



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

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

**Richmond National
Battlefield Park
Maggie L. Walker
National Historic Site**

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Approved:

David Ruth Date: 07/18/13
David Ruth, 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 Richmond National Battlefield Park (RICH) and Maggie L. Walker National Historic Site (MAWA). 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:

1. The following areas are closed to public use and access from sunset to sunrise. This does not apply to residents and their guests with legal access rights through and across the park.

Specifically included are roads, parking areas, grounds, fields, and woods:

- Gaines' Mill unit
- Watt House
- Gartright House unit
- Gartright House
- Cold Harbor unit
- Malvern Hill unit
- Glendale unit
- Parker's Battery unit
- Drewry's Bluff unit
- Chimborazo unit
- Chickahominy Bluff
- Beaver Dam Creek unit
- Turkey Hill unit
- Totopotomoy Creek/Rural Plains unit
- Maggie L. Walker National Historic Site (all buildings)

After hours use, nighttime activity and overnight parking create a number of impacts that would be inconsistent with the protection of park resources. The Superintendent has determined there is no valid use of these units during the hours of sunset to sunrise.

2. All park-operated buildings open to the public maintain the visiting hours from 9:00am – 5:00pm EST, unless otherwise noted. These include the Chimborazo Medical Museum, Cold Harbor Visitor Center, Glendale Visitor Center, Fort Harrison Visitor Center, Tredegar Iron Works and the Maggie L. Walker Historic Site. All park buildings are closed to the public on Thanksgiving, December 25, and January 1 of each year. The Maggie L. Walker site is closed on Sundays (this closure does not include the sidewalks outside the park structures).

3. Battlefield Park Road and Hoke Brady Road through the Fort Harrison unit from State Route 5 to Fort Brady, are open to local and through traffic from sunrise to sunset. From sunset to sunrise, vehicles may not stop and /or park on these roads, nor may they use any parking areas, grounds, fields, earthen forts, or woods of the Fort Harrison park-owned unit. Exceptions would be during park sponsored special events at Fort Harrison whereas living history volunteers access the park after hours.

Public Use Limits:

1. The following park roads and areas are closed to all non-park vehicular traffic, except those on official business or residents. *Justification for certain closures is based on the protection of cultural and natural resources:*

- a. Maintenance Way Road – The park road, seasonal quarters, parking area, fenced maintenance compound, and storage area.
- b. Watt House – Watt House and the road leading to the rear of Watt House, as well as the adjacent storage garage area.
- c. Garthright House – Garthright House and the road leading to the rear of the residence.
- d. Drewry's Bluff – Area beyond the parking area to the river. Public use is restricted to the designated Fort Darling trail.
- e. Chimborazo –Chain link fenced area.
- f. Beaver Dam Creek – area to the south of the footbridge and area west of the park entrance road.
- g. Cold Harbor – Private gravel road leading from mailbox station to private residences
- h. Malvern Hill – Private residence and grounds (Crewe House)
- i. Malvern Hill - West House (house only)
- j. Rural Plains - Pedestrian access is allowed from the Bell Creek sub-division crossing Totopotomoy Creek footbridge up to the historic house site as well as the adjacent Shelton Point Estates sub-division. House is open to the public at various time periods and during special events and separate tours. Vehicles prohibited on road trace section of the trail leading from the house down to Totopotomoy Creek.

These roads are closed except for administrative purposes and serve no public vehicular access purpose. Vehicle use from the public would detract from the historic scene.

2. Emergency Road/Unit Closures: All roads and/or park units are subject to temporary closures as indicated by signs, locked gates, or other means of notification for administrative purposes, security concerns, construction and/or repair, tree trimming or felling, or during periods of adverse weather, natural disaster, or other emergency.

3. Service and administrative roads are closed to non-official vehicles and will be designated by signs and/or locked gates.

