National Park Service
U.S. Department of the Interior

Fort Donelson
National Battlefield and
National Cemetery

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

Approved:

_____ Date: _____
Lora Peppers, Chief Ranger

_____ Date: 9/23/15
Brian McCutchen, Superintendent

AUTHORITY

Under the authority of 54 USC (United States Code), Section 100751, and Title 36 CFR (Code of Federal Regulations), Chapter 1, Parts 1-7, this Compendium of Superintendent's Orders is established for Fort Donelson National Battlefield and National Cemetery. Regulations listed in this compendium are requirements in addition to those listed in Parts 1-7 of Title 36 CFR unless otherwise noted. The specific authority for this regulatory procedure is found in Section 1.5, through 1.7 of Title 36.

In addition to these regulations, the following are also provided:

Section 1.6(f) states that a list of those activities, which require a permit, must be maintained. That list appears in this document under 1.6.

As required by 1.7(b), these regulations, permit requirements, and written determinations shall be updated annually and made available to the public upon request.

PURPOSE

Title 36 of the Code of Federal Regulations (CFR) Chapter 1, Parks, Forest and Public Property, has been established to provide for the proper use, management, government and protection of persons, property, and natural and cultural resources under the jurisdiction of the National Park Service (NPS). {36 CFR 1.1(b)}

Regulations within 36 CFR will be utilized to fulfill the statutory purposes of units of the National Park System: to conserve scenery, natural and historic objects, wildlife and to provide for the enjoyment of these resources in a manner that will leave them unimpaired for the enjoyment of future generations. {36 CFR 1.1(b)}

Within 36 CFR the Park Superintendent has the discretionary authority to establish regulations that are more or less restrictive than a given regulation in certain instances. The Superintendent is required to compile in writing all the designations, closures, permit requirements and other restrictions imposed under discretionary authority. {36 CFR 1.7(b)}

All designations, closures, permit requirements and other restrictions are addressed in Parts 2, 3, 4, 5, 12, and 25 below under the appropriate section number and heading where they are applicable. Violations of compendium restrictions will subject a person to the same penalties for violating provisions of 36 CFR.

PUBLIC NOTICE and INFORMATION

In addition to the compendium, all designations, closures, permit requirements and other restrictions will be made available to the public by at least one other method of notification. Methods include maps, signs and publication in newspapers, handouts and other appropriate media. {36 CFR 1.7(a)}

Title 36 CFR and the Superintendent's compendium are available for review at the Park Headquarters, Ranger Station, and Visitor Center or through contact with a park ranger. Additional information or permit applications may be requested by writing or calling:

Superintendent
Fort Donelson National Battlefield
P.O. Box 434
Dover, TN 37058
Phone: 931-232-5348
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Superintendent's Designations, Closures, Permit Requirements and Restrictions

For the purposes of this document, Fort Donelson National Battlefield is divided into the Fort Donelson Unit in Tennessee, and the Fort Heiman Unit in Kentucky. If a section applies to an individual unit it will be identified. Otherwise the regulation applies to both units.

36 CFR PART 1 – GENERAL PROVISIONS

SECTION 1.5 – CLOSURE AND PUBLIC USE LIMITS

(a) (1) The following areas are closed to the public:

Lake Barkley Maintenance Area
Resource monitoring plots and survey sites
Historic structures, sheds, outbuildings etc. without the permission of the Superintendent or designee
Areas designated as Eagle Nesting Areas

Due to the inherent damage, destruction, and disturbance caused to plants, historic structures, features and wildlife from visitor traffic through these areas, it is necessary to close them in order to protect the resources.

The Fort Heiman Unit of Fort Donelson National Battlefield is open to public but there are limited Federal facilities and no visitor services are provided. Travel off of the current county roads is prohibited except by those individuals who retain in-holdings within the National Park Service boundary. This provision only applies to their individual properties.

