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| <p>U. S. Department of the Interior National Park Service</p>  <p>Superintendent's Compendium of Designations, Closures, Permit Requirements and Other Restrictions Imposed Under Discretionary Authority</p> <p>Approved:</p> <p><i>Rebecca L. Harriett</i> Rebecca L. Harriett Superintendent</p> <p><u>June 1, 2009</u> Date</p> | <p>Harpers Ferry National Historical Park</p> | <p>P.O. Box 65 Harpers Ferry, WV 25425</p> <p>(304) 535-6224 phone (304) 535-6244 fax</p> |
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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 regulatory provisions are established for the proper management, protection, and government and public use of those portions of HARPERS FERRY NATIONAL HISTORICAL PARK (HAFE) 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, Parts 1-7.

I. VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

36 CFR §1.5 (a)(1) Closures and Restrictions

The following closures and restrictions are established for all or portion(s) of the park to all public use or to a certain use or activity:

1. Inflatable Devices

To prevent the derogation of the values and purposes for which the park was established, the following park areas are closed to the possession of inflatable devices (inner-tubes, air mattresses, etc.), boats, canoes, kayaks, etc.:

Those portions of the park including the Goodloe E. Byron Memorial Pedestrian Walkway, the Potomac River shoreline from the upstream CSX Railroad Bridge to "The Point" (confluence of the Shenandoah and Potomac Rivers) and upstream along the Shenandoah River to the Rt. 340 Bridge. This area includes the lower town historic area and Virginius Island between the Shenandoah River and Shenandoah Street; continues above the Rt. 340 Bridge to include the entire park between the CSX Railroad tracks and the park entrance road (Shoreline Drive); and,

finally, includes the park entrance road from the Rt. 340 Bridge to the Cavalier Heights parking area.

Exception: There is established a river access corridor to provide access to the Shenandoah River for river recreation purposes. The corridor extends from the parking area at the end of Shenandoah Street (intersection with Rt. 340) to the upstream side of the Rt. 340 bridge. For the purpose of this regulation the River access corridor shall be defined as an area extending 50 yards on either side of the trail leading from the parking lot to the river shore.

These areas are identified on maps available for viewing at park headquarters, the ranger station and the river access parking area.

DETERMINATION: See page 10.

2. Picnicking

To enhance both the historic and natural landscapes and to reduce the adverse impact to historic resources, *picnicking is permitted only in the following areas:*

- a) Cavalier Heights Picnic Area
- b) Maryland Heights
- c) Loudoun Heights
- d) River Access

Picnicking is prohibited in all other areas of Harpers Ferry National Historical Park, including the following:

- a) The historic lower town area of the park - including "The Point", Arsenal Square, "The Green", and the Hamilton Street area.
- b) Virginius Island
- c) Jefferson Rock area
- d) Bolivar Heights, the Union Skirmish Line, and Jackson's Right Flank
- e) Potoma Wayside
- f) Murphy Farm
- g) School House Ridge – North and South

For the purposes of this section picnicking is defined as more than the mere possession or consumption of food at these locations. It may include such activities as the spreading of blankets or ground covers, setting up tables and/or chairs, cooking of food on portable grills or other cooking devices, storage of food in coolers or other containers, or other similar social activities.

DETERMINATION: See page 11.

3. Time of Closure

To provide for public safety and to protect park resources, all park areas, except the following, are closed from Sunset to Sunrise.

- a) Bolivar Heights (open only to through traffic)
- b) Historic Lower Town Harpers Ferry, including the Train Station
- c) The Appalachian Trail corridor (closed to overnight camping)

DETERMINATION: See page 13.

4. Fishing

The "Goodloe E. Byron Memorial Pedestrian Walkway" is closed to fishing activity.

DETERMINATION: See page 15.

5. Bicycling

- A. The downhill portion of Shoreline Drive is closed to the use of bicycles when park shuttle buses are operating.

DETERMINATION: See page 16.

- B. "Administrative Use Only" Road* on Virginius Island and "Administrative Use Only" Road* (Military Road) on Maryland Heights is closed to the use of bicycles. * All other locations on Virginius Island and Maryland Heights are closed to the use of bicycles by 36 CFR § 4.30(a), therefore no Superintendent's Compendium closure is required for these locations.

DETERMINATION: See page 17.

6. Commercial Buses

Private and commercial buses are prohibited from loading or unloading passengers in the lower town area of the park without permission from the Superintendent.

DETERMINATION: See page 18.

7. John Brown's Cave

The underground area known as "John Brown's Cave" is closed to all public access.

DETERMINATION: See page 19.

8. Jefferson Rock

To provide for public safety and to protect park resources, Jefferson Rock and the small, rectangular area of land around it (its supporting rock outcrop), are closed to public use. The area of closure is identified by two descriptive signs at the entrance of the Jefferson Rock area as accessed from two points along the Jefferson Rock Trail.

DETERMINATION: See page 20.

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

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

36 CFR REGULATION OF ACTIVITY

§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) Camping (see also §2.10 of this Compendium)

§2.12(a)(2) Operating a chain saw in developed areas

§ 2.12(a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas

§ 2.12 (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(a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means

§2.37 Soliciting or demanding gifts, money goods or services §2.38(a) Use, possess, store, transport explosives, blasting agents

§2.38(b) Using or possessing 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(a) 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(b) Memorialization

§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(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

§5.5(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

§14.6 Rights-Of-Way

DETERMINATION: See page 21.

III. GENERAL REGULATIONS

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

(c)(1), (c)(2): Collection of Natural Products

All edible nuts, berries, and mushrooms growing on park property, as well as unoccupied seashells, may be gathered by hand for personal use or consumption, not to exceed one U.S. quart per person per day.

DETERMINATION: See page 21.

36 CFR §2.2 - WILDLIFE PROTECTION

(e) Artificial Lights

The use of artificial lighting to view wildlife is prohibited within the boundary of Harpers Ferry National Historical Park.

DETERMINATION: See page 21.

36 CFR §2.3 – FISHING

(a) West Virginia, Maryland, and Virginia State fishing laws permit the taking of frogs and crayfish. However, *the taking of frogs and crayfish is prohibited within Harpers Ferry National Historical Park.*

DETERMINATION: See page 22.

36 CFR §2.15 – PETS

(a)(1) Structures or areas closed to the possession of pets by the Superintendent:

- Possessing a pet(s) is prohibited in all structures and all non-developed areas of the park except on the listed designated trails. This section does not apply to guide dogs accompanying visually impaired persons, hearing ear dogs accompanying hearing impaired persons, or dogs used by authorized Federal, State and local law enforcement officers in the performance of their official duties.

Designated Trail Names in Non-Developed Areas

1. Appalachian Trail including spurs
2. Military Road Trail
3. Overlook Cliff Trail
4. Stone Fort Loop Trail
5. Elk Run Trail
6. Bolivar Heights Loop Trail
7. Nash Farm Trail
8. Old Furnace Road Trail
9. Quarters 92 Trail
10. Cavalier Heights Trail
11. Virginius Island Loop Trail
12. Shenandoah River Access Corridor Trail
13. Orange Trail
14. Loudoun Heights Trail
15. Lower Armory Grounds Loop Trail
16. Potoma Wayside River Access Trail

DETERMINATION: See page 22.

(a)(3) Pets may be left tied to an object under the following conditions:

- A pet(s) may be left tied to trees, picnic tables, or other non-movable objects in developed areas of the park as long as they are under the direct supervision of their owner and no damage is

