A.T. in Vermont are available on a first come, first served basis. Groups hiking this portion of the Appalachian Trail may need an Outfitter Guide Special Use Permit from the Green Mountain National Forest. Gifford Woods State Park Campground, where the Appalachian Trail crosses VT 100, and Silver Lake State Park Campground, north of the AT off VT 12 in Barnard, are available for base camp hiking (camping reservations required). For more information, visit <u>https://www.greenmountainclub.org/appalachian-trail-in-vermont/</u>

- White Mountain National Forest/Appalachian Mountain Club (New Hampshire) -Overnight fees are charged at some Appalachian Mountain Club (AMC)-maintained campsites in the White Mountain National Forest, though all are available on a firstcome, first-served basis. Hikers can obtain a Thru-Hiker Pass to receive discounts up to 50% at fee sites. Reservations are required for the AMC-run huts, though work-for-stay may be available (limited to two hikers per day). Contact AMC to verify the huts' seasonopening and closing dates as well as rates. For more information, visit https://www.outdoors.org/lodging-camping/lodging-camping-campsites
- Baxter State Park (Maine) All AT hikers (northbound, southbound, section, and flip-0 flop) must secure a Long-Distance Hiker Permit in-person at the Katahdin Stream Campground Ranger Station before attempting to summit. Permits will be issued on a All AT hikers must comply with entrance and camping first come, first served basis. policies and fees governing the general public. Northbound hikers who have hiked 100 continuous miles on the AT from Monson may camp at the "The Birches" at Katahdin Stream if space is available. The Birches is limited to a maximum of 12 persons/night and the fee must be paid in cash at Katahdin Stream. There is no "work for stay" in Baxter State Park. Summer camping in Baxter State Park is not available after October 22. Katahdin trails, including the Hunt Trail (AT), may be temporarily closed at any time during the camping seasons due to weather and trail conditions. Katahdin trails are also closed during the "shoulder" seasons, between March 31st and their spring opening, and for a stretch of time between October/November and December 1st. Due to annual "shoulder" season closures, we strongly recommend that AT hikers complete their Katahdin summit hike prior to October 15. For more information, visit https://baxterstatepark.org/general-info/the-at/

(d) Food Storage

- Food and beverages, food and beverage containers, and garbage must be stored or secured in one of the following ways when camping overnight:
 - $\circ~$ Using official storage devices (suspension cables, bear-proof lockers or bear-proof poles) where provided
 - Within a bear resistant container (BRC)
 - Items approved by the Department of Interior and Agriculture's Interagency Grizzly Bear Committee:

http://www.igbconline.org/html/container.html

- Other items or methods approved by the Superintendent
- Suspended in the air a minimum of 12 ft. off the ground, and a minimum of 6 ft. from the trunks of trees and the suspending or other branches.
- Food and beverages, food and beverage containers, and garbage must never be left unattended or unsecured along the trail.

The intent of these designations is to prevent bears and other wildlife from obtaining and habituating to food and garbage, thus protecting wildlife and park visitors alike. Food scents attract animals. Animals which gain access to human food sources tend to return to those sources and may cause property damage or injury. Subsequent behavior problems often necessitate the removal or destruction of an animal.

36 CFR §2.12 – AUDIO DISTURBANCES

(a)(1)(ii) Any noise level from a radio, compact disk or other audio device which is more audible than conversational voice at a distance of 50 feet from the source is prohibited.

The use of audio devices in such a way as to impact others' enjoyment of park resources is incongruent with the primitive backcountry setting of the park. Loud or prolonged noise can also alter the behavior of wildlife and compromise the ecological health of wildlife communities.

<u> 36 CFR 2.13 – FIRES</u>

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

Designated Areas:

• Fires are permitted only in areas specified by the localized regulations established in Attachment B of this document

Receptacles Allowed:

• Any receptacle restrictions for an area will be defined in Attachment B.

Established Conditions for Fires:

- All trash (foil, burnt food, glass, and cans) must be removed from the fire site after use
- State or local burn bans will be adopted during periods of high fire danger.
- Fires must only be fueled by dead and downed wood
- Fires must be completely contained within any existing fire receptacles.

