

## **Moore's Creek National Battlefield**

# **Superintendent's Compendium**

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

*Revised January 14, 2021*

Approved by:

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Matthew Woods, Superintendent

Date

## A. INTRODUCTION

### 1. Superintendent's Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources. Page 2 of 15 MWR Compendium Template, v.1-17-18

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park System.

A copy of Title 36, CFR, can be purchased from the U.S. Government Printing Office at: [www.gpo.gov](http://www.gpo.gov)

OR

Superintendent of Documents  
P.O. Box 371954  
Pittsburgh, PA 15250-7954

The CFR is also available on the Internet at: [www.ecfr.gov](http://www.ecfr.gov).

## **2. Laws and Policies Allowing the Superintendent to Develop This Compendium**

The National Park Service (NPS) is granted broad statutory authority under Title 54 United States Code (U.S.C.) §100101(a) (formerly 16 U.S.C. 1a-1, “Organic Act”) to “...regulate the use of the National Park System by means and measures that conform to the fundamental purpose of the System units, which purpose is to conserve the scenery, natural and historic objects, and wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” In addition, Title 54 U.S.C. §100751(a) allows the NPS, through the Secretary of the Interior, to “prescribe such regulations as the Secretary considers necessary or proper for the use and management of System units.”

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970, Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating “Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States.”

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director’s Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection, where the Superintendent has a reasonable basis to believe a resource is or would become impaired, then that Superintendent is obliged to place limitations on public use. Page 3 of 15 MWR Compendium Template, v.1-17-18

## **3. Consistency of This Compendium with Applicable Federal Law and Requirements**

The Superintendent’s Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such, an Environmental Assessment will not be prepared.

#### **4. Development of the Requirements of the Superintendent's Compendium**

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

#### **5. Applicability of the Compendium**

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

#### **6. Enforcement of Compendium Requirements**

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

#### **7. Penalties for Not Adhering to the Compendium Requirements**

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below. Page 4 of 15 MWR Compendium Template, v.1-17-18

#### **8. Comments on the Compendium**

The Compendium is reviewed annually and revised as necessary. The park welcomes comments about its program and activities at any time.

Written comments on the Compendium may be submitted to:

Superintendent  
Moores Creek National Battlefield  
40 Patriots Hall Dr.  
Currie, NC 28435

#### **9. Effective Date of the Superintendent Compendium**

The Superintendent's Compendium is effective on the approval date listed on the cover page of this document and remains in effect until revised for a period up to one year.

## 10. **Additional Information**

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

## 11. **Availability**

Copies of the Compendium are available at 40 Patriots Hall Dr., Currie, NC 28435. It may also be found at <https://www.nps.gov/mocr/learn/management/lawsandpolicies.htm>.

## B. SUPERINTENDENT'S COMPENDIUM

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 54 U.S.C. §100751, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of Scotts Bluff National Monument. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, 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:**

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.

*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.*

Areas of new construction, reconstruction, repair, and maintenance within the Park will be closed to public access based on threats to public safety presented by the type of work to be done and equipment in use. Areas closed to all public access will be posted with appropriate signage.

*Areas of new construction and reconstruction or rehabilitation may be closed to visitors for safety reasons and to avoid unreasonable conflict with authorized work.*

#### **Visiting Hours:**

Moores Creek National Battlefield is hereby designated a day use area. The following areas are closed to all public entry except during the periods indicated for the protection of the public and the resources.

*Restricting use and placing time limits will help eliminate illegal or inappropriate use of the park.*

The Moores Creek National Battlefield 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 Moores Creek National Battlefield Visitor Center (AKA Interpretive and Education offices), the offices of the Administrative building (AKA Park Headquarters), Maintenance Facility (to include the maintenance yard), and the Patriots Hall offices are not open to the general public.

*The Moores Creek National Battlefield Visitor Center is a facility designed to educate and inform the visiting public. Park Headquarters, the Maintenance Facility, the Patriots Hall offices were not designed for use by the general public and as such there may be safety and security concerns if the general public were to have access to these areas.*

- Moores Creek National Battlefield exterior and grounds to include trails: Closed 5:00 PM to 9:00 AM
- Moores Creek National Battlefield Visitor Center: Hours as posted
- Moores Creek National Battlefield Parking Areas: Closed 5:00 PM to 9:00 AM except for those vehicles displaying a valid NPS overnight parking permit
- Unimproved service roads are open for contractual services, administrative and law enforcement purposes, park-sponsored special programs or volunteer events and activities authorized by special use permit. Visitors must keep their vehicles on the improved park access roads.
- Patriots Field: Closed 5:00 PM to 9:00 AM year-round, unless camping is permitted.
- Closed for all Federal Holiday Observance unless otherwise noted.
- Extended hours for special events will be posted on the park website at [www.nps.gov/mocr](http://www.nps.gov/mocr), Facebook and on the park bulletin boards.
- The picnic shelter and the adjacent picnic tables located immediately to the west of the Visitor Center are available for use by park visitors from 9:00 AM to 5:00 PM. Visitors participating in park sponsored programming are exempt from its regulation.

### **Public Use Limits:**

The buildings, facilities and grounds administered by Moores Creek National Battlefield are closed to special events as defined in 36 CFR Sec. 2.50; public assemblies and meetings as defined in 36 CFR Sec. 2.51; and sale or distribution of printed matter as defined in 36 CFR Sec. 2.52 except under conditions of a permit issued by the Superintendent.

