# CODE OF FEDERAL REGULATIONS

# TITLE 36, CHAPTER 1

## COMPENDIUM

of Designations, Closures,
Permit Requirements and
Other Restrictions
imposed under the discretionary
authority of the Superintendent

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

Written determinations which include the reasons justifying the Superintendent's use of discretionary authority, as required by 36 CFR, Chapter 1, Part 1, Section 1.5(c), appear in this document in *italicized* print.

**Recommended:**

**Chief Ranger and Deputy Superintendent**
Obed Wild and Scenic River

6/27/2014
**Date**

**Approved:**

**Superintendent**
Obed Wild and Scenic River

June 27, 2014
**Date**

# PART 1—GENERAL PROVISIONS

## § 1.5 Closures and public use limits.

*USE OF UNMANNED AIRCRAFT*

(a)(1) Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of the Obed Wild and Scenic River is prohibited except as approved in writing by the Superintendent. The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links, etc.). This term includes all types of devices that meet this definition (e.g., model airplanes, quadcopters, drones, etc.) that are used for any purpose, including for recreation or commerce.

*Justification: The use of unmanned aircraft has the potential to cause unacceptable impacts such as harming visitors, causing excessive noise, impacting viewsheds, and disturbing wildlife. Management Policies 2006 Section 1.5 requires caution when a park is confronted with a new park use such as unmanned aircraft. Less restrictive approaches are deemed to be insufficient, as this closure is a necessary, interim measure which will allow the NPS to consider how to address this new use on a long-term basis. Allowing the use of unmanned aircraft before the park has properly evaluated whether this use is appropriate could result in unacceptable impacts to park resources, park values, and visitor safety.*

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*AREAS POSTED AS CLOSED*

(a)(1) Entering any area of the park which has been posted or signed as closed, or which has been designated as closed by the Superintendent, is prohibited.

*Justification: Closures may be necessary for a variety of reasons including site restoration, protection of sensitive or threatened species and protection of visitor safety.*

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*NEMO DAY USE AREA*

(a)(1) Vehicular entry into Nemo Day Use Area is prohibited from sunset to sunrise. All vehicles must be removed from Nemo Day Use Area prior to sunset. This provision does not apply to individuals participating in overnight hiking or paddling trips and possessing a valid backcountry permit for the date that the

vehicle is present. Individuals wishing to access Nemo Day Use Area at night for purposes such as fishing or star-gazing must park their vehicles outside of the Nemo Day Use Area gate and walk into the area.

*Justification: This area is closed to vehicular traffic from sunset to sunrise to protect visitor safety and to protect park resources. Historically, the park has experienced a high incidence of nighttime crime at Nemo Day Use Area and limiting vehicular traffic will significantly curtail this trend while allowing for legitimate uses.*

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*MOTORIZED VESSELS*

(a)(1) Motorized vessels are not permitted on streams within the park with one exception: Vessels propelled solely by electrically powered motors are permitted on the section of the Emory River which has been designated as "recreational" and which extends downstream from the confluence of the Obed and Emory rivers to Nemo Bridge.

*Justification: Gasoline and other non-electric powered motors have the potential to leak gas, oil and other harmful substances into the park's streams and are incompatible with the park's mission to protect the park's resources and to preserve water quality.*

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*ROAD CLOSURES*

(a)(1) Designated park roads may be temporarily closed on occasions when a hazardous condition exists or when required by other circumstances to protect the safety of the public. Operating a motor vehicle in violation of such closures is prohibited.

*Justification: Examples of circumstances which might lead to such closures include, but are not limited to, ice and snow storms, road construction and maintenance, vehicular accidents and hazardous materials spills. Road closures during these types of situations may be necessary for public safety and welfare.*

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*OFF-ROAD VEHICLES IN ROCK CREEK CAMPGROUND AND NEMO DAY USE AREA*

(a)(1) The operation of off-road vehicles and other similar vehicles, including all vehicles which are not permitted on public highways and all vehicles which are not licensed by the State of Tennessee for use on public highways, is prohibited in the Rock Creek Campground and at Nemo Day Use Area, unless these vehicles are being operated for the purpose of accessing other areas off park property. In all cases, the operation of such vehicles is limited to the immediate surface of the

primary roadway. It is prohibited to take such vehicles off of the immediate surface of the primary roadway for any reason.

*Justification: The operation of off-road vehicles in non-designated areas leads to significant damage to park resources, disturbance of wildlife and interference with the enjoyment of other park visitors.*

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*REOPENING OF ROADS, TRAILS, ETC.*

(a)(1) The reopening, to any extent, of any roads, trails or routes within the park which have been closed by means of revegetation, fallen trees, or any other means, is prohibited for anyone other than a member of the park's staff or an official park volunteer acting under specific orders from a member of the park's staff. This prohibition does not apply to the reopening of designated park roads and parking areas.

*Justification: The natural closing of such roads is one of the most efficient ways to curtail the operation of motor vehicles in unauthorized areas. The reopening and use of such roads leads to negative impacts on park resources.*

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*IDLING DIESEL-FUELED VEHICLES*

(a)(1) Operators of diesel-fueled vehicles are prohibited from idling their engines within the park.

*Justification: The noise and fumes caused by these engines disturbs other park visitors and wildlife.*

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*USE OF GENERATORS*

(a)(1) The use of generators within the park is prohibited with one exception: Generators may be used in Rock Creek Campground between the hours of 10 a.m. and 8 p.m., so long as the use of such generators does not otherwise violate the provisions of 36 CFR 2.12 regarding audio disturbances.

*Justification: The noise created by generators negatively affects the enjoyment of other park visitors and disturbs wildlife.*

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*SEARCHING OF TRASH RECEPTACLES*

(a)(1) The searching of park trash receptacles, refuse containers, dumpsters and recycling bins is prohibited, as is the removal of items from such containers.

