

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



**Superintendent's Compendium
REVISED March 14, 2022**

Introduction

The Superintendent's Compendium is a compilation of Designations, Closures, Request Requirements and Other Restrictions imposed under the discretionary authority of the Superintendent.

The following regulatory provisions are established for the proper management, protection, government, and public use of Congaree National Park under the jurisdiction of the National Park Service. These are in accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations, Chapter 1, Parts 1 through 7, authorized by Title 16, United States Code, Section 3. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, are required by Section 1.5(c) and appear in this document in *italicized* print.

Recommended: _____ Date: _____
Chief Ranger

Approved: _____ Date: _____
Superintendent

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Updates

36 CFR § 1.5 – Mask Policy (Page 10)

Updated Federal mask mandate and CDC guidance identifies when and where masks are to be worn by park staff and visitors.

Supplemental Regulations

Part 1 – General Provisions

36 CFR § 1.5 – Visiting Hours, Public Use limits, and Closures

1. Visiting Hours

- Visitor Center is open daily from 9:00 am – 5:00 pm with exceptions, as listed below:
 - Closed: Presidents Day, Columbus / Indigenous Peoples Day, Thanksgiving, Christmas, and New Year’s Day.
 - In the event that a presidential Executive Order is issued closing Federal Government agencies / offices and excusing employees from duty (e.g. December 24, the day before Christmas), park offices and visitor facilities will close.
 - Similarly, if early release is granted by Executive, Secretarial, or Director’s Order, the Superintendent may grant early release for park employees, and close the visitor center.
 - Hours or days of operation may be temporarily restricted for the purposes of meeting public health directives or other requirements for maintaining public health and safety.
- Campgrounds, trails, roads and parking areas are open 24 hours a day 365 days a year with exceptions, as listed below:
 - Campground and back country reservations / permits may be suspended due to flooding conditions, severe weather, or other health and safety reasons. (Ref: 36 CFR §1.5(a)(1))
 - As necessary to protect park facilities and resources.

Justification: Identifying the visiting hours helps park visitors get important information from park staff such as current park conditions, safety messages, and other park / area information. Any closures related to visiting hours, although temporary, may last for an extended period of time.

- ##### 2. During emergency conditions, the park or affected park areas may be closed temporarily by the Superintendent or his or her designee without prior public notice. This includes any closure required for prescribed fire or other park operations that could impact visitor safety. (Ref: 36 CFR §1.5(a)(1))

Justification: Visitor safety is paramount. The park will take precautionary steps to provide for a safe visitor experience and to prevent foreseeable accidents and/or injuries. Closures of this nature, although temporary, may last for an extended period of time. Any permanent closures will go through the required public notice process.

3. The Harry Hampton Visitor Center is open to the general public during normal business hours, which are made available to the public on site and through printed and electronic media. The administrative portion of the Harry Hampton Visitor Center / Park Headquarters and all buildings and associated grounds along the unpaved Administrative Road are not open to the general public. This closed area includes the entire unpaved Administrative Road that begins just east of the third parking lot and continues to the park boundary near the Bluff Campground. Along the Administrative Road are the Fire Suppression Building, Maintenance Facility and Yard, Learning Center, Outdoor Classroom, Comfort Station, Well-house, and Ranger Station all of which are closed to the general public. (Ref: 36 CFR §1.5(a)(1))

Justification: The Harry Hampton Visitor Center is a facility designed to educate and inform the visiting public. The Park Headquarters, Administrative Road, Maintenance Facility, Learning Center, Comfort Station, and Ranger Station were not designed for use by the general public and as such there are safety and security concerns if the general public were to have access to these areas.

4. The waters within Congaree National Park that are located west of the Norfolk Southern railroad line are closed to vessels powered by combustion engines and electric motors. The waters located east of the Norfolk Southern Railroad line, which includes Bates Old River, are open to vessels powered by combustion engines and electric motors. (Ref: 36 CFR §1.5(a)(1))

Justification: The lands and waters of Congaree National Park located west of the Norfolk Southern railroad line are designated as wilderness and designated wilderness area. In accordance with the Wilderness Act, the operation of vessels powered by combustion engines and electric motors is prohibited in wilderness. The lands and waters located east of the Norfolk Southern railroad line have not been designated as wilderness, therefore the wilderness prohibition does not apply to this area of the park.

5. The “picnic area” is defined as the Picnic Shelter and the picnic tables scattered throughout the Harry Hampton Visitor Center parking lots. The picnic area is available for use by park visitors from official sunrise to 9:00 pm. Park sponsored programming is exempt from this regulation. The Picnic Shelter may be reserved online at www.recreation.gov or over the phone at 1-877-444-6777, please visit the website for more information. If the Picnic Shelter has been reserved a sign will be posted making it unavailable to other park visitors. The picnic tables outside the Picnic Shelter are available on a first come first serve basis. (Ref: 36 CFR §1.5(a)(1))

Justification: The use of this area is limited to prevent illegal overnight camping and audio disturbances during the nighttime hours. The reservation system for the Picnic Shelter will be implemented in the spring / summer of 2021 and allow visitors the opportunity to reserve it for gatherings. This was made possible because of the addition of other picnic tables scattered throughout the parking areas that will be available on first come first serve basis.

6. No vehicle, whether gasoline or diesel operated, shall be permitted to sit and idle anywhere in the park for more than 15 minutes. This also restricts the use of internal combustion generators to the same 15 minutes of maximum use within the park. Idling or extended generator use may be permitted during extenuating circumstances, such as a medical emergency, at the discretion of a Law Enforcement Park Ranger. (Ref: 36 CFR §1.5(a)(2))

Justification: Idling vehicles and extended generator use creates an audible disturbance and affect the air quality, thus affecting the park aesthetics and resources and taking away from the visitor experience.

