



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

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

**Camp Nelson
National Monument**

**6614 Danville Loop 2 Rd.
Nicholasville, KY 40356**

**859-881-5716 phone
www.nps.gov/cane**

Approved by:

Ernie Price, Superintendent

Date

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 preserve and protect the natural and cultural resources of the park, manage visitor use, provide for visitor safety, and protect 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 prohibiting certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 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, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. 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 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 online at:

<https://www.law.cornell.edu/cfr/text/36/chapter-I>

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 1 *et seq.* (Organic Act of 1954, 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 1). 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 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 (54 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 1954.

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 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."

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 NPS 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 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. 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, then 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, 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 554 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 park or specific park 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 the use or activity consistent with the NPS Title 54 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 and United States Park Police enforce the requirements of the United State 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 US Park Police or the park address.

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.

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.

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:

Camp Nelson National Monument
6614 Danville Loop 2 Rd.
Nicholasville, KY 40356

It may also be found at <https://www.nps.gov/cane/learn/management/lawsandpolicies.htm>

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 54 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Camp Nelson National Monument. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations that 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.

PART 1—General Provisions

§ 1.5 Closures and public use limits

Areas Posted as Closed

(a)(1) Entering any area of the park which has been posted or signed as closed, or which has been designated as closed by the Superintendent, is prohibited.

Justification: Closures may be necessary for a variety of reasons including site restoration, protection of sensitive or threatened species and protection of visitor safety.

(a)(1) Entry into all areas of the Camp Nelson National Monument prohibited from sunset to sunrise every day. All vehicles must be removed from the parking lot prior to sunset. Exceptions will be made in case of after-hours programs led by National Park Service staff.

Visiting Hours

- The Visitor Center, including the Museum and the Reconstructed Barracks, is open 5 days a week, Wednesday through Sunday, 9:00 am to 5:00 pm (EST). During the summer months, *typically* Memorial Day weekend through Labor Day weekend, these buildings are open 7 days a week, 9:00 am to 5:00 pm. if staffing levels permit.
- The Oliver Perry House (The White House) is closed until further notice for renovation and repairs.
- Park grounds, including trails, are open daylight hours (dawn to dusk) year-round.
- Park administration is open 8:30 am – 4:30 pm, Monday through Friday, year-round.
- The Visitor Center is closed on Thanksgiving, the afternoon of Christmas Eve, Christmas, and New Year's Day.
- Necessary closures, including partial closures, or delayed openings (due to inclement weather for example), will be posted at: <https://www.nps.gov/cane>

Road Closures

(a)(1) Designated park roads may be temporarily closed on occasions when a hazardous condition exists or when required by other circumstances to protect the safety of the public. Operating a motor vehicle in violation of such closures is prohibited.

Justification: Examples of circumstances which might lead to such closures include, but are not limited to, ice and snowstorms, road construction and maintenance, vehicular accidents and hazardous materials spills. Road closures during these types of situations may be necessary for public safety and welfare.

IDLING DIESEL-FUELED VEHICLES

(a)(1) Operators of diesel-fueled vehicles are prohibited from idling their engines within the park.

Justification: The noise and fumes caused by these engines disturbs other park visitors and wildlife.

Use of Generators

(a)(1) The use of generators within the park is prohibited unless authorized by the superintendent under a special use permit. Their use will only be authorized for purposes that benefit the park and its visitors.

Justification: The noise created by generators negatively affects the enjoyment of other park visitors and disturbs wildlife.

Hunting

(a)(1) Any form of hunting, or the possession of a loaded rifle or shotgun is prohibited. Possession of a loaded black powder rifle for the purpose of hunting, is prohibited. The use and/or construction of permanently affixed tree stands and access steps to tree stands are prohibited. Leaving any personal property unattended for more than 24 hours is prohibited. (See §2.22 Property below)

Justification: Hunting is incompatible with the historic mission of the park and poses a safety hazard to visitors.

Stacking Rocks or Similar Activities

(a)(1) Stacking rocks for any purpose or using rocks to create any sort of rock structure is prohibited.