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

• All fires shall be completely extinguished and cold to the touch prior to abandonment

Regardless of localized regulations, traditional campfires should be avoided when possible. The use of controlled-flame camp stoves help mitigate some of the impacts to park resources, reduces the risk of fire escaping and is consistent with currently accepted backcountry ethic, such as Leave No Trace.

36 CFR §2.14 - SANITATION and REFUSE

(a)(2) The use of refuse receptacles, garbage cans and dumpsters for the disposal of household, commercial and industrial refuse within the park is prohibited.

(a)(3) The disposal of refuse in privy, outhouse or backcountry toilet facilities is limited to human bodily waste and toilet paper.

(a)(8) The disposal of human bodily waste shall be accomplished only at sanitary facilities within the park or must be buried six (6) to eight (8) inches deep at least 200 feet from any trails, overnight sites or water sources (including wells).

These regulations minimize the contamination of water supplies, minimize the presence of unsanitary conditions, preserve site aesthetics, maximize decomposition and help prevent wildlife-human conflicts. The removal of waste and refuse is also consistent with currently accepted backcountry ethics, including Leave No Trace.

<u> 36 CFR §2.15 – PETS</u>

(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following structures and/or areas is prohibited:

Dogs are not allowed in three areas along the Appalachian National Scenic Trail

- Baxter State Park, Maine
- Bear Mountain State Park Trailside Museum and Wildlife Center, New York
- Great Smoky Mountains National Park, Tennessee and North Carolina

(a)(2) Pets must be restrained on a leash that does not exceed six feet in length at the following locations:

- Delaware Water Gap National Recreation Area, Pennsylvania and New Jersey
- Maryland (entire state)
- Harpers Ferry National Historical Park, West Virginia
- Blue Ridge Parkway, Virginia
- All other lands not mentioned above administered by the National Park Service

(a)(5) Pet excrement shall be disposed of only at sanitary facilities within the park or must be buried six (6) to eight (8) inches deep at least 200 feet from any trails, overnight sites or water sources.

These regulations are intended to enhance the natural experience of all visitors. Pets are natural predators and their waste can alter the behavior of wildlife and compromise the ecological health of wildlife communities.

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) The use of animals other than those designated as "pack animals" for purposes of transporting equipment is prohibited. The following animals are designated as pack animals for purposes of transporting equipment:

- Horses
- Mules
- Burros

Domestic Goats and Sheep

Use or possession of domestic goats or sheep within NPS administered areas is prohibited.

Llamas, Alpacas and other Members of the Camelidae or Bovidae Family

Use or possession of llamas, alpacas, or any other domestic animal of the

Camelidae or Bovidae Family within NPS administered areas is prohibited except as pack animals in accordance with written authorization from the Superintendent.

Horses/Mules

Except in locations designated for their use per 36CFR 7.100

- Horses are permitted on a three-mile section in Maryland where the Appalachian NST coincides with the C&O Canal National Historical Park towpath.
- Horses are permitted on a 37 mile section of trail in the Great Smoky Mountains National Park where horse use existed prior to the designation of the Appalachian National Scenic as a unit of the National Park System.

The use of pack animals is not consistent with the Appalachian National Scenic Trail's intended use as a primitive footpath. The use of pack animals can be harmful to forest and ecosystem health by: spreading exotic plant life and diseases.

<u>36 CFR §2.17 – AIRCRAFT and AIR DELIVERY</u>

(c)(1) Arrangements for the removal of downed aircraft will be made pursuant to the recommendations of the National Traffic Safety Board or Federal Aviation Administration investigators or designated personnel.

These restrictions are intended to preserve the primitive and safe atmosphere of the Appalachian National Scenic Trail. FAA and NTSB are considered experts in their field and will be in consultation with the Superintendent on any incident or removal.

36 CFR §2.18 – SNOWMOBILES

(c) Snowmobiles may be operated only on routes designated in 36 CFR Part 7 Special Regulations Section 7.100 Appalachian National Scenic Trail.

36 CFR §2.19 - WINTER ACTIVITIES

(a) Skiing, snowshoeing, ice skating, sledding, inner tubing, tobogganing, and similar winter sports are prohibited on park roads and in parking areas open to motor vehicle traffic, except under the conditions below:

• None designated

(b) The towing of persons on skis, sled or other similar device by motor vehicle or snowmobile is allowed in the following areas and/or routes:

• None designated

36 CFR §2.20 - SKATING, SKATEBOARDS and SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited, except in the following designated areas:

• None designated

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:

• No smoking in/or around designated shelters or other federally owned facilities/structures.