(a) (2) The following activities, but not limited to the following, will be prohibited at Fort Donelson National Battlefield where use and activity may detract from the historic setting of the park:

Kite flying is prohibited in all areas of Fort Donelson National Battlefield.

Any and all types of recreational games and activities (i.e., football, baseball, Frisbees, etc.), except those authorized by Special Permit through the Superintendent or designee.

> *Due to the significant historical events which took place on the battlefield, it has been determined that recreational activities are inconsistent with the purpose for which the park was established and is to be managed.*

Horseback riding – except authorized through Special Use Permit by the Superintendent or designee to provide special event living history demonstrations involving mounted or horse drawn vehicle military maneuvers and tactics. *Even under a Special Use Permit, horse-drawn vehicles will be limited to paved roads only.*

Operation of Unmanned Aircraft is prohibited – Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Fort Donelson National Battlefield 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). This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

In order to protect the commemorative values of the historic landscape and insure recreational activities do not interfere with the interpretation of the historic resource, such activities must be managed. Limiting unmanned aircraft activity advances the primary preservation values found within the park's enabling legislation.

(3) The Superintendent reserves the right to temporarily close or change hours for any and all areas of the park without notice.

The park buildings, public use facilities and grounds of Fort Donelson National Battlefield will be open to visitors for recreational use during the following dates and times:

1. **Fort Donelson Visitor Center** – 8:00 a.m. to 4:30 p.m. Extended Visitor Center hours may be coordinated with the Cooperating Association (Eastern National) and the building will be posted as such during this time.

2. **Fort Donelson National Cemetery** – National Cemetery Drive will be open 7:00 a.m. to 8:00 p.m. Year-Round. Gates will close by 8:00 p.m.

3. **Fort Donelson Administration Building** (National Cemetery Lodge) – 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays or other dates designated by the Superintendent.

4. **Main Fort Donelson Tour Road** – Open 8:00 a.m. to 8:00 p.m. (Memorial Day Weekend through Labor Day) 8:00 a.m. to 6:00 p.m. (Spring Daylight Saving Time change to Memorial Day Weekend and Labor Day Weekend to Fall Standard Time change) and 8:00 a.m. to 4:30 p.m. (during Standard Time). The roads and trails remain open for pedestrian traffic from Sunrise to Sunset, as determined by the official times listed in the Tennessee Hunting and Fishing Guides, Old Farmer's Almanac, etc, and to those groups holding valid camping permits, special use permits, or volunteer event agreements. During closure periods, campers may occupy only the area designated in their permit, and are not to travel by foot, vehicle, horse, or other method beyond permit designation. This includes all interpretive living history programs, which are limited also to shelter and restroom facilities.

5. **Graves Battery Road**-- 8:00 a.m. to 8:00 p.m. (Memorial Day Weekend through Labor Day) 8:00 a.m. to 6:00 p.m. (Spring Daylight Saving Time change to Memorial Day Weekend and Labor Day Weekend to Fall Standard Time change) 8:00 a.m. to 4:30 p.m. (during Standard Time). The roads and trails remain open for pedestrian traffic from Sunrise to Sunset, as determined by the official times listed in the Tennessee Hunting and Fishing Guides, Old Farmer's Almanac, etc.

6. Other park roads and areas are open from Sunrise to Sunset, as determined by the official times listed in the Tennessee Hunting and Fishing Guides, Old Farmer's Almanac, etc. This does not apply to the Cedar Street/French's Battery park road which is normally open 24 hours, seven days per week. The Superintendent retains the authority to close this road at his or her discretion.

7. **Fort Donelson Picnic Area Restrooms** are open from Dawn to Dusk.

8. All buildings and grounds will be closed on Thanksgiving, Christmas Day, and New Year's Day.

9. Parking at the Buckner's Final Defense tour stop will be limited to 30 minutes to allow all those following the park tour route an opportunity to safely park and visit the interpretive markers.