The National Park Service has established carrying capacity for selected park areas to prevent impairment of the resource or visitor experience or for safety concerns. These limits have been determined to be the maximum number of people that can be accommodated consistent with the protection of the historic resource, visitor safety, and without compromising the quality of the park experience. Additionally, limits have been established for certain structures to ensure safe use by park employees, visitors, contractors and other cooperators in accordance with Life Safety Codes, design loads, and park guidelines.

- Moores Creek National Battlefield Visitor Center Exhibit/EN Store Area:50
- Moores Creek National Battlefield theater: 49
- Patriots Hall: with table setup – 121, with chair setup – 259
- Patriots Field Picnic Shelter: 96
- Canoe Launch: 12
- Group Amphitheater: 108
- The park visitor center storage area, Volunteers-in-Parks RV area, and 200 feet around the area adjacent to it is closed to the general public. The visitor center storage area and administrative road leading to this area is closed to general public.

*The park visitor center storage area contains equipment, tools, supplies, and materials which should not be available to the public for security and safety reasons. The administrative road leading to this area is closed for the protection of unattended facilities. The Volunteers-in-Parks trailer area is for residential use and is closed for privacy.*

- 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. Picnic activities are not allowed in the historic zone.

*Picnicking in the formal cultural landscape area of the Memorial area and the historic battlefield zone detracts from the park's historic theme, creates the potential for a visual intrusion on the cultural landscape, and interferes with the interpretation of the battle of 1776.*

- Patriots Hall is available for public use under the specific park special use permit process and fees when the park is open with the exception of NPS Special Events, holiday weekends and the entire month of February. These hours may be extended at the discretion of the Superintendent.

*The area designated is to accommodate multiple use including public assemblies. The special use permit process is used to provide equitable allocation and use of facilities and avoid user conflicts with scheduled events, programs, and public use.*

- Vehicle parking areas are reserved for persons using the visitor center, battlefield, trail system, Patriots Hall, picnic areas and interpretive facilities. The parking lot use is designated as "Day Use" only. Vehicles are prohibited in the parking lots from 5:00 PM to 9:00 AM, seven days a week. Parking lot closing hours may be extended at the discretion of the Superintendent.

*Use of this area for other than 'day use' to enjoy and participate in park programs, restricts and limits the number of visitors and carrying capacity of vehicle parking spots.*

- Social gatherings or sports activities conducted within vehicle parking areas are prohibited. Use of these parking areas for special park uses or activities may be authorized by the Superintendent.

*The use of the park for organized athletic events or competitive recreational events characterized as public spectator attractions are not permitted. These activities conflict with the legislated purpose of the park, compromise the historic scene, and infringe upon the enjoyment and rights of park visitors.*

- Individual or family-oriented sporting activities including, but not limited to, kite flying, frisbee throwing, golfing, soccer, baseball, football, golf carts, sunbathing etc. are prohibited within the boundaries of the historic and memorial area.

*The listed recreational activities and/or non-traditional uses are prohibited within the park because these activities tend to detract from the park's historical theme and legislatively mandated purpose, related the potential for a visual intrusion on the historic scene and the significance of the resource, and have the potential to interfere with the visitor's understanding the battle of 1776.*



## Closures:

- Since all areas of the park are important in preserving the park's historic integrity and in interpreting its historical significance, certain portions of the park grounds are closed to recreational uses.

*The park area does not contain any facilities which are normally used at night. It is therefore believed that no legitimate public activity would be prevented by closing the park at night and would help eliminate criminal activity. Additionally, the legislated purpose of the park would not normally be served by night use.*

- Hunting and trapping are prohibited within park boundaries.

*Closure of hunting and trapping is for the protection of the visitor and wildlife, and in keeping with the legislated purpose of the park.*

- Bicycles are permitted on the park's paved roadways and parking areas in accordance with North Carolina law. The riding of a bicycle on park trails, sidewalks, grounds, and unpaved roads is prohibited. The bicycle may be pushed (not ridden) in these areas.

*The trails were designed for foot travel only and for access to interpretive areas. Bicycles or other wheeled, recreational traffic on foot trails poses a serious threat to the safety of walkers. The slopes, narrow trail sections and curves are especially hazardous.*

- During emergency and inclement weather situations such as ice, snow, high winds, tree blow-down, flooding, etc., park roads and trails may be temporarily closed without advance notice.

*Closure of park roads during inclement weather would prevent accidents and injuries. In addition, the park is not equipped to clear heavy ice and snow accumulations from trails and roadways.*

- The picnic area will be closed during inclement weather conditions such as snow, ice, or when extreme temperature or wind creates a health or safety hazard to staff or visitors.

*Picnic areas are closed to the public during inclement weather in order to reduce or eliminate the potential for environmental hazards to staff and visitors.*

- All roads within Moores Creek National Battlefield that are categorized as "Administrative Roads" are closed to motor vehicle use by the general public.

*Administrative Roads are maintained for park operations. These roads are not open to motor vehicle use by the general public for a variety of reasons, which includes visitor safety and/or resource protection.*

- The park maintenance area contains equipment, tools, supplies, and materials that are for park operations and not available to the public for security and safety reasons. The material storage area and the visitor center storage area are closed to the public.

*There is no portion of the park historical interpretation program that takes place in this area.*

- The Living History Demonstration areas are closed to the public with the exception of participation in park programs and special events.