Smoking is prohibited to protect park resources, reduce the risk of fire, and prevent conflicts among visitor use activities.

<u>36 CFR §2.22 – PROPERTY</u>

(a)(2) Leaving property unattended for longer than 24 hours is prohibited, except in the following locations or under the following conditions:

• Watercraft may be stored on backcountry Maine ponds, located at least 100 feet from, and out of sight of, the Appalachian National Scenic Trail. Canoe racks that are unobtrusive and safe will be allowed, pending local club approval. Watercraft that do not meet the above conditions may be removed.

36 CFR §2.23 – RECREATION FEES

(b) Recreation fees, and/or a permit, in accordance with 36 CFR part 71, are established for the following entrance fee areas, and/or for the use of the following specialized sites, facilities, equipment or services, or for participation in the following group activity, recreation events or

specialized recreation uses:

• None designated (see 36 CFR §2.10(a) for camping)

36 CFR §2.35 – ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(1)(i) The consumption and/or possession of alcoholic beverages is prohibited on all park lands within the State of Maryland, aforementioned use closures (see §1.5) and any other areas in which such a prohibition has been posted by trail management.

These restrictions have been implemented in areas in which local trail managers have found the possession and/or consumption of alcohol to be inappropriate considering other park uses and the purpose for which such areas are maintained or established. Maryland state park management has prohibited the consumption and/or possession of alcoholic beverages on their land, and the Appalachian National Scenic Trail has agreed to adopt consistent policies.

<u>36 CFR §2.50 – SPECIAL EVENTS</u>

The propriety of Special Events will be considered based on the standards set forth in the Comprehensive Plan for the Protection, Management, Development and Use of the Appalachian National Scenic Trail (1981). The relevant section of the Comprehensive Plan states:

Management actions will discourage activities that would degrade the Trail's natural and cultural resources or social values, such as use by groups or organizations involved in promotion, sponsorship, or participation in spectator events or competitive activities, or by groups which by their size or commercial interest generate use which is inconsistent with the concept of a simple footpath.

Note: McAfee Knob is closed to special events. See section 1.5.

36 CFR §2.51 -- DEMONSTRATIONS

2.51(a) Demonstrations of 25 people or less are allowed within the park areas designated as available under paragraph (c)(2), provided that they do not:

- (1) Cause injury or damage to park resources; or
- (2) Unreasonably impair the atmosphere of the peace and tranquility maintained in wilderness, natural, historic, or commemorative zones; or
- (3) Unreasonably interfere with the interpretive, visitor service, or other program activities, or with the administrative activities of the National Park Service; or
- (4) Substantially impair the operation of public use facilities or services of National Park Service concessioners or contractors; or
- (5) Present a clear and present damage to the public health and safety
- (6) Use any type of sound amplification or equipment beyond hand carried signs

Demonstrations of more than 25 people are allowed within the designated areas when the Superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- Southeast corner of Children's Lake, Boiling Springs, Pennsylvania (see Attachment C of this document for map of area). This is the section of the Trail just west of Butcher Hill Road.
- Other areas granted on a case-by-case basis, pending Superintendent approval

Children's Lake has been designated pursuant to the provisions of the Federal Register with the intention of providing persons wishing to exercise their First Amendment rights a public area in which to do so.

36 CFR §2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER

(b) The sale or distribution of printed matter by more than 25 persons is allowed within park areas designated as available under (2.51(c))(2) (see above) when the Superintendent has issued a permit.

Sale or distribution activity by 25 persons or fewer may be conducted without a permit within designated park areas as noted in 2.51(c)(2) above, provided that they do not:

- (1) Cause injury or damage to park resources; or
- (2) Unreasonably impair the atmosphere of the peace and tranquility maintained in wilderness, natural, historic, or commemorative zones; or
- (3) Unreasonably interfere with the interpretive, visitor service, or other program activities, or with the administrative activities of the National Park Service; or
- (4) Substantially impair the operation of public use facilities or services of National Park Service concessioners or contractors; or
- (5) Presents a clear and present damage to the public health and safety
- (6) Use any type of sound amplification or equipment beyond hand carried signs

36 CFR §2.60 – LIVESTOCK USE AND AGRICULTURE

(a) Livestock are generally prohibited on NPS lands. They are only permitted in park areas pursuant to the exceptions provided for in §2.16(a) and 36CFR 7.100 and/or pursuant to the terms and conditions of a license, permit, or lease.