*Justification: The searching of trash receptacles presents a health hazard and also leads to littering and interferes with the enjoyment of other park visitors.*

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*ENTERING MINE SHAFTS*

(a)(1) Entering any mine shaft within the park is prohibited.

*Justification: Entering abandoned mines is prohibited due to the unsafe conditions that may exist within such mines.*

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*CLOSURE OF THE AREA SURROUNDING LILLY BLUFF OVERLOOK BOARDWALK*

(a)(1) Departing from the Lilly Bluff Overlook boardwalk by any means other than the designated gravel trail to the parking lot is prohibited. It is prohibited for an individual to be within 50 feet of the overlook boardwalk unless that individual is either on the boardwalk or on the designated gravel trail.

*Justification: The Lilly Bluff Overlook boardwalk protects a unique plant community that is highly susceptible to impacts from foot-traffic, rappelling and similar activities. Requiring visitors to remain on the boardwalk helps to protect this vegetation. Additionally, fatalities have occurred when individuals have climbed over the boardwalk railing and have fallen over the cliff's edge.*

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*JUMPING FROM BRIDGES*

(a)(1) Jumping or diving from any bridge within the park is prohibited.

*Justification: Hazards (such as deceptively shallow water, submerged objects and roadway traffic) make jumping or diving from bridges an unsafe activity. Additionally, such activities pose danger to individuals who may be in the water below the bridge or travelling on the roadway.*

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*ROPE SWINGS, DIVING BOARDS, LADDERS AND SIMILAR ITEMS*

(a)(1) Attaching or otherwise affixing a rope swing, diving board, ladder, slide or other such item to the shore of any stream within the park, to an object or to vegetation alongside such stream, or to an object or vegetation within the stream itself, is prohibited.

*Justification: Rope swings and other similar items pose significant hazards to those that use them and result in resource damage.*

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*HUNTING STANDS*

(a)(1) The construction of a permanent hunting stand of any sort and the construction or placement of any hunting stand that harms any vegetation or other park resource in any way is prohibited. Temporary hunting stands are permitted only if they cause no damage to any trees, vegetation or other park resource, and will not be left unattended for over 48 hours. All stands will be removed at the end of the open hunting season.

*Justification: Permanent and temporary hunting stands have the potential to damage trees and other vegetation.*

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*SALT LICKS AND OTHER FORMS OF WILDLIFE BAITING*

(a)(1) The placement of salt licks, mineral blocks, food items, and all other forms of "baiting" to attract wildlife to a particular location or area is prohibited. Attempting to take wildlife through the use or in reliance upon such baited locations is prohibited, regardless of whether or not the person attempting to take such wildlife was responsible for the establishment of the baited location.

*Justification: The use of these items has the potential to introduce non-native species and other materials that may be harmful to park resources or that are not a natural part of the diet of the park's animals.*

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*SAFETY ZONE*

(a)(1) Any form of hunting is prohibited within a safety zone, as signed. Hunters may walk through a safety zone provided that their weapons are unloaded and that their hunting dogs, if any, are on leashes. In accordance with state regulations, an individual with a hand-gun carry permit may carry a loaded handgun in a safety zone, provided that they are not actively hunting with that handgun.

*Justification: Safety zones are located around areas of high visitor use to ensure visitor safety.*

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*FISHING*

(a)(1) Fishing is allowed in the park in accordance with applicable state and federal laws and regulations, with this exception: The harvesting by any means of any species of fresh water mussel is prohibited.

*Justification: The park's streams provide habitat for rare and sensitive species of mussels.*

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*POSSESSION OR TRANSPORT OF FIREWOOD FROM OTHER LOCATIONS*

(a)(1) Firewood originating from outside of Morgan or Cumberland Counties is not permitted to be possessed within or transported through the park.

*Justification: Multiple forest pests, including the emerald ash borer, are spread unwittingly through the transport of firewood. Individuals camping in the park may collect dead and downed wood from the park or purchase firewood locally.*

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*ZIPLINES, SLACKLINES AND ROPE BRIDGES*

(a)(1) The installation or use of ziplines, slacklines, rope bridges and similar devices that are affixed between two objects for the purpose of being traversed either by hand or foot or via a pulley, carabineer or other device is prohibited.

*Justification: Ziplines, rope bridges and similar devices can damage vegetation and geologic resources and can present a hazard to the general public.*

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*CLIMBING, RAPPELLING AND RELATED ACTIVITIES*

(a)(1) The placement and/or replacement of fixed climbing anchors is prohibited, except as authorized by permit from the Superintendent.

*Justification: The placement of fixed anchors leads to a high concentration of visitor use in specific areas. The requirement of a permit for the placement of such anchors allows park staff to examine and mitigate potentially negative impacts to sensitive natural and cultural resources.*

(a)(1) The placement or use of pitons and other such items of climbing protection which are hammered or driven into place using an implement or object other than the human hand is prohibited.

*Justification: The use of these items of climbing protection causes damage to the cliff face and negatively affects the scenic and natural quality of the area.*

(a)(1) The reinforcement, improvement, creation or alteration of handholds or footholds with glue, epoxy, cement or any other substance is prohibited. The practices of "chipping" and "filing," and all other practices involving the use of any tools or other implements to reinforce, improve, create or alter any handhold or foothold is prohibited

*Justification: The altering of the cliff face for the establishment of handholds and footholds has adverse impacts on the scenic and natural quality of the cliff face.*

(a)(1) Accessing climbing anchors or routes from the top of the cliff face or from the top of the route is prohibited. All climbs must begin and end at the bottom of the route and at the base of the cliff. The upper portion of any climb must terminate below the top of the cliff and must not extend to the horizontal surface at the top of the cliff. Climbing above the upper edge of the vertical portion of the cliff—i.e., "topping out"—is prohibited. The provisions of this paragraph do not apply to individuals engaged in climbing "traditional" or "mixed" routes, or to the style of unroped climbing known as "bouldering". Additionally, nothing in this paragraph shall be interpreted as prohibiting an individual from climbing to and then advancing above a horizontal ledge or shelf which lies directly beneath another vertical cliff face, or from belaying another climber from such a ledge or shelf. "Traditional" or "mixed" climbing routes are defined as those that require climbers to place their own protection as they ascend and on which permanent, fixed anchors are primarily absent. "Traditional" and "mixed" climbing does not include the specific form of rock climbing known as "toproping" in which a tree or other natural feature at the top of the route is used as the climber's primary form of protection.

