National Park Service
U.S. Department of the Interior

Cowpens
National Battlefield

4001 Chesnee HWY
Gaffney, SC 29341

864-461-2828 phone
864-461-7077 fax

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

Approved:

John Slaughter, Superintendent

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

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

I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

Visiting Hours:

- Open Daily (7 days/week) between the hours of 9:00 AM and 5:00 PM.
- Closed for Federal Holiday Observance on Thanksgiving, Christmas & New Year's Day.
- Park tour road & picnic area will be closed to traffic at 4:30 PM daily to afford park staff adequate time to insure all visitor vehicles have exited those areas prior to closing gates.
- Extended hours for special events will be posted on the park website at www.nps.gov/cowp and on the park bulletin board.
- Trails and the Trailhead parking area are open dawn to dusk. Park interpretive trails are closed to horses, horseback riders and all general public motorized vehicles. However, horses are allowed on the Green River Road and other areas designated in the horseback riding policy.

Public Use Limits:

- The park maintenance area, housing areas, and lower level of visitor center are closed to general public.
- Unimproved roads/lanes to include the Green River Road are closed to public motorized vehicles.
- Picnic activities are allowed in the designated picnic sites. The group picnic shelter area may be reserved and is regulated under the specific park special use permit process and fees.
- Equestrian use is limited to trails/roads as designated in the parks horseback riding policy – refer to section 1.5(a)(2)

Closures:

- Emergency weather event may warrant the closing of the park without prior public notice.
- Non-NPS off road vehicles are prohibited within park boundaries.
- Hunting and trapping are prohibited within park boundaries.
- Bicycles are permitted on the park's paved roadways and parking areas but are prohibited on the park's trails (including the Nature Trail and the historic Green River Road). Bicycles are allowed on the Trailhead trail to access the Loop Road from the Trailhead Parking area.
- Due to the historic integrity of the Robert Scruggs House, the interior is only open to the public with a park staff member present. The building is always closed to food or beverage consumption.
- Periodic closures of certain park areas may be required during park sponsored special events.

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

Historic Weapons Firing Demonstrations:

- Historic weapons firing demonstrations are regulated by RM-6/ D.O.- 6

Athletic Events:

- Coordinated Running Events: Will take place only within the existing road network of the park. A special use permit will be issued annually upon review and coordination with the sponsoring group.
- Coordinated Biking Events: Will take place only within existing road network of the park. A special use permit will be issued for each event upon review and coordination with the sponsoring group.

Camping:

- Camping is only allowed by approved park volunteer/service groups/individuals through the special use permit process.
- Please refer to §2.10 for detailed camping area designations.
- Living history encampments are limited to the open area behind the visitor center.

The following restrictions and/or conditions are in effect for the specific uses or activities noted:

Passenger Carrying Busses:

- Engines must be shut down when not underway.
- Bus parking area is designated at multiple locations: Scruggs House Parking area, Battlefield overlooks #1 and #2, and designated spaces at the park visitor center area parking lot.

The idling of bus engines adds unnecessary exhaust fumes to the air and diminishes the enjoyment by visitors of the peace and tranquility of the park.

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

Special Use permits applications can be obtained by writing, calling or picking up in person at the park visitor center during normal operating hours.

(f) The following is a compilation of those activities for which a permit from the superintendent is required:

- §1.5(d) The following activities related to Public Use Limits:
  - Picnic Shelter use -36 CFR 250Weddings
  - Guided tours not sponsored by the NPS
- §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals)
- §2.10(a) The following camping activities:
  - Civic Club (Boy Scout, Girl Scout, Youth Program, Etc.)
  - Camping by permit is allowed in the group camping area near the end of the picnic area loop road.
- §2.12 Audio Disturbances:
  - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51
- §2.17 Aircraft & Air Delivery:
  - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
  - (c)(1) Removal of a downed aircraft
- §2.23(b) The following special recreation activities (per 36 CFR Part 71):
  - Organized Athletic Events
- §2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52)
- §2.38 Explosives:
  - (a) Use, possess, store, transport explosives, blasting agents
  - (b) Use or possess fireworks
- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views
- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising
- §2.62 Memorialization:
  - (a) Erection of monuments (Requires approval from Regional Director)
- §4.11(a) Exceeding of established vehicle load, weight and size limits
- §5.1 Advertisements - (Display, posting or distribution.)

- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).

- §5.5 Commercial Photography/Filming:
  - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
  - (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.

- §5.6(c) Use of commercial vehicles on park area roads (The superintendent shall issue a permit to access private lands within or adjacent to the park when access is otherwise not available)

- §5.7 Construction of buildings, facilities, trails, roads, path, structure, etc.

- Part 7 Special Regulations

  - The operation of temporary food and/or beverage sales during special events requires a commercial use permit.
  - Non-profit organizations do not have to obtain a CUA for temporary food and/or beverage sales as long as the organization states in writing that it will not derive any taxable income from the activities it performs in the park and must show proof of non-profit status. Non-profit organizations are required to obtain special use permits per the special use permit guidance.