36 CFR §2.62 – MEMORIALIZATION

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation, without a permit, is allowed under the following terms and conditions:

- The remains to be scattered must have been cremated and pulverized
- The scattering of remains by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility, historic or archeological site, or body of water

<u>36 CFR §4.30 – BICYCLES</u>

- (a) *Park roads*. The use of a bicycle is permitted on park roads and in parking areas that are otherwise open for motor vehicle use by the general public
- (b) Administrative Roads
 - The following administrative roads are authorized for use by bicycle:

- \circ None at this time
- (d) Existing Trails
 - The following trails are authorized for use by bicycle:
 - None at this time

The term "e-bike" means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.).

E-bikes are allowed in Appalachian National Scenic Trail where traditional bicycles are allowed. Ebikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.

A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5).

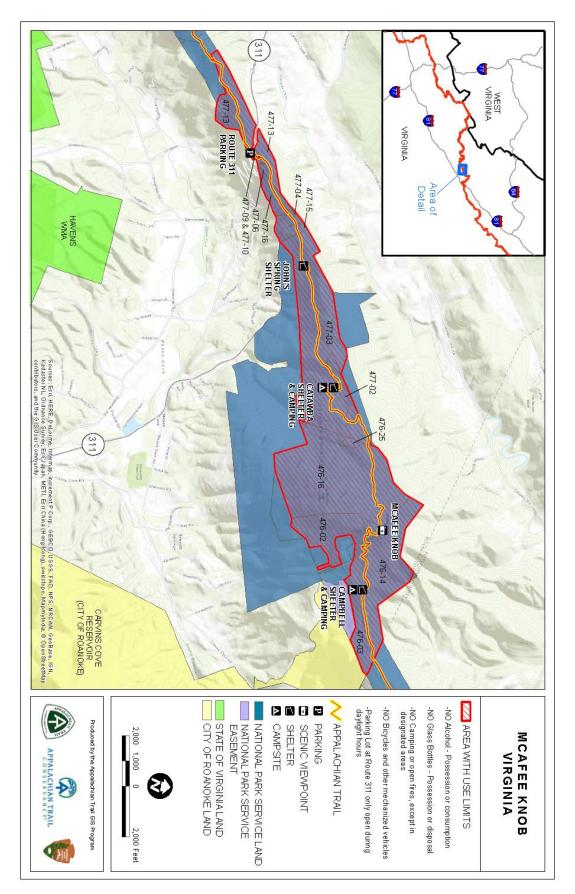
Except as specified in this Compendium, the use of an e-bike within Appalachian National Scenic Trail is governed by State law, which is adopted and made a part of this Compendium. Any violation of State law adopted by this paragraph is prohibited.

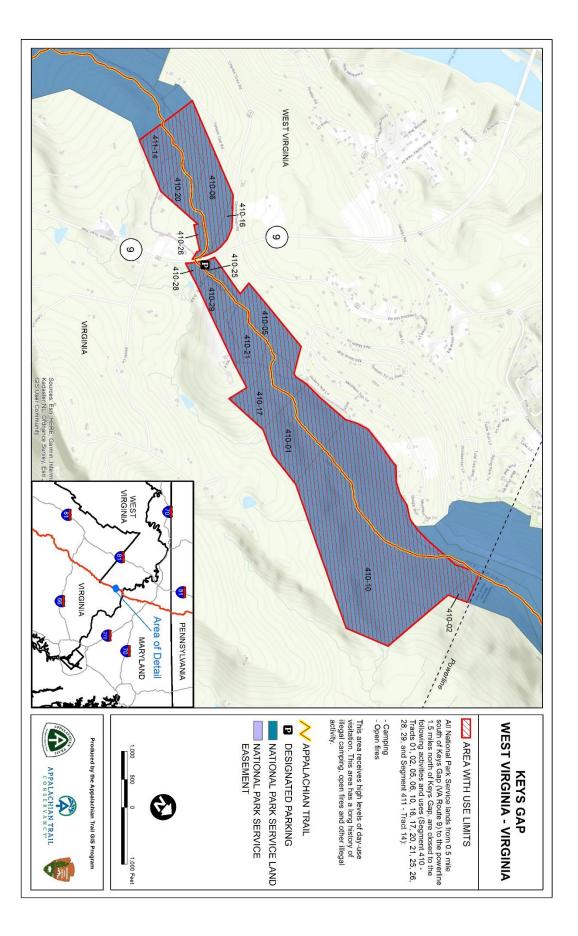
Bicycle and all wheeled use is not consistent with the Appalachian NST's intended use as a primitive footpath.