*Justification: The area above the edge of the cliff is particularly sensitive to human impact. Restricting the majority of climbing to the vertical portion of the cliff below the cliff top is an important measure in limiting this impact.*

(a)(1) Specific climbing routes or climbing areas may be closed to all climbing or rappelling of any sort, upon a finding by the park that sensitive natural or cultural resources are being negatively affected or threatened by such climbing routes or climbing areas. Climbing or rappelling on such closed routes or in such closed areas is prohibited.

*Justification: It may be necessary to close certain climbing routes or areas upon discovery of sensitive or threatened resources to prevent resource damage.*

(a)(1) All types of climbing (including sport climbing, traditional climbing, bouldering and scrambling) and all types of rappelling are prohibited in the following locations:

- underneath or within 25 feet of any bridge;
- on or within 25 feet of any arch; and
- in any location or manner where such climbing results in damage to any natural, geological or cultural resource.

*Justification: Certain areas are more sensitive and more likely to be impacted by activities such as climbing.*

(a)(2) Organized groups (for example, schools and other educational institutions, clubs, nonprofit groups and associations, etc.) wishing to bring a group of more than

8 persons to the park for the purposes of climbing and/or rappelling must first obtain a permit from the Superintendent.

*Justification: The use of the park climbing areas by large, organized groups results in significant impact to park resources and often interferes with the use and enjoyment of other visitors, including other climbers. The park has a history of heavy impact and damage to park resources resulting from the high intensity use of such groups. The requirement of a permit allows park staff to inform group leaders about park rules and regulations and about ways to mitigate impacts to park resources and visitors.*

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*GEOCACHING AND SIMILAR ACTIVITIES*

(a)(2) Any activity (for example, the activity know as "geocaching"), which involves hiding or otherwise placing an item or items within the park or physically marking a location within the park, and which is done with the intent that such items or locations will be searched for or sought out by others, must be conducted pursuant to a permit issued by the Superintendent.

*Justification: Physically placing geocaches in the park without consulting with park management leads to the risk that sensitive or threatened resources may be damaged either by the individuals placing the geocache or by individuals seeking the geocache.*

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*VIRTUAL GEOCACHING AND SIMILAR ACTIVITIES*

(a)(2) Any activity (for example, the activity known as "virtual geocaching"), in which a location is marked or specified by means of Global Positioning System (GPS), map or any means other than a physical marking or object placed at the site of the location, and which is done with the intent that such locations will be searched for or sought out by others, must be conducted pursuant to a permit issued by the Superintendent; provided, however, that no such permit is required when the location thus marked or specified is located immediately on a designated foot trail or immediately within a designated parking area or developed area at a location which is used by the public on a regular basis.

*Justification: Activities such as "virtual geocaching," as compared to traditional geocaching activities, are generally less likely to have negative effects on park resources, in that they do not involve the burying or concealment of objects within the park. However, as in the case of traditional geocaching, such activities have the potential to attract large numbers of visitors to areas or locations which are not otherwise subject to significant public impact, and which may be unusually fragile or sensitive. The requirement of a permit allows park staff to ensure that such*

*locations are situated in areas that are not likely to be negatively affected by increased public visitation.*

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*ADVENTURE RACES AND SIMILAR ACTIVITIES*

(a)(2) Any activity in which persons compete with one another by traveling along a course within the park, including, but not limited to, triathalons, adventure races, ecochallenges, iron man competitions, hash house harrier games (also known as "hashing"), and other races or competitions of any sort, must be conducted pursuant to a permit issued by the Superintendent.

*Justification: Activities such as adventure races can significantly interfere with the use and enjoyment of other park visitors. The requirement of a permit allows park staff to mitigate the impact of such activities on other visitors. The requirement also allows park staff to limit any off-trail portions of such activities to areas where sensitive natural and cultural resources will not be negatively affected.*

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*USE OF ELECTRONIC PERSONAL ASSISTANCE MOBILITY DEVICES*

(a)(2) The use of electronic personal assistance mobility devices (for example, the device marketed under the brand name "Segway") by persons with a disability will be allowed in all of the park's paved parking areas, on the paved road in the Rock Creek Campground, on the gravel trail to the Lilly Bluff Overlook and on the Lilly Bluff Overlook platform itself, provided that such devices display a valid, government issued placard indicating that the user has a disability. The use of such devices is prohibited elsewhere in the park.

*Justification: Electronic personal assistance mobility devices such as the Segway are not suited to the other trails found within the park. All other trails in the park contain sections that are either too steep, rocky or narrow to permit their negotiation by such devices.*

## § 1.6 Permits.

(f) Pursuant to the provisions of 36 CFR 1.6(f), the following is a compilation of the activities for which a permit is required. Not all of the activities/permits listed below are relevant to the Obed Wild and Scenic River.

| Activity Requiring Permit | Relevant Section of 36 CFR |
|---|---|
| Entry of Closed Areas | 1.5(d) |
| Adventure Races and Similar Activities | 1.5(d) |
| Geocaching and Similar Activities | 1.5(d) |
| Virtual Geocaching and Similar Activities | 1.5(d) |
| Group Climbing/Rappelling Permit | 1.5(d) |
| Replacement of Existing Fixed Climbing Anchors | 1.5(d) |