Justification: The use of rocks to construct cairns, chairs, benches and other rock structures alters the landscape from its natural condition and in many cases detracts from the scenic beauty of the park. Disturbing rocks from their natural state can also alter or destroy habitat for a wide range of plant and animal species.

Recreation

The following activities are allowed in the Visitor Center parking lot area and manicured (mowed) grassy areas around the Visitor Center:

- Amateur (ham) radio operation
- Picnicking at designated areas
- Other forms of individual recreation that do not impede or distract other visitors from enjoying the park.

The following activities are prohibited within the cultural landscape of the park which include all areas of the park outside of the manicured (mowed) areas around the Visitor Center:

- Flying of kites and similar devices
- Sunbathing
- Bicycling or use of any other recreational vehicle
- Horse riding
- Snow sledding
- Athletic-type games and sports with or without equipment
- Use of Frisbees, balls, and similar objects considered recreational equipment or personal athletic equipment
- Tree climbing

Justification: These activities detract from the park's historical theme and legislatively mandated purpose, are a visual intrusion on the landscape, and interfere with visitors' interpretive understanding.

Geocaching and Similar Activities

(a)(2) Any activity (for example, the activity known as “geocaching”), which involves hiding or otherwise placing an item or items within the park or physically marking a location within the park, and which is done with the intent that such items or locations will be searched for or sought out by others, must be conducted pursuant to a permit issued by the Superintendent.

Justification: Physically placing geocaches in the park without consulting with park management leads to the risk that sensitive or threatened resources may be damaged either by the individuals placing the geocache or by individuals seeking the geocache.

Adventure Races and Similar Activities

(a)(2) Any activity in which persons compete with one another by traveling along a course within the park, including, but not limited to, triathlons, adventure races, ecochallenges, iron man competitions, hash house harrier games (also known as “hashing”), and other races or competitions of any sort are prohibited.

Justification: Activities such as adventure races can significantly interfere with the use and enjoyment of other park visitors.

Off-Trail Activities Involving More Than 25 Persons

(a)(2) Any land-based activity in which members of a group of more than 25 persons depart from an established road, trail or parking area must be conducted pursuant to a permit issued by the Superintendent.

Justification: The use of off-trail areas by large groups results in significant impacts to park resources. The requirement of a permit allows park staff to work with the group to mitigate those impacts.

Use of Unmanned Aircraft

(a)(1) Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of the Camp Nelson National Monument is prohibited except as approved in writing by the Superintendent.

Definition: 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, etc.). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones, etc.) that are used for any purpose, including for recreation or commerce.

Justification: The superintendent has determined that unmanaged or unrestricted recreational use of UAS within Camp Nelson National Monument conflicts with, or impacts, a variety of park uses including visitor experience of unimpaired view sheds; the disturbance, displacement or harassment of park wildlife, creation of public safety hazards per operation near roadways or large aggregations of visitors, and visual or aural impacts to the character and values within the park.

Use of Electronic Personal Assistance Mobility Devices

(a)(2) The use of electronic personal assistance mobility devices by persons with a disability are allowed for use on all designated trails in the park, provided that such devices display a valid, government issued placard indicating that the user has a disability. The use of such devices is prohibited off-trail or elsewhere in the park.

Justification: Electronic personal assistance mobility devices such as the Segway are not suited to the non-paved trails or spaces found within the park. All other spaces in the park contain sections that are either too steep, rocky or narrow to permit their negotiation by such devices.

Use of Electronic Bicycles

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 the park where traditional bicycles are allowed. E-bikes 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 the park 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.

Justification: National Park Service policy provides that electronic bicycles meeting the requirements outlined above and traditional bicycles will be generally regulated in the same manner. The park allows bicycles only on park roads and has no trails where bicycles of any sort are permitted.

Filming and Audio Recording

(a)(2) Filming, still photography, and audio recording activity may require a permit, consistent with 54 U.S.C. 100905. The organizer of the activity must provide written notice to the Superintendent at least 10 days prior to the start of the proposed activity in cases where a permit is required.

- 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 case-by-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 park, will not adversely affect the park's natural, aesthetic, scenic or cultural values, or require a long-term or significant modification in the resource management objectives of the park, 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 park, and implements federal law.

