2015 Revision

National Park Service
U.S. Department of the Interior

Petersburg National Battlefield

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

Approved:

Lewis Rogers, Superintendent

November 14, 2014
Date

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

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

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

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

Visiting Hours:

- The Battlefield grounds will be open daily sunrise to sunset.
- The Battlefield and all visitor contact centers will be closed for Thanksgiving, Christmas and New Year's Day Holidays.
- Park facilities to include visitor contact stations, governmental offices and roadways with restricted access open at 9:00 a.m. and close at 5:00 p.m.

Public Use Limits:

- Paved interpretive sidewalks are open to foot and wheelchair traffic only. Recreational traffic (i.e. jogging/running/biking) is prohibited on interpretive sidewalks. *These sidewalks are for historical interpretation of historic landscapes and recreational use of these trails conflicts with the purpose of the walkways.*
- All unpaved trails marked with a yellow (hike, bike, equestrian/multi-use) or red blaze (hike, bike) as well as the left lane of the one-way tour road are open to recreational traffic. *These trails have been set aside for recreational users to provide for recreational use of the park without conflicting with historical interpretation users to the park.*
- All marked trails are open to wheelchair use however; some sections are unsuited due to terrain. *Established for compliance with ADA (Americans with Disabilities Act).*
- All unpaved trails are closed to motor vehicles with the exception of responding emergency vehicles. *Unpaved trails are not designed for motor vehicle traffic and equestrian use of the trails presents conflict with motor vehicle use.*

- Physical contact sports, such as boxing, martial arts, tackle football, rugby and sports requiring projectiles such as lawn darts or horseshoes are prohibited. *These activities are prohibited due to visitor safety concerns; most specifically non-participant injuries.*

Closures:

- Poor Creek Trail from the Taylor Creek Trail junction to Fort Steadman is closed from December 15 to July 15. *The area has a nesting pair of American Bald Eagles and as required under the American Bald and Golden Eagle Protection Act, must be closed to human interferences.*
- All park areas enclosed by chain link fencing are closed to public access and private vehicles, except those having official business within those areas. *Fenced-in areas are administratively controlled and are enclosed for security reasons. The security and accountability of government property can best be protected by limiting access to these areas.*

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

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

- §1.5(d) Relating to Public Use Limits:
  - To implement a public use limit, the superintendent may establish a permit, registration, or reservation system. Permits shall be issued in accordance with the criteria and procedures of 36 CFR 1.6.

- §2.5(a) Specimen collection

- §2.12 Audio Disturbances:
  - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51

- §2.17 Aircraft & Air Delivery:
  - (c)(1) Removal of a downed aircraft

- §2.38 Explosives:
  - (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

  Public assemblies are permitted in the following areas and are designated for individuals or groups wishing to express their First Amendment Rights. Area delineations are necessarily approximate and may be adjusted to number of participants.

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- Main Unit –The area, approximately 100 feet square, adjacent to the northerly sidewalk entrance to the Eastern Front Visitor's Center around the intersection next to the Stephen T. Mather monument;

- §2.52(c) Sale or distribution of printed matter that is not solely commercial advertising unless the activity is considered to be a First Amendment activity that involves less than 25 persons. (Commercial advertising is covered in section 5.1)

- 2.60(b) Livestock use

- §2.62 Memorialization:
  - (a) Erection of monuments (Requires approval from Regional Director)
  - (b) Scattering ashes from human cremation

- §4.11(a) Exceeding of established vehicle load, weight and size limits

- §5.1 Advertisements - (Display, posting or distribution.)

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

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

- §5.6(c) Use of commercial vehicles on park area roads

The list below is additional parts of 36 CFR that include sections containing requirements to obtain a permit.

- Part 12 Special events in the National Cemetery at Poplar Grove.

Permits for the previously listed activities can be acquired by making a written request to:

Superintendent
Petersburg National Battlefield
1539 Hickory Hill Road
Petersburg, VA 23803

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III. GENERAL REGULATIONS

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

(b) Hiking or pedestrian traffic is restricted as listed in 36 CFR §1.5 of this document.

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

- The gathering, in small quantities (one gallon per day, per person) of fruits, nuts, berries, and mushrooms is permitted. The gathering of these products is prohibited on historic features (earthworks). *This restriction is in place to assure that all fruiting bodies produced by biological organisms are not collected for human consumption adversely impacting the reproductive potential of the species and protection of the cultural resources of the park.*

36 CFR §2.10 – CAMPING and FOOD STORAGE

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

- Camping is prohibited, except under terms of permit issued by the Superintendent as established under section 1.5(d). *These opportunities are adequately provided for outside of the park boundary and this activity conflicts with the purpose for which the park was established.*

36 CFR §2.11 – PICNICKING

Conditions for Picnicking:

- The park is closed to picnicking except in areas designated for that purpose. designated picnic areas can be found in the following locations:
  - Tour Stop 3 in the Eastern Front District
  - Picnic Shelter west of Contact Station at Five Forks Battlefield
  - James and Appomattox river fronts in Grant's Headquarters at City Point District.

- With the exception of the picnic area near Stop 3 in the Eastern Front, picnicking is not permitted within 300 feet of any historic feature, structure or demonstration area. Historic features include, but are not limited to earthworks, waysides, cannon displays (Battery positions) or other similar objects.
- The use of portable gas grills are allowed in the picnic areas designated above. Charcoal/wood grills are prohibited.