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|---|---|
| Hunting Hogs | 2.2(b)(2) |
| Possession of an Otherwise Prohibited Weapon, Trap or Net | 2.4(d) |
| Collection of Research Specimens | 2.5 |
| Rock Creek Campground Self-Registration | 2.10(a) |
| Exceeding Maximum Occupancy of Backcountry Campsites | 2.10(a) |
| Exceeding Maximum Length of Stay at Backcountry Campsites | 2.10(a) |
| Operating a Power Saw or Portable Motor/Other Audio Disturbances | 2.12(a)(2),(3)&(4) |
| Possession of a Pet by a Park Resident | 2.15(e) |
| Use of Aircraft/Air Delivery | 2.17(a)(3) |
| Removal of Downed Aircraft | 2.17(c)(1) |
| Entrance and Recreational Fees | 2.23(b) |
| Soliciting of Gifts, Money, Goods or Services | 2.37 |
| Explosives | 2.38(a) |
| Fireworks | 2.38(b) |
| Special Events (including sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies and similar events) | 2.50(a) |
| Demonstrations | 2.51(a) |
| Sale or Distribution of Printed Matter | 2.52(a) |
| Livestock Use and Agriculture | 2.60(b) |
| Residing on Park Lands | 2.61(a) |
| Scattering of Human Ashes | 2.62(b) |
| Use of a Vessel | 3.3 |
| Vehicles Exceeding Designated Load, Weight and Size Limits | 4.11(a) |
| Displaying, Posting or Distributing Advertisements and Commercial Notices | 5.1 |
| Engaging in or Soliciting Any Business | 5.3 |
| Filming of Motion Pictures or Television Productions | 5.5(a) |
| Taking of Still Photographs for the Purpose of Commercial Advertising | 5.5(b) |
| Use of Government Roads by Commercial Vehicles | 5.6(c) |
| Constructing or Attempting to Construct Buildings, Structures, Boat Docks, Roads, Trails, Paths, Ways, Telephone Lines, Telegraph Lines, Power Lines, or Any Other Private or Public Utilities | 5.7 |
| Operation of a Solid Waste Disposal Site | 6.9(a) |
| Single Visit Entrance Permits | 71.7(a) |
| Special Recreation Permit | 71.10(a) |
| Waiver of Federal Recreation Fees | 71.13(d) |

Permits will be specific in nature to the activity being permitted. In those cases where permit use is frequent, a specific permit form has been designed (e.g., the Rock Creek Campground self-registration form). In most other cases, a special use permit or letter of authorization will be prepared describing the specific conditions under which the permitted activity is authorized. In all cases, a permit or letter of authorization must be in the permittee's possession at all times and must be shown to any authorized person upon request. For the purposes of self-registration at Rock Creek Campground, the application requirement is met by completing the fee collection envelop fully and accurately, inserting the required payment into the envelope, depositing the envelope in the security container of the self-registration station, and by affixing the appropriate, completed portion of the envelope to the clip on the site marker provided for that purpose.

# PART 2—RESOURCE PROTECTION, PUBLIC USE AND RECREATION

## § 2.1 Preservation of natural, cultural and archeological resources.

*USE OF DEAD WOOD*

(a)(4) Dead wood that has fallen and that is on the ground may be collected anywhere in the park and used as fuel for campfires within the park, subject to the conditions and limitations set forth elsewhere in federal and state regulations and in Section 2.13 of this Superintendent's Compendium; the collection or use of such wood for any purpose other than the building of a campfire within the boundaries of the park is prohibited. Standing dead trees may not be felled or otherwise brought to the ground. Also excluded from this provision are the remains of any tree the trunk of which is more than four inches in diameter and which is found within 100 feet of the top or bottom of any cliff face; such dead trees may not be used as firewood or otherwise disturbed or removed.

*Justification: Downed, dead wood is generally plentiful within the park; however, standing dead trees provide important habitat for a variety of species. Additionally, many of the trees that grow in the vicinity of the park's cliff faces are extremely old, and whether living or dead, are important physical records of the area's natural history.*

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*GATHERING OF FRUITS, MUSHROOMS, BERRIES AND NUTS*

(c)(1) The following fruits (including the fruiting bodies of certain mushrooms), berries and nuts may be gathered by hand for personal consumption or use:

- blackberries,
- blueberries,
- strawberries,
- grapes,
- cherries,
- pokeberries,
- pawpaws,
- mushrooms (only edible species),
- walnuts,
- hickory nuts,
- hazel nuts,
- beech nuts and

- acorns.

*Justification: It has been determined that the gathering and/or consumption of the above in the quantities described below will not adversely affect park wildlife, the reproductive potential of individual plant species, or otherwise adversely affect park resources.*

(c)(2)(i) The quantity of fruits (including the fruiting bodies of certain mushrooms), berries and nuts collect under the provisions of Section 2.1(c)(1) will not exceed 1 gallon per family or group per day for each species.

*Justification: The unrestricted collection of fruits, berries and nuts could have an adverse impact on plant propagation and/or wildlife food sources.*

(c)(2)(ii) Persons gathering the species of fruits, berries and nuts listed in Section 2.1(c)(1) of this Superintendent's Compendium are prohibited from climbing trees or other vegetation, and from using stools or ladders. All such fruits, berries or nuts must be collected while standing on the ground. The gathering of such fruits, berries or nuts is also prohibited within 200 feet of scientific research plots or areas.

*Justification: The use of collection methods such as ladders and tree climbing is prohibited in order to protect trees and vegetation from damage and to allow sufficient food supplies for wildlife. Gathering such items in research areas is prohibited in order to protect the integrity and reliability of research activities.*

## § 2.2 Wildlife protection.

*HUNTING WILD AND FERAL HOGS*

(b)(2) During the county-wide deer season established by the State of Tennessee, the hunting of hogs is permitted on park property. During this time period, such hunting is permitted only on days on which deer may be hunted, only with the weapons allowed to be used for deer hunting on that date and only by individuals who are allowed to hunt deer on that date (for example, only "youth" during a "youth only" hunt). During this period, individuals hunting hogs on park property must possess all necessary licenses required by the State of Tennessee to hunt deer and a hog hunting permit issued by the National Park Service.