*Restricting use and placing limits will help protect demonstration tools, supplies, firewood and interpretive props and eliminate illegal or inappropriate use of the park.*

- Periodic closures of certain park areas may be required during park sponsored special events.

*To provide for public safety and avoidance of conflicts among visitor use activities, periodic closures will be implemented by the Superintendent and/or his/her designee.*

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Moores Creek National Battlefield is prohibited except as approved in writing by the superintendent.

*The maintenance of public health and safety, protection of environmental or scenic values, protection of natural or cultural resources, avoidance of conflict among visitor use activities, protection of wildlife, and unreasonable noise.*

- The park is closed to the use of motorized, remote/radio-controlled gliders or model vehicles. The park is closed to aircraft of any type. Parachute landing is not permitted.

*The prohibited use of motorized, remote/radio-controlled devices is for the safety of all visitors and wildlife 36 CFR 2.17.*

- Except for special observances or activities as authorized by the Superintendent, consumption of food and beverages or the possession of opened food and beverage containers is prohibited in the museum and book sales areas of the visitor center.

*The prohibition against the consumption of food and beverages is necessary to eliminate the potential for food particles being dropped that attract vermin and to protect resources from damage. The prohibition against chewing gum is to eliminate gum being dropped on the floor of the building.*

**(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
- The Black Powder storage area and 150 feet around the area adjacent to it, is closed to the general public.

*Restricting and placing limits is a requirement of the National Park Service Historic Weapons Program, Black Powder Storage and Handling, Range Safety, and Weapons Storage.*

**Living History Demonstration area:**

- Living history demonstrations and encampments are limited to the open area of Patriots Field or as designated by the Superintendent

*Protection of natural or cultural resources requires that impacts to the historic area by encampments are managed and/or minimized when possible.*

**Camping:**

- Please refer to §2.10 for detailed camping area designations.
- Camping is only allowed by approved park volunteer/service groups/individuals through the special use permit process.
- Living history encampments are limited to the open area in the field at Patriots Field and areas designated by the Superintendent to support interpretive programs/events.

**Non-motorized Boat Launching Sites:**

- Canoe/Kayak launch at the north end of the Patriots Hall parking lot

**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 coordinating 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.

**Parking/Areas:**

- The parking lot provides access to the battlefield, visitor center and memorial area during established operation hours. The parking lot is closed from dusk to dawn for the protection of unattended facilities and historic properties.
- Parking in other than designated parking areas is prohibited.
- Law enforcement, emergency services and park employees whose duties require them to drive vehicles and/or equipment shall be exempt of the above restrictions.

**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.

- The Pender County School local shuttle bus vehicles are exempt when in-service.

*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. Due to the nature of the service provided by the shuttle busses, they are excluded from the requirement.*

**(a)(3) The following restrictions, limits, closures, designations, conditions, or visiting hour restrictions imposed under §§(a)(1) or (2) have been terminated:**

- The park entrance gate is open seven (7) days a week from 9:00 am until 5:00 pm.
- Moores Creek National Battlefield will be completely closed on all federal holidays with no access to any part being permitted.
- Unauthorized parking is not allowed within the park between the hours of 5:00 pm and 9:00 am except in designated campsites areas or with special use permit.

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

Except as otherwise provided, application for a permit shall be submitted to the Superintendent during normal business hours. Special Use permits applications can be obtained by writing, email, calling or picking up in person at the park visitor center during normal operation hours or via mail addressed to Superintendent at 40 Patriots Hall Drive, Currie, North Carolina 28435. See times for visitor center hours of operations posted at site, on park bulletin boards, and electronic media.

*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 with 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.*

**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:
- Use of Patriots Hall
  - Picnic Shelter use – 36 CFR 2.50 Weddings
  - Outdoor amphitheater 36 CFR 2.50
  - Camping 36 CFR 2.10
  - Collecting (research specimens)
  - Horses and Pack Animals 36 CFR 2.16
  - Aircraft and Air Delivery 36 CFR 2.17
  - Noncommercial soliciting 36 CFR 2.37
  - Explosives – Fireworks 36 CFR 2.38
  - Special Events (includes Wedding Ceremonies) 36 CFR 2.50
  - Public Assemblies (25 persons or greater) 36 CFR 2.51
  - Sale or distribution of printed matter (First Amendment exemptions) 36 CFR 2.52
  - Memorialization/Scattering of Human Ashes 36 CFR 2.62
  - Display of commercial notices or ads 36 CFR 5.1
  - Business Operations 36 CFR 5.3
  - Guided tours not sponsored by the NPS
  - Commercial photography 36 CFR 5.5
  - Any construction on Federal Property 36 CFR 5.7
- §2.4(d) Carry or possess a weapon, trap, or net
  - §2.5(a) Specimen collection (Take plant, fish, wildlife, rocks or minerals)
  - §2.10(a) The following camping activities:
    - Camping is permitted only for groups or individuals performing a service project for the park; or for volunteers in support of park events/functions; or by individuals or groups as a part of a park event/function (ex. Youth Camp Program). The approved group area is designated near the Patriots Field picnic pavilion (Location shown on accompanying map – **Appendix A**). Group size is limited, and all groups must obtain a permit. Permit applications are available from the Superintendent’s office and must be submitted at least two weeks in

advance of the permit date. Only one permit shall be issued for any given day, unless authorized by the Superintendent.

- Living history encampments are limited to the open area in Patriots Field and as designated by Superintendent to support interpretive programs/events.
- Camping by permit is allowed near Patriots Hall for Walk-in, Bicycle-in users only as part of the Mountains-to-Sea Trail Program. Only two permits shall be issued for any given day.