III. GENERAL REGULATIONS

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

(a)(1–6) Possessing, destroying, injuring, defacing, removing, digging, or disturbing any natural or cultural object, flora or fauna, or any archeological site or artifact is strictly prohibited.

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

- Climbing on monuments or entering the gated area around the 1856 Washington Light Infantry Monument is strictly prohibited.

(a)(7) Possessing or using a mineral or metal detector, magnetometer, side scan sonar, other metal detecting device, or sub-bottom profiler is strictly prohibited.

- Official NPS archeological research is exempt from the prohibition of using the above mentioned detector devices.

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

Maximum 2 gallons per family/per day) of the following may be gathered by the general public for personal use:

- apples
- blackberries
- blueberries
- chestnuts
- concord grapes
- mulberries
- peaches
- pecans
- persimmons
- plums
- scuppernongs/muscadines
- strawberries

36 CFR §2.2 - WILDLIFE PROTECTION

(e) The following areas are closed to the viewing of wildlife with the use of an artificial light:

- All areas within the park boundary are closed to the viewing of wildlife with the use of artificial light unless expressly exempted in a special use permit (scientific) or nuisance/invasive species management program.

Section 2.4 Weapons, traps and nets.

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

- Possessing a trap or net in the park is prohibited except for employees in performance of their duties or researchers who are park authorized.
- Black powder weapons utilized by authorized individuals for interpretive, living history and re-enactment purposes are allowed after inspection by park black powder safety officer.
- BB Guns, slingshots, bows, blow guns, etc. are prohibited from use within the park unless part of a historic weapons interpretive demonstration.

- **Section 512 of the Credit Card Accountability Responsibility and Disclosure Act of 2009, P.L. 111-24, 123 Stat. 1764-65, allows persons to possess firearms while in units of the National Park and National Wildlife Refuge Systems if they are in compliance with applicable federal and state law. Specifically, Section 512(b) states:**

  The Secretary of the Interior shall not promulgate or enforce any regulation that prohibits an individual from possessing a firearm including an assembled or functional firearm in any unit of the National Park System or the National Wildlife Refuge System if--(1) the individual is not otherwise prohibited by law from possessing the firearm; and (2) the possession of the firearm is in compliance with the law of the State in which the unit of the National Park System or the National Wildlife Refuge System is located.

WARNING: FIREARMS PROHIBITED In FEDERAL FACILITIES

Federal law prohibits the possession of a firearm or other dangerous weapon in Federal facilities unless specifically authorized. 18 USC 930(a) possession violations are subject to fine and/or imprisonment up to one year, while 18 USC 930(b) possession violations with intent to commit a crime are punishable by a fine and imprisonment up to five years.

- "Facilities" covered under this provision include the Visitor Center, Administration Building, Maintenance Building and Scruggs House.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) The sites and areas listed below have been designated for camping activities as noted. A permit system has been established for certain campgrounds or camping activities, and conditions for camping and camping activities are in effect as noted:

- No overnight camping is allowed with the exception of the 18th Century demonstrations for interpretive purposes.
- Scouting and /or other volunteer organizations may receive permission to camp overnight provided they are working on projects for or with the park.

36 CFR §2.11 – PICNICKING

Conditions for Picnicking:

- Large groups utilizing the picnic shelter are subject to the special use permit as outlined in Special Park Use Fee Schedule which can be obtained at the Visitor Center Front Desk or online at *http://www.nps.gov/cowp/planyourvisit/permits.htm*

36 CFR §2.12 -Audio Disturbances

(a) Power saws are prohibited in the park except those in use by employees or contractors working for the park.

(b) Audio devices that exceeds the noise level of 60 decibels measured on the A-weighted scale at 50 feet are not permitted or if interferes with the purpose for which the park was established or impacts other park users.

36 CFR §2.13 – FIRES

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

Designated Areas:

- Fires are allowed by general public only in designated picnic areas within provided BBQ grills.
- Fires are allowed by approved camping groups only in the fire ring located in the group camping area.
- Interpretive living historians, re-enactors and staff may have ground fires only after inspection by the safety officer and during park sponsored special events in the open field behind the Visitor Center and behind the Scruggs House

Receptacles Allowed:

- Public fires may only take place within provided BBQ grills in picnic areas.

Established Conditions for Fires:

- Upon receipt of notice from the South Carolina Forestry Commission or the Fire Notification Center of NPS of high fire danger weather, fires will be prohibited in the park without prior public notice.
- Fires will not be left unattended by interpretive personnel.
- A fully charged fire extinguisher must be examined each time a fire is utilized near the Scruggs House and must be immediately accessible.

(a)(2) The following restrictions are in effect for the use of stoves or lanterns:

- Lanterns and luminaries are restricted to use only during park sponsored special events.

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

- All fires shall be fully extinguished by the visitor prior to vacating the picnic site.
- All interpretive fires must be fully extinguished using sand, dirt or water when not supervised.
- The user is responsible for removing from the park or properly and safely disposing of the coals and other remains of the fire.