Additionally, during the period of time beginning the day after the last deer hunt and ending the last day of the Tennessee small game season for most species (typically near the end of February), the hunting of hogs is permitted on park property. During this time period, such hunting is permitted only with weapons allowed to be used for big game hunting. During this time period, individuals

hunting hogs on park property must possess the necessary licenses required by the State of Tennessee to hunt small game and a hog hunting permit issued by the National Park Service.

*Justification: Allowing the hunting of wild and feral hogs will help curtail resource damage caused by this non-native species.*

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*VIEWING OF WILDLIFE WITH AN ARTIFICIAL LIGHT*

(e) The entire park is closed to the viewing of wildlife with an artificial light (including headlights), except when such lights are used to view wildlife in compliance with state laws which permit their use in the hunting of specified species.

*Justification: The prohibition of viewing wildlife with an artificial light is necessary to protect wildlife against nighttime poaching and is consistent with applicable state hunting regulations.*

## § 2.5 Research specimens.

*SCIENTIFIC RESEARCH AND COLLECTION PERMITS*

Pursuant to the authority found in 36 CFR 2.5, the Superintendent may issue permits for the collection of plants, fish, wildlife, rocks and minerals for research purposes subject to the conditions established by the National Park Service for scientific research and collection permits. These conditions, in part, are found online at http://science.nature.nps.gov/research and are subject to periodic revision. The guidelines and requirements contained at the above website are hereby adopted and made part of this Superintendent's Compendium. The violation of any applicable condition, guideline or requirement is prohibited.

*Justification: Conditions on research performed pursuant to permits are necessary to protect park resources from negative impacts and to ensure compliance with permitting procedures.*

## § 2.10 Camping and food storage.

*REGULATIONS RELATING TO LENGTH OF STAY*

(a) No person, party, organization or other group shall camp within the park for more than a total of 30 days in a calendar year. No person, party, organization or other group shall camp within the park for more than 14 consecutive days.

*Justification: Limitations relating to length of stay help ensure camper turnover and allow campsite vegetation a better opportunity to recover.*

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*LEAVING CAMPSITES UNATTENDED*

(a) Campsites may not be left unattended for more than 24 hours.

*Justification: Campsites left unattended for more than 24 hours are sources of potential problems with wildlife and may encourage criminal activity such as theft.*

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*REGULATIONS FOR ROCK CREEK CAMPGROUND*

(a) The following regulations apply in Rock Creek Campground. Any failure to abide by these provisions is prohibited. *(Note: For the purposes of this paragraph only, the numbered subparagraphs have no corresponding subparagraphs in 36 CFR.)*

1. Individual campsites are to be occupied by no more than one immediate family, or, alternatively, by no more than eight persons. Exceeding these limits is prohibited.

*Justification: Per person limitations at individual campsites help limit resource impacts and preserve a better experience for other campers.*

2. No more than two tents, or alternatively, no more than one tent and one wheeled camping unit, are allowed per campsite. Tents must be placed on tent pads.

*Justification: Restrictions on the number of tents and other camping units are necessary due to space limitations in the campground, to protect park resources and to preserve a quality visitor experience.*

3. Any vehicles or wheeled camping units, including any combination of recreational vehicles, camping trailers or other such units, and including vehicles being used to tow such units or being towed by such units, when the combined length exceeds 25 feet, are prohibited from entering Rock Creek Campground. This provision does not apply to park staff when conducting official park business.

*Justification: The road in and to Rock Creek Campground is narrow and the campsites are not designed for large motor homes or trailers.*

4. No more than two motor vehicles or, alternatively, one vehicle with trailer are allowed per campsite. All vehicles must be parked in designated parking

spots immediately adjacent to the vicinity of the site for which the party is registered, or at the overflow area adjacent to the self-registration station. Vehicles, trailers and other personal items must in no way impede or interfere with the flow of traffic in Rock Creek Campground. All wheels of all vehicles and trailers must remain on paved surfaces at all times. Invited guests of registered campers must park at the overflow parking area near the bulletin board and self-registration station.

*Justification: The limited availability of parking and narrowness of the campground road requires that use of parking areas must be restricted to registered campers and that parking be done in a controlled manner.*

5. Vehicular entry and traffic within Rock Creek Campground is limited to registered campers and their invited guests; provided, however, that hikers may park vehicles in the parking spaces immediately adjacent to the campground's self-registration station for the purposes of accessing the Cumberland Trail and the Emory River Nature Trail. Entering the Rock Creek Campground between the hours of 10 p.m. and 6 a.m. is prohibited; all campers must self-register and occupy their sites after 6 a.m. and before 10 p.m.

*Justification: The limited availability of parking requires that use of parking areas must be limited to registered campers. Entering the campground by motor vehicle between 10 p.m. and 6 a.m. is a source of disruption to other campers.*

6. Campers who wish to camp in Rock Creek Campground must first occupy an available campsite in a way which would clearly convey to a reasonable person that such campsite is occupied, by means of depositing personal items or other members of the party at the site. Within 30 minutes after occupying a site and without ceasing to so occupy it in the interim, campers must complete the self-registration form and place it, along with the required payment, in the security container at the self-registration station provided for that purpose. The appropriate, perforated portion of the self-registration envelope must be fully and accurately completed, including the current date and the number of days for which payment has been made, and affixed to the clip on the site marker provided for that purpose. Failure to do any part of the above is prohibited, and sites will be considered unoccupied and available for use when 30 minutes have elapsed, starting at the time that an individual or group first occupied a campsite without the completion of the required self-registration procedures.