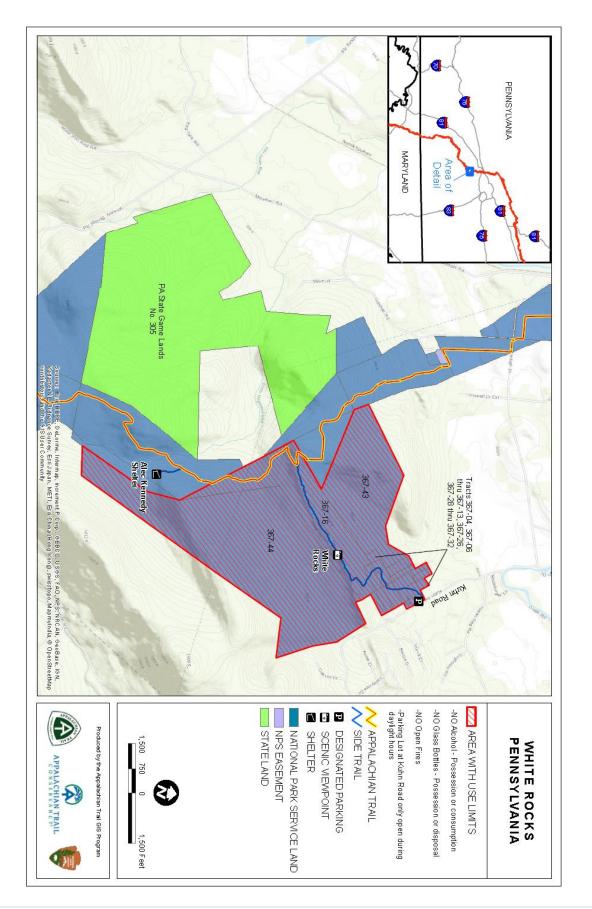
<u>36 CFR §4.31 – HITCHHIKING</u>

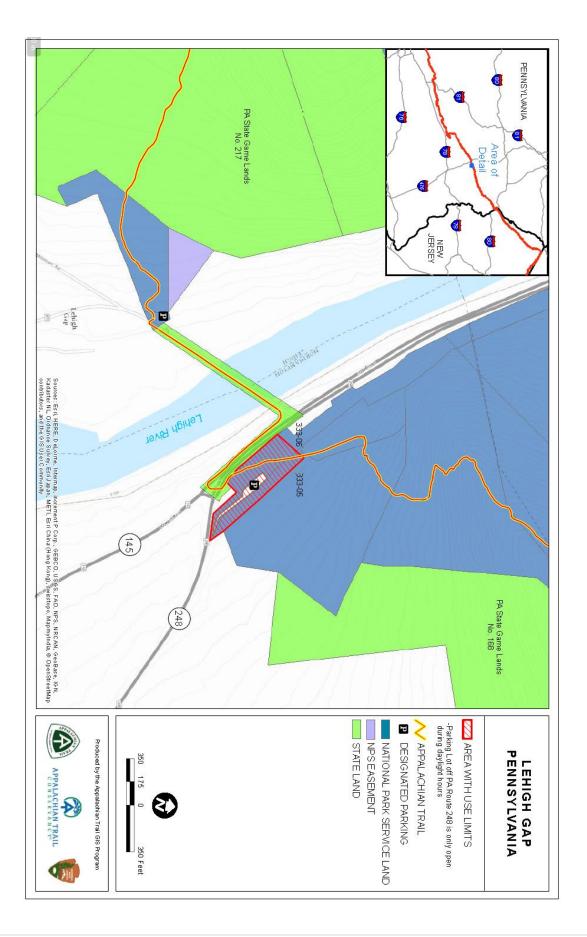
Hitchhiking or soliciting transportation is prohibited except in the following designated areas and under the following conditions:

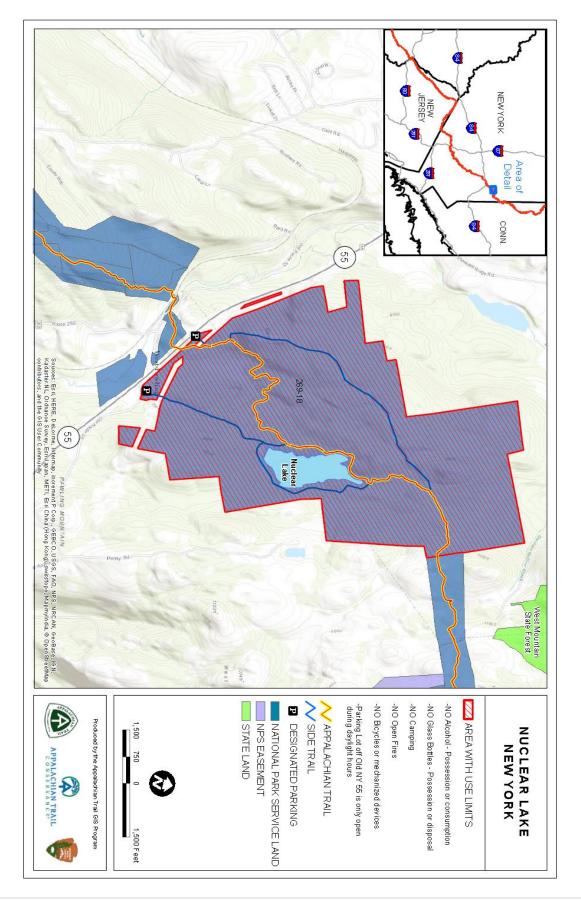
• None designated

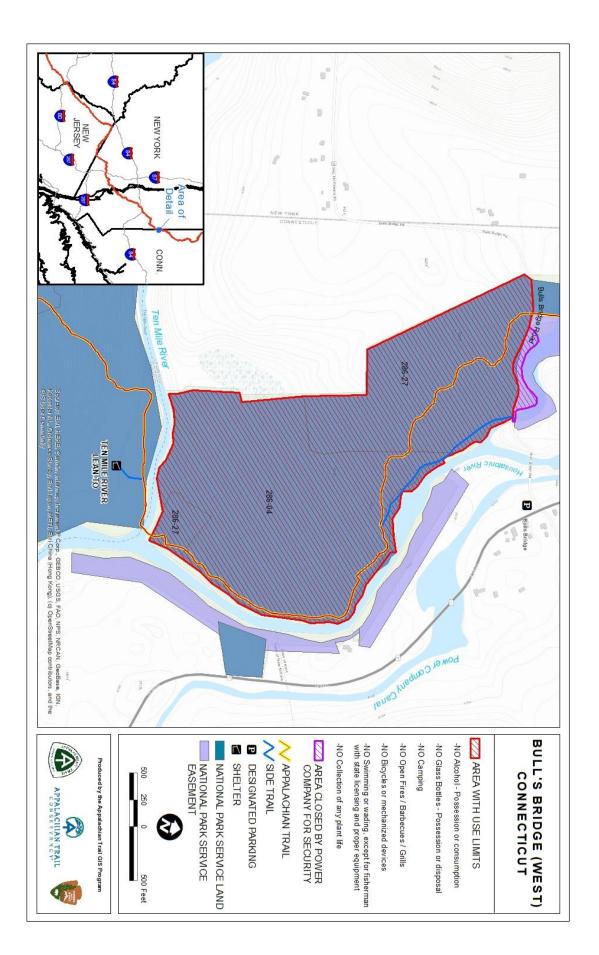


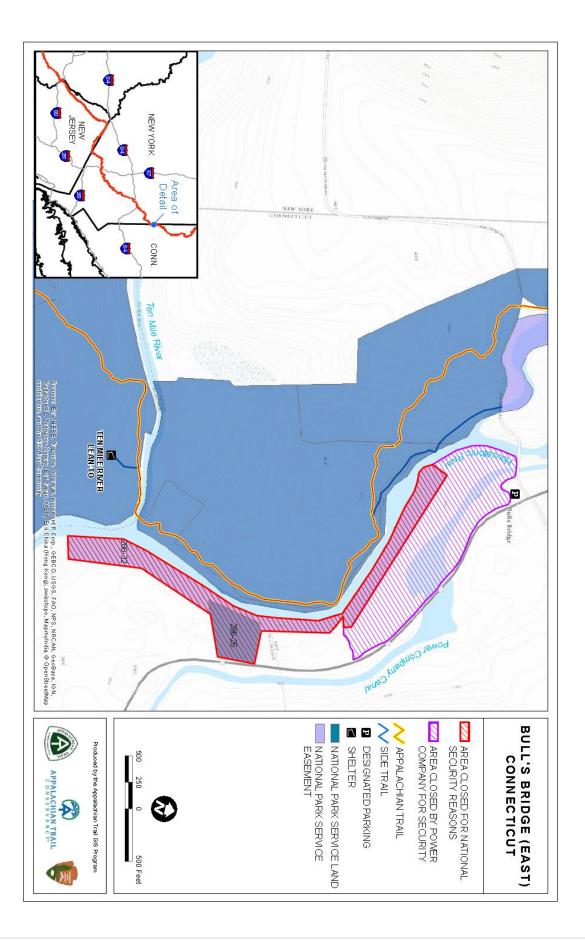


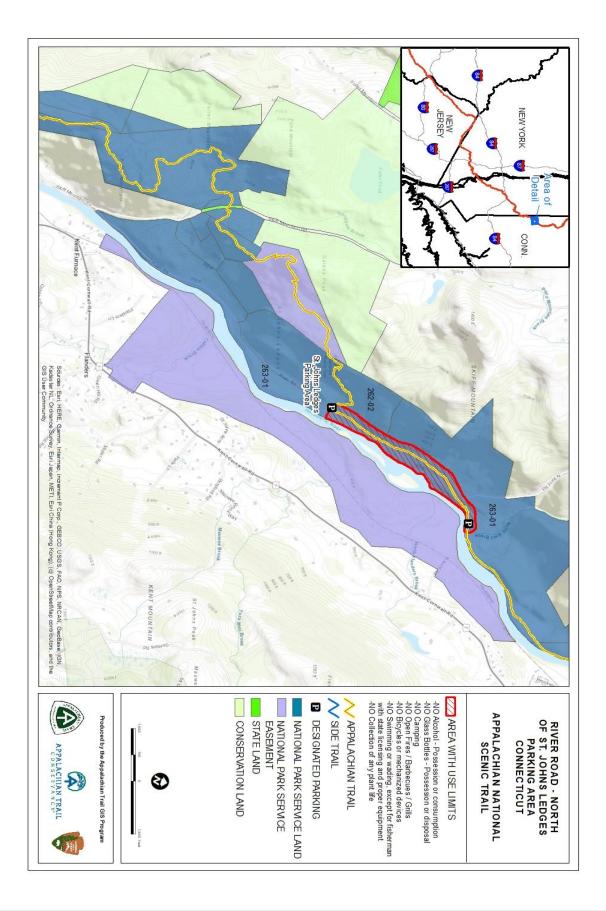












Attachment B – REGIONAL REGULATIONS

Club Name	Overnight Camping	Fire Use
The following trail sections d	o not include any land owned and administer	ed by the Appalachian Nation Scenic
Trail. This document, therefo	re, includes these sections of the Appalachian	n NST for reference purposes only. For
more information on trail sec	tions and management partner regulations, p	please refer to an official trail
guidebook.		
Georgia Appalachian	All camping within sight of the trail is	Fires are allowed in accordance with
Trail Club	discouraged. USFS regulations apply in	USFS regulations.
	designated areas.	
Nantahala Hiking Club	Camping is allowed in accordance with	Fires are allowed in accordance with
	USFS regulations.	USFS regulations.
Smoky Mountains Hiking	Camping is allowed in accordance with	Fires are allowed in accordance with
Club	GRSM and USFS regulations.	GRSM and USFS regulations.
Carolina Mountain Club	Camping is allowed in accordance with	Fires are allowed in accordance with
	USFS regulations.	USFS regulations.
Tennessee Eastman	Camping is allowed in accordance with	Fires are allowed in accordance with
Hiking Club	USFS regulations.	USFS regulations.
The following trail sections may include land owned and administered by the Appalachian Nation Scenic Trail.		
	erefore, only apply to those lands owned and	
	e information on trail sections and managem	
	Note: Unless otherwise specified by localized	
	at use of camping and/or shelter sites shall b	
Mount Rogers	Camping is allowed in accordance with	Fires are allowed in accordance with
Appalachian Trail Club	USFS regulations.	USFS regulations. Fires are allowed in accordance with