4. Any portion of the park may be temporarily closed due to wildfire and/or fire management activities, e.g. prescribed fire management, which pose a threat to visitor safety
5. The parking areas at Drewry's Bluff and Parker's Battery units are limited to one hour parking. Chickahominy Bluff and Beaver Dam Creek units are limited to 30 minutes parking.
6. Signs and Notices: The park is closed to the posting of commercial signs. These include, but not limited to, private signs, announcements, realty signs, and political advertisements.
7. Parking: Parking is permitted in "designated" locations in the park. Please see the park's "Designated Parking Locations" document for listing of such. Roadside, or shoulder, parking is prohibited throughout the park.
8. Sports and Recreation: The National Park Service (NPS) encourages park uses that draw meaning from their association with and direct relationship to, park resources and are not contrary for which the park was established.. Conversely, the NPS discourages those uses not consistent with the preservation and/or protection of park resources, visitor use, and/or values.

The use of parklands or facilities for organized athletic events or competitive recreational events such as a football game, bike race or a triathlon, etc., are characterized as public spectator attractions and are not permitted. In addition, activities to include, but not limited to, baseball, football, soccer, Frisbee throwing, kite flying, roller blading, skate boarding, roller skiing, and other similar devices are prohibited. Biking on trails is prohibited with the exception of the road trace section of the Rural Plains trail. Activities such as walking, running, jogging, biking, or hiking are allowed throughout the park when it is open to the public and is conducted within the scope of park regulations.

The park seeks to provide visitors with the opportunity to envision the historic scene in an atmosphere of quiet contemplation. While passive recreation, such as hiking trails, jogging and biking on park roads is allowed, activities which interfere with that scene are not. Ample opportunities exist outside the park for these activities. These types of activities are inconsistent with the preservation and protection of resource values and interfere with the peace and tranquility of the landscape and inconsistent with the reason the park was created.

9. Picnicking: The park is closed to picnicking except in the areas designated for the purpose in accordance with 36 CFR 2.11.
10. Segways: The use of Segways is permitted in paved parking lots and on concrete sidewalks, as well as the Fort Harrison trail. Segways are not permitted inside park buildings.

The NPS has concluded that an interim policy on allowing the use of Segways and similar devices by individuals with mobility disabilities is compelled by the Rehabilitation Act of 1973 and the Department of the Interior's (DOI) regulations at 43 CFR Part 17, Subpart E. It has been determined that such devices would be appropriate for all park areas currently open to motorized wheelchair use. Justification of Segways not permitted inside buildings or other areas not mentioned is for safety concerns. This policy is in effect until a service-wide policy is enacted.
11. Maintenance Way, Picnic Area service road, (list others) at the Fort Harrison unit is closed to public motor vehicle travel with the exception of official park business and deliveries

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

Horseback Riding:

- Horses or other pack animals may be ridden only on park shoulders within the

Gaines' Mill and Cold Harbor units, as well as road shoulders along Battlefield Park Road, Hoke Brady Road and Picnic Road in the Fort Harrison unit.

- Horses or other saddle or pack animals are strictly prohibited from using park trails and/or other areas of the park. Refer to the park's "Horse Use Policy".
 - Parking of horse trailers at the Cold Harbor unit is restricted to the grass field across from the Visitor Center parking lot.
 - All individuals engaged in horseback riding must wear a protective helmet.

Justification of other park areas not listed is for safety concerns of visitors as well as protection of park resources.

Fishing:

- Fishing is permitted only at the Beaver Dam Creek unit immediately adjacent to the parking area. Regulations shall be in accordance with the laws and regulations of the Commonwealth of Virginia. Fishing is not permitted from the foot bridge.

Justification of not fishing from the foot bridge is for safety concerns of visitors.

Geo-Caching/Letter Boxing/Virtual Caching

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- Geo-caching is prohibited throughout the park. "Letter Boxing" is prohibited on park property unless authorized by the park Superintendent via a Special Use Permit. "Virtual caching" is permitted at designated park visitor centers and units as identified on the park's web site.

The entire park consists of sacred battleground and therefore contains historically significant resources. Methods of stashing items such as digging, burying, covering and otherwise concealing items are sometimes used with geo-caching, and are inappropriate within these areas.

Paranormal Investigations:

- Para-normal investigations and activities are prohibited on park property.

Justification: Activity is inconsistent with the intent of the park and conducted during park closure hours.

Star Gazing:

- Star gazing on park property is not permitted on park property unless authorized by the park Superintendent via a Special Use Permit.