Use of this small 3-space parking lot is often filled with persons using the "rope swing area," located on adjacent Corps of Engineers property. Excessive, long-term use of these limited spaces for this non-park activity create traffic problems on the main tour road and prevents park visitors from visiting the tour stop.

Segway use is only allowed where motorized wheelchair use is allowed, when operated by persons with disabilities (handicapped persons with substantial mobility impairments as defined in 43 CFR Part 17, Subpart E).

The closures are necessary for public safety and to protect the park's cultural, historical, and natural resources from damage, vandalism, and destruction during times when there are no personnel on duty.

Food and beverages are prohibited in the Visitor Center lobby, theatre, and museum.

The Visitor Center contains historic artifacts and paintings and it has been determined that damage from spilled food and beverages pose an unacceptable risk to the resources and visitor satisfaction with the facility.

Pets are prohibited within the Dover Hotel unless accompanying persons with disabilities (handicapped persons with substantial mobility impairments as defined in 43 CFR Part 17, Subpart E).

The Dover Hotel may be as temporary housing for volunteers, employees, or researchers and in order to protect employees who may have allergies or related medical conditions triggered by exposure to pets and to protect furnishings it has been determined necessary to close the area to pets.

SECTION 1.6 – PERMITS

Under the authority of 36 CFR 1.6(a) and to meet the requirements of 36 CFR 1.6(f), the following activities *require* a permit issued by the Superintendent or his/her designated representative.

Carrying or possessing a prohibited weapon, trap, or net as defined in 36 CFR 2.4(a), (b), (c), (e), and (f).

Taking plants, fish, wildlife, rocks, or minerals for research specimens as defined in 36 CFR 2.5, except in accordance with other 36 CFR regulations (i.e., 2.1, 2.2, 2.3, and 7.32(b)).

Camping as defined in 36 CFR 2.10.

Special Events as defined in 36 CFR 2.50.

Public assemblies and meetings as defined in 36 CFR 2.51.

Sale or distribution of printed matter as defined in 36 CFR 2.52.

Engaging in or soliciting any business or commercial operation.

Commercial film activities.

The following activities require special permits that *may* be approved by the Superintendent:

--Concealed firearms may be carried on the battlefield consistent with Tennessee and Kentucky state laws. Firearms will be prohibited in any Federal building or structure within Fort Donelson National Battlefield. This does not include picnic shelters.

--Camping

--Operate a Power Saw in a developed area or any motorized equipment in a non-developed area

--Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas

--Operation of a public address system in connection with a public gathering or special event for which a permit has been issued in pursuant to section 2.50 or 2.51

--Remove a downed aircraft

--Use, possess or transport explosives or fireworks

--Special Events

--Public Assemblies, meetings, gatherings, demonstrations, parades and other expressions of views (First Amendment Activities)

--Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events

--Sell or distribute Printed Matter

--Graze Livestock or Agricultural uses

--Reside on Park Lands

--Scatter Human Ashes

--Operate a vehicle exceeding load, weight or size

--Display, post or distribute advertisements

--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)

--Soliciting or demanding gifts, money goods are services (Pursuant to the terms and conditions of a permit issued under section 2.50, 2.51 or 2.52)

--Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television

--Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising

--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)

--Construct a temporary structure, trail or path (Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.)

--Disinterment of Remains from the National Cemetery

--Install a memorial marker

--Conduct a Battlefield tour for a fee

--Collect research specimens

--Cut firewood for home heating purposes (designated trees selected by NPS)

--Presenting information of an interpretive nature, by individuals or groups, alluding as representatives of the National Park Service, to the public, is not permitted except for authorized NPS employees, cooperating association staff, volunteers or licensed guides

SECTION 1.7 PUBLIC NOTICE

Under the authority of 36 CFR 1.7: This Superintendent's Compendium serves as the compilation in writing of all the designations, closures, permit requirements, and other restrictions imposed under discretionary authority which is required under 36 CFR 1.7(b).