7. Climbing on trees with or without climbing gear within the boundaries of Congaree National Park is prohibited. This regulation does not apply to researchers carrying a valid permit for this activity. (Ref: 36 CFR §1.5(a)(2))

Justification: Congaree National Park was created to preserve the last contiguous stand of old growth bottom land forest in the United States. Allowing climbing on trees could adversely affect the resource by damaging the trees.

8. The possession of firewood from a source outside the park is prohibited UNLESS it falls into one of the following two categories:
- The wood has been purchased in the State of South Carolina AND the visitor has the receipt and the packing material in which the wood was purchased.
 - The wood is certified as pest free AND the visitor has the receipt and the packing material in which the wood was purchased.

Firewood that does not fall into either of the previous two categories is prohibited in the park. Firewood in violation this regulation may be confiscated by a Law Enforcement Park Ranger or the visitor may be directed to immediately burn the wood or remove it from the park. Congaree National Park considers firewood to be any wood cut, sold or intended for use as firewood, including chips, limbs, branches, etc. with or without bark. Kiln-dried, finished and cut lumber or lumber scraps from which the bark has been removed during the milling process and is

like that purchased from a hardware store or discarded at a construction site, **is not** considered firewood and **shall not** be burned. (Ref: 36 CFR §1.5(a)(2))

Justification: This closure is intended to prevent or slow the introduction of exotic insects or diseases into the Congaree National Park. The emerald ash borer (EAB) has already killed tens of millions of trees in those states that have been infested. As a result, the movement of firewood within and from infested areas is regulated by the states and the federal government. The USDA has documented that a number of other harmful species can be transported in firewood.

9. Glass Containers are prohibited in and around bodies of water within the park. No glass container shall be within 25 feet of a body of water. (Ref: 36 CFR §1.5(a)(2))

Justification: Glass containers are prohibited around and in bodies of water to provide for the safety of visitors engaged in water activities.

10. The open display and/or use of radio telemetry equipment or similar GPS equipment (aka, radio collars), which are commonly used to track wildlife and hunting dogs, is prohibited in the park without the prior permission of the Chief Ranger or his/her designee and may **only** be used to expedite the retrieval of a dog that is believed to be running loose in the park. Persons seeking permission to display or use radio telemetry equipment in the park shall, on a daily basis, provide their name, telephone number and vehicle description as well as a description of the dog(s) being sought and the area in which the search is to be conducted.

Permission to use this equipment to retrieve a loose dog does not exempt a person from any other regulation or law. Persons with a valid Research Permit are exempted from this requirement. (Ref: 36 CFR §1.5(a)(2))

Justification: Radio telemetry/GPS are efficient methods of catching a dog that has entered the park. However, radio telemetry can also be used to track wildlife or to facilitate a hunt by tracking dogs in pursuit of wildlife. This restriction is intended to facilitate the legitimate use of telemetry equipment in the park and to assist law enforcement personnel in distinguishing legitimate from illegal use.

11. Fishing is prohibited from or within 25 feet of any man-made structure, including bridges, boardwalk, and overlooks. (Ref: 36 CFR §1.5(a)(2))

Justification: The foot bridges, boardwalk, and overlooks have been constructed to help park visitors to navigate the park trail system. The bridges, overlooks, and boardwalk are narrow and were not built to allow additional space for fishing. For

the safety of park visitors fishing is not allowed from or near any man-made structure.

12. Launching, landing, or operating an Unmanned Aircraft System (UAS) from or on lands and waters administered by the National Park Service within the boundaries of Congaree National Park is prohibited except as approved in writing by the Superintendent.

The term Unmanned Aircraft System (UAS) 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, drones) that are used for any purpose, including recreation or commerce. (Ref: 36 CFR §1.5(a)(2))

Justification: Congaree National Park is comprised largely of wilderness or designated wilderness. In accordance with the Wilderness Act, the use of motor vehicles, motorized equipment, motorboats, landing of aircraft, and all other forms of mechanical transport are prohibited. For those park areas that do not fall under the wilderness provisions, this closure has been put in place to maintain public health and safety and to protect park resources and values until the NPS can determine whether specific uses of unmanned aircraft on the lands and waters administered by the NPS are appropriate and will not cause unacceptable impacts on park resources and values.

13. The use of wheeled, non-motorized carts or similar vehicles that are designed to be pushed, pulled, or drawn will be allowed in the Park. Non-motorized carts that are designed to be dragged (e.g., a sled) are not authorized for use in the Park. These wheeled, non-motorized carts are typically used to haul or transport persons or gear and include but are not limited to wagons, strollers, dollies, and wheeled coolers.

The following restrictions apply to the use of wheeled, non-motorized carts in the Park (Ref: 36 CFR §1.5(a)(2))

- Wheeled, non-motorized carts may be used:
 - on park roads/parking lots open to public use
 - on the sidewalks around the Harry Hampton Visitor Center
 - in the picnic/shelter area adjacent to the visitor center
 - in the Longleaf Campground

- on the boardwalk (strollers and wagons only).
- Wheeled, non-motorized carts may not be used anywhere else in the park, to include:
 - on hiking trails or off trail
 - in the Wilderness
 - in the Bluff Campground.