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

(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:
 - Special Events
 - Weddings
 - Any activity that occurs outside of established operational hours

- §2.4(d) Carry or possess a weapon, trap, or net:
 - Firearms may be carried or possessed in accordance with applicable local, state and federal law.
 - Other weapons as defined under 36 CFR 1.4 will require a permit

- §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals)

- 2.10(a) The following camping activities:
 - Any special request for camping other than designated personnel participating in a park sponsored special event

- §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
 - (c) (1) Removal of a downed aircraft

- 2.37 Soliciting or demanding gifts, money, goods or services is prohibited, except 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 (See park policy)

- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising (See park policy)

- §2.60(b) Livestock use

- §2.61(a) Residing on federal lands

- §2.62 Memorialization:
 - (a) Erection of monuments, markers, signs, etc. (Requires approval from The NPS Director)
 - (b) Scattering ashes from human cremation

- §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.

- 5.6c Commercial vehicles may enter the park for the purpose of picnicking in areas otherwise open for picnicking. Access by commercial vehicles to private residences and/or private property along Battlefield Park Road, Hoke Brady Road, Anderson Wright Drive, Watt House Road, and Garthright House, is allowed for the purposes of construction or delivery. Otherwise, commercial vehicles are prohibited.

The public can request an application for a special use permit by contacting the following in writing:

Richmond National Battlefield Park/Maggie L. Walker National Historic Site
Attn: Park Superintendent
3215 East Broad Street
Richmond, Virginia 23223
(804) 795-5018 Ext. 1

III. GENERAL REGULATIONS

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

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

(c)(1), (c)(2) The following fruits, nuts or berries 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.

- Blackberries, Raspberries, Blueberries: 1 quart, per person, per day
- White Oak Acorns, Black Oak Acorns, Walnuts: 1 quart, per person, per day
- Pine Cones: 1 basket, per person, per day
- The gathering of these products is restricted to immediate trail use and prohibited on or near historic features (earthworks).
- Picking, gathering or harvesting mushrooms is prohibited.
- Collection is permitted only at areas open and accessible to the public.

Justification for collection of these natural products is that they may be collected without negatively impacting the growth and replenishment of the producing product.

36 CFR §2.2 - WILDLIFE PROTECTION

(a) (1) Hunting is prohibited on all park property.

(2) Feeding, touching, teasing, frightening or intentional disturbing is prohibited

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

- May be transported by motor vehicle through the park via the most direct route during the legal hunting season. Game must be properly tagged according to state law.
- Releasing of wildlife in the park is prohibited.

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

- All park units and roadways

36 CFR §2.3 – FISHING

(a) Fishing shall be in accordance with the laws and regulations of the Commonwealth of Virginia for such activity

(b) In designated areas only

36 CFR 2.4 - WEAPONS, TRAPS AND NETS

Pursuant to 18 USC 930, firearms are prohibited in federal facilities. Federal facilities are marked with signs at public entrances.

Pursuant to 16 USC 1a-7b, park visitors may carry firearms in the park if they are otherwise in compliance with federal, state, and local laws. In addition to the above, weapons, traps, and or nets can be possessed, carried, and/or used under the following conditions:

- Pursuant to (a)(2)(iii), weapons, traps or nets may be carried, possessed or used within a residential dwelling.
- Pursuant to (2)(3), traps, nets and unloaded weapons may be possessed within a temporary lodging or mechanical mode of conveyance when such implements are rendered temporarily inoperable or are packed, cased, or stored in a manner that will prevent their ready use.
- Pursuant to (d), visitors may carry or possess a weapon, trap, or net in certain circumstances when the Superintendent has issued a permit.
- Pursuant to e, Authorized Federal, State and local law enforcement officers may carry firearms in the performance of their official duties.

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:

- Camping is prohibited, except under terms of permit issued by the Superintendent.
- Camping may be permitted on a limited basis and under permission from the Superintendent for living history groups in conjunction with a park-sponsored activity for interpretive/educational purposes with such individuals signed up as Volunteers In Parks

36 CFR §2.11 – PICNICKING

Certain areas have been closed to picnicking and are listed in section 1.5(a)(1) "Closures".