36 CFR PART 2 – RESOURCE PROTECTION, PUBLIC USE, AND RECREATION

SECTION 2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHAEOLOGICAL RESOURCES

I. Under the authority of 36 CFR 2.1(a)(5): The Dover Hotel (Surrender House) may be entered and traversed by the public only at such times when the structure is open to the public. No person shall smoke, eat, drink, or chew gum within the historic structure. No pets are allowed inside this building except guide dogs accompanying visually impaired persons or hearing ear dogs accompanying hearing-impaired persons. The handling of any museum object and/or artifact is prohibited, unless that object or artifact is signed for handling. The upstairs administrative area is closed to the public.

Comment [PL1]: Recommend using "service dogs" I don't believe we can identify the impairment.

II. Under the authority of 36 CFR 2.1(c)(1) and 36 CFR 2.1(c)(2): The following designated fruits, berries, and nuts may be gathered for personal use or consumption in quantities not greater than:

A. Native fruits and berries: all species (not listed as nationally or state threatened or endangered species) and in quantities not greater than one (1) gallon per person per week.

B. Mushrooms: all edible mushrooms (not listed as nationally or state threatened or endangered species) and in quantities not greater than one (1) gallon per person per week.

(a) Except otherwise provided the following is prohibited:

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

(i) Living or dead wildlife or fish or parts of products thereof, such as antlers or bird nests (the possession of legal limits of fish caught by licensed method is permitted in the Tennessee and Cumberland Rivers.

(ii) Plants or the parts or products thereof.

(iii) Non-fossilized and fossilized paleontological specimens, cultural or archaeological resources, or the parts thereof.

(2) Introducing wildlife, fish or plants, including their reproductive bodies, into a park area or ecosystem.

(4) Unauthorized collection of wood other than that provided for use in designated camping areas is prohibited.

The park may provide firewood for use in designated camping areas and Living History programs, but groups should be prepared to provide their own wood if none is available.

(5) Walking on, climbing, entering, ascending or traversing an archeological or cultural resource, earthwork, monument or statue, except in designated areas and under conditions established by the Superintendent.

(6) Possessing, destroying, injuring, defacing, removing, digging or disturbing a structure or its furnishings or fixtures or other cultural or archeological resources.

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

(a) The superintendent may restrict hiking or pedestrian use to a designated trail or walkway system pursuant to 36 CFR 1.5 and 1.7. Leaving a trail or walkway to shortcut between portions of the same trail or walkway, or to shortcut to an adjacent trail or walkway in violation of designated restrictions is prohibited.

On park roads, whether one-way or two-way, joggers and walkers will walk in a safe manner along the left side of the road, either in single file or two abreast.

SECTION 2.2 – WILDLIFE PROTECTION

Under the authority of 36 CFR 2.2(e): All lands and waters within the Fort Donelson National Battlefield boundary, owned in fee by the NPS, are closed to the viewing of wildlife with an artificial light. The only exception to this is that artificial lights may be used during the night while engaged in legally permitted activities or as approved in advance by the Superintendent or his/her designated representative.

(a) The following are prohibited:

(1) Hunting or taking of wildlife.

(2) Feeding, touching, teasing, frightening or intentional disturbing of wildlife nesting, breeding or other activities.

(3) (e) The use of artificial light to view or hunt wildlife is prohibited.

SECTION 2.3 – FISHING

Although most shoreline areas of the Fort Donelson Unit fall under the authority of the U.S. Army Corps of Engineers, and of the Tennessee Valley Authority at the Fort Heiman Unit, fishing is permitted in the Cumberland and Tennessee Rivers, by boat and from the park shoreline, in accordance with the laws and regulations of the states of Tennessee and Kentucky. Anglers must possess appropriate fishing license or possess physical documentation of exemption from license requirements.