*Justification: Clearly specified procedures concerning campsite registration are required to help eliminate disputes over specific sites and to ensure*

*compliance with registration requirements.*

7. Sites which are clearly occupied, for which required self-registration procedures have been completed, for which appropriate payment has been made, and which display the appropriate, completed portion of the self-registration envelope on the site marker, will be considered to be occupied, and it is prohibited for another individual or party to occupy such a site. Interfering with the occupancy or use of any portion of such a campsite including parking spaces is prohibited. Sites whose site markers do not display the appropriate, completed and valid portion of the self-registration envelope and at which no personal belongings of the occupant or occupant have been left, will be considered unoccupied and available for use.

*Justification: Clearly specified procedures concerning campsite registration are required to help eliminate disputes over specific sites and to ensure compliance with registration requirements.*

8. Holding or reserving a campsite for another party is prohibited. Sites are considered unoccupied and available until all required self-registration procedures have been completed, including the making of appropriate payment and the display of the appropriate, completed portion of the self-registration envelope on the site marker.

*Justification: Clearly specified procedures concerning campsite registration are required to help eliminate disputes over specific sites and to ensure compliance with registration requirements.*

9. Self-registration permits expire at 12 p.m. on the day following the final date for which payment has been made and for which appropriate self-registration procedures have been completed. Campers must then vacate the site unless they have recompleted appropriate self-registration procedures and paid the appropriate fee by this time. Continuing to occupy a campsite beyond such time without repeating the required self-registration process and providing the appropriate payment is prohibited.

*Justification: Clearly specified procedures concerning campsite registration are required to help eliminate disputes over specific sites and to ensure compliance with registration requirements.*

10. Tying, hanging, wrapping or otherwise affixing or attaching any cord, line, string, rope or wire to any trees, vegetation, posts or structures is prohibited.

*Justification: Affixing such items to trees and other objects leads to resource damage and frequently decreases the quality of the camping experience for other park visitors.*

11. Horses, pack animals and other livestock (trailered or otherwise) are not permitted in Nemo Day Use Area or Rock Creek Campground.

*Justification: Horses, pack animals and livestock have the potential to cause significant resource damage.*

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*BACKCOUNTRY CAMPING REGISTRATION*

(a) Camping outside of Rock Creek Campground is prohibited without a properly completed backcountry camping permit.

*Justification: The requirement for a backcountry camping permit allows the park to monitor and limit impacts to park resources. It also assists park staff in identifying individuals who might be overdue or in distress.*

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*PROHIBITED LOCATIONS FOR CAMPSITES OUTSIDE OF ROCK CREEK CAMPGROUND*

(a) Except at designated campsites within Rock Creek Campground, camping is prohibited at the following locations and in the following areas:

- within 200 feet or in sight of any road, parking lot or developed area;
- within 200 feet or in sight of the Lilly Overlook Trail, the Lilly Overlook platform or the Bridge Trail;
- within 200 feet of the area known as Lilly Boulderfield, defined for these purposes as an area bounded on the south by the north edge of Potter's Chapel Road, bounded on the east by the west bank of Clear Creek, bounded on the west by the park's authorized boundary and extending north one-half mile from Potter's Chapel Road ;
- within 200 feet of a site of cultural or archaeological significance; and
- within areas which are being restored or revegetated and that are so posted, pursuant to 36 CFR 1.7(a).

*Justification: Camping is prohibited in certain areas to help prevent a visual intrusion on the experience of other park visitors and to protect park resources.*

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*LEAVING NO TRACE AT CAMPSITES OUTSIDE OF ROCK CREEK CAMPGROUND*

(a) Campers are required to obliterate all traces of human presence or activity upon leaving their campsite.

*Justification: Leaving a campsite just as it was found helps to preserve a quality park experience for other visitors.*

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*CAMPING WITHIN 100 FEET OF BODIES OF WATER*

(b)(3) The prohibition against camping within 100 feet of streams and other bodies of water as contained in 36 CFR 2.10(b)(3) shall not apply when camping within 100 feet of the following streams: the Emory River, the Obed River or Clear Creek. However, all other regulations and restrictions on camping shall remain in effect.

*Justification: The areas along the park's streams are regularly scoured by floodwaters and are not necessarily more subject to resource damage than any other area of the park.*

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*STORAGE OF FOOD AND OTHER ITEMS*

(d) The entire park is designated as subject to the requirements contained in 36 CFR 2.10(d) for the storage of food and other items. Items found in violation of 36 CFR 2.10(d) are considered to interfere with visitor safety and to present a threat to park resources. Accordingly, such items may be impounded at any time under 36 CFR 2.22(b)(2).

*Justification: Improper storage of food and other items interferes with visitor safety and enjoyment and poses risks to the welfare of the animals thus habituated by creating a situation in which animals view human beings as sources of food.*

## § 2.11 Picnicking.

Picnicking is allowed within the park. Provided, however, that picnicking in Rock Creek Campground is permitted only to registered campers that have completed the required self-registration process for their campsite and to the invited guests of such campers. Additionally, all refuse, trash and other such items must be maintained in an appropriate refuse container at all times; failure to place such items immediately into an appropriate refuse container is prohibited. Picnicking is prohibited within 100 feet of an area of cultural or archeological significance or a research site or plot.

*Justification: Not placing items of refuse immediately into an appropriate receptacle creates greater potential for problems with scavenging wildlife and littering. Picnicking at or near cultural areas poses the risk of damage to such areas.*

## § 2.13 Fires.

*LOCATIONS WHERE FIRES ARE PERMITTED*

(a)(1) Lighting or maintaining a fire within the park is permitted in park established grills and park established fire pits and in other areas of the park, with the following exceptions:

- within 200 feet or in sight of any road, parking lot or developed area;
- within 200 feet or in sight of the Lilly Overlook Trail, the Lilly Overlook platform or the Bridge Trail;
- within 200 feet of the area known as Lilly Boulderfield, defined for these purposes as an area bounded on the south by the north edge of Potter's Chapel Road, bounded on the east by the west bank of Clear Creek, bounded on the west by the park's authorized boundary and extending north one-half mile from Potter's Chapel Road ;
- within 200 feet of a site of cultural or archaeological significance; and
- within areas which are being restored or revegetated and that are so posted, pursuant to 36 CFR 1.7(a).