The park is closed for picnicking except in the following designated picnic areas:

- a. Fort Harrison picnic area
- b. Chickahominy Bluff parking area
- c. Drewry's Bluff parking area
- d. Beaver Dam Creek parking area
- e. Malvern Hill parking area

- f. Cold Harbor parking area
- g. Parsonage parking area
- h. Chimborazo Medical Museum grounds
- i. Rural Plains (area surrounding or near historic house)

Conditions for Picnicking at the Fort Harrison Picnic Area:

- School, church, family, or other organized groups or social gatherings are permitted to use the picnic area as long as they do not exceed thirty persons. This limitation is established to limit special picnicking uses to no more than five tables.
- Picnicking is available on a first come first served basis and at no time may a group use more than one half of the available tables for their use. Reservations will not be accepted.
- Open fires are restricted to the provided fire ring receptacles and grills
- Portable grills (charcoal or propane) are permitted

Conditions for Picnicking at all other designated picnic areas:

- Tables, portable grills are not permitted
- Picnicking cannot obstruct traffic or an established parking slip

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 fire receptacles, and under the conditions noted:

Designated Areas:

- Fort Harrison Picnic Area - in the park provided fire receptacles on the ground and the park provided standing grills
- Fort Harrison Picnic Area - Personally owned portable grills (charcoal, wood or propane) are permitted at the immediate vicinity of the picnic table
- Fires may be approved on a limited basis under permission from the Superintendent for living history groups who may camp in conjunction with a park-sponsored activity for interpretive/educational purposes

Receptacles Allowed:

- Park fire receptacles are provided at Fort Harrison Picnic Area only
- A fire receptacle is a round, two foot diameter metal circle, approximately 12 inches in height anchored into the ground designed to contain a fire within the circle

Established Conditions for Fires:

- Receptacle fires cannot exceed the diameter of the actual receptacle
- Grill fires cannot exceed the size of the actual grill (charcoal or wood only)
- Personally owned portable grills can be either charcoal or propane used only at the immediate vicinity of the picnic table

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

- All fires must be completely extinguished and any coals/wood cold to the touch

Fire Closures

- Any portion of the park, including picnic area fire receptacles or grills, may be temporarily closed, due to wildfire, potential high wildfire threat weather conditions and/or fire management activities (e.g. prescribed burns, etc.), which pose a threat to visitor safety

36 CFR §2.14 – SANITATION and REFUSE

(a)(2) The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property is prohibited.

36 CFR §2.15 – PETS

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

- All park buildings (guide and service dogs are excepted)

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

- Removed from the park by the pet owner/handler from picnic areas, exhibit areas, and other areas with public use.

36 CFR §2.16 – HORSES and PACK ANIMALS

(b) The use of horses or pack animals is allowed only on the following areas:

- Horse back riding is permitted on park road shoulders within the Gaines' Mill and Cold Harbor units
- Horse back riding is permitted on park road shoulders along Battlefield Park Road, Hoke Brady Road, and Picnic Road within the Fort Harrison unit
- All individuals engaged in horseback riding must wear a protective helmet
- Please refer to the park's "Horse Use Policy" for further instructions

36 CFR §2.18 – SNOWMOBILES

- 2.18 (c) The use of snowmobiles is prohibited throughout the park.

36 CFR §2.19 – WINTER ACTIVITIES

(a) (b)

- Snow shoeing and cross country skiing is allowed on all established park trails when open for use.
- Sledding, tobogganing, tubing, towing of persons on skis or similar device by motor vehicle, and ice skating are prohibited park wide.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

- There are no designated areas for the use of roller skating, skateboards, in-line skates, roller skies, roller blades, coasting devices or other similar devices.

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:

- All park buildings
- Within any type of government-owned or leased vehicle, including heavy equipment, watercraft, or aircraft.

This is in accordance with Director's Orders 50D dated 12/01/03, entitled "Smoking Policy." Justification for this closure is based on Federal Law that prohibits smoking inside Federal buildings and vehicles to protect employees and visitors.

36 CFR 2.22 – PROPERTY

Abandoning property within the park is prohibited pursuant to 2.22 (a)(1).