SECTION 2.4 – WEAPONS, TRAPS, NETS

Under the authority of 36 CFR 2.4(a)(2)(i)(A): Possessing, carrying, or using a weapon is authorized only at times and locations and in those manners described in non-conflicting laws of the States of Tennessee or Kentucky adopted under 36 CFR 2.2(b)(4).
Under the authority of 36 CFR 2.4(d): Possessing or carrying a weapon, trap, or net at times and locations other than those authorized by 36 CFR 2.4(a)(2)(i)(A) and 36 CFR 2.4(a)(2)(i)(B) is only authorized by a permit issued by the Superintendent or his/her designated representative. The permittee must have the permit in his/her possession while on lands and waters within the federally owned lands of the battlefield.
At present, the only application of this relaxation of 36 CFR 2.4(d) is for possessing a trap or net for collecting research specimens. Permission to do so must be listed as a condition on a COLLECTING PERMIT, issued by the Superintendent or his/her designated representative. Activities of the park's education outreach program and ranger led interpretive programs do not need a collecting permit.

(a) (1) The following are prohibited:

(i) Possessing a weapon, trap or net.
(ii) Carrying a weapon or trap.
(iii) Using a weapon.

(1) To support research activities conducted in accordance with 36 CFR 2.5.

For employees, agents or cooperative officials in the performance of their official duties.

Weapons used for interpretive programs and events will be administered under RM-6 at the discretion of the Superintendent or their designee.

SECTION 2.5 – RESEARCH SPECIMENS

Under the authority of 36 CFR 2.5(a): Taking plants, fish, wildlife, rocks, or minerals not in accordance with other 36 CFR regulations is permitted pursuant to the terms and conditions of a COLLECTING PERMIT issued by the Superintendent or his/her designated representative. The permittee must have the permit in his/her possession while collecting within the federally owned lands of the battlefield.

(a) To collect research specimens of fauna and flora a natural resource specimen collection permit is required.

(b) Specimen collection permits will be issued only in accordance with regulations specified in 36 CFR 2.5 section (b), (c).

SECTION 2.10 – CAMPING AND STORAGE

Under the authority of 36 CFR 2.10 (a):

A. Overnight Camping will be restricted to locations approved by the Superintendent or their designee:
   1. Overnight camping is permitted only in the designated organized youth group campground by a valid Special Use Permit. The permittee must have the Permit in his/her possession while camping in the battlefield. The permit must be properly filled out, signed and validated for payment.
   2. Camping time limitations: No persons, parties, or organizations shall be permitted to camp longer than three consecutive days at any one visit.
   3. Maximum party size permitted at the designated organized youth group campground is 20 persons.
   4. The following camping conditions are established by the Superintendent:
      a. Camp within 50 feet of the picnic tables and trash containers.
      b. All trash must be carried out.
      c. Camping must be at least 100 feet from Indian Creek
      d. Wood fires are permitted in the fire rings only.
   5. A permit allows occupancy of the campsite until noon of the day the party is scheduled to leave.
   6. Camping in conjunction with Living History events will be at the Superintendent's discretion.

(a) The following are prohibited:

(1) Digging, trenching or leveling the ground at the campsite.
(2) Leaving camping equipment, site alterations, or refuse after departing the campsite.
(4) Creating or sustaining unreasonable noise between the hours of 10:00 p.m. - 6:00 a.m.
(5) Removing vegetation or disturbing wildlife or natural resources.

SECTION 2.11 – PICNICKING

Picnicking is permitted in the following areas:

Established Picnic Area near Cumberland River at Fort Donelson
The Pavilion Area next to the Fort Donelson Visitor Center.

Due to the historic nature of the battlefield and in accordance with NPS Management Policies, it has been determined that picnicking activities in additional areas would be inconsistent with the purpose for which these areas were established and are to be managed.

SECTION 2.12 – AUDIO DISTURBANCES

Motorized or audio devices will be operated in a manner so as not to exceed 60 decibels.