Piedmont Appalachian Trail Hikers	Camping is allowed in accordance with	
	USFS regulations. Camping is allowed at designated	USFS regulations. Fires are allowed only at designated
Roanoke Appalachian Trail Club	locations only.	locations.
Outdoor Club at Virginia		
Tech		
Natural Bridge	Camping is allowed only at designated	Fires are allowed only at designated
Appalachian Trail Club	locations or in accordance with USFS	locations or in accordance with USFS
	regulations.	regulations.
Tidewater Appalachian	Unrestricted camping is allowed along the	
Trail Club	trail in this section.	
Old Dominion		
Appalachian Trail Club		
Potomac Appalachian	Dispersed camping is permitted, except in	
Trail Club	Maryland. When camping at a designated	
	site, overnight stay is limited to 2 nights.	
Mountain Club of		
Maryland		
Cumberland Valley	Camping is allowed only at the Sunday	
Appalachian Trail Club	Farm campsite.	
York Hiking Club	Camping is allowed only at designated	
	locations.	
Susquehanna		
Appalachian Trail Club		
Allentown Hiking Club		

Blue Mountain Eagle Climbing Club	Dispersed camping is permitted except in area between Broad Street in Port Clinton and the PA 61 underpass (0.7 miles), where camping is prohibited.	All open fires are prohibited during times of heightened fire risk.
Keystone Trails Association		
AMC- Delaware Valley Chapter		
Batona Hiking Club	Camping is allowed only at designated locations.	Fire is allowed only at designated locations.
New York-New Jersey Trail Conference, New Jersey A.T. Management Committee	Camping along the Trail is allowed between 50 to 100 feet from the trail, no less than 200 feet from other campsites, 100 feet from any water source and ¹ / ₂ mile from any road access.	No open fires are permitted at any Trail location within this section.