Lighting or maintaining a fire within the park is also permitted in lanterns and portable grills or stoves suitable for that purpose.

*Justification: Lighting or maintaining fires, except in the locations described above, is not likely to lead to significant resource damage.*

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*CONDITIONS RELATING TO THE BUILDING OF FIRES*

(a)(1) Where permitted, the lighting or maintaining of a fire is subject to the following conditions.

- All fires, including those in fire rings, pits, grates, grills, stoves and lanterns must be maintained at a reasonable size and level of intensity that is easily and safely contained and that can be readily extinguished.
- The burning of tires and of other petroleum-based products and of other items composed of plastic, rubber, styrofoam and similar synthetic materials is prohibited.

In addition to these requirements, the lighting or maintaining of any fire within the park is subject to all other relevant federal and state regulations.

*Justification: Fires must be maintained at a reasonable level of intensity for safety and to prevent the occurrence of wildfires. The burning of synthetic materials releases toxic chemicals, leaves residue in fire pits and decreases the enjoyment of other visitors.*

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*EXTINGUISHING OF FIRES*

(b) Upon termination of use and before a fire site may be left unattended for any period of time, however brief, the fire must be extinguished to the extent that no hot materials (including hot coals, ashes or burnt materials) remain at the site and so that all remains of the fire are cool to the touch. All traces of fires must be completely obliterated, including any new fire rings. Established, long-standing fire rings exist at certain popular camping locations in the park (for example, downstream from Barnett Bridge, downstream from Lilly Bridge, at the mouth of Little Clear Creek, etc.). Destroying or altering these fire rings is prohibited.

*Justification: Fires must be fully extinguished for safety and to prevent the occurrence of wildfires.*

## § 2.14 Sanitation and refuse.

*DISPOSAL OF HUMAN BODY WASTE*

(b) Within a distance of one-quarter of a mile from a restroom or pit toilet facility, human body waste must be appropriately disposed of in such facilities. Beyond a distance of one-quarter of a mile from such facilities, human body waste must either be containerized and carried out or it must be buried at a depth of 4 to 6 inches in organic soil and at a location not frequented by the public. Human waste may not be buried within 100 feet or in sight of any trail, road, parking lot, developed area, campsite, cliff or rock formation, climbing route or climbing area, water source or the high water mark of any stream, whether intermittent or not.

*Justification: Improper disposal of human waste is a potential health hazard.*

## § 2.15 Pets.

*DISPOSAL OF PET EXCREMENT*

(a)(5) Within 100 feet of any parking lot, road or other developed area or within 10 feet of any trail, pet excrement must be immediately collected and containerized by the pet handler or owner. Such container must be placed in a refuse receptacle or removed from the park for other proper disposal.

*Justification: Improper disposal of pet waste is a potential health hazard.*

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*HUNTING DOGS*

(b) Dogs being used in support of authorized hunting activities must be crated, caged or restrained on a leash not to exceed 6 feet in length when within a developed area or a designated safety zone.

*Justification: In accordance with state law, dogs may be used to hunt certain species. However, for visitor safety and to preserve the quality of the visitor experience, such dogs must be appropriate restrained.*

## § 2.16 Horses and pack animals.

(a) Pack animals are defined as horses, burrows, mules, donkeys, llamas and other hoofed mammals that are ridden or used to carry or transport equipment, supplies or other such items.

(b) No trails, routes or areas within the park are designated for the use of horses or pack animals; the use or possession of horses or pack animals within the park is prohibited.

## § 2.21 Smoking.

(a) Smoking in the Visitor Center is prohibited.

*Justification: Second-hand smoke has negative health consequences for other visitors and park staff.*

## § 2.22 Property.

*LEAVING MOTOR VEHICLES UNATTENDED WHILE ENGAGED IN BACKCOUNTRY ACTIVITIES*

(a)(2) Motor vehicles may be left unattended for longer than 24 hours while the vehicle's operator is engaged in overnight hiking, overnight river trips or any other authorized backcountry activity.

*Justification: Motor vehicles may be left unattended to permit the participation in backcountry activities.*

## § 2.35 Alcoholic beverages and controlled substances.

(a)(3)(i) The consumption of alcoholic beverages and/or the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or that has been opened, or whose seal is broken or the contents of which have been partially removed, is prohibited in the following areas:

- at or within 200 feet of any portion of Rock Creek Campground;
- at or within 200 feet of any portion of Nemo Day Use Area, or within 200 feet of Nemo Bridge;
- at or within 200 feet of any portion of Jett Bridge Access Area, or within 200 feet of Jett Bridge;
- at or within 200 feet of the large slanting boulder located in Clear Creek upstream from Jett Bridge, known locally as "Slant Rock;" or within 200 feet the trail between the parking area and Slant Rock;
- at or within 200 feet of Lilly Bridge;
- at or within 200 feet of the parking area for Lilly Bluff Overlook, or within 200 feet of the trail between the Lilly Bluff Overlook parking area and Lilly Bluff Overlook, or within 200 feet of the Lilly Bluff Overlook platform.

*Justification: In the locations listed above, the consumption of alcoholic beverages and the possession of open containers of alcoholic beverages is inappropriate considering the other uses of those locations and the purposes for which they were established and are maintained. Additionally, over the history of the park incidents of aberrant behavior at the above locations relating to the consumption of alcoholic beverages have been of such a magnitude that the diligent application of the other provisions of 36 CFR 2.35 and the provisions of 36 CFR 1.5 and 2.34 have not alleviated problems related to the consumption of alcohol.*

## § 2.51 Demonstrations.

See Appendix A for a map of locations where demonstrations, as defined in 36 CFR 2.51 and subject to the requirements contained therein, are allowed.