Ample opportunities exist outside of the park for this activity. The areas listed above provide reasonable accommodation for those touring the park without interrupting their route. Outside of these approved areas, it would be inconsistent with the preservation and protection of resource values and hallowed battleground sites.

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36 CFR §2.14 – SANITATION and REFUSE

(a)(7) Bait cutting is prohibited on any dock, boardwalk or physical structure within the park.

36 CFR §2.15 – PETS

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

- Pet excrement must be collected and removed from the park.
- Pets are prohibited from the Poplar Grove National Cemetery as delineated by the brick wall surrounding the cemetery.

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:

- Horse back riding is permitted and restricted to unpaved trails marked with yellow blaze, provided, riders do not interfere with or present a danger to themselves, other visitors or park personnel or programs.

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

- Horses are not permitted within or upon any historic feature (earthwork), structure or interpretive demonstration area.
- Horses are prohibited north of the Highway 36 overpass and west of the Norfolk/Southern Railroad Bridge.
- Horse rigs will be loaded and unloaded from the parking area behind the Park Administrative Offices at 1539 Hickory Hill Road.
- Cleaning manure and other organic materials out of horse trailers and other equipment is prohibited. Horse manure deposited in or near parking areas must be collected by the owner/rider and removed from the park.
- Horses are not to be ridden above a trot or canter on the park trails due to the unacceptable risk to other recreation trail users and the riders themselves.
- Riding horses in park water ways, streams, creeks, etc. is prohibited. If all four hooves of the horse are in the water that constitutes riding of the horse in the water.
- State laws governing testing of horses for equine infectious anemia (Coggins Testing) apply to the park. Equestrian users are to have copies of the test results proving annual testing of their animal when riding in the park.

36 CFR §2.19 – WINTER ACTIVITIES

- Skiing, snow shoeing, sledding, inner tubing, tobogganing and similar winter activities are prohibited on roads, parking areas, paved trails, within fortifications and on any historic feature (earthworks).
- Cross country skiing will only be allowed on the park's recreation trail system when the park is open to visitation.

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 all government buildings, and during interpretive demonstrations, which utilize black powder (musket and artillery drills). *Prohibition of smoking in government buildings is done for public health and safety and complies with U. S. Department of the Interior*

smoking regulations. Prohibition of smoking during interpretive demonstrations which use black powder is for public and employee safety purposes.

36 CFR §2.22 – Property

(a)(2) Leaving property unattended for longer than 24 hours, except in locations where longer time periods have been designated or in accordance with conditions established by the superintendent.

- Under this provision geo-caching is prohibited throughout the park and the Poplar Grove National Cemetery. *The entire park consists of sacred battleground and therefore contains historically significant resources. The caching of items such as digging, burying, covering, and otherwise concealing items are sometimes used while geo-caching, and are inappropriate within these areas. Abandoning and leaving property unattended is illegal under this section. The activity itself will appear suspicious to bystanders and staff who might misinterpret what the individual is doing. This type of recreational activity is inconsistent with the park's purposes and values.*
- Virtual geo-caching is allowed due to its non-intrusive nature.

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:
The park's Eastern Front requires a $5.00 per vehicle or $3.00 individual entrance fee be paid with payment of the fee expiring in 7 days from purchase. Annual passes ($15.00) are also available. Nationally recognized recreation passes of the United States government can be used in lieu of payment of the fee.

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

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

- Possession and consumption of alcoholic beverages is prohibited in all areas of the park. *This prohibition is authorized under 36CFR sec. 7.64 (a).*

36 CFR §2.51 – Public Assemblies, Meetings

See section II ***36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT*** on page 2 of this document.

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36 CFR §2.62 – Memorialization

- The scattering of ashes from human cremation is prohibited.

36 CFR §3.21 – SWIMMING AND BATHING

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

- Swimming, bathing, wading or permitting same is prohibited in any watershed, pond, creek and river under administrative control of Petersburg National Battlefield.

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

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

- The Service Road between the park boundary on South Whitehill Drive and the Park Tour Road is closed to the public.
- The Use of Segway Brand© personal transporters at Petersburg National Battlefield are permitted in the park as long as they travel the same roadways as licensed motor vehicles and are operated in the same fashion and in accordance with the Commonwealth of Virginia traffic codes. The only exception to this policy will be when Segways are operated as part of the authorized Segway Tour program. This means that Segways, unlike all other non-authorized motorized vehicles will be permitted to travel in the multi-purpose lane on the park tour road in the opposite direction of all other vehicular travel, when directed to do so under the authority of approved Segway Tour program.

36 CFR §4.21 – SPEED LIMITS

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

- The speed limit for the Park Tour Road in the Eastern Front as well as portions of Flank Road within the park boundary is 25 MPH.
- The speed limit for all other areas of the battlefield, including the Grant's Headquarters at City Point and Poplar Grove National Cemetery is 15 MPH.
- The speed limit on unpaved trails is 15 mph for vehicles and bicycles

36 CFR §4.30 – BICYCLES

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

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

- Tour Road -Bicycles may travel both ways on the one way tour road, in the multi-purpose lane only, at a speed of no more than 15 MPH.
- Trails -Bicycles are limited to established unpaved trails marked with a yellow or red blaze at a speed of no more than 15 MPH.

36 CFR §7.64 (a) – ALCOHOLIC BEVERAGES

Possession and consumption of alcoholic beverages is prohibited in all areas of the park. *This prohibition is authorized under 36CFR sec. 7.64 (a).*