Operating a public address system, except by permit issued by the Superintendent or designee is prohibited.

All devices or voice activation will be at the lowest audible level possible when in the National Cemetery.

SECTION 2.13 – FIRES

Under the authority of 36 CFR 2.13(a)(1):
I. Lighting and/or maintaining a fire is permitted only under the following conditions:
A. At the designated organized youth group campground and at the designated Cumberland River picnic area in government metal fire rings and government fire grills only at the locations where they are provided, or in the same designated locations in privately owned fire grills.

Fires are prohibited except for the following activities and locations authorized by the Superintendent:

For cooking on grills in the designated picnic areas
For cooking and heating at Living History events.
For cooking and heating at designated Youth and VIP camping areas.
For Prescribed Burns under an approved fire plan.

Fires will be completely extinguished before leaving the site.

During periods of high or extreme fire danger or strong winds all fires will be prohibited. This designation will be made by the superintendent or his/her designee.

Campfires for living history programs will be made on the surface of the ground. Visitor fires must be in metal fire rings provided by the park.

SECTION 2.14 – SANITATION AND REFUSE

(a) The following are prohibited:

(1) Disposing of refuse in other than refuse receptacles.

(2) Using government refuse facilities for dumping household, commercial, or industrial refuse, brought from private or municipal property is prohibited.

(3) Collecting and removing aluminum cans or other refuse from refuse receptacles for commercial use.

(4) Draining refuse from a trailer or other vehicle, except in facilities provided for such purposes.

(5) Using public facilities to bathe or wash clothes.

(6) Polluting or contaminating park water or water courses.

(7) Disposal of human body waste.

SECTION 2.15 – PETS

The following are prohibited:

(1) Possessing a pet in a public building. This shall not apply to guide dogs accompanying visually-impaired persons or hearing ear dogs accompanying hearing-impaired persons.

(2) Failing to crate, cage or restrain a pet on a leash not to exceed 6 feet is prohibited.

(3) Leaving a pet unattended and/or tied to an object.

(4) Allowing a pet to make a noise that is unreasonable considering location, time of day or impact on park users.

(5) Failing to remove pet excrement by owner/handler in all park areas.

(6) Within the national cemetery unless accompanied by an individual requiring assistance as determined by applicable laws and policies. (ADA)

SECTION 2.16 – HORSES

Under the authority of 36 CFR 2.16(b): Horses and pack animals (burros, mules, llamas, or other hoofed mammals) are prohibited unless authorized by permit from Superintendent for Living History programs or special needs.

Horse-drawn vehicles are limited to the paved roads. Riders are responsible for cleaning up after their animals.

SECTION 2.17 – AIRCRAFT AND AIR DELIVERY

(a) (1) Hang gliders, glider kits, Ultralite, hot air balloons, fixed wing gliders or any like aircraft is prohibited from use except in emergency.

FAA regulations can be found in 14 CFR Chapter 1.

SECTION 2.19 – WINTER ACTIVITIES

All winter activities such as, but not limited to, skiing, sledding, tobogganing are prohibited unless designated by the Superintendent or designee.

SECTION 2.20 – SKATING, SKATEBOARDS AND SIMILAR DEVICES

The use of all such devices is prohibited when park roads are open.

SECTION 2.21 – SMOKING

Under the authority of 36 CFR 2.21(a): The following areas are closed to smoking:

I. All flammable liquid storage areas.
II. Within 50 feet of fueling station of L.P. gas storage areas.
III. All government owned buildings.
IV. All government vehicles.
V. Within proximity to Living History black powder demonstrations.

Smoking is prohibited in all government buildings, vehicles, and during Living History black powder demonstrations.

SECTION 2.22 – RECREATIONAL FEES

(a) Recreational events sponsored by an organization outside of the Federal Government will be required to obtain a special use permit and a fee may be required of that group. All such permits and fees will be considered on a case by case basis. Refer to 36 CFR Section 1.6 and 71.9.