- §2.12 Audio Disturbances:
  - (a)(2) Operating a chain saw in developed areas
  - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
  - (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
  - (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.
- §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):
  - Fishing interpretive program
  - 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 printer matter that is not solely commercial advertising
- §2.60(b) Livestock use
- §2.61(a) Residing on federal lands
- §2.62 Memorialization:

- (a) Erection of monuments (Requires approval from Regional Director)
  - (b) Scattering ashes from human cremation
- §3.3 Use of a vessel
- §3.12 Using a vessel to tow a parasail, hang-glider, or other airborne device
- §3.19 Use of manned or unmanned submersibles
- §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).
- §5.4(a) Commercial transportation of passengers by motor vehicles.
- §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, boat docks, path, structure, etc.
- §6.9(a) Operation of a solid waste disposal site
- Part 7 Special Regulations
  - The operation of temporary food and/or beverage sales during special events requires a Special Use permit and Temporary Food Event 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.
  - All public assemblies, meetings, gatherings, demonstrations, parades, and other public expressions of views will be limited to the approved First Amendment Activities area(s). (Location shown on accompanying map- **Appendix B**).

Individuals/groups must obtain a permit from the Superintendent's office at least 10 days prior to the date of the event.

- The sale or distribution of printed matter will be limited to the approved First Amendment Activities area(s). (Location shown on accompanying map- **Appendix B**). Individuals/groups must obtain a permit from the Superintendent's office at least 21 days prior to the date of the event.



### III. GENERAL REGULATIONS

(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.

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

##### **(a)(4) Dead wood on the ground may be collected for use as fuel for campfires within the park in the following areas:**

Dead wood on the ground is designated for collection for fuel for campfires within the park when a camping permit has been issued by the Superintendent, or as part of a park sponsored interpretive program.

- Wood may not be gathered from standing trees/plants or cutting of downed trees.
- Collection of wood in the historic area is prohibited and 100 feet adjacent to this zone.

*Due to the high risk of uncontrolled fire, fires are permitted only in personal BBQ charcoal grills, park-provided grills and fire rings. Restricting the collection of dead wood by private individuals for personal use reduces the risk of damage to natural and cultural resources.*

The possession of firewood from a source outside the Park is not permitted; only down and dead wood from in the Park or wood from a source approved by Moores Creek National Battlefield will be authorized. Firewood in violation of the above shall be burned immediately by the camper in established fire rings. Failure to comply with this action may result in a citation and/or seizure of firewood. Moores Creek National Battlefield 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 had been removed during the milling process and like that purchased from a hardware store or discarded at construction sites, **is not** considered firewood and shall not be burned.

*This closure is intended to prevent or slow the introduction of exotic insects or diseases into the Moores Creek National Battlefield. 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.*

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

- Women's Monument
- Moore Monument
- Loyalist Monument
- Patriot (Grady) Monument – Climbing on monuments or entering the gated area around the Patriot Monument is strictly prohibited.
- Stage Road Monument
- Bridge Monument
- Earthworks

*The continuous handling of artifacts or historic fabric (for example the marble of the monument) wears the fabric. This form of erosion damages the fabric and denies future visitors the pleasure of viewing the monument as it was intended and is therefore 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.

**(b) Hiking or pedestrian traffic is restricted to the trail or walkway as listed in Section 1.5 of this document.**

All pedestrian traffic within the park must remain on designated trails or roads. The Superintendent may issue a special use permit to authorized groups allowing them to travel off of designated trails and roads. Pedestrians are permitted to be off of trails and pavement in mowed lawn areas only.

*Requiring all pedestrian traffic to remain on designated trails will protect the natural resources from their impacts, protect archeological resources, insure historical integrity throughout the park, and protect visitors from environmental dangers such as copperhead snakes, poison ivy, and yellow jackets, all of which are common in the park.*

**(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:**

A reasonable quantity (maximum of one gallon per family/group per day) of the following may be gathered within park boundaries for personal use:

- Blackberries
- Muscadine Grapes
- Hickory nuts
- Pinecones
- Spanish moss
- Acorns
- Persimmons
- Mushrooms

(c) (2) Visitors may not collect any part of plants that are contained in the Federal or State of North Carolina list of rare, threatened or endangered species.

*Edible fruits, nuts and berries are abundant in the park and have been traditionally gathered with no apparent detriment. If monitoring shows that removal of these natural resources is adversely affecting the ecosystem, this activity may be terminated. Visitors are restricted from gathering adjacent to heavily traveled roadways where picking is unsafe due to limited road shoulder width.*

## 36 CFR §2.2 - WILDLIFE PROTECTION

(b) Hunting and trapping are prohibited on all Moores Creek National Battlefield lands.

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

- Taken in accordance with Collection of Specimens/Scientific Research 2.5(a) permit.
- Taken on lands adjacent to the Parks boundary when the only access to such lands is the Parks road.
- Notification must be made to Pender County Sheriff's Department at (910) 259-1212, and transportation must be approved prior to such transportation taking place.
- Transportation of wildlife is prohibited in developed areas such as Memorial areas, battlefield, visitor center, campground, and picnic areas.

**(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 infrared lighting/beams, and artificial light unless expressly exempted in a special use permit (scientific) or nuisance/invasive species management program.