§ 1.6 Permits

(f) Pursuant to the provisions of 36 CFR 1.6(f), the following is a compilation of the activities for which a permit is required. Not all the activities/permits listed below are relevant to Camp Nelson National Monument.

Activity Requiring Permit	Relevant Section of 36 CFR
Entry of Closed Areas	1.5(d)
Adventure Races and Similar Activities	1.5(d)
Geocaching and Similar Activities	1.5(d)
Virtual Geocaching and Similar Activities	1.5(d)
Possession of an Otherwise Prohibited Weapon, Trap or Net	2.4(d)
Collection of Research Specimens	2.5
Operating a Power Saw or Portable Motor/Other Audio Disturbances	2.12(a)(2),(3)&(4)
Use of Aircraft/Air Delivery	2.17(a)(3)
Removal of Downed Aircraft	2.17(c)(1)
Entrance and Recreational Fees	2.23(b)
Soliciting of Gifts, Money, Goods or Services	2.37
Explosives	2.38(a)
Fireworks	2.38(b)
Special Events (including sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies and similar events)	2.50(a)
Demonstrations	2.51(a)
Sale or Distribution of Printed Matter	2.52(a)
Livestock Use and Agriculture	2.60(b)
Residing on Park Lands	2.61(a)
Scattering of Human Ashes	2.62(b)
Use of a Vessel	3.3
Vehicles Exceeding Designated Load, Weight and Size Limits	4.11(a)
Displaying, Posting or Distributing Advertisements and Commercial Notices	5.1
Engaging in or Soliciting Any Business	5.3
Filming of Motion Pictures or Television Productions	5.5(a)

Taking of Still Photographs for the Purpose of Commercial Advertising	5.5(b)
Use of Government Roads by Commercial Vehicles	5.6(c)
Constructing or Attempting to Construct Buildings, Structures, Boat Docks, Roads, Trails, Paths, Ways, Telephone Lines, Telegraph Lines, Power Lines, or Any Other Private or Public Utilities	5.7
Operation of a Solid Waste Disposal Site	6.9(a)
Special Recreation Permit	71.10(a)

Permits will be specific in nature to the activity being permitted. In those cases where permit use is frequent, a specific permit form may be designed. In most other cases, a special use permit or letter of authorization will be prepared describing the specific conditions under which the permitted activity is authorized. In all cases, a permit or letter of authorization must be in the permittee's possession at all times and must be shown to any authorized person upon request.

PART 2—Resource Protection, Public Use, and Recreation

§ 2.1 Preservation of natural, cultural and archeological resources

Protection of Earthworks (Fortifications)

(a) The following is prohibited:

(1) Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state:

(iii) Nonfossilized and fossilized paleontological specimens, cultural or archeological resources, or the parts thereof.

(b) Climbing, walking on, or standing on the earthworks is prohibited. Earthworks include fortifications and entrenchments. Visitors must obey instructions on posted signs and stay out of un-mowed areas that demonstrate the boundaries of earthworks.

Justification: The earthworks are fragile and susceptible to erosion if repeatedly walked on or climbed on. Prohibiting these activities preserves the earthworks for future generations.

Metal Detecting or Relic Hunting

(a)(1) Use of a metal detector is prohibited. Digging or searching for souvenirs, relics, artifacts, or objects of any kind is prohibited.

36 CFR 261.9: "The following are prohibited: (g) digging in, excavating, disturbing, injuring, destroying, or in any way damaging any prehistoric, historic, or archaeological resources, structure, site, artifact, or property. (h) Removing any prehistoric, historic, or archaeological resources, structure, site, artifact, property." (Historic means older than 50 years.)

ARPA, 16 U.S.C. 470cc: "No person may excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage or otherwise alter or deface any archaeological resources located on public lands or Indian lands unless such activity is pursuant to a permit..."

Justification: Disturbing the landscape poses a risk to cultural and natural resources, no matter how unobtrusive the remaining hole may seem. Archaeological artifacts belong to the park and removal of them is considered theft of federal property.