SECTION 2.35 - ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

Under the authority of 36 CFR 2.35(a)(3)(i): All buildings, facilities, and grounds within the battlefield are closed to the possession, use, or consumption of alcoholic beverages.

The consumption and possession of controlled substances is prohibited unless use is authorized by prescription.

Comment [PL2]: This is prohibited by Federal Law.. I don't think supts have authority to be more lenient.

SECTION 2.38 – EXPLOSIVES

(b) Using or possessing fireworks, sparklers, firecrackers, or alike, or other explosives or incendiaries is prohibited, unless by permit from the Superintendent or designee.

SECTION 2.50 – SPECIAL EVENTS

Under the authority of 36 CFR 2.50(a): ceremonies and similar events are allowed by a permit issued by the Superintendent or his/her designated representative. The permit must be in the possession of the highest-level organizer or leader of the special event that is on site within the federally owned lands of the battlefield.

(a) Any and all special events sponsored by an organization will be required to obtain a permit from the Superintendent or designee, and a fee or bond may be required of the group. There will be a meaningful association between the park area and the event(s), and the observance contributes to visitor understanding of the significance of the park area. The amount of the fee will be determined at the time of permit issuance. All permits and fees will be considered on a case by case basis.

Comment [PL3]: The permit fee should be consistent. The $ amount for monitoring and compliance can vary.

(7) (b) The permit must be applied for at least 120 hours in advance of the event.

SECTION 2.51 – PUBLIC ASSEMBLIES, MEETINGS

Under the authority of 36 CFR 2.51(a): Public assemblies, meetings, gatherings, demonstrations, parades, and other public expressions of views are allowed by a permit issued by the Superintendent or his/her designated representative. The permit must be in the possession of the highest-level organizer or leader of the public assembly or meeting that is on site within the battlefield. The areas/locations where these types of activities can occur are described on a map available at the Office of the Superintendent and are accordingly identified as:

Picnic Pavilion Area adjacent to Visitor Center

(a) Public assemblies, meetings, gatherings, demonstrations and alike will be authorized providing a permit has been obtained from the Superintendent prior to the event requested.

The permit must be applied for at least 72 hours in advance.

SECTION 2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER.

Under the authority of 36 CFR 2.52(a): The sale or distribution of printed matter, that is not solely commercial advertising, is allowed by a permit issued by the Superintendent or his/her designated representative. The permit must be in the possession of anyone selling or distributing printed matter within the battlefield. The areas/location where these types of activities can occur are described on a map available at the Office of the Superintendent and are accordingly identified as:

Picnic Pavilion Area adjacent to Visitor Center

SECTION 2.62 – MEMORIALIZATION

Under the authority of 36 CFR 2.62(b): The scattering of human ashes from cremation is allowed throughout the federally owned lands of the battlefield in accordance with conditions of a permit issued by the Superintendent or his/her designated representative, which must be in the possession of the permittee while scattering ashes within the battlefield.

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

(b) The scattering of human ashes from cremation is prohibited, except when authorized by the superintendent or designee and special permit issued.

36 CFR PART 3 BOATING AND WATER ACTIVIES

SECTION 3.6 – PROHIBITED OPERATION

Launching or operating vessels upon or within the water areas of Fort Donelson National Battlefield is prohibited. An exception is extended to vessels operating on the Cumberland or Tennessee Rivers.

SECTION 3.21 – SWIMMING AND BATHING

Swimming, tubing, bathing, diving and wading within the waters of Fort Donelson National Battlefield is prohibited.

All access to water areas occurs on lands within jurisdiction of the U.S. Army Corps of Engineers or Tennessee Valley Authority.