## 36 CFR §2.3 – FISHING

**(a) The following State fishing laws and/or regulations, as noted, do not apply in the listed areas:**

- Sport fishing is permitted within Moores Creek National Battlefield in accordance with the laws and regulations of the state of North Carolina.
- Fishing is not permitted on the bridge, around the bridge site, along the causeway or on the boardwalk when the park is open.

In consultation with appropriate agencies of the State of North Carolina, the following are prohibited:

- Fishing with more than one line per person
- Fishing without a valid State fishing license issued by the state with jurisdiction.
- Snagging fish by pulling or jerking a hook, lure, or other implement through the water.

*The foot bridges, causeway and boardwalk have been constructed to allow park visitors to cross bodies of water while navigating the park trail system. The boardwalk and causeway are narrow and were not built to allow additional space for fishing.*

**(d)(2) Possession or use of live or dead minnows or other bait fish, amphibian, non-preserved fish eggs or roe is permitted in the following freshwater areas:**

- The harvesting of earthworms (night crawlers), salamanders, minnows, crayfish, and other aquatic and terrestrial life is prohibited to fully protect all park wildlife resources.
- The possession and use of minnows as bait is prohibited.

**(d)(4) In accordance with federal statutory law, commercial fishing is authorized in the following areas, under the conditions noted:**

- Commercial Fishing is not authorized

## **36 CFR §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, air guns, stun gun, swords, etc. or other deadly weapon as defined in Article 35 of Chapter 14 of the North Carolina General Statutes 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—

- (a) The individual is not otherwise prohibited by law from possessing the firearm: and
- (b) 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 and comfort stations, Administration Building, Maintenance Building and structures, and Patriots Hall.
- Historic Weapons (Black Powder) used for interpretation purposes only, may be stored, transported, cleaned, prepared and displayed in park facilities.

## **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:**

- The park does not have a campground. Camping is permitted only through Superintendent approval as previously mentioned, and all Special Park Use permitting processes apply.

**(d) Conditions for the storage of food are in effect, as noted, for the following areas:**

- All approved temporary camping areas of Moores Creek National Battlefield, including approved re-enactor camping sites, and areas where food and equipment used to cook or store food, must be kept sealed in solid, non-pliable material, or stored in a vehicle.

*Food Storage Restrictions are established in Park Campgrounds and the interpretive area to prevent human/animal conflicts. Food scents attract animals that then consume human food and become habituated to it, increasing the potential for animal-human conflict.*

### **36 CFR §2.11 – PICNICKING**

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

#### 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 <https://www.nps.gov/mocr/planyourvisit/permitsandreservations.htm>
- Picnicking is permitted in the designated picnic area of Patriots Field and on the picnic area east of the visitor center.
- Parties of more than 15 people must obtain a special use permit.
- Picnicking is prohibited on the portion of the park that is identified as the Memorial area and the historic battlefield zone, except in conjunction with special events approved by the Superintendent. Tables, chairs, grills and other devices are not permitted in these areas.
- Shelters and tents up to 20 feet by 20 feet in size may be erected for the purposes of picnicking in designated picnic areas. Camping is prohibited in picnic areas, and shelters may not be left up overnight.
- No modification (i.e. digging, leveling) may be made to the picnic site to facilitate the erection of a tent or shelter. No stakes or in ground anchors are allowed.

*Picnic areas are designed for temporary occupancy. Large shelters and tents detract from the scenic and historic nature of the area and detract from other visitors’ experiences.*

### **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 permitted only in personal charcoal/propane grills or park-provided grills in the picnic area at Patriots Field or as specified as part of a Special Use Permit issued by the Superintendent.
- Fires are permitted in the Living History demonstration area by interpretive living historians, re-enactors and staff during park sponsored special events, interpretive programs, and training in Patriots Field.
- Fires are allowed within the “Colonial Brick Hearth” in the demonstration area and MUST have authorized personnel monitoring at ALL times.
- Volunteers-in-Parks residential areas.

#### Receptacles Allowed:

- Public fires for the purpose of cooking food may only take place within provided BBQ grills, personal charcoal/propane grills, or Canned Heat devices.
- Used charcoal should be disposed of in the existing fire receptacles in developed campgrounds and picnic areas. Disposal in trash receptacles is prohibited.

- Fires are allowed in the park-provided fire rings.
- Pit fires are not allowed.

Established Conditions for Fires:

- Fire size must be less than three (3) feet in diameter.
- Chemically treated wood, painted wood, wood with nails or staples shall not be used.
- Any fire shall be continuously under care and direction of a competent person over sixteen years of age from the time it is kindled until it is extinguished.
- Any approved group must ensure proper safeguards are taken to adequately control the fire.
- Fires in the living history demonstration area will not be left unattended by interpretive personnel.
- All fires shall be completely extinguished before the user leaves the picnic and/or camping area.
- During times of high fire danger and without prior notice, fires will be prohibited.
- A fully charged fire extinguisher, shovel, sand bucket, or water source must be examined each time a fire is utilized at the demonstration area and 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.
- Fires must be completely extinguished with water, doused and stirred. Fires should not be covered with sand: as it will insulate the heat and create an unseen danger for wildlife and visitors.
- All interpretive fires must be fully extinguished using 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.
- The Superintendent may impose emergency fire restrictions during periods of high fire danger.