Justification: The use of wheeled carts is prohibited in the Wilderness in accordance with the provisions of the Wilderness Act. The use of Wheeled carts in other areas of the Park have been restricted in order to mitigate potential damage to existing trails and to protect the flora and fauna found in the Park. Wheeled carts are specifically restricted in the Bluff Campground because the campground itself is within Wilderness and there is no way to reach the campground without accessing the trail system or going off trail. Strollers and wagons (exclusively) are authorized for use on the boardwalk since historically the Park has allowed this activity so families with small children could experience wilderness.

14. Geocaching and similar recreational activities are not authorized in the Park. (Ref:

36 CFR §1.5(a)(2))

Justification: Geocaching and similar recreational activities (e.g., letterboxing) are treasure hunt games that involve hiding a container and then navigating to that container using a GPS device. The container is typically filled with trinkets or other small items of value that the treasure hunter swaps out for a trinket of his/her own. Geocaching is in violation of the abandoned property regulations found in 36 CFR §2.22. Additionally, geocaches are typically hidden and activities such as digging or camouflaging with natural material are often associated with this recreational activity.

15. Mask wearing requirements related to COVID-19.

- When the COVID-19 Community Level is LOW or MEDIUM in the county or all the counties where the park is located based on data provided by the Centers for Disease Control and Prevention (CDC), individuals are not required to wear masks.
- When the COVID-19 Community Level is HIGH in the county or all the counties where the park is located based on data provided by the CDC, all individuals over the age of two must wear masks, regardless of vaccination status, in all common areas and shared workspaces in buildings owned, leased, or otherwise controlled by the National Park Service, including, but

not limited to, park visitor centers, administrative offices, lodges, gift shops and restaurants.

- When the COVID-19 Community Level is HIGH in one or more, but not all, of the counties where the park is located based on data provided by the CDC, the superintendent will determine whether individuals are required to wear masks. The requirement, if any, will apply to all facilities within the park.
- Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.
- Regardless of the COVID-19 Community Level, individuals may wear masks if they choose to do so. Where a state, local, tribal, or territorial government where the park is located imposes more protective mask-wearing requirements than those indicated by the COVID-19 Community Level, individuals must follow those more protective requirements within the park. More protective state, local, tribal, or territorial mask-wearing requirements are hereby adopted as federal requirements in all units of the National Park System located within that state, locality, area subject to a federally recognized Indian tribe's regulatory jurisdiction, or territory, regardless of a particular park's jurisdictional status.
- Additionally, all individuals must wear masks in or on public transportation conveyances and transportation hubs/facilities, to the extent required by current orders or directives issued by the CDC, the Transportation Security Administration (TSA), or other federal agencies with jurisdiction over those conveyances or areas. As of March 4, 2022, CDC and TSA orders or directives require all individuals regardless of vaccination status to wear masks in indoor areas of all forms of public transportation conveyances, including busses, trains, and boats/ferries, and in the indoor premises of transportation hubs/facilities. Individuals are not required to wear masks while outdoors on conveyances or while outdoors on the premises of transportation hubs/facilities. (Ref: 36 CFR §1.5(a)(2))

Justification: Following the guidance outlined in Executive Order 13991, Protecting the Federal Workforce and Requiring Mask-Wearing and updated guidance from the CDC for decisions about COVID-19 prevention strategies related to COVID-19 Community Levels, which measure the impact of COVID-19 illness on community

health and healthcare systems dated 2/25/22. Using this new guidance, the Safer Federal Workforce Task Force issued Initial Implementation Guidance for Federal Agencies on COVID-19 Community Levels and Mask Wearing which provides federal agencies with guidance they should follow in utilizing the CDC's COVID-19 Community Levels to determine the appropriate mask-wearing and screening testing requirements for each federal facility at a given time.

16. During periods of substantial or high community transmission in Richland County, South Carolina the number of visitors in the following indoor locations may not exceed the maximum occupancy identified for each location.

<i>Indoor Location</i>	<i>Maximum Occupancy</i>
Headquarters Offices	20
Conference Room	4
Auditorium	8
Visitor Center (Bookstore)	12
Visitor Contact Station (Breezeway Kiosk)	2
Maintenance Office	2
Maintenance Break Room	3
Mechanic Bay (Door Closed)	4
Carpentry Bay (Door Closed)	6
Saw Shop	2
Learning Center	4
Dormitory	4
Ranger Station Meeting Room	3
Ranger Station Workshop	2
Ranger Station Garage Bay (Door Closed)	4
Outdoor Classroom	6
Comfort Station (each side)	2

Entering or remaining in any of the indoor locations identified in the table above after being asked not to enter or to leave the location because the maximum occupancy has been reached is prohibited.

Justification: Following the guidance outlined in NPS Directors Memo 3/29/21, Establishing Reduced Occupancy in National Park Service Facilities for Pandemic Response and updated guidance in NPS Directors Memo 5/14/21, Reduced Occupancy Guidance Changes for National Park Service Facilities. The DOI COVID-19 Workplace Safety Plan states no indoor workplace or visitor experience facility, venue, or other areas where visitors typically congregate in large numbers should operate above 25% of normal occupancy standards during periods of significant or high community transmission of COVID-19 as defined by the Centers for Disease Control and Prevention (CDC).

36 CFR § 1.6 – Permits

1. The following is a compilation of those activities for which a permit from the superintendent is required per the provisions of 36 CFR §1.6(f):
 - a. Camping Permit (Front and Back Country) (also see 36 CFR 2.10(a))
 - b. Collection of Specimens/Scientific Research (also see 36 CFR 2.50(a))
 - c. Special Events (also see 36 CFR 2.50(a))
 - d. Public Assemblies (also see 36 CFR 2.51(a))
 - e. Sale or distribution of printed material (also see 36 CFR 2.52(c))
 - f. Memorialization (also see 36 CFR 2.62(b))
 - g. Display of commercial notices or advertisements (also see 36 CFR 5.1)
 - h. Business Operations (also see 36 CFR 5.3)
 - i. Commercial filming, still photography, and audio recording (also see 36 CFR 5.5)

The following types of filming activities may occur in areas open to the public without a permit and without advance notice to the NPS:

- Outdoor filming activities outside of areas managed as wilderness involving five persons or less and equipment that will be carried at all times, except for small tripods used to hold cameras.