New York-New Jersey Trail Conference, Orange/Rockland		Fires are allowed only at designated locations.
New York-New Jersey Trail Conference, Dutchess/Putnam	Camping is allowed only at designated locations. Consecutive stays over 2 nights are prohibited and no individual may camp in any location more than 7 nights in any 12-month period.	Fires are allowed only at designated locations.
Appalachian Mountain Club, Connecticut Chapter	Camping is allowed only at designated locations.	All open fires and open grills are prohibited. Camp-stoves only.
Appalachian Mountain Club, Western Mass Chapter	Camping is allowed only at designated shelters and camping areas. Overnight use is limited to 2 consecutive nights at any location.	Fires are allowed only at designated locations and only within designated fire receptacles provided by Trail managers.
Green Mountain Club	Camping is allowed only at designated locations.	Fires are allowed only at designated locations.
Dartmouth Outing Club	Camping is allowed only at designated locations. Consecutive stays over 2 nights are prohibited and no individual may camp in any location more than 3 nights in any 30-day period.	
Randolph Mountain Club		
Appalachian Mountain Club, New Hampshire Chapter	Camping is allowed only at designated locations or in accordance with USFS and Maine Bureau of Public Lands regulations.	
Maine Appalachian Trail Club	Camping is prohibited above timberline, adjacent to alpine zones and the shoreline at Crawford Pond. Dispersed camping is allowed unless specifically prohibited. Camping is allowed only at designated sites at Nahmakanta Lake. No individual may camp in any location more than 3 nights in any 30-day period.	Fires are allowed in accordance with Maine Forest Service regulations.

Attachment C - DESIGNATED FREE SPEECH AREA MAP