36 CFR PART 4 MOTOR VEHICLE LAWS

SECTION 4.2 – TENNESSEE and KENTUCKY MOTOR VEHICLE LAWS

All Tennessee State vehicle laws are applicable to the Fort Donelson Unit and all Kentucky State vehicle laws are applicable to lands constituting the Fort Heiman Unit located in Calloway County, Kentucky.

SECTION 4.10 – TRAVEL ON PARK ROADS AND DESIGNATED ROUTES

(a) All vehicle traffic is limited to paved park roads.

SECTION 4.11 – LOAD, WEIGHT AND SIZE

Tennessee and Kentucky State statutes will apply.

SECTION 4.15 – SEATBELTS

(a) The use of seatbelts will be required by all persons in any vehicle operated in Fort Donelson National Battlefield.

SECTION 4.21 – SPEED LIMITS

Under the authority of 36 CFR 4.21(a)(1):

(a) The maximum speed limit on park roads is 25 mph (the exception is U.S. Highway 79, which traverse sections of the park where the posted speed limit is 45 mph).

(b) The maximum speed limit in picnic areas, parking lots, and the lower portion of the Main Tour Road is 15 mph.

SECTION 4.30 – BICYCLES

Bicycle use is permitted on park paved roads only. Direction must be consistent with traffic flow, thus bikes will ride on the right side of the roadway and in single file if more than one cyclist.

> *Due to current tour road and shoulder width it is necessary to limit group sizes to prevent visitor use conflicts between vehicles and pedestrians using the tour road*

SECTION 4.31 – HITCHHIKING

Hitchhiking or soliciting transportation is prohibited.

36 CFR PART 5 – COMMERCIAL AND PRIVATE OPERATIONS

SECTION 5.3 – BUSINESS OPERATIONS

Under the authority of 36 CFR 5.3: Engaging in or soliciting any business within the battlefield is authorized only by a permit issued by the Superintendent or his/her

designated representative. Any person engaging in or soliciting any business within the battlefield must have the permit in his/her possession while in the park.

Engaging in or soliciting business within boundaries of Fort Donelson National Battlefield is prohibited except when authorized by superintendent by special use permit.

SECTION 5.5 – COMMERCIAL PHOTOGRAPHY

Under the authority of 36 CFR 5.5(a) and 36 CFR 5.5(b): Commercial filming (motion pictures and television or still photography) of any vehicle, or other articles of commerce or models for the purpose of commercial advertising within the battlefield is only authorized by a permit issued by the Superintendent or his/her designated representative. The permit must be in the possession of the photographer while he/she is taking such film within the park.

(a) Commercial Photography is prohibited without authorization by the Superintendent or designee.
(b) Commercial Still Photography is prohibited without authorization by Superintendent or designee.

APPENDIX I

FORT DONELSON NATIONAL BATTLEFIELD SPECIAL USE PERMIT COST SCHEDULE

1. All applicants for a *Special Use Permit* will be charged $50.00 to cover the administrative costs of processing permits.

2. Additional charges may apply, if the purpose of a Special Use, Commercial Photography, or Commercial Filming permit requires the park staff to perform more than administrative action (e.g. set up equipment, overtime, traffic control, etc.). Applicants will receive a written estimate of added costs, if any, after their application is reviewed. There are other requirements and procedures associated with special park uses. These are stipulated in National Park Service Directors Order -#53 and Reference Manual. These are available through the National Park Service web site or from the chief ranger's office.

36 CFR PART 12 – NATIONAL CEMETERY REGULATIONS

Any and all activities in the National Cemetery at Fort Donelson National Battlefield will be consistent with National Cemetery policies and directives in 36 CFR, Part12, and DO-RM 61.

36 CFR PART 71.1 -- ENTRANCE FEES

There is currently no entrance fee to visit Fort Donelson National Battlefield.

Fees are subject to change upon notice from the Department of the Interior. The visiting public will be clearly notified that Federal Entrance Fees have been changed via news releases (radio, television, etc.).