

National Park Service
U.S. Department of the Interior

Colonial National
Historical Park

Colonial NHP
P.O. Box 210
Yorktown, VA 23690

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

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Approved:

Signature:
Jerri Marr, Superintendent

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A. INTRODUCTION

1. Superintendent’s Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under Title 36 of the 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.

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:

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

The CFR is also available on the Internet at:
<https://www.govinfo.gov/app/collection/cfr/>

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

The National Park Service (NPS) is granted broad statutory authority under 16 United States Code (U.S.C.) Section 1 *et seq.* (Organic Act of 1916, as amended) to "...regulate the use of the Federal areas known as national parks, monuments, and reservations...by such means and measures as conform to the fundamental purposes of the said parks...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations" (16 U.S.C. Section 1). In addition, the NPS Organic Act allows the NPS, through the Secretary of the Interior, to "make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service" (16 U.S.C. Section 3).

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 (16 U.S.C. Sections 1a1-1a8), 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.”

16 U.S.C. Section 1c defines the National Park System as “any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes.”

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.

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.

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.

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first 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.

11. Availability

Copies of the Compendium are available at the park's Yorktown Visitor Center in Yorktown, VA. It may also be found at <https://www.nps.gov/colo/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 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 Colonial National Historical Park. 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:

6:00 a.m. to Sunset:

- Yorktown Battlefield: All roads, parking areas, fields, open and wooded areas, Victory Monument, Yorktown National Cemetery, redoubts, earthworks and siege lines collectively termed the Yorktown Battlefield with the exception of the public roads maintained and operated by Virginia Department of Transportation.
- The following pullouts along the Colonial Parkway- Naval Weapons Station, York River, Jones Mill Pond, Great Oaks, Paper Mill, Real Estate, Neck of Land and Powhatan Creek.
- Holding any event after normally scheduled visiting hours requires a Special Use Permit.

8:30 a.m. to Sunset:

- Historic Jamestowne: All NPS lands and waters beyond the entrance gate to Historic Jamestowne including the visitor center, Historic Jamestowne Research Center, Glasshouse, property belonging to Preservation Virginia, all roads, parking areas, trails, park facilities and creeks. Note that the entrance gate to these areas closes at 5:30 PM when Daylight Savings Time (summer) is in effect and at 4:30 PM when Standard Time (winter) is in effect.
- Holding any event after normally scheduled visiting hours requires a Special Use Permit.

9:00 a.m. to 5:00 p.m.

- Yorktown and Jamestown Visitor Center daily, except when closed on Thanksgiving, Christmas and New Years holidays

24 Hours

- All pullouts located along the Colonial Parkway not previously listed are open 24 hours a day unless otherwise marked or designated by the Superintendent or acting designee.

Public Use Limits:

Parking area time limits:

Vehicles may not park, stand, or remain in the following parking areas for consecutive periods of time in excess of that indicated as follows and as posted at the designated location:

No Overnight Parking:

- Cornwallis Cave Handicap Parking Spot

10 minutes:

- Cornwallis Cave (non-handicap parking)
- Untouched Redoubt
- Washington's Headquarters
- Naval Weapons Station Pullout
- York River pullout

20 minutes:

- Yorktown Victory Monument
- Redoubts 9 and 10
- Fusilier's Redoubt

Closures:

- The Superintendent or acting designee may close all or portions of the park during periods of inclement weather, based on forecasts of inclement weather, or due to other hazardous conditions. Closures will be identified by posting signs, maps, media notifications, and/or barriers and gates as appropriate.
- Areas of new construction, reconstruction or rehabilitation may be closed to visitors for safety reasons and to avoid unreasonable conflict with authorized work. Roads and other facilities may be closed during periods of inclement weather or other hazardous conditions in order to ensure public safety.
- The Beach Picnic Area is closed to all public use from November 1st to April 1st each year, or as determined by York County.

The following areas are closed to all public use, entry, and access at all times:

- The Green Spring Plantation unit on Route 614, James City County. Access to this area of the park is only granted by special use permit.
- Ringfield Plantation site North of the Colonial Parkway including the shoreline as marked past the mouth of Felgates Creek.
- The beach areas known locally as "Cove 2" and "Cove 3" and all areas between the chain link fence and the York River at the Yorktown Battlefield.
- Bellfield Plantation site
- All earthworks and other cultural artifacts within the park except the hard surface trails listed in the section entitled 36 CFR §2.1 – Preservation of Natural Cultural And Archeological Resources
- The Naval Weapons Station Closure Area. See description below and the attached Naval Weapons Station Closure Map.

The Naval Weapons Station Closure Area is that area of land between the northern edge of the paved portion of the Colonial Parkway and its associated pullouts and the low water line on the York River, starting at the northeastern corner of the east Naval Weapons Station overpass bridge, going westward to the northwestern corner of the west Naval Weapons Station overpass bridge

These closures are in effect to protect the cultural and natural resources of the park, especially the earthworks, Cornwallis Cave, Green Springs Plantation and the Ringfield Plantation. Neither plantation sites have any visitor use facilities. Closure of the coves is for the protection of the park's cultural and natural resources and to provide for public safety because of the steep terrain, bluffs and cliffs. There is no trail access into those areas. The Naval Weapons Station Closure Area is for national security interests.

Bicycles and Pedestrians

- The tunnel on the Colonial Parkway under the Colonial Williamsburg Historic area is closed to bicycles and pedestrians at all times
- All earthworks are closed to bicycles, including those with a hard surface trail.
- The Historic Townsite on Jamestown Island is closed to bicycles.

The closure is in effect to provide for public safety and to prevent accidents in the tunnel. The closure is in effect in order to maintain the historical significance of Colonial NHP, to protect the park 's cultural and natural resources and to provide for public safety. The hard surface trail present on certain earthworks is not designed to safely be used for bicycle travel and bicycle travel on those earthworks would detract from the cultural and natural resources of the park.

Camping

- All areas of the park are closed to camping.

The closure is in effect in order to maintain the historical significance of Colonial NHP, to protect the park's cultural and natural resources and because the park doesn't have camping facilities available in the park. Local private, city and state campgrounds are located near the park.

Fishing and Boating

Except by written authorization, all freshwater impoundments and certain salt or freshwater bodies of water and riverbank fishing areas within the park are closed to fishing and boating, to include, but not limited to, the following areas:

- Wormley Pond
- Jones Mill Pond
- Bracken's Pond
- Beaver Dam Creek
- All Park managed lands and waters beyond the entrance gate to Historic Jamestowne (includes prohibiting fishing from Glasshouse Point and the Isthmus area)
- Cove 2 and Cove 3 of the Beach Picnic Area
- Fishing from any bridge or overpass in the park

36 CFR 3.8

The fishing and boating closures are in effect in order to maintain the historical significance of Colonial NHP, to protect the park's cultural and natural resources and to provide for public safety.

Geocaching

- Geocaching is prohibited within the park

The closure is in effect in order to maintain the historical significance of Colonial NHP, to protect the park 's cultural and natural resources and to provide for public safety.

Horse and Pack Animals

The following areas are closed to horse and pack animals (see attachment and section on Horses and Pack Animals in the Public Use Limits Section):

- The Colonial Parkway and adjacent areas.

- Any agricultural fields that are under production/lease.
- Riding on any paved portion of park roads, except to cross over the roads.
- All areas of Historic Jamestowne beyond the entrance gate.
- The Yorktown National Cemetery.
- Yorktown Battlefield, north of Route 238, and Ballard Street, and east of the Colonial Parkway and Tobacco Road, east to the U.S. Coast Guard Reserve Training Center.
- Any earthwork or other monument

The closure is in effect in order to maintain the historical significance of Colonial NHP, to protect the park's natural and cultural resources and to provide for public safety, to include the riders and motorists.

Parking

The following roadways are closed to parking, stopping, or standing motor vehicles along them:

- State Route 238 from Cook Road east to the U.S. Coast Guard Reserve Training Center.
- East and West Tour Roads and the Historic Jamestowne Roads where no designated spaces have been provided.
- Colonial Parkway, except in designated areas.
- Surrender Road including horse trailer parking lot. (The Horse trailer lot is designated for horse trailers and their associated towing vehicles only.)
- Any other park roadside areas not designated for parking.

These closures are in effect to protect the cultural and natural resources of the park and to provide for public safety along the narrow roads and/or major traffic routes such as the Colonial Parkway.

Pets

- Possession of pets is prohibited inside government buildings except where authorized for residents of government quarters
- Possession of pets by park visitors is prohibited in all cemeteries within the areas administered by Colonial National Historical Park
 - The Yorktown National Cemetery is described as the area within and enclosed by the brick wall at that location
 - The Moore House Cemetery is described as the area within and enclosed by the white fence and gate at that location

The closure is in effect to maintain the honor and dignity of the cemeteries. This closure does not apply to service animals.

Picnicking

The following areas are closed to picnicking:

- All areas of the Yorktown Battlefield with the exception of the Beach Picnic Area, the lawn areas immediately adjacent to the Church Street parking lot, the parking areas and adjacent lawn areas at the Yorktown visitor center
- All areas of Historic Jamestowne except the designated picnic areas near the bus parking lot and the bus loading/unloading area at east end of the parking lot
- All areas along the Colonial Parkway

Picnicking is defined as any excursion or outing in which the participants bring food with them and set up property for the purpose of cooking, preparing or serving a meal in the open air. This property could include but is not limited to chairs, tables, canopies, serveware, plates, utensils or cooking devices. Solely the use

of coolers, beverage containers or the mere presence of food or eating in of itself does not constitute picnicking for the purpose of this closure.

The closure is in effect to maintain the historical significance of Colonial NHP, to protect the park 's natural and cultural resources and to provide for public safety.

Possession and Collection

As protected by 36 CFR 2.1(a) the following are prohibited from being collected within Colonial National Historical Park:

- The Yorktown Onion (*Allium ampeloprasum* [var.] *atroviolaceum*), its parts and products are closed to possessing or collecting
- All paleontological resources including fossilized seashells and all shark's teeth

Snowmobiles

- The operation of snowmobiles in the park is prohibited

The closure is in effect to maintain the historical significance of Colonial NHP, to protect the park 's natural and cultural resources and to provide for public safety.

Sports and Recreation

The following areas are closed to public use involving sports or recreational activities to include, but not limited to ball games, flying disc throwing, kite flying, organized sporting activities: (see attachments 1 & 2)

- All National Park Service areas on the north side of Route 238 and Ballard Street, and east of the Colonial Parkway and Tobacco Road in Yorktown, except for the Beach Picnic Area.
- All earthworks, redoubts and siege lines in the Park.
- Surrender Field.
- Yorktown Victory Monument to include all lawn areas adjacent to the monument on the north side of Main Street.
- All areas inside the fence at Yorktown National Cemetery
- All areas of Historic Jamestowne beyond the entrance gate.

The above closures are in effect in order to maintain the historical significance of Colonial NHP and to provide visitors with the appropriate experience to be able to understand and comprehend the events that occurred in the park.

Swimming, wading, and bathing

Swimming, wading, and bathing are prohibited in the following bodies of water:

- All waters within the perimeter of Jamestown Island
- Wormley Pond
- Jones Mill Pond
- Bracken's Pond
- Yorktown Creek
- All waters within the legislative boundary of Yorktown Battlefield

These closures are in effect to maintain the historical significance of Colonial NHP, to protect the park 's natural and cultural resources, and to provide for public safety. These closures are designated pursuant to 36 CFR § 3.16.

Unmanned Aircraft

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

Definition: 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.) This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.

The closure is in effect to maintain the historical significance of Colonial NHP, to protect the park's natural and cultural resources and to provide for public safety.

Winter activities

- Sledding is prohibited in the park except for the areas listed in the Specific Use or Activity section.
- Ice skating is prohibited within the park.

The closure for winter activities is in effect to maintain the historical significance of Colonial NHP, to protect the park's natural and cultural resources and to provide for public safety.

Areas Designated for a Specific Use or Activity:

Beach areas

- Beach areas are any shoreline areas used to legally access adjacent bodies of water
- Cove 1 area at Yorktown Beach Picnic area
- Archer's Hope beach

Bicycling: (See also 36 CFR § 4.30): In addition to all public roadways within the park excluding in the parkway tunnel, bicycle operation is also permitted on all fire roads and the following designated multi-use trails:

- West Tour Road to Surrender Road trail connection
- Neck of Land road to Colonial Parkway trail connection
- Treasure Island multi-use Trail

Horse and Pack Animals (See also 36 CFR § 2.16):

- Horses, or other saddle or pack animals may be ridden on road shoulders and cleared fields within the Yorktown Battlefield, with the exception of areas listed in the closures section.
- Horse drawn vehicles may be used on the West and East Tour Roads of the Yorktown Battlefield and on Surrender Road. Vehicles must be properly marked as a slow vehicle in accordance with Virginia State Law.
- Horse trailers and associated towing vehicles shall be parked only at the designated Horse Trailer Parking Area on Surrender Road.

Sledding

- The open lawn on the west side of the Yorktown Visitor Center, adjacent to the park administrative offices, and the area known as the "Great Valley" adjacent to Main Street.

The following restrictions and/or conditions are in effect for the specific uses or activities noted:

Beach areas

The following areas are designated as beach areas where the use of glass containers is not permitted.

- All beach areas listed in the Areas Designated for a Specific Use or Activity section.

These restrictions are in effect to maintain the historical significance of Colonial NHP, to protect the park's natural and cultural resources, and to provide for public safety. These restrictions are made pursuant to 36 CFR § 3.17.

Horse and Pack Animals (See also 36 CFR § 2.16)

The following are prohibited:

- Establishing new trails.
- Riding or hitching horses or other saddle or pack animals in picnic areas or within the immediate vicinity of exhibit shelters, interpretive displays, visitor centers, cemeteries, or other areas of high visitor use.
- Riding or hitching horses or other saddle or pack animals so as to damage, injure, deface or disturb any historic structure, ruins, remains or earthworks.
- Jumping park structures, redoubts and earthworks, including fences, shrubbery and walls

Passenger Carrying Buses:

- Engines must be shut down when not underway

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.

Filming

The following types of filming activities may occur in areas open to the public without a permit and without advance notice to the NPS:

- Outdoor filming activities involving five persons or less and equipment that will be carried at all times, except for small tripods used to hold cameras.

The organizer of any other type of filming activity must provide written notice to the Superintendent at least 10 days prior to the start of the proposed activity. Based upon the information provided, the Superintendent may require the organizer to apply for and obtain a permit if necessary to:

- Maintain public health and safety;
- Protect environmental or scenic values;
- Protect natural or cultural resources;
- Allow for equitable allocation and use of facilities; or
- Avoid conflict among visitor use activities.

If the Superintendent determines that the terms and conditions of a permit could not mitigate the concerns identified above in an acceptable manner, the Superintendent may deny a filming request without issuing a permit. The Superintendent will provide the basis for denial in writing upon request.

The NPS will consider requests and process permit applications in a timely manner. Processing times will vary depending on the complexity of the proposed activity. If the organizer provides the required 10-day advance notice to the NPS and has not received a written response from the NPS that a permit is required prior to the first day of production, the proposed filming activities may occur without a permit.

The following are prohibited:

- Engaging in a filming activity without providing advance notice to the Superintendent when required.
- Engaging in a filming activity without a permit if the Superintendent has notified the organizer in writing that a permit is required.
- Violating a term and condition of a permit issued under this action.

Violating a term or condition of a permit issued under to this action may also result in the suspension and revocation of the permit by the Superintendent.

The Superintendent has determined that small scale filming as described above has limited potential for negative impacts to the Park, however, larger productions can bring negative impacts to the resource and visitor experience especially if unmanaged. Setup of equipment and other intensive use has the potential to damage sensitive archaeological areas and disrupt the visitor experience. The entire Park is designated as a National Historical Landmark, as such many permitting situations that have the potential to affect historic resources will require additional time to comply with the review requirements of Section 106 of the National Historic Preservation Act.

Wearing of Face Covers due to COVID-19

Regardless of vaccination status or local community transmission levels, all individuals over the age of two must wear masks, except when actively eating or drinking, in all common areas and shared workspaces in federally owned buildings administered by the National Park Service and in office space leased by the National Park Service.

'Federally owned buildings administered by the National Park Service' include, but are not limited to, visitor centers, administrative offices, maintenance facilities, and shared government quarters; buildings assigned to concessioners or other park partners; and buildings leased for commercial purposes to individuals or entities other than the National Park Service.

All individuals over the age of two, regardless of vaccination status or local community transmission levels, must wear masks in the following outdoor areas when others are present, except when actively eating or drinking, where the superintendent has determined that physical distancing (staying at least six feet apart) cannot reasonably be maintained:

- Historic Jamestowne Foot Bridge
- Sidewalk between the Yorktown Visitor Center and the Yorktown Monument
- Surrender Field Pavilion and the trail leading to it
- Tobacco Road Trail
- Areas immediately around visitor service tent stations (within 6 feet)
- Jamestown Glasshouse, trail and grounds adjacent to the store and demonstration area
- Hardened surfaces immediately adjacent to the Jamestown and Yorktown Visitor Centers

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of vaccination status, all individuals must comply with all orders regarding masks issued by the Centers for Disease Control and Prevention.

CDC prevention measures continue to apply to all travelers on public transit, regardless of vaccination status. Masks remain required on all forms of public transit that operate within parks, including busses, trains, and boats/ferries, and in transportation hubs.

Park staff should not ask visitors whether or not they have been vaccinated. Absent evidence to the contrary, park staff should operate as though non-masked visitors are fully vaccinated.

On May 19th, 2021, the Deputy Director of Operations exercising the delegated Authority of the Director and National Park Service issued a memorandum entitled Updating Mask-Wearing Requirements. This memorandum acknowledges May 13th, 2021, the Centers for Disease Control and Prevention (CDC) issued Interim Public Health Recommendations for Fully Vaccinated People. The Department of the Interior's current COVID-19 policy incorporates CDC guidance. Further guidance was issued on July 27th, 2021 regarding fully vaccinated people wearing masks in indoor settings when community transmission is substantial or high as shown on the CDC Data Tracker at <https://covid.cdc.gov/covid-data-tracker/#county-view> which as of August 3rd shows the area of Colonial National historical Park to be in this category. Additional current guidance and direction is for all persons to wear masks in Federal buildings.

- **(a)(3) The following restrictions, limits, closures, designations, conditions, or visiting hour restrictions imposed under §(a)(1) or (2) have been terminated: None**

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:

Special Use Permits may be obtained by accessing an application at [the park permit webpage linked here \(https://www.nps.gov/colo/special-use-permits.htm\)](https://www.nps.gov/colo/special-use-permits.htm) and clicking on the applicable permit application, or by calling the Park at 757 856-1261.

Activities requiring a permit are listed above under Public Use Limits and throughout this document under the specific 36 CFR Section that authorizes or requires the issuances of a permit.

Any activity that would otherwise violate operating hours, closures or limits listed in this compendium requires a permit.

III. GENERAL REGULATIONS

This section lists the modifications and limitations to the general Park regulations that have been made under the Superintendent's discretionary authority. This section only lists the modifications made specific to Colonial National Historical Park and does not list all the regulatory requirements for visitors, which is contained in the Title 36 Code of Federal Regulations, Chapter I.

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

(a)(4) All areas of the park are closed to wood gathering.

(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statute is prohibited, except in the following areas and/or under the following conditions:

- Only upon the hard surface established trails on the earthworks known as the Grand French Battery, American Battery, and Redoubt 9

Under, §2.1(a) collecting natural materials from the park is generally prohibited. However, pursuant to §2.1(c), 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 possession and consumption restrictions:

- Gathering of only non-paleontological (non-fossil) seashells which lie upon the surface of the shoreline is permitted in the park. This permission does not include any shell collected from a closed area or removed from or likely to have fallen from one of the bluffs containing paleological material, nor does it include any shark's teeth.
- Gathering of all fruits, nuts, berries to include walnuts, pine nuts, pine cones, berries (blackberries, huckleberries, etc...), hickory nuts, acorns is permitted within the boundaries of the Yorktown Battlefield and along the Colonial Parkway. Quantity is limited to one quart per person, per visit.
- The fruiting bodies of the Yorktown Onion (Allium ampeloprasum [var.] atroviolaceum) remain protected and are not permitted to be collected by this section.

Collecting fruits, nuts, and berries from plants that produce on a perennial basis is consistent with the protection of the park's natural resources.

36 CFR §2.2 - WILDLIFE PROTECTION

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

Transporting of lawfully taken wildlife is prohibited through the park, except on the following public roads:

- Crawford Rd.
- Goosley Rd.
- US-17
- Cook Rd.
- Ballard St.
- Rt 238

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

36 CFR §2.3 – FISHING

(a) Fishing is permitted in the park except in the locations listed in Title 36 Section 1.5

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(a)(1)(i) & (ii) Visitors may possess and carry firearms within Colonial NHP in compliance with Federal, State, and local laws. (54 U.S.C §104906)

Federal law prohibits firearms in certain park facilities and buildings. These places are marked with signs at public entrances. (18 U.S.C § 930)

(a)(2)(i) Weapons, traps, or nets other than firearms may only be carried, possessed or used at the following designated times and locations:

Other weapons, traps and nets as defined under 36 CFR 1.4 require a permit.

36 CFR §2.11 – PICNICKING

Most of the Park is closed to picnicking; the open areas are listed in section 1.5(a)(1) "Closures".

Conditions for Picnicking:

- There are no additional conditions for the areas where picnicking is allowed.

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:

- Yorktown Beach Picnic Area

Receptacles Allowed:

- Charcoal Grills

(a)(2) Using stoves or lanterns in violation of established restrictions

Designated Areas:

- Yorktown Beach Picnic Area

Receptacles Allowed:

- Camp/Gas Stoves

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

- All fires shall be completely extinguished and be cold to the touch prior to leaving unattended.
- Disposal of remaining ash and byproducts into garbage cans is prohibited.

36 CFR §2.14 – SANITATION and REFUSE

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

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

- The disposal of human body waste shall be accomplished only at public restroom facilities within the park.

36 CFR §2.15 – PETS

(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following structures and/or areas is prohibited:

- All cemeteries
- All park buildings, except park residences

This section does not apply to service animals.

(a)(3) Leaving a pet unattended and tied to an object is prohibited.

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

- Must be removed from the park by the pet owner/handler.

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

- With approval of Park Superintendent

36 CFR §2.16 – HORSES and PACK ANIMALS

(a) The use of animals other than those designated as “pack animals” for purposes of transporting equipment is prohibited. The following animals are designated as pack animals for purposes of transporting equipment:

- Horses
- Mules
- Llamas

(b) The use of horses or pack animals is prohibited outside of the following trails, routes or areas designated for their use:

- As outlined in section 1.5 (a)(1) of this document titled "Closures".

(d) Free-trailing or loose-herding of horses or pack animals on trails is prohibited

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

Horses and pack animals may be used on road shoulders, fire roads and cleared fields within Yorktown Battlefield unit except as listed in section 1.5 (a)(1) of this document titled "Closures".

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means is prohibited, except in emergencies involving public safety or serious property loss or pursuant to the terms and conditions of a permit.

- There are no locations designated for aircraft delivery or landing

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

36 CFR §2.18 – SNOWMOBILES

Operation of snowmobiles is prohibited throughout the park.

36 CFR §2.19 – WINTER ACTIVITIES

(a) Skiing, snowshoeing, ice skating, sledding, inner-tubing, tobogganing, and similar winter sports are prohibited on park roads and in parking areas open to motor vehicle traffic, except under the conditions below:

- Winter activities are not permitted on any park roads or parking lots. See section 1.5 (a)(1) of this document titled "Closures" for designated areas and types of winter activities permitted in the park.

(b) The towing of persons on skis, sled or other similar device by motor vehicle or snowmobile is allowed in the following areas and/or routes:

- None

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited in the park

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 and the use of ENDS (Electronic Nicotine Delivery Systems) as noted:

- All park buildings

36 CFR §2.22 – PROPERTY

(a)(2) Leaving property unattended for longer than 24 hours is prohibited, except in the following locations or under the following conditions:

- Notification has been made to the park dispatch or a Visitor and Resource Protection division employee of the location of the unattended property, the location of the property has been determined by the responding park official that it does not interfere with park management, and the reasonable date for removal as determined by the park official has been communicated to and agreed to by the owner.

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:

RATES At Historic Jamestowne: The fee will be \$25, consisting of NPS and Preservation Virginia fees. (Preservation Virginia owns a portion of Historic Jamestowne) The entrance fee is good for seven days entrance from date of purchase and also includes entrance to Yorktown Battlefield. Commercial tour companies should contact the park for fee information. Educational groups may qualify for an academic fee waiver and should contact the park at 757-898-2411. Golden Age pass holders pay a \$10 per person Preservation Virginia entrance fee for the pass holder and accompanying spouse and children. Colonial Annual Park pass; Interagency Annual, 4th Grade, and Senior pass holders pay a \$10 per person Preservation Virginia entrance fee for the pass holder and up to three additional adults. Access and Military passes are available and honored for pass holder and up to three additional adults.

RATES At Yorktown Battlefield: The fee will be \$15. The entrance fee is good for seven days entrance from date of purchase and also includes the NPS portion of the Historic Jamestowne entrance fee. Commercial tour companies should contact the park for fee information. Educational groups may qualify for an academic fee waiver and should contact the park at 757-898-2411. Golden Age and Golden Access passes honored for pass holder and accompanying spouse and children. Colonial Annual Park pass; Interagency Annual, Senior, 4th Grade, Access and Military passes are available and honored for pass holder and up to three additional adults. (Additional pass information: www.recreation.gov)

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:

- All areas of the park are closed to the consumption of alcoholic beverages, and/or 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.

This closure is in effect in order to be in compliance with state law and to protect the historical significance of the park.

36 CFR §2.37 – NONCOMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions of a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR §2.38 – EXPLOSIVES

(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit.

(b) Fireworks and firecrackers may be possessed and/or used in the following areas, under the conditions noted:

- Under condition of a permit issued by the Superintendent

36 CFR §2.50 – SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the superintendent.

36 CFR §2.51 – DEMONSTRATIONS

Demonstration means public assemblies, meetings, gatherings, picketing, speechmaking, marching, holding vigils or religious services engaged in by one or more persons, the conduct of which has the effect or propensity to draw a crowd of onlookers. This definition does not apply to casual park use by visitors or tourists which does not have an intent or propensity to attract a crowd of onlookers.

(b) Demonstrations of more than 25 people are allowed within park areas designated as available under paragraph (c)(2) when the superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- Yorktown Battlefield
The grassy area in the northeast section of the Yorktown Battlefield Visitor Center bounded by and not including the paved walkway to the pedestrian bridge and the curb of the bus parking spaces.
- Colonial Parkway
The grassy area on the south side of the Colonial Parkway, west of Archers Hope and across from the Gospel Spreading Farm.
- Historic Jamestowne
The grassy area west of the Historic Jamestowne Visitor Center, bounded by but not including the entrance road, staff parking area, and driveway to Preservation Virginia property.

36 CFR §2.62 – MEMORIALIZATION

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit, or in the following areas and according to the following 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.

36 CFR §3.3 – VESSEL PERMITS

All waters within the park's legislative boundary are closed to boating operations.

Permits are required for the use of a vessel pursuant to §1.5(d). See §1.5(d) of this document for details.

36 CFR §3.8 – BOATING OPERATIONS

(a)(2) Launching or recovering a vessel is prohibited, except at one of the following launch sites:

- None

36 CFR §3.16 – SWIMMING AND WADING

Swimming or wading is allowed in waters, subject to closures or restrictions designated in §1.5 of this document.

As outlined in 36 CFR §1.5 of this document, swimming, bathing, or wading is not allowed in waters subject to closures at the following water areas:

- All waters within the perimeter of Jamestown Island
- Wormley Pond
- Jones Mill Pond
- Bracken's Pond
- Yorktown Creek
- All water areas within the legislative boundary of Yorktown Battlefield

36 CFR §3.17 – SWIMMING AREAS AND BEACHES

(a) Swimming areas and swimming beaches are designated in §1.5 of this document.

(c) Prohibitions on the use or possession of glass containers, kites or incompatible sporting activities in swimming areas or swimming beaches are outlined in §1.5 of this document.

- Glass containers are prohibited on all beaches

36 CFR §3.18 – SCUBA AND SNORKELING

(a) Snorkeling and underwater diving is prohibited in park waters.

36 CFR §3.19 – USE OF SUBMERSIBLES

The use of manned or unmanned submersibles may only occur in accordance with a permit issued by the superintendent.

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

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

- Ballard Street
- Colonial Parkway
- Cook road
- East Tour Road
- Historic Jamestowne Loop Road
- Newport Ave
- State Route 238
- State Route 359
- State Route 614 Surrender Road
- US Route 17
- West Tour Road

(c)(1) Operating a motor vehicle not equipped with pneumatic tires is prohibited, except that a track-laying motor vehicle or a motor vehicle equipped with a similar traction device may be operated on one of the following routes designated for these vehicles:

- None

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:

- East and West Tour Roads, Yorktown Battlefield
 - All Vehicles - 5 tons
- Historic Jamestowne Tour Roads
 - All Vehicle - 5 tons
- Colonial Parkway
 - Single axle - 10 tons
 - Double axle - 15 tons

36 CFR §4.21 – SPEED LIMITS

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

- Yorktown Beach Picnic Area- 15 MPH

- East and West Tour Roads- Yorktown Battlefield- 15 MPH
- Surrender Road- Yorktown Battlefield- 25 MPH
- Historic Jamestowne Loop Road- 15 MPH
- Colonial Parkway:
 1. From State Rte 359 to the Historic Jamestowne Visitor Center: 25 MPH
 2. From State Rte 359 to KM 33: 35 MPH
 3. From KM-33 to KM-27: 45 MPH
 4. From KM-27 to KM-26: 35 MPH
 5. From KM- 26 to Newport Ave: 45 MPH
 6. From Newport Ave to K-19.8 : 35 MPH
 7. From K-19.8 to US-17: 45 MPH
 8. From US-17 to Ballard St. (Five Points): 35 MPH
 9. All access ramps: 25 MPH

36 CFR §4.30 – BICYCLES

(a) The use of a bicycle is prohibited except on park roads, in parking areas, and on routes designated for bicycle use. Park roads and parking areas that are closed to bicycle use are listed in §1.5 of this document.

e-Bikes

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 hp).

E-bikes are allowed in Colonial National Historical Park 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.

Persons with disabilities using an e-bike as an Other Power-Driven Mobility Device may use it without regard to pedaling and class restrictions. When safe and prudent to do so a person with a disability may operate an e-bike throughout the Park except in buildings, within cemeteries and on the Historic Jamestowne Footbridge. Individuals operating in areas otherwise closed to e-bikes may be challenged by Park staff but can assert their permission through a state issued disabled placard or their personal assertion.

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 Colonial National Historical Park 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.

The following additional routes, in developed areas or special use zones, have been designated for bicycle use and e-bike use by pedaling:

- Park Fire Roads
- Gravel multi-use connector trail from West Tour Road to Surrender Road
- Treasure Island multi-use trail.

(d)(3) Riding a bicycle abreast of another rider is prohibited on all roads in the park.

36 CFR §4.31 – HITCHHIKING

In order to conform to Virginia State Law 46.2-99, the solicitation of rides by pedestrians or hitchhiking along any roadway within Colonial NHP is prohibited.

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.6 – COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited and requires permission or a permit from the Superintendent.

IV. CCTV POLICY STATEMENT

In accordance with National Park Service Law Enforcement Reference Manual 9 (RM-9), notice is hereby given that Colonial National Historical Park uses Closed Circuit Television (CCTV) security camera monitoring.

The park's use of Closed Circuit Television (CCTV) for law enforcement and security purposes will only be to visually monitor public park areas and public activities where no constitutionally protected reasonable expectation of privacy exists. Such CCTV use – which will have adequate privacy and First Amendment safeguards – will be to help ensure public safety and security; facilitate the detection, investigation, prevention, and deterrence of terrorist attack and crime; help ensure the safety of citizens and officers; help assist in the proper allocation and deployment of law enforcement and public safety resources; and help facilitate the protection of the innocent and the apprehension and prosecution of criminals. (RM-9, 26.1)

This policy does not restrict the official use of CCTV in government administrative areas, including administrative buildings, jail holding facilities (RM-9, 26.3.7), revenue collection sites, etc., where the government may record/monitor its facilities. For example, the government may perform unrestricted video/audio recording at revenue collection points (entrance stations, visitor center counters, etc.). This policy does not restrict the use of an Audio/Visual Recording Device (AVRD) in patrol vehicles or officer-worn recording devices used by commissioned rangers. (RM-9, 26.1).

Operation of CCTV cameras, maintenance of recorded images and use of recorded images will be in accordance with NPS and Department policy and applicable laws and regulations. (RM-9, 26.1-26.4) No person will be targeted or monitored merely because of race, religion, gender, sex, disability, national origin, or political affiliation or views. (RM-9, 26.4.2)

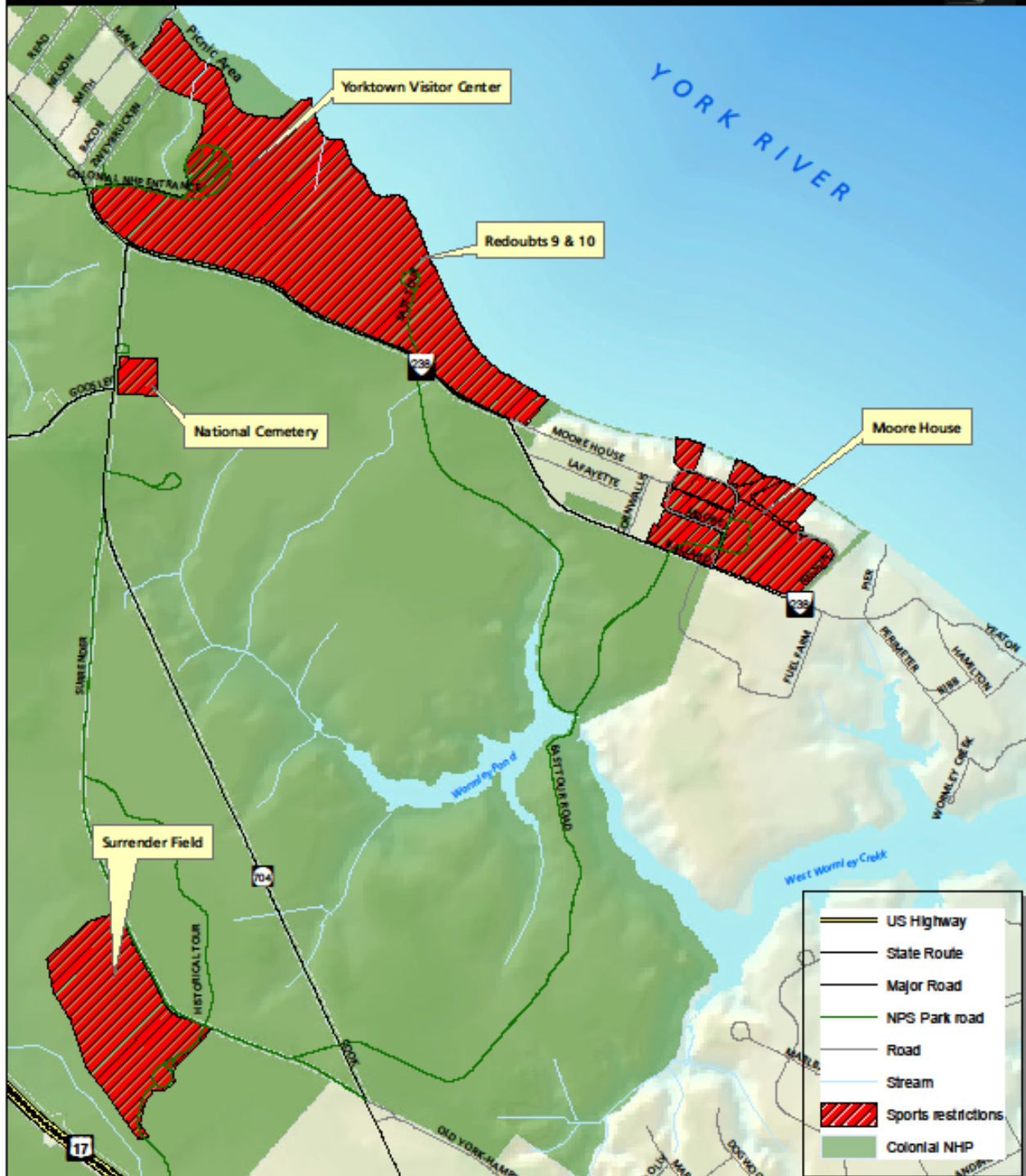
Nothing in this policy statement is intended to create any rights, privileges, or benefits not otherwise recognized by law.

**Areas Closed to Sports, Recreation, Horse and Animal Use
Yorktown Battlefield**

National Park Service
U.S. Department of the Interior



Attachment 1

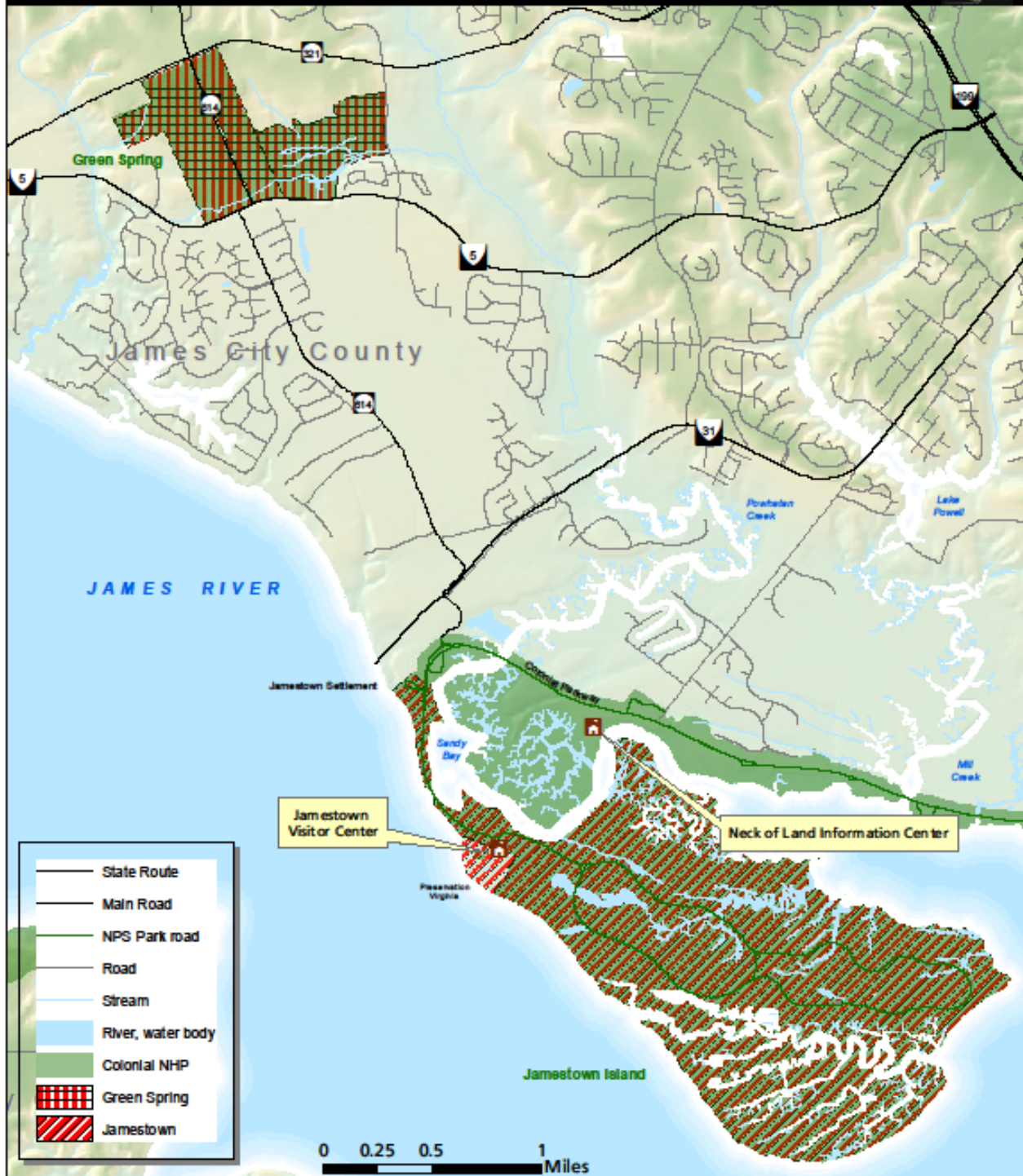




**Areas Closed to Sports, Recreation, Horse and Animal Use
Jamestown Island and Green Spring**

National Park Service
U.S. Department of the Interior



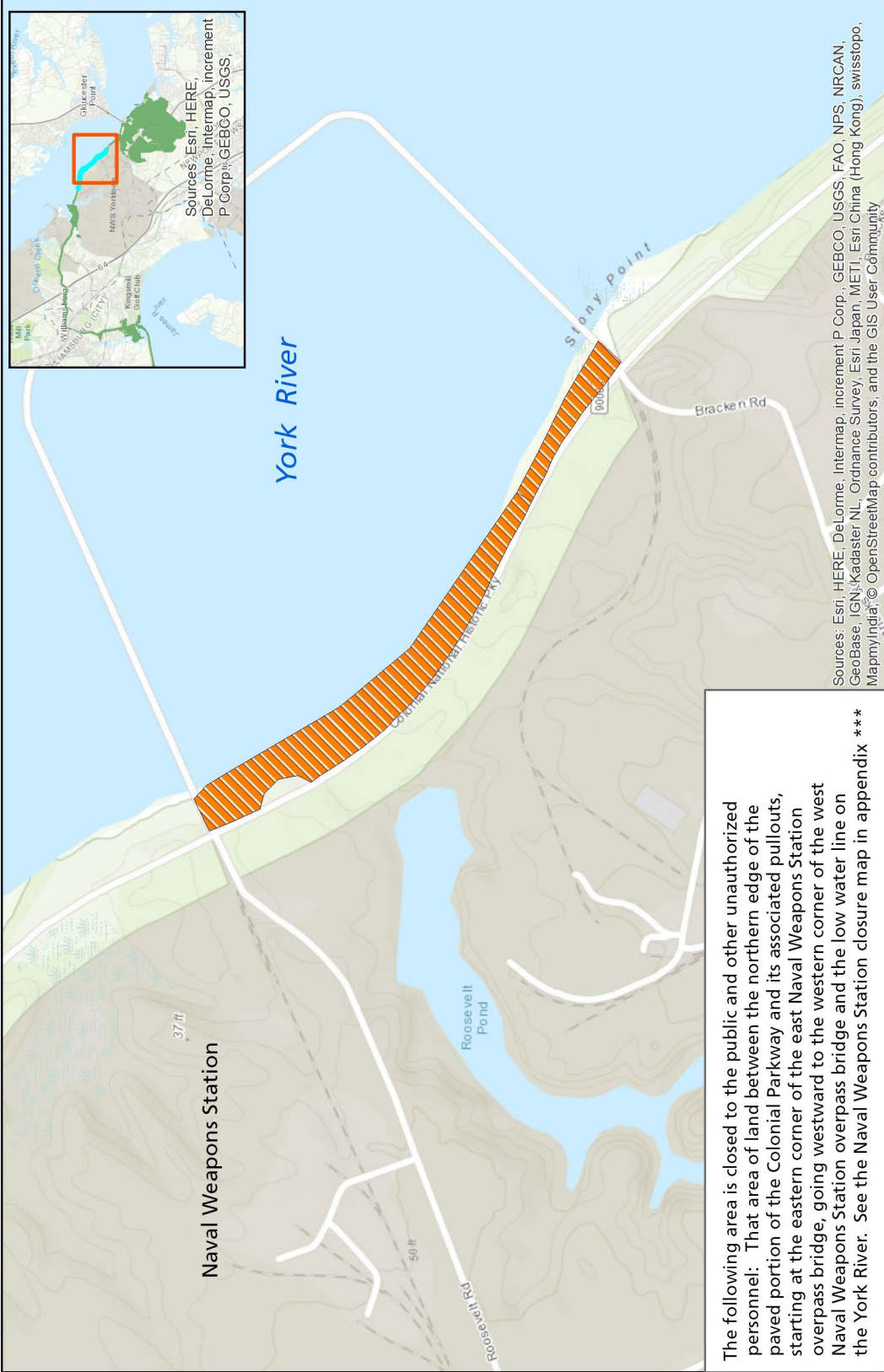
Attachment 2



 **Green Spring** Area Closed to Public Use At All Times Colonial National Historical Park
 **Jamestown** Area Closed Sunset to 8:30 am daily (This area also closed to sports, recreation, horses and pack animals at all times) Date: 6/25/2012

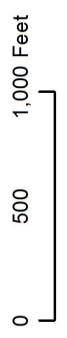
Naval Weapons Station and Colonial Parkway Closure Area
 Colonial National Historical Park

National Park Service
 U.S. Department of the Interior



The following area is closed to the public and other unauthorized personnel: That area of land between the northern edge of the paved portion of the Colonial Parkway and its associated pullouts, starting at the eastern corner of the east Naval Weapons Station overpass bridge, going westward to the western corner of the west Naval Weapons Station overpass bridge and the low water line on the York River. See the Naval Weapons Station closure map in appendix ***

The NPS makes no warranty, express or implied, related to the accuracy or content of this map.
 Coordinate System:
 NAD 1983 UTM Zone 18N



GIS Office,
 Colonial National Historical Park
 Date: 7/26/2018



National Park Service
U.S. Department of the Interior

Designation of First Admendment Area Yorktown Battlefield - Colonial NHP Attachment 3



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National Park Service
U.S. Department of the Interior

Designation of First Admendment Area Jamestown - Colonial NHP Attachment 4



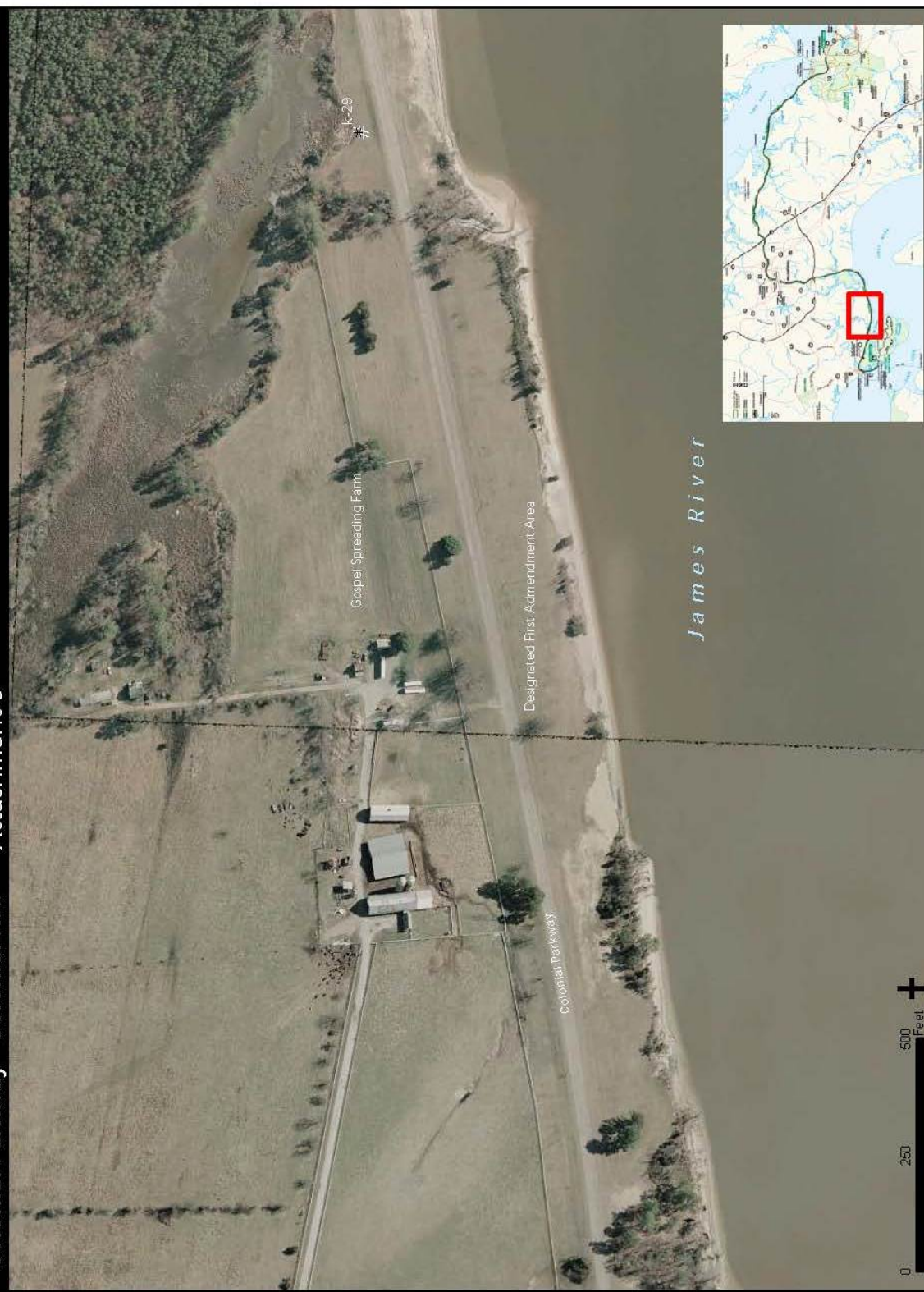
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National Park Service
U.S. Department of the Interior

Designation of First Admendment Area

Colonial Parkway - Colonial NHP Attachment 5



k-29

Gospel Spreading Farm

Designated First Admendment Area

James River

Colonial Parkway