Gathering of Fruits, Mushrooms, Berries and Nuts

(c)(1) The following fruits (including the fruiting bodies of certain mushrooms), berries and nuts may be gathered by hand for personal consumption or use:

- blackberries,
- blueberries,
- strawberries,
- grapes,
- cherries,
- pokeberries,
- pawpaws,
- mushrooms (only edible species),
- walnuts,
- hickory nuts,
- hazel nuts,
- beech nuts and
- acorns.

Justification: It has been determined that the gathering and/or consumption of the above in the quantities described below will not adversely affect park wildlife, the reproductive potential of individual plant species, or otherwise adversely affect park resources.

(c)(2)(i) The quantity of fruits (including the fruiting bodies of certain mushrooms), berries and nuts collect under the provisions of Section 2.1(c)(1) will not exceed 1 gallon per family or group per day for each species.

(c)(2)(ii) Persons gathering the species of fruits, berries and nuts listed in Section 2.1(c)(1) of this Superintendent's Compendium are prohibited from climbing trees or other vegetation, and from using stools or ladders. All such fruits, berries or nuts must be collected while standing on the ground. The gathering of such fruits, berries or nuts is also prohibited within 200 feet of scientific research plots or areas.

Justification: The use of collection methods such as ladders and tree climbing is prohibited in order to protect trees and vegetation from damage and to allow sufficient food supplies for wildlife. Gathering such items in research areas is prohibited to protect the integrity and reliability of research activities.

§ 2.2 Wildlife Protection

Baiting wildlife

(b)(2) The placement of salt licks, mineral blocks, food items or "baiting" to attract wildlife to a specific area is prohibited. Hunting is prohibited at Camp Nelson National Monument.

Justification: The use of these items has the potential to introduce non-native species and other materials that may be harmful to park resources or that are not a natural part of the diet of the park's animals. 36 CFR 2.2 (a)(2) prohibits the feeding of wildlife.

Disposing of Dead Animals

(a)(1) Disposing of dead animals is prohibited.

Justification: The disposal of dead animals within the park detracts from the experience of other visitors and can cause public health issues.

§ 2.3 Fishing

Fishing is permitted in the pond and Hickman Creek at Camp Nelson National Monument from the park shoreline, in accordance with the laws and regulations of the state of Kentucky. Anglers must possess appropriate fishing license or possess physical documentation of exemption from license requirements.

§ 2.5 Research Specimens

Scientific Research and Collection Permits

Pursuant to the authority found in 36 CFR 2.5, the Superintendent may issue permits for the collection of plants, fish, wildlife, rocks and minerals for research purposes subject to the conditions established by the National Park Service for scientific research and collection permits. These conditions, in part, are found online at <https://www.nps.gov/subjects/science/general-conditions-for-scientific-research-and-collecting-permits.htm> and are subject to periodic revision. The guidelines and requirements contained at the above website are hereby adopted and made part of this Superintendent's Compendium. The violation of any applicable condition, guideline or requirement is prohibited.

Justification: Conditions on research performed pursuant to permits are necessary to protect park resources from negative impacts and to ensure compliance with permitting procedures.

§ 2.10 Camping

Regulations

- (a) Camping within the boundaries of the Camp Nelson National Monument is prohibited. No person, party, organization, or other group shall camp within the park.

Exception: A person, or group who are participating in an organized, educational, NPS event designed to benefit park visitors may be allowed to camp in the park in designated areas assigned by the superintendent or a designee.

- (b) Campfires are only allowed as part of educational encampments and only in designated areas determined by the NPS. Fires will be built above ground only, NO fire pits allowed. The Park may provide sand at designated spots where fire is allowed to protect ground surfaces. Sand is to be removed after the event. Refer to §2.13 of this Compendium (below) for specific regulations pertaining to conditions on lighting or maintaining a fire in the park.

- (c) All authorized campfires in the park must always be attended and completely extinguished when not attended.

Justification: Recreational camping is inconsistent with the mission of the park.

§ 2.11 Picnicking

Picnicking is allowed at designated areas within the park which include the parking lot and anywhere in the park where there are picnic tables: near the Visitor Center, along the Depot Trail near the Officers Spring, and along the Barracks Loop Trail.