*Fires in established picnic grounds, residential areas, and campgrounds, if contained in park-provided fireplaces or grills brought by visitors, present no danger to park resources. Confining open fires in developed areas to picnic grounds, residential areas, and campgrounds allows for a safe and suitable disposal site for fire residue. Gas stoves are permitted wherever picnicking or camping is allowed, as they carry very minimal risk or wildlife. Further restrictions must be imposed during periods of high fire danger to minimize the threat of uncontrolled fire.*

**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 allowed under the following conditions:**

- (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, no person shall leave, deposit, dump, throw, cast, lay or place, or cause to be deposited, dumped, thrown, cast, laid, or place any ashes, trash, rubbish, soil, earth, paper, garbage, refuse, debris, plant clippings, limbs or leaves in or upon any park areas or in any watercourse within any park areas.

- (a)(3) Disposal of recycle material (cardboard, plastic, paper, glass) is permitted in the park-provided recycle receptacle.

**(b) Conditions for the disposal, containerization, or carryout of human body waste have been established as follows:**

- The Superintendent has not established any conditions concerning the disposal, containerization and carry-out of human body waste.

**36 CFR §2.15 – PETS**

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

- In order to avert health risks and inappropriate contact between pets and visitors, pets are not permitted in public buildings other than Use of Service Animals.
- During special events and public programs, pets may be restricted from the Living History demonstration area.
- All pets must be restrained on a leash with a maximum length of 6 feet while on park property.

Note: Guidance on service animals can be found in DO-42 and the Director’s memo dated 9/5/02 and titled “Use of Service Animals by Persons with Disabilities in the National Park System.”

*Pets may cause problems including biting other visitors, fighting with other animals, defecating and urinating in the picnic and campground area, and barking or howling during interpretive demonstrations.*

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

- Leaving a pet unattended and tied to an object is prohibited, except at the Group Campground and Volunteers-in-Parks trailer area while the owners are away from the campsite for a period of time not to exceed two (2) hours. Under no circumstances will a pet be left unattended overnight. This regulation does not permit the individual (owner) to violate any other Park regulation while involved in this activity.

*Many park visitors travel with pets. This two-hour window has been established to give visitors the opportunity to walk the trails, boardwalk and visit the Visitor Center, an area that is restricted to pets.*

- Pets found unattended will be subject to confinement by Animal Control.
- It is prohibited to dispose of or release waterfowl, deer, rabbits, or other pets/animals in the park.

**(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 at:

- All developed areas (Visitor Center grounds, Patriots Hall, Monument area)
- Campgrounds, picnic areas
- Parking lots
- Walkways, walking trails
- Roadsides
- Historic/Battlefield area

*Pet excrement is malodorous, unsightly, and unsanitary. It is unreasonable for other visitors to be exposed in close proximity to pet excrement.*

The park does not have facilities to provide boarding for pets found running-at-large, as provided by 36 CFR. The staff will dispose of pets as noted in this Compendium. Every effort will be made to notify the owner of pets identified through tags and collars.

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

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

**36 CFR §2.16 – HORSES and PACK ANIMALS**

**(b) The use of horses or pack animals is allowed on the following trails, routes or areas:**

- The use of horses or pack animals is allowed in the park demonstration area during Living History program/special park sponsored events.
- The parking area for parades when approved through a Special Park Uses permit.

**(g) Other conditions concerning the use of horses or pack animals:**

- Living history programs/special park sponsored events
- Parades when approved through a Special Park Uses permit

**36 CFR §2.17 – AIRCRAFT and AIR DELIVERY**

**(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent through written authorization.**

**36 CFR §2.19 – WINTER ACTIVITIES**

**(a) The following park roads and/or parking areas open to motor vehicle traffic may be used for skiing, snowshoeing, ice skating, inner tubing, tobogganing, and similar winter activities under the conditions noted:**

- The park roads and/or parking areas are closed during extreme ice and snow conditions.

*The use of winter activities is not consistent with the park's natural, cultural, scenic, aesthetic, and historic values. Winter activities have not historically been a frequent activity, and safety concerns and the lack of the parks ability to remove snow and ice prohibit this type of use.*

**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:**

- Not allowed on sidewalks, walking trails and picnic areas to include picnic shelter.



*The use of Skating, Skateboards and Similar Devices creates a safety hazard for both vehicle traffic as well as pedestrians. They would also detract from the historical integrity of the park. Therefore, there are no designated roller-skating areas.*

### **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 all Government facilities, to include the comfort stations, and park vehicles.
- No smoking within 50 feet of any building entrance, monument, exhibit, demonstration area or hazardous material storage areas.
- Additional restrictions may be place in times of high fire danger.
- Cigarette butts or other tobacco products must be disposed of properly- extinguished and put into appropriate receptacles.
- The Government recognizes the right of employees to smoke as long as nonsmokers are protected against involuntary exposure to smoke. Smoking is permitted out of doors.

*Smoking is prohibited in all facilities to provide for public health and safety and protection of cultural resources.*

NOTE: The use of E-cigarettes is prohibited in the park’s Visitor Center and all Government facilities, to include the comfort stations, and park vehicles.

*The use of E-cigarettes is often confused with tobacco products use, and is prohibited to protect the park resources, and/or prevent conflicts among visitor use activities.*

### **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 determined to be abandoned and towed at owner’s expense, and the owner will be held responsible for reclaiming their property.
- 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.
- Personal property may be left unattended at campsites for more than 24 hours only by prior permission of the Superintendent and only if applicable fees have been paid in advance for the period during which the campsite will be unattended.