## § 2.52 Sale or distribution of printed matter.

See Appendix A for a map of locations where the sale and distribution of printed material, as defined in 36 CFR 2.52 and subject to the requirements contained therein, are allowed.

# PART 3—BOATING AND WATER USE ACTIVITIES

## § 3.21 Swimming and bathing.

*PROHIBITION OF GLASS CONTAINERS WITHIN 100 FEET OF CERTAIN STREAMS*

(b) Glass containers of any sort are prohibited within 100 feet of any portion of a major tributary within the park, including the Emory River, the Obed River, Clear Creek and Daddy's Creek.

*Justification: Broken glass presents a serious safety risk.*

# PART 4—VEHICLES AND TRAFFIC SAFETY

## § 4.21 Speed limits.

(b) A maximum speed limit of 5 miles per hour is established for the following routes and areas within the park:

- the paved portions of Nemo Day Use Area,
- the paved portions of Rock Creek Campground,
- the paved route and parking areas associated with Lilly Bluff Overlook and
- the paved route and parking areas associated with the Jett Bridge Access Area.

*Justification: High visitation in developed park areas necessitates reduced speed limits.*

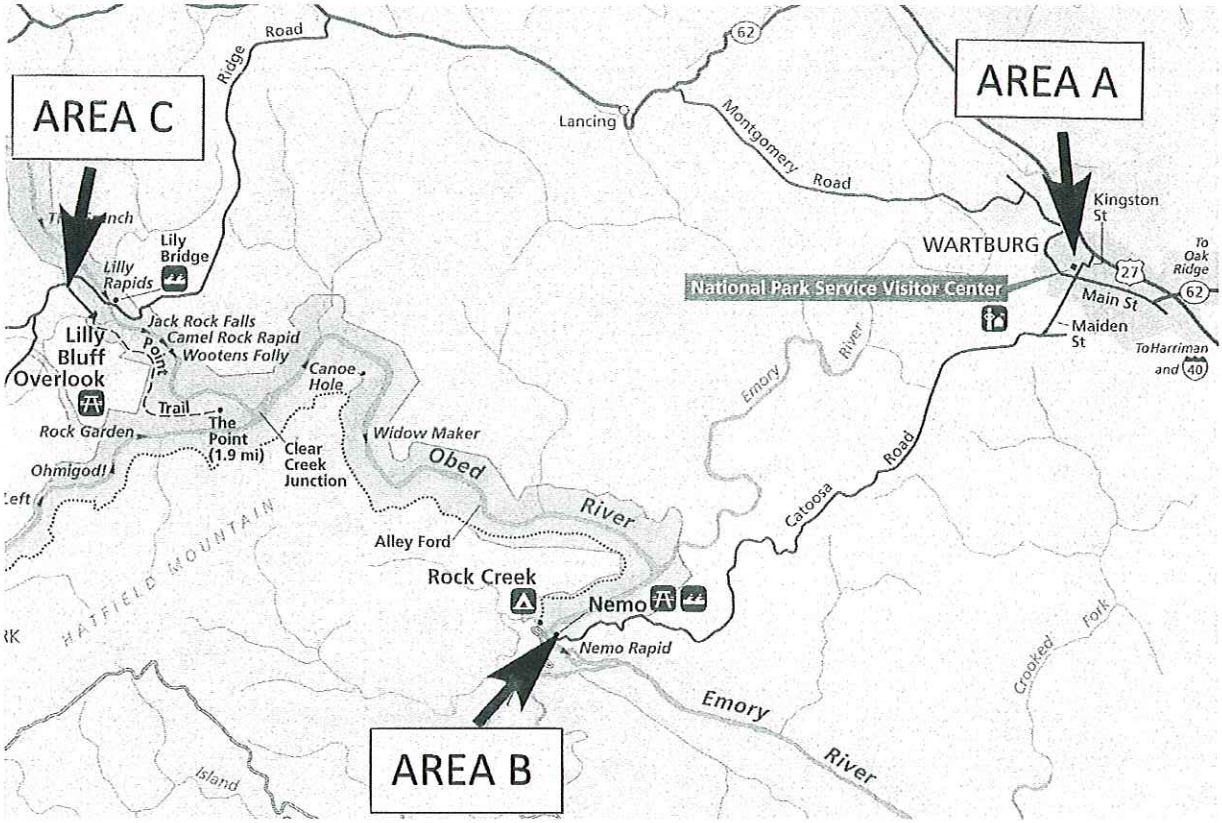
## § 4.31 Hitchhiking.

Hitchhiking is permitted only under exigent circumstances when the health or safety of the person or persons hitchhiking is in jeopardy, or to obtain assistance for a disabled motor vehicle.

*Justification: At times visitor safety may necessitate attempting to obtain a ride from strangers in order to reach safety, shelter or means to contact an acquaintance.*

# APPENDIX A
# DESIGNATED LOCATIONS FOR DEMONSTRATIONS AND FOR THE SALE OR DISTRIBUTION OF PRINTED MATTER

As provided in Sections 2.51 and 2.52 of this Superintendent's Compendium, demonstrations as defined in 36 CFR 2.51 and the sale and distribution of printed matter as defined in 36 CFR 2.52 are allowed in the areas described below, as provided therein.




AREA A: Area A is located at the Obed Wild and Scenic River Visitor Center at 208 North Maiden Street, Wartburg, Tennessee. The designated area consists of the area of grass and mulch at the southeast corner of the parking lot, immediately adjacent to the intersection of Maiden Street and Court Street.

AREA B: Area B is located at Nemo Day Use Area. The designated area consists of the area of grass and dirt in the middle of the loop portion of the road.

AREA C: Area C is adjacent to the paved parking lot at the intersection of Ridge Road and the paved access road that leads to the trailhead for Lilly Bluff Overlook. The designated area consists of the area of grass and dirt which is located between this parking area and Ridge Road.