The organizer of any other type of filming activity must provide written notice to the Superintendent at least 10 days prior to the start of the proposed activity. Based upon the information provided, the Superintendent may require the organizer to apply for and obtain a permit if necessary to:

- maintain public health and safety;
- protect environmental or scenic values;
- protect natural or cultural resources;
- allow for equitable allocation and use of facilities; or
- avoid conflict among visitor use activities.

If the Superintendent determines that the terms and conditions of a permit could not mitigate the concerns identified above in an acceptable manner, the Superintendent may deny a filming request without issuing a permit. The Superintendent will provide the basis for denial in writing upon request.

The NPS will consider requests and process permit applications in a timely manner. Processing times will vary depending on the complexity of the proposed activity. If the organizer provides the required 10 day advance notice to the NPS and has not received a written response from the NPS that a permit is required prior to the first day of production, the proposed filming activities may occur without a permit.

The following are prohibited:

- (1) Engaging in a filming activity without providing advance notice to the Superintendent when required.
- (2) Engaging in a filming activity without a permit if the activity takes place in areas managed as wilderness or if the Superintendent has notified the organizer in writing that a permit is required.
- (3) Violating a term and condition of a permit issued under this action.

Violating a term or condition of a permit issued under to this action may also result in the suspension and revocation of the permit by the Superintendent.

- j. Any construction on Federal property (also see 36 CFR 5.7)

Justification: An application for a permit should be submitted to the Superintendent or his/her designee during normal business hours and within a time frame that is sufficient for an informed decision to be made. Permits that are not submitted within a sufficient time frame will be denied. Certain activities require permits issued by the Superintendent to ensure such activities are conducted in compliance with applicable regulations. Commercial filming permit requirements were updated in accordance with US DOI Memorandum – Managing Filming Activities After Price v. Barr dated 02/22/2021.

Part 2 – Resource Protection, Public Use and Recreation

36 CFR § 2.1 – Preservation of Natural, Cultural and Archeological Resources

1. Dead wood on the ground may be collected for use as fuel for campfires within the park as designated by the Superintendent. Cutting and removing live woodland plants is not permitted for any reason. (Ref: 36 CFR §2.1(a)(4))

The superintendent has designated that down and dead wood may be collected in the following areas as specified below:

- Longleaf and Bluff Campgrounds – within a 300-foot perimeter of the campground.
- Picnic Area to Include Picnic Shelter – within a 300-foot perimeter of the picnic area.

Justification: While the collection of down and dead wood is allowed within the park area it is restricted to the areas specified above in order to balance the visitors experience against the needs of the natural ecosystem.

2. The Superintendent may designate certain fruits, berries, nuts or unoccupied seashells that may be collected. The Superintendent may limit the size and the quantity of the natural product to be collected; the location where the natural products may be gathered; and restrict the possession or consumption of the natural products to the park area. (Ref. 36 CFR §2.1(c)(1))

The following fruits, nuts, or berries may be gathered by hand for personal use or consumption, in accordance with the noted size and quantity restrictions.

Possession and consumption of the collected fruits, nuts and berries shall be restricted to the park area.

- | | |
|--------------------|----------------------------|
| • Blackberries | 1 liter per person per day |
| • Edible Mushrooms | 1 liter per person per day |
| • Grapes | 1 liter per person per day |
| • Blueberries | 1 liter per person per day |
| • Paw Paw Fruit | 1 liter per person per day |
| • Wild plums | 1 liter per person per day |
| • Walnuts | 1 liter per person per day |

Justification: While the collection of certain berries, nuts and fruits is allowed, the Superintendent has imposed limitations on the size and quantity of these natural products in order to balance the visitor experience against the natural ecosystem.

36 CFR § 2.2 – Wildlife Protection

1. Hunting and trapping are prohibited in Congaree National Park. The only exceptions are (1) researchers holding a valid permit issued through the NPS Research Permit and Reporting System, and (2) park-sponsored resource/wildlife management activities. (Ref. 36 CFR §2.2(b)(1))

Justification: Based on the enabling legislation for Congaree National Park, hunting is neither mandated by Federal statutory law, nor authorized as a discretionary activity.

2. All of Congaree National Park is closed to the viewing of wildlife with an artificial light. Park sponsored programming is exempt from this regulation. (Ref. 36 CFR §2.2(b)(4)(e))

Justification: The use of artificial light to view wildlife disturbs the animals in their natural habitat and may be indicative of illegal hunting activities known as “spotlighting”. This regulation does not pertain to using a light at night for navigational or utilitarian purposes (i.e., pitching a tent, preparing food). This regulation pertains specifically to shining the light on or at wildlife.

3. Wildlife legally taken from outside the park may not be transported through the park regardless of mobile conveyance (i.e. car, truck, ATV, boat). (Ref. 36 CFR §2.2(b)(4)(d))

Justification: Congaree National Park is not located in an area that presents the need for through traffic. The only park road is not a throughway.

4. Wildlife legally taken from or shot outside the park during legal hunting activities, but then enters the park from private land and dies may be transported out of the park only in the following manner:
- The individual retrieving the game must first contact a Congaree National Park Law Enforcement Park Ranger and provide them with the following information:
 - Name and contact number
 - Hunting license information
 - Type of game
 - Date, time, and location game was originally shot
 - Park location
 - Once notification has been made, the individual may retrieve the game.
 - No weapon or dogs may be brought into the park to retrieve the game.
 - No motorized vehicle (including ATVs) or non-motorized vehicle (bicycle) or cart may be taken off road to retrieve the game.

This regulation does not permit the individual retrieving the game to violate any other park regulation while involved in this activity. (Ref. 36 CFR §2.1(a)(4))

Justification: This regulation exists to allow for the transportation of wildlife that was legally harvested outside the park that has fled into the park and died. All specified requirements must be met to ensure that illegal hunting is not taking place in the park.

36 CFR § 2.3 – Fishing

1. Game fishing is generally permitted in all areas of Congaree National Park with a valid South Carolina fishing license. Fishing sites must be accessed by for or in accordance with boating regulations outlined elsewhere in this document. Fishing is not allowed from or within 25 feet of any man-made structure, including bridges, boardwalk, and overlooks. Under some circumstances the superintendent may restrict fishing access in certain locations or events under 36 CFR §1.5. These conditions do not apply to anglers fishing from boats in the Congaree and Wateree rivers. *(Ref. 36 CFR §2.3(a))*

Justification: The Park's enabling legislation mandates that fishing will be allowed within the park and that any area of the park closed to fishing must be done with the consent of the State of South Carolina. For the safety of park visitors fishing is not allowed from or near any man-made structure. This is to help prevent any injuries from visitors using these man-made structures while fishing activities occur in the area.

2. ---The following devices and practices are prohibited in the park.
 - Fishing in any manner in any manner other than by hook and line, with the rod or line being closely attended
 - Non-game fishing devices
 - The use of scents and attractants
 - Commercial fishing
 - Fishing by the use of drugs, poisons, explosives, or electricity.
 - Digging for bait, except on privately owned lands.
 - Failing to return carefully and immediately to the water from which it was taken a fish that does not meet size or species restrictions or that the person chooses not to keep. Fish so released shall not be included in the catch or possession limit, provided that at the time of catching the person did not possess the legal limit of fish. *-(Ref. 36 CFR §2.3(d)(1))*

Justification: Non-game fishing devices are prohibited in the park because of 36 CFR §2.3(d)(1), which states that fishing in fresh waters in any manner other than by hook and line, with the rod or line being closely attended is prohibited.

36 CFR § 2.4 – Weapons, Traps and Nets

Note: South Carolina State Law (Section 16-23-20) (1) allows for a person who is granted a permit (concealed carry permit) under provision of law by the State Law Enforcement Division to carry a handgun about their person, under conditions set forth in the permit; (2) allows for a firearm to be carried in a vehicle if the handgun is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; and (3) allows licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing to carry a firearm about their person while in a vehicle or on foot. Since hunting is prohibited in the park, the hunting section of the regulation shall not apply. However, fishing is authorized by the enabling legislation of this park. Therefore, the provision applying to a licensed fisherman being able to carry a firearm while fishing or going to and from their places of fishing while in a vehicle or on foot does apply.

According to South Carolina State Law (Section 23-31-210) a “Concealable weapon” is a firearm having a length of less than twelve inches measured along its greatest dimension that must be carried in a manner that is hidden from public view in normal wear of clothing except when needed for self-defense, defense of others, and the protection of real or personal property.

According to 18 U.S.C. § 930 the possession of firearms and dangerous weapons in Federal facilities is prohibited and shall be posted conspicuously at each public entrance. Therefore, all firearms and dangerous weapons are prohibited from all buildings with Congaree National Park, to include the Harry Hampton Visitor Center. Note that a dangerous weapon is a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.

36 CFR § 2.10 – Camping and Food Storage

The following regulations have been established by the Superintendent to better manage the camping activities at Congaree National Park.

Persons camping within the park are required to obtain a permit issued by the Superintendent or his or her designee. Any person that has obtained a camping permit must have photograph identification with them for the purpose of permit compliance. A camping permit will be required for individual and group front country camping at established campsites and for individual camping in the back country. Camping permits **will not** be issued for group back country camping.

Individuals wishing to camp in the parks established campgrounds (front country camping) must obtain their permits not more than six months in advance by going online to www.recreation.gov or over the phone at 1-877-444-6777. Permits cannot be obtained for front country camping by calling the park directly.

Individuals planning a camping trip by hiking park trails into the back country or using Cedar Creek must obtain their permit by contacting park staff via phone or email, or at the front desk of the Harry Hampton Visitor Center during normal business hours. Individuals who are entering the park via the Congaree River from upstream can obtain a permit over the phone, and may be applied for no more than 30 days in advance of the trip. If time allows, a copy of the permit will be mailed to the visitor so that he or she will have it during their visit to the park. If time does not allow, the individual will be given a reference number over the phone and he or she will use that as proof of registration.

All campers must carry proof of registration on them at all times. Proof includes:

- Confirmation sheet delivered to them via email upon registration with recreation.gov
- A signed permit obtained from the front desk of the Visitor Center
- A reference number given over the phone by Congaree NP staff (only applies to back country camping along the Congaree River)

Camping registration and payment for all established campgrounds is done online or over the phone through www.recreation.gov system. No registration or payments will be taken by park staff. A reservation and payment must be made for each occupied campsite. (Ref. 36 CFR §2.10(a))

Justification: A permit system for camping is necessary for visitor safety and visitor services operations as well as for monitoring visitor impacts on park resources and overall park management. The requirement for the holder of a camping permit to have with them photograph identification is to ensure the integrity of the registration system and well as to provide for the safety of park visitors.