*Allowing vehicles and other property to be left unattended by prior arrangement provides reasonable accommodation to visitors who are involved in extended trips or other activities.*

## 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:

Moores Creek National Battlefield does not charge an entrance fee.

### Daily Site Use Fee Areas:

Patriots Hall \$50.00 application fee, \$100 facility use fee, TBD equipment rental  
Patriots Field Group picnic shelter \$50.00, TBD shelter use

### Special Recreation Permit Fee (Such as but not limited to, group activities, recreation events, and the use of motorized recreation vehicles):

Some areas, uses and events require a Special Park Use Permit which may include and 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 <https://www.nps.gov/mocr/planyourvisit/permitsandreservations.htm>

- Road rallies
- Bicycle events
- Running/Walking events
- Parades

## 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:**

The Park is located within the unincorporated limits of Currie, Pender County, North Carolina and the neighborhoods in direct proximity to the park are in a rural populated area. One highly traveled highway traverses the park. For this reason, some users may come to the park for the sole purpose of consuming alcohol. Behavior induced by the consumption of alcoholic beverages may at times destroy the enjoyment of the park by others, detract from the historic fabric and intended purpose of the park, and lead to other criminal activity. This restriction is consistent with Pender County Parks & Recreation.

- Consumption of alcoholic beverages within park buildings and on park trails is prohibited.
- Consumption of alcoholic beverages within the interpretive area(s)/demonstration area(s) is prohibited.
- Beer kegs are not allowed within the boundary of the park.
- 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.
- Consumption of alcoholic beverages within the Memorial and/or historic zone is prohibited.
- Consumption of alcoholic beverages within designated outdoor amphitheater, campgrounds by registered campground users and their guests, and picnic areas is prohibited.
- Permitted with Special events and functions with the Superintendent’s approval.
- Permitted in Employee residential areas.

### **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 of or possession of fireworks within the boundaries of the park is prohibited. The Superintendent may approve fireworks demonstrations as part of an interpretive or commemorative program.

### **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:**

The scattering of human ashes from cremation, without a permit, is allowed under the following terms and conditions:

- The remains to be scattered must have been cremated and pulverized.
- The scattering of remains by persons on the ground is to be performed at least 100 yards from any trail, road, developed facility, or body of water.
- The scattering of remains from the air is to be performed at a minimum altitude of 2000 feet above the ground.
- No scattering of remains from the air is to be performed over developed areas, facilities, or bodies of water.
- The scattering of remains in the Historic/Battlefield area is prohibited.

*The scattering of remains in the Historic/Battlefield area can result in a negative resource impact and alter the findings of the parks archeological study area.*

### **36 CFR §3.3 – VESSEL PERMITS**

**Permits are required for the use of a vessel in the following areas:**

- A Permit is required for groups of 12 or more vessels that launch at the north end of the Patriots Hall parking lot.

### **36 CFR §3.6 – BOATING OPERATIONS**

**(l) Vessels must meet the following size, length or width restrictions:**

- Operating a vessel in excess of length of 16 feet or a motorized vessel is prohibited.

- Human power only. No gasoline or petroleum fueled motors are allowed.
  - Small boats, such as canoes, kayaks or ‘john boats’ may be put into Moores Creek adjacent to the Patriots Hall parking area if boats can be carried or otherwise launched without damaging the environment or physical resources.
- (a) All requirements in Title 33 CFR parts 175 related to PFDs are adopted.
- 33 CFR (e) On Class A or Class 1 vessels, all persons must wear a U.S. Coast Guard approved personal flotation device (PFD) at all times while on board.
- 3.7(b) A PFD will be worn by all participants in park sponsored programs.

*Motorized vehicles are not permitted off-road or beyond the designated parking areas to prevent damage to the resources. Boat trailers or vehicles may not be taken off-road to launch or retrieve boats.*

### **36 CFR §3.21 – SWIMMING AND BATHING**

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

- All park waters are closed to swimming and bathing.

*Park waters have been determined to be unsuitable and unsafe for swimming or bathing. No suitable beaches are provided, water quality is unknown, and numerous underwater hazards exist. Swimming is not compatible with the aesthetic character of the Park waters that is a vital part of the Parks visitor’s experience.*

### **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):**

- All roads are open with the exception of those listed in section 36 CFR§1.5 above.

### **36 CFR §4.11 – VEHICLE LOAD, WEIGHT AND SIZE LIMITS**

**(a) The following load, weight and size limits, which are more restrictive than State law, apply to the roads indicated under the terms and conditions, and/or under permit as noted:**

Single Units	Gross Vehicle Weight – lbs. (kg.)
3 axles	48,000 (21,800)
4 or more axles	52,000 (23,600)
 Combination Units	
4 axles	62,000 (28,100)
5 Maximum	66,000 (29,600)

- Busses and recreational vehicles may park in designated spaces only. No recreational vehicle, bus, truck or other vehicle may idle their engine, nor run a generator, within park boundaries.

The Superintendent may further restrict or suspend hauling when the ground is saturated with water or during periods of freezing and/or thawing or for any other cause, and may, on a case-by-case basis, permit hauling of units in excess of the limits set forth above, in consultation with the Parks safety officer.

*Limits are essential in order to protect the motor road and appurtenances, to protect resources, and for reasons of visitor safety.*

### **36 CFR §4.21 – SPEED LIMITS**

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

- The speed limit on all paved roads and in parking area is a maximum of 15 miles per hour.
- Speed limits may be changed on a temporary basis during periods of construction or other similar activities.