§ 2.13 Fires

Regulations

(a)(1) – Conditions on Lighting or Maintaining a Fire

A fire may be ignited and maintained only by using fuel sources designed and commonly used for warmth or the preparation of food, such as charcoal briquettes or natural firewood. Lighting or maintaining a fire with other materials including, but not limited to, flammable liquids, garbage, fireworks, plastics, aerosol canisters, batteries, or other manufactured or synthetic materials, is prohibited.

Justification: This action is necessary for the maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, and the implementation of management responsibilities. Materials other than approved combustibles – especially fire accelerants and substances prone to wind transport or explosion – creates serious risks when used to light or maintain fires. These combustibles can ignite or spread wildfires that directly threaten people and valuable resources and assets. The burning of manufactured or synthetic materials can contribute to air pollution, contaminate soil and water, and be toxic to humans and the environment. Less restrictive measures, such as an education campaign informing visitors of the risks of using certain materials to light or maintain a fire, would not be commensurate with the substantial risks associated with those activities and could lead to adverse outcomes that might be prevented by establishing an enforceable condition.

§ 2.15 Pets

Pets are permitted in the park if they are always leashed and under the control of their owner.

Disposal of Pet Excrement

(a)(5) Pet excrement must be immediately collected and containerized by the pet handler or owner. Such container must be placed in a refuse receptacle or removed from the park.

Justification: Improper disposal of pet waste is a potential health hazard.

§ 2.16 Horses and pack animals

(a) No trails, routes or areas within the park are designated for the use of horses or pack animals; the use or possession of horses or pack animals within the park is prohibited.

Justification: Park areas and trails have not been designed for use by horses or other pack animals, and the use of such animals poses the risk to other visitors and has the potential of serious damage to cultural and natural resources.

§ 2.21 Smoking

- (a) Smoking, including the carrying of lighted cigarettes, cigars, pipes, and electronic nicotine delivery systems is prohibited inside park buildings, including: the Visitor Center, Barracks, and White House. Electronic nicotine delivery system means an electronic device, such as an electronic cigarette, used to simulate smoking by inhaling vapor from the device.

Justification: Second-hand smoke has negative health consequences for other visitors and park staff.

§ 2.22 Property

(a) The following are prohibited:

(1) Abandoning property.

(2) Leaving property unattended for longer than 24 hours, except in locations where longer time periods have been designated or in accordance with conditions established by the superintendent.

(3) Failing to turn in found property to the superintendent as soon as practicable.

(b) *Impoundment of property.*

(1) Property determined to be left unattended in excess of an allowed period of time may be impounded by the superintendent.

(2) Unattended property that interferes with visitor safety, orderly management of the park area, or presents a threat to park resources may be impounded by the superintendent at any time.

§ 2.35 Alcoholic beverages and controlled substances.

(a)(3)(i) The consumption of alcoholic beverages and/or the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed, is prohibited throughout the park.

Exception: The prohibition does not cover the administrative use of facilities for park sponsored events.

Justification: In the locations listed above, the consumption of alcoholic beverages and the possession of open containers of alcoholic beverages is inappropriate considering the other uses of those locations and the purposes for which they were established and are maintained.

§ 2.51 Demonstrations.

See Appendix A for a map of locations where demonstrations, as defined in 36 CFR 2.51 and subject to the requirements contained therein, are allowed.

§ 2.52 Sale or distribution of printed matter.

See Appendix A for a map of locations where the sale and distribution of printed material, as defined in 36 CFR 2.52 and subject to the requirements contained therein, are allowed.

PART 4—Vehicles and Traffic Safety

§ 4.21 Speed limits.

(b) A maximum speed limit of 5 miles per hour is established within the parking lot.

Justification: High visitation in developed park areas necessitates reduced speed limits.

APPENDIX A

DESIGNATED LOCATIONS FOR DEMONSTRATIONS AND FOR THE SALE OR DISTRIBUTION OF PRINTED MATTER

As provided in Sections 2.51 and 2.52 of this Superintendent's Compendium, demonstrations as defined in 36 CFR 2.51 and the sale and distribution of printed matter as defined in 36 CFR 2.52 are allowed in the areas described below, as provided therein.

Designated First Amendment area under 36 CFR § 2.51 (c)(2)