Found property must be turned into the Superintendent as soon as practicable pursuant to 2.22 (a)(3).

Property determined to be left unattended will be impounded by the Superintendent pursuant to 2.22 (b)(1). Found or impounded property will be inventoried pursuant to 2.22 (b)(3).

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:

- Possession and consumption of alcoholic beverages is prohibited on all park property in accordance with Virginia State Code 4-78. The following exceptions apply: Park Seasonal Quarters at the Fort Harrison unit and park resident housing at the Watt and Garthright Houses

Justification is based on Virginia State Code 4-78 for prohibiting open alcoholic beverages

inside motor vehicles and public areas. This type of activity is inconsistent with the park's purposes. Generally, the park is a drive through touring park to observe and learn about the Civil War battles which took place here. The consumption of alcohol and possession of open containers of an alcoholic beverage is an incompatible activity for this type of visitation. Ample locations exist outside the park for consumption of alcohol.

36 CFR §2.38 – EXPLOSIVES

(b)

- The possession of and /or use of fireworks, fire crackers, black powder, or any other explosive device in the park is prohibited except under the terms of a permit issued by the Superintendent.

36 CFR 2.50 – SPECIAL EVENTS

36 CFR 2.51 – PUBLIC ASSEMBLIES, MEETINGS

Pursuant to 2.51 (b), **demonstrations involving 25 persons or fewer** may be held without a permit within the park provided that such demonstrations will not present a danger to public health or safety, damage park resources or facilities, or impair the public's use of facilities. **Demonstrations of more than 25 people** are allowed within the park when the Superintendent has issued a permit for the activity.

36 CFR – SALE OR DISTRIBUTION OF PRINTED MATTER

Pursuant to 2.52 (b), the sale or distribution of printed matter by 25 people or less is allowed within the park areas that such activities will not present a danger to the public health or safety, damage park resources or facilities, or impair the public's use of facilities. The sale or distribution of printed matter by more than 25 persons is allowed within the park when the superintendent has issued a permit.

36 CFR §2.62 – MEMORIALIZATION

- 2.62 (b) The spreading of human ashes in the park may be done by permit only. The permit will stipulate the time, place, number of participants, use of park facilities, and other special considerations.

36 CFR §3.21 – SWIMMING AND BATHING

(a)(1) The following areas are closed to swimming and bathing:

- Swimming and/or bathing is prohibited in all areas within the park. Use of shorelines for access to swimming or bathing is prohibited.

It is hazardous to swim or bath in open waters throughout the park.

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

- Operating a motor vehicle is prohibited except on park roads, in parking areas and on routes and areas designated for off-road motor vehicle use.

36 CFR §4.21 – SPEED LIMITS

(b) The following speed limits are established for the routes/roads indicated:

- The speed limit for Battlefield Park Road, Hoke Brady Road and Picnic Road is 25 miles per hour.
- The speed limit for all other park units is 15 miles per hour

36 CFR §4.30 – BICYCLES

- Bicycles are restricted to established public roads and parking areas within the park and with established speed limits as posted for motor vehicles. Bicycles are permitted on the Rural Plains trail from the historic “Shelton” House down and back to Totopotomoy Creek by using the road trace section of the Rural Plains trail.
- All individuals engaged in bicycle riding must comply with 36 CFR regulations of riding single file and to the right of the road, as well as proper personal protective equipment to include a helmet.

Such use is consistent with the protection of the park’s natural, scenic and aesthetic values, safety considerations and management objectives and will not disturb wildlife or park resources.

36 CFR §4.31 – HITCHHIKING

- Hitchhiking is prohibited in all areas of the park.

36 CFR 5.1 – ADVERTISEMENTS

Commercial notices or advertisements may not be displayed, posted, or distributed in park areas unless prior written permission has been given by the Superintendent.

36 CFR 5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States is prohibited.

36 CFR 5.5 – COMMERCIAL PHOTOGRAPHY

Before any **motion picture** may be filmed or **any television production or sound track** may be made by any person other than bona fide newsreel or news television personnel, written permission must be first obtained from the Superintendent pursuant to 5.5 (a).