*The designed speed and established speed limit for the parks motor road is 15 miles per hour, except where a lower speed limit is recommended due to weather or for other safety considerations. Speeds greater than 15 miles per hour would not be reasonable or safe, given the nature of the roadway, intersecting roads, and/or pedestrian and wildlife use.*

### **36 CFR §4.30 – MANUAL BICYCLES AND ELECTRIC BICYCLES**

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

- All park trails and unpaved roads are closed to bicycles.

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

*By limiting bicycle use to park's paved roadway, the park can eliminate a hazardous condition to pedestrian throughout the park. It will also eliminate damage to resources.*

**(b) The following additional routes, in developed areas or special use zones, have been designated for bicycle use:**

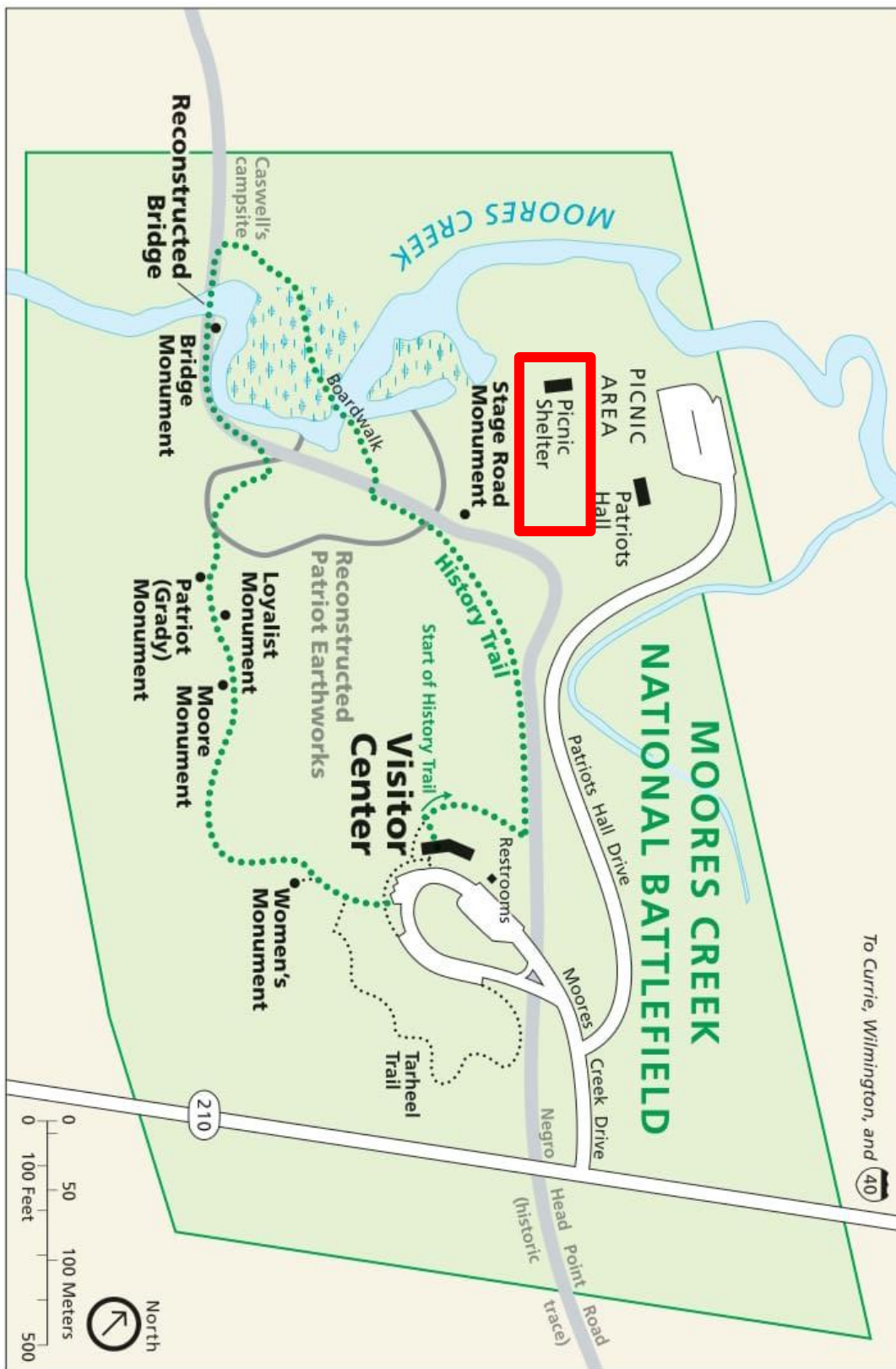
- The paved park road.

**(c) Electric Bicycles**

- The term “e-bike” means a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.).
- E-bikes are allowed in Moores Creek National Battlefield where traditional bicycles are allowed. E-bikes are prohibited where traditional bicycles are prohibited. Except where use of motor vehicles by the public is allowed, using the electric motor to move an e-bike without pedaling is prohibited.
- A person operating an e-bike is subject to the following sections of 36 CFR part 4 that apply to the use of traditional bicycles: sections 4.12, 4.13, 4.20, 4.21, 4.22, 4.23, and 4.30(h)(2)-(5).

- Except as specified in this Compendium, the use of an e-bike within Moores Creek National Battlefield 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.

Appendix A – Camping Location



Appendix B – First Amendment Activity Area