1. The length of stay for each permitted camper shall not exceed 14 consecutive days or twenty-eight (28) days in a (6) month period. (Ref. 36 CFR §2.10(a))

Justification: Length of stay requirements are intended to prevent permanent residency on National Park lands as well as provide a fair opportunity for all visitors to use camping amenities.

2. Camping in the front country will only take place at designated campsites within the Longleaf and Bluff Campgrounds. The front country for these purposes is

defined as that area in the park that is north of Cedar Creek between the South Cedar Creek Canoe Access to the east and the Bannister Bridge Canoe Access to the west.

Back country camping is permitted South of Cedar Creek and off the following hiking trails: River, Oakridge, and Kingsnake. Paddlers may camp on the south bank of Cedar Creek between the Bannister Bridge and South Cedar Creek canoe launches. Paddlers who are camping in the back country downstream of the South Cedar Creek canoe launch may camp on either the north or south bank, following the proper guidelines established in subsection 7 of the camping portion of the compendium.

Sleeping overnight in a vehicle (car camping) is prohibited in Congaree National Park. Camping permits will not be issued for car camping. Car camping includes but is not limited to sleeping in passenger vehicle, a truck, a Recreational Vehicle (RV), camper, or conversion van. Camping will only take place by permit in the front country or back country settings as defined above. (Ref. 36 CFR §2.10(a))

Justification: Designated camping sites and areas have been established to protect resources, provide for visitor safety and to provide for a quality recreational experience.

3. Camping regulations for developed front country sites in the Longleaf and Bluff Campgrounds are as follows:
 - There are ten (10) individual sites and four (4) group sites at the Longleaf Campground. There are six (6) individual sites at the Bluff Campground. Individual sites are limited to a maximum of 8 persons. Group sites are limited to a minimum of nine (9) persons and a maximum of twenty-four (24) persons.
 - No more than three (3) temporary camping structures shall be placed at an individual site. These structures may be any combination of tents, screen tents or canopies. All camping structures must be erected within the footprint of the campsite's impacted and hardened area.
 - No more than twelve (12) temporary camping structures shall be placed at a group site. These structures may be any combination of tents, screen tents or canopies. All camping structures must be erected within the footprint of the campsite's impacted and hardened area.
 - Camp Sites must be occupied each night for the permit to remain valid. Sites left unattended for more than 24 hours will be considered abandoned property. The site will be cleared, and the gear and equipment shall be inventoried or considered trash and disposed of properly. Once camp is

broken and all items removed the camping permit is no longer valid. (Ref. 36 CFR §2.22)

- Check out time for all front country campsites (individual and group) is 11:00 AM.
- Check in time for all front country sites (individual and group) begins at 12:00 PM (noon).
- The combined use of portable structures and water holding containers for the purpose of showering within developed campgrounds must provide for a way to collect the gray water and dispose of it. Such equipment includes, but is not limited to, sun showers, shower shelters and rooms, privacy shelters, porta-showers, and shower systems. Gray water shall not drain out onto the ground in the developed campgrounds. Gray water must be carried out or disposed of in a gray water designated area.
- The use of internal combustion powered generators (gasoline, diesel, natural, gas, or propane) are not permitted in the front country campgrounds for more than 15 minutes. Persons who require the use of a generator for the powering of medical equipment should obtain a waiver from the Chief Ranger or their designee. (Ref. 36 CFR §2.10(a))

Justification: These regulations are intended to provide for the orderly use of the developed front country campgrounds. These regulations are intended to provide a safe and enjoyable recreational experience consistent with National Park Service standards.

4. Camping regulations for back country sites:

- Campers in the back country are required to stay in the zone they have designated upon filling out their permit.
- Back country sites are limited to six (6) persons. No permits will be issued to groups larger than six (6) persons.
- Back country sites are limited to three (3) tents per site. For the purpose of this regulation bivy sacks and camping hammocks are not considered camping structures or tents.
- Backpacking stoves or contained cooking units (closed fuel source) are permitted in the back country regardless of wilderness designation.
- Back country sites must be at least 300 feet (100 yards) away from the next closest campsite. (Ref. 36 CFR §2.10(a))

Justification: These regulations are intended to protect the resources of the back country and the wilderness while providing a safe and enjoyable recreational experience consistent with National Park Service standards.

5. Tarps, para wings, and wings are permitted in front and back country campsites so long as they do not impact, injure, or damage park resources by their deployment. They are not considered camping structures, however if more than one unit is deployed in a campsite the suitability of additional units will be determined by a Law Enforcement Ranger based on conditions such as resource protection, safety, and aesthetics. (Ref. 36 CFR §2.10(a))

Justification: This regulation is intended to give campers additional options for having protection from the elements. However, protecting the parks resources and the aesthetic value as well as providing safety for park visitors remains paramount.

6. Camping within 25 feet of a water hydrant or a main road and 100 feet of a flowing body of water is prohibited unless otherwise designated by the Superintendent. Due to the abundance of sloughs and guts within the park it would be difficult to stay 100 feet away from flowing (moving) water during certain times of the year. Therefore, the camping within 100 feet of a body of water restriction will only apply to the following bodies of water:

- Cedar Creek
- Tom's Creek
- Bates Old River
- Wise Lake

This prohibition does not apply to the Congaree River or the Wateree River, as the park boundary does not include either body of water. Weston Lake is not included as it is in the designated front country area and camping is prohibited except for at designated campgrounds. (Ref. 36 CFR §2.10(b)(3))

Justification: These camping regulations have been established to balance the recreational activity of camping with the need of the park to protect and manage the resource. These regulations are intended to provide a safe and enjoyable recreational experience consistent with the National Park Service standards.

7. The Superintendent has not established any special regulations that apply to food storage outside of the regulations established in 36 CFR §2.10(d).

36 CFR § 2.11 – Picnicking

1. The Superintendent has not established closed areas or special regulations for picnicking within the park.

36 CFR § 2.13 – Fires

1. Fires in the park are prohibited, except under the following conditions:

- Fires are allowed in the fire rings at designated campsites. Fires must be contained within the fire ring. Firewood (as discussed in sections 1.5 and 2.1) and charcoal are the only fuel sources to be used in the fire.
- Fires are allowed in the permanent grills at the Picnic Shelter. The fire must be contained within the grill. Charcoal and firewood are the only fuel sources allowed.
- Fires are allowed in portable grills at the Longleaf campground campsites and at the picnic area to include the shelter. Charcoal and / or wood and propane are authorized fuel sources for portable grills. Due to the distance from the parking lot at Longleaf to the Bluff Campground portable grills are not allowed in Bluff Campground.

Other items burned in a fire receptacle may be considered as the improper disposal of refuse, which is in violation of 36 CFR §2.14. (Ref. 36 CFR §2.13(a)(1))

Justification: Fires are prohibited in the wilderness and a large portion of the park is either wilderness or potential wilderness. Fire, if not managed properly can have a devastating effect on natural and cultural resources as well park assets. Therefore, this regulation is in place to allow for the limited recreational use of fire while mitigating possible damages.

2. The Superintendent has established the following conditions for extinguishing a fire.
 - Fires will be extinguished so that all burnt material is totally out and cold to the touch.
 - Soil or sand will not be used to extinguish a fire. (Ref. 36 CFR §2.13(b))

Justification: This regulation is intended to help control the unwanted spread of fire by making sure that fires that are no longer in use or properly attended are extinguished to park specifications.

36 CFR § 2.14 – Sanitation and Refuse

1. The Superintendent has not established any additional regulations concerning the disposal, containerization and carry-out of human body waste. (Ref. 36 CFR §2.14(a)(2))

36 CFR § 2.15 – Pets

1. Pet excrement that is deposited in any improved area for visitor access or recreation must be removed by the owner and deposited in a trash receptacle. Improved areas for public access and recreation include but are not limited to

designated trails, boardwalks, bridges, campsites, roads, parking lots, sidewalks, picnic shelters/areas, and boat launches. (Ref. 36 CFR §2.15(a)(5))

Justification: Improved areas for visitor access and recreation are expected to be free from pet excrement and other waste. Excrement and other waste can lead to unsanitary, unhealthy, and unsafe conditions for park visitors.

2. In addition to the regulations pertaining to pets the following applies to service animals:

A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disabilities. Generally service animals are allowed wherever visitors are allowed when accompanying an individual with a disability. Service animals must be harnessed, leashed, or tethered unless these devices interfere with the service animal's work or the individual's disability prevents them from using these devices. Service animals may be removed from a facility if the animal is out of control and the handler does not take effective action to control it or the animal is not housebroken.

Note: More guidance on service animals can be found in DO-42 and the Director's Policy Memorandum 18-02 dated 10/18/18 and titled "Use of Service Animals by Visitors with Disabilities – Interim Policy."

36 CFR § 2.16 – Horse and Pack Animals

1. The use of horses or other pack animals is prohibited in Congaree National Park.

(Ref. 36 CFR §2.16(g))

Justification: Horses and pack animals are prone to causing trail damage, such as potholes, particularly in sensitive environments such as those found in a floodplain forest. Horses and pack animals can also spread non-native plants through their excrement.

36 CFR § 2.21 – Smoking

1. Smoking at Congaree National Park will be permitted under the following requirements:
 - Smoking is prohibited in all buildings, facilities and enclosed structures located in the Park. This restriction applies to park housing (dormitory) as well.

- Smoking is prohibited within 25 feet of all buildings, facilities and enclosed structures located in the Park. This restriction applies to park housing (dormitory) as well.
- Smoking is prohibited in all government owned or leased vehicles and vessels, to include heavy equipment.

Smoking by definition means the carrying of lighted cigarettes, cigars or pipes or the intentional and direct inhalation of smoke from these objects. This definition is expanded to include Electronic Nicotine Delivery Systems (ENDS). (Ref. 36 CFR §2.21(a))

Justification: On June 29, 2009, NPS Director's Order #50D, Smoking Policy, was updated to bring NPS national policy in compliance with Executive Order 13058. The Park regulations have been updated to reflect the new policy.

Note: More guidance on the Use of Electronic Nicotine Delivery Systems (ENDS) can be found in the Director's Policy Memorandum 15-03 dated 9/10/15 and titled "Use of Electronic Nicotine Delivery Systems."

36 CFR § 2.22 – Property

1. The Superintendent has not established a time period for abandoned property in excess of the 24-hour period established in this regulation. (Ref. 36 CFR §2.22(a)(2))

36 CFR § 2.35 – Alcoholic Beverages and Controlled Substances

1. The possession or consumption of an alcoholic beverage and/or the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open in the park is prohibited. This prohibition includes all park areas of the park except: the designated picnic shelter/area (west of the Harry Hampton Visitor Center), front country campgrounds, back country campsites and the living quarters and immediate area surrounding the learning center (to include the VIP campsite). A valid back country campsite is any site that is permitted in accordance with park regulations within the designated back country. The Superintendent may authorize the possession and consumption of alcoholic beverages as part of a special event in prohibited areas. (Ref. 36 CFR §2.35(a)(3)(i))

Justification: The Park has experienced alcohol related problems in the past that has included large disruptive college parties; intoxicated persons with alcoholic beverages on interpretive programs; and the littering of alcoholic beverage containers along the trails and creeks. Therefore, to better manage alcoholic beverage consumption, the park will only allow alcoholic beverages to be consumed

at specified locations in the park. This will promote a safer and more enjoyable experience for all park visitors.