36 CFR §2.14 - Sanitation and refuse

(a)(1) Depositing refuse in other than a refuse receptacle is prohibited.

(a)(2) Disposal of household waste, commercial or industrial waste or building materials at any location in the park is prohibited.

36 CFR §2.15 – PETS

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

- No pets other than Assistance Animals will be allowed in the park's Visitor Center or other facilities.
- All pets must be restrained on a leash with a maximum length of 6 feet while on park property

(a)(3) Pets may be left unattended and tied to an object in the following areas, under the conditions noted:

- Pets may not be left unattended while on park property.
- Pets found unattended will be subject to confinement by Animal Control.

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

- Pet owners will be held responsible for handling and disposing of pet excrement in the following areas: park interpretive walking trails, picnic area, all parking areas, and on the Visitor Center grounds.
- Excrement must be removed at least 20 feet from the above-cited areas and deposited in adjacent woods/bushes.

(e) Pets may be kept by park residents under the following conditions:

- Pets may be retained by park employees residing within park residences and in accordance with park quarters policy.
- Employee pets are allowed unrestrained in the yards of employee quarters but are subject to all other applicable regulations outside park quarters yards.

36 CFR §2.16 – HORSES and PACK ANIMALS

(g) Horseback riding will be allowed in the park with the exception of the paved interpretive trails and Visitor Center area. Riders will be responsible for handling and disposing of horse excrement. Disposal shall mean removal to woods/brush at least 20 feet off park trails or other developments through which a rider may pass in the park.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

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

- Allowed on paved park roads only.
- Not allowed on sidewalks, walking trails and picnic areas to include picnic shelter.

36 CFR §2.21 – SMOKING

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

- Smoking is prohibited in the park's Visitor Center and Administrative Offices, and park vehicles.
- **No smoking within 50 feet of any building entrance, monument or exhibit.**
- Cigarette butts or other tobacco products must be disposed of properly- extinguished and put into appropriate receptacles.

36 CFR §2.22 – PROPERTY

(a)(2) Property may be left unattended for periods longer than 24 hours in the following areas and under the following conditions:

- Vehicles left for more than 24 hours will be towed at owner's expense.
- Unattended property that interferes with visitor safety, orderly management of the park area, or presents a perceived threat and/or nuisance to park resources or visitors may be impounded at the discretion of the Superintendent or designated law enforcement personnel at any time.

36 CFR §2.23 – RECREATION FEES

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

Entrance Fee Areas:

Cowpens National Battlefield does not charge an entrance fee.

Special Recreation Permit Fee:

Some areas, uses and events require a Special Park Use Permit which may include an application fee and or use fee as outlined in the Special Park Use Fee Schedule which can be obtained at the park visitor center or on line at *http://www.nps.gov/cowp/planyourvisit/permits.htm*

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- Consumption of alcoholic beverages within park buildings and on park trails is prohibited.
- Consumption of alcoholic beverages within the "Scruggs Chimney" & "Scruggs House" interpretive area(s) is prohibited.
- Beer kegs are not allowed within the boundary of the park.
- Responsible consumption of alcoholic beverages by occupants and their guests in park housing is permitted.
- The possession, use, sale, or distribution of any illegal controlled substance is prohibited.
- The possession, use, sale, or distribution of any legal controlled substance is prohibited unless licensed medical personnel prescribe the use of the substance.

36 CFR §2.38 – EXPLOSIVES

(b) Fireworks and firecrackers may be possessed and/or used in the following areas, under the conditions noted:

- The use and possession of fireworks in the park is prohibited.
- The annual organized fireworks display will be under the supervision of the Superintendent, Kings Mountain National Military Park Law Enforcement & the local fire department (Macedonia Volunteer Fire Department).

36 CFR §2.62 – MEMORIALIZATION

(b) A permit is required for the scattering of ashes from cremated human remains, or in the following designated areas without a permit, in accordance with the following terms and conditions:

- Scattering of ashes from cremated human remains within the park is prohibited.

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Park roads open for travel by motor vehicle are those indicated below, and/or as indicated in the following publication or document (attached hereto):

- Roads that have been "closed" to the public are identified to indicate:"Authorized Vehicles Only", "Residents Only", etc.

36 CFR 4.15 Safety Belts will be used while motorized vehicles are in motion.

36 CFR Right of Way
Drivers of motorized vehicles and equipment will yield right of way to pedestrians and others not in or on motorized vehicles.

36 CFR §4.21 – SPEED LIMITS

(b) Posted speed limit signs are to be obeyed.

36 CFR §4.30 – BICYCLES

(a) Park roads and parking areas that are closed to bicycle use are listed in section 1.5 of this document.

NOTE: All the prohibitions and regulations promulgated in Title 36, Code of Federal Regulations (CFR) relating to parks in general apply to Cowpens National Battlefield, except those areas and times specified by the superintendent as exceptions to the regulations