36 CFR § 2.51 – Public Assemblies, Meetings

1. The areas listed below are designated for demonstrations and the sale or distribution of printed matter. These areas may be occupied by groups of 25 or fewer persons without a permit consistent with 36 CFR 2.51 and 2.52. Though not required, a permit is recommended in order for even small groups to assure that there is no conflict with other scheduled activities. Detail maps of the areas will be furnished upon request and / or with a permit. *(Ref. 36 CFR §2.51(e))*
 - Small Group (10 or less) - Harry Hampton Visitor Center – Stone terrace on the front of the building in front of the breezeway.
 - Medium Group (11 to 24) - Harry Hampton Visitor Center Parking Lot – The front of the middle parking lot where the sidewalk meets the parking area.
 - Large Group (25 or more) - Harry Hampton Visitor Center Parking Lot – The front of the large vehicle parking lot where the sidewalk meets the parking area.

Justification: These areas have been designated pursuant to the provisions of the Federal Register with the intention of providing persons exercising their First Amendment rights with a very public area with the potential for “high visibility”. Due to space limitations at the park, alternative arrangements must be made for the assembly/meeting as the size of the group increases.

36 CFR § 2.52 – Sale or Distribution of Printed Matter

1. See section 2.51 above regarding the list of designated areas authorized for the sale or distribution of printed material. *(Ref. 36 CFR §2.52(5)(e))*

36 CFR § 2.62 – Memorialization

1. The scattering of human ashes from cremation will be permitted pursuant to a permit issued by the park and pursuant to the following conditions *(Ref. 36 CFR §2.62(b))*:
 - The chosen site must be no less than 200 feet from any buildings or historic building, structure, or cemetery sites.
 - The chosen site must be no less than 100 feet away from any other structures and developed areas (i.e. visitor centers, roads, trails, boardwalk, campgrounds, and picnic areas).

- The chosen site must be no less than 150 feet from a stream or other watercourse.
- The ashes must be scattered and not deposited in any type of container. Cremains may not be buried even without a container.
- No marker or memorial of any sort may be placed or left at the site. The placement or planting of real or artificial flowers, memorial trees, brass markers, wooden crosses, etc. is prohibited.
- A copy of the permit must accompany the person performing the scattering.
- Cremation must be accomplished in accordance with state law.

Justification: The disposal of human remains and the associated containers are governed by State law due to legal, health and safety considerations and must be managed accordingly.

Part 3 – Boating and Water Use Activities

36 CFR § 3.20 – Boating

1. The Superintendent has not established a permit process for the use of a vessel within the park. (Ref. 36 CFR §3.20(3.3))

Part 4 – Vehicles and Traffic Safety

36 CFR § 4.21 – Speed Limits

1. The superintendent has established speed limits within the park that differ from those established in 36 CFR §4.21. The speed limits are clearly posted and have been established with park safety and purpose in mind. (Ref. 36 CFR§ 4.21(b))

Justification: The park roads as they currently exist do not support speed limits up to the 45-mph designation.

Note: Vehicles which are not manufactured for street use and which do not meet applicable federal motor vehicle safety standards (e.g. golf carts and ATV's) are prohibited on park roads except for official government use. When there is doubt about the status of a motor vehicle, it shall be the obligation of the owner to provide documentation from the manufacturer that the vehicle meets federal motor vehicle safety standards. Generally, that can be confirmed by stickers on the vehicle or text in the owner's manual, or by checking tires for "Not for Highway Use" text. The licensing of off-road vehicles by some jurisdictions has created confusion about which vehicles are allowed on public roads.

36 CFR § 4.30 – Bicycles

1. The Superintendent has designated that all paved roads and parking lots open to the general public for vehicle use are open to the general public for bicycle use. Bicycle use is prohibited on park trails, the boardwalk, the unpaved Administrative Road, as well as riding cross country without trail. (Ref. 36 CFR §4.30(a))

Justification: Bicycle use is prohibited in wilderness and designated wilderness areas. For those park areas not designated as wilderness, bicycle use is prohibited because an assessment has not been completed to determine the effects and impacts on park resources.

2. Electric Bicycles or “e-bikes”

- 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 Congaree National 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 with pedaling is prohibited.
- A person operating an e-bike is subject 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 Congaree National 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: Bicycle use is prohibited in wilderness and designated wilderness areas. For those park areas not designated as wilderness, bicycle use is prohibited because an assessment has not been completed to determine the effects and impacts on park resources.

36 CFR § 4.31 – Hitchhiking

1. For the purpose of hiking a park trail, hitchhiking is permitted to obtain transportation back to one's vehicle or from one's vehicle to a trail entry point. Hitchhiking is also permitted to obtain assistance for a disabled vehicle. Hitchhiking shall not be permitted where it creates a traffic hazard. (Ref. 36 CFR §4.31)

Justification: Some park trails (land and water) do not loop back to their beginning point but come out some distance from the original entry point. Soliciting a ride for short distances has not created any problems over the years, particularly since the park does not have a throughway